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### ‘Ahern To Press UK On Pardons For Shot Soldiers’

Stephen Collins, Political Correspondent



Minister for Foreign Affairs Dermot Ahern with Peter Mulvany (left), who heads the Irish "Shot at Dawn" campaign, Christy Walsh (second from right), great nephew of soldier Patrick Downey, who was executed for alleged dereliction of duty near Salonica in 1917, and Senator Paschal Mooney (right), who requested yesterday's debate in the Seanad.

Photograph: Maxwells

The Government will continue to put pressure on Britain to find a mechanism to pardon the 26 Irish soldiers who were executed during the first World War for alleged dereliction of duty, the Minister for Foreign Affairs, Dermot Ahern, told the Seanad last night.

Speaking in a special debate on the issue, after the publication of an Irish Government report into the individual cases, Mr Ahern said there had been regular contact with the British, and he hoped that there could be a mutually-agreeable solution.

"While there are differences between ourselves and the British government on the issues raised in the report, I am of the view that the British government is cognisant of the need to address this issue. In our contacts, they have made clear they too are motivated by an enduring desire to ease the pain and suffering of the families of all the 306 men who were shot at dawn, including the 26 Irish cases that were examined in our report," the Minister said.

"In its findings, the report described a military system of justice which was seriously flawed, which appeared to ignore clear evidence of medical afflictions and which was marked by class bias and a disparity in the treatment of different nationalities including, in particular, Irish soldiers."

Mr Ahern said that the report was not an attempt to rewrite history or to impose today's norms on the past, but the reality was that the manner in which the men had been tried and found guilty was the subject of controversy and concern at the time. In response to that campaign, the British parliament decided in 1930 that the offences should no longer carry the death penalty.

"This is a very important issue, in particular for the families of those unjustly executed. This year we mark the 90th anniversary of the Easter Rising and the Battle of the Somme," Mr Ahern continued. "For too long, the experiences of the Irish men who fought in the first World War and the losses suffered by their families were not talked about and commemorated as they deserved".

## **SHOT AT DAWN: 26 Irish soldiers**

The cases of the 26 Irish soldiers serving in the British Army who were executed in the First World War were set out in a recent report released yesterday by the Department of Foreign Affairs.

**Private A Smythe.** Executed on January 28th, 1915. Charged with deserting when on active service in France on November 1st, 1914. Military police found him in a barn on January 15th. He said that on the evening of November 1st his battalion was under heavy shell fire and he volunteered to go and help carry wounded men back to dressing stations. After walking for most of the night he met some French troops but they could not help him with the whereabouts of any British troops. He was only resting at the farm, and planned to leave that night. "I had no intention of deserting, I had a complete set of equipment."

**Private T Cummings** Executed on January 28, 1915. Charged with deserting November 6th, 1914. Apprehended with Smythe on 15th January 1915. On November 7th Cummings was one of the many of the 1st Irish Guards absent from roll call after heavy fighting. Cummings stated that during the fighting he became separated from the rest of the men and lost his way. He met a group of French troops and stayed with them for some time while attempting to locate his battalion. The day before being apprehended he heard that there may be Irish Guards in La Bassee and was intending to go there to find them.

**Private T Hope** Executed March 2nd, 1915. On February 14th, 1915 Pte Hope was charged with deserting his majesty's service, drunkenness and conduct prejudice to good conduct and military discipline. On February 9th, 1915 Pte Hope was arrested when drunk, wearing a police badge and when asked for his name provided Lance Cpl Stout. In his defence Pte Hope stated that on the night of December 23rd, 1914, he was very upset owing to the news of the death of two of his brothers. "I had no intention of going absent when I left the trenches. It was a sudden impulse". He said he had by mistake entered German trenches later that night where he was kept some days before being taken to Lille. During an attack he managed to escape and got into the French trenches where he stayed for some days before moving on and trying to find his own regiment.

**Driver J Bell** Executed on April 25th, 1915. Driver Bell was charged with three counts of desertion. The prosecution alleged that on October 20th, 1914, both Bell and his associate Wilkinson were ordered to march with a dismounted party. On arriving at billets that evening both men were reported absent, and not seen again by their battery until February 10th. In his defence Driver Bell stated that on October 20th, 1914, he had asked to fall out, which was granted, and upon returning 10 minutes later he found the battery had moved on without him.

**Private T Davis** Executed on July 2nd, 1915. Charge of quitting his post without permission on June 22nd, 1915. Disappeared while on sentry duty. Pte Davis stated that around 2.15am he got a bad cramp in his stomach and had to visit the latrine. He was there about two hours and upon leaving had another attack and had to return.

**Lance Corporal P Sands** Executed on September 15th, 1915. Sands was granted 4 days leave from his Battalion in France on February 26th, 1915, but did not return on 1st March as arranged. He was subsequently arrested in Belfast on July 7th, 1915. Sands said he reported to Belfast Depot on March 2nd, 1915 as he had lost his warrant card and could not return to France without a new one. He spoke to a corporal who was unable to help, so he then went back home.

**Private J Graham** Executed on December 21st, 1915. On December 9th, 1915 Pte Graham was present with his battalion in the trenches at Cuichy, but that he was absent from his company from January 26th until the following November. Apprehended in Bethune on November 20th following an altercation in a brothel.

**Private Patrick Joseph Downey** Executed on December 27th, 1915. At Salonica, Greece, on December 1st, 1915, it was alleged that Pte Downey had refused to fall in when ordered, and refused to put on his helmet when ordered. With a history of minor insubordination and pleading guilty to the charge, Downey was found guilty and sentenced to death.

**Rifleman J Crozier** Executed on February 27th, 1916. It was alleged that on January 31st, at 9pm Rifleman Crozier was found to be absent from the trenches. He was apprehended on February 4th, when walking aimlessly around without his identification or pay book. In his defence Rifleman Crozier stated that on January 31st, he went into the front line trenches with his platoon and was feeling very unwell, with pains all over his body.

**Rifleman J.F McCracken** Executed March 19th, 1916. On February 21st, 1916, McCracken was told to be ready for duty in the trenches with his platoon but later that day could not be found. He gave himself up a few miles away the same night. In his defence Rifleman McCracken stated that he had only just come out of hospital and was not feeling fit enough for duty in the trenches.

**Rifleman J Templeton** Executed March 19th, 1916. Evidence heard that on February 20th the 15th battalion

were told that they were to proceed to the trenches later that day, and Templeton himself was told that he would be on sentry duty on arrival. At the 9pm parade Rifleman Templeton could not be found. Three days later he gave himself up to an officer behind the lines. He offered no defence, and simply stated "I am sorry for what I have done".

**Private J Cassidy** Executed July 23rd, 1916. Went missing on June 24th, 1916. On June 30th, Pte Cassidy was apprehended by the French authorities and handed over to the British military police. In his defence Pte Cassidy stated that on the morning he went missing he went to the latrine and while there a shell exploded beside him, covering him with clay. He got nerve shock and for a couple of days he wandered around dazed before being picked up by the French.

**Private J Carey** Executed September 15th, 1916. Charged with two counts of deserting. Alleged on June 14th, he absented himself until June 15th and on June 20th, 1916, after being told to parade for the trenches, he absented himself until apprehended on June 21st. In his defence at courts-martial Pte Carey stated: "I lose my head in the trenches at times, and I do not know what I am doing at all. My family is afflicted the same way. My father committed suicide over it. My brother's death in the Phoenix Park five years ago on March 17th, 1911, was due to the same thing".

**Driver J Mullany** Executed on October 3rd, 1916. Mullany was alleged to have knocked a Sgt Major to the ground and punched him when they fell. The two men were pulled apart but Mullany again went toward his superior hitting him and knocking him to the ground again. Mullany stated that he did not strike the Sgt Major, but that they had confronted each other and ended up tumbling to the ground.

**Private B McGeehan** Executed on November 2nd, 1916. On October 21st, 1916, it was alleged that McGeehan had gone absent on the night of September 19th. Apprehended five days later near Montreuil when looking for food and water. In his defence McGeehan said that ever since he had been in France (18 months) the other men had picked on him and made fun of him. He didn't know what he was doing when he went absent.

**Rifleman S McBride** Executed December 7th, 1916. Charged with desertion while serving on Vimy Ridge between May 15-17th. The court heard that during the time that they were positioned on Vimy Ridge they had been subjected to heavy and sustained shelling with McBride's platoon suffering severely, especially from trench mortars. McBride was subsequently apprehended on September 17th near Boulogne.

**Private A Hamilton** Executed March 27th, 1917. Alleged that on the morning of February 8th, 1917, Pte Hamilton left his position in the trenches and was absent from his scheduled duty later that day. When questioned at Calais he had no army book in his possession, and that he had given a false name. Pte Hamilton stated that he had left to go to the dressing station. He had been attending the doctor for some time previous suffering from trench foot and bronchitis and did not feel fit for duty.

**Private T Murphy (aka T Hogan)** Executed on May 14th, 1917. Alleged that he had on March 17th, 1917, willingly deserted subsequent to being told to be ready to move forward that evening. Pte Murphy was apprehended on April 3rd, 1917, and in his defence stated that he thought his platoon were staying in a dugout for the night, and he had not known they were readying to move forward. He had gone to look for wood to make tea, had become lost in the trenches. He eventually found himself in a village, where he was later discovered in a dishevelled state.

**Private J Wishart** Executed on June 15th, 1917. Charged with two counts of desertion. On March 31st at Hazebrouck he absented himself and was apprehended in Boulogne on April 20th. On April 30th, he again absented himself and was again apprehended in Boulogne on May 11th. In his defence, Wishart said that in December 1916 he received a telegram from his wife who told him that their child was ill. He applied for leave to return home but was refused and as time passed and he received no further information from home he became more worried. "It was only worrying about my child that made me absent myself. It was not through cowardice."

**Private J Hepple (aka R Hope)** Sentenced to death but no confirmation of decision. Allegedly went absent on January 21st, 1917, following an order for his company to proceed to the trenches. Pte Hepple was arrested in an abandoned house on May 1st, 1917. In his defence Hepple made no statement other than saying that when found he was attempting to rejoin his battalion.

**Private M Monaghan (aka S Byrne)** Executed on October 28, 1917. Charged with wilfully absenting himself to avoid service in the front line on August 5th, and also with escaping following his arrest on September 22nd. In his defence he stated that on the morning of August 5th he had felt very unwell with rheumatic pains in his head and feeling very cold and ill, he lay down in a hedge and slept. When he awoke he found his battalion had left, so he wandered around looking for them, afraid to report himself for fear of what may happen. The accused was found on September 9th by the French.

**Private G Hanna** Executed on November 6th, 1917. It was alleged that on September 28th, Private Hanna went missing when his unit was moved to the trenches. Apprehended two days later when asking for food. In his defence Private Hanna stated that he had no intention of deserting - he had been on service for three years, and had lost three brothers in that time to the war. His last leave was in December 1914 and he had since heard from his sister in Belfast who was not well. He absented himself because he was upset at not being able to go and see "his people".

**Private J Seymour** Executed on January 24th, 1918. Alleged that on the morning of November 27th, 1917, the accused went absent after being informed that the platoon were forming up into the line. Pte Seymour was arrested in a YMCA hut on December 28th, 1917. In his defence Pte Seymour stated that on the night of November 26th, 1917, he was sent to get some rations. Along the way he met some men who gave him some rum. The next morning he woke up about three kilometres from his last position and tried to find his regiment but failed to do so.

**Private B O'Connell** Executed on August 8th, 1918. Alleged that on July 7th, 1918, Pte O'Connell was noted as absent during the evening roll call. In his defence he stated that he was unaware his battalion was going on into the front line, and left to find a woman in one of the surrounding villages. As he was unable to read or write, he stated that he was unaware of the seriousness of his offence, and had intended to return to his battalion.

**Private P Murphy** Executed on September 12th, 1918. On July 31st, 1918, the accused absented himself until his arrest on August 12th. Shells had landed near the position of the working party before Pte Murphy disappeared. During the court-martial the accused did not make any statement, was found guilty and sentenced to death.

**Private James H. Wilson** He fought with Canadian forces. His case file has been reported as lost by the Canadian authorities.

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