

# Leader 2

Saturday September 1 2012

**Tralee style** Celia Holman Lee checks out the style at the Rose festival fashion show >>P22



**Hurler on the ditch** Tipp woman Patricia Feehily admits that she has always been more drawn to the farcical side of hurling >>P3

**Positive thinking**  
Meet the people behind new healing centre in the city >P21



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# Executed by firing squad

Historian **Sean Enright** reveals the stories of the Limerick civilians who were tried by the military during the War of Independence

**A**S the War of Independence raged around Limerick, John O'Sullivan from Abbeyfeale stood trial for his life before a military court.

He was charged with being in possession of arms, a capital offence. An army officer gave evidence that he was leading a military patrol passing through Knocknadike when they came upon a trench in the road and saw five men running away. The soldiers gave chase and fire was opened. The accused was seen to discard an item as he ran. He was captured nearby. A search was made and a haversack was found. It contained an automatic and ammunition. The haversack was inscribed with the name Sean Sullivan. A belt was also found inscribed "2nd West Limerick Brigade".

**Patrick O'Sullivan sat in the public gallery and watched his son convicted on a capital charge**

Defence counsel was also a Limerick man: Patrick Kelly from Ardagh. Counsel urged the court to adjourn the trial because the defence witnesses were unable to get to court on account of the trains not running. The court ordered that counsel press on. The prisoner gave evidence denying that he had arms. He

was convicted and sentenced to death by shooting.

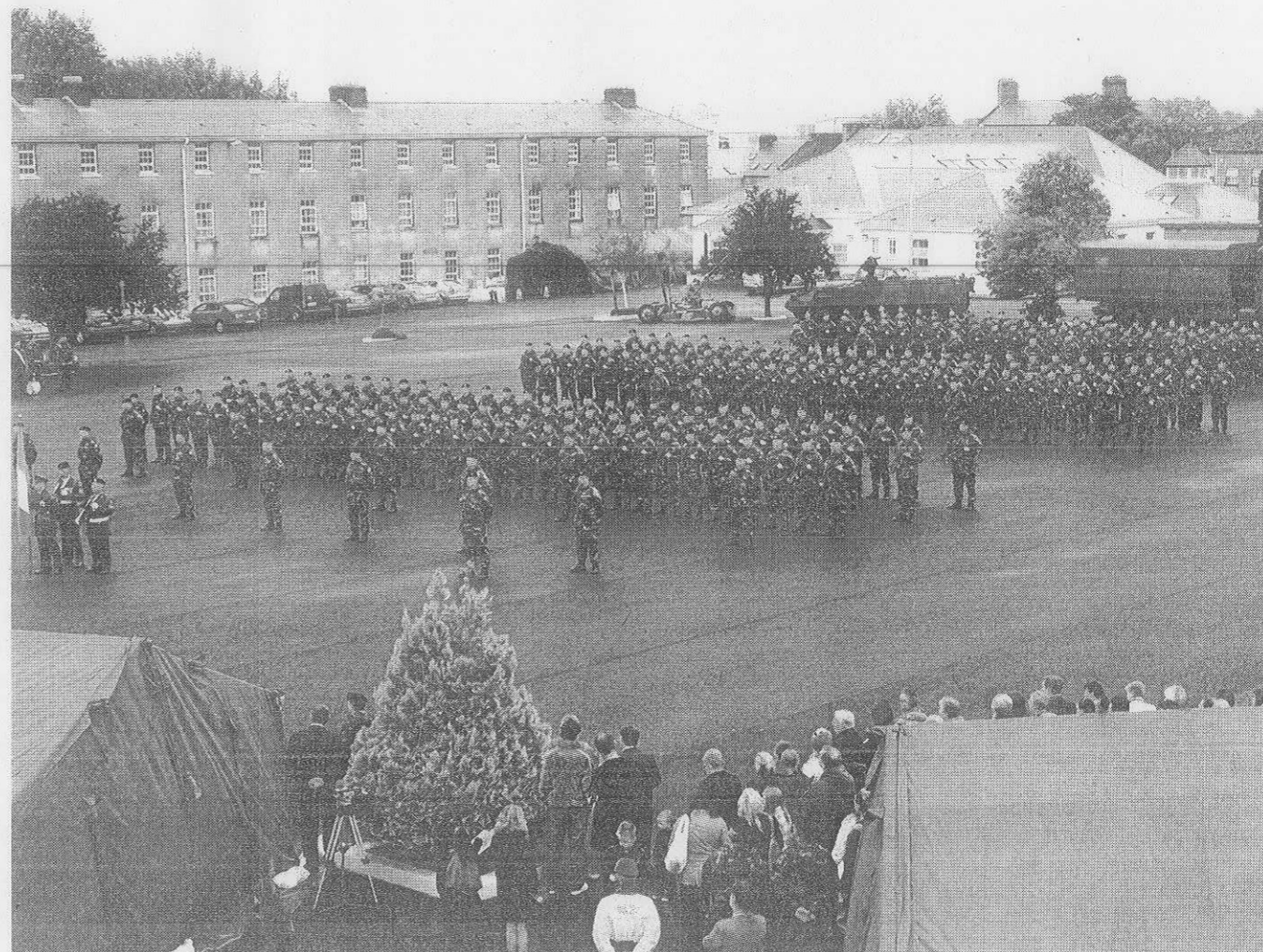
The case papers hint at an untold story. The father of the accused was Patrick O'Sullivan, a 57-year-old farmer who ran a small farm near Adare. He was a father of six, of whom the prisoner was the youngest. The father was present at the trial which took place at Cork Detention Barracks. He had paid for a barrister and arranged for witnesses who had failed to show at his son's trial.

Patrick O'Sullivan sat in the public gallery waiting anxiously for the witnesses who did not come and watched his son convicted on a capital charge. With the persistence that every father bestows on a wayward son, he composed himself and wrote a letter which he managed to persuade an officer to put in the

case papers. The letter was found by the Judge Advocate General some days later. It stated that there were three witnesses for his son who had been unable to get to Cork to attend the trial because the train services had been 'dislocated'.

There is no doubt that the train services were often dislocated during the War of Independence. The roads and trains had become the focus of the war in the south west Ireland. Railway sleepers were torn up, level crossings barricaded and many trains were ambushed, at Upton, Headford Junction, Millstreet and elsewhere.

Heavy casualties were inflicted on both sides and many civilian passengers were killed or wounded. The army took to travelling in



Soldiers on parade in Sarsfield Barracks, formerly known as the New Barracks: the last man to be executed by order of a military court there was Thomas Keane who was executed by firing squad on June 4, 1921

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# Civilians tried by the military

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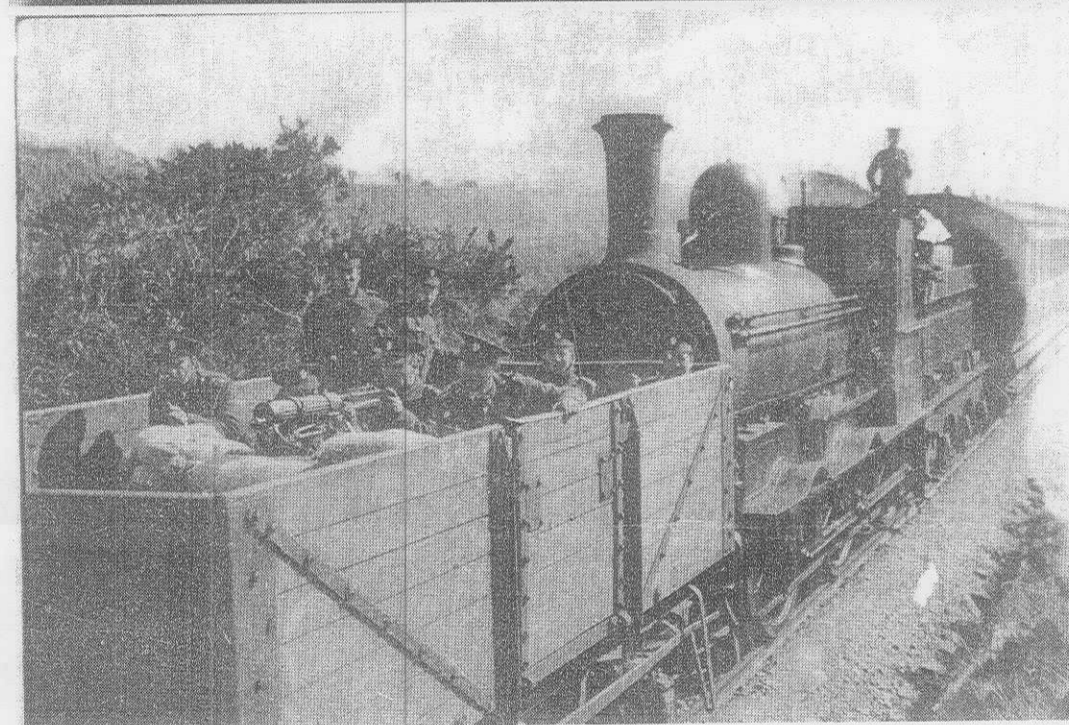
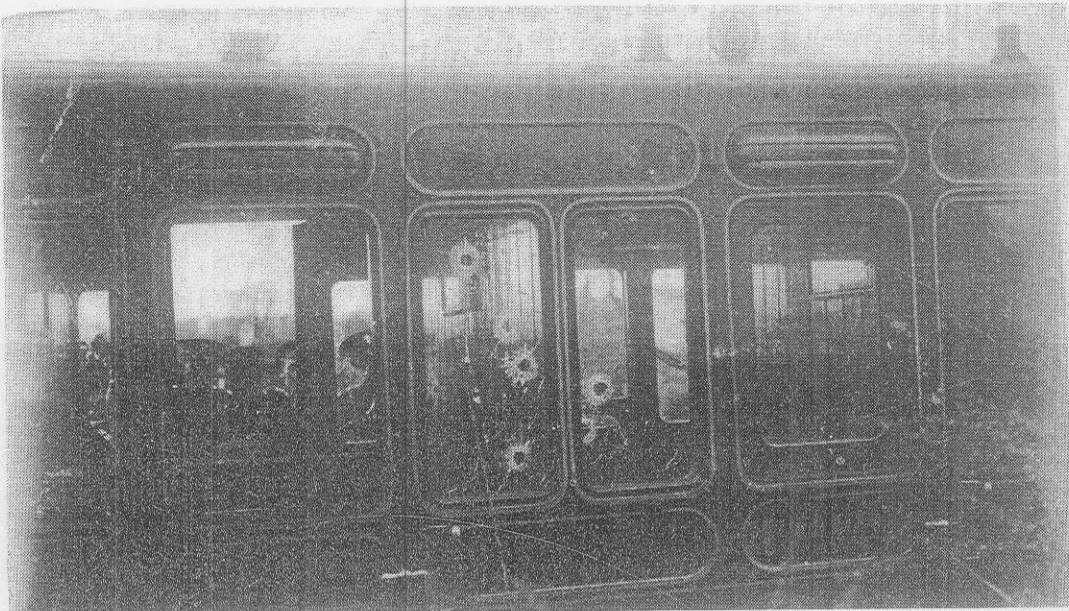
armoured trains and this increased the incentive for attacks on trains. In the Spring of 1921, a rail journey from Limerick to Cork city could be long and hazardous. The Judge Advocate General directed an inquiry into O'Sullivan's case and this brought a life-saving delay. A few weeks later the truce came and the prisoner was spared.

My newly published book, *The Trial of Civilians by Military Courts*, recounts some of the shocking events during the War of Independence in the Martial Law Area, 1921. It charts the disintegration of the rule of law; the setting up of military courts and the legal challenges to the martial law regime.

After the war was over, the High Court ruled that the military courts were unlawful. This was too late for many prisoners. Thirty-seven men were sentenced to death and of these 14 were executed.

Some of the men who stood trial for their lives before these rushed unlawful military courts were from Limerick. Some survived, like Jack Shine, from Athea.

Shine was charged with possessing a pistol and ammunition. His parish priest swore that the prisoner was "mentally afflicted". It cannot now be established if this was true or not all that can be said is that the court convicted Shine



During the War of Independence, the army took to travelling by train, which led to a number of attacks on these trains; top, soldiers inspect bullet holes following a train ambush.

Pictures courtesy of the Royal Fusiliers Museum.

and he was sentenced to death. His execution was delayed because the Judge Advocate

General asked for a medical report on the prisoner and again, the truce intervened and

the prisoner survived. Edward Punch and Timothy Murphy were tried for an attack

on a group of RIC men in Carey's road, Limerick. They were sentenced to death and

retrieved. Recently discovered papers at the Public Record Office in London tell a remarkable story about how these two men had been very badly beaten after capture. After their trial, they were sentenced to death but they were spared by the army so that they could give evidence against the police officers who had beaten them.

Other Limerick men were executed, like Patrick Casey from Ballybricken, who was captured in an ambush carried out by the army. He was taken to Cork Detention Barracks where he was tried the next day. He asked for a lawyer but this request was denied and he was represented by an army officer. He was tried that very day.

Casey gave evidence that he was roped into the affair against his wishes. He denied firing at the army but the evidence showed that Casey continued to fight on until his rifle was empty and his three companions were wounded or killed. It did not sound as though he was a reluctant participant. Casey was convicted and executed that evening.

There is also the case of Thomas Keane, from Limerick. Keane was charged with levying war on the King. It was alleged that Keane had fired on an RIC convoy leaving Limerick city. Keane was tried and convicted by a military court sitting at New Barracks, Limerick. He was sentenced to death.

A petition for mercy was raised, led by the

bishop of Limerick and Father MacNamara, a local priest who had been active in working for peace. Hundreds signed the petition including a number of well known unionists. But the petition was rejected by General Strickland, commander of the Martial Law Area. There had been no executions in Limerick for nearly forty years. Not since 'Francey' Hines was hanged for the murder of a herdsman and the death sentence on Thomas Keane generated strong feelings. There remains to this day considerable doubt that he was rightly convicted. And there were other painful consequences: Keane was married with two children and his wife was pregnant.

Thomas Keane was executed by firing squad at New Barracks on June 4, 1921 [see panel below with the Limerick Leader report]. He was the last prisoner to be executed by order of a military court during the War of Independence. A few days later, three army officers were captured and were shot in reprisal. The tragedy for Keane and the unfortunate men killed in reprisal was that even then, the government at Westminster and the Dail were negotiating for peace. Within a few weeks the truce was signed. The war was over and there were no more executions.

**The Trial of Civilians by Military Courts, by Sean Enright, is published by Irish Academic Press**

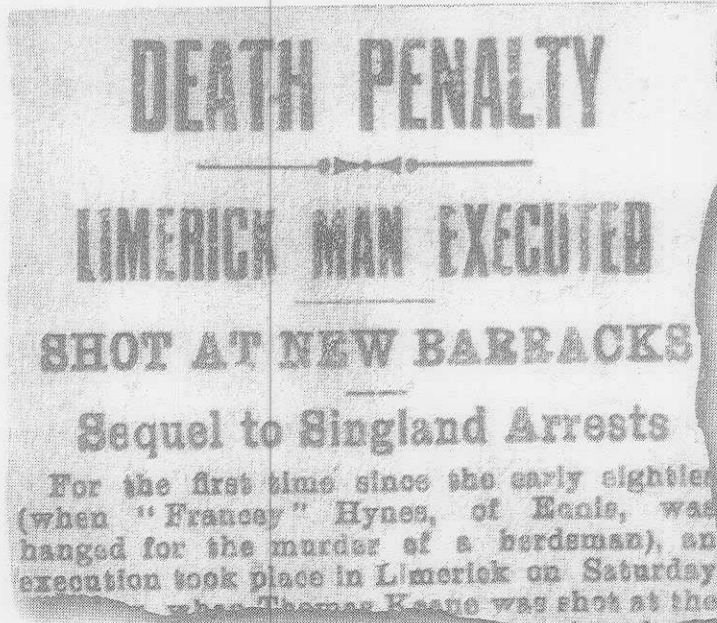
## How we reported Thomas Keane's execution

The following is an account in the *Limerick Leader*, Monday Evening, June 6, 1921 of the execution of Thomas Keane

FOR the first times since the early eighties (when "Francey" Hynes of Ennis was hanged for the murder of a herdsman), an execution took place in Limerick on Saturday morning, when Thomas Keane was shot at the New Barracks having been sentenced to death by a military court for levying war and being in possession of arms.

The condemned man was taken from the Limerick Prison to the military barracks about 10am on Friday and soon afterwards Rev. Father Hynes, C.C. St Michael's, chaplain at the New barracks, was sent for and remained most of the day, administering religious consolation which was gratefully received, and Keane, who had a final interview with his wife and mother on Friday night, was quite reconciled to his fate.

Father Hayes celebrated Mass in the condemned cell at 7 o'clock on Saturday morning, only the priest and his penitent being present. The latter received the Viaticum and was given the Papal Blessing. Shortly before 8 o'clock Keane was taken to the place of execution, and Father Hayes, who was asked to wait out of sight of the firing



party, hurried forward when the final volley had been fired and anointed Keane.

It was stated by the military authorities that the official inquiry into the death would not be open to the Press.

Civilians were not allowed to approach the barracks before the execution. Large numbers knelt in the open air in the space in

front of the Redemptorist Church opposite the Barracks. The Rosary was recited in Irish up to the time of the execution, and the Litany of the Blessed virgin followed for the repose of the condemned man's soul.

The following official account of the execution was supplied on Saturday morning:

Thomas Keane, civilian, 1,

Moore Lane, Limerick, was tried by a military court on the 14-5-'21 on two charges - (1) levying war against his Majesty the King, and (2) being improperly in possession of a revolver. Keane was found guilty on both charges and sentenced to be shot. Sentence was duly carried out on Saturday morning at 8 O'clock.

At the trial of Thomas Keane it was deposed that as a police lorry was approaching Singland, the accused fired at the police. He ran and was pursued, and, while doing so, he threw a revolver away, and then surrendered. Another witness said he only saw Keane fire one shot.

After the trial, a petition was forwarded to the Lord Lieutenant praying for the reprieve of the condemned man. Keane, who was about 30 years of age, resided at Moore's lane, off Clare Street, Limerick. He was employed as a carpenter by the GS and WR Co at Limerick. He was the sole support of a wife and two young children, and also of his mother, who resided with them.

Prayers were recited for the repose of the soul of deceased in all Limerick City Catholic churches yesterday morning.

Mr H O'B Moran, solicitor for Kane, made application on receiving notification of the confirmation of

death sentence on Friday night to see his client, which was refused. Mr Moran protested, saying it was the first time a solicitor was refused the privilege under similar circumstances. After the execution he made application on behalf of the widow for possession of the body, which was also refused.

The following is the letter written by the condemned man to his wife and children on the eve of his execution

My dear loving wife and children.

DEAR LOVE - I know this is hard on you. I feel the same myself from parting from you and children. But keep up your heart; it would be worse if I was shot walking the street. I have my soul prepared to meet my God - I do not fear meeting Him in the morning at 8 o'clock. Tell all the friends I was asking for them, Lily and May and Cristy and Siss, also Pa and the misses and Johnny and your mother and all. Also tell my mother. All I ask from ye is to pray for me. I will pray for ye in Heaven. I will be looking on ye all. Goodbye and God Bless you and children.

From your loving husband