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THE DEATH PENALTY ON PAPER—PROPAGANDA PURPOSES

MURDERERS, LOOTERS AND INCENDIARISTS PROTECTED BY THE ENGLISH MILITARY GOVERNMENT

On December 20, 1920, General Sir Nevil Macready issued a proclamation containing the following:

"All forces of the Crown are hereby warned against commission of the following offenses, viz:

(1) Committing any offense against the person or property of an inhabitant of or resident in this country (Ireland); or,

(2) Breaking into any house or other place in search of plunder * * *

Any persons subject to Military or Martial law who commits any of the above offenses will, on conviction by court-martial or military court be liable to suffer *death*."

Since the issue of this proclamation the "forces of the Crown" have committed the following offenses, viz:

OFFENSES AGAINST THE PERSON

Week Ending December 25, 1920.—Thirteen murders. Thirteen attempted murders and woundings. Two floggings.

Week Ending January 1, 1920.—Seventeen murders. Twenty-five attempted murders and woundings.

Week Ending January 8, 1921.—Five murders. Three attempted murders and woundings.

Four days ending January 12, 1921.—Two murders. One attempted murder and woundings.

None of these seventy-two offenses against the person has been punished with anything, still less with death.

OFFENSES AGAINST PROPERTY

(These figures do *not* include the destruction of seven houses at Midleton, Co. Cork, on January 1, or the four houses at Meelin, Co. Cork, on January 5, destroyed by order of the Military Governor at Cork.)

Week Ending December 25, 1920.—Destruction of thirty-two houses and shops and the crops on twelve farms.

Week Ending January 1, 1921.—Destruction of twenty-seven houses and shops, three creameries and the crops on seven farms.

Week Ending January 8, 1921.—Thirteen houses and shops, one creamery and the crops on three farms.

Four Days Ending January 12, 1921.—Six houses and shops from January 8 to January 12, 1921.

None of these one hundred and four offenses against property has been punished with anything still less with death.

The only effort of the English Military Authorities to put General Sir Nevil Macready's proclamation into force is described in the following quotation from the "Official Survey of Irish Affairs" issued from Dublin Castle on January 4, 1921:

"In one case a driver attached to the Auxiliary Division found in possession of silver articles for which he failed satisfactorily to account, was sentenced to *two months' imprisonment with hard labor.*"

(The same official survey stated that during the week ending December 28 four sentences of five years' penal servitude were passed on Republicans who were found guilty of possessing revolver ammunition.)

ESCAPING REPUBLICANS KILLED—ESCAPING MILITARY UNSCATHED

Other recent incidents of English impartiality in Ireland are the following: "Two soldiers of the Duke of Cornwall's Light Infantry on remand at Newry on a charge of breaking into Katesbridge Railway Station (which they looted) escaped from Newry Bridewell on Sunday night (January 2)." (See Press January 5.)

On the previous day (January 4) the Press announced that **David Tobin** and **Thomas Murphy** of Ballingarry, Ballylanders, Co. Limerick, had been shot dead while attempting to escape." Tobin and Murphy were prominent Republicans. The number of persons killed "while attempting to escape" during the six months ending January 12, 1920, was forty.

LOOTERS ACQUITTED

Three members of the Auxiliary Division of the R. I. C. were tried by court-martial at Penmore, Co. Galway, on January 6, on a charge of looting. Evidence was given that they were found in possession of forty-nine articles for which they could not satisfactorily account. The articles included twenty toys looted from local shops and twenty-eight articles of civilian clothing stolen from local drapery stores. The accused pleaded that the goods were part of their ordinary kit and were acquitted.

THREE MURDER CHARGES AND THEIR SEQUEL

1. On November 1, 1920, Kevin Barry was hanged in Mountjoy Jail, Dublin, for murder. He had been tried by court-martial on October 20, and the evidence produced proved that he was one of a number of men who had attacked an armed military patrol. No evidence was given that Kevin Barry had killed any of the three soldiers who were killed during the attack or that he had fired at all.

2. On January 5, 1921, Cadet Sergeant Hart, R. I. C., was tried by court-martial for the murder of Very Rev. Canon Magner (aged 73) and Mr. Timothy Crowley (aged 24). Evidence was given by members of the English Constabulary that they saw accused murder Crowley and then turn and question Canon Magner, beating him, and subsequently murdering him. Evidence was given by an English Resident Magistrate that while Cadet Hart was murdering Crowley and Canon Magner fifteen other cadets, all of whom were armed, watched the proceedings from a military lorry some ten yards away and did

not interfere although the Canon was questioned and beaten for a quarter of an hour before he was shot dead. Evidence was given by two mental specialists, one of whom was the English Home Office Medical Inspector, that accused was sane. The official report states that other mental specialists examined gave evidence that accused was insane at the time the murders were committed. Cadet Sergeant Hart was found guilty of murder by the court-martial, but was found to be insane at the time the murders were committed.

3. On this day (January 12) sentence was promulgated in the case of Joseph Murphy, a civilian of Thomas street, Cork, who was found guilty by a general court-martial of the murder of Private Squibbs of the Hampshire Regiment, killed during an attack on a military lorry at Cork on October 8, 1920. Evidence was given at the court-martial by one of the soldiers in the lorry that he saw accused throw stones at the lorry, but that accused did not throw any bomb or fire a revolver or other firearm. A second soldier swore that accused threw a bomb at the lorry. A third soldier described Murphy as the leader of the attacking party. A fourth soldier swore that accused was in the attack on the lorry but he did not see him throw a bomb. Four civilian witnesses swore that accused was not in the attack on the lorry. Accused himself protested his absolute innocence of the charge. He has been sentenced to death.

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