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NATIONAL UNION OF RAILWAYMEN
UNITY HOUSE, EUSTON ROAD,
LONDON, N.W.1.

AN ACCOUNT
OF THE
MALLOW SHOOTINGS
(JANUARY 31st, 1921)

BY
L. BARBARA HAMMOND
(Joint Author of "The Village Labourer").

Prepared specially for the N.U.R. at the
request of the Rt. Hon. J. H. THOMAS, M.P.

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FOREWORD.

By a strange coincidence Mr. and Mrs. J. L. Hammond happened to be at Mallow about the time of the shootings, and consequently were able to make careful investigations on the spot and to secure valuable first-hand information. As we had members included amongst those who were shot and the Court of Inquiry at first refused to admit legal representation for those injured in the shooting, I requested Mrs. Hammond to write a full and impartial account of the incident. In view of its importance I have decided to publish this statement for the general information of our members, and I have added as an appendix the report of the Military Court of Inquiry. Mrs. Hammond's report is a serious indictment of the present Irish Administration, and is a complete justification of the strong stand I made in Parliament on this question.

J. H. THOMAS.

June, 1921.

PRELIMINARY.

To understand the events at Mallow Station, it is necessary to have some rough idea of the lie of the ground. The shootings occurred on the station road, leading down hill towards Mallow from the station exit-entrance. As you go down this station road, which leads south, and joins the main road to Mallow at right angles at the bottom of the hill, you have the station premises on your right or west, and on your left or east the station-master's garden, which rises from the road and is fenced off by low wooden palings. This station road curves away from the railway down to the left. On your right the station premises are hidden from the road by a high wall which continues for some 43 paces. When you have passed beyond this high wall you have on your right a railway embankment, rising up to the Cork-Dublin railroad, and towards the bottom of the hill, wedged in between the main road to Mallow, the railway embankment, and the station road lies a small triangular field with a haystack in it. The station road is bounded on the right, after the high wall stops, by a stone wall some 4 feet high. On the left the station-master's garden stretches down the hill, with green fields behind it. At the bottom of the hill you join the main road running east and west. Mallow is on the east or left side. To the west, or right side, the road runs under a railway bridge called the Navigation Bridge. Between the Navigation Bridge and the station lies the south signal cabin.

On the west side of the station, that is, on the opposite side from that of the station road, is a wooded embankment rising up from the railroad, not to be confused with the embankment on the east side of the railway which slopes down towards the station road.

THE MALLOW SHOOTINGS.

GENERAL ACCOUNT.

On the night of January 31st, 1921, soon after 10 o'clock, County Inspector King and his wife were walking back home to Mallow from the Station Hotel, where they had visited a nephew, when they were shot at, on the station road, about 50 yards after passing the station entrance. Mrs. King was mortally wounded; Captain King was shot in the right foot. He whistled, and some 20 constables came running up from the police barracks on the road to Mallow, about 350 yards away. The Head Constable left one man with the Kings, sent another for a doctor, and went on with the rest of the men, whom he ordered to surround the station. After about half an hour or more the Kings were taken away in a car to the Nursing Home, where Mrs. King died that night.

Meanwhile the police who had gone on to the station rushed in through the main entrance. According to their own account they were met with a burst of firing from the wooded embankment on the opposite west side of the station and from behind railway trucks, and they returned the fire. According to the railwaymen's account, the only firing came from the police themselves. The police then rounded up the men, finding four in the south signal cabin, three in the north signal cabin, about eight in the loco. shed waiting room, besides one or two stray ones elsewhere. Eight railwaymen in alarm got on to an engine and made off to Buttevant, whence they only returned the following morning. Two, the head porter and a greaser, escaped arrest by hiding. The men say that the police behaved with great brutality, especially at the north signal cabin. A military officer arrived at the station with four men either before or just after the rounding up.

The arrested men were divided into two batches. The first batch of six, consisting of the four men from the south signal cabin and two others, were escorted, without any accident, to the military barracks, marching all the way with their hands up. Constables Cooley and Craven conducted them, at about 11 o'clock. The second and more important batch consisted of nine men (the Crown witnesses say 12, but there were only nine), seven of them from the loco. shed waiting room, and two from the north signal cabin. Constable Cooley, who had returned from taking the first batch, and Constable Coombe were ordered to escort this second batch also to the military barracks. As they were being escorted, about 11-30 o'clock, the nine of them were shot, three fatally, on the station road.

The police story is that these prisoners were caught in cross fire between rebels on the right and police on the left of them. The

men declare that they were shot only from behind, by Crown Forces. If the men were shot, as they allege and as all the evidence goes to show, close to the station entrance, the story of cross firing is impossible to believe, as there is a high wall on the right-hand side which would effectively shelter them. The wounded men scattered, and took refuge in various hiding places. Next day they were not molested. Most went off to Cork Infirmary for treatment.

At the station, in addition to the arrest of the railwaymen, the postal department was searched and the staff (according to their own account) roughly handled. The refreshment room was also raided, and the whiskey drunk.

The first batch of men who had reached the military barracks in safety were ordered out of their cell at about 3 a.m. to carry a corpse, which was, they were told, a woman's body. In reality it was the body of one of the dead railwaymen. These prisoners complain that whilst in the barracks they were roughly handled by the police, but make no complaint of the military. In the morning they were released.

In the morning a few other railwaymen were arrested on their way to duty, and taken to the military barracks, but they also were released.

The following points are dealt with in detail below:—

- A.—*The shooting of Mrs. King, and who did it.*
- B.—*The firing at the station when the police first arrived.*
- C.—*The rounding up of the men in the station.*
- D.—*What happened in the postal and telegraph department and the refreshment room.*
- E.—*The shooting of the nine men in the second batch.*
- F.—*What happened to the first batch in the military barracks.*

A.—THE SHOOTING OF MRS. KING AND WHO DID IT.

Obviously, Captain King's evidence is all important on this subject, and we have not got it. A statement was taken from him in Scotland, but this has not been published.

Mrs. King fell wounded about 50 yards down the hill below the station entrance. Some planks marked by the shots have been removed from the palings on the left. They were produced in court. The Head Constable, with about 20 men, came running up in answer to Captain King's whistle. The Head Constable and Constable Buffels say that Captain King told them the shots came from the railway premises between the south signal cabin and station. After sending a constable for the doctor, the Head Constable left Constable Bound with Mrs. King. Bound was not called at the first inquiry, although he drew up a statement a week after the shooting for the Head Constable. He appeared at the

second inquiry. He stated that Captain King asked for his gun—"For God's sake give me a gun, my ammunition is expended." He also declared that he saw two men running towards the Navigation Bridge (presumably along the embankment), and fired at them. He assumed they were the assassins. As Mr. Healy remarked, this was a very important clue, only heard of at the end of the inquiry. He also said that Mrs. King was wounded in the left side.

In the first inquiry one of the men in the south signal cabin (O'Carroll) said that the signalman (Hayes) told him he had seen some civilians in waterproofs passing along the railway line shortly before, in front of the cabin. Hayes himself said nothing about it at the first inquiry. At the second inquiry he explicitly denied that he had ever told the story of the men in waterproofs. He also stated that he did not believe strangers did the shooting, *unless a local man led them who knew Captain King's movements.*

This raises an important point. According to information given to us, nobody knew that Captain King was going to the Station Hotel that night except the military and the police barracks, to whom he had telephoned. There is a belief current in Mallow that a Black and Tan, who had some grudge against Captain King, shot Mrs. King by mistake. Whether this story has any foundation in fact it is impossible to say without knowing a good deal more. Below we have given in detail whatever information we have on the subject.

As for the railwaymen, there seems no *prima facie* reason to connect any of them with the murder. No motive has been suggested, and all those on the station have been accounted for. In the second inquiry Constable Buffels says that in consequence of a remark from Captain King the police proceeded from him to the station. Nothing of this was said in the first inquiry. The report says that the persons who fired the shots must have either known the railway premises well or been guided by someone who did. All one can remark on that is that it would be perfectly easy for any person of ordinary agility to climb up on to the embankment, or to shoot from behind the haystack below, or (in the dark) to creep along the line. The report states that it was an unnecessary custom for railway employes when off duty to remain at Mallow station after curfew hours, because they could obtain curfew passes without any trouble if they applied for them, as they well knew. It is, no doubt, true that the men could have obtained curfew passes, but anyone knowing anything of Irish life knows that a man takes a risk if he goes out after curfew, even if he has a pass.

After half an hour or more Mrs. King was removed to the Nursing Home. According to a constable, who gave evidence at the second inquiry, no shots were fired at Captain King whilst he knelt by his wife, nor were shots fired as they went towards the Nursing Home.

EVIDENCE.

STORY THAT MRS. KING WAS SHOT BY A BLACK AND TAN.

We have seen a letter from a resident in Mallow in which he stated that there was a story current in Mallow to the effect that Mrs. King was really shot by a Black and Tan, who was then killed by Captain King. The body of this Black and Tan was, according to the story, taken for burial to a churchyard two miles away.

Nothing has come out so far to prove or disprove this story. The writer of the letter said that the staff of the Southern Nurses Home, the officer in charge of the curfew patrol, and the resident magistrate ought to be called on this subject. They were not called.

We were told that nobody in Mallow knew that Captain King had gone to the Station Hotel (to see his nephew) that night, except the police and the military barracks, to whom he had telephoned. Captain King, who was an old R.I.C. man, was popular in Mallow, and was reputed to have kept the Black and Tans in order. It was understood that some of them were to be removed from Mallow.

Mr. Healy seems, from the published evidence of the second inquiry, to have asked some questions on this point.

1. After an interruption from Canon Corbett, who said that the inquiry would be "all nonsense" without the evidence of County Inspector King and his nephew, Mr. Healy remarked "Canon Corbett believes that no Irishman committed this murder. The person connected with it had no connection with Mallow."

The President: "Have you any evidence of that?"

Mr. Healy: "I have, sir."

If Mr. Healy produced any evidence it does not appear in the published reports.

2. Questioning the District Inspector:

Mr. Healy: "Is there any entry in the barracks relating to a party of men leaving the barracks a little earlier before the murder?"—"I cannot say that."

Mr. Healy: "Will there be any difficulty in the Head Constable bringing up the barrack book?"—"That is a matter for the County Inspector."

The Crown Solicitor intimated that the book should be produced.

Mr. Healy (to witness): "Is there any record in the barracks regarding disciplinary action by removal, fines, or by censure?"—"The County Inspector has a record with regard to fines."

Mr. Healy: "Is there also a record of reprimands?"—"Yes."

Mr. Healy: "As a matter of fact, have you had to order the transfer of police from Mallow Station recently?"—"Yes."

Mr. Healy then wrote a name on a slip of paper, and handing it to the witness, asked: "Had you that man in Mallow Station?" The witness replied "No."

Mr. Healy: "When did he leave?"—"I cannot exactly tell you; I don't remember all these dates."

3. Another police witness stated that with the exception of one married man in lodgings all the men answered the roll call in barracks on the night of January 31st.

4. "The constable who was guard on the tragic night proved the entry in the guard's diary, which showed that at roll-call at 10 p.m. one head constable, four sergeants, and 32 constables answered. One sergeant was on leave, and three constables were resting, sick, and on temporary duty respectively."

5. Another constable said "there were about 37 men in barracks that night, and four had since left."

6. A police sergeant said that a constable who offered him a drink had since resigned. Two others had also resigned. He was not sure if they were at the station that night.

Obviously the Court did not think it necessary to probe into the matter deeply.

B.—THE FIRING WHEN THE POLICE FIRST CAME INTO THE STATION.

The police story is that when they came in at the main entrance to surround the station, they were met by a burst of firing from the wooded embankment on the west side of the station, and also from behind the trucks. The police returned the fire, taking cover behind the trucks. The firing lasted from 3 to 6 minutes. Curiously enough, of the 18 railwaymen who were in a position to judge, nobody heard this firing, with the exception of one (Gyves), who, at the end of his evidence at the first inquiry (was it forced from him?) admitted to hearing it. Morrissey and Moloney in their statements definitely deny it. At the second inquiry the head porter denied it explicitly, and the station-master called by Mr. Healy said that the firing from the west would have to come over or through carriages in the station. Only one pane was broken in the glass roof, and there were three or four bullets in a first-class lavatory, where a driver (Allison, see later) took refuge.

C.—THE ROUNDING UP OF THE MEN AT THE STATION.

The chief conflict of evidence here is as to the behaviour of the police. The Head Constable stated that the police were working in sections, in proper control, but with no one in command of each section. He "did not see any violence or roughness of any kind,

nor would he allow it." One of his sections, helped by soldiers, rounded up six men; another section, also helped by soldiers, rounded up another 12. Lieutenant Short, however, says that he and his men arrived after the rounding up, and did not take part in it.

The railwaymen who were rounded up have a good deal to say on the subject of their treatment. It will be convenient to divide them into three main sets.

1. The four men in the south signal cabin.
2. The three men in the north signal cabin.
3. The eight men in the loco. shed waiting room.

1. THE FOUR MEN IN THE SOUTH SIGNAL CABIN.

Michael Carroll, guard.

Michael Gyves, guard.

John Hayes, signalman.

Thomas Moylan, messenger.

About 10-35 two policemen, one in uniform, one in plain clothes, came and arrested them. They were searched both in the cabin and on the platform, where they were put up against a wall with their hands above their heads. Cotter, a fireman, was also put there. One policeman threatened that if the woman died, 15 railwaymen should be shot; another said: "We will have one out of this lot." The men were, according to Moylan, beaten by the police with fists and the butts of revolvers. He (Moylan) was "stiff and sore" after it. Cotter also said he got a "clout" of a revolver on his shoulder. These four men from the south signal cabin, together with Cotter the fireman, and Timothy Riordan, a transfer porter, who had been hiding in the postal department, were sent off as the first batch to the military barracks, under the charge of Constables Cooley and Craven. They reached the barracks in safety. On the way, Riordan was detached from the party and sent for a doctor.

2. THE THREE MEN IN THE NORTH SIGNAL CABIN.

Patrick Devitt, porter. Since dead.

Peter Morrissey, train examiner, wounded.

Joseph Greensmyth, signalman, aged 66, knocked about.

Morrissey and Devitt ran into the cabin for shelter, and threw themselves on the ground. Two or three men in police uniform came with "threats and filthy language," and ordered them out. As Greensmyth, being old, did not move fast enough with his hands over his head, one of the men flung him down the steps. Greensmyth, in his statement, said it was an officer in uniform, qualifying this by "as he appeared to be." Morrissey said the men were police.

On Greensmyth's pointing out the dangers of leaving the cabin deserted, he was allowed to return; the other two were taken to the platform, being threatened all the while. Greensmyth suffered so much from shock that it is doubtful if he will be able to take up his duties again. He was awarded £700 compensation at the Mallow Quarter Sessions. On the platform Devitt was kicked on the elbow, because he did not hold his hands high enough. They were joined up with the men from the loco. shed, and formed the second batch to be sent to the military barracks.

3. THE EIGHT MEN IN THE LOCO. SHED WAITING ROOM.

Harry Martin, engine driver.

P. Howe, engine driver.

P. Maher, engine driver.

D. O'Mullane, engine driver.

M. O'Mahoney, steam raiser.

M. Cronin, cleaner.

D. Bennett, porter.

C. O'Connell, night foreman.

Some of these men were in the waiting room before the shooting began; others took refuge there. Two policemen (Martin and Cronin say that one had a khaki jacket on) came and arrested them, and marched them to the platform, firing some shots, that did not hit anyone, on the way. On the platform they were questioned again by two men, "one a head constable, and the other appeared to be a district inspector." Both were in civilian clothes. O'Connell was released and allowed to return to the shed to look after the engines. The remaining seven were joined up with the two men from the north cabin, and formed the second batch to be sent to the military barracks.

Of the remaining railwaymen in the station, eight went off on an engine to Buttevant. Richard Dunn, the head porter, hid in the goods yard. John Henry Hayes, a greaser, also hid on the floor of a goods van; George Allison, an engine driver, after some uncomfortable experiences, which included being chased by a constable and hiding in a lavatory, was allowed to return to his engine which was blocking the line. The stationmaster was in his house all the time, and stayed there.

NOTE.—Names of the eight railwaymen who went off on an engine to Buttevant:—

Patrick O'Brien, driver.

Wm. Moloney, shunter.

Denis O'Rourke, porter.

Wm. Hayes, porter.

Timothy Hayes, porter.

Dennis Bennett, porter (not the one killed).

John Blake, porter.

Maurice Nagle, fireman.

Denis O'Rourke had rushed up calling, "armed forces are rushing in on platform, crying out 'shoot everyone you meet.'"

D.—WHAT HAPPENED IN (a) THE POSTAL AND TELEGRAPH DEPARTMENT AND (b) THE REFRESHMENT ROOM.

(a) THE POSTAL DEPARTMENT.

Here we get a conflict of evidence. Nothing was said about the matter at the first inquiry; at the second the overseer in charge and also one of the clerks gave evidence that the police rushed in in a state of "tremendous excitement," and used violent language and violence, one of them striking the clerk with his fist on the face. The policeman in question, "Jock" by name, gave evidence, denying that there was ill-treatment or obscene language, but admitting to "giving a fellow a chuck under the chin." The affair is not mentioned in the report.

Appended is a more detailed description of the evidence.

EVIDENCE ABOUT POST OFFICE.

The overseer in charge and a clerk (a sorter and telegraphist), who were both in the office that night, gave evidence. There were three clerks, three postmen and the overseer in the office. After there had been some firing down the hill four or five policemen came to the door, and, when it was opened, rushed in shouting "Hands up." They searched the clerks and the postmen, and a policeman asked the clerk who gave evidence if he had heard shots and when. The answer was "Yes." "Why did you not go out?" The clerk answered he was afraid to go, and the policeman said "There's a woman outside shot by one of your b—— countrymen, and you know something about it." At the same time the policeman hit the clerk on the left jaw with his left fist. Two other policemen said, "Stop this, Jock." The policemen were described by the overseer as "labouring under tremendous excitement," but sober. They searched the premises, but found nothing.

The policeman called "Jock," who described himself as a Black and Tan, gave evidence also. He had left Mallow and was stationed at Charleville. "He denied the allegations of the postal officials that they were ill-treated or that obscene language was used towards them. There were, however, a few true facts in their statements. Witness admitted giving a fellow a chuck under the chin when he did not answer immediately." Mr. Healy bantered him a good deal.

(b) THE REFRESHMENT ROOM.

The Court found with regard to the refreshment room that a forcible entrance was made by a member of the R.I.C. to obtain a stimulant for Mrs. King, that the refreshment room "remained open, and was entered by some members of the R.I.C. and railway staff; but that *there is no evidence to show who is guilty of the alleged heavy depredations.*"

At the first inquiry there was complete silence about the refreshment room. We were told at Mallow that nobody dared mention it. At the second inquiry, Constable Buffels mentioned that he "went through the glass panel of the refreshment room doors" in order to fetch some whiskey for Captain King. This "forcible" entrance is described by the report as justifiable. They do not explain why he should not have entered in the more usual way.

The Catholic Curate, who came to attend to the dying Bennett, saw "men in police uniform freely moving in and out" of the refreshment room, and one man came out with a bottle and offered the sergeant of police a drink, which was refused. This the sergeant corroborated, adding that the man had since resigned. One young man whom we saw, Timothy Riordan, a porter, was made to drink by the Black and Tans that night till he was dead drunk, but whether he gave evidence to that effect does not appear from the published reports. He is referred to by the postal overseer.

With the exception of the police sergeant and of Constable Buffels, the latter of whom revisited the refreshment room, only, it appears, to refuse a drink, none of the constables at the station seem to have known of the existence of the refreshment room, and were as much baffled as the Court by the problem of who drank the whiskey. The railwaymen were presumably too much occupied with being rounded up, or shot, to indulge in alcoholic drinks. Perhaps the refreshment room lady attendants, who were removed to the station-master's house for safety, might throw some light on the subject. Probably it was thought wiser not to call them, for in Mallow it is a disagreeable thing to be on bad terms with the police.

From the station-master's evidence, it would seem that at 1-15, nearly two hours after the men had been shot, his house was still "the only safe place."

EVIDENCE OF CONSTABLES ABOUT REFRESHMENT ROOM.

The one who had made himself conspicuous in the postal department said, in regard to the drinking of the company's whiskey, "I was not in any way concerned in that. I did not go near the place, and I don't know what occurred there." Another searched the waiting room, but did not go into the refreshment room. He did not know what happened to the whiskey. Another constable could not tell who visited the north signal cabin nor who drank the whiskey. Another "could not account for the missing liquor." As Mr. Healy remarked, "It is very mysterious, we cannot trace anyone who searched the north cabin or the refreshment room."

At the Mallow Quarter Sessions in April, before the Recorder of Cork, the Great Southern and Western Railway Company were awarded £151 11s. 1d. compensation for goods removed from their first and third-class refreshment rooms on the night in question, and £31 18s. 4d. for damage done to the refreshment premises; such compensation to be levied from the County of Cork.

E.—THE SHOOTING OF THE NINE MEN IN THE SECOND BATCH.

The indisputable fact here is that as the second batch of nine prisoners were being escorted down from the station to the military barracks, all of them were either killed or wounded on the hill down from the station. The police say that the prisoners were caught in cross firing between the rebels on the embankment on the right and the police on the left; the men say they were shot only from behind by Crown Forces. It should be noted that Captain King and his wife had left before these men were brought down, so that Captain King would not be able to give any evidence on the point. The survivors and the relatives of the deceased men have all been awarded compensation with costs and expenses by the Recorder of Cork, but as such compensation is to be levied off the County of Cork, which is already liable for gigantic sums, it seems improbable that they will ever be paid.

THE CROWN WITNESSES' STORY.

The vital evidence here is that of Constables Coombe and Cooley, who were ordered to take this second batch down to the military barracks. Cooley had already escorted the first batch down, and had returned with his rifle and 50 rounds of ammunition. According to these constables' story, as they were escorting the men down, Cooley on the right, Coombe on the left, about 50 yards down they were fired on from the wooded embankment on the right. The constables jumped behind the palings on the left to return the fire; the prisoners scattered. No one came to help the constables, it was they two alone against the rebels. After about seven minutes, when the firing ceased, the constables returned to the road and found the wounded men there. It is important to consider their evidence at the first inquiry, together with the additional facts elicited by Mr. Healy at the second inquiry.

CONSTABLE COOMBE says: "I was on their left side, and Constable Cooley on the right side marching down Station Hill. When about 50 yards down Station Hill we were fired at from the embankment between station and south signal cabin. I heard Constable Cooley shout to me—'Jump the paling and take cover, and return fire.' Before I had time to do so I was struck in eye by dun shot pellets (shows marks to court). Doctor Connell later removed it. We shouted to prisoners to scatter. They did so.

Constable Cooley and I returned the fire from behind paling which we had both jumped. They (the palings) were on opposite side of road to station. After firing had ceased we found two prisoners in road."

In the second inquiry he said in reply to Mr. Healy: "He thought he was going on a dangerous mission. He could not explain how eight of these prisoners were either killed or wounded. They must have been caught in the fire from the embankment. The fire could not have come from behind; it was coming across the road." Witness continuing said it was rather odd that no one came to his assistance while the firing was on, but the people on the station were busy searching the goods department. In spite of all this terrific firing no one got a scratch but himself. He was the only one wounded on that occasion.

CONSTABLE COOLEY'S statement is quite consistent with that of Constable Coombe. "At station head constable ordered me and Constable Coombe to take another batch of about 12 prisoners from station to military barracks. We did so. When about 50 yards from Station Hill we were fired at from railway embankment, between south signal cabin and station. I was on the right side of prisoners, Coombe was on the left side. I shouted to Coombe to take cover behind fence opposite railway embankment. We both did so in order to return the fire. The prisoners had scattered down road, but I do not know what happened then as I was busy firing at railway embankment. When firing ceased, Coombe and I returned on to road. We saw three wounded there."

At the second inquiry Cooley said: "I did not fire any shots at the prisoners, and I did not see any other policeman or soldiers fire at them."

Mr. Healy: "I gather from your narrative that the second batch of prisoners were allowed to escape with the exception of those wounded?" Witness: "Yes." Witness added that he remained under cover about seven minutes before returning to the road. He did not see Bennett fall, but in that seven minutes the men were wounded. In the course of further questions witness said he thought the firing came from the Navigation Bridge direction.

Mr. Healy: "I suggest that you took cover to avoid shots from behind." "I took cover to fight against the rebels."

POINTS THAT ARE DIFFICULT TO UNDERSTAND ABOUT THIS STORY APART FROM ITS CONFLICT WITH THE RAILWAYMEN'S STORY.

1. If they were not fired on till they were 50 yards down the hill, how comes it that some of the men fell nearer the station arch? (See later.)

2. The paling on the left would prove the most inadequate cover. It is a low, open paling, up above the road, fencing off the station-master's garden. If you wished to be exposed to fire from

the embankment you would go up there. It is said in Mallow that only a caterpillar could find cover behind it. If you wished for cover you would crouch under the stone wall which bounds the right of the road all the way down, and be well protected. This stone wall, some four feet high, starts where the very high wall ends. If on the other hand shots were being fired down the road from behind, you would naturally jump over this paling to avoid the path of the fire.

3. How comes it that there are no marks of shots in the palings? There were plenty of marks in the paling in front of which Mrs. King was shot.

4. If "the fire could not have come from behind, it was coming across the road," how did eight out of the nine men manage to be hit according to medical evidence "from behind"? Is it suggested that instead of running they stood still with their backs to the embankment?

WHAT CORROBORATION IS THERE OF THE STORY?

The Head Constable says that after the men had gone off "shots were still being fired by both sides and lasted several minutes."

Constable Buffels, after taking Mrs. King to the Nursing Home, "walked back to the station with Constable Williams, and on reaching bottom of hill leading up to station, firing recommenced from railway line between Navigation Bridge and railway station. We took cover under the bank. Whilst lying there 10 or 15 civilians came running down Station Hill and ran towards Mallow. I took these to be railway workmen. Whilst they were running down hill the firing was still going on from railway line, and it appeared to be returned from the road outside station entrance. As soon as firing ceased I went with Constable Williams up hill to station."

There is a certain corroboration from Lieutenant Short as to there being somebody firing on the embankment between the station road and the railway, for he and his men say they were fired on in the station from there. His further evidence is curious. The firing which killed three men and wounded six, he does not appear to have heard at all.

"Whilst I was at the station nothing extraordinary, no heavy firing, happened. I should have seen if it had. Police could not have told railwaymen to run and fired on them when running without my knowing all about it. I saw nothing of the sort, and am sure that it never happened. I have read statements in newspapers to that effect, but I deny their truth."

At the second inquiry this witness was pressed by Mr. Healy as to how the men could have been hit if there was no firing. "Witness further stated that although there was no volley firing that night he could not explain how seven out of twelve men were either killed or wounded."

Lieut. Short's men repeat his story.

THE RAILWAYMEN'S STORY.

There were nine railwaymen in this second batch. Three were killed, one dying at the time and two after, the remaining six were wounded. These six all agree, with some slight variation as to the actual words used, that just outside the station entrance they were told to run with their hands up; that they obeyed, started running, and were shot at from behind. They deny that there were shots from the embankment. It is essential to remember that outside the station entrance, on the right as you go downhill, there is a high wall which would effectually shield you from any firing from the embankment or railway premises. Behind this wall lies the station-master's house. This high wall lasts for some 43 paces, and towards the end of it there are some high gates in the wall; outside them is a big stone. By or on this stone you would still be in complete shelter from firing on the right. Six at least of these men were hit when still under cover of this wall, Bennett, Maher, Howe, Harry Martin, Morrissey and Cronin. It is important to examine the evidence about each man.

1. DENIS BENNETT, porter, aged 17. Killed. He fell and lay in the road above Maher (see later). Constable Buffels described him as about ten yards from the station entrance; Lieut. Short as about 20 yards down. This would, of course, be well within the protection of the wall. A priest was fetched for him, and he was moved to the third-class waiting-room, where he died. His body was taken later to the military barracks. He is described by Buffels as having "an entrance wound in right hip; it was large; cavity of exit wound big enough to take my two fists, which in my opinion did not look like a service bullet." Cooley, who also examined his wound, agreed with Buffels and added, "Bennett must have been wounded from railway premises, as his entrance wound was on his right side, which was nearest to railway embankment as he was marching with other prisoners down hill." This, one may remark, is physically impossible, unless Bennett was wounded beyond the wall. At the second inquiry medical evidence was taken on Bennett's wound, and it was said to be a large bullet wound in right groin. There are no further particulars in the newspaper reports. His father was awarded £1,000 compensation.

2. DRIVER MAHER. (We heard his evidence.) He was wounded from behind in the stomach. According to medical evidence, "a bullet passed through the abdomen from behind." He fell about 12 yards down and lay there for some time. A young man with a rifle (evidently a policeman) came up the hill, asked if he was wounded, told him to lie flat for a bit, and then helped him to sit up on the stone just outside the gates. It was noticeable that questions were asked him in court to make him admit that he was shot lower down the hill, but he stuck to his story. Mr. Healy asked him questions about the high wall on the right where he was hit. His answers were omitted when his statement of evidence

was read over to him. He would probably have let this pass, but Mr. Healy jumped up and had the matter rectified. At the first inquiry he seems to have been pressed to say that there was firing on the right. "Although I am sure shots were fired from behind us before I was wounded, they may have come from other places as well." Driver Maher went to Cork Infirmary. He was awarded £2,000 compensation.

3. HENRY MARTIN, engine driver. He did not give any evidence at the first inquiry, but was the first witness at the second, where we heard him. He described how, after they were told to run, "shots rang out from behind." He was shot in the calf of the leg, long before the wall ends. We were shown an arrow on the wall which marks the exact spot. Medical evidence at the case for compensation stated that the bullet was fired from behind. He only heard shots from behind. He crawled on somehow, and managed to get along the Mallow Road till he came to a house where he took refuge. He was still lame, and had a bullet in his leg. He gave a very clear account. He was awarded £1,000 compensation.

4. DRIVER PATRICK HOWE in his statement says that he was hit "close to the milk dock gate. I was hit in the back, left side of my body, the bullet glazed off, but marked me. I lost a great deal of blood, and stumbled over a postal barrow which was standing outside the milk dock gate. When I regained my feet I tried to get through, but the gates were fast. I then lay down flat between the barrow and the wall and just turned my head around and said: 'Where are you, Bennett?' who was one of the party who was running with me. He did not speak." Howe finally scrambled away on to the line, and "got under the check platform, where I remained till 5-30 a.m." He had his wounds dressed in Cork Hospital. He was awarded £175 compensation.

5. PATRICK DEVITT, porter. Killed. He was described by Riordan as lying on the road below Maher. Coombe states that he attended to him, and that Devitt was "wounded on his right side by expanded bullet," but this does not tally with the medical evidence given at the second inquiry that he had three wounds in the back, bullet wounds. At the hearing of the case for compensation on April 29th, Dr. Vaughan, of Mallow, and Dr. Hegarty, of Cork, both gave evidence that Devitt had three bullet wounds in the small of the back which injured the spinal cord, causing paralysis and death. Devitt was taken off in an ambulance, and subsequently went to Cork Southern Infirmary, where he died on February 13th. Mrs. Devitt, his widow, was awarded £1,000 compensation and each of his seven children £100.

6. DANIEL O'MULLANE, loco. man. Killed. Cronin saw him wounded at the bottom of the hill, but O'Mullane went on in front of him. The medical witness at the second inquiry said O'Mullane had three bullet wounds in the left buttock, and one cut wound in the abdomen.

O'Mullane went to the head constable's house, lay outside for some time, and then "as his feet were very cold he broke my window and came in." He was (after 2 a.m.) taken by Buffels to the nursing home where he died. He is stated in one place to have died on January 31st, in another on February 3rd. It seems probable that he died on February 1st. Before dying he made, according to Buffels, a rather remarkable statement. He said he was wounded whilst running away from the station. "I said 'Who by?' He replied, 'I think it was civilians.'" He told the head constable that he was shot near where Mrs. King was hit. O'Mullane's father was awarded £1,000 compensation.

NOTE.—In the case of these last two witnesses it is important to notice that no attempt seems to have been made to take any statement from them before they died.

In the second inquiry Mr. Healy questioned the police sergeant as follows:—

"When a man or woman is attempted to be murdered and is in a fit condition to make a statement, is it the duty of the police to take a statement from them?" "Quite so." "And that statement is important?" "Yes." Further questioned by Mr. Healy, witness said it would be the duty of the head constable or a responsible officer to take a statement from the two men who survived their wounds for a time.

7. PETER MORRISSEY, train examiner. Seen by J. L. Hammond and Desmond MacCarthy in Cork Infirmary. Morrissey says they were told to run, and shots were fired after them. About 15 yards down he was struck in the right elbow and fell, but he picked himself up and managed with some of the others to get round the bend in the road. He hid in the ruins of Cleaves' Creamery (destroyed in the reprisals at Mallow) till about 4 a.m., when he crept back to the station and went on to Cork to the North Infirmary. He was there for six weeks, suffering from bullet wounds "in the elbow and fingers of the left hand." He is very confident that there were no shots from the embankment. "The shots from behind hit us." He was awarded £350 compensation.

8. MICHAEL O'MAHONEY, steam raiser. (Also seen in Cork Infirmary.)

He says: "We were ordered to run with our hands up. We did so, and when a short distance away we were fired upon. The shots came from behind and not from the bank of railway on right-hand side." He saw three men fall in front of him, but "kept going until I got a bullet through my right knee." "I was struck on back of knee whilst running from the police." He was also grazed on the right hand in five different places. He managed to get back to his lodgings, and later went to Cork Infirmary, where he still was at the time of the second inquiry. O'Mahoney was awarded £400 compensation.

9. MATTHEW CRONIN, cleaner. He says they were told to run and started to do so. "When about twelve yards outside station yard I heard shots from behind. I do not know who fired the shots. I went on for about three or four yards when I was hit in the back, left side. I got up and ran and got a splinter of bullet behind right ear." He ran on, and, like Morrissey, took refuge in the ruined creamery. Later he, too, went to the North Infirmary at Cork. At the hearing of the case for compensation medical evidence was given that a bullet went in through Cronin's back and lodged deeply in his chest. At present it was doing no harm, but ultimately might do so. Cronin was awarded £1,400 compensation.

NOTE ABOUT THE MEN'S EVIDENCE.

Of the nine men three were dead, three in hospital, leaving only three to appear before the second inquiry. Of these three we heard the evidence of two, Martin and Maher. In the newspaper reports *nothing appears of what they said about being shot*. It will be remembered that, though Sir Hamar Greenwood denied that press reports were censored, they had to be "submitted" to the court before they were sent off, and pressmen were warned that not only no names, but no accusations against individuals might be published, until the rebutting evidence was published as well.

F.—TREATMENT OF THE FIRST BATCH OF MEN IN THE MILITARY BARRACKS.

About this, no evidence was given at the first inquiry. At the second inquiry full particulars were given by two of the men, Moylan and Cotter; Moylan had been in the south signal box; Cotter was George Allison's fireman. Briefly their account was that on arrival at the barracks they were locked into a cell by the military. About 3 a.m. some police came and ordered them to come out and help to carry a corpse on the lorry outside, which was a woman's. They made four of them carry it down to a cell, handling them roughly on the way. Moylan sent a signed report later to the District Inspector about being ill-treated by the police at the military barracks. This rough handling the police deny. As there has been some misapprehension about this point, it is as well to read Cotter's evidence.

"About 3 o'clock in the morning witness and three others were taken out of their cell by military and police. A policeman said: "Irish swine, come out and see what you are after doing." They were told by the police they were being taken to the corpse of a young lady who had been shot, and they should take the corpse to a cell. They were marched out to a motor lorry on the square. In the lorry there was a corpse with two policemen inside the lorry on each side of the corpse, and two police also on the ground outside the lorry. They were made to take out the corpse and bring it

downstairs to a cell. They were told to take the corpse gently. Witness was at the head of the corpse. In the morning witness found out it was not the body of a lady, but of the railwayman Bennett.

Mr. Healy: "When you were carrying the corpse along to the cell did anything happen?"

"We were told we were too slow, and we were forced up steps and beaten with the butts of revolvers into the cell." "Was that done by police?"—"Yes, sir, by police; they were after us all the time."

Both witnesses said that the soldiers treated them decently, looking on at the prodding, but not taking part in it themselves.

The police witnesses admitted the story of the removal of the corpse, but denied that there was any rough handling of the men. Buffels and another witness were present. They "saw no one abuse or ill-treat the civilians," nor did the N.C.O. in charge of the guard.

APPENDIX.

REPORT OF MALLOW COURT OF INQUIRY.

[CMD. 1220.]

The President, Colonel Commandant H. R. Cumming, D.S.O., having been killed by Rebels on 5th March, 1921, the remaining members of the Court having heard the evidence of the following witnesses, viz.:—

Military	...	...	...	5
R.I.C.	...	...	...	19
Railway Employés	...	...	...	30
Civilians	...	...	...	2

and read the sworn statement of County Inspector Captain W. H. King, R.I.C., and having heard and considered the facts elicited from such witnesses (except Captain W. H. King) by Mr. T. M. Healy, K.C., Counsel appearing for National Union of Railwaymen and Associated Societies of Locomotive Engineers and Firemen, and by Mr. A. Carroll, Solicitor appearing for the R.I.C., and having viewed the *locus-in-quo*, proceed, pursuant to order, to set out their conclusions of fact therefrom as follows:—

1. The events at Mallow Station on the night of 31st January, 1921, commenced with an attack about 10.20 p.m. on County Inspector Captain W. H. King, R.I.C., and his wife, Mrs. Alice Mary King, whereby both were wounded (Point "A"—See attached plan). [Not printed.]

Mrs. Alice Mary King subsequently died as the result thereof early in the morning of 1st February, 1921.

2. That the above casualties were caused by shots fired from the railway station premises on the west side of the hill leading up to the station (Point "B"). [Not printed.] That although there is no evidence to show who the individuals were who fired such shots, yet the persons who did so must either have had a thorough knowledge of the railway premises, or have been guided by some person or persons who had such knowledge.

3. That an ambush had been previously prepared, and that parties thereof were posted at Points "B," "C," and "D"—(not printed)—but that there is no evidence to show such ambush was definitely planned against Captain W. H. King and his wife. That shots were fired by Rebels from all above three Points (*inter alia*) during the evening in question.

4. That the R.I.C. did, in the execution of their duty, search certain railway employes and others, and made several arrests.

5. That the R.I.C. did remove signalmen from their respective cabins without having previously provided suitable or any reliefs.

6. That one signalman, Joseph Greensmith, received injuries which at his age are serious, but the court are satisfied that he is mistaken in stating same were caused by military.

7. That the persons arrested (paragraph 4) were despatched in two parties to the military barracks, Mallow. The first party reached there safely. The second party (which included the three railway employes since dead, and those who were wounded, came under rebel fire from the vicinity of the south signal cabin (Point "E"). (Not printed.)

8. That the rebel fire referred to in paragraph 7 was immediately returned by R.I.C., and that such "return fire" unavoidably caused some of the casualties in the said second party.

9. That from the location and character of the wounds, one of such casualties at least was caused by rebel fire.

That one R.I.C. was at the same time wounded by a pellet from a shot gun, and that neither the military nor R.I.C. were armed with such weapons on the night in question.

10. Consequent on the allegations (see Parliamentary debate in attached proceedings)—not attached—made in the House of Commons, the court are satisfied from the evidence:—

(a) That Mrs. King did not rush in front of her husband and thereby receive her wounds.

(b) That it was an unnecessary custom for railway employes, when off duty, to remain at Mallow Station after curfew hours, because they could obtain curfew passes without any trouble if they applied for them, as they well knew.

(c) That Thomas Moylan and the other railwaymen taken to military barracks, Mallow, were only searched there twice, namely, once at entrance gate and once on admission to cells, and not five times in the cells.

(d) That such railwaymen were not beaten or subjected to inhuman treatment, or in any wise abused at military barracks, Mallow.

(e) That such railwaymen were not, when released from the cells at military barracks, Mallow, told to run, and were not shot at.

(f) That a member of the R.I.C. did forcibly enter the railway refreshment room, and obtain stimulant for Mrs. King, and that his action, in the circumstances, is considered justifiable. That thereafter such refreshment room remained open and was entered by some members of the R.I.C. and railway staff, but that there is no evidence to show who is guilty of the alleged heavy depredations.

(g) That the party of railwaymen, of which Michael Mahoney was one, had not a volley fired into them on leaving the railway station for the military barracks, Mallow, by either military or police, neither were they, when wounded, fired at by such forces.

(h) That the remainder of the allegations made in the House of Commons are not borne out by the evidence adduced.