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COMMISSION ON
CONDITIONS IN
IRELAND

INTERIM REPORT

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The American Commission
on Conditions in
Ireland

Michael V. Coulson
Savannah, 1933

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1921

MAP OF IRELAND

Showing
CENTERS OF DEVASTATION

Prepared from data submitted by Counsel for the
American Association for Recognition of the Irish Republic

SCALE OF MILES
0 5 10 20 30 40 50

- KEY**
- Towns Shot Up
 - Towns Sacked
 - Creameries Destroyed
 - ***** Orange Riots Occurred



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 WILLIAM ALLEN WHITE, editor of the *Emporia Gazette*, Emporia, Kan.
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LIST OF WITNESSES CALLED BEFORE THE COMMISSION

CITIZENS OF IRELAND

DENIS MORGAN, Chairman of the Urban Council of Thurles.
 JOHN DERHAM, Town Councillor of Balbriggan.
 MRS. MURIEL MACSWINEY, widow of the late Lord Mayor of Cork.
 MISS MARY MACSWINEY, sister of the late Lord Mayor of Cork.
 DANIEL FRANCIS CROWLEY, member of the Royal Irish Constabulary for three years up to June, 1920.
 JOHN TANGNEY, member of R.I.C. from October, 1915, to July, 1920.
 MRS. ANNA MURPHY of New York City (husband an Irish citizen).
 JOHN JOSEPH CADDAN, member of R.I.C., February to November, 1920.
 DANIEL GALVIN, member of R.I.C., October, 1907, to July, 1920.
 LAURENCE GINNELL, member of Dail Eirann, and member of the Irish Republican Cabinet.
 MISS SUSANNA WALSH, sister-in-law of Thomas MacCurtain, late Lord Mayor of Cork.
 MISS ANNA WALSH, sister-in-law of Thomas MacCurtain, late Lord Mayor of Cork.
 DONAL O'CALLAGHAN, Lord Mayor of Cork and Chairman of Cork County Council.
 THOMAS NOLAN, Galway.
 FRANK DEMPSEY, Chairman of the Urban Council of Mallow.
 MISS LOUIE BENNETT, Dublin, Secretary of the Irish Branch, Women's International League.
 MISS CAROLINE M. TOWNSHEND, Bandon, County Cork, officer of the Gaelic League.
 J. L. FAWSITT, Irish Republican Consul General at New York.

ENGLISH CITIZENS

MRS. ANNOT ERSKINE ROBINSON and Miss ELLEN C. WILKINSON, both of Manchester, representing the British Branch of the Women's International League.

AMERICAN CITIZENS

REV. MICHAEL M. ENGLISH, Whitehall, Montana.
 JOHN F. MARTIN, attorney, Green Bay, Wis.
 REV. DR. JAMES M. COTTER, Ironton, Ohio.
 MRS. AGNES B. KING, Ironton, Ohio.
 FRANCIS HACKETT, New York City, associate Editor of *The New Republic*; investigated conditions in Ireland for the *New York World*.
 MISS SIGNE TOKSVIG (MRS. HACKETT), New York City.

P. J. GUILFOIL, Pittsburgh, Pa.
 MISS RUTH RUSSELL, Chicago (investigated conditions in Ireland for the *Chicago Daily News*).
 MISS NELLIE CRAVEN, Washington, D.C.
 PAUL J. FURNAS, New York City, member Society of Friends.
 MRS. MICHAEL MOHAN, Corona, New York.
 JOHN CHARLES CLARKE, Corona, New York.
 DANIEL J. BRODERICK, Chicago, Ill.
 EMIL PEZOLT, Oakland, Cal., junior engineer on U.S. *Westcannon*.
 HENRY TURK, San Francisco, messman on the U.S. *Westcannon*.
 HAROLD JOHNSON, Bucks Co., Pa., sailor on the U.S. *Westcannon*.
 RALPH TAYLOR, Scott Township, Pa., messman on the U.S. *Westcannon*.
 PETER J. MACSWINEY, New York City, brother of the late Terence MacSwiney.

HEARINGS OF THE COMMISSION

Public hearings were held by the Commission at Washington, D.C., November 19 and 20, December 9, 10, 11, 15, 18, 21, 22, and 23, 1920, and January 13, 14, 19, and 21, 1921. In addition, there have been numerous executive sessions of the Commission and sub-committees to arrange administrative details, consider reports, documents, &c.

The American Commission on Conditions in Ireland

CHAPTER I

History, Purpose, and Method of the Commission

ORIGIN OF THE COMMISSION

THE AMERICAN COMMISSION ON CONDITIONS IN IRELAND presents herewith to its parent body, the Committee of One Hundred on Ireland, a report on its inquiry to date on the situation in Ireland. The Commission has been conscious from the outset of the strict obligations of sincerity and impartiality imposed on them by the very character of the distinguished personnel of the Committee of One Hundred from which the Commission derived its authority. The Committee of One Hundred was called together through the good offices of the editors of the *New York Nation*, who made every effort to gather a body of men representative of all shades of American opinion, by inviting the participation of every United States Senator, the Governor of every State, the Mayors of the large cities, college presidents and conspicuous professors, every Methodist, Protestant Episcopal, and Roman Catholic Bishop, the editors of the metropolitan daily newspapers and of the leading organs throughout the country, and prominent citizens distinguished in every department of civil life. It was expected to find through this means a hundred fair-minded citizens who would be able and willing to give some time and thought to conditions in Ireland and to the creation of a commission of inquiry. The responses exceeded expectations; over one hundred and fifty persons accepted membership. This parent Committee of the inquiry includes five State Governors, eleven United States Senators, thirteen Congressmen, the Mayors of fifteen large cities, Cardinal Gibbons, Archbishop Keane, and four Roman Catholic Bishops, seven Protestant Episcopal Bishops, four Methodist Bishops, and clergymen, priests, educators, editors, business men, and labour leaders. Thirty-six states were represented in the Committee.

This body elected from its membership a Commission of five members to conduct its inquiry with power to increase its membership. It has availed itself of that power.

PURPOSE OF THE COMMISSION

The situation in Ireland was a proper subject of concern for all peoples claiming either humanity or civilisation. It appealed particularly to Americans, so closely bound by ties of blood and culture to the Irish and English people. Unless moral force could prevail to end the terror in Ireland, physical force seemed to us bound to continue both to deny the possibility of peace in Ireland, and to diminish the possibility of non-intervention of our government in the struggle. It seemed to us that we could best serve the

cause of peace by placing before English, Irish, and American public opinion the facts of the situation, free from both agonised exaggeration and merciless understatement; for a knowledge of the facts might reveal their cause, and recognition of that cause might permit its cure, by those whose purpose was not to slay but to heal.

The facts available to us for investigating the situation were the atrocities caused by it. We, therefore, sought evidence of these atrocities from both sides, in the hope that we could make clear to the English on the one hand and to the Irish on the other our desire to do them the service which our common civilisation required as a right, our common humanity as a duty.

METHOD OF GATHERING THE EVIDENCE

Every phase of the formation of the Committee of One Hundred and of the development of its plans was promptly brought to the attention both of the British Ambassador and of President De Valera, who was then in this country. They were promptly informed of the election of the Commission and of its programme and purposes. Each was invited to co-operate with the Commission, to designate witnesses, and to be represented at the hearings by counsel, if such was his desire. Prof. De Valera, President of the Irish Republic, accepted the Commission's invitation. The British Embassy, to the regret of the Commission, took the attitude that while it would do nothing to hinder the inquiry, it would do nothing to assist it; but gave to the Commission the assurance of the British Government that passports would not be refused to Irish witnesses "on the ground that they wished to testify before the Commission." Both the Embassy and President De Valera assured the Commission that there would be no reprisals against Irish witnesses, whatever their testimony.

WITNESSES INVITED

From the outset the Commission made every effort to gather evidence that would enable a complete inquiry to be made. The chief administrative officers of Irish cities and towns that were focal centres in recent disturbances were asked to come to this country to testify. These included Londonderry, Belfast, Cork, Balbriggan, Thurles, and Mallow. Cardinal Logue, the Irish Primate, was asked to send a delegation of the hierarchy to give testimony. Prominent leaders in Irish life, such as Sir Horace Plunkett, George Russell ("E"), and Arthur Griffith, were invited. The next of kin of public officials who had been killed on one side or the other, such as Mrs. MacCurtain, widow of the late Lord Mayor of Cork, who was slain in Cork, and Miss Irene Swanzy, sister of Inspector Swanzy of the Royal Irish Constabulary, who was killed at Lisburn, were also invited. Sir Edward Carson, the Ulster leader, was asked to come in person or to send a representative to present to the Commission the case from the official Unionist viewpoint. Similar invitations were sent to Lord French and Sir Hamar Greenwood. None of the three replied, though all refused and repudiated the invitation in newspaper statements.

It is noteworthy that none of the anti-Republican Irish citizens invited gave an acceptance except Miss Swanzy, who cabled that she would come. After the Commission had cabled her the assurance that £300 would be provided for her expense money, she declared that she could not come without her mother, and an additional allowance of £100 was made for her mother's trip. Subsequently a letter was received from her stating that certain information she had received from sources unnamed caused her to decline the invitation.

The other Irish witnesses invited, generally, made efforts to get here in person, or to send representatives. Cardinal Logue cabled that certain bishops were unable to secure passports. George Russell, unable to come, sent an informative statement. Donal O'Callaghan, Lord Mayor of Cork, unable to secure a passport, slipped over without one, as a stowaway. Mr. Peter MacSwiney came as a seaman. Messrs. Morgan and Derham arrived safely on a small trading vessel. Others were less fortunate. Mrs. MacCurtain was shot at and her house was raided and denuded of evidence shortly after she received the invitation of the Commission. Her shattered health—she had given birth to still-born twins a few months after her husband was killed—prevented her from taking the long trip, and two of her sisters came in her place.

The Commission also tried to secure as witnesses a number of British citizens representing various English points of view on Ireland. Unfortunately, members of the British Labour Party delegation that investigated conditions in Ireland have thus far been unable to come to the Commission to give us at first hand the benefit of their inquiry. Their report, however, is before us. Others, such as Mrs. Annan Bryce and Mr. H. W. Nevinson, were likewise unable to accept our invitation. The British Branch of the Women's International League sent to us Mrs. Annot Erskine Robinson and Miss Ellen G. Wilkinson, both of Manchester, two of a delegation of ten Englishwomen representing their branch of the League which made a first-hand investigation in Ireland last autumn. They gave direct testimony and presented to the Commission the official report of their delegation. The report on Ireland of the British Society of Friends was also placed before the Commission by Mr. Paul Furnas, of New York.

One of the witnesses invited by the Commission was the Rev. T. T. Shields, of Toronto, Canada, who accompanied the delegation of Ulster Protestant clergymen on their tour of the United States last year, and who, we were informed, had some valuable documentary evidence on Ireland in his possession. Mr. Shields received the advances of the Commission in a mood of unreciprocity, and the effort to secure his testimony, and possibly that of some members of the Ulster delegation, failed. A number of English journalists in the United States were also invited to testify, but in no case was an acceptance received. Valuable testimony was given by fifteen American citizens who had recently visited Ireland, including several journalists. In addition to the direct testimony the Commission has gathered a mass of reports and documents bearing on Ireland, including numerous official British reports and statistics, and the weekly official bulletin of the Irish Republic.

The Commission's inquiry has received cordial co-operation and support from leading citizens representing various groups in Irish life, including Cardinal Logue, Sir Horace Plunkett, George Russell, Mrs. Alice Stopford Greene, Lieutenant Commander Erskine Childers, Mr. Arthur Griffith, and officers of the Irish Labour Movement. Its inquiry has been greeted with similar cordiality by many leading English citizens, including Sir Francis Vane, Bart., of Hutton, who was the chief British recruiting officer in Ireland during the war; Mr. H. W. Nevinson, Sir John Simon, Mr. Annan Bryce, Mr. Arthur Henderson, Mr. George Lansbury, Mr. William P. Adamson, Mr. C. T. Cramp, Mr. George Bernard Shaw, and others. American Senators, Governors, Mayors, and other distinguished citizens warmly approved our project although precluded from participation in it.

BRITISH PREVENT INVESTIGATION IN IRELAND

It must be pointed out that while the reports and documents gathered by the Commission present the case of Ireland from diverse points of view, the direct testimony available gives the case almost wholly from the Irish Republican viewpoint or from sources not unsympathetic to the application of the principle of self-determination to Ireland. In other words, the Ulster Unionist viewpoint and that of British officialdom in Ireland, in spite of every earnest effort of the Commission, were not represented among the witnesses. Diligent efforts were made to remedy this unfortunate defect.

The Commission planned, among other things, to send a sub-committee to England and Ireland, and it was arranged that in England this committee should consult every available source of British opinion on Ireland. Major Newman, Mr. Maurer, and Dr. William MacDonald, the Secretary of the Commission, were selected for this mission, but after passports had been secured from our State Department the British Government through the Embassy refused visas. The Commission regretted this action, not only because of its prejudicial effect against the British Government on a large section of American opinion, but particularly because the first suggestion that the Commission extend its inquiry to England and Ireland had come from British sources, from a group of the principal leaders in the Labour Party.

We wish to commend the frank and dispassionate spirit in which the Irish witnesses presented their testimony. They came to us in many cases under conditions of great personal inconvenience, or even danger. In so far as they represented the Irish people before the Commission, that people has cause for pride in them.

CHAPTER II

Review of the Situation and Statement of Findings

OUR inquiry has been concerned with only those aspects of conditions in Ireland that appeal to the sympathy, conscience, and sense of justice of mankind, and that cannot be ignored if the traditions of civilisation are to be the basis of human comity. Repeated refusal of the Imperial British Government to permit a parliamentary or judicial investigation that would reveal the facts made inevitable both this inquiry and subsequent inquiries by various groups of British citizens. This departure from traditional British frankness in dealing with the activities of Imperial officials and troops culminated in the suppression of the report of General Strickland on the burning of Cork. The Imperial British claim to Ireland would seem to us to incur more injury from such concealment than any revelation could possibly inflict.

EVENTS LEADING TO THE PRESENT CRISIS

The terms of our reference did not allow us to extend our inquiry to the historical relation of Ireland to the British Empire and the economic and social effects of that relation as shown by the loss of population and the condition of the people. The revival of Irish nationhood and the part played in it by the Gaelic League, the co-operative movement, the Irish Labour Movement, and the Sinn Fein organisation were also beyond our scope. Certain facts, however, must be understood as a basis for a correct appraisal of present events. These facts do not seem to be questioned and may be set forth without offering proof.

The central fact in the Irish situation is the presence of the British in Ireland. The British can point to 700 years of possession of Ireland, and to 700 years spent in trying to pacify Ireland; and the British naturally desire to continue to possess Ireland, for they are proud of their Empire, jealous of its integrity, and anxious about its security.

The Irish people from age to age, almost from generation to generation, have contested the right of the British in Ireland. Since the United States was liberated from the British Empire, the Irish people had asserted their natural right by arms on the following occasions: 1788, 1798, 1803, 1848, and 1867. These and "constitutional" efforts won from the British Parliament the abolition of Penal Laws against Roman Catholics, the disestablishment of the Irish Church, liberal land laws, and, finally, the Irish Home Rule Act, which was passed by Lords and Commons and signed by the King in 1914. At the behest of the British Tories, under the titular leadership of Sir Edward Carson, that Act was forthwith suspended for the duration of the war to which the Irish Nationalist leader John Redmond and his party gave their support. Later the Act was rendered void by a superseding Act which partitioned Ireland.

To fight the Home Rule Act, Sir Edward Carson's Tory lords had started the Ulster rebellion of 1914, armed the Unionists there, and set up a Provisional Government in Belfast. This insurrection was abetted by Lord French, and by Sir Henry Wilson, now of the Imperial British High Command. Thereafter Sir Edward Carson and the other leaders in the Ulster insurrection were promoted to high office in the Imperial British Government.

After this, in 1916, Irish poets, teachers, and leaders, with less than 1,000 followers, rose in rebellion, and declared Ireland's independence. Confronted with the Irish Declaration of Independence, the Imperial British Government poured additional troops into Ireland. The rebellion was crushed in April, 1916.

The Imperial British Government then continued to pour troops into Ireland. The Irish to an increasing degree were deprived of civil and social liberty. Such British rule lasted until December 14, 1918, when, at the conclusion of the war avowedly fought for the rights of small nations, the Irish people in the general election, held under British auspices, gave the endorsement of their suffrage to the Irish Republic which was the election issue in Ireland.* In fulfilment of their pledge the elected representatives of the Irish Republic met in Congress (Dail Eireann) at Dublin, organised as a Government, nominated officers, and proceeded to function (January 21, 1919). And an army known as the Irish Republican Army was created, equipped with distinctive uniforms, and drilled openly.

HOW GREAT BRITAIN MET INSURRECTION

It is with the means used by the British Government to meet the situation brought about by the defection of the Irish people that this Commission was required chiefly to concern itself by the terms of its appointment. Since no exponent of the policy of the Imperial British Government availed himself of the opportunity offered by the invitation of the Commission to appear in defence or explanation of the British policy in Ireland, the Commission has been forced to determine the outlines of this policy partly by the proven actions of the Imperial British forces in Ireland and partly by decrees, orders, and other official British proclamations put in evidence.

Civilised governments meet such a situation in one of two ways: (1) a declaration of "a state of war" and suppression of the insurrection under the rules of warfare as recognised and practised by civilised peoples; or (2) a declaration of martial law under which responsible Governments maintain their authority when the ordinary processes of civil law are deemed inadequate.

It does not appear that the Imperial British Government used the first of these two measures to meet the situation in Ireland, at least until February 24, 1921, when a decision of the King's Bench in the case of John Allen declared that "a state of war" existed in Ireland. It seems clear that, until this date, proclamations of martial law and the Restoration of Order in Ireland Act of 1920 were relied upon to legalise the British policy of repression. But the facts suggest that the actual operation of this policy was not based upon law. There exists neither under the laws of war nor under the codes of martial law in civilised States any justification for assassination, pillaging, or terrorism as a means of suppressing insurrection. And yet this Commission is reluctantly forced to the conclusion by evidence to be set forth in the succeeding chapters, that such means are relied upon by the Imperial British forces in Ireland to bring the Irish people once more under the control of the Imperial Crown.

IRISH RESISTANCE

It is admitted by witnesses who have appeared before us that during the years 1919 and 1920 following the creation of a Republican Government, members of the Imperial British forces have been killed by the forces of the Irish Republic. No direct evidence has been presented as to these killings

* In England the election issue was, "Make Germany pay for the war and hang the Kaiser"; in Ireland, "Separate completely from England." In effect, the English did not vote on this Irish issue and the Irish did not vote on the English "khaki" issue.

or as to their exact number. These are the cases customarily referred to by spokesmen of the Imperial British Government as the "murders of policemen." We have heard testimony that the greater number were slain in conflicts between the forces of the Irish Republican Army and the Imperial British forces—often in raids by the Irish to secure arms and ammunition. The rest, it is testified, were killed either because they were spies or because they were guilty of some specific crime directed against Irish Republicans; and had been tried and condemned before death. (We note that it is generally conceded that among the victims of this procedure were no women or children, aged or infirm, priests or ministers.) It is not contended that the victims were present at these trials, and we have received no proof of the circumstances alleged in extenuation of these killings. We may take cognisance of the fact that among the more prominent of the victims were Inspector Swanzy, indicted by a coroner's jury as one of the murderers of Lord Mayor MacCurtain of Cork; and Colonel Smyth, concerning whom witnesses presented proof that he incited his men to wholesale slaughter of Sinn Feiners. We have also been impressed by the evidence developed by a British military tribunal in the trial of one Teeling that Lieutenant Angliss, one of the British officers who were killed in Dublin on November 21, 1920, had been living as a civilian in a house in Dublin under the assumed name of MacMahon. Furthermore, evidence has been presented which would seem to indicate that no British "police" or soldiers were killed by the Irish in 1917 or 1918 with the single exception of an inspector who was injured leading a baton charge to suppress a public assembly, and who died later of his wounds. There is evidence, however, that during these two years the Imperial British forces had carried on a campaign of suppression in which more than a thousand Irish were arrested without warrant and deported, or held in custody without trial; that fairs and markets were prohibited; assemblies of unarmed men and women were broken up by violence; and about a dozen Irishmen were killed by bullets or bayonets handed by Imperial British "police" or soldiers. But when all this has been set forth it seems established by the evidence that certain discriminate assassinations were the deliberate work of Irish citizens.

The Commission would point out that murder is not a question of date. And if the Irish assassinations are in essence executions, yet the accused is perforce absent from his trial; and the condemned not being in custody, the executioners in error may dispatch some uncondemned person. We deeply deplore the whole procedure no matter how great is the provocation as contrary to the dictates of social morality. If the purpose of assassination was to safeguard the people, it has failed; the British terror was not arrested by it but has continued in spite of it and has progressively intensified. Assassination would seem to us necessarily degrading to those who actively participate in it; injurious to the fair fame of the Irish people; and harmful to the cause of Ireland in the public opinion of the world.

BRITISH RESPONSIBILITY

The Commission, however, understands that the British Government has not abandoned its claim to be the titular custodian of law, justice, and order in Ireland. Political assassination especially in a country where ordinary murder is as uncommon as in Ireland is a phenomenon whose causes require investigation. It has therefore seemed of paramount importance to examine the means used by the British Government to enforce whatever principles of justice it deems applicable to Ireland, and to ascertain, if possible, upon what principles this justice is grounded. For, if we accept the claim of Great Britain that it is in control of affairs in Ireland, we cannot escape the conclusion that the British Government must accept responsibility for the deplorable conditions that have followed upon its attempts to maintain its authority.

CONCLUSIONS

We find that the Irish people are deprived of the protection of British law, to which they would be entitled as subjects of the British King. They are likewise deprived of the moral protection granted by international law, to which they would be entitled as belligerents. They are at the mercy of Imperial British forces which, acting contrary both to all law and to all standards of human conduct, have instituted in Ireland a "terror" the evidence regarding which seems to prove that :

1. The Imperial British Government has created and introduced into Ireland a force of at least 78,000 men, many of them youthful and inexperienced, and some of them convicts; and has incited that force to unbridled violence.
2. The Imperial British forces in Ireland have indiscriminately killed innocent men, women, and children; have discriminately assassinated persons suspected of being Republicans; have tortured and shot prisoners while in custody, adopting the subterfuges of "refusal to halt" and "attempting to escape"; and have attributed to alleged "Sinn Fein Extremists" the British assassination of prominent Irish Republicans.
3. House-burning and wanton destruction of villages and cities by Imperial British forces under Imperial British officers have been countenanced, and ordered by officials of the British Government; and elaborate provision by gasoline sprays and bombs has been made in a number of instances for systematic incendiaryism as part of a plan of terrorism.
4. A campaign for the destruction of the means of existence of the Irish people has been conducted by the burning of factories, creameries, crops, and farm implements and the shooting of farm animals. This campaign is carried on regardless of the political views of their owners, and results in widespread and acute suffering among women and children.
5. Acting under a series of proclamations issued by the competent military authorities of the Imperial British forces, hostages are carried by forces exposed to the fire of the Republican army; fines are levied upon towns and villages as punishment for alleged offences of individuals; private property is destroyed in reprisals for acts with which the owners have no connection; and the civilian population is subjected to an inquisition upon the theory that individuals are in possession of information valuable to the military forces of Great Britain. These acts of the Imperial British forces are contrary to the laws of peace or war among modern civilised nations.
6. This "terror" has failed to re-establish Imperial British civil government in Ireland. Throughout the greater part of Ireland British courts have ceased to function; local, county, and city governments refuse to recognise British authority; and British civil officials fulfil no function of service to the Irish people.
7. In spite of the British "terror" the majority of the Irish people having sanctioned by ballot the Irish Republic, give their allegiance to it; pay taxes to it; and respect the decisions of its courts and of its civil officials.

CHAPTER III

Imperial British Forces in Ireland

THE testimony before the Commission shows the forces of the Imperial Government in Ireland to be divisible into three classes :

- (a) The Royal Irish Constabulary.
- (b) The Military.
- (c) The Auxiliaries.

The Royal Irish Constabulary seem to number between 9,000 and 10,000; and are commonly referred to as the R.I.C., or the "police." They appeared to be a body recruited in Ireland, given military training, taught to use revolvers, carbines, and bayonets, made expert in bomb throwing, organised as a military force, distributed at strategic points under the command of officers called inspectors, and responsible not to elected Irish authority but to Imperial British authority.

In addition to these 10,000 "police" the Imperial British forces in Ireland contain regular regiments of the British army, such as the Essex, the Lancashire, the Hampshire, the Cameron Highlanders, and the Seventeenth Lancers—numbering, it is testified, anywhere from 60,000 to 200,000. These men wear trench helmets and are equipped with all the modern instruments of destruction.

Besides these, there are seven thousand irregulars, wearing partly R.I.C. and partly military uniforms, who are distinguished by their origin, their high rate of pay, and their character, and who are known as Black and Tans.

Lastly, we have testimony concerning a supplementary irregular force of higher rating than the Black and Tans, comprising mainly ex-officers of the British army, called Cadets, and numbering more than 1,000. Altogether, the Imperial British forces in Ireland would at the lowest estimate seem to number 78,000, one to, approximately, every eight adult males in Ireland, exclusive of Ulster.

The splendid tradition of the Imperial British forces in the late war, as well as justice to the rank and file of these forces now engaged in Ireland, would seem to require that the consideration of the circumstances in which they find themselves should precede the consideration of their conduct in these circumstances.

The skirmishes, ambushes, and other activities of the Irish Republican Army, together with the nature of the military duty in Ireland, would appear to give grounds for natural apprehension to the Imperial British forces. Miss Ellen C. Wilkinson read into the record a picture of the apprehension which lurked in the mind of a member of the Imperial army. "Only those who have experienced," this man writes, "the thrill of patrol work and raids in Ireland can realise the strain on the nerves. At any second we may meet an active antagonist. In Ireland the enemy is a shadow. A sinister death, rarely seen until it is too late to advance or retreat, may lie just around the corner."

Two publications of the Imperial British Government were mentioned in the evidence; one, *The Hue and Cry*, and the other, *The Weekly Summary*. Miss Wilkinson testified: "There is a publication called *The Weekly Summary* given by the British Government to the Black and Tans in Ireland, and it purports to give a list of all the crimes of Sinn Feiners against the Government. It is, of course, a deliberate incitement to violence. Copies of this have been produced in the House of Commons, and the Government has been very severely criticised about it, but without much result."

It would appear that the natural fear of the Imperial British forces in Ireland is fostered by propaganda into terror, under the auspices of the Imperial British Government. The bearing of this natural and artificial apprehensiveness upon the prevalence of drunkenness among the troops may be surmised if not defined. And the temptation to quell fear in drink would appear to be officially placed before the British troops by the barracks canteens.

John Charles Clarke, an American, witnessed the shooting of a boy on the streets of Cork by two drunken Black and Tans, who, scarcely able to walk, fired into a crowd, and were then led away by their Drunkenness fellows.

Mr. P. J. Guilfoil, testifying to a raid he witnessed on a saloon at Feakle, County Clare, said: "The military had taken possession. They were plainly partaking of the liquors in the place. I saw that as I passed by." And later: "It was getting dark. Dr. O'Halloran, the town physician, came down and I said: 'Where have you been?' and he said: 'Up to the barracks. They are all wild drunk.'"

John Tangney, a former member of the British forces, testified concerning a raid in which he participated on a village near Ballylorby:

This County Inspector Lowndes had the orders, and he adjourned to an adjoining saloon and had a drink, and two young military officers, who were in charge of the military party, adjourned with him and got stupidly drunk. All three were drunk. There were some Irish terriers outside the saloon door, and the officers took these dogs and threw them at each other. Well, we went home and the military were firing all the way back. I myself had to come to a soldier who was stupidly drunk and take a revolver out of his hand.

John Joseph Caddan, a former member of the R.I.C., testified that about one year ago canteens were opened in the barracks, to serve liquor in unrestricted quantities to the men. The men drank before going out on service. "They were up there, some of them, most of the night drinking."

Frank Dempsey, chairman of the Urban Council of Mallow, testified that when that town was burned by British soldiers September 27, 1920, most of the soldiers in the raid were drunk. "The first thing they did was to fire revolver shots and rifle shots about the town. Next they raided some of the public houses and looted them and got drunk." The witness states he complained to the officer, who replied that he had lost control over them: "Damn it, they are all drunk."

It would appear that the Imperial British troops engaged in Ireland were composed partly of war veterans but also in appreciable numbers of raw Youth of the British soldiers in Ireland. In Belfast Mrs. Imperial Annot Erskine Robinson and her companions saw large numbers of youths of seventeen or eighteen wearing the British uniform: "None of them looked like men." Miss Forces Robinson found the same condition in the South: "It is the boys who are being sent to Ireland now." Mrs. Robinson described these boy soldiers as "the most pitiable figures in Ireland to-day. They have been

brought straight from home, and with no knowledge of life. They are under military discipline, and believe they are in the midst of a hostile population. Many of them are absolutely nervous and hysterical. The drinking habit has become common—there is nothing else for them to do." "When you get these boys together and talk to them and fill up their minds with the idea that every Irishman is a murderer," continued Miss Wilkinson, "you bring about war psychology, and then you get the atmosphere that makes it possible for these things" (the outrages against the persons and property of Irish citizens) "to be done."

Testimony alleged that these young soldiers have in the Black and Tans associates sometimes of questionable character. It was stated in evidence that a British detective discovered in a single barracks several with criminal records, attracted to the service perhaps by its licence, perhaps by the pay—which is equivalent to that received by a lieutenant in the British Army in France. It would appear that in such a force discipline is necessarily lax.

CHAPTER IV

The British Campaign in Ireland

ACCORDING to lists compiled by the Irish Republican Government and submitted to us, over 200 unarmed Irish civilians were killed by the military and "police" during 1920 alone. This number does not include persons killed in skirmishes or battles between English and Irish armed forces, or in indiscriminate firing. According to the Irish Republican figures the list includes six women, twelve children, ten old men, and two priests. The increase in the killings over those of the past few years is startling. For 1919 eight similar killings were recorded, for 1918, six, and for 1917, seven.

We cannot vouch for the exactness of these figures, but we have direct testimony describing the killing of MacCurtain, Walsh, Buckley, Quirk, and the boy at the Galway railway station; of ten men, one woman, and three children at Croke Park; and of others. In addition, statements made before us indicate that when local disturbances (not military battles) and general shooting-up of towns are added to the category, the tally of civilians violently brought to an end in 1920 runs into many hundreds. Miss Signe Toksvig testified that figures published in Belfast for the month of August alone showed fifty-six persons killed in that one city as the result of local disturbances. We shall cite from the testimony as few instances as are necessary to elucidate it, selecting them not for their ghastliness but for their instructiveness.

The Rev. Dr. Cotter was in Dublin when John A. Lynch, a Republican Councilman and Registrar of Courts, was shot in the Exchange Hotel (September 21, 1920). He investigated the tragedy:

Six soldiers came to the door of the hotel at two o'clock in the morning, asked to see the register, looked for a name, and went to room number six. They left. Nobody heard any sound. And some half-hour or so afterwards two policemen came and knocked at the hotel and said to the night clerk: "We are going to guard room number six, where a man lies dying. The military told us to come here." All the next day they stood guard at that room, and did not even admit the proprietor of the hotel into that room. They supposed the man was dying. He was shot in the throat. The military held the inquest.

In the village of Ragg, Thomas Dwyer, known as a Republican, was shot at his own door, January 21, 1920. Councillor Morgan testified:

A knock came at the door and his sister, a married lady, opened the door, and they demanded her brother. She said he was upstairs. He came down with a candle in his hand. Two shots were fired and he fell. A man at the door said: "I think I will finish him." And he fired another shot into him. The verdict in that case was "Wilful murder against the members of the Royal Irish Constabulary."

In each of these cases the assassination of a particular person seems to have been sought. If any trial preceded the assassination, the accused was absent from it.

The identity of the victim was established in the first case by occupancy of a room. The uncertainty of such methods of identification is emphasised by the deaths of James McCarthy and Patrick Lynch.

Dennis Morgan, Chairman of the Urban Council of James McCarthy the agricultural town of Thurles* in Tipperary, told of several killings in the neighbourhood during the past year. Here is one incident :

A member of the Urban Council named McCarthy was very prominent in demanding an inquiry into the shooting up of the town. At the Urban Council he put forward a resolution that some inquiry be held as to the importance of the damage done and everything else in the shooting up of the town. This chap got a letter informing him that if he came up Pryor Street in the direction of the barracks they would give him all the information he wanted. Naturally, he did not move. A few nights afterward, after the family was in bed—they live off the Liberty Square—the family was in bed about two o'clock in the morning. A knocking came at the door and they asked who was there, and they said they were looking for one McCarthy. The member of the Urban Council is Michael McCarthy. The brother, a lad named James, who never takes part in public life in any way, simply a chap who is fond of going around with dogs and sporting, he said he would go down and answer the door. As he answered the door the men asked him what was his name. Immediately two shots were fired, and he fell back dead in the hall. The men wore police uniforms.

Rev. Michael M. English of Whitehall, Montana, testified to a killing he investigated in the town of Hospital, County Limerick :

On the morning of Sunday, August 15, I went to the town of Hospital. Upon the previous night a number of soldiers had entered the house of Patrick Lynch, a harness maker, a single man forty years of age, living with his two sisters and a blind father. These soldiers had entered his house at eleven-thirty, Sunday night, while they were on their knees saying the rosary. The first asked Lynch to come along. He said : "Just a minute until I get my cap." They said : "You will not need your cap in the place you are going." They took him about 100 yards to a place called the Fair Green, the village square. And then they shot him. There were about four wounds in his head. His body was badly battered.

Lynch was not connected with the Republican movement, and it was reported in the village that he had been mistaken for some other man of the same name. A statement was made public by the police to the effect that he had been shot by forces of the Crown while attempting to escape. Father English attended the inquest and testified to us that no evidence to this effect was presented.

Other instances of analogous mistakes leading to vicarious sacrifice were presented to the Commission.

These killings would seem to take place indifferently, sometimes in the presence of the family, sometimes more remotely. We would be glad to think that the latter are governed more by the dictates of humanity than other considerations.

There was no allegation of crime made against any of these deceased, so far as the testimony reveals. John A. Lynch was a member of the legal department of the Government of the Irish Republic. Thomas Dwyer was a recognised Republican; Patrick Lynch was mistaken for a Republican namesake. None of them was alleged to have done any injury to the Imperial British forces, or to have held a position of authority in the Irish Republic such as to make him in any sense personally responsible for the direction of activities against the Imperial British forces.

The deceased James McCarthy was the brother of a Republican Urban Councillor. The wages of a Republican would appear to be the portion of his kin.

* Thurles was partly destroyed January 20, 1920, following the killing of a policeman in the town.

Mrs. King, of Ironton, Ohio, talked in Bantry with the mother of a hunchback youth who had been killed in his home a few nights before (August, 1920). The woman had two sons, one a Volunteer, who was "on the run."

There were no lights at night on the streets of Bantry, and the Black and Tans or the R.I.C.—they are disguised so that one could not tell to which body they belonged—they knocked at the door. She answered the knock with a candle in her hand. The soldiers knocked the candle from her, using an electric light to light them up the stairs. The Volunteer boy was not at home. The little hunchback boy ran from his own room into his brother's room. The mother rushed up the stairs after them, and was in sight of the tragedy when it occurred. "My boy's hands were raised in prayer," she said. "They shot through his uplifted hands."

Having accomplished such a murder, the soldiers or police disappeared. Their individual identity was not established; and they were under no necessity to justify the killing. Their motive can be inferred only from the character and political connections of the intended victim. But cases have been presented to us in which specific individuals of Republican affiliations, having been sought and found by the Imperial British forces, were slain not in their homes but while in custody. The case of Patrick Lynch, of Hospital, would appear to indicate that the killing of an untried prisoner in Ireland may require and evoke an explanation.

LEY DE FUGA

Lord Mayor O'Callaghan testified that "this practice of shooting men while prisoners and then alleging that they were shot in an effort to escape" had become much more frequent since the coroners' inquests had been done away with by British authority.

A case to point is that of the Buckley brothers, two young Republicans of Midleton, County Cork, arrested together on August 27, 1920. Mrs. Michael Mohan, of Corona, New York, testified that she saw them removed from the barracks in Midleton, handcuffed, in a lorry, accompanied by soldiers. When they reached Cork in that lorry both brothers had been shot and one of them was dying. Here is the sworn deposition of the surviving brother, as presented to the Commission by Lord Mayor O'Callaghan :

On Friday morning, August 27, 1920, at the hour of 1 a.m., I was awakened by very loud knocking at the door. My brother Sean and myself were sleeping in the one room; we got up and dressed, then came downstairs. My father had come down before us and had the door opened. Two policemen, one of whom was Constable Clancy, of Midleton police barracks, and a Cameron officer, entered. About twenty-five Cameron soldiers who accompanied them surrounded the house outside.

A thorough search of the house was proceeded with for about an hour and ten minutes by the officers and a sergeant of the Camerons. The officer then placed my brother and myself under arrest, without charging us with any offence. We were taken on foot by the entire party to the military headquarters at Midleton, which is occupied by Camerons. We were handcuffed there and left in the guardroom until evening, when we were removed about 6 p.m. During the interval we were at the military barracks the handcuffs were kept on us for ten hours, but our treatment otherwise while in the barracks was quite normal.

At 6 p.m. we were placed in a military motor-lorry in charge of a Cameron officer, and about ten Cameron soldiers, and the lorry proceeded along the main road leading to Cork. We were both handcuffed separately and were sitting on the floor of the lorry. I was at the rear of the lorry and my brother Sean was at the front, both of us facing in the direction from which we had come. About half a mile outside the town I heard my brother cry out, and immediately a sharp revolver shot rang out. The shout from my brother was in all probability occasioned by his seeing

his assailant levelling the revolver at him. A second shot followed almost instantly, and I fell in the lorry, shot through the right shoulder. I gave no provocation whatsoever for this shot, and my brother gave none either. We were both sitting quite still, and were making no effort to escape, as is alleged by the military.

An hour and a-half later we were both admitted to the military hospital, Victoria Barracks, Cork. During our journey to Cork, the military left us lying in the lorry and never approached us to ascertain the extent of our injuries or to succour us in any way; neither did they speak—even among themselves—after firing the shots, until we reached the hospital. As my brother uttered no sound during the journey to Cork, I believe he was unconscious all the time. I suffered great agony from the wound in my shoulder, but did not speak.

When we reached the hospital we were placed in a ward and our wounds attended to. My brother died almost immediately on being admitted.

On November 10, 1920, I was released from the hospital without any charge being preferred against me, or being tried in any way. My right arm from the elbow down is still lifeless, and I am unable to move my fingers.

If a charge existed against the deceased, he was not tried for it and it was not mentioned. He was a Republican; it would appear to us that he was murdered without provocation by soldiers wearing His Majesty's uniform while he was unarmed and handcuffed in a vehicle in the custody of an officer of His Majesty's Cameron Highlanders.

Miss Louie Bennett testified to another application of this *Ley de Fuga*, and several more instances were presented to us. It would seem that "Shot trying to escape" is sometimes used officially to connote the assassination of an Irish citizen, an unarmed prisoner of the Imperial British forces.

The "refusal to halt" variant of this *Ley de Fuga* was called to our attention in the depositions from Patrick Nunan, a farmer at Buttevant, County Cork, and his son Patrick, Junr., the latter shot by soldiers in a raid on their home, September 28, 1920. The young man was out until late that evening, getting in some hay, and when he returned the raid was already in progress.

"Refusal to Halt"

The father deposed:

Then I heard the order of "Hands up!" and I saw my son coming in the door with his hands above his head. The soldiers gathered about him, and before putting any question to him, one hit him with the butt-end of the rifle, while others hit him with their fists about the face. They searched him, and they then asked him his name, and he said: "Paddy Nunan." They stopped when they heard his name. He went from the kitchen to the bedroom, and sat down on the bed beside his mother. He was not there more than two minutes when the soldier who had already threatened me said: "Take that young fellow outside the door and shoot him!" This order was hardly given when three or four others approached him and told him to come on. I was in the room at the time this order was given, and when they were leading him out I attempted to follow, but was told to remain where I was. He was not far from the door when I heard the reports of shots.

At this point the son's deposition takes up the narrative:

When I went outside the door I was shot in the right hand. The soldiers were standing around in a semi-circle, and I had walked only five or six yards from the door when I received several shots in the back and front of my body. I fell forward on my face and hands. I was then hit on the jaw with something hard. They turned me over on my back, and opened my coat and waistcoat. One of them said: "We needn't bother with him any more." They then went away, and my father and family came to me and I was carried in home.

Mr. Nunan, senior, further deposed that when the shooting occurred some soldiers who were searching the house called out: "Oh, King, we are in the wrong house." They then departed. Patrick, Junr., included in his deposition a report issued from military headquarters stating that he was

shot for refusing to obey the command of "Halt!"* from soldiers already under fire, and that he was found in possession of ammunition. The deponent swears this statement is untrue.

REPRISALS

"Attempt to escape" and "refusal to halt" are used by the Imperial British Government in explanation of the killing of Irish citizens by persons directly identified as members of the Imperial British forces. In other cases, where the identity of these agents of outrage against the Irish people was likewise irrefutably established, we encountered the term "reprisal," used in the excusatory sense of a justifiable retaliation, spontaneously carried out, by members of the Imperial British forces, naturally incensed by the murder of a cherished comrade.

Galway had been quiet before this date. In the police barracks were some fifty constables and one Black and Sept. 17, 1920 Tan who was there temporarily from another town getting a motor car repaired. Krumm was the man's name, and he was described to us by former Constable John Joseph Caddan, who was stationed there at the time, as "a reckless fellow who drank a lot." Caddan testified that on the night in question Krumm had been drinking heavily, and along towards midnight he strolled down to the railway station announcing that he would be back presently with a fresh bottle of whiskey. He was in plain clothes.

A crowd was gathered at the railway station at that time waiting for the evening papers from Cork. Two American witnesses, the Reverend Dr. James H. Cotter, of Ironton, Ohio, and Mrs. Agnes B. King, of Ironton, Ohio, were eye-witnesses to the following incident. In the words of Mrs. King:

There was a man on the platform to whom I paid little attention. He wore what I think was a loose cap. He did not appear to me to be a regular soldier, nor did he seem to be the customary Black and Tan. There was a woman on the platform with three or four children.

There was an English officer, and there were many civilians. Suddenly the man in the cap whipped out a revolver. He was standing with another man in ordinary attire. And he slashed the revolver around and began shooting. One shot hit a boy in the leg. That boy was not killed instantly, but fell at once.

Murderer He later died, and the next day I saw him in death. Then another young man jumped from the back and caught the soldier about the body, so that he had only one hand free. And then a fresh shot rang out and this soldier, or whatever he was, fell to the ground.

Rev. Father Cotter gave a similar account.

Back in the barracks Constable Caddan had gone to bed. "The next thing I knew," he testified, "one of the constables came up and gave the alarm, and said one of the constables was shot. We all had to get up and

* SIR HAMAR GREENWOOD stated: "In reference to the Dublin affair, I have received a telegraphic report to the effect that on Saturday evening, at about a quarter past five, two military lorries were passing down Charlemont Street, near Charlemont Avenue, in Dublin, when a group of five or six young men was observed to run away. They were ordered to halt, and on failing to do so three shots were fired. I deeply regret to have to say that, as a result of the firing, a young girl named Annie O'Neill, aged eight years, was killed, and another girl, named Teresa Kavanagh, was slightly wounded. The loss of this young innocent life is deplorable, but I hope the House will agree with me in the view that the responsibility does not rest upon the soldiers.

LORD HENRY CAVENDISH-BENTINCK: Is it the practice to fire on men who are running away?
SIR HAMAR GREENWOOD: Men who are ordered to halt and do not halt are fired at.—November 15, 1920. (Parliamentary Debates, House of Commons, Series V, Session 1920, vol. 134, col. 1566.)

dress and get our carbines. There were about fifty men in the barracks, and they ran amok then. The whole fifty came out in the streets." District Inspector Cruise rushed out with the men.

The members of the R.I.C. proceeded to shoot up the town, to loot public houses, to burn residences and smash up business places, and we have the testimony of several persons, including Constable Caddan, that they took three men from their homes to shoot them. The firing squads were so drunk that two of these men escaped by promptly falling on their faces when the order to fire was given.

They went to the house of a man called Broderick. There they found an old woman, about seventy years of age, shut her in a small room, poured gasoline in the room and set fire to the house. The woman was rescued by neighbours.

From Broderick's they went to a house where a man named Quirk was lodging. He was taken by them at 4.30 a.m. Quirk was not at the station when the original shooting occurred. Thomas Nolan, a witness, testified that he was walking toward the station with Quirk to get the newspapers when they noticed a crowd rushing toward them, and after they were informed that there had been shooting they immediately went home. Nolan bade Quirk good night at 12.10 and at seven the next morning he saw him lying at his home, with seven bullet wounds through his stomach.

The further testimony of former Constable Caddan is as follows :

The next day a British general came down and spoke to us in the day room. He had two motor-lorries of soldiers there to guard him. **Murderers** He had two other officers with him. The county inspector was there and two district inspectors, and all the men in the barracks were there. **Commended** And he started to talk about this business. He said : " This country is ruled by gunmen, and they must be put down." He talked about giving Home Rule to Ireland, and he said Home Rule could not be given until all of these gunmen were put down, and he called on the R.I.C. to put them down. He asked them what they required in the barracks, and said that whatever they wanted he would give them, and that they were also going to get a raise in pay. And they said they needed machine-guns, and he said that they would get them, and also tanks and more men, men who had been in the army during the war and who knew how to shoot to kill; and he said they would be the right men in the right place.

An aftermath of this incident was the killing of Walsh, an urban councillor of Galway, one of a considerable number of elected officials of Republican sympathies on whose killing we have direct testimony. Walsh was killed in the middle of October. **Murder of** He was the proprietor of a public house. He was the **Councillor** father of eight small children. Five men in civilian clothes, supposed to be Black and Tans, entered his public house about ten o'clock at night, ordered the crowd out, and announced to Walsh that he would be a dead man within an hour. He asked permission to summon a priest and their leader replied : " To hell with the priest ! " Then they took him out and his body was found floating in the harbour the next morning. No motive for this crime, except the Republican connections of the victim, could be discovered. Two witnesses, Miss Nellie Craven, of Washington, D.C., a cousin of Walsh's, who had been visiting relations in Galway, and Thomas Nolan, who had been sleeping at Walsh's house, and was present when the armed men entered his establishment, gave testimony on this affair.

When Balbriggan was shot up and burned in reprisal for the killing of a sergeant, in a drunken brawl, on the night of September 20, 1920, two men,

Balbriggan : James Lawless and John Gibbons, were taken from their homes to the police barracks, and after being held there through the night, and subjected to repeated threats, were finally bayoneted to death at five o'clock in the morning, their bodies being left on the principal street. **Murder of** Urban Councillor John Derham, who gave testimony on this **Gibbons and** affair, saw the bodies early in the morning. His own house was burned **Lawless** down, and one of his sons, who had been beaten until he was unconscious by the raiding party, was left inside when the house was set fire to. The young man recovered consciousness in time to crawl to safety. Virtually the whole population of Balbriggan was driven to take refuge in the open fields. Councillor Derham testified that three old people and two children subsequently died as the result of terror and exposure.

On November 21 fourteen officers of the Imperial British forces were assassinated under conditions hereafter to be referred to in Dublin hotels and boarding houses. That afternoon the Croke Park reprisal occurred. **Croke Park** Mr. Nolan testified that he was one of 8,000 **Nov. 21, 1920** persons present at a football match at Croke Park, Dublin, on November 21, 1920, when the Imperial British forces surrounded the field, and, without provocation or warning, fired with rifles and machine guns among the spectators, killing ten men, one woman, and three children and wounding about sixty-two others; 200 more were injured in the resulting panic. The firing lasted ten or twelve minutes. He saw the Imperial British forces fire and rush and fire. And he saw the slain and wounded players and spectators fall. No shot was fired from the crowd either before or after the massacre and no member of the Imperial British forces was injured.*

The evidence would seem to show that the term "reprisal" may be used to cover any case in which wholesale damage is inflicted upon property or life in Ireland. Reprisals consist sometimes in promiscuous killing of unarmed men, women, and children, as in the case of the football crowd at Croke Park; but, usually, in the burning, looting, and "shooting up" of Irish towns, such as Thurles, Balbriggan, Galway, Mallow, Templemore, Cork, Tuam, Hospital, Limerick, Granard, Tubercurry, Achenry, Tipperary, Ballylorby, and scores more.

In Mallow barracks were a troop of the Seventeenth Lancers and a detachment of the Black and Tans. Mr. Dempsey, the Chairman of the Urban Council of that city, testified that on September 27, 1920, Irish Republicans raided the barracks :

What is a "Reprisal"? To my knowledge, in the actual raid on the barracks there was no person from Mallow, with the possible exception of one or two. About twenty-five of them held up the barracks, and about twenty-five more kept a lookout and waited for them in automobiles. They did this while a number of the men were out with their horses exercising them outside of the town. So the raiding party surprised them and held

* MAJOR BARNES (House of Commons, November 24, 1920) asked the Chief Secretary for Ireland what were the total deaths, men, women, and children, respectively, occasioned by firing on the crowd at the Croke Park football ground on November 21; how many men, women, and children, respectively, were wounded; whether a child was bayoneted; whether the military and auxiliary police suffered any casualties; and, if so, what were the number of dead and wounded, respectively?

SIR H. GREENWOOD: Ten men, one woman, and three children (under fourteen) were killed, or have died as the result of their injuries. These figures include the case of a woman who was crushed to death and of a man who apparently died from shock. Twelve men have been detained in hospital for treatment of wounds and injuries. Fifty persons were treated in hospital, but not detained. I have no information as to how many of these cases were those of men, women, or children, respectively. No child was bayoneted. There were no police or military casualties." (*Loc. cit.*, vol. 135, cols. 453, 457.)

them up and compelled them to hold up their hands, with the exception of five or six—they were not in the barracks square at the time. These five or six ran out with rifles and revolvers and began firing with the result that in the mêlée the sergeant-major, who wasn't in the barracks, and who was out with the other men, was shot, unfortunately. They took all the arms they had on them and all the arms in the barracks, and they sent out for a doctor and a priest for this man who was injured.

And the Republicans departed without burning the barracks or taking prisoners. In Mallow Town:

Everybody knew what was coming, from what had happened in other towns. The senior officer at Buttevant is in charge of the district that Mallow is in. He and some officers came to Mallow by motor immediately to see what had happened. The three ministers of the town waited on this colonel, and they asked for protection of the town from any reprisals. The officer in charge of the troops gave a guarantee that no reprisals would take place. He gave a guarantee to the Roman Catholic priest, to the Protestant rector, Canon Hermon, and the Presbyterian minister, Rev. W. Baker. I forgot to mention that the clergymen in consultation had also wired General Maccready, who was commander of the forces in Ireland at this time.

About four o'clock in the afternoon an aeroplane came from Fermoy, the second largest military station in Ireland, and dropped a communication in the barrack yard. After that it flew to Buttevant, and then flew back to Fermoy. We concluded in the town that it was some sort of agreement between the forces.

About half-past ten a lorry of troops arrived in Mallow from Buttevant, and about five minutes after two more lorries arrived with troops from Fermoy. Fermoy is about sixteen miles east of Mallow and Buttevant about seven miles north.

The first thing they did was to fire revolver and rifle shots and scream and fire around the town. The first thing after that they did was to raid some of the public-houses and loot them and get drunk. And then they marched to the town hall, the seat of the town council. It was a fine old building—about 150 years old. The stairways of the hall and the doors and the ceilings, of course, were all timber. They were sprinkled all over with petrol, and some incendiary bombs thrown into it, and it was all set afire.

In the Mallow "reprisal" the soldier killed was not assassinated or "ambushed," but was shot in the course of a raid for arms, after he had attempted to shoot members of the attacking force. The Republican forces that conducted the raid were not residents of Mallow. The citizens of the town appealed to the Imperial High Command at Dublin and to the competent local military authority for protection; and a deputation was assured by the officer in command of the district that they would receive protection. The burning and sacking of the town did not take place while the soldiers were in a fever of passion aroused by the sight of their dead comrade, but many hours after his death. Furthermore, the burning of the town was carried out, not by the troops of the local barracks, only a small number of whom participated, but by soldiers who came in lorries from Fermoy and Buttevant, many miles distant. Finally, the numerous circumstances, such as the dropping of messages at Mallow and Buttevant by an aeroplane sent out from headquarters at Fermoy, the complete equipment of the lorries with incendiary bombs and gasoline sprays, and the simultaneous arrival of the lorries from distant parts, all indicate that the burning and sacking of this town was planned in cold blood and executed with full knowledge of the military authorities in command of the Imperial forces. The term "reprisal" would seem to us to connote, sometimes, a retaliation appropriate neither in kind nor in degree.

It appears that the town or village doomed to "reprisal" was usually the actual seat of an attack upon a member of the British forces, as in the case of Galway, Balbriggan, and Mallow. But the source of the reprisal at Tipperary on November 1, 1920, seems to have been an ambush at Thomastown, six miles away. In another instance no known attack was said to

have been made on the British forces within a radius of twenty miles of the reprisal. In such cases the use of the term "reprisal" would seem to extend to anticipatory retaliation.

Testimony has been submitted to us which purports to show that during 1917 Imperial British forces perpetrated in Ireland seven murders, eighteen armed assaults on unarmed men, and eleven raids on private houses; arrested 849 civilians, court-martialled thirty-six, and deported twenty-four; forcibly dispersed two public meetings; and suppressed three newspapers.

During the year 1917 the testimony shows that not a single member of the Imperial British forces was slain in Ireland, except a member of the R.I.C. who was struck while leading a baton charge and afterwards died of his injury. In 1917 the Irish citizens are alleged to have endured 450 outrages, including seven murders, and refrained from retaliation.

Testimony before us further purports to show that in 1918 Imperial British forces perpetrated in Ireland six murders, sixty-one armed assaults on unarmed civilians, and sixty raids on private houses; arrested 1,107, court-martialled sixty-two, and deported ninety-one; proclaimed and broke up by baton and bayonet thirty-two public assemblies; and suppressed twelve newspapers. In 1918 Irish citizens are alleged to have endured 1,651 outrages. No officer of the Imperial British forces, "policeman" or soldier, was killed in retaliation.

During this period, free speech and civil liberty seem to have been practically suspended in Ireland. The perpetrators of the outrages upon the people apparently went unpunished, even the murderers. The whole force of the Irish Republic seems to have been directed towards restraining the Irish people to endure in patience the increasing terrorism to which they were subjected by the Imperial British forces. Miss MacSwiney testified both to the increasing vigour of British repression and to these efforts of the Irish leaders to persuade the citizenry to patient endurance. During 1919 the Imperial British forces are alleged to have sacked and burned four towns, perpetrated eight murders, 476 armed assaults on unarmed civilians, and 13,782 raids on private houses; arrested 959 men, women, and children, court-martialled 309, and deported twenty; dispersed 959 public meetings; and suppressed twenty-five newspapers.

During 1919, the Irish citizens began to defend themselves against the Imperial British forces. The evidence would show that those assassinated were popularly believed to be spies or other special instruments of the British terror.

During 1919, the British "reprisal" policy was instituted. It demonstrably consisted in an acute intensification of the already long prevailing British terror. That terror was not initiated by the assassination of British military, was not confined to areas in which these assassinations occurred, and was not absent from areas in which there had been no assassinations. It was, therefore, not in the nature of a retaliation, either justifiable or unjustifiable, on the part of the party first attacked. The official use of the term "reprisal" would consequently seem to us the stereotyped *ruse de guerre*, intended to lead the British and other people into condoning an aggravation of the Imperial British terrorism in Ireland.

"SINN FEIN EXTREMISTS"

In the campaign of murder and arson in Ireland, "shot trying to escape," "refusal to halt," and "reprisal" have appeared to us as *termes justificatifs* employed by the Imperial British authority. An exculpatory term, "Sinn Fein Extremist," was also presented to us in the course of the evidence. We first noted the term "Sinn Fein Extremist" in the testi-

mony of the assassination of Lord Mayor MacCurtain, and so far as we could discover the term first received its British connotation in connection with that crime.

The Misses Walsh, sisters-in-law of the Lord Mayor, and members of his household when he was assassinated, appeared before us. The story of the murder was told as follows by Miss MacCurtain
Susanna Walsh :

There was a slight knock at the door about one o'clock or quarter past one. Mrs. MacCurtain heard it, and she put her head out of the window and called to find out what they wanted. They said: "Open the house quickly or we will break the door in." Mrs. MacCurtain wanted to go down. He said: "I will go, Mary." She said: "No, you mustn't. I will go down." But before she could get down to the door, it was burst in. Eight or nine men rushed in, with blackened faces and long coats, and caught her. Several of them held her, and the rest rushed upstairs. At the same time—I had a little red coat I used to throw over me, and I went out to the top of the landing. I heard the noise downstairs, and I heard the baby cry, and I ran downstairs to take the baby, for I knew that my brother-in-law would be in a terrible way. I arrived at the first landing just as two big men with blackened faces and big coats on them got to his door. And I heard the first man say, "Come out, Curtain!" And my brother-in-law said: "Give me time to dress. I am not yet ready." When my brother-in-law said "Give me time to dress," I said: "Give me the baby, please." And they pushed me back. And I ran back to the bathroom, and I heard my sister shout: "Murder, murder, the police are murdering us all." And a neighbour woman who lives next door said: "Who is shot?" And I said: "My brother-in-law, MacCurtain." I rushed upstairs. I thought I would die with all of them. And as I went upstairs I heard heavy moaning in the corner, and I looked, and my brother-in-law lay just outside his bedroom door with blood coming from the region of his heart.

Mrs. MacCurtain called for help from the windows and immediately the house was fired on from the street. The disguised raiders then disappeared. Shortly afterwards, armed British soldiers, uniformed and undisguised, made a supplementary raid on the house, but the Lord Mayor was already dead and laid out for burial.

Thomas MacCurtain, Lord Mayor of the City of Cork, was a successful young business man. He had five children, the oldest ten years, and he supported three orphan nieces and an aged father. Several witnesses have testified to the high personal regard for him among people of all classes in Cork. In his funeral procession marched the local Protestant Episcopal Bishop, the Jewish rabbi, and clergymen representing the other local religious organisations, as well as thousands representing every phase of the Republican movement in Cork. A few days before his death, the Lord Mayor had protested in the City Council against the terrorisation of women and children by the British military and police, and declared that the Irish Volunteers would preserve order.

In the months preceding his death his home and business premises had been raided by the military or police several times. On one of these occasions the raiders made a thorough search of Mrs. MacCurtain's room, three days before one of her children was born and a few days after the burial of another. It was alleged before us that rumours were prevalent in Cork that the Lord Mayor was to be killed by the police. On March 16, four days before the murder occurred, Denis Morgan, chairman of the Urban Council of Thurles, then in Wormwood Scrubs Prison, London, heard that MacCurtain "had been sentenced to death by the Royal Irish Constabulary."

After the death of Lord Mayor MacCurtain the British Administration in Ireland announced that he had been killed by "Sinn Fein Extremists." We can discover no basis for this statement. Testimony was presented to us that at the inquest the British authorities responsible for this charge were directly challenged to produce any evidence of the participation of

"extremists" in the crime. No such evidence was produced nor was the charge officially repeated thereafter. Nevertheless, it persisted in the press while public indignation was at its highest pitch. Our record shows that at the inquest a great mass of evidence was introduced attaching the responsibility for the crime to the "police." The Coroner's jury held certain British officials, including Inspector Swanzy, responsible for Lord Mayor MacCurtain's death.

Miss Susanna Walsh testified that the home of Lord Mayor MacCurtain's widow had been raided by Imperial British Forces twenty times since the murder. Your Commission had occasion to call the attention of the British Ambassador at Washington to one of these raids, in which Mrs. MacCurtain was reported to have been shot at, and which occurred a few days after we had cabled to her an invitation to testify before us.

While we were sitting, a priest named Father Griffin was mentioned in testimony as the possessor of a great deal of evidence regarding atrocities committed by British forces. A few days later he disappeared; and his body was subsequently found in a bog. Death had apparently resulted from bullet wounds. During interpellations in the British Parliament, brought to our notice concerning this murder, the British press reported that Sir Hamar Greenwood, hesitating for a reply, was prompted by a whisper, "Say the Sinn Feiners did it," loud enough to be heard in the press gallery. According to the newspaper accounts this prompting whisper came either from Mr. Winston Churchill, or, according to the correspondent of the *New Statesman*, London, from Premier Lloyd George.

The phrase "Sinn Fein Extremists" casts doubt on the loyalty of the deceased to the Irish Republic, and in the Republican view contains an aspersion on his memory. It tends to make Irish Republicans suspicious of another. It was invoked in the murder of a Republican Lord Mayor and of a Republican priest. It was also invoked in the burning of Cork. The attention of the Commission was called by several witnesses to the persistent efforts of officials of His Britannic Majesty's Government to create the impression, without the offer of evidence, that citizens of Cork had burned their own city.

Lord Mayor O'Callaghan testified, in effect: On the night of December 11, 1920, by the military curfew law Cork citizens were forbidden to be out of doors, without military permission, between the hours of 10 p.m. and 3 a.m. About 9 p.m. the streets were cleared by shots from the British military. The fires began at several points about 10 p.m. in the main thoroughfare of the city. At 3 a.m. another fire was started in the City Hall, separated by the River Lee from the 10 p.m. conflagrations. Previous attempts had been made to fire the city. During the night in question military trucks filled with soldiers patrolled the deserted burning streets. The fire brigade deposed that they were shot at while attempting to extinguish the flames. Exclusive of the area of the City Hall fire, about one square mile of the city was burned out. The loss was estimated at \$20,000,000. Besides the business premises, and the seat of the Republican administration with its records, all the premises of the Republican political organisation were destroyed.

It may be noted that in his testimony before us Lord Mayor O'Callaghan definitely charged the burning of that city to the Imperial British forces, but did not offer direct proof to establish this charge. He placed in evidence an attested copy of the following telegram sent by him together with Messrs.

Walsh and De Roiste, members of the Dail Eireann, to Sir Hamar Greenwood, Lord R. Cecil, Messrs. Asquith and Henderson, and Commander Kenworthy :

On behalf of the whole citizens, we absolutely and most emphatically repudiate the vile suggestion that Cork city was burned by any action of the citizens. In the name of truth, justice, and civilisation, we demand an impartial civilian inquiry into the circumstances of the city's destruction.

We are quite willing to submit evidence before any international tribunal, or even a tribunal of Englishmen like Bentinck, Henderson, Kenworthy, and Cecil.

Lord Mayor O'Callaghan further testified :

That demand for an impartial inquiry was supported by the Cork Chamber of Commerce, which, as I told you a short time ago, had already wired to Sir Hamar Greenwood, Imperial Chief Secretary for Ireland, and had asked for protection for their property. Up to then the demand for protection had only resulted in increasing the incendiarism, and they sent the following wire :

"The Cork Incorporated Chamber of Commerce and Shipping express their astonishment at the statements made by you in the House of Commons with reference to the destruction of Cork. We demand that, as Chief Secretary, you make personal investigation on the spot of the true facts, when incontrovertible evidence will be placed before you, and that a judicial commission of inquiry be set up without delay. We claim that all damage be made good out of Government funds.

"The Chamber begs to draw your attention to the fact that on November 29 they wired you with reference to incendiary fires occurring in Cork, and requested immediate protection for citizens' property, to which telegram no reply was made by you.

"(Signed) DANCKERT, Honorary Secretary."

That was also adopted by the Cork Harbour Board, on the motion of Mr. Benjamin Haughton, one of the Unionist members of the Board ; and by the Cork Employers' Federation.

The Imperial British Government ordered an inquiry to be held, presided over by Major-General Strickland, in Cork, who was the officer commanding in Cork. Major-General Strickland duly reported to the Imperial British Government. His report was suppressed by that Government.

Your Commission had submitted to it copies of the reports of the British Labour Commission and of the Irish Labour Commission, both of which bodies, having made a direct and searching investigation, concluded that the forces of the Crown were guilty of the destruction of Cork. The conclusions of these two Commissions as to the guilt of the Crown forces and the responsibility of the British Government appear to us to be given greater weight by the refusal of the British Government to permit a civil inquiry, by the secrecy with which the military inquiry of General Strickland was conducted, by the suppression of the report of General Strickland, and by the admission in the House of Commons of Sir Hamar Greenwood, Chief Secretary for Ireland, that certain Black and Tans had been mildly disciplined for the part they were shown by the Strickland report to have had in the burning of Cork.

"Sinn Fein Extremist" would seem to be a term used exclusively by the British. The term is sometimes employed by them to connote murderers, and incendiaries, engaged in the destruction of the lives and property of Irish Republicans. In the case of the murder of Lord Mayor MacCurraigh, a British-summoned coroner's jury charged certain agents of the Imperial British Government with the crime ; and in the case of the burning of Cork, General Strickland's military tribunal apparently found certain Black and Tans were culpable ; though in both cases members of the Imperial British Government had averred that the guilty parties were "Sinn Fein Extremists." We would deprecate the use of the term "Sinn Fein Extremist" by responsible ministers of the Imperial British Government.

Selected Irish Republicans would appear to have been murdered, singly and in numbers, surreptitiously and publicly. In domiciliary murders, without notoriety, silence followed. When the position or profession of the victim made silence impracticable, the British-made "Sinn Fein Extremist" was invoked. When the victim was in British custody, the *Ley de Fuga* acted. And wholesale slaying and destruction were justified by the British "reprisals."

Besides the slaying of selected Republican citizens, and the destruction of Republican cities, towns, and villages, indiscriminate violence also occurred. Miss Ellen Wilkinson, of Manchester, England, was an eye-witness of a shooting expedition to which she testified as follows :

Curfew was at ten o'clock. We went to our room. According to law no one is supposed to have a light or look out of the window. But we turned our lights out and wrapped ourselves up and went to the window. First of all there came the soldiers in extended formation, each wearing tin helmets—the shrapnel helmets—and carrying guns with fixed bayonets. And then came three armoured cars packed with soldiers. . . . They went on by and when they came back they fired into the houses at a certain level. We saw the bullet marks next morning. That, of course, is a terrible thing. Many people have been killed on account of this indiscriminate firing from motor-lorries. . . . It lasted from ten till three.

Mrs. Agnes B. King, of Ironton, Ohio, testified to the use of searchlights by the Imperial British Forces, in a similar shooting expedition witnessed by her.

It would appear that the Imperial British Forces, in organised bodies, on certain occasions, testified to before us, have engaged in indiscriminate shooting of the non-combatant Irish people in their homes at night.

WHERE THE RESPONSIBILITY LIES

It was testified before us that coroner's juries, summoned by the Imperial Administration in Ireland, found that Thomas Dwyer, of Ragg, James McCarthy, Patrick Lynch, and Lord Mayor MacCurraigh were murdered by the members of the Royal Irish Constabulary ; John A. Lynch and the Buckley youth are alleged to have been assassinated by the military. It was deposed that in the case of Nunan the attempt to murder was made at the order of an Imperial British soldier, and that in the case of the Buckley youth an officer of His Majesty's regiment of Cameron Highlanders was in command of the party. Most of the other murders including the Croke Park massacre were attributed to "police" or Black and Tans.

Your Commission has been impressed by the fact that ordinary civil processes early ceased to be involved by British authority in the investigation of surreptitious and public assassination of Irish citizens by agents of, or members of, the Imperial British forces, officers and men, disguised or wearing His Majesty's uniform ; and that such investigation was relegated to specially formed military tribunals, sitting usually in secret.* The British military seem to have been at the same time prosecutor, judge, jury—and accused.

* LORD R. CECIL (House of Commons, November 1, 1920) : When my right hon. friend speaks of inquiries, are these inquiries made in private or public ?

SIR H. GREENWOOD : Some inquiries are made in private and some in public. My own experience in Ireland is that the most effective inquiry is made in private.

MR. DEVLIN : From whom does the right hon. gentleman make these inquiries ?

SIR H. GREENWOOD : From those officers and persons who are responsible to me for their conduct. (*Loc. cit.*, vol. 134, cols. 27-28.)

MR. KILEY (House of Commons, November 11, 1920) asked the Chief Secretary for Ireland whether at every inquiry held into alleged reprisals in Ireland there has been present some person with legal training or qualifications ; and if not, in the case of how many inquiries such a person has been present ?

SIR H. GREENWOOD : As I have already stated, the inquiries into such allegations are conducted by responsible police or military officers upon whose findings I can rely. (*Loc. cit.*, vol. 134, cols. 1844-45.)

The testimony shows that the Imperial British authorities in cases such as the burning and slaying in Balbriggan,* Thurles, Galway, Mallow, and other Irish towns, have abstained from punishing the forces engaged on the alleged ground that the actual criminals could not be identified. It seems improbable to us that the considerable forces employed for such expeditions of murder and destruction could absent themselves from their barracks, could use military motor trucks to transport themselves to the doomed towns, and expend British ammunition in shooting Irish citizens and gasoline in burning their property, and yet could leave behind no discoverable signs of their identity.

The testimony before us mentions the participation of District Inspector Cruise in the Galway reprisal; of an unnamed officer in the Mallow reprisal; of District Inspector Lowndes and three subordinate officers in the reprisal at Ballylorby. The Mallow reprisal is shown to have resulted from a concerted military manoeuvre participated in by troops from Fermoy and Buttevant. The Commander-in-Chief of the Imperial British forces in Ireland, General Macready, forewarned, did not prevent this military sacking of Mallow. The Imperial British General commanding in Galway commended the assassins and incendiaries in Galway City; incited them to repeat their depredations; and immediately thereafter two more murders occurred there.

The Restoration of Order in Ireland Act of 1920 would seem to give to the Imperial military authorities in Ireland the administration of criminal law in set areas there. But this law does not dispense with trial; and it gives the military no sanction either for assassination, or for the invention of new crimes; and subsequently the penalty attached to such crimes is also illegal. There seems no sanction in the published civil or military codes of British justice for these assassinations. If the Irish are rebels to British authority it would seem to us that their assassination at least in custody must be contrary to British law.

Such assassination would seem likewise to be contrary to the assumption that the Irish are prisoners of war, for it is forbidden by the Hague Convention.

And the ethical as well as the legal aspects of the killing of the handcuffed Buckley and of the indiscriminate shooting up of sleeping towns and football crowds would seem to be defensible by no standard of human conduct.

DESTRUCTION OF PROPERTY

In examining the evidence relating to crimes committed against life by the Imperial British forces, we have been continually confronted with the question of provocation; but in the destruction of property the question of provocation cannot enter and the prohibitions of law, both domestic and international, are precise. If Great Britain is not at war with Ireland, there is no conceivable condition that would justify the Imperial British forces in destroying the public property of Irish cities and towns or private property of Irish citizens—except after due process of law, or with the consent of the owners and proper provision for damages.

* After describing the murder of two men, the destruction of more than twenty houses and a factory at Balbriggan, Sir H. Greenwood (House of Commons, October 29, 1920) said: "I myself have had the fullest inquiry made into the case. I will tell the House what I found. I found that from 100 to 150 men went to Balbriggan determined to revenge the death of a popular comrade shot at and murdered in cold blood. I find it impossible out of that 150 to find the men who did the deed, who did the burning. I have had the most searching inquiry made." (*Loc. cit.*, vol. 133, col. 947.)

If a state of war does exist in Ireland, the situation as regards wanton destruction of property is unchanged. The Laws of War, as set forth in the Hague Convention of 1907, to which the Government of Great Britain is a signatory, positively forbid the destruction of property, except as a necessary and unavoidable consequence of military operations. The prohibitions are particularly explicit as regards private property. Article 23 of the Hague Convention declares:

In addition to the prohibitions provided by special conventions, it is especially forbidden—

(g) To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war.

BURNING OF TOWNS

We have heard testimony of eye-witnesses to the burning of considerable areas of the following Irish cities, towns, and villages: Cork, Balbriggan, Mallow, Galway, Tuam, Feakle, Limerick, Templemore, Ennistymon, Lahinch, and Milltown-Malbay—all except Cork incontestably burned by Imperial British forces. There has also been placed in evidence a document listing all Irish cities, towns, and villages alleged to have been destroyed in part of the Imperial British forces. This list includes towns and cities named above, but, except as to these, there is no testimony of eye-witnesses before us. (See map at beginning of book.)

Save for the doctrine of "reprisal" which has no sanction either in the laws of civilised nations defining police power or in the code of war of civilised nations, no military necessity has been urged, so far as we have been able to discover, in justification of the burning of any of the Irish towns regarding which we have had evidence. It is difficult to characterise the doctrine of "reprisal" in any other manner except as a relic of barbarism. Yet we have had presented to us evidence that this policy was condoned at Balbriggan, commended at Galway, and planned at Mallow by officers of the Imperial High Command.

OFFICIAL SANCTIONS FOR DESTRUCTION OF PROPERTY

A memorandum submitted to us by counsel for the American Association for the Recognition of the Irish Republic states:

The official sanction for these reprisals is complete, consisting of:

- (1) Typewritten notices signed by Brigadier-General Higginson served on the occupants of the "marked houses." The text of these notices is not available, but their substance is sufficiently indicated by the official statement of the reprisals.
- (2) The official statement published by order of the Brigade-Major at Cork in the Cork papers. This statement is published in the *Cork Weekly Examiner*, January 8, 1921, as follows:

OFFICIAL STATEMENT

We have received the following official statement for publication, which was telephoned by the Brigade-Major at Cork:

"As a result of the ambush and attack on the police at Middleton and the Glebe House it was decided by the military Governor that certain houses in the vicinity of the outrages were to be destroyed, as the inhabitants were bound to have known of the ambush and attack, and that they neglected to give any information either to the military or police authorities.

"The following houses were duly destroyed between 3 p.m. and 6 p.m. on January 1: Mr. John O'Shea's, Middleton; Mr. Paul McCarthy's, do.; Mr. Edward Carey's, do.; Mr. Cotter's, Ballyadam; Mr. Donovan's, do.; Mr. Michael Dorgan's, Knockgriffin; Mr. Ahern, do.

"Previous to the burnings Notice B was served on the persons affected, giving them one hour to clear out valuables, but not furniture. No foodstuffs, corn, or hay were destroyed."

(3) An official communication issued by General Headquarters in Dublin on January 1, 1921, the text of which, as reported by the *Weekly Irish Times*, January 8, 1921 (page 1), is as follows:

The following communication was issued by General Headquarters in Dublin on Sunday evening:

"As a result of an ambush of police on December 29 at Middleton, co. Cork (a martial law area), in which one policeman was killed and eight wounded, two of whom have since died, the houses of seven inhabitants living in the vicinity, and who were bound to have known of the ambush, were destroyed on Saturday by order of the Military Governor.

"The occupants were given one hour's notice to remove their belongings."

INDUSTRIAL DESTRUCTION

It is worthy of note that while the primary motive for the destruction of lives and towns seems to be to strike terror into the hearts of the civilian population, this motive is mixed with another—to destroy the principal industries, presumably for the purpose of reducing to destitution and starvation the working classes which are mainly Republican in sympathies.

The destruction of the principal hosiery factory at Balbriggan was testified to by Mr. John Derham, a member of the Urban Council of Balbriggan:

The factory would be about 500 yards from the nearest burned dwelling. There is a railroad embankment passing through our town, about 10 ft. to 15 ft. high, and it is on the sea side of the embankment that the factory is situated. You cannot see it from the town. It was burned next morning. Totally destroyed; one hundred thousand pounds loss. It is owned in London. The manager is an Englishman. There is nothing in a political line there. Only to leave destitution in the place. One hundred and twenty people worked in the factory and 300 more in their homes.

The burning of this factory would seem to have been a deliberate act, as was the burning at Mallow, where the troops, equipped with gasoline sprays, marched a considerable distance from the main portion of the town in order to burn the condensed milk factory. No military necessity for the destruction either of the Balbriggan hosiery factory or of the Mallow condensed milk factory appears in the evidence.

In addition to the burning down of factories situated in or contiguous to towns that were burned, the evidence indicates that there has been a persistent and concerted attempt on the part of the Imperial British forces throughout Ireland to destroy her one distinctive industry, the co-operative creamery.

Burning of Creameries

A majority of the witnesses before the Commission presented evidence relative to the destruction of creameries, from which we select a statement sent to us by Mr. George Russell (*J.*), the celebrated writer and one of the leaders of the Irish Co-operative Movement, and quote from it:

The co-operative movement in Ireland has gained world-wide recognition as one of the sanest and most beneficent of national movements. Its membership included men of all parties and creeds in Ireland, and it is as popular and widely spread in Ulster as in other provinces. Its constitution and the rules of its societies forbade the discussion of political and sectarian matters. On this basis many thousands of Unionists were able to join with their Nationalist fellow-countrymen in an all-Ireland movement for their mutual benefit. Over 1,000 societies have been created, with an annual turnover now exceeding £11,000,000. The creameries, bacon factories, mills, and agricultural stores created by co-operative societies are a familiar feature in the Irish countryside. Up to the moment of writing, forty-two attacks have been made on co-operative societies by the armed forces of the Crown. In these attacks creameries and mills have been burned to the ground, their machinery wrecked, agricultural stores have also been burned, property looted, employees have been killed, wounded, beaten, threatened, or otherwise ill-treated. Why have these economic organisations been specially attacked? Because they have hundreds of members, and if barracks have been burned or police have been killed or wounded in the lamentable strife now

being waged in Ireland, and if the armed forces of the Crown cannot capture those actually guilty of the offences, the policy of reprisals, condoned by the spokesmen of the Government, has led to the wrecking of any enterprise in the neighbourhood, the destruction of which would inflict widespread injury and hurt the interests of the greatest number of people. I say this has been done without regard to the innocence or guilt of the persons whose property is attacked. [In other paragraphs Mr. Russell effectively and completely disposes of the allegation that these creameries or any of them were Republican arsenals.]

Ireland is an agricultural country. The destruction of the creameries has crippled, if not ruined, one of the principal Irish industries, forcing farmers to kill or to sell for slaughter or export their milk cattle, under most unfavourable conditions at whatever the market would bring. An equally serious blow has been struck at Irish agriculture by the Imperial British forces through the destruction of crops and the indiscriminate shooting of live stock. Miss Ellen G. Wilkinson, an English woman who made a tour of inspection over a large part of agricultural Ireland on behalf of the Women's International League, testified as follows:

When I was in West Clare and Limerick there was a wholesale burning of hay ricks. That was extremely important, because on the hay ricks depended the cattle, and hence the creameries. And, of course, in burning the hay ricks you destroyed the very foundations of Irish agricultural prosperity. It was said by the British military authorities that these were reprisals against Sinn Féiners; but that was not so, because in Pallan and Kenry (*sic*) in Kildare, which are Protestant settlements, their ricks were burned, too.

When we went to Limerick we were taken to Brennan's farm, five miles out of Limerick. It was owned by a widow. Her two sons were heroes in the countryside. One of them, Michael Brennan, is chairman of the Clare County Council. Of course, they are both on the run. And the English officers, rightly or wrongly, put down many of the occurrences in this community to them. So the English officers went to the house, told Mrs. Brennan to get out immediately, and burned the house and the hay.

In another section of the report we have called attention to testimony that soldiers passing through the country in motor lorries have made a practice of shooting at farm animals along the way. And the testimony of John Charles Clark and others shows that considerable numbers of livestock have been destroyed by the burning of barns and cattle sheds.

THE BRITISH TERROR IN IRELAND

Article 46 of the Hague Convention states: "Family honour and rights, individual life and private property, as well as religious convictions and worship, must be respected. Private property may not be confiscated." The British terror in Ireland would seem to us to violate not merely this article but all law of peace and of war, private and public, human and divine. In its long continuance, complete organisation, ruthlessness, and all-pervading character, it would seem to your Commission almost without parallel in the practice of civilised nations.

The testimony of Mrs. Muriel MacSwiney, the Misses Walsh, Miss Craven, and others allowed us to realise the extent to which the sanctity of the Irish home is violated. A total of 48,474 raids by armed British on Irish homes in 1920, compiled from official Irish Republican sources, was presented to us. These raids would seem to take place usually in the night; and their avowed purpose seemed to be in part to find secreted arms and "wanted" men.

The men sought by the raiders were said to be "on the run," some from arrest; others, as has been shown, from assassination by the Imperial British forces. Lord Mayor MacSwiney, "on the run," saw his family rarely and by stealth. Lord Mayor O'Callaghan testified that he had not been able to enter his own home

for two years. It would appear from testimony already cited that the family of a father or husband, son or brother "on the run," shared his peril even in his absence.

And in some places, those who were not "on the run," and the infirm and aged, the women and children, would appear to feel safer in the fields than in their homes. Mr. Derham testified that for a week after the sack of Balbriggan the townspeople "spent the night in the country. They did not wait until night to go. When four o'clock, or evening came, you would see them going away to the country, stopping in the farmers' stables or barns or haylofts or anything they could get, or in the ditches. Two-thirds of the people left the town during the week."

And of a night in Mallow, Mr. Frank Dempsey testified :

There is a graveyard immediately behind the Roman Catholic Church and behind the Protestant Church, and quite a number of women and children spent the night sitting on the gravestones—on the tombstones. One woman, Mrs. Connolly, who had a baby about three days previous to this—she had to get up of bed with her baby, of course. She got up and took her baby and remained out in the graveyard with her baby all night, and she got pneumonia and died. The baby is alive yet. Another old woman who went to this graveyard got sick and died.

What they feared could be appreciated from Mr. Morgan's testimony of the experience of his family at Thurles :

On January 20, about 11.30, my wife was in bed, and my boy
A Night in a Home of five years was in the cot. I had put out the light and had got ready to go to bed when I heard shooting going on in the town. When I heard the shooting first, I thought it was only isolated shots, and then I heard heavy volleys. So I said to my wife, "We must get out of this room immediately. If there are any stray shots we shall be in danger." We hastily got out of bed and got down to a lower basement where it was fairly good protection from the side and also from the front, because we were in the back. I went back and got the youngster out of his cot. I had to go on all fours lest a bullet should come in. I dragged him down, and had to go back for some clothes to cover us. All that time the firing was going on heavily. And it got nearer and nearer. Just as I got inside the basement with the clothes I heard bullets hitting the house. There was a door there facing the street. The bullets came in through the hall and swished by the door where we were standing. We heard the glass going and the plaster falling off the ceiling. I placed my wife and the little boy flat on the floor. We tried to protect ourselves as well as we could. It was a miserable cold night. My wife, in her condition, being within two weeks of her confinement, was in a terror-stricken state. We lay there. The firing continued. The heavy volleys we heard outside seemed to pierce every window in the house. Then the firing moved back to town again. It lasted altogether about an hour, and it stopped. We remained in the same position, anxious to know if it would break out any more. In half an hour's time it started again, but on the second occasion it did not last so long—only about ten minutes. We could not stir from the position we were in because we did not know at what moment it would break out again. So that we had to lie on the stone floor all night.

The terror spread to homes not the objective of attack. The Rev. Father Cotter gave the following description of an evening in Galway :

With the lights out in my room, I peeped out under the blinds
Evening in Galway and saw what appeared to be about two hundred and fifty soldiers or police halt at the door of the hotel. Immediately after the order "Halt!" came the word "Fire!"; so they shot there for several hours through the street, terrifying everyone. I left my bed and lay under the window—it was a stone building—to escape a possible bullet.

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And the terror would seem not to pass with the night. Daniel T. Broderick, an ex-American soldier, testified :

I have seen them [soldiers] travel along the roads there, and if
Country Roads a dog barked at their trucks—lorries, as they call them—that dog would be instantly shot. And it was a regular habit of theirs to shoot at houses adjoining the public road, and to take pot shots at cattle along the road as they went along.

Near the cities the highways would seem to hold both the terror and the refugees. Mrs. Agnes B. King testified that she went out from Dublin :

I went out to Balbriggan the day before Patrick Lynch was killed. It seemed to me that hundreds of Black and Tans were on the road going out. As you approached the town, you met the people fleeing. Sometimes they were talking all they had with them. I met many women with children huddled about their skirts, fleeing from the town.

The terror that runs on the country roads would seem to abide in the city streets. Concerning conditions in Dublin, October, 1920, Mr. Denis Morgan testified :

You might be going down the main streets any time of the day
City Streets and suddenly you hear a shout, "Whoop," and suddenly both ends of the street are stopped up. Shots are fired over the heads of the bystanders and then everyone is searched. Now they are always accompanied by armoured cars carrying machine guns. The armoured cars drive up on the foot path where the people stand, so that they have to clear out in all directions in order to escape. On almost any street of Dublin you can see these armoured cars going along with bayonets sticking out, and very often they fire shots, apparently to see the women and people scream and fly in all directions.*

Laurence Ginnell, for many years a member for Dublin of the British Parliament, gave us this picture of the occupied city of Dublin in March, 1920 :

The streets were filled with fully armed soldiers marching about with fixed bayonets and bombs hanging at their belts. Often tanks, even in the daytime, rolled along. Aeroplanes hovered over the city of Dublin incessantly. There were soldiers at the railroad stations and at most of the bridges leading into the city. The people live in a state of military siege.

The Irish who live in this terror would seem also called upon to endure restrictions of their movements. It was stated in evidence that 7,287 Republicans had been arrested by the Imperial British forces in Ireland during 1920; and that the populace still at large were by proclamation forbidden to enter or leave certain areas, to possess motor cars, to travel twenty miles by motor, or to be on the streets after a given hour, without military permission. This curfew hour would seem to fall as early as five o'clock in the afternoon, at the whim of some Imperial British officer.

Violation of these ordinances may end fatally. Such restrictions deprive the Irish citizens of most organised and unorganised occasions of social or community life.

RELIGIOUS SERVICES

Several witnesses have given testimony on the practice of stationing fully armed soldiers or policemen in the Roman Catholic churches during services. John Tangney, former member of the R.I.C., testified

* Note the bearing of such happenings on the "refusal to halt" and "trying to escape" shootings.

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(corroborated by Daniel Galvin, ex-R.I.C.) as to orders issued to the police by General Deasey in the section of Tipperary where he was stationed in May, 1920 :

These orders were that all policemen should go to Mass, in formation. The two in front were to take revolvers and the last two were to take rifles. The revolvers were to be worn with lanyards. The two with rifles were to keep their rifles at the ready with bullets in the breech until Mass was over. And when Mass was over they were to march through the crowds the same way. And if there was any hostility shown they were to shoot.

It was testified that religious services were profaned by the presence of military patrols in the aisles of churches in Thurles, Cloughheen, Galway, and other places; that churches are surrounded during the services and the emerging congregations searched, and worshippers assaulted and arrested.

DEATHS AND WAKES

There was evidence before us that armed men invaded sick rooms, birth and death chambers. Mr. Denis Morgan testified: "There was a case at Holy Cross. A girl had died and a wake was being held. At a wake in Ireland the neighbours assemble and sit up all night with the corpse. At the wake was a poor old simpleton, Mr. Rooney. He happened to go out of the corpse house." He was killed outside the door. The coroner's jury verdict on Rooney was, "wilful murder committed by the armed forces of the Crown."

FUNERALS

Funerals in Ireland, according to several witnesses, have a bodyguard of soldiers that follow the mourners to the grave. Henry Turk, American sailor, gave the following testimony on funerals he had witnessed in Cork :

There is just one thing I would like to mention, if I could, and that is the most pathetic thing I remembered in Cork, in connection with the killing of the people over there, is that they usually combine the funerals. There are three or four of the men buried at one time and the bodies are carried along the streets on the shoulders of their comrades. They are draped with the republican colours. Following the bodies come the mourners, the relatives, and probably the members of their society. Then immediately following that is an armoured car, with machine guns, and three or four lorries of heavily armed men. Each one has got a trench helmet on, and guns all levelled at the people on the sidewalk and the corners.

That is not an exception. Every funeral I have seen was carried on that way.

Mr. P. J. Guilfoil testified regarding a funeral he witnessed :

There was the coffin coming up the street and the military on both sides of the coffin, which was covered with wreaths . . . and as they passed the Windsor Hotel where I was staying at, the military took their bayonets and threw these wreaths off.

Mr. Guilfoil also gave testimony regarding the desecration of tombs and the prying open of coffins by Imperial British forces, allegedly searching for concealed arms.

It would seem to your commission that the Imperial British forces have made Ireland a prison; and have organised a terror to harass the citizenry even unto death—and beyond.

CHAPTER V

Physical Consequences to Imperial British Forces in Ireland

AN English witness, Miss Ellen C. Wilkinson, placed in evidence before the Commission figures laid before the British Parliament recording that approximately 500 members of the Imperial British forces had perished between the proclamation of the Irish Republic and November, 1920. Mrs. Annot Erskine Robinson, testifying with Miss Wilkinson, on December 1, 1920, said she understood the number to have reached 600. The number was put by one witness as low as 232. We have had no reliable means of establishing the accuracy of the British official record, but as presumably it is not an understatement, we are justified in concluding that not more than 600 of the Imperial British forces have been killed in Ireland from May, 1916, to December, 1920. These 600 casualties would seem to have occurred in a force of at least 78,000, in a period of four and one half years, or at the rate of not more than twenty-six hundredths of one per cent. per annum.*

The Imperial British forces in Ireland are the titular custodians of "law and order" there, which their "duties" consist in maintaining. Evidence of the nature of these "duties" has been presented as well as evidence gravely reflecting on the conduct and discipline of the Imperial British forces, and in considering the causes of the alleged 600 British casualties, it would appear to us necessary to stress these duties and to emphasise the licence which replaces discipline in these Imperial British forces. We would also respectfully call the attention of our Committee to the invidious use of the words "police" and "constabulary" by the British authorities in Ireland, as terms for an armed service now exclusively employed on military duty.

We have considered evidence of eye-witnesses and depositions from victims establishing that the "police" or "constabulary" includes in its ranks burglars and highway robbers, gunmen and petty thieves. It was testified before us that the "police" or Royal Irish Constabulary were charged by British-appointed coroner's juries with the murders of Lord Mayor MacCurtain, and Messrs. Walsh, Lynch, Dwyer, McCarthy, and Rooney, and others. It was further testified that in other cases murders were committed by these so-called policemen and no jury was summoned. In the cases of Galway, Balbriggan, and other cities and villages these "policemen" added arson and looting to murder. The pres-

* It is clear from the evidence that Irish resistance has been non-violent to a surprising degree. It has found expression among other things in the boycott of British Governmental agencies and the refusal of the Irish railwaymen to operate trains carrying Imperial British troops. Thereupon the British authorities discharged the men and in many cases virtually discontinued train service. This state of affairs continued for many weeks during 1920. According to testimony of Mr. Dempsey, himself an engineer, the railway union finally receded from its position from no selfish motive but because it feared that Ireland suffered by lack of train service more than the military, who had an abundance of motor-lorries. The most dramatic examples of non-violent resistance were furnished by political prisoners, who carried on repeated hunger strikes to win freedom or other concessions from the Imperial British Government. In the cases of Lord Mayor MacSwiney and Messrs. Fitzgerald and Murphy the strikes were persisted in until death ended them.

ence of District Inspector Cruise at the "reprisal" in Galway and of District Inspector Lowndes at the sacking of Ballylorby in charge of the sacking "policemen" was mentioned in evidence before us. The barracking of these "police" with the Black and Tans and their co-operation with the military were likewise established. Testimony as to orders by their superior officers inciting or commanding them to slay and to burn is before us. In addition, three former members of this "police" force, the Royal Irish Constabulary, have appeared as witnesses before us testifying, and two more have deposed, to the nature of their orders and their duties. These persons have corroborated in all essentials the evidence of other witnesses that the words "police," "policeman," and "constable" as used by the British in Ireland are misleading and tend to reflect dishonour upon that honourable class which in other lands maintains "law and order."

Banal murder is very rare in Ireland. The first witness before the Commission, Mr. Denis Morgan, of the Urban Council of Thurles, testified that neither murder nor any other major felony had been committed in his town during twelve years, and there is a good deal of further testimony to the same effect. Ex-Constable Daniel Galvin handled only one case of murder in thirteen years. We are, therefore, forced to consider that most of the alleged 600 British casualties have arisen out of the present political situation in Ireland.

CAUSES OF CASUALTIES SUFFERED BY IMPERIAL BRITISH FORCES IN IRELAND

Mr. John Derham, Commissioner of the town of Balbriggan, testified that Burke, a sergeant of the Imperial British forces, was slain in a drunken brawl in a public-house (saloon) of Balbriggan on September 20, 1920.* So far as we can ascertain no civil investigation was made of the killing of Burke, the British in Ireland having apparently abdicated the judicial function. Further, there was no attempt to arrest or even to find the parties to the murder. Instead, a few hours after Burke's death Imperial British forces burned, looted, and slew in Balbriggan. It would appear from the attitude of the Imperial British authorities towards the sack of Balbriggan that the British High Command judged the slaying of Burke to be a corporate crime of the citizens of Balbriggan—a judgment unconfirmed by the evidence before the Commission.

Mr. Morgan testified that Irish Republican police had rescued from the vengeance of the people drunken members of the Imperial British forces, behaving outrageously. The deaths of Burke and others would appear to us to prove that at least some of the slain Imperial British forces were victims of their own carelessness and drunken aggression. The responsibility for such deaths would seem to rest ultimately upon the authority that permits, condones, or encourages drunkenness among the British troops.

It was testified that a Captain Beattie and an unknown private of the Imperial British forces perished as a result of their negligence in the handling of the petrol (gasoline) with which they were kindling the Templemore Town Hall. Against the circumstantial detail of this testimony and the partial corroboration given to it by a minute of the Templemore Urban Council must be placed the fact that the Imperial British forces took vengeance for Captain Beattie's death by renewing their depredations in Templemore. It seems clear to the Commission that the risk of fatal accident in this case was inseparable from the dangerous duty in which this British officer and his men were engaged. The danger inherent in such duties, assigned to and accepted or assumed by members of the Imperial British forces, is not attributable to the Irish people.

* Vide p. 28.

Ex-member of the R.I.C. Tangney testified that he and two of his comrades were shot at, near Cloughheen, by a Black and Tan named Richards, whom they had refused to guide to the home of a suspected Republican, one Walsh. Evidence submitted to us by certain recent members of the Imperial British forces, and corroborated by the testimony of other witnesses, indicates that defection from these forces is frequent and occasionally is discouraged by the killing or flogging of those who too publicly contemplate resigning. D. F. Crowley testified to 500 resignations out of 9,000 men during April and May of 1920, and said that after he himself had resigned he had been backed against a wall and threatened with loaded revolvers by Black and Tans. A constable Farley in Adare was alleged to have been murdered under similar circumstances.

Citizens of the Irish Republic would seem to your Commission not blameable for incidental, accidental, and disciplinary casualties in the Imperial British forces in Ireland and for casualties incurred under circumstances of general violence and terror. Such casualties probably amount to a certain percentage of the whole 600 who, it is alleged, have been killed. The refusal of the British to present their side leaves us with only fragmentary evidence of the causes and occasions of death in the remainder.

Fortified barracks or block houses held by Imperial British troops have been attacked, captured, and destroyed, and armed British units in trains, motors, and other vehicles, and on foot, have been assailed by Irish Republican forces. For an Irish Republican Army, drilled, disciplined, and when desirable uniformed, already exists, and we have evidence concerning one member of it captured in action and subsequently executed by the British. It is in these military operations that the greater part of the British casualties seem to have occurred. Upon the legality of such operations the terms of our commission preclude us from expressing a judgment. But if the point of their legality be waived, it would appear to us that the Irish Republican forces, in such cases as we have been able to examine, have observed the recognised conventions of war. In no case have we found evidence of physical violence done by the Irish to any member of the Imperial British forces who surrendered or was captured in arms. Indeed, there is considerable evidence that such prisoners were treated with humanity, in most cases being given their liberty after they were disarmed.

Besides such casualties incurred by Imperial British forces attacked by the armed forces of the Irish Republic, other casualties have been sustained by the British in the course of raids made by the Irish on barracks. We distinguish this category, without being able to estimate its size, chiefly because the casualties it covers have been in a measure incidentally inflicted by men who sought not to slay but to arm themselves for defence. Mr. Morgan testified that a barrack at Littletown was attacked and disarmed on a Sunday afternoon without a shot being fired. Mr. Francis Hackett estimated that not more than twenty "police" had been killed during the British evacuation of 600 barracks. On September 27, 1920, about fifty members of the Irish Republican Army surprised the British military barracks at Mallow and demanded the supply of arms contained therein. No casualties would have been suffered on either side had not five or six men from the garrison escaped and begun firing. In the exchange of shots that followed a British sergeant-major was mortally wounded, but no one else was injured. Mr. Frank Dempsey it will be recalled testified that after the arms had been taken from the garrison a doctor and a priest were sent for by the Irish Republican troops to minister to the sergeant-major. The barracks were not burned, nor was any man

Deaths in Raids on Barracks

Deaths in Raids on Barracks

harmed intentionally, the single purpose of the raid being to secure arms and munitions which since 1914 had been prohibited by the British administration to Irish Volunteers. The old law forbidding the possession of arms anywhere in Ireland had gone unenforced during 1913, while Sir Edward Carson was organising and equipping his Ulster Volunteers, but it had come rigidly into force in the rest of Ireland a year later when it was discovered that the Irish Volunteers were claiming an equivalent privilege. The responsibility for such deaths, however unintentional, would appear to us to rest squarely upon the Irish. It would seem, however, that the storing of arms in known places, isolated and inadequately protected, on the part of the Imperial British High Command is under existing conditions in Ireland almost an invitation to attack.

Testimony attributes to the Imperial British forces approximately 48,000 raids, entailing wreckage of property, robbery, murder of citizens, brutality to priests and women and children, and indiscriminate flogging. Many of the raids, by all accounts, have been made at night by members of the British forces who were dressed in civilian clothing or were otherwise unrecognisable as having military business, and so were subject to resistance by citizens as common thugs and house-breakers. In certain raids masks have been worn; in that on Lord Mayor MacCurrtain's house his assailants had their faces blackened and wore long raincoats and soft dark hats. Lord Mayor MacCurrtain, incidentally, by the testimony of his sister-in-law, Miss Susanna Walsh, had for some time before his death been recommending that the Republicans of Cork arm against the raiders: "It would not do for armed men to be coming in at all hours of the day and night and terrifying women and children." It would seem to the Commission that persons engaged in the violation of property rights and personal safety inevitably incur the dangers inherent in these tasks, even if they are "policemen" or soldiers, and especially if they are disguised. The responsibility for these deaths falls less on the Irish people than on the British officers and agents who ordered and carried out the duties which involved the fatal issue.

Mrs. King gave testimony that in her presence a person dressed as a civilian in the railway station of Galway, late at night, without provocation, suddenly began indiscriminately to shoot down unarmed bystanders. In the attempt to restrain him, after he had killed and wounded persons, he was himself shot. A passer-by with an English accent claimed him as a brother. Ex-Constable Caddan stated that Krumm was a Black and Tan. In this case it would appear to us that bystanders at Galway were acting in conformity with their public duty in attempting to restrain this murdering Englishman, even at the cost of his life.

Testimony mentioned the assassination of District Inspector Swanzy at Lisburn. Miss Anna Walsh gave evidence that the coroner's jury which investigated the death of Mayor MacCurrtain charged Swanzy and others with the murder. The British did not arrest Swanzy, thus duly charged in legal form. Instead, Swanzy departed from Cork to Lisburn. Mr. Francis Hackett testified to being told by a responsible member of the Irish Republic that six participated in the murder of the Lord Mayor of whom five had been executed by assassination, and Swanzy was the sixth. A few weeks after this conversation Swanzy was assassinated. It would seem to us that an armed guard or a public acquittal by a regular tribunal was necessary to the protection of Swanzy in Ireland.

Testimony likewise mentioned the assassination of Divisional Commissioner Smyth. Rev. M. English, corroborated by D. F. Crowley, John McNamara, and Michael Kelly, former members of the

Death of Divisional Commissioner Smyth
R.I.C., testified that Smyth had incited the R.I.C. to shoot all Sinn Feiners—"the more you shoot the better I will like you." Kelly and McNamara deposed that this incitation was delivered in their presence. Kelly said:

During the time I was stationed at Listowell the town was peaceable, there were no outbreaks or trouble of any kind. Following a change in the military personnel in Ireland, Colonel Smyth was made Divisional Commissioner of Police for the Munster Area early in June, 1920. On June 19, 1920, Colonel Smyth visited the R.I.C. barracks at Listowell in company with General Tudor, Inspector General of Police and Black and Tans for Ireland; Major Letham, Commissioner of Police, from Dublin Castle; Captain Chadwick, in charge of the military at Ballyrudey; and Pter O'Shea, County Inspector of Police for County Kerry. Colonel Smyth addressed the members of the R.I.C. in the barracks at Listowell, making substantially the following remarks:

"Well, men, I have something of interest to tell you, something that I am sure you would not wish your wives and families to hear. I am going to lay all my cards on the table, but I must reserve one card for myself. Now, men, Sinn Fein has had all the sport up to the present, and we are going to have the sport now. The police have done splendid work considering the odds against them. The police are not as long as we remain on the defensive so long will Sinn Fein have the whip hand. We must take the offensive and beat Sinn Fein with its own tactics. Martial law applying to all Ireland is coming into operation shortly. I am promised as many troops from England as I require; thousands are coming daily. I am getting 7,000 police from England.

"Now, men, what I wish to explain to you is that you are to strengthen your comrades in the out-stations. If a police barracks is burned, or if the barracks already occupied is not suitable, then the best house in the locality is to be commandeered, the occupants thrown out in the gutter. Let them die there, the more the merrier. You must go out six nights a week at least and get out of the barracks by the back door or a skylight so you won't be seen. Police and military will patrol the country roads at least five nights a week. They are not to confine themselves to the main roads, and when civilians are seen approaching shout 'Hands up!' Should the order be not obeyed, shoot, and shoot with effect. If the persons approaching carry their hands in their pockets or are in any way suspicious looking, shoot them down. You may make mistakes occasionally and innocent persons may be shot, but that cannot be helped, and you are bound to get the right persons sometimes. The more you shoot the better I will like you; and I assure you that no policeman will get into trouble for shooting any man, and I will guarantee that your names will not be given at the inquest. Hunger-strikers will be allowed to die in jail, the more the merrier. Some of them have died already, and a damn bad job they were not all allowed to die. As a matter of fact, some of them have already been dealt with in a manner their friends will never hear about. An emigrant ship will be leaving an Irish port soon with lots of Sinn Feiners on board. I assure you, men, it will never land. That is nearly all I have to say to you. We want your assistance in carrying out this scheme of wiping out Sinn Fein. A man who is not prepared to do so is a hindrance rather than a help to us, and he had better leave the job at once."

Colonel Smyth then asked each one of us individually if he was prepared to carry out these orders and co-operate. As each man was asked the question he referred Colonel Smyth to our spokesman Constable Mee, whom we had previously appointed in case such a demand as this were made upon us, as we had heard that the new military officials were going to make such a demand. Constable Mee stepped from the line and addressed Colonel Smyth: "Sir, by your accent I take it that you are an Englishman who in your ignorance forgets that you are addressing Irishmen." Constable Mee took off his cap, belt, and bayonet and laid them on the table. "These, too, are English," he said, "and you can have them. And to hell with you! You are a murderer!"

At a signal from Colonel Smyth, Constable Mee was immediately seized and placed under arrest, and the entire twenty-five of us rushed to his assistance and released him. We informed Colonel Smyth that if another hand were laid upon our spokesman, either then or in the future, that the room would run red with blood. Colonel Smyth thereupon fled into another room, barred the door, and remained for several hours. We sent a messenger in to him to demand a guarantee that Constable Mee would not be held to account at any time for the remarks made on our behalf, and before he left that day Colonel Smyth gave us that guarantee. Afterwards Inspector-General Tudor sent out and asked to have an interview with us, and when we said we would see him he came out and shook hands with each man and told us to keep our heads, that everything was all right.

There was considerable talk about resignations, and fourteen of us who were unmarried turned in our resignations as members of the R.I.C. that day. These resignations were not accepted. Afterwards we fourteen made a signed statement of the remarks of Colonel Smyth and sent it to the *Freeman's Journal*, a newspaper published at Dublin, with the request that an official investigation be made. There was considerable demand for an official investigation of Colonel Smyth's remarks, but no such investigation was ever ordered or made, and the military police and civil authorities did nothing whatever about it.

While the Commission was in executive session on November 21, 1920, the press reported the assassination of fourteen British officers in bedrooms of hotels and boarding houses in Dublin. Later in the same day Imperial British forces fired on a football crowd at Croke Park, Dublin, presumably in vengeance for the assassination of the officers. From attested British press reports placed in evidence, it would appear that one Teeling, an Irish Republican, was arrested and tried for the murder of one of these officers, a Lieutenant Angliss; and that Angliss was living as a civilian in the house where he was slain under the assumed name of Mr. MacMahon. Another was a Captain Baggey, and a third, a Lieutenant Ames, all of the British Intelligence Service. Thus it would seem that at least three of the British officers slain were part of the Imperial Secret Service in Ireland, and their discriminate assassination seems to indicate a planned attack by Irish Republicans on the British Secret Service.

Mr. Morgan, Commissioner of Thurles, testified that a member of the R.I.C. had been slain there. He disclaimed all knowledge of the cause and of the perpetrators of this assassination. There is also Miscellaneous Assassinations record, though meagre, of the assassination of another member of the British forces at Thurles; and of similar incidents at Galway (one), at Peakle (two), at Cork (one), at Abbeyfeale (one), and at Miltown-Malbay (one). At the last-mentioned village a Captain Lendrum was arrested, put to death, and sent back to the local British Headquarters in a coffin. We learned from testimony regarding the killing of John Sherlock, of Skerries, an Irish Republican, by British agents, that one Penstraw, who is alleged to have acted as guide to the British at the sack of Balbrigan, had been assassinated there about a month later. Altogether we have been able to trace thirty assassinations of members of the Imperial British forces, presumably at the hands of the Irish (five accused with Swanzy of the murder of Lord Mayor MacCurtain, Smyth, fourteen officers in Dublin, two in Thurles, and the others noted).

"Among the Royal Irish Constabulary," testified Miss MacSwiney, "was a division known as the G Division. Their work was purely detective work. Since 1916 the police in that G Division were very active. They were Irishmen, but that only makes them greater sinners. The information that they gathered — from girls they met and others — led very often to the arrest and imprisonment of their fellow-countrymen. Therefore they were spies. No unarmed policeman has been shot in Ireland unless he has been proven a spy. The private correspondence of Lord French, captured from time to time, has been

conclusive evidence that there are spies at work among us." The "overt act" which led to the war on them was "the extraordinary activity of the English Secret Service, when they started to get information about our people and running them down and gathering information about our courts," Miss Wilkinson also spoke concerning these spies, and Mrs. Michael Mohan reported the detection by Irish Volunteers of "one spy who was getting £30 for sending information. And then at night there were police going around with rubber soles on their shoes and slipping circulars under the doors offering rewards for information. They put them under the doors while the people are in bed. They can give their own private code, and if the information proves satisfactory they are paid for it."

Tangney, an ex-member of the R.I.C., testified to being shot at for refusal to guide a Black and Tan to the house of an Irish Republican marked down for assassination. Penstraw was said to have been shot as a spy. 48,474 raids were made by armed British forces in 1920 on Irish homes, and such activity connotes a very active British espionage system.

POLICY OF ASSASSINATION

The assassination of members of the British forces began in 1919, after three years of the British terror in Ireland, and has since proceeded intermittently, and still continues. With the exception of the shooting of the British officers (one of whom was Lieutenant Angliss) in Dublin, on November 21, 1920, the victims of the assassinations of which we have cognisance were isolated individuals, not groups. No women or children, priests or ministers, or prisoners of war seem to have suffered. These assassinations have occurred all over Ireland, from Lisburn to Cork, from Dublin to Galway. They have been carried out under the most public circumstances and within the very shadow of Dublin Castle, a mockery and a defiance of British rule. And officers of high rank in the British system of Imperial authority have been numbered among the victims. The assassinations of Swanzy and Smyth and the kidnapping of General Lucas seem to indicate to us that a nation-wide organisation, with a very perfect secret service, and with disciplined men to execute its orders, must have been created in Ireland to make such punitive measures possible. There is no evidence that this is a British organisation. It would seem to exist in spite of the British efforts to suppress it and to be continuing to function with effectiveness. Under these circumstances it would appear that the Imperial authorities are not free from responsibility for the failure to take proper precautions to safeguard their officers in Ireland.

"The British troops," says Mrs. Robinson, "must go about from point to point sometimes in quite small bodies. The policemen have also done that. And that has made it comparatively simple for a member, say of some secret society in Ireland, if some such society exists, or any Sinn Feiner, if he feels exasperated—it provides opportunity for the murders that have occurred. Many of us have felt that it was a very unfortunate method for the distribution of the troops in Ireland."

No political opponent of the Irish Republic is alleged to have suffered in person for his opinions. The organisation seemingly exists for punitive and deterrent assassinations; and would appear to consist necessarily of Irish citizens. Miss MacSwiney and other witnesses have testified to the efforts made by Irish leaders to constrain Irish citizens to endure in patience and of the success of these efforts for three years in spite of increasing terrorism. We have evidence also of the difficulties under which the Irish Republic functions, so that it cannot perfectly protect its own citizens or conduct its proper business. It is therefore hard to determine the degree to which the Irish Republican Government is responsible for the policy of assassinations or "executions." The arrest and imprisonment of General Lucas, who ordered the shooting of Sinn Feiners summarily with machine guns, the rescue of Teeling, and the justification of the Dublin killings by a responsible Republican leader would, however, seem to us to indicate that

the official disclaimer of Irish Republican responsibility must rest on a technicality. And the punitive and deterrent assassinations which we have noted would seem to be an organised part of the defence of the Irish Republic and a function of its army, or of some special branch of it. In this opinion we are strengthened by the placing in evidence of an attested copy of the *Manchester Guardian* of December 13, 1920, containing a proclamation alleged to have been issued by the Officer Commanding the forces of the Irish Republic in the County of Monaghan, and dated Headquarters, December 3, 1920 :

Whereas in several districts in my command armed gangs of men patrol the public roads at night and open fire, with murderous intent, on people pursuing their ordinary avocation, and

Whereas one of such gangs has perpetrated a most odious and brutal murder, and several others have attempted murder, the public must at once realise that Ireland is in a state of war with the forces of the British Crown, and, while we extend the hand of friendship to all Irishmen, armed murder gangs aggressive to the I.R.A., also guides and informers for the enemy forces, shall be summarily dealt with as opportunity offers :

Further, be it known that the recent raids for arms by the I.R.A. were carried out in compliance with an all-Ireland Order to collect all arms, without distinction of the owners' creed or class, in anticipation of a general collection by the British Government forces ;

The licence to collect only extended for a period of twenty-four hours in each brigade, no more force was used than was necessary, a receipt will be given for all arms taken, and these will be returned when circumstances permit ;

This was made clear at the time to all parties concerned. Consequently, no section of the people (other than those referred to above) need entertain any fear of interference with person or property ; on the contrary, the I.R.A. recognises it as a part of its duty to offer protection to all. By order, O.C., Co. Monaghan. Headquarters, December 3, 1920.

It has been testified before us that these assassinations are executions by Irish Republican agents of justice, implying legal condemnation delivered after trial ; and that such members of the Imperial British forces as are executed in this manner are informers and spies, provocateurs and murderers. While evidence of murder of Irish women and children has been submitted to us, no transcript of such alleged trials of the perpetrators has been offered to justify any of the killings noted by us of British officers ; and except in the case of Smyth and to some extent in the cases of Swanzy, Angliss, and his fellow-officers, and Penstraw, the evidence placed before us is too meagre to permit generalisation as to the character or duties of the particular persons slain.

The absence of the accused, with perhaps the exception of Captain Lendrum, from such trials would appear to us as regrettable as it is usual, and necessarily to condemn the procedure as unjust ; and even if we admit the presumption of guilt, we would still Regrettable Circumstances of Assassinations the more earnestly deprecate these "executions." Their power as a deterrent to evil seems to us insignificant when compared with the weakness inherent in their haphazard nature. In the Dublin assassinations some of the British officers seem to have been identified merely by the occupancy of rooms.

It would seem that assassination in the presence of relatives occurred certainly in the case of one of the British officers in Dublin. The testimony of the Misses Walsh, Mr. Morgan, and others regarding the murders of Lord Mayor MacCurtain, Patrick Walsh, James Lynch, John Sherlock, the Bantry hunchback boy, Thomas Dwyer, and others shows that assassination in the midst of the family was a British practice in Ireland. It would appear to

us that to copy this British practice in Ireland can have the effect only of degrading the Irish people and their cause. We would be glad to think that the instance we have mentioned of this practice by the Irish is unique and will not be duplicated.

From the scanty material at our disposal it is difficult to estimate the effect of these assassinations upon the Irish cause. Assassinations would appear to be an unreliable method of removing specific criminals and ending their harmfulness. The gaps left in high places can always be filled. The removal of Swanzy and Smyth has brought in more Swanzy's and more Smyth's.

It would appear to have discouraged certain of the lower ranks. The testimony before us shows the resignation of about 500 members of the R.I.C., perhaps not wholly unconnected with the danger of their duties, as expounded by Smyth, Lucas, Deasey, and other commanders. But the places of those who resigned have been filled up by Englishmen necessarily less familiar with the country, but, as the evidence showed, seemingly more ruthless.

According to the testimony of Mr. Ginnell, corroborated by D. F. Crowley, a former member of the R.I.C. :

A reward of £10,000, or about \$40,000, was offered by the English Government in every part of the city of Dublin, especially in the poor slums, for certain information and for certain men, dead or alive ; and the reward was never claimed, although hundreds among those people knew where the man named could be found. The expression that a man was to be found "dead or alive" meant that he might be shot at sight, and that the reward would be given to the person who shot him and produced the body. That was the meaning of it. It was an incitement to murder. It was a licence to kill.

The fidelity of certain people was doubtless favoured and the cupidity of spies discouraged by the danger of assassination which waited for informers. The security of Irish leaders may thus have been enhanced, but at the cost of the security of the general population to an extent demonstrably greater than leadership alone could make good. Such immediate success as this policy seemed to achieve appears to us of doubtful value compared with its demonstrated failure both to safeguard the lives of the Irish people in Ireland, and to sustain the moral appeal of the Irish cause in other lands. We would point out the difficulty of controlling this policy of secret tribunal and summary execution ; and the tendency of it to extend its scope to include not only enemies but also envied friends of the Irish cause.

The Imperial British Forces in Ireland have suffered three categories of casualties, totalling apparently not more than 600 : (1) accidental, incidental, and disciplinary casualties ; (2) casualties incurred in regular military operations ; and (3) casualties due to discriminate assassination.

Summary

Of the casualties in the first category we hold the Irish people guiltless.

The casualties in the second category, inflicted by the Irish in military operations, which they appear to have conducted honourably, and upon the legality of which we are debarred from passing, seem to require from us only the same expression of our sympathy with the relatives which we sincerely proffer to all victims of the war in Ireland.

We hold that the British have incurred casualties in the third category, and in so far as those assassinated were spies, provocateurs, and murderers, and as such were conscientiously fulfilling their appointed duties as British agents, we hold the British Government negligent in failing adequately to protect its agents to whom it assigned such dangerous duties. We are of the opinion that these discriminate casualties are sustained at the hands of

organised citizens of the Irish Republic, acting allegedly as an extra-governmental body at war with the special enemies of Irish peace and security. But in so far as the Government of the Irish Republic is responsible for the acts of its citizens, it would seem to us to be responsible for these deplorable assassinations, and to suffer because of them in the public opinion of the world.

We further find that in the four years since the Irish Revolution the British casualties have averaged not more than twenty-six hundredths of one per cent. per annum of the forces engaged and in no year exceeded three per 1,000 of these forces. These figures would seem to us to indicate a spirit of restraint in the Irish people.

CHAPTER VI

Moral Consequences to the Imperial British Forces

THE IMPERIAL BRITISH SOLDIER

IT would appear to your Commission that the official campaign of murder, arson, and repression has had an unfortunate effect upon the moral fibre of the forces engaged in it. Lord Mayor O'Callaghan and others testified that it has been fashionable for the soldiers and police, careering through the cities and villages, to hang over the sides of the lorries, their rifles pointed at the passers-by. Apart from any deliberate intention to shoot the citizenry, this bullying practice would seem to us contrary to British tradition. Deaths result from it. And sometimes these deaths seem scarcely accidental.

Mr. Broderick, of Chicago, was in Abbeyfeale when a passing Black and Tan killed two boys leading their cows to pasture. The shooting of Mrs. Quinn, an expectant mother, we mention, but refrain from discussing because it was deplored by British authority.*

Numerous examples of wanton slaying or wounding were brought before us, including the shooting even of dumb animals, dogs and cattle.

At the sack of Balbriggan, according to the testimony of Mr. John Derham, one of the places burned was a dairy run by a Mrs. Cochran. When the raiders entered, Mrs. Cochran ran into the yard leaving behind her two little boys of ten and twelve years.

Depravity Imperial "police" made the boys dress and took them through the house to witness the smashing of household effects. After this sport, they led the children down the street "to see Derham's house afire." Then they took them back to their own yard and told them to sit on a hay rick there "to warm themselves." The "police" thereupon poured petrol over the rick and set fire to it, and then burned down the Cochran house.

The degrading effect of their duty upon the criminally-minded among the Imperial British forces has led to innumerable assaults upon priests, women, children, and the aged. Miss Anna Walsh testified that pedestrians had come running into her store at Cork to escape from Black and Tans who were scourging the passers-by.

Flogging In Queenstown, John Charles Clarke, an American, witnessed the flogging, to the effusion of blood, of Irish citizens by a khaki-clad person. Thomas Nolan testified that from the house he stayed at in Galway

* MR. MOSLEY (House of Commons, November 25, 1920) asked the Chief Secretary for Ireland whether Mrs. Eileen Quinn, of Kiltartan, County Galway, was killed by a shot fired from a passing police lorry on November 1, 1920, while sitting on a wall in broad daylight with a child in her arms; whether he will state the distance between this wall and the road from which the shot was fired; whether the position of Mrs. Quinn at the time she was shot was in full view of the road; whether the police occupying the lorry in question were called as witnesses at the court of inquiry; how many rounds of ammunition were fired by the occupants of this lorry in the course of their journey; and how far away was the nearest point at which murders of soldiers and policemen had occurred to the scene of Mrs. Quinn's death.

SIR H. GREENWOOD: A military court of inquiry was held into this deplorable affair and found that the cause of death was misadventure. I am not prepared to reopen the inquiry by entering into a discussion of points of evidence all of which were fully considered by the court. (*Loc. cit.*, vol. 135, cols. 619-620.)

a young man was taken out by soldiers and flogged. And an editorial from the *Manchester Guardian* of October 19, 1920, was placed in evidence concerning the stripping and flogging by uniformed British soldiers of more than a score of the villagers of Corofin and Cummer in Galway.

Besides encouraging brutality, the "duties" of the Imperial British forces in Ireland seem destructive of British honesty. The testimony before us shows that for some time thieving has been a common activity of the British forces in Ireland.

Thieving

Daniel J. Broderick (American) testified to seeing three Black and Tans help themselves to liquors, cigarettes, and food in a public house kept by a widow, a Mrs. Macauley, in Abbeyfeale. "They told the woman, as they left, that she should be glad they did not take the till."

John Derham, Town Councillor of Balbriggan, in his testimony on the wrecking of that town by the police, stated :

Pillage Two grocery stores they looted and razed ; threw the tea and sugar and soap and candles, and everything, on the floor about three feet high ; tramped over it ; and pulled things out in the passage to destroy what they did not set fire to.

Lord Mayor O'Callaghan testified that houses raided were commonly looted. In Cork he stated that from the beginning of the year up to December 10, 1920, apart from places absolutely destroyed, "at a very moderate estimate" fifty establishments had been attacked and looted by the Imperial forces.

Looting Miss Susanna Walsh testified that a few days after Lord Mayor MacCurtain's death his business establishment was looted by the military.

The prevalence of this practice would almost seem to indicate that it was not discouraged by those in authority. Indeed, the looters sometimes arrived provided with vehicles to transport their spoil, and openly carried it off.

Transporting the Loot Miss Craven testified to the looting of Michael Walsh's house and shop at Galway by raiders a few nights before he was murdered. "They destroyed practically everything. They had lorries outside, and they took the tobacco and cigarettes and sugar and candles and different things like that. They also took the liquors."

The loot was occasionally a perquisite of murder. Thomas Nolan, of Galway, who was with Walsh the night he was killed, testified that some of the men who took Walsh away came back to the murdered man's home and made off with Walsh's overcoat and a liberal supply of cigarettes.

Sean Courtney, of Cork, sent a sworn statement that his house was raided at 2 a.m. on October 28, 1920. He was dragged out by men who threatened to kill him. When he was allowed to go he returned to his home and found it had been looted. Silver and household articles had disappeared.

In the following instance, an officer interrogated the householder while his men removed her goods. Mrs. Eamon Coughlin, of Cork, wife of Alderman Coughlin, made a sworn statement of a raid on her home and shop by the military at 4.45 a.m., November 27, 1920. "I found the following goods missing, looted, of course, by his companions downstairs while the leader was questioning me : About £20 to £25 worth of cigarettes, about £7 worth of tobacco, and various other things, such as cocoa, &c."

When complaints were made to the competent military authority, assurances were sometimes received in lieu of restitution or redress. The sworn statement of Mrs. George O'Grady, of Rochestown, County Cork, told of a raid on her home by police and military, March 20, 1920. She kept poultry and her season's egg money, £68, was all taken. Her husband deposed that he com-

plained to Sir Hamar Greenwood, to the General Officer Commanding in Cork, and to General Macready about the robbery and received assurances from all three that nothing had been touched in the house.

And sometimes to the value of such assurances another raid was added. Timothy Horgan, of Cork, sent a sworn statement of a raid on his barber shop by the military, August 29, 1920. All his razors were stolen, money equivalent to \$18 and other articles to a total value of \$200. In reply to his complaint to the military commander, he received the written assurance of an Imperial British Staff Captain that nothing had been taken. His home was then raided on September 13 and jewellery and other articles stolen.

A not uncommon form of robbery was practised on men assaulted and dragged from their homes during raids. A typical instance of this was described by Miss Craven, of Washington, D.C. **Robbing Prisoners with Violence** Miss Craven was visiting her parents at Headford, County Galway, when Black and Tans raided the house at noon on September 17, 1920, and dragged away her younger brother, who was not connected with the Sinn Fein organisation, though an older boy was a Volunteer. His parents found him on the road later, beaten and bruised, with two of his teeth knocked out. His watch and seventeen shillings had been stolen. During the raid some money and small gold pins were stolen in the house.

The habit of looting and robbing the raided in their homes seems to have inculcated the practice of highway robbery. According to the testimony, it was an ordinary event in several cities, particularly Cork, for pedestrians to be held up and robbed on the streets by soldiers or police. **Robbery** Lord Mayor O'Callaghan testified that the Black and Tans were particular offenders in this respect : "Passing on the streets, these men challenge the passers-by and order them to hold up their hands while their pockets are gone through. In many cases all the contents of their pockets are stolen, any money especially."

A sworn deposition of a typical highway robbery was presented to the Commission from John Creed, 56 Grattan Street, Cork. On the evening of December 10, 1920, he was held up by two men wearing light raincoats and soft felt hats—the ordinary mufti of the Black and Tans. They carried revolvers, and pointing them at him they demanded "Hands up!" and searched him, taking nearly \$100 which he had on his person. The man who took the money had a decided English accent.

Highway robbery would seem to have been part of the regular daily routine of some of the Imperial British forces. Harold Johnson, American sailor on the steamship *Westcannon*, testified that the hold-ups in Cork would start about 3.30 in the afternoon. He used to go out to watch them. **Highway Robbery at Stated Hours** Emil Pezolt, his shipmate, an American, testified that he was held up and beaten by Black and Tans on the evening of the big fire; his watch, about \$80 in money, and even his seaman's passport were stolen.

John Charles Clarke, American, testified to seeing men in the R.I.C. uniform holding up women at the pistol's point and searching them on the streets of Cork. He saw these "police" pull rings off women's fingers, and he saw one of them tear the ear-rings from a woman's ears. One of the women thus held up was crying, and Mr. Clarke testified that the "police-man" pointed his gun at her, saying : "Shut up or I will give you the contents."

Daniel J. Broderick, an American, told of a raid on the house of a Mrs. Hartnebt, at Abbeyfeale. Her boy was in bed ill on the upper floor while the soldiers wrecked the lower story and set the house on fire. Before leaving one of the soldiers struck Mrs. Hartnebt over the head with the butt of a rifle. Mr. Broderick saw the wound. It was three or four inches long.

The testimony shows that women and girls have been searched by members of the Imperial British forces, the privacy of their bedrooms has been invaded in the dead of the night, and their hair cut off; but in no case has the crime of rape been specifically charged by Irish witnesses before us against the Imperial troops. The fact that for four years and a half an army of at least 75,000 British was occupying Ireland without provoking charges of major sensual offences against Irish women is remarkable. It would seem to us the only bright spot in the darkness of war. And it would appear the more remarkable when that army is proved to contain drunkards, highway robbers, gunmen, and petty thieves. It would seem to your Commission that the credit for the sparing of Irish womanhood must be attributed at least in part to the officers commanding the Imperial British forces in Ireland. Only a drastic ordinance against sexual crime could be powerful to restrain some of the criminals which that army demonstrably contains. It would seem a regrettable corollary to the credit we would like to extend to the Imperial British High Command for controlling the sensual licentiousness of its men, that we would need equally to hold it responsible for the crimes the men are permitted to indulge in, sometimes even in the presence, if not with the connivance, of subordinate officers.

IMPERIAL BRITISH OFFICERS

The morals of the British officer would appear to us to have suffered less than those of the rank and file.* The officers seem more sober than the men. John Tangney, a former member of the R.I.C., testified that County Inspector Lowndes and the two young military officers in charge of the party that raided Ballylorby "got stupidly drunk." But Mr. Dempsey testified that the officer at the sack of Mallow remained sober. The officers were also more honest. In one case testimony was adduced concerning a British major stealing £75. In many instances robberies were committed by troops under the command of officers, and in some cases looting seemed to be specifically directed and controlled by officers. The testimony concerning this aspect of the British officers' behaviour is, however, too fragmentary to allow us justly to form general conclusions.

It was, however, clearly proved that in many cases the known sportsmanship of the British officer had become degraded by his "duties." We have the deposition of Sean Murphy, of Brandon, concerning his interview with James Murphy, a hunchback, who declares that three British officers beat him and attempted to hang him in a raid on his home at 5.30 a.m., November 10, 1920. In his deposition Sean Murphy states:

Assault on Hunchback by Three British Officers

James Murphy is a little hunchback who resides with his sister, who is not very strong. I saw the shirt which he was wearing that morning. It was completely clotted with blood on the front and back. I also saw the piece of rope. He was in bed when I saw him, and his nose was very badly torn. He complained of pains in his head and back, and as a result of his treatment he is very nervous. I know James Murphy personally. He is a very quiet, inoffensive man.

Lord Mayor O'Callaghan presented the written statement of Thomas Hale, of Knockscuvva, near Bandon, County Cork, who with a man named Harte was arrested July 7, 1920. Hale

Torturing Prisoners states:

* The auxiliaries, called cadets, are mostly ex-officers, serving in the ranks.

When I was undressed they strapped my hands behind my back with leather straps, and put them around my neck and mouth. Harte was also strapped in a similar position. I was not in a position to defend myself, and Lieutenant A. hit me several times in the face and on the body. Captain B. said: "You have some documents from the adjutant-general, per Michael Collins." They dressed me again, tied my hands behind my back with leather straps, and also dressed Harte. Captain B. said: "You will be shot." They put straps around my legs as well as round Harte's legs.

Eventually the two men were tied together and marched to a lorry, prodded by bayonets. Harte stated that he was hit in the nose by a gun-butt. They were taken to the barracks in Bandon and then assaulted several times. Harte had several teeth knocked out. They were lined up, as if to be shot, but were beaten instead. In the course of trying to extract information from them about certain Republican leaders, Captain B. got a pair of pliers. Hale's statement continues:

Captain B. said: "What position does your brother John hold and where is he staying?" I said: "I refuse to give you any information about him." He then turned to the officer whom he sent for the pliers, and he started bending and twisting my fingers at the back. He gripped them at the back, placing one portion of the pincers against one side of my nail and the other portion of the pincers against the other. He brought the blood to the tops of several of my fingers, and for some time afterwards my fingers were black on the tops owing to congealed blood there. I was feeling extremely weak, almost fainting, and the blood was dripping down my legs. I was asked several questions about other individuals and about military matters, but refused to give any information.

Captain B. also put the pincers on my thighs, but my senses were becoming quite numb.

Another officer then untied my hands and told me to pull up my trousers. Captain B. said: "The court is closed for the finding." He said: "Stand up," as my knees were somewhat bending, "and we will see what a Tommy can do to you." I was hit several times in various parts of the body, but especially in the face, and he broke the four teeth in my upper jaw. I was then knocked down on the ground. I was absolutely exhausted and nearly fainted, and my senses were beginning to go. He hit me on several occasions while I was on the ground. After a few minutes, one of the officers said, "That's enough." I was then dragged up, and led out of the room. My hands had not been retied since they had been undone in order to lift up my trousers. When I got outside my hands were tied up again, and the straps fastened round my neck and face. Five or six soldiers hit me.

An attested copy was submitted to us of the following deposition alleged to have been made by Kevin Gerard Barry, medical student, hanged for alleged participation in an attack on the Imperial British forces:

Torture Before Hanging

County of the City of Dublin to wit:
I, Kevin Barry, of 58 South Circular Road, in the County of the City of Dublin, medical student, aged eighteen years and upwards, solemnly and sincerely declare as follows:

(1) On September 20, 1920, I was arrested in Upper Church Street, in the City of Dublin, by a sergeant of the 2nd Duke of Wellington's Regiment, and was brought under escort to the North Dublin Union, now occupied by the military. I was brought into the guardroom and searched. I was then removed to the defaulters' room by an escort with a sergeant-major. The latter and the escort belonged to the 1st Lancashire Fusiliers. I was then handcuffed.

(2) About a quarter of an hour after I was placed in the defaulters' room two commissioned officers came in. They both belonged to the 1st Lancashire Fusiliers. They were accompanied by three sergeants of the same unit. A military policeman who had been in the room since I entered it, remained. One of the officers asked my name, which I gave. He then asked for the names of my companions in the raid or attack. I refused to give them. He tried to persuade me to give the names, and I persisted in refusing. He then sent a sergeant out of the room for a bayonet.

When it was brought in, the sergeant was ordered by the same officer to point the bayonet at my stomach. The same question as to the names and addresses of my companions was repeated, with the same result. The sergeant was then ordered to turn my face to the wall and point the bayonet to my back. I was so turned. The sergeant then said he would run the bayonet into me if I did not tell. The bayonet was then removed, and I was turned round again.

(3) The same officer then said to me that if I persisted in my attitude he would turn me out to the men in the barrack square, and that he supposed I knew what that meant with the men in their present temper. I said nothing. He ordered the sergeants to put me face down on the floor and twist my arm. I was pushed down on the floor after my handcuffs were removed by the sergeant who went for the bayonet. When I lay on the floor, one of the sergeants knelt on the small of my back, the other two placed one foot each on my back and left shoulder, and the man who knelt on me twisted my right arm, holding it by the wrist with one hand while he held the hair with the other to pull back my head. The arm was twisted from the elbow joint. This continued, to the best of my judgment, for five minutes. It was very painful. The first officer was standing near my feet, and the officer who accompanied him was still present.

(4) During the twisting of my arm the first officer continued to question me as to the names and addresses of my companions, and also asked me for the name of my company commander and any other officer I knew.

(5) As I still persisted in refusing to answer those questions I was let get up, and I was again handcuffed. A civilian came in, and he repeated the questions, with the same result. He informed me that if I gave all the information I knew I could get off. I was then left in the company of the military policeman, the two officers, the three sergeants, and the civilian leaving together.

(6) I could certainly identify the officer who directed the proceedings and put the questions. I am not sure of the others, except the sergeant with the bayonet. My arm was medically treated by an officer of the Royal Army Medical Corps attached to the North Dublin Union the following morning, and by the prison hospital orderly afterwards for four or five days.

(7) I was visited by the court-martial officer last night, and he read for me the confirmation of sentence of death by hanging, to be executed on Monday next, and I make this solemn declaration, conscientiously believing same to be true, and by virtue of the Statutory Declaration Act, 1835.

Declared and subscribed before me at Mountjoy Prison, in the County of the City of Dublin, October 26, 1920.

MILES KEOGH,

A Justice of the Peace in and for the said County.

KEVIN GERARD BARRY.

An officer of the Cameron Highlanders was in charge of the party that murdered the Buckley boy, a handcuffed prisoner. Inspector Cruise led the party that terrorised Galway and murdered Walsh. Testimony has shown that Inspector Smyth and Generals Lucas and Deasey ordered indiscriminate and summary slaying of Sinn Feiners, who comprise over eighty per cent. of the whole population.

IMPERIAL BRITISH HIGH COMMAND IN IRELAND

These officers presumably acted under the direction of the Imperial British High Command. There is no testimony before us concerning the personal morality of those in command of the Imperial forces in Ireland. But the code by which their public acts are tested is the Hague Convention, by which civilised armies are supposed to be governed. In their warfare on the Irish Republic, the British High Command would appear not to recognise that convention as determining their conduct.

The Hague Convention specifically forbids the use of hostages. The following notice was placed in evidence :

(58)

NOTICE

Use of Hostages Notice is hereby given that on account of the numerous attacks which have been and are being made by rebel forces on motors and lorries conveying forces of the Crown, officers and leaders of the rebel forces (commonly known as the Irish Republican Army) will in future be carried in Government motors and lorries.

Given under my hand, at Cork, December 18, 1920.

(Signed) H. W. HIGGINSON,
Brigadier-General,
Military Governor.

The "hostages" thus carried, it was testified, included the Mayor of Kilkenny and Colonel Maurice Moore, late of the British Army, who was for a time recruiting officer in Ireland for the British and who lost a son in the war. The following editorial from the London *Daily Herald* of December 21, 1920, was placed in evidence :

THE "HOSTAGES"

On Saturday night three Sinn Fein prisoners, in custody at Cashel Police Barracks, were taken out by the military in a motor lorry. During the journey, two of them were shot dead.

On Sunday night, notices were issued by the military governors of Cork and Kerry (presumably also of Tipperary) that "on account of the numerous attacks which had been and are being made by rebel forces on motors and lorries conveying forces of the Crown, officers and leaders of the rebel forces (commonly known as the Irish Republican Army) will in future be carried in Government motors and lorries."

That carrying of "hostages" as a safeguard against attack is an old device of the Boer war—denounced in those days by Mr. Lloyd George and his colleagues as a barbarity and a breach of the laws of war.

But what has it to do with the death of these two men at Cashel twenty-four hours before the order was issued? By whose orders, and for what reason, were they taken on their tragic journey? And, who shot them? One must stretch credulity to believe that there was an ambush, that Sinn Feiners fired on the lorry and, by a miracle, shot the two Irishmen stone dead while not a soldier was touched.

All that is clear is that once more prisoners have been shot while in the custody of the military. On previous occasions the Government story has been that they were "attempting escape." On this occasion, apparently, it is to be that they were "hostages."

But what the Government says is not evidence. The only sure fact is that these men were prisoners, and that they have been shot.

Again we challenge an impartial inquiry.

We have also had submitted to us other proclamations by the Imperial British High Command. One groups the male citizens of certain districts, allotting to each group an area; those in the given group are held responsible if the Imperial British forces suffer casualties in its allotted area.

Another proclamation, from the same source, ordains that any one harbouring a rebel will suffer death. This proclamation makes death the penalty even for a mother who harbours her son in her home—if he is a Republican; and eighty per cent. of the people are Republicans :

(d) That a state of armed insurrection exists, that any person taking part therein or harbouring any person who has taken part therein, or procuring, inviting, aiding, or abetting any person to take part therein, is guilty of levying war against His Majesty the King, and is liable on conviction by a Military Court to suffer DEATH.

This proclamation would seem to us to be directed not only against Irish womanhood, but also against the memory of the noblest of Englishwomen, Edith Cavell, shot for harbouring persons levying war against His Majesty the Kaiser. The British High Command would appear to make the heroism of Edith Cavell a crime and to confirm her sentence.

(59)

Death penalties imposed by proclamation for those who carry or possess arms, for those who have information and neglect to make it known to the British Imperial Forces, and for kindred crimes have been brought to our notice. The following attested excerpt from the *Weekly Freeman*, Dublin, February 5, 1921, was placed in evidence :

An official communique, issued from Victoria Barracks, Cork, on Tuesday, states: "Cornelius Murphy was tried at Cork, on January 17, by a military court for an offence against martial law, and he was charged with being at Ballydaly on January 4 in improper possession of arms and ammunition, namely, a loaded revolver.

"The court found Cornelius Murphy guilty and sentenced him to suffer death by being shot. The finding and sentence of the court were duly confirmed by the General Officer Commanding-in-Chief, Ireland. The sentence was duly executed at 8.1 a.m. on February 1."

FAILED TO INFORM

At the same court, Denis Murphy was charged with having failed to inform the Competent Military Authority of the fact that his brother, Cornelius, had firearms and ammunition. Accused denies that he was aware of the fact. Sentence in the latter case does not appear to have been promulgated.

And to these excerpts, by way of contrast, counsel for the American Association for the Recognition of the Irish Republic added the following, attested as taken from the London *Nation* of February 5, 1921 :

And now, men, keep your arms, no matter what happens. I rely upon every man to fight for his arms to the end. Let no man take them from you. I do not care who they be or under what authority they come. I tell you, "Stick to your arms."—[Sir Edward Carson at an inspection of the Ulster rebels, June 6, 1914.]

Sir Edward Carson was made a member of the Imperial British Cabinet, and is to-day alleged to be a chief instigator of the Imperial British policy in Ireland.

It would seem to us that the British High Command scarcely recognise the authority of the Hague Convention. Their proclamations appear to indicate that their military failure to suppress the Irish Republic has already driven their conduct beyond the boundaries of conventions.

IMPERIAL BRITISH GOVERNMENT IN IRELAND

Attested utterances, from official sources, of Ministers of His Majesty's Government have been placed in evidence, and we have cited several of Sir Hamar Greenwood's statements in the course of this report. These would seem to us to indicate a moral tone regrettable in a public official of a civilised people. We would particularly emphasise his explanation of the death of Mrs. Ellen Quinn, the expectant mother who was shot wantonly by the military; of his inquiries by military tribunals into the crimes ordered and committed by the military; of his failure to arrest the miscreants who sacked Balbriggan, and his condonation of the Croke Park massacre. There has been placed in evidence the following attested excerpt from the London *Nation* of January 29, 1921 :

One of the most important of these documents is the *Weekly Summary*. This, it will be explained, is a paper which Sir Hamar Greenwood established as a means of keeping up the spirits of his constables. These constables were men enlisted by the medium of an advertising agency for ex-soldiers who could not find employment in England. The *Weekly Summary* will be the most important document that the historian can use for showing the spirit which Sir Hamar Greenwood wished to introduce and maintain in a body of men armed with such powers as no British force had exercised since 1798. Let us note a few of the extracts that were chosen for publication in this paper. A number of them are threatening resolutions attributed to persons spoken of as "The Anti-Sinn Fein Society."

"If in future any member of His Majesty's Forces be murdered, two members of the Sinn Fein Party in the County of Cork will be killed. And in the event of a member of the Sinn Fein Party not being available, three sympathisers will be killed. This will apply equally to laity and clergy of all denominations. In the event of a member of His Majesty's Forces being wounded, or an attempt made to wound him, one member of the Sinn Fein Party will be killed, or if a member of the Sinn Fein Party is not available, two sympathisers will be killed." [This was literally carried out a few weeks later.]

"A fair warning to Sinn Feiners and sympathisers. Lisburn will claim not an eye for an eye, but three or more lives for either the murder of or injury to any local member of the Royal Irish Constabulary or auxiliary forces."

"NOTICE

If G. Hogan is not returned by four o'clock to-day (Friday), December 10, rebels of Cork, beware, as one man and one shop shall disappear for each hour after the given time. (Signed) B. and T's.

Organisation Headquarters, Retaliations Section B."

"SINN FEINERS GET A WARNING

It is your duty to support your Government. Don't harbour, engage by hire or otherwise, associates of Sinn Fein or members of that murderous society. We warn you that, if you do, revenge will be taken by means not yet heard of.

By order, Secret Service Dept. 2 B, No. 17396 V."

"The public funerals of the murdered officers was a solemn and impressive sight, by which many thousands were deeply affected, and we have not a word to say against it. But a far more satisfactory tribute to the dead would have been the spectacle of a Sinn Fein murderer hanging on every lamp-post in Sackville Street and Grafton Street, and that is what ought to have been done.—*The Winning Post*."

"Alderman MacSwiney would seem to have been most anxious for the world to note that he "died a soldier of the Irish Republic" . . . He might just as reasonably have averred that he died an Admiral of the Swiss Navy."

It is inherent in British Parliamentary practice that the Premier is responsible for the acts and utterances of every member of his Cabinet. It would appear that he has not publicly dissociated himself or his Government from Sir Hamar Greenwood. The moral obliquity implied in "shot trying to escape," "shot for refusal to halt," "Sinn Fein Extremists," "reprisals," and such terms, used in official British utterances, would seem to us to need no emphasis.

It would appear to your Commission that the Imperial British Army in Ireland has been guilty of proved excesses, not incomparable in degree and kind with those alleged, by the Bryce Report on Belgian atrocities, to have been committed by the Imperial German Army.* And it would further appear that the Imperial British Government have created and introduced into Ireland, a country in area less than the State of Maine, a force of at least 78,000, many of whom were boys and some of them convicts; has incited them to slay, burn, and loot; has armed them for their task; and has tempered with terror and alcohol this chosen instrument to fit it for the appointed purposes of the Imperial British Government in Ireland. It would seem to us that the moral responsibility for the crime of this instrument rests on those who fashioned and used it.

We would extend our sympathy to the great British people. The army which is the instrument of their Government in Ireland would also seem to be the instrument of the destruction of that moral heritage which was their glory

* We are under the disadvantage of lacking the official British side of the case save as we gathered it from documents presented before us, but the Bryce Commission was similarly handicapped, and to an even greater degree.

and which cast its lustre on each and all of them. The sun of that glory seems finally to have set over Ireland. British "justice" has become a discredited thing. The official Black and Tans in Ireland compete for the dishonour of Anglo-Saxon civilisation with our unofficial lynch mobs. And decent folk everywhere are shamed and scandalised that such things can still be in their day and generation.* We welcomed the British Labour Report on Conditions in Ireland and the reports of the Englishwomen's International League and of the British Society of Friends—whose moral leadership, rising above the prejudices of race and nationality, has been in this great spiritual catastrophe of England almost the only sign of our common Christianity. We wish the Peace with Ireland Council Godspeed. We would congratulate the *Manchester Guardian*, the *London Nation*, the *London Daily Herald*, the *New Statesman*, the *Westminster Gazette*, and the *London Daily News* for the courageous stand they have taken in exposing and denouncing to the British people the murder done in their name. And we hope that the spirit of these efforts may be strengthened, to the end that the wrong done to Ireland may be righted and the agony of her people cease. When these things shall be the great British people will emerge from the darkness that now encompasses them into the glory of a new day.

* Both in England and America it has been suggested that our right to criticise the Imperial British rule in Ireland is impaired by certain examples of American imperialism which contravene our boasted belief in the principle of "government by consent of the governed." The members of the Commission are vitally concerned for American honour and are opposed to coercive imperialism wherever and by whomever it is practised. Their present concern with Ireland is prompted by the acuteness of the issue and its bearing on international friendship. In the course of the Commission's investigation it has become deeply impressed with the capacity of the Irish for self-government.

CHAPTER VII

Political Aspect of the Imperial British Policy in Ireland

IN spite of this campaign of murder, arson, terror, and destruction, the Imperial British forces would appear to have failed to preserve British rule in Ireland. Mr. J. L. Fawsitt, Consul-General of the Irish Republic to the United States, quoted Earl Grey as saying that British government of any sort in Ireland was "non-existent," and Mr. Paul J. Furnas read the report of a committee from the Society of Friends in England estimating that the Imperial British Government had "ceased to function over at least eighty per cent. of Ireland." Lord Mayor Donal O'Callaghan, of Cork, testified that it has become almost impossible for the British to collect taxes; and the statement of Commissioner Morgan, of Thurles, that British civil authority had lapsed generally was supported by numerous witnesses.

It would appear that the British courts are for the most part empty even of judges; 550 magistrates were said to have resigned office. Lord Mayor O'Callaghan reported such resignations in Cork, Mrs. Michael Mohan in Queenstown, and Commissioner Morgan again in Thurles. In Thurles, said Mr. Morgan, the Government courts were practically falling into disuse altogether by reason of the fact that the people were refusing to go into them. The petty court had quit sitting, and the court house had fallen into dilapidation. People "absolutely refused" to obey a summons, and it was increasingly difficult for the Imperial British Government to secure Irish citizens for jury service.

Lord Mayor O'Callaghan read a report, composed by the Republican Municipality of Cork, on acts committed by the Imperial British forces between 10 p.m. and 3 a.m. during one month, the month of November, 1920. The list includes:

- Two hundred and sixty arrests.
- Upwards of fifty attempted arrests.
- Four publicly placarded threats to the citizens of Cork.
- Hundreds of general outrages.
- Fifteen trains held up.
- Upwards of 200 curfew arrests.
- Four Sinn Fein clubs burned to the ground.
- One million pounds' damage by fire.
- Seven men shot dead.
- Upwards of twelve men dangerously wounded by shots.
- Attempted assassinations of upwards of ten men.
- Upwards of 500 houses of private citizens forcibly entered and searched.
- Much indiscriminate shooting.

The primary duty of a Government to its people, the duty of preserving order and guaranteeing to citizens security of life and property, would seem to us not to be fulfilled by the Imperial British Government of to-day in Ireland. We have had no testimony, except a report by Judge Bockin, which would lead us to the conclusion that British officials in Ireland to-day are serving any function useful to the Irish people. Instead,

they seem to us to be engaged in destruction of Irish social and economic life. In other words, the evidence would seem to show that the campaign of the British forces in Ireland so far has failed to re-establish British authority in Ireland.

THE IRISH REPUBLIC

The Imperial British forces would seem to us likewise to have failed to destroy the civil administration set up by the Irish Republic. Mr. Denis Morgan, of Thurles, Miss Mary MacSwiney, of Cork, Mr. Francis Hackett, of New York, and others gave evidences of the intensity of the British campaign against independent Irish political life. This campaign has been unremitting since the election in December, 1918, which gave popular sanction to the Irish Republic. Ex-Constable Crowley testified that public meetings had been prohibited in his district since March, 1919, and Lord Mayor O'Callaghan submitted proof that every Republican organisation in Cork had been attacked at least once before the great fire in which all of them were burned. In addition, there would appear to have been a continuous war against Republicans in office. We have already discussed the evidence proving that Imperial British forces slew for no discoverable reason other than Republicanism citizens and officials of the Irish Republic. Mr. Morgan's house in Thurles, together with the houses of four other men, was signalled out for attack during the raid by the Imperial British forces upon the town presumably because these five were Republican members of the Council. The Lord Mayors of Cork, MacCurtain, MacSwiney, and O'Callaghan, are the most conspicuous instances according to the testimony of men persecuted in public office. Lord Mayor O'Callaghan was witness by his own experience and by that of his Commissioners to the difficulties encountered—such as arrests, threats, shots, and perpetual shadowing by Imperial "police"—while attempting to perform public duties. An affidavit by Seamus MacGearailt, chairman of the Queenstown Urban Council, was placed in evidence showing that he had not been able for six months to approach his own house, much less attend to his official responsibilities. The Imperial British forces would seem to us to be intensively engaged in thwarting the efforts of the duly elected Irish officials to administer the civil government in Ireland.

FAILURE OF THE IMPERIAL BRITISH POLICY IN IRELAND

In spite of these difficulties and with the Imperial British Government ceaselessly attempting to terrorise the people and to paralyse the social and economic life of the country the Irish Republican Government appears, in the light of voluminous and consistent testimony, to be definitely holding its own and establishing its right to be considered the only working government in Ireland outside the region around Belfast. Witnesses to its strength were numerous and unequivocal before the Commission, including among their number impartial observers from the outside as well as partisan observers from within. The Women's International League of England reported through a visiting committee, "although members of the [Republican] Government are proscribed, their courts illegal, and their revenues forfeit, one can truly say that without them Ireland would be given over to sheer anarchy. The Government had the enthusiastic support of the enormous majority of the population. To a degree never witnessed before by any of the women, it is possible to say that Dail Eirann governs with the consent of the people." The English Friends were convinced that "if the English garrison and armed police were to withdraw, the Sinn Fein government could and would run the country, and that at present order and safety are only found in districts from which the English military and police have been withdrawn." One witness, Mr. Clarke, firmly denied that the spirit of the

Irish people had been broken by the Imperial British terror. There were practically no informers amongst them, and there was seldom or never any refusal to meet obligations. Lord Mayor O'Callaghan had "never heard of one case where there has been a refusal by anybody to pay their rates on the ground that the bodies [urban and county councils] are Republican." A loan floated by Dail Eirann, according to Consul-General Fawsitt, has been over-subscribed by one-half. On the whole, testified Miss Ruth Russell, of Chicago, "I think there is possibly the greatest unanimity there that has ever existed in any country of the world."

Estimates before the Commission of the percentage of Irish population which is favourable to the Republican Government either by act of ballot or in state of mind varied a good deal, but all were high. Mr. Daniel J. Broderick, an American visitor in Ireland, thought that ninety-nine per cent. of the 100,000 people in Cork were for the Republic. Mr. Morgan, of Thurles, said that in the election of January, 1920, about ninety per cent. of the Urban Councils over Ireland as a whole went Republican. Mr. Francis Hackett, citing figures which he considered "absolutely trustworthy and very closely analysed," claimed that the Sinn Fein party secured 71.9 per cent. of the 699 seats in the County Councils. The most conservative estimate of the popular allegiance, eighty per cent., was made by the English Friends in their report to Mr. Furnas. Taking these figures at their lowest, and even discounting them then to allow for enthusiasm and imperfect investigation, the evidence would seem to be almost conclusive that the Irish Republican Government is the one government which is desired by the majority of people of Ireland to-day.

Since April, 1919, according to Consul-General Fawsitt, there has been in operation an Irish Republic with a President and with Ministers of State for home affairs, foreign affairs, national defence, finance, local government, industries, labour, agriculture, education, trade and commerce, fisheries, forestry, and information. The Government of the Irish Republic has consultations in the United States, France, Spain, Italy, Belgium, and Denmark who are striving to secure recognition for the Republic and to consolidate its trade relations. Since 1918 the elected national representatives of Ireland have gathered in Dublin, constituting the Congress or Dail Eirann. This comprises seventy-five constituencies, all but thirty-seven of whose representatives have spent terms in jail for their membership. This Congress met openly for twelve months, but now meets secretly, under difficulties imposed by the Imperial British Government in Ireland. Its members and its leaders, according to Mr. Fawsitt, Miss MacSwiney, Miss Russell, and other witnesses who know them, are among the most brilliant of the younger men of Ireland, and they are bent upon keeping all young men of Ireland in Ireland by rigidly restricting emigration and by diverting those with political talent from the English civil service into the Irish. The Commission was impressed by the several reports of the composition and functioning of the Irish Republican Congress.

Its economic programme would appear to be extensive, and to have had effect already upon the industrial organisation of the country. Consul-General Fawsitt was confident that Ireland under Irish management could support 12,000,000 people, or three times its present number. An Economic Commission is studying national conditions, according to Mr. Hackett,

Economic Programme

and from it recommendations looking toward an intensification of industry are expected. It is apparent that much has been accomplished in establishing healthy co-operative enterprises, including cheese factories, creameries, egg societies, banks, and stores. An important Republican institution already well under way and described by Mr. Fawsitt is the Land Bank, with six branches, which aims, through assisting poor farmers to buy land, at an eventual disintegration and distribution of large rural estates, particularly in the West. Miss Bennett testified to the efficiency of the Land Courts which have arisen from the necessity to reconcile differences between cattle-drivers and the owners of grazing lands. International trade also is being studied with a view to the control of harbours and steamship lines. One line to New York has already been promoted, and the important harbour of Cork is expected by Mr. Fawsitt soon to come under the direct influence of the Republican Government.

Since 1918, according to Lord Mayor O'Callaghan, local governing bodies in twenty-eight out of the thirty-two Irish counties have become Republican, transferring their allegiance from the English Local Government Board to the Local Government Department of Dail Eirann. These bodies included County Councils, Rural District Councils, Urban Councils. "Then Commissions and Boards of Guardians were moved to make the change," says the writer of a paper read by Miss Townshend, largely because the Local Government Board, taking advantage of the "Malicious Injuries Act," was assessing against the counties the costs of town halls, creameries, private houses, and other property destroyed by the Imperial British forces themselves. Whatever the motive, the transfer seems certainly to have been made, and the new bodies seem certainly to be functioning, though under the handicaps in some localities of persistent British persecution. They have collected £5,000,000 in taxes, testified Mr. Fawsitt, and are taking over and amending the British system of control of roads, lighting, water, sanitation, health, education, and public libraries. Lord Mayor O'Callaghan attested the representative character of the men composing these bodies; in the County Councils there sit holders of large farms, and in the Town Commissions are to be found university professors and prominent merchants, while there is a liberal proportion of Labour leaders in each. In view of the importance of local government in the administration of any country, the Commission finds significant the testimony of various witnesses to the effect that local governing bodies in Ireland almost universally have Republican majorities.

One recommendation of the new Republican courts seems to be that they are free from British red tape. They are bent upon performing their duties with dispatch and common sense. Despite the fact that they are forced to lead an underground existence, Miss MacSwiney testified that ninety-one per cent. of Ireland was making use of these courts, being attracted by their fairness as well as by their expedition. Mr. Broderick in Abbeyfeale, Mr. Morgan in Thurles, the Friends and Lord Mayor O'Callaghan in Cork, and Mrs. Mohan in Queenstown claimed personal contact with them, and reported concerning their success. Mr. Broderick testified that the two cases he investigated in Abbeyfeale had been settled satisfactorily in one week, although they had been hanging fire in the British courts for two years. No lawyers were employed either there or in Queenstown in the court visited by Mrs. Mohan. The English Friends, in the report read by Mr. Furnas, found proceedings in Cork to be "conducted in a quiet and businesslike manner." Perhaps the most convincing testimony to the efficiency of the Republican courts presented before the Commission, however, was that of Miss Bennett, which showed Unionists to be resorting to them for justice. It

also seems significant that a conservative British firm, the Prudential Insurance Company, of England, "had a case in the Cork District Court not so long ago."

Preservation of order in Ireland would seem more complete on the part of Republican than on the part of Imperial forces. "It is generally admitted by moderate people, including many Unionists," reads the report of the English Friends, "that the only protection they enjoy is from the Sinn Fein police. Their meetings are protected from interruption, stolen goods are found and returned, writers of threatening letters are dealt with and stopped, laws controlling the sale of intoxicating drinks are vigorously enforced. All this when it is a penal offence for a Sinn Fein volunteer policeman to act as such." One reason for the superior effectiveness of the Irish Republican police, said Lord Mayor O'Callaghan, was that they were answerable to the local governing bodies, whereas the British police had never been so answerable, but in a definite sense had had the character of foreign, occupying troops. Such, the Lord Mayor was also of opinion, was the difference between the Irish Republican army and the Imperial British army. One, being domestic in its origin, had only order to preserve; the other, being foreign and imperial in its origin, had only respect to command, terror to strike, or revenge to take.

In thus summarising the evidence concerning the Irish Republican Government presented to it with surprising unanimity by Irish, English, and American witnesses the Commission has no wish to extend the bounds set for it by the terms of the understanding on which it was created. In passing we would only note that British bodies which have investigated the situation, such as the Friends Committee, the English Women's International League, and the Imperial British Labour Party, make the end of the "terror" and the withdrawal of British forces the cornerstone of their constructive proposals. On the other hand Irish Republican leaders have repeatedly expressed willingness to come to an understanding with Britain as to foreign affairs which would conserve every reasonable British interest. However, while refraining from recommendations on the political situation, the Commission is constrained as a result of its inquiry to state its solemn conviction that behind the tragedy in Ireland lies the determination of the Imperial British Government to hold Ireland in its grip even at the cost of substituting for the orderly government of the people's choice, fairly established in the face of opposition, a system which can only be called organised anarchy. The answer to this attempt, as events make increasingly plain, is violence and yet more violence. The continuance of such a situation menaces not only the happiness and well-being of Ireland and England, but also of our own land, which is united to both. In the establishment and maintenance of friendship between the peoples of our three countries may lie the realisation of the hope of plain people everywhere that international problems shall be solved by orderly and friendly processes in a world of peace.

NOTE.—The above Interim Report was signed by the whole of the Commission at Washington on March 5, 1921.

Supplemental Report

THE RELIGIOUS ISSUE IN IRELAND

NO examination of the Irish situation can ignore the religious issue. The Commission has, however, not included any detailed discussion of it in the main body of its report; first, because evidence of religious controversy bulks much smaller in the testimony presented to it than in popular opinion; and secondly, because it seemed peculiarly appropriate that the Protestant members should deal with the subject in view of the overwhelming predominance of Roman Catholics in Ireland and the charge sometimes heard in Protestant circles that Republican sentiment has its chief origin in ecclesiastical agitation.

The only evidence before the Commission concerning serious religious controversy resulting in the destruction of life and property dealt with the

Ulster Pogroms

Ulster riots of the summer of 1920. Unfortunately our efforts to secure testimony on these occurrences from eye-witnesses proved unavailing; neither did we have direct testimony from any member of the Orange lodges—societies devoted to the cause of Protestant ascendancy in Ulster. We did, however, have testimony from Mr. Francis Hackett, Miss Signe Toksvig, and Mrs. Annot Robinson, who visited Ulster soon after the riots. None of these is Catholic in religion; the first two are American citizens, the third is a British citizen of Scotch Presbyterian stock; only Mr. Hackett is of Irish blood.

The first of the riots occurred in Londonderry. This famous old Protestant stronghold is divided about evenly between Unionists and Republicans; the council is evenly divided and the Mayor is a Sinn Feiner. Concerning the riots here the Commission received little testimony. It was alleged that although the Orangemen were the aggressors the Imperial British forces were benevolently neutral toward them and that order was restored by the Republican Government which sent in Irish Volunteers.

More serious rioting occurred in Belfast beginning July 21. Mr. Hackett and Miss Toksvig testified that by the end of August in recurring riots at least fifty-six people were killed. These riots were between Protestants and Catholics in which Protestants were the aggressors partook of the character of Russian pogroms against the Jews. In October, 1920, Mrs. Robinson visited Ulster and found that "more than 20,000 expelled workers and their families" were existing on relief. Some of them were expelled not only from their jobs, but from their homes. The victims were predominantly Catholic though among them were Protestants suspected of "labour, socialist, or Sinn Fein sympathies."* It was testified that the occasion for the outbreak of rioting was the killing of District Commissioner Smyth in Cork. Mrs. Robinson believed that a more fundamental cause for the resurgence of bigotry was the election of twenty-five men who "were not Orangemen" to the Belfast City Council whose total membership is sixty. After the election "open threats of retaliation were made by Orange leaders. . . . On July 21 inflammatory speeches were made at the gates of the shipyards and immediately after that the Orange workers turned upon their nationalist fellow workers and expelled

* The terms are, of course, not synonymous.

something like 4,000 of them from the yards. Some of the men tried to swim the channel [Belfast Lough] but were met by stones on the other side so that they could not land and had to come back. Some of them spent hours in the water, some of them, of course, were killed." Orange workers refused to work with their nationalist comrades. They had the sympathy of the employers. The result was general expulsion of Catholic and Republican workers from the shipyards and linen mills which were then approaching a period of depression.

One of the worst sufferers from the Ulster pogroms was the prosperous linen town of Lisburn just outside of Belfast. To this city Inspector Swanzy had been transferred from Cork after the death of Lord Mayor MacCurtain. As he came out of a Protestant church one Sunday in September—the evidence is Mrs. Robinson's—"three motor cars came up filled by men who were veiled, by men who were strangers to the district. They held up the congregation and District Inspector Swanzy was shot dead. The Orange population rose against the Catholic inhabitants of the town and the Sinn Fein and Nationalist leaders and burned their houses; although the murder was admittedly committed by men who were strangers in the town. The town burned Sunday night and a large part of Monday, and no attempt was made to extinguish the flames, although Lisburn is quite near to Belfast, and the skies were lit up for miles around."

As a result of her investigation Mrs. Robinson estimated that one house out of three had been destroyed. "The picture was one of absolute devastation." The plight of the homeless was pitiable. In a Catholic charitable institution she saw numbers of women refugees, driven out of their homes in Lisburn.

I saw the Belgian refugees who came to us in Manchester. But those people were absolutely the most hopeless looking lot of people I have ever seen. You see, in the north-east it is almost impossible for a boy who wants to enter a skilled trade to get a place if he is known to be a Catholic. . . . And, of course, these women were the wives and mothers of unskilled labourers; and it has been very difficult to get a home together. Now they saw the effort of long years of toil swept away. They lacked life. And then the children. They were absolutely without anything to do. . . . The misery in that hall was very, very depressing.

While on the face of it this is an appalling record of a revival of religious strife, all the witnesses who appeared before us agreed that the Ulster pogroms were not primarily due to a spontaneous flare-up of smouldering bigotry, but were rather promoted by those whose economic and political interests were opposed both to strong labour unionism and to Irish Republicanism. Cause of Religious Strife Certain manufacturers and Unionist politicians, it was alleged, had taken alarm at the solidarity of labour, Protestant and Catholic, shown in the great shipyard strike of 1919. The result of the urban and county council elections held under proportional representation had evidenced the present strength of labour and of Sinn Fein in Unionist strongholds. Miss Toksvig, who made especial inquiry into the Belfast situation, quoted a large manufacturer as follows:

I know, and all the manufacturers in this city know, that the trouble is not a religious trouble except as it has been fostered by them to serve their political and their economic interests. . . . I warned them a long time ago that they were rousing up a monster they could not control and which some day might turn upon them. The large manufacturers have worked together to keep up strife between the workmen, using the religious issue as a means . . . to prevent agitation among labourers to improve their conditions and wages, and [to prevent] Home Rule agitation.

This statement, Miss Toksvig said, was corroborated by others. In effecting this division among the workers, the politicians and manufacturers have had the aid of a large section of the press and of the clergy.* As illustrating the growing alarm of the employers over the economic issue, Mrs. Robinson called attention to features of the Home Rule Bill, recently enacted by the British Parliament, intended to secure the capitalist interests of Ulster against labour legislation in the parliament to be set up for the six Ulster counties—three of which, several witnesses alleged, are predominantly Republican in sentiment.

Even from Protestant Ulster itself comes evidence that its opposition to Irish Republicanism is not wholly religious. Sir Edward Carson would seem to have accepted a Home Rule Act which gives his party approximately what they want in Ulster at the price of delivering over the Protestant minority in the rest of Ireland to the majority rule of their Catholic neighbours. If the bond of unity were the Protestant Faith rather than the tangle of interests which supports the feeling of the dissimilarity and superiority of Ulster to the rest of Ireland, no such agreement would have been made.

Limited as was the evidence placed before us, the Commission was made aware of the strength of the Ulster feeling of superiority in which condemnation of Catholicism is one element. This conclusion is borne out by a careful examination of the statements of the "Ulster Superiority" Ulster delegation† to the United States embodied in the pamphlet, "Facts About Ireland," put in evidence before us. Whether or not that sense of superiority is well grounded in fact has been scientifically examined by W. A. McKnight, whose pamphlet "Ireland and the Ulster Legend" was introduced in evidence. The author undertakes to show the truth about Ulster conditions by careful tables compiled from Imperial British Government Blue Books and other records whose accuracy is certified by a public accountant. These tables deal with taxable wealth, immigration, money expended on education, public health, illegitimacy, illiteracy, &c. They would appear to demolish the widely spread view that the average of material prosperity and social well being is higher in Ulster than in the rest of Ireland. In many respects other provinces made a better showing.

So far as the Commission could judge the Irish Republicans do not seek to demolish the "Ulster legend" by direct attack. They desire to win, not alienate, Protestant Ulster. They have offered her guarantees as to not only religious freedom but the protection of her economic interests. Mr. Laurence Ginnell, a member of Dail Eirann, himself a Catholic, testified: "We want the Orangemen. We know they will be one of the strongest elements in our new constitution. If English power were out of Ireland the south and the west and the midlands would harmonise with the people of the north within twenty-four hours." He pointed to certain concrete evidence of the growth of Irish national feeling in Protestant districts of Ulster, and in particular adduced the election of Louis Walsh, of the Ballycastle district in County Antrim—a Protestant county—although Mr. Walsh was a Roman

* Of course not all of the clergy. The Rev. J. A. Irwin, a prominent Presbyterian clergyman of Republican sympathies, was recently sentenced to one year's imprisonment by the British.

† The tour of this delegation was in itself evidence that Ulster Unionists do not regard the Irish issue as merely a British "domestic problem."

Catholic and a Republican. Miss Toksvig less optimistically believes that although the intense religious feeling in Ulster "was started artificially . . . the present generation is not going to forget about it soon."

As regards the rest of Ireland outside the region immediately about Belfast, the Commission was impressed by the evidence of lack of any religious strife. In Ireland there were, according to the census of 1911, 1,147,594 non-Catholics as against 3,242,570 Catholics. 890,880 of these non-Catholics (as compared with 690,816 Catholics) are in Ulster, leaving 256,714 non-Catholics (as compared with 2,551,754 Catholics) in all the rest of Ireland. This small minority is, of course, physically at the mercy of the Catholic majority. Yet there is on record not one single case of attack upon the life and property of any Protestant on account of his religion. The Catholics were aware of the Ulster pogroms, they suffered under Imperial British forces predominately Protestant in religion who did not spare their priests, convents,* and churches, yet they were guilty of no reprisals of any sort upon their Protestant neighbours.

And the evidence as to religious peace is positive as well as negative. English, Irish, and American witnesses with one voice denied that religious differences made for confusion or discord outside of Ulster.

Constable Crowley, formerly of the R.I.C., expressed an opinion unanimously held by the witnesses before us, when he said that "Religious peace was very great." Perhaps the most striking evidence on this whole subject is to be found in the testimony of Miss Wilkinson, who said that the Wesleyan ministers in Ireland to whom her brother, himself a clergyman, gave her introductions, "entirely ridiculed the idea that the southern Unionists were in any danger from the southern population." A clergyman in Limerick assured her that many of the most prosperous business places in that city were owned by Protestant Unionists. This minister said that "generally speaking the Irish people trusted them completely and they had no trouble at all; . . . they were much more fearful of what the Crown forces would do than of what the Sinn Fein forces would do." This same clergyman proceeded to assure her that "the policy of the Government is turning many of the Unionists against it." Miss Louie Bennett and Miss Townshend, Irish Protestants, corroborated the statement of the clergyman quoted by Miss Wilkinson to the effect that the excesses of the Imperial British forces were tending to dispose southern Protestants favourably toward the Republican Government. Protestant business men, clergymen, and farmers resort to Republican courts. Testimony already set forth in our main report calls attention to the significant fact that the condensed milk factory at Mallow destroyed by the Imperial British forces in reprisal was owned by Mr. Cleeve, a Protestant. In the same town the Episcopal rector and the Presbyterian minister co-operated with the Catholic priest in an appeal to the British Commander to prevent a reprisal. Miss Townshend introduced in evidence a letter from Miss N. O'Brien, organiser of the Gaelic League, herself a Protestant, who testified that the rising spirit of Irish nationalism was uniting Catholic and Protestant in a common bond of unity. She illustrated this by citing St. Brendan's School near Dublin, where Catholics and Protestants had united in an interesting educational experiment.

Miss Mary MacSwiney and other Irish witnesses called to our attention the fact that Wolfe Tone, Robert Emmett, Charles Stewart Parnell, and

* On this point we have evidence from Miss Bennett, a Protestant.

Protestant
Patriots

many other of the patriot leaders in Ireland's history were Protestant. In 1798 the strength of the insurrectionary movement was in Protestant Ulster. It was further testified that at the present time such prominent Republican leaders as Mr. Ernest Blythe, of Dail Eirann, Capt. Robert Barton, Mr. Erskine Childers, and others are Protestant. These leaders have held the suffrage of their fellow countrymen despite the fact that they belong to a religious minority. Miss Bennett who is organiser of the Women's Trade Union League found that her Protestantism in no way interfered with her work among Dublin working girls, almost all of whom are Catholic.

Miss Bennett and others made it clear that not only were some Protestants Republican in sympathy but also that there were Catholics who were anti-Republican. Miss Bennett testified that among the Catholic clergy were those who at best were decidedly lukewarm toward Sinn Fein. She cited the case of one priest who refused to lead his flock in prayers for Terence MacSwiney during his heroic hunger strike.

While the Commission wished for fuller evidence upon some of the points we have here discussed, we felt warranted in the following conclusions:

SUMMARY

1. Outside of a part of Ulster, Catholics and Protestants live in peace and harmony and their political opinions are not primarily a matter of religion.
2. Even in Ulster religious bigotry is not by any means wholly spontaneous, but is artificially stirred up by those whose economic and political interests are served by dividing the people.
3. While it obviously lies beyond our province to pass final judgment upon the various aspects of the Ulster issue, we have not only a right but a duty as American Protestants to denounce the degradation of religion by such pogroms as occurred last summer. Upon this subject we owe it to our fellow religionists both in America and in Ulster to speak plainly.

Signed by

JANE ADDAMS,
FREDERIC C. HOWE,
JAMES H. MAURER,
OLIVER P. NEWMAN,
GEORGE W. NORRIS,
NORMAN THOMAS,
L. HOLLINGSWORTH WOOD.

2019.20.55

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IN a word, the one real crime England ever attempted has most fortunately failed. . . . Europe has now to deal with a certain recognisable religious civilisation, which men may like or dislike, fear or favour, but which is as solid a fact as France. . . . Judged from a wholly detached and rationalised standpoint, the reality remains: that the one people in Western Europe which has taken the old form of the Christian religion quite seriously, enduring persecution from without and asceticism from within, has before our very eyes turned a sudden corner and stepped into a place in the sun. . . .

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