

26/1/1920

The Murder Charge

Accused Again Before R.M.

Further Crown Evidence

On Friday Mr G M'Elroy, R M, attended at William-street Police Barracks, Limerick, and took further depositions in the case of the six prisoners charged with the murder of Sergeant Peter Wallace, R I O, and Constable Michael Earlight, in connection with the rescue of a prisoner from custody on the 13th May last. The six men charged were—Michael Shanahan, Thomas Shanahan, Edmond Foley, Michael Murphy, Patrick Maher, and Michael O'Connell.

Mr J S Gaffney, Crown Solicitor, prosecuted. District Inspector Egan had charge of the case.

Mr H J Knowles, General Post Office and Telegraph Department, Dublin, produced three telegrams received in May last, two from Thurles and one from Knocklong. The first telegram related to the sending of a telegram to Knocklong, while the second was as follows—To Shanahan, Coal Store, Knocklong—Greyhound in Thurles still. Signed, Michael O'Connell. At the back it purported to be signed Michael O'Connell, 24 Main street, Thurles. Telegram No 2 read—Handed in at Thurles 13th May, 1919. Sent at 6.58. Shanahan, Knocklong Coal Stores.—Coming Wednesday; leaving 6.30 train. Relieving the tenth. Bridget Fitzpatrick, Thurles. The third telegram read—Handed in at Knocklong Railway station 13th May, 1919. Sent at 3.42 p.m. Michael O'Connell, Thurles. Send back greyhound by next train. Reply Shanahan, Knocklong.

Prisoners asked no questions.

Mr J J Kemp stated he was stationmaster at Thurles on the 13th May last; he produced the book of the arrivals of trains on that day; it was kept by the signalman, and recorded the arrival of all passenger trains; there was a train arrived from Dublin at 12.7 p.m.; another arrived at 6.44 p.m.; that train left Thurles at 6.50; witness did not remember a dog arriving by that train; there was no record or ticket for any such dog reaching Thurles by that train.

Dr M'Namara, Medical Officer Kilmallock Union, said in company with Dr W P Lee he made a post mortem examination of the body of Constable Ml Earlight on the 14th May at the workhouse; there were two punctured wounds on the body; he found a bullet embedded in the muscles on the right side of the back; there was a bullet not extracted near the spinal column; the organs were all healthy; death was caused by the first bullet; the heart was lacerated; on another date, witness held, with Dr P J Olery, a post mortem—it was Thursday, 15th May—on the body of Sergeant Peter Wallace, at Kilmallock Union Infirmary; witness extracted one bullet embedded in the muscles of the back; there was a second bullet wound; the bullet had passed through the body; death was due to shock and internal hemorrhage; deceased was a healthy man.

muscles of the back; there was a second bullet wound; the bullet had passed through the body; death was due to shock and internal hemorrhage; deceased was a healthy man; peritonitis was setting in previous to death.

Constable Jeremiah E Ring deposed he was one of the constabulary escort of the prisoner, John Hogan, to Cork, on the 13th May last; when the train reached Knocklong witness, who sat facing the engine, was opposite the deceased, Constable Enright, the prisoner being opposite witness, between Sergeant Wallace and Enright, who had their backs to the engine; witness, when they reached Knocklong, saw a man standing in the corridor outside their compartment, who suddenly slapped open the door of the compartment and a body of men rushed in.

Mr Gaffney—What did they say?

Witness—They shouted "Hands up," and shots rang out from revolvers.

Mr Gaffney—Did they use any violence?

Witness—They did; they had revolvers, and two of them attacked Enright; witness had a rifle and bayonet; the bayonet was not fixed, and the rifle was taken from him by a man; the rifle was taken from witness after a struggle, and he was struck on the head with something; this man went away with the rifle; witness got the better of him; while struggling with him this man called after the other with the rifle; he called out, "Paddy, Paddy, come back," which the man did; It was after that witness got the blow which rendered him unconscious; witness saw the prisoner Hogan escape from the compartment through the corridor; after the shooting witness saw Constable Enright, who looked as if dying or dead; witness saw one of the ralders strike Sergeant Wallace in the face; there was blood streaming down the sergeant's face before he was hit; when witness recovered consciousness he found himself on the rails at the right hand side going towards Cork; witness was on his back; his rifle was gone, but he had his bayonet and satchel; he crossed over the fields and finally got to Emly Police Barracks.

Head-Constable Patrick Cahill said he was stationed in Cork on the 13th May last; on that evening he went to the Glanmire station towards 11 o'clock; he put a guard on carriage 1301, and had it examined on the morning following; in the third compartment or sixth from the front of the coach he found in the third compartment a bullet (produced), and in the corridor an empty revolver cartridge; under the seat witness found also two empty cartridge cases and also a small live revolver bullet; the compartment bore evidence of a desperate struggle; he saw bloodmarks on the floor and on the cushions and sides of the compartment; towards the lavatory he found bloodmarks on the glass and woodwork; in the compartment near the lavatory and door glass was also broken, and there was a hole through which a bullet had made apparently; blood marks were there also, and in the lavatory; witness described the condition of the place generally; Constable Carroll handed him on the 15th May a discharged revolver bullet and an empty cartridge.

Constable John Carroll said he was on duty in Cork on the 15th May outside coach 1301. He saw Cap a'n Kelly, Victoria Barracks, find a discharged revolver bullet, and an empty cartridge case in the third compartment. The Captain handed them to witness.