

Lord Mayor MacCurtain, incidentally, by the testimony of his sister-in-law, Miss Susanna Walsh, had for some time before his death been recommending that the Republicans of Cork arm against the raiders: "It would not do for armed men to be coming in at all hours of the day and night and terrifying women and children." It would seem to the Commission that persons engaged in the violation of property rights and personal safety inevitably incur the dangers inherent in these tasks, even if they are "police-men" or soldiers, and especially if they are disguised. The responsibility for these deaths falls less on the Irish people than on the British officers and agents who ordered and carried out the duties which involved the fatal issue.

Death of Krumm.—Mrs. King gave testimony that in her presence a person dressed as a civilian in the railway station of Galway, late at night, without provocation, suddenly began indiscriminately to shoot down unarmed bystanders. In the attempt to restrain him, after he had killed and wounded persons, he was himself shot. A passer-by with an English accent claimed him as a brother. Ex-Constable Caddan stated that Krumm was a "Black-and-Tan." In this case it would appear to us that bystanders at Galway were acting in conformity with their public duty in attempting to restrain this murdering Englishman, even at the cost of his life.

Death of District Inspector Swanzy.—Testimony mentioned the assassination of District Inspector Swanzy at Lisburn. Miss Anna Walsh gave evidence that the coroner's jury which investigated the death of Mayor MacCurtain charged Swanzy and others with the murder. The British did not arrest Swanzy, thus duly charged in legal form. Instead, Swanzy departed from Cork to Lisburn. Mr. Francis Hackett testified to being told by a responsible member of the Irish Republic that six participated in the murder of the Lord Mayor of whom five had been executed by assassination, and Swanzy was the sixth. A few weeks after this conversation Swanzy was assassinated. It would seem to us that an armed guard or public acquittal by a regular tribunal was necessary to the protection of Swanzy in Ireland.

Death of Divisional Commissioner Smyth.—Testimony likewise mentioned the assassination of Divisional Commissioner Smyth. Rev. M. English, corroborated by D. F. Crowley, John McNamara, and Michael Kelly, former members of the R.I.C., testified that Smyth had incited the R.I.C. to shoot all Sinn Feiners—"the more you shoot the better I like you." Kelly and McNamara deposed that this incitation was delivered in their presence. Kelly said:

"During the time I was stationed at Listowel the town was peaceable, there were no outbreaks or trouble of any kind. Following a change in the military personnel in Ireland, Colonel Smyth was made Divisional Commissioner of Police for the Munster Area early in June, 1920. On June 19, 1920, Colonel Smyth visited the R.I.C. barracks at Listowel in company with General Tudor, Inspector General of Police and "Black-and-Tans" for Ireland; Major Letham, Commissioner of Police, from Dublin Castle; Captain Chadwick, in charge of the military at Ballyruddy; and Poer O'Shea, County Inspector of Police for County Kerry. Colonel Smyth addressed the members of the R.I.C. in the barracks at Listowel, making substantially the following remarks:

"Well, men, I have something of interest to tell you, something that I am sure you would not wish your wives and families to hear. I am going to lay all my cards on the table, but I must reserve one card for myself. Now, men, Sinn Fein has had all the sport up to the present, and we are going to have the sport now. The police have done splendid work considering the odds against them. The police are not sufficiently strong to do anything but hold their barracks. This is not enough, for as long as we remain on the defensive so long will Sinn Fein have the whip hand. We must take the offensive and beat Sinn Fein with its own tactics. Martial law applying to all Ireland is coming into operation shortly. I am promised as many troops from England as I require; thousands are coming daily. I am getting 7000 police from England.

"Now, men, what I wish to explain to you is that you are to strengthen your comrades in the out-stations. If a police barracks is burned, or if the barracks already occupied is not suitable, then the best house in the locality is to be commandeered, the occupants thrown out in the

gutter. Let them die there, the more the merrier. You must go out six nights a week at least and get out of the barracks by the back door or a skylight so you won't be seen. Police and military will patrol the country roads at least five nights a week. They are not to confine themselves to the main roads but take across the country, lie in ambush, take cover behind fences near the roads, and when civilians are seen approaching shout 'Hands up!' Should the order be not obeyed, shoot, and shoot with effect. If the persons approaching carry their hands in their pockets or are in any way suspicious looking, shoot them down. You may make mistakes occasionally and innocent persons may be shot, but that cannot be helped, and you are bound to get the right persons sometimes. The more you shoot the better I will like you; and I assure you that no policeman will get into trouble for shooting any man, and I will guarantee that your names will not be given at the inquest. Hunger-strikers will be allowed to die in gaol, the more the merrier. Some of them have died already, and a damn bad job they were not all allowed to die. As a matter of fact, some of them have already been dealt with in a manner their friends will never hear about. An emigrant ship will be leaving an Irish port soon with lots of Sinn Feiners on board. I assure you, men, it will never land. That is nearly all I have to say to you. We want your assistance in carrying out this scheme of wiping out Sinn Fein. A man who is not prepared to do so is a hindrance rather than a help to us, and he had better leave the job at once."

Colonel Smyth then asked each one of us individually if he was prepared to carry out these orders and co-operate. As each man was asked the question he referred Colonel Smyth to our spokesman, Constable Mee, whom we had previously appointed in case such a demand as this were made upon us, as we had heard that the new military officials were going to make such a demand. Constable Mee stepped from the line and addressed Colonel Smyth: "Sir, by your accent I take it that you are an Englishman who in your ignorance forgets that you are addressing Irishmen." Constable Mee took off his cap, belt, and bayonet and laid them on the table. "These, too, are English," he said, "and you can have them. And to hell with you! You are a murderer!"

At a signal from Colonel Smyth, Constable Mee was immediately seized and placed under arrest, and the entire 25 of us rushed to his assistance and released him. We informed Colonel Smyth that if another hand were laid upon our spokesman, either then or in the future, that the room would run red with blood. Colonel Smyth thereupon fled into another room, barred the door, and remained for several hours. We sent a messenger in to him to demand a guarantee that Constable Mee would not be held to account at any time for the remarks made on our behalf, and before he left that day Colonel Smyth gave us that guarantee. Afterwards Inspector-General Tudor sent out and asked to have an interview with us, and when we said we would see him he came out and shook hands with each man and told us to keep our heads, that everything was all right. There was considerable talk about resignations, and 14 of us who were unmarried turned in our resignations as members of the R.I.C. that day. These resignations were not accepted. Afterwards we 14 made a signed statement of the remarks of Colonel Smyth and sent it to the *Freeman's Journal*, a newspaper published at Dublin, with the request that an official investigation be made. There was considerable demand for an official investigation of Colonel Smyth's remarks, but no such investigation was ever ordered or made, and the military police and civil authorities did nothing whatever about it.

Assassination of British Officers in Dublin.—While the Commission was in executive session on November 21, 1920, the press reported the assassination of 14 British officers in bedrooms of hotels and boarding houses in Dublin. Later in the same day Imperial British forces fired on a football crowd at Croke Park, Dublin, presumably in vengeance for the assassination of the officers. From attested British press reports placed in evidence, it would appear that one Teeling, an Irish Republican, was arrested and tried for the murder of one of these officers, a Lieutenant Angliss; and that Angliss was living as a civilian in the house where he was slain under the assumed name of Mr. MacMahon. Another was a Captain Bagglely, and a third, a