Unit 7:

The Irish War of Independence, 1919-21

Part 3

Senior Cycle Worksheets
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**NOVEMBER 1920: A TURNING POINT IN THE WAR**

November 1920 proved a turning point in the Irish War of Independence. After the events of Bloody Sunday in Dublin and the Kilmichael ambush in Cork (in which seventeen members of the RIC’s Auxiliary Division were killed), the hostilities could no longer be defined as simply a police action. It was a military conflict.

**BLOODY SUNDAY**

Michael Collins received information that a group of Secret Service officers known as the ‘Cairo Gang’ had been sent to Dublin to eliminate the IRA Intelligence network. With GHQ approval, Dick McKee and Peadar Clancy were put in charge of the task of ‘eliminating’ the British agents. Despite the arrest of Clancy and McKee, it was agreed that the planned mission would go ahead on the morning of Sunday 21 November 1920. Just after nine o’clock, separate IRA assassination teams simultaneously struck various locations in Dublin and ‘executed’ eleven suspected British agents.

That afternoon, Crown forces opened fire on the crowd during a challenge football match between Dublin and Tipperary in Croke Park killing fourteen civilians and the injuring of a further sixty-four. That night McKee and Clancy and an innocent man called Conor Clune were shot dead in Dublin Castle.

**THE KILMICHAEL AMBUSH**

Perhaps the most notorious of the ambushes during the War of Independence occurred halfway between Dunmanway and Macroom on Sunday, 28 November 1920. At a place called Kilmichael, the flying column of the West Cork Brigade commanded by twenty-three year old Tom Barry ambushed and killed seventeen of the eighteen Auxiliaries under RIC District Inspector Francis Crake.

Tom Barry maintained that the Auxiliaries pretended to surrender at one point during the engagement, before resuming the fight. This deception, he said, cost the lives of two of his men who broke cover and the treachery prompted him to take no prisoners. Barry’s critics have suggested that he concocted the false surrender to justify a premeditated massacre. Whatever happened amidst the fog of war, reprisals quickly followed.

**MARTIAL LAW**

Martial law was subsequently proclaimed in counties Cork, Kerry, Limerick and Tipperary on 10 December 1920, - two days before Auxiliaries set fire part to Cork city centre. Martial Law was proclaimed in four more counties – Clare, Waterford, Kilkenny and Wexford – on 29 and 30 December. A system of official reprisals was also introduced in the south-western counties of Cork, Kerry, Limerick and Tipperary in December 1920.

_A small body of assassins, a real murder gang, dominate the country and terrorise it... it is essential in the interests of Ireland (that) that gang should be broken up... we have murder by the throat._

- House of Commons, Prime Minister’ Lloyd George’ statement, 9 Oct 1920 -

Two-tier Military Courts were established in the Martial Law Area (MLA). The Summary Court dealt with less serious cases, trying 2,296 people and imposing 549 sentences of imprisonment. The upper tier was responsible for major offenses against Martial Law. It tried just 128 people between late December 1920 and the the Truce in July 1921, sentencing thirty-seven men to death. Fourteen of these men were executed. Military Court trials were held at Victoria Barracks, Cork, New Barracks, Limerick and Waterford Barracks.

Early on Sunday 21 November, separate IRA assassination teams simultaneously struck fourteen different premises, housing twenty-two suspected British Intelligence agents. As the map indicates, most shootings occurred in a fashionable part of south Dublin, which was especially popular with Dublin Castle personnel. Many on the hit list escaped owing to being out of the house during the assassination raid. After Bloody Sunday, British agents were less likely to live outside of protected military barracks, separating them from the community they sought to infiltrate.

Map showing the events at Croke Park on 'Bloody Sunday', 21 November 1920.

ELEVEN OFFICERS OF CROWN KILLED

Yesterday the most tragic of the events which have recently happened in Ireland took place in Dublin, and resulted in the deaths of 27 persons, while a great many were wounded. The great tragedy commenced about 9 a.m. when civilian raiders entered a great many houses in various parts of the city, but particularly in the Lr. Mount St., Baggot St., Earlsfort Tec. districts, in which army officers and ex-officers resided, and, inquiring for them by name, demanded to be conveyed to their rooms, and 14 were shot dead and 5 wounded.

THE CASUALTY LIST

The tragedies formed, perhaps, the most sensational happenings of which Dublin has been the scene since 1916 ... The casualties, so far as can be gathered, and the scenes of the tragedies are:—

Dead.
Capt. D. L. McLean, 117 Morehampton Road
Capt. Newbury, 92 Lr. Baggot St.
Capt. Baggally, 92 Lr. Baggot St.
Capt. Fitzgerald, 28 Earlsfort Tec.
Capt. P. McCormack, Gresham Hotel.
Major Dowling, 28 Pembroke St.
Capt. Price, 28 Pembroke St.
Lt. Bennett, 38 Up. Mount St.
Lt. Aimes, 38 Up. Mount St.
Lt.Mahon, 22 Lr. Mount St.
Mr L. A. Wilde, Gresham Hotel.
Mr T. H. Smith, Brienna House, 117 Morehampton road.
Cadet Gamin, Up. Mount St.
Cadet Morris, Up. Mount St.

Wounded.
Col. Woodcock, 28 Up. Pembroke St.
Capt. Kerlisside, 28 Up. Pembroke St.
Lt Murray, 23, Up. Pembroke St.
Mr J. Caldwell, 117 Morehampton road.

BATTLE IN MOUNT STREET

At Lower Mount St. the raiders were surprised by a body of Crown forces, and ... an eyewitness said that about 8.45 he was disturbed by loud banging at the door of No. 22 by men in civilian clothes and wearing haversacks, who had come out of a lorry which was on the roadway. They went into the house, and immediately shooting began.

Practically simultaneously firing broke out at the rear of the house, and going to a window overlooking the scene he saw ... five civilians, who were evidently trying to get away, were being shot at by other men ... The retreating men zig-zagged on the street, fired, and a battle on a big scale developed for a few minutes .. Anything to equal it, our informant said, could hardly be conceived. Smoke belched from the weapons ... 'The veritable hail of lead made death certain for anyone at close range.' ...

Eventually the retreating men got into Grattan Street and away. An ex-army officer who also witnessed the battle on the street said he had seen some hot passages in France, but while it lasted in Mount St. such a strikingly daring and audacious stand-up fight he never saw.

CROKE PARK SHOOTINGS

RAID ON FOOTBALL MATCH

Terrifying scenes were witnessed yesterday at Croke Park when, during the progress of a challenge football match between teams representing Dublin and Tipperary, military, RIC, and auxiliary police made their appearance. Volleys of rifle fire were heard, and 15,000 spectators fled in a desperate attempt to escape ... According to rough estimates, there were 10 killed, one of whom died of heart failure, and another was a player. Sixty-five were wounded, 11 are in hospital.

AEROPLANE OVERHEAD

The game was in progress about 15 minutes when the attention of the thousands of spectators was momentarily diverted by the appearance of an aeroplane which twice encircled the playing pitch at a fairly low altitude. This incident did not strike the crowd as having any particular significance, but 5 minutes had not elapsed when the gathering was startled by the sound of rifle-fire coming apparently from the entrance to the enclosure close by the canal bridge ... A gentleman who was convenient to the ground, related how 'about 17 lorries filled with Crown Forces came dashing along, stopping about twenty yards from the canal bridge. Dismounting, they opened fire. The great mass of people at that end of the ground swept like an avalanche on to the playing pitch. It was a terrifying scene. The firing increased; volley after volley rang out in quick succession...

WILD STAMPEDE OF CROWD UNDER FIRE

The cries of the weak and shrieks of the womenfolk mingling with the sound of rifle fire, struck terror into the hearts of the people. The exits were choked and men and women fainted in their efforts to get away... Houses were invaded by some of the fleeing mass. The inhabitants were frightened beyond conception, not knowing what was happening.

Those emerging from houses when the shooting had ceased were confronted with big pickets of military, who had apparently taken charge. Everyone was subjected to a 6 minute search, being first ordered to put up their hands. People were compelled to keep their heads above their heads until they had reached the end of the road. Most of the men bore marks of their terrible experience. Some were bleeding profusely from the face and hands; others were hatless, while more had their clothes torn and blood-spattered.

THE OFFICIAL ACCOUNT

An official report says:-- "It was believed that a number of countrymen came to Dublin today under the guise of wishing to attend the Gaelic match between Dublin and Tipperary, but that their real motive was to take part in the series of murderous outrages which took place in Dublin this morning. In this belief the authorities decided to make an investigation at the match itself, and for this purpose a mixed party of military, RIC and auxiliary police were detailed. They approached the ground from different directions and found that pickets had been posted at the various entrances to the field to give warning of, presumably, of the approach of any of the forces of the Crown. These pickets not only raised an alarm, but also fired on the approaching troops. Details are not yet to hand as to what actually ensued, but the firing was returned, and a number of casualties were sustained by people amongst those watching the match ... several people, it is believed, were badly crushed in the stampede which ensued."
In November [1920], information was coming in well and we were beginning to get on top of the IRA, who were becoming desperate. I happened to receive information from three different sources to the effect that something was going to happen, but there was nothing definite.

In the evening of Saturday 20 November, I received orders to collect my fellows and search the railway yards at Inchicore, where it was thought that ammunition might be stored. We went there and searched for several hours, but there was obviously nothing to be found, so we slept in railway carriages, and in the morning I telephoned the Castle and asked whether I was to be relieved. Our Adjutant, Hyens, said I am sorry to say that there have been some raids by the “Shinners” and I am afraid that they have got some of our fellows.” So it was agreed that we should return to our lodgings.

I was at the time sharing a flat at 28 Upper Pembroke Street, with a colleague, Murray, and on getting back there I found a very distressing scene. In the flat next to Murray’s and mine, I saw the body of my friend, ‘Chummy’ Dowling, a grand ex-guardie, very badly injured. He made the exclamation when I lifted him, “Jesus, Mary and Joseph! I am done!”, and died on the spot. My hands and my jersey were covered with his blood.

“Going across to Hogan, I tried to lift him but ... I knew he was running from the field to the paling that he got hit by a bullet ....”

Montgomery had been shot on the stairs, as he came up after after breakfast. He died some time later...

In addition, Peter Ames and Bennett, who had been in 28 Upper Pembroke Street the evening before I went out, were murdered in their beds in Lower Leeson Street. Two officers, temporarily at the Gresham Hotel while going on leave, or returning, I think, were also shot dead. Two or three gunmen were shot and captured in another street.

In the afternoon we received information to the effect that the gunmen had been told to meet at Croke Park, where a football match was to be played that afternoon, in order to compare notes. I was not in on this, but saw a number of truckloads of police moving off, and was told later that when they arrived at Croke Park, there were fired on, and of course opened fire causing a number of casualties.

After the crowd had dispersed, the police found a considerable number of revolvers and automatic pistols on the ground.

The object of the exercise on the part of the IRA, was to eliminate Intelligence and Courts Martial officers, because the gunmen felt that the net was closing round them... So men were brought up to Dublin from other parts of the country, particularly Tipperary, in order to catch as many as possible of us unawares on a Sunday morning when most people slept late.

As a result of this, those of us who had survived were shut up under guard in a hotel, from where it was impracticable to do any useful work. In fact, our job had to all intents and purposes been done, the organisation was breaking up.

I remained in Dublin over the Monday, returning to Tipperary for Hogan’s funeral about Wednesday. I did not go home, however, as the police and military had raided my home ... From then on, I became a full time Volunteer.
Report from Major E.L. Mills
To: Adjutant, Auxiliary Division, RIC, Beggars Bush Barracks, Dublin

SUBJECT: Shooting at Cork Park, 21/11/1920

At 1:30pm, 21st inst., I was detailed to take charge of a mixed force of RIC and Auxiliary Division to hold up and search people at CROKE PARK

I arranged with Major Dudley, DSO, MC, who was in charge of a part of 100 RIC, to split up the two forces so that there would be an equal number posted on the 4 gates of the ground to search people as they came out.

The method to be adopted was that as soon as possible they were to make the onlookers file out of the ground.

I was ordered to leave the Barracks at 3:20pm and arrived at the gate in Russell Street at about 3:55pm

I was travelling in a car in the rear of the RIC leading the Auxiliaries. As we approached the railway bridge in Russell Street near the S.W. corner of the ground I saw men in the tender in front of me trying to get out of their car and heard some of them shouting about an ambush. Seeing they were getting excited, I stopped my car, jumped out and went to see what was the matter. At this moment I heard a considerable amount of rifle fire. As no shots were coming from the football field and all the RIC Constables seemed excited and out of hand, I rushed along and stopped the firing with the assistance of Major Fillery who was in the car with me. There was still firing going on in the football ground. I ran down into the ground and shouted to all the armed men to stop firing at once and eventually the firing ceased.

The Crowd by this time was in a state of panic.

After considerable trouble we got the people into more or less of a queue and they filed out as they were searched.

I went round the ground and found two children being carried out apparently dead. I found one female who had been trampled to death, also a man who had apparently died the same way. I saw a few wounded men and I got some sense into the crowd. I got the DMP to get ambulances for the wounded. We found no arms on any of the people attending the match. After the ground had been cleared and all the buildings had been searched I returned to the Barracks.

I did not see any need for any firing at all and the indiscriminate firing absolutely spoiled any chance of getting hold of any people in possession of arms.

The men of the Auxiliary Division did not fire.

The casualties I personally saw, were 6 dead and 4 wounded. Two of the dead were apparently trampled to death.

Signed: EL Mills
EL Mills, Major 1st DI, Adjutant,
Auxiliary Division, RIC, Beggars Bush Barracks, Dublin
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*Because:*
The Auxiliaries first arrived in Cork late in the summer of 1920 and from that day on they spent their time driving into villages and terrorizing everybody. They’d beat people and strip them and shoot the place up, and then go back to their barracks drunk on stuff they’d looted. We knew we had to stop them, and that was what the fight at Kilmichael was all about.

We nearly had to call it off before it happened. I’d selected a spot near Macroom - the only spot we were sure they’d pass - and we had a long march there all night through the rain. We didn’t know when they’d come, and we had to wait lying low in the ditches all day without food. By four o’clock - it was the 28th of November - it was getting dark, and I nearly called it off then. But then we heard two lorries of them coming.

There was a bend in the road there, and we had to make sure they’d slow up. So I had an IRA officer’s tunic, and the idea was that when they came along the road, they’d see an officer standing in the ditch facing them, they’d see this man in a trench coat and leggings, and they’d slow down to see who it was. They might even think it was one of themselves. They were going around in all sorts of dress at that time. And that’s what they did, they slowed down about fifty yards away and kept coming, very slow, until they got to about twenty yards away and a Mills bomb was thrown from our side. It landed right in the driver’s seat and killed him. Fire was opened up then and it became a hand to hand fight .... We had the better of them there because they were screaming and yelling and out fellows just kept quiet and wiped them all out. There were nine of them dead on the road and all of our men were still alive.

In the meantime, a second lorry had come along, and another section of out men was up the road giving battle to them. So I went along the side of the road with some of the men from the command post and as we got up behind them - they didn’t; see us - we threw away their rifles and we heard them shouting, “We surrender! We surrender!”

Three of our men stood up then from their positions to take the surrender, but the minute they did the others opened fire on them and killed two of them. So we continued up behind them and I gave the order to keep firing until I said stop and then, after we’d killed a couple more them and they saw they were sandwiched in between two lines of fire they started shouting ‘We surrender!’ again. But having seen the false surrender I told the men to keep firing and we did until the last of them was dead. I blame myself of course of our own losses, because I should have seen through the false surrender trick.

Afterwards some of our men were shaken by the whole thing and I had to drill them in the road, march them up and down, to preserve discipline. I’ve written all about this and I don’t want to go into the details, but it was a strange sight, with the lorries burning in the night and the men marching along, back and forth between the blood and the corpses. They’d just gone though a terrifying experience and proved themselves to be the better men in close combat. Their clothes were soaking and by the time they marched off, they’d gone thirty-six hours without food. But if they didn’t keep their discipline we might lose everything. Discipline was all we had.

Map detailing the events during the Kilmichael ambush, 28 November 1920.
The Boys of Kilmichael

On the 28th day of November,
The Tans left the town of Macroom
They were armed in two Crossley tenders,
Which led them right to their doom
They were on their way to Dunmanway,
And never expected to stall
When they met with the boys of the column,
Which made a clean sweep of them all

Chorus
So here’s to the boys of Kilmichael,
Those brave men so gallant and true
Who fought ‘neath the green flag of Erin,
To conquer the red, white and blue

The sun to the west it was sinking,
’Twas the eve of a cold winter’s day
When the Tans we were wearyly waiting,
Rolled into the spot where they lay
And over the hill rang the echo,
The sound of each rifle and gun
The blaze of the lorries gave tidings that
the boys from Kilmichael had won

Chorus


THE MACROOM AMBUSH

Lieut. H.F. Forde, M.C., the sole survivor of the Auxiliary Cadets in the Macroom Ambush on Nov. 28, has arrived at Millbank Hospital from Cork. Lieutenant Forde, in his description of the ambush in the "Observer" says:— "A heavy fire broke out from both sides of the road. I could see little puffs of smoke from here and there amongst the rocks. I saw the first lorry slow up and then run on again and run into a ditch or trench across the road. At the same time as our lorry was pulling up, I heard cries from the other occupants and could see that most if not all of them had been more or less severely hit. However, as soon as the lorry stopped all managed to scramble out and we took up-position at each side of the road, lying down to return the fire.

ATTACKERS IN UNIFORM

"After about ten minutes I felt as though struck by a heavy blow above my eye, and all at once began to feel very sick. I believe it was about ten minutes later than this that I suddenly heard a whistle blown loudly, and a cry to cease fire. Then a large number of the attackers from both sides rushed into the road shouting in the foulest language. They wore the uniform of British soldiers. These men proceeded to handle us all very roughly, not excepting even those who were by this time dead. After knocking us about they called on us all to stand up and hold our hands up.

There was no response for a time, but after about two minutes two of the party were able to stagger to their feet, and were immediately shot down again nt very close range by the Shinnies." Then one of the Cadets quite near me, who had been lying on his back, groaned heavily and turned over. One of the civilians, who had a rifle and bayonet, immediately walked up to him and plunged the bayonet into his back as near as I could see between the shoulder blades.

AMBUSHERS RETIRE

I could see the others going through the clothes of the Cadets, and I could, see they were being treated brutally. Then one of the civilians came up to me and tried to pull a gold ring off my finger. He failed to do this, and in view of the treatment of the others I fully expected him to cut my finger to get it off. This, however, I am glad to say, he did not do.

The next thing I remember is that one of them came up to me and rolled me over roughly to see, I suppose, whether I was not dead. He swung his rifle and gave me a blow with the butt end of it on the back of my head. When I woke up again it was pitch dark, and I must have been conscious, and unconscious alternately throughout the night. The ambushers had retired to their previous positions, and I only remember that now and again, presumable when,they saw or heard any movement amongst us, they fired a few shots. It was in the afternoon of the following day when the rescuing party arrived and I was taken in a state of semi-consciousness to a hospital at Cork.

Kilmichael quickly became a symbol of rebellion and transformed the IRA victors into heroes. The rebel ballad 'The Boys of Kilmichael' was already a popular favourite by the time of the Truce in July 1921. The author of the Ballad is unknown.

Seventeen of an eighteen-man Auxiliary patrol were killed at Kilmichael. The sole surviving cadet told his story to the Observer and the account was reproduced in the Irish Independent of 17 January 1921.

LETTERS to the EDITOR

THE KILMICHAEL AMBUSH

Sir, - Brian P. Murphy (August 10th) raises some interesting points regarding Tom Barry’s first report of the Kilmichael ambush. However, he is wrong to state that my reconstruction in The IRA and its Enemies is “largely based” on this document. In fact, my primary sources were interviews with participants and statements made by them, conducted by myself and others...

The document in question is, however significant in that it is the first written account of the ambush and it is remarkably different from the later, now familiar story. It was only later that Barry claimed that the Auxiliaries were wiped out because their ‘false surrender’ lured three Volunteers to their deaths.

But is this report authentic? Murphy first notes that we do not have the original... and that it appears in a confidential printed (but not published) pamphlet issued to units by the [British military] command in 1921. This was not a piece of propaganda. In fact, it used dozens of captured documents to illustrate IRA methods and tactics. The pamphlet’s British author even comments that the Kilmichael report does not support the official [British] version of the ambush, which claimed that the IRA mutilated the Auxiliaries bodies.

We must therefore ask the following questions. Why would the British army forge a document which does not agree with its version of events, and then keep it secret expect to mislead its own officers as to IRA methods? ... It seems to me that its inclusion among so many other authentic documents only reinforces its believability...

[The report gives] details that only participants could have known, including the times given, the casualties and the fact that one Auxiliary escaped. The omissions can be attributed to the report’s brevity... Finally, Murphy argues that other writers’ mention of a ‘false surrender’ supports Barry’s later claims... but neither [F.P. Crozier] nor Piaras Beaslaí were there.

Why is the ‘false surrender’ so important? because from Barry’s point of view it justified the ‘extermination’ of unarmed and wounded prisoners. We know this happened: Barry and his biographer admit it, and many witnesses have described it in detail. These same witnesses deny Barry’s claims - as do, implicitly, his earliest accounts. I would invite readers to ignore Barry’s self-constructed reputation, weigh these facts and draw their own conclusions.

Yours, etc.,
PETER HART, School of Politics, Queens University, Belfast.

LETTERS to the EDITOR

THE KILMICHAEL AMBUSH

Sir, - I refer to correspondence regarding the Kilmichael Ambush and the “false surrender” aspect. For my book The Tom Barry Story (1982), I interviewed the ambush participants who were alive... All, including the last survivor, Ned Young... spoke of the “surrender call” by the Auxiliaries and their resumption of shooting... I would stress that I spoke to and questioned them while their memory was vivid, and this is important.

I grew up in the area and I listened to people get very angry that “The Auxies” picked up their guns after their surrender cries. My uncle, Pat O’Donovan, was in Section 2, where the three volunteers who were fatally shot were positioned. He, like others, said that he heard “the surrender call” in that evening atmosphere of the Kilmichael countryside.

The suggestion made by Peter Hart that there was no false surrender is based to an extent on a report that allegedly was written by Tom Barry and was later captured. Peter Hart chooses the absence of the mention of a false surrender in this report as a proof that there was no false surrender.

As Brian Murphy has pointed out, this report (allegedly Barry’s) is not an original hand-written account, nor is it dated; nor indeed has it any of the characteristics to show it is authentic... It has all the hallmarks of a propaganda work. Basic elements point to a forgery...

To begin with: If Tom Barry wrote this report for his superiors, he would surely have got the number of men under his command correct. The first sentence has the time incorrect (important to Barry); the second has 32 men, instead of the correct 36 men.

That sentence also mentions 100 rounds of ammunition per man. With that amount Barry could have stormed Macroom Castle!...

Just to refer to some of the terminology in this report that has all the aspects of one written, from a barracks viewpoint:

(a) “We camped in that position.” They didn’t camp, they got into ambush positions, which is what Barry would have said.

(b) “...and then decided that as the enemy searches were completed.” Barry would have used the words “raids” or “rampages”, the barrack would have used [the word] “searches”.

(c) “One wounded and escaped, and is now missing.” Barry knew that one escaped, how did he know whether he was “now missing”? In Macroom Castle they knew he was “now missing”.

(d) In a short report on an ambush, would Barry write, “the action was carried out successfully” against “the Auxiliary Police from Macroom Castle” (giving them their full title)?

As pointed out by Brian Murphy, Piaras Beaslaí mentioned the false surrender at Kilmichael. This is significant, as Beaslaí wrote his book in 1923/24... prior to Barry’s full account [in his book, Guerrilla days in Ireland (1949)]

Tom Barry placed great emphasis on exactness; he was upright and direct. I believe that to record for history that Tom Barry told lies regarding the Kilmichael ambush, and that he evaded responsibility, does not do justice to history nor to Tom Barry. -

Yours, etc.,
MEDA RYAN, Ennis, Co Clare
YOUR TASK

Due to the enduring controversy about the Kilmichael Ambush on 28 November 1920 and its significance as the most notorious ambush of the War of Independence, the government has decided to convene a new court of inquiry into the events at Kilmichael.

Chaired by a judge, court of Inquiry, (or tribunal) has the power to carry out investigations into matters of public importance, including the power to hold public or private hearings. At the end of the investigation, the court of inquiry submits a report to the Oireachtais setting out the findings it has made. The tribunal does not make a binding judgement and no statement made at a tribunal can used in evidence against a person in criminal proceedings. The tribunal simply states, in its report, the results of its investigations and the findings of fact it has made.

The class will stage the public hearings with testimony from different witnesses about their knowledge about the events at Kilmichael and complete the report for the Oireachtas.

**Step 1:** The first step is for all students to individually familiarise themselves with the source material for the court of Inquiry.

**Step 2:** Using the Casting Template on the next page, your teacher will assign a role to each class member.

**Step 3:** Each witness works with their assigned researcher to help them prepare their testimony. Both students should carefully consult the document or link associated with their character and compile a statement about the events at Kilmichael from the perspective of that character.

**Step 4:** While the actors are preparing their statements, the questioners and judge should also work together to define what exactly they are investigating - [an overriding question]. They should also decide

- The order in which the witnesses will be called
- Three questions that should be put to each witness

**Step 5:** The judge convenes the public hearing in the classroom. Each witness is sworn in and provides a statement in response to prompt questions. During questions all students should take note of the main points made in each statement.

**Step 6:** Once the witnesses has presented their points of view at the public hearing, the Court of Inquiry must compile their report for the Oireachtas. Using the template provided, write the report of proceedings, setting out any findings that were made and drawing conclusions about the facts of the event or about how Kilmichael has been remembered.
## CASTING THE Court of Inquiry

**JUDGE/CHAIRPERSON**

<table>
<thead>
<tr>
<th>WITNESSES:</th>
<th>ACTOR</th>
<th>RESEARCHER</th>
<th>QUESTIONER</th>
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<tr>
<td>Mike Murphy, Cartographer, <em>Atlas of the Irish Revolution, 2017</em></td>
<td><img src="image" alt="Document C2" /></td>
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<tr>
<td>Tom Barry, Officer Commanding the West Cork Brigade flying column at Kilmichael,</td>
<td><img src="image" alt="Document C1" /></td>
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<td>Edward Young, Member of Brigade Column, Cork III Brigade, 1920: Witness Statement #1402, <em>Bureau of Military History</em></td>
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<tr>
<td>Lieut. H.F. Forde, the sole survivor of the Kilmichael Ambush,</td>
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<td>Doctor Jeremiah Kelleher who examined the bodies at Macroom and gave a statement at the first court of inquiry in 1920</td>
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<tr>
<td>Historian, Peter Hart</td>
<td><img src="image" alt="Document C5" /></td>
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<td>Historian, Meda Ryan</td>
<td><img src="image" alt="Document C6" /></td>
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FINDINGS
OF
A COURT OF INQUIRY

Held before the centenary of the Kilmainham Ambush

To enquire into the circumstances under which 17 members of No. 2 Section, ‘C’ Company, Auxiliary Division Royal Irish Constabulary, were killed on 28th November 1920.

The court having thoroughly examined the evidence sets out its findings as follows:

SUMMARY OF INVESTIGATIONS AND PUBLIC HEARINGS:

CONCLUSIONS OF THE COURT:
PHASE III: JAN 1921 - JULY 1921

The final phase of the war began in early 1921 as the increased British military presence and their military tactics, as well as continuing arms shortages, undermined the capacity of the IRA to perform demanding operations. GHQ's advice was to carry out a larger number of smaller operations requiring fewer weapons and posing less risk to Volunteers. The fighting intensified on both sides with more ambushes and executions.

THE DROMKEEN AMBUSH

After two disastrous months during which twelve Volunteers died, the IRA in Limerick staged the Dromkeen ambush - one of the most decisive IRA actions in the War of Independence. About fifty men from the Mid-Limerick Brigade and East Limerick Brigade active service units carried out the joint operation under the overall command of Donnchadh O'Hannigan. Eleven policemen were killed at Dromkeen - second only to Kilmichael in the number of confirmed British fatalities - and no Volunteers were lost. The policy from the outset was to take no prisoners and two policemen were killed after their surrender.

CLONFIN, CO LONGFORD

County Longford was one of the most violent counties during the War of Independence. Sinn Féin's victory in the Longford South by-election in May 1917, was the catalyst for the emergence of a strong republican movement, politically and militarily, in the county. The Longford IRA's most successful engagement with Crown forces was at an ambush at Clonfin, between Granard and Ballinalacke, on 2 February 1921, which resulted in the deaths of four Auxiliaries.

CROSSBARRY, CO CORK

On 19 March 1921, acting on reliable intelligence on the location of IRA brigade headquarters, Crown Forces organised an extensive sweep of the area between Bandon and Cork City. Tom Barry orchestrated a bold fighting retreat, inflicting at least ten fatalities on the enemy, while suffering three. This event at Crossbarry, were the closest to a conventional battle in the whole of the Anglo-Irish war.

THE ARMY OF THE IRISH REPUBLIC

In March 1921, in response to the continued British insistence that the IRA was an undisciplined 'murder gang,' The Dail clarified that the IRA had been fighting on its behalf and assumed responsibility for the actions of the Volunteers up to that point. In April, de Valera told a newspaper correspondent:

‘FROM THE IRISH VOLUNTEERS WE FASHIONED THE IRISH REPUBLICAN ARMY TO BE THE MILITARY ARM OF THE GOVERNMENT ... THE GOVERNMENT, THEREFORE IS RESPONSIBLE FOR THE ACTIONS OF THIS ARMY.

- Eamon de Valera, April 1921-

TOURMAKEADY, CO MAYO

The 'Battle of Tourmakeady', as it became known, was one of the most famous episodes of the War of Independence. On 3 May 1921, an RIC/Black and Tan patrol was ambushed by IRA volunteers in the village of Tourmakeady. Four policemen were killed in the attack with the IRA column taking to the nearby Partry Mountains in the aftermath. The ambush conferred legendary status on the leader of the IRA flying column, the late Commandant Tom Maguire.
THE SECOND DAIL

The Government of Ireland Act came into force on the day before Eamon de Valera’s return to Dublin on Christmas eve 1920. The Act partitioned Ireland along the same lines set out by Lloyd George in 1916 and provided for two Home Rule governments in Ireland. One in Dublin for twenty-six counties and one in Belfast for six north-eastern counties where unionists formed an electoral majority. Provisions were made for the eventual unification of Ireland, but only when, and if, the unionists wanted it. Despite the fact that the act implemented partition, the Dail and the IRA were still determined to continue fighting for an All-Ireland Republic completely independent from Britain.

Under the terms of the Act an election was held in the twenty-six counties on 19 May 1921 to return members to the Parliament of Southern Ireland. The Dail, rejected the Government of Ireland Act, but decided to use the election arrangements to return members for the second Dail. Unopposed in 124 of the 128 new constituencies, Sinn Fein swept the board.

Six days later an election was held in the six counties for the Parliament of Northern Ireland. Unionists won 40 out of 52 seats while Sinn Fein candidates won 6 seats. Sinn Feiners elected in both elections now formed the second Dail which maintained itself as a parliament of an All-Ireland Republic.

BURNING OF THE CUSTOM HOUSE

Conscious the criticisms leveled against the IRA, de Valera called for a more conventional military campaign. If not large set-piece battles, then at least something other than ambushes and assassinations. The result was the attack on the Customs House on 25 May 1921.

As the seat of British local government in Ireland, the Custom House was a symbolic target. The burning was carried out by a Dublin IRA party of over 100, overseen by OC of the Dublin Brigade, Oscar Traynor. It proved impossible to set fire to the building and evacuate it before British forces arrived on the scene. Five IRA men died and dozens were amongst the over one hundred suspects arrested by the Crown Forces. Both the ASU and the Dublin’s 2nd Battalion were seriously weakened as a result and the surviving activists amalgamated into the Dublin Guard.

CALLS FOR A TRUCE

In February 1921 Brigadier-General Crozier commanding the Auxiliaries resigned and made public his disgust with government policy in Ireland. At the Commonwealth Conference in June, the South African Prime Minister, Jan Smuts persuaded Lloyd George to invite de Valera to London for talks. A breakthrough in negotiations came from an unlikely source. On 22 June King George V opened the Northern Irish Parliament and made a plea for peace:

I APPEAL TO ALL IRISHMEN TO PAUSE, TO STRETCH OUT THE HAND OF FORBEARANCE AND CONCILIATION AND TO JOIN IN MAKING FOR THE LAND WHICH THEY LOVE A NEW ERA OF PEACE, CONTENTMENT AND GOOD WILL...

— King George V, 22 June 1921—

Following this plea, Lloyd George proposed a meeting in London. De Valera accepted and the Anglo-Irish Truce came into operation on 11 July 1921. The fighting was over but an equally difficult battle was about to begin around the conference table.
The Prime Minister: ... During the last few weeks the Government have been in touch with intermediaries who have been anxious to bring about a better understanding. The majority of the people of Ireland are anxious for peace and a fair and lasting settlement ... On the other hand, the Government are also very regretfully convinced that the party, or rather the section, which controls the organisation of murder and outrage is not yet ready for a real peace, that is to say, for a peace that will accept the only basis on which peace can be concluded - a basis which would be consistent with the unbroken unity of the United Kingdom.

In these circumstances the Government determined on the double policy which I propose now to declare. On the one hand, they feel they have no option but to continue, and indeed intensify, their campaign against that small but highly organised and desperate minority who are using murder and outrage ... but on the other hand they are anxious to open every channel ... for an honourable settlement ... We have decided to proclaim in that quarter of Ireland [the south west] martial law, and to mete out exactly the same treatment to these people as would be done if they were open rebels ... We are only meting out the ordinary rules of civilized warfare ... There will be a proclamation of martial law ...

The effect will be that after a certain date unauthorised persons found in possession of arms in the specified areas to which martial law is applied will be treated as rebels, and will be liable on conviction by a military court to the penalty of death. The same penalty will be applied to the unauthorised wearing of the uniforms of any of His Majesty's forces and to the aiding and abetting and harbouring of rebels ...

David Lloyd George

- Document D2 -

This map shows the places of arrest of those tried in the upper tier of the Military Court, with the names of those executed inserted in red.
7 January, 1921
We have just been told the most welcome news, I don't think. We are leaving for Ireland at six o'clock tonight. You should see the faces, it's a wonder we don't step on them, they're so long ... we have a rumour going the rounds, that the favourite joke of the Irishmen is to get you to stand them a bottle of Guinness, drink your health, and then crash you on the head with the empty bottle. We now know what the rifles are for.

8 January, Dublin
We arrived at Arrans Quay on the Liffey at 9 this morning. All Dublin seemed to be out to see us arrive. I bet they got a shock, we looked and felt terrible - cold, hungry and fed up to the teeth. Stewed Bully and fried bread didn't improve our spirits, but the tea has been better. The Commanding Officer of the 1st Battalion of the Lancashire Fusiliers gave us a welcome, told us what we had come for, and said we would all feel better when we had a good sleep and a general clean up. He never said a truer word. We have come over here to finish our time, doing guards, curfew patrols, street patrols, and heaven knows what else. Ship Street Barracks, Great Dame Street is the new address, and it's raining. What a life.

The men stationed here have regaled our ears with some lurid things that take place daily. The Black and Tans seem to do a lot of bloodthirsty deeds, but the Sinn Feiners don't seem far behind. I thought about chucking this diary, it might not be possible to get time to write any experiences, but I'll see later ...

9 January, Dublin
Gilby and I have just arrived back from the city. After we had cleaned up etc., passed the doctor, had a lecture at the same time ... about not forgetting the tin hat, to stop the empty bottles of 'Guinness', we were given a pass (to go) out until 9:30. The time is now 8:45. We thought it better to get back after what happened to us.

We were along Sackville Street ... when someone came up behind us and told us to 'stick your hands up' ... The voice spoke Irish alright, but we never saw a face. We were told to look to the front and answer politely, and no harm would come. It seemed to be a long while before he finished questioning us - Where were we married? - Where had we come from? - How long were we going to be here? - and I don't know what else. To say we were alarmed is putting it mildly ... Our pockets were taffed from behind and after explaining what the contents were, the voice said, 'Away wid yez Tommy, down the road a bit, and you don't look back at all, now go'. We didn't stop. It would have been foolish to look back, so we made our way back to the barracks. We have since heard, that a Sergeant out of the 1st Batt has been brought in shot in the stomach. He showed fight, silly chap, its no use when the odds are against you ...

Dublin seems to be in our first acquaintance a rotten place to be in, people hurry along the streets, armoured cars dash up and down, bristling with machine guns ... The men who style themselves as Black and Tans walk about like miniature arsenals, a brace of revolvers on each hip, bandoliers of ammunition slung around, and a short musket to finish off the ensemble. They dash about in cars with wire netting covers at all hours of the day and night, bent on some raid, reprisal, or the capture of some Sinn Feiners. The wire netting on the cars is to prevent bombs being thrown in amongst the occupants, an occurrence which seems to have been frequently done quite recently ... I have been detailed to mount guard at the City Hall for 48 hours at 12 noon tomorrow so I must finish off for tonight ...
A letter from Maud Gonne, to her American friend, John Quinn in February 1921.

An active publicist for the Irish cause, Gonne lived in the centre of Dublin in the years 1918-22. Her daughter Iseult was about to have a baby and her son, Sean MacBride ["Seagan"] was studying law. Unknown to his mother, he was also involved with the IRA.

73, St Stephen’s Green,
21 February, 1921

My dear friend,

It is so long, since I have seen or heard from you. What are you thinking? What are you doing? Here we are having a very strenuous and trying time, but the heroism and courage of everyone makes one proud of being Irish. The English may batter us to pieces but they will never succeed in breaking our spirit. The spirit of the people in the devastated areas is perhaps the most resolute of all. They are suffering untold horrors. I have seen and heard things far worse than in the war zones of France and Belgium.

Mrs Despard, Lord French’s sister, has been staying with me. She is the most remarkable woman and intensely Irish in feeling. We travelled together though the south of Ireland and with her I was able to visit places I should never have been able to get to alone, in the martial law areas. It was amusing to see the puzzled expressions on the faces of the officers and the Black and Tans, who continually held up our car, when Mrs Despard said she was the Viceroy’s sister...

We are very busy with work organising the Irish White Cross. The American Relief delegates are here now, do you know Mr France or Mr McCoy? The others are all Quakers. They are all very cautious timid people but I hope they will do good.

Iseult is staying with me. Her baby will be born next month. Luckily her nerves are pretty good, for Dublin is a terrible place just now. Hardly a night passes that one is not woken up by the sound of firing. Often there are people killed, but often it is only the crown forces firing to keep up their courage...

Seagan is working at his law course in the National University. There again, it is hard for boys to work, with raids and arrests among the students going on continually. The English are particularly down on the students. Lots of them are in jail. One quiet boy of 17, a divinity student, Lawlor, was beaten to death by the Black and Tans.

Do write me a long letter. Tell me what you think of it all, and if America is likely to protest against all these horrors. Seagan and Iseult join me in sending you kindest regards,

Always your old friend,

Maud Gonne MacBride

The Burning of the Custom House
by Oscar Traynor,

Early in the new year of 1921, I received a note informing me that there would be a meeting of the army council in the home of the late O'Rahilly in 40 Herbert Park ... I was later informed verbally that the meeting would be a rather important one and that ... the president, who had just arrived back from America, would be present. I arrived at Herbert Park at the appointed hour and found most of my colleagues already there. Those present, as far as my memory goes, were Cathal Brugha, Austin Stack, Richard Mulcahy, Diarmid O'Hegarty, Michael Collins Gearoid O'Sullivan, Liam Mellows, Sean Russell, J.J. O'Connell, Sean McMahon, Piaras Bealsai and, I think, Eoin O'Duffy ...

Then the president spoke and he made it clear that something in the nature of a big action in Dublin was necessary in order to bring public opinion abroad to bear on the question of Ireland's case. He felt that such an action in the capital city, which was as well known abroad as London or Paris, would be certain to succeed. He suggested that the capture of the headquarters of the Black and Tans, which was situated in Beggar's Bush barracks, would capture the imagination of those he had in mind, apart from the serious blow it would constitute to the enemy. As an alternative to this he suggested the destruction of the Custom House which was the administrative heart of the British civil service machine in this country. It was finally decided that I, as the officer commanding the Dublin Brigade should examine these propositions and report back to the Army council in due course.

I immediately set to work and was given the help of GHQ intelligence. Two weeks were spent in the investigation and examination of the possibilities of capturing Beggar's Bush. The experience of the men engaged in this work was such that they reported against such an operation. My activities were then turned to the alternative suggestion - the Custom House. I made a personal inspection of the building [and...] I was greatly impressed by its solidity, its granite walls, and what appeared to me its complete lack of structural material that would burn. However, each office ... was surrounded by wooden presses and shelves which held substantial bundles of papers and office files ....

My next step was to secure plans of the building ... which indicated the magnitude of the task. There were three floors to be dealt with as well as the basement floor, numerous of corridors, and hundreds of offices. The staff probably numbered upwards of a hundred with the control of large numbers of telephones. In the course of our investigations it was also discovered that there was a direct line to the Castle for emergency uses. There was also the problem of the general public who were continually entering and leaving the building [... and] there was a number of police patrolling the front and rear of the building.

I spent nearly three months on the preparation of the plans. They were in my mind day and night. They were altered dozens of times as weaknesses or better points occurred to me ... As the target was in the 2nd battalion area, it was decided that the actual destruction of the building would be entrusted to that unit, Commander Tom Ennis was appointed to take sole control of the party within the building. The 2nd battalion were reinforced by the addition of the Squad, a party of about twelve men who were attached to the Intelligence Department and some men of the Active Service Unit.

To the 1st battalion was allocated the task of protecting the outside of the building. In the event of a surprise attack by enemy forces, the battalion was to engage them with grenade rifle and machine gun fire ... in addition to this task, the 1st battalion was also to deal with any fire stations in their area. In other words, they were to put all fire-fighting appliances out of action by the removal of vital parts of their machines. The 3rd and 4th battalions dealt in a similar way with the stations in their areas.

To the 5th battalion was given the very important task of cutting off from all communications, telephonic or otherwise, the Custom House with the outside world. This was a highly technical job and the most skilled men of the engineers were called on to carry out the work ... I decided right from the beginning that in no circumstances was petrol to be used ... as the gas manufactured by the contact of petrol with air would have made a very dangerous explosive mixture .... This necessitated the commandeering of a large quantity of paraffin oil and ... commandeering a motor lorry to bring the tinned paraffin oil to the Custom House precisely on time.

Auxiliaries, along with members of the DMP and Dublin Fire Brigade, outside the Custom House, Dublin during the attack on the building by the IRA.

[Photo: National Library of Ireland, HOGW 115]

Suspects held up by the Auxiliaries following the IRA attack on the Custom House, Dublin, 25 May 1921. Over 100 were arrested, including dozens of the IRA men who had taken part in the burning of the build

[Source: National Library of Ireland, HOGW 122]
WANTON AND COSTLY OUTRAGE

As we write, one of Dublin’s largest and most beautiful buildings is a mass of fire and there is little prospect that even its framework can be saved ... we fail utterly to understand the minds of those who think that it is sound warfare and sound patriotism to scorch their own country because they hate another country. To us this presents itself as a policy of folly and sheer despair. Sooner or later we must have a settlement of the Irish problem. ... If [Sinn Fein] believes that a Republic is inevitable, by what logic can it justify the destruction of a building that would have done honour to the mightiest Republic in the world?

That is the material aspect of the question. From the moral and political aspects, the wickedness of yesterday’s outrage assumes a darker hue ... Its political effect in Great Britain will be to discredit the Republican demand still further; but the effect in Ireland will be to increase the difficulties of any form of national settlement. Peace can come only through agreement with North and South ... what can such deeds as the burning of the Custom House do to bring Irishmen together? Their fatal effect is to drive North and South further apart and to create new hatreds and new suspicions ... Are the flames of the Custom House to be, indeed, the funeral pyre of a nation’s hope?

A MILITARY NECESSITY

In accordance with a decision arrived at after due deliberation by the Ministry of Dail Eireann, a detachment of the Dublin Brigade of the Irish Army was ordered to carry out the destruction of the Dublin Custom House. The operation, a most hazardous one, was carried out with complete success at 1 p.m. on May 25th...

The great fire has caused paralysis in the tax-gathering departments. Those departments have been extracting from the Irish people a revenue at the rate of £60,000,000 a year; only half of which was spent on the civil government of Ireland. £24,000,000 was spent in the year 1920-21, on a ‘police force,’ whose functions are spying, murder and arson. The remainder, over £21,000,000, left the country as a forced tribute from the Irish people to the Imperial Treasury in London, mainly to be disbursed to swell the resources of the military tyranny at present in operation in this country ...

The press which cries out against it is the same press which remained callously silent while ... Whole streets of shops and hundreds of residences and farmsteads were being wiped out of existence by British soldiers and ‘police’... Freedom comes by sacrifice, and in property, as well as in life, Ireland is willing to make that sacrifice.

CUSTOM HOUSE GUTTED

Probably not since the Insurrection of Easter Week 1916 did the people of Dublin experience such a series of startling events as those which were witnessed yesterday. The Custom House, which is headquarters of some most important Government departments in Ireland, was attacked, set on fire, and completely consumed by flames... As far as can be ascertained at present 7 civilians were killed, 10 wounded, and 111 arrested; and 4 Auxillary Police wounded in the action which took place between Crown Forces and Republicans after the building had been set ablaze.

The tragic and terrifying drama began shortly before one o’clock, when a party of armed men, estimated at between fifty and one hundred, made a descent on the Custom House, held up the staff and promptly proceeded to fire the building, which was first sprinkled with petrol from end to end. Soon the whole of the classic structure was a mass of smoke and flame...

Simultaneously with the raid on the Custom House, raids were also carried out on the various fire stations in the city ... On receiving information of what was on foot, Crown forces rushed to the scene. Revolver and rifle firing almost immediately broke out, interspersed with deafening explosions... In less than an hour the flames had made such headway that all hope of saving the building had to be abandoned.

AN ACT OF DELIBERATE VANDALISM

It is difficult to imagine a more senseless and wanton outrage than that perpetrated by the Irish Republican Army in the burning of the Dublin Custom House. The building, which was one of the finest in Ireland, dated from the end of the eighteenth century and was regarded with pride by the people of Dublin. Its destruction is an act of deliberate vandalism done by miscreant Irishmen to the hurt of Ireland herself. In what way do these reckless firebrands imagine that an act so shameful can advance their cause, accredit their political ideas, or establish their claim to guide the destinies of their country? ... The Easter Rebellion of 1916 destroyed another fine edifice, the General Post Office. Now the Custom House has shared its fate at Irish hands. Whatever view may be taken in Ireland of the outrage, the English view will assuredly be that Ireland’s worst foes are they of their own household!
1. Why according to Lloyd George’s statement to the House of Commons, was the British government unable to broker peace? (Doc D1)

2. What was the British government’s new ‘double policy’ in Ireland? (Doc D1)

3. What offences would be now liable to a penalty of death in certain areas? (Doc D1)

4. Based on the map, how would you describe the effects of the new government policy? (Doc D2)

5. How many people were arrested at Clonmult, (b) where were they tried and (c) how many were executed? (Doc D2)
   (a) ..................................................................................................................
   (b) ..................................................................................................................
   (c) ..................................................................................................................

6. According to the map, how many people in total were executed under Martial Law? (Doc D2)
   ...................................................................................................................

7. Using the map as a starting point, research and write a short account of what occurred at Mourne Abbey that led to the arrest and execution of IRA members in 1921? (Doc D2)
   ...................................................................................................................
   ...................................................................................................................
   ...................................................................................................................
8. How did Private J.P Swindlehurst and his company react to the news that they were being deployed to Ireland in 1921 and why? *(Doc D3)*

10. Why do you think that Private Swindlehurst and his companion were held up in the street?

11. Why was Maud Gonne able to travel in the Martial Law areas in 1921? *(Doc D4)*

12. Outline the strengths and weaknesses of (a) diaries and (b) personal letters as historical sources.

   *Dairy*
   Strengths
   Weaknesses:

   *Personal Letter*
   Strengths
   Weaknesses:

13. Why according to Oscar Traynor did de Valera want to organise a ‘big action’ in Dublin? *(Doc D5)*

14. What task was Oscar Traynor given by the army council at their initial meeting? *(Doc D5)*

15. Outline three problems identified by Traynor during his investigations of the Custom House? *(D5)*

(1)
(2)
(3)
17. Based on your reading of Doc D5 do you think that the Custom House operation was well planned?

------------------------------------------------------------------------------------------------------------------

18. Which of the sources in Document D6 gives the most convincing argument about the burning of the Custom House? Refer to the sources in your answer.

------------------------------------------------------------------------------------------------------------------

19. Using evidence from Documents D3, D4, D6 and your own research, write a brief account of life in Dublin city between January and May 1921.

------------------------------------------------------------------------------------------------------------------
Praying for peace outside the Mansion House, Dublin during the negotiations that led to the Truce on 14 July 1921
[Source: National Library of Ireland, HOGW 124]

Crowds gather outside the Mansion House, Dublin on the day prior to the declaration of a truce on 11 July 1921.
[Photo: National Library of Ireland, HOG116]