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THE MURDERS IN BALLYKINLAR CAMP

The Truth About the Military Inquiry

The following official report was issued from Dublin Castle on the evening of February 8, 1921:

"A court of inquiry, in lieu of an inquest, prohibited by Regulation 81, D. O. R. R., assembled at Ballykinlar Camp on the bodies of Patrick Sloan and Joe Tormey, who were killed on January 17, 1921.

"Several military witnesses deposed to the fact that a number of men in two adjoining cages persisted in communicating with each other, despite the repeated warning of a sentry.

"They eventually dispersed, only to collect after a short interval, and to continue to disobey the orders given them by the sentry, who considered himself forced to fire one round, in the execution of his duty, in order to ensure their dispersal.

"Medical evidence showed that the bullet hit Tormey on the right side of the head and passing through hit Patrick Sloan in the neck.

"The court found Jos. Tormey and Pat'k Sloan died from shock and hemorrhage caused by gun-shot wounds inflicted by a sentry in the execution of his duty, and was a case of justifiable homicide.

"Every facility was extended to any of the internees who desired to give evidence before the court, but none availed themselves of the opportunity."

This is the first official report of the murders of Patrick Sloan and Joseph Tormey in Ballykinlar Camp on January 17, 1921. It is typical of the disregard for accuracy in the English official statements about events in Ireland.

The actual circumstances of the deaths of Patrick Sloan and Joseph Tormey were detailed in the *Irish Bulletin* of January 24, 1921 (Vol. 4, No. 15). No warning was given by the sentry. The prisoners who were fired upon had the permission of the English officer commanding the camp to converse with prisoners in the adjoining camp, and had so conversed for several days previously. The shot which killed the two men was fired into a group of nine prisoners who were 40 feet from the barbed wire enclosing the compound. The shot was fired in daylight without warning upon men who were stationary. The sentries at the camp had previously fired upon the prisoners on many occasions, and no effort to restrain them was made by their superior officers. There is evidence that one of the officers attached to the camp encouraged the sentries to use their rifles the first opportunity they got.

The English official report states that:

"Every facility was extended to any of the internees who desired to give evidence before the court, but none availed themselves of the opportunity."

This statement is false. The truth is that the most determined steps were taken by the English commanders of the camp to prevent any real inquiry into the murders.

The following narrative of events subsequent to the killings is accurate:

(1) Patrick Sloan and Joseph Tormey shot dead, 12.12 p. m., 17th January, 1921.

(2) They were attended while dying by Dr. Higgins, one of the internes.

(3) After removal of remains to hospital, the prison leader interviewed Captain Newton, Chief Military Censor, and received permission from him to despatch wires to friends and relatives of deceased informing them of the tragedy.

(4) Telegrams to Lord Mayor of Dublin; Joseph Tormey's father; Rev. F. Skelly, for Mrs. Sloan; and Mr. Arthur Griffith were handed to Captain Newton, who accepted money for their despatch.

(5) Mr. Patrick Hogan, solicitor, 35 Westmoreland street, Dublin (one of the prisoners) was appointed solicitor for the next-of-kin.

(6) Further telegrams and cost of despatch handed to Captain Newton, who accepted them. These later telegrams included two addressed to Mr. T. M. Healy, K. C., asking him to hold himself in readiness to attend the inquest on the deceased. One was addressed to the Four Courts, Dublin, and the other to Mr. Healy's home address. Other wires were to Mr. Dixon, solicitor—Athlone and Mr. J. Dixon, solicitors, Parnell square, Dublin, asking them to inform Mr. Healy that his services at the inquest were required by the solicitor for the next-of-kin.

(7) Prison leader asked Captain Newton for permission to use the camp telephone to consult with counsel. Request referred to officer commanding camp, who in turn referred it to officer commanding troops in the district. The last named refused permission to use the telephone.

(8) Prisoners informed by Captain Newton that first batch of wires had not been despatched. Captain Newton also left the prisoners under the impression that the wires to counsel and solicitors had also been despatched.

(9) Next day, January 18, at 10 p. m., prisoners informed by military commandant that none of the telegrams had been despatched except that to Rev. Fr. Skelly requesting him to communicate to Mrs. Sloan the news of her son's death. None of the telegrams to counsel or to others had been despatched.

(10) Prison leader again requested use of telephone. This was refused. Mr. Hogan as solicitor for next of kin demanded a coroner's inquest on the grounds that Ballykinlar was not a proclaimed area and coroner's inquests had not been declared illegal. The military commandant did not reply. He was asked had he informed the local coroner of the deaths as in law he was bound to do. The commandant replied that he had not but he would consult his superior officers on the matter.

(11) The prison leader and Mr. Hogan demanded release on parole to consult counsel and next of kin. Demand referred to "higher authorities" and finally refused.

(12) Use of telephone again requested. Refused by commandant on ground that all communications could be carried on by telegram. Prison leader pointed out that all telegrams had been suppressed. Commandant said he would consult "higher authorities."

(13) Mr. Hogan asked leave to go into adjoining camp to collect evidence of the killing. Referred to "higher authorities" and eventually refused. A request to inspect the scene of the tragedies was also refused.

(14) Military commandant finally agreed that Mr. Hogan had the right to consult with counsel and stated he would accept a telegram to Mr. T. M. Healy, K. C.

(15) The following telegram was handed to him:

"T. M. Healy, K. C., Four Courts, Dublin.

18-1-21.

"Telegraphed you yesterday to Four Courts and Chapelized that two men, Sloan and Tormey, of Moate, were shot here by military yesterday and to please hold yourself in readiness to attend. Telegrams delayed here. Please motor here immediately to represent next-of-kin. Attendance vital. Wire stating when you will arrive. Hogan, solicitor, for next-of-kin, Ballykinlar Camp."

A similar telegram to Mr. Healy's home address was handed to the commandant. A telegram to Mr. King, solicitor, Downpatrick, asking him to inform the County Down Coroner of the deaths in Ballykinlar Camp was also handed to the commandant.

(16) The commandant accepted these telegrams. They were never despatched. Later on the evening of the 18th the prison leader was informed that the telegrams to counsel had not been sent out and would not be.

(17) The following wire was then handed to the commandant who promised to despatch it:

"To: P. T. Keohane, Care Gill & Clo., Upper O'Connell street, Dublin. Fearing other relatives of Patrick Sloan and Joseph Tormey of Moate shot here by military yesterday may not have heard, please secure they know and wire suggestions for funeral and inquest, etc."

The following day the prison leader received information from the military commandant that "O-C. troops has approved of telegrams being sent with words '*and inquest*' omitted."

(18) Written request made by Mr. Hogan, solicitor, for coroner's inquest: for despatch of his telegrams to Mr. King, Downpatrick, Mr. Healy, Dublin, and Messrs. Dixon, Dublin, and Athlone; for parole to consult counsel and next of kin; for permission to enter the adjoining camp to collect evidence. No reply was received to this letter.

(19) On Wednesday morning, January 19, the prison leader received a letter from "C. Little, Lieutenant Colonel Commandant" stating that a military inquiry in lieu of inquest would be held that morning (Wednesday) at 10.50 a. m.; that deceased's relatives could be represented by whatever counsel they wished, and that to enable that counsel to be present the inquiry would adjourn to a suitable date. The letter added: "Will you please let me have your telegram to your counsel so that I can send it off. Please tell him to state in his reply what time and day he will arrive in Ballykinlar so that I can tell O-C. troops when the inquest should reassemble."

(20) Prison leader immediately handed a telegram to Colonel Little's messenger asking Mr. Healy, K. C. to attend and name the day of his arrival. Lieutenant Colonel Little admitted on the 22d January that the telegram had safely reached him for despatch. He never despatched it.

(21) Mr. Hogan attended the opening inquiry on Wednesday, January 19. Mr. Hogan objected to a military inquiry and demanded a coroner's inquest. The court took note of his objection and proceeded. Mr. Hogan then asked for use of camp telephone to communicate with counsel. The court refused. Mr. Hogan then stated he could not take further responsibility and withdrew.

(22) On morning of Saturday, January 22, Adjutant Delemaine, Military Adjutant, interviewed prison leader and informed him that the military inquiry was about to re-assemble and asked him to get the "two men" who saw the shoot-

ing to come to the inquiry. As nine prisoners were witnesses of the shooting, the Adjutant's request for two men was obviously a decision of the court not to hear full evidence.

The prison leader and the solicitor for next-of-kin pointed out to the Adjutant that the official promise was that the court of inquiry would not re-assemble until counsel was available; that owing to the suppression of the telegrams to counsel, counsel was not available; that in any case an hour's warning of the re-assembly of the court was entirely insufficient. Under the circumstances the prison leader and the solicitor for next-of-kin could not participate in the re-assembled inquiry. The Adjutant conveyed this statement to the court and returned with the reply that Mr. Hogan would be permitted to attend the inquiry but he would not be permitted to take part in its proceedings. Mr. Hogan offered to meet the members of the court to explain his objection to this method of procedure. The Adjutant replied that the court did not want to hear Mr. Hogan's views.

(23) The military inquiry was thus held in the absence of any prisoner who witnessed the murders.

(24) Dr. Higgins who was the only medical man who attended the men after they had been mortally wounded, was not called although he had also performed the post-mortem examination in conjunction with the R. A. M. C. doctor.

The statement in the official finding of this court of inquiry that—

“Every facility was extended to any of the internes who desired to give evidence before the court”—

can be better appreciated in conjunction with this narrative of fact.

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