

EVIDENCE TO THE PARNELL COMMISSION

BY

**JEREMIAH HEGARTY
CANON GRIFFIN
DR. TANNER, M.P.**

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WHO'S WHO

Mr R T Reid QC	Counsel for the Irish MPs
Mr Lockwood QC	Counsel for the Irish MPs
Mr Arthur O'Connor BL	Representing Irish MPs
Sir H James QC	Counsel for "The Times"
Mr Atkinson QC	Counsel for "The Times"
Mr Murphy QC	Counsel for "The Times"
Mr Biggar MP	Representing himself

INTRODUCTION

Millstreet town and the surrounding areas played a major role in the Land War during the latter half of the last century. For a number of years the focus of much of the Land War activity was centred on the events surrounding the case of Jeremiah Hegarty. A full history of this case and the period is long overdue as these events brought the area to national prominence and created very strong feelings that reverberated for generations afterwards. This is not such a history. It focuses on just one of the episodes of the period - local involvement in the Parnell Commission.

This Commission was set up after a series of articles appeared in 'The Times' in March 1887 called 'Parnellism and Crime' which sought to discredit Parnell and the Land League as basically a bunch of criminals. The articles were based on a series of letters which later turned out to have been forged by Richard Pigott. The letters helped the Government bring in an Irish Coercion Act. Parnell demanded an enquiry into the letters but the House of Commons decided instead to have an enquiry into Parnell's career and his relationship with the Land League. It lasted from 17 September 1888 to 22 November 1889 and it was hoped that it would finish the job begun by the articles in the 'The Times'.

It was the 'greatest show in town' while it lasted and Hegarty together with the Parish Priest of Millstreet at the time, Canon Griffin, were two of its star witnesses. It had everyone from the highest to the lowest - the leading Irish politicians, the cream of the English Bar including the Attorney General, Sir Richard Webster, the future Prime Minister, Asquith, working for Sir Charles Russell, a future Lord Chief Justice and a vast array of witnesses including Captain Boycott, Captain O'Shea, the Fenian spy Henri le Caron, the pornographer, blackmailer and forger Pigott, as well as informers, agents, numerous police, etc.

Pigott provided the most dramatic moment of the hearings when Russell asked him, amongst other things, to spell 'hesitancy' which he spelt as 'hesitency' as it was misspelt in the letters thereby convincing everyone that they were indeed forged by him. He hightailed it to Europe and shot himself in Madrid a few days later. The self-righteousness of 'The Times' took a severe blow. Parnell and the League were vindicated. It is interesting that a letter, which was probably not what it purported to be, also played a role in Hegarty's evidence.

Hegarty and Canon Griffin were both opposed to the Land League and very able in their different ways and together were a formidable force for the League to deal with. The conflict between the two forces brought the town and the area to a high level of political consciousness which it retained for a long time afterwards and which developed in various ways down the years.

The evidence and cross examination of Hegarty and Canon Griffin, which is the bulk of this pamphlet, had to be done in such a way that it becomes clear we are only seeing the tip of the iceberg of what was happening on the ground. The rarefied atmosphere of the Royal Courts of Justice and the legal rules of engagement could hardly be expected to reflect the passions and the events behind the evidence but it gives some indication of the depth of the conflict and shows that the Land League had to have very good grounds for succeeding in this area. It would not have been allowed to succeed by default, apathy or indifference in and around Millstreet while both Jeremiah Hegarty and Canon Griffin were about.

Jack Lane, August 2000

PARNELLISM AND CRIME.



THE SPECIAL COMMISSION.

PART VI

FURTHER EVIDENCE AS TO MURDERS
AND OUTRAGES.

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THE SPECIAL COMMISSION.

ROYAL COURTS OF JUSTICE.

TUESDAY, NOVEMBER 27.

(*Before the Right Honourable SIR JAMES HANNEN, MR. JUSTICE DAY, and MR. JUSTICE A. L. SMITH, Commissioners.*)

The witness Hegarty was then examined by Mr. ATKINSON. He said,—I reside at Millstreet, in the county of Cork. I have lived there since 1857, and I carry on an extensive business as a shopkeeper and general merchant. I have also grazing farms, and am connected in business with many people in the district.

Do you know when the branch of the Land League was established in Millstreet?—On August 1, 1880.

Up to that time had you been on good terms with your neighbours and customers?—Yes.

Shortly after the establishment of the Land League, were you canvassed by any persons to join the League?—I was told generally I had to fall in with persons who joined the League.

Had you any communication from any particular individual with reference to it?—I do not know; I do not think so.

Did two men call upon you?—I do not remember that they did with reference to joining the League. Notices were posted up in the town with reference to traders joining the League.

What were they?—There was a resolution —

Mr. LOCKWOOD.—We have already raised objection to this form of question.

The ATTORNEY-GENERAL.—It is only with reference to a resolution which we can prove.

Examination continued.—In December, did any members of the League call upon you?—No.

Did any person call upon you with reference to any proceedings that had taken place at the League?—There was a party who had a conversation with me about what took place. He was a member; I would not tell his name. He was an official of the League.

After that visit did you see notices posted through

the town?—There were notices posted in the town and scattered all over the country.

What were the contents of them?—They called upon the people to have no dealings —

Mr. LOCKWOOD.—I object to that question.

The ATTORNEY-GENERAL.—Your Lordships ruled that where there were public notices posted and a man read them he was entitled to say what they were.

The PRESIDENT.—The only departure from that was that where you have the notices they should be put in.

Mr. ATKINSON (handing a paper to witness).—Is that the notice to which you refer?—That is one, but there is another much more elaborate.

Is this the other one (handing another notice to witness)?—Yes.

The following notices were then read :—

“Take Notice.—You are cautioned against having any dealings with Jeremiah Hegarty or his family, neither to buy nor sell them anything. Shun them as you would lepers. If you disobey this order, may the Lord have mercy on you.”

The ATTORNEY-GENERAL.—The document is printed, with a space left for the name of the person; it is filled up with the name Jeremiah Hegarty in writing. There is no date. The second notice is as follows :—

“Proclamation.—Moonlight.—Whereas it now becomes known to me that in the town of Millstreet and the parishes of Drishane and Cullen there are ungrateful renegades of Irishmen to be found capable of occupying the farms of the evicted, and in Millstreet there are Irishmen to be found base enough to converse with the bigoted and boycotted, and also in Millstreet 10 Irishwomen mean and contemptible enough to converse both in public and private with the bloodthirsty members of the Royal Irish Constabulary,—Now we, J. L., Captain Moonlight, Governor-General and General Governor of this district for the time being, with the advice, consent, and approval of my Privy Councillors, do hereby make order and say that such disgraceful and abominable work shall now cease. This is the first and last warning to be given to those concerned. I shall not hesitate now to use cold steel in the upholding of my Government.”

The Commissioners then adjourned for lunch.

On the Court's resuming, the examination of the wit-

ness Jeremiah Hegarty was continued by Mr. ATKINSON.

After you saw that notice in December, 1880, did two persons come and stand opposite your shop?—Yes.

What were their names?—P. J. Murphy and Denis Kelleher. The notices were posted on the night of the 21st of December, and the people came and stood opposite to my shop on the 22d. They interfered with my customers, and took down their names in a book. They offered violence to some customers, throwing over a cart on one occasion. They remained there all day. I remonstrated with them, and saw the police speaking to them.

How long did this continue?—Until the 10th of January, 1881. The men came each day.

Were they members of the League?—As far as I know, they were. I used to see them entering the League rooms, and I saw resolutions which purported to be passed by the League, and which were connected with their names. I saw them enter the Land League rooms frequently.

Were these men prosecuted and convicted in March, 1881?—Yes.

On December 24, 1880; did anything happen to you or your relatives?—My brother-in-law's house was attacked. I was in it myself at the time. Stones were thrown, and the windows were broken. There was shouting, jeering, and booing.

Two days afterwards did you write a letter to Mr. Davitt?—Yes, on December 26. (Letter produced.)

Mr. Davitt.—I recollect the correspondence, but I have not a copy of the letter.

The PRESIDENT.—You will, of course, listen while it is being read, and you can object to any portion which you do not remember.

Mr. ATKINSON then read the letter:—

“Sir,—Though I do not agree in your general politics or in the entire programme of the Land League, of which body I am not a member, I am bound to say I greatly admire your manly utterances as regards coercion, and fully believe in the integrity and sincerity of your convictions from your point of view, and it is on this account that I feel it my duty to inform you of the uses for which the name of the League has been prostituted in this town, and probably

equally so in many other districts—viz., to gratify spleen and private malice, and to annoy and ruin many individuals against whom no charge could be adduced. For instance, a meeting of the Land League was held here on Tuesday last at which a resolution was carried to boycott me. This was, I believe, opposed by the chairman, &c., and when he failed in his opposition he insisted upon reasons being assigned for such an extraordinary act. This they also declined to do, and proceeded during Tuesday night posting notices calling upon the people to have no dealings with me or my family in very offensive and unbecoming language, in addition to which a sentry of members of the League were posted opposite my business premises to intimidate people from entering my house. They also have attempted personal violence to myself, and on several occasions during the past three nights have broken into my brother-in-law's house in the public street at Millstreet (and for which informations have been lodged against them), for no reason except that they have been active in my hour of trial on my behalf.

"I have no doubt that there are many active, useful, and honest members in the Millstreet Land League. On the other hand, it contains a sufficient number of members who, if looked at from any point of view, are certain to bring disgrace upon all the League organizations throughout this county. It is needless for me to particularize their conduct here, but I say without fear of contradiction that if every district in Ireland is governed by the same reign of terror as Millstreet that the Habeas Corpus Act is suspended in its most hideous form. I know numbers of people who are coerced into this business of the League by open and defiant threats of violence, &c. Surely such conduct as this is likely to weaken, instead of being an element of strength to the interests of the poor tenant-farmers of Ireland, whose wants so sadly require amelioration. Such cruel acts on individuals as have been practised on me are sure to evoke the indignation of every honest man in the community, whether in the Land League or out of it, and to produce the fruits they so richly merit.

"I have carried on an extensive trade in this town during the past 25 years, and have not during that time injured a man in my business dealings. If I have somewhat succeeded better than many of my neigh-

bouring traders, it is well known that it is by constant toil, untiring zeal, and persevering industry that I have so succeeded, and I fearlessly assert that I have, in season and out of season, during that time never lost an opportunity of advocating the interests of the farming community and an amendment of the Land Laws. Even on selfish or personal grounds it could not be otherwise, as probably I am among the highest rented tenants in the community, my valuation being £240, rent £596, and holding chiefly as a yearly tenant. Every penny I ever made has been spent in procuring employment for the labourers and artisans in the district. During the last ten years I have given away in employment annually £1,000. I have been endeavouring to educate and maintain fairly a large young family, and because a number of insolvent rowdies here have been enabled, under the auspices of the Land League, to stop me in following my usual calling, I am to be ruined and prevented from supporting that family, though there be no charge advanced against me.

"If trial, suffering, and deprivation of personal liberty be the result of the teaching of the Land League here, in the name of freedom, patriotism, and all that is dear and sacred to Irishmen at home and abroad I call upon the Government to exercise its prerogative, and crush out once and for ever such tyranny.

"I am, Sir, yours truly,

"JEREMIAH HEGARTY, P.L.G.

"To M. Davitt, Esq., Offices, Irish National Land League, 39, Upper Sackville-street, Dublin."

Did you get any reply to that letter?—No.

Up to the time when you wrote that letter were you able to procure provisions in the town?—Yes.

After the letter did any change take place?—Immediately. We had difficulty in getting provisions, which were sometimes brought to us secretly.

Had you given any cause for such treatment besides your refusal to join the League?—None whatever.

Had you two men in your employment named Kelleher and Buckley?—Yes. They showed me some threatening notices on the 14th or 15th of February, 1881. I took the notices and handed them to the police.

Mr. ATKINSON.—The original notices have been lost, my Lord. (To witness.) Do you remember their con-

tents?—I do. They said that the men should leave my employment, and that if they did not do so of their own accord they would be coerced into leaving in a very unpleasant manner.

Did the men leave?—Kelleher left at once.

Do you remember the trial in March, 1881, of the two men whom you describe as acting as sentries at your door?—Yes. When I was returning from the trial at Cork I was insulted by a large crowd of people.

How large was the crowd?—The witness was understood to estimate the number at 700.

What did they do?—On my way from the Millstreet station to my home a very large crowd of people hooted at me and jostled me, following me through the streets. Late that night a very large crowd, numbering probably 1,000 people, congregated near my business premises and began wrecking the house with stones. It was found necessary to disperse the mob by the police. The attack lasted, I should say, about half-an-hour.

After the mob had been dispersed, was anything done to the thatch of your brother-in-law's house?—A large number of people congregated round the house and set fire to the roof. My brother-in-law and his family were inside at the time. My brother-in-law is now dead.

Had you a farm at Kippagh?—Yes, and a dairy connected with it. I employed a caretaker named Sweeney there. On April 18, 1881, I received a report from Sweeney and went to the farm. I found the door and windows broken; a lot of ware had been destroyed; the dairy utensils had been knocked about and the milk and cream spilt. A lot of meal had been destroyed.

At this time, had you a labourer in your employment called James Twohig?—Yes, he worked on the same farm.

Was there also a man named Daniel Sullivan in your employment?—No.

Some short time after this riot, do you remember being met on the road to chapel by two gentlemen?—Yes, outside the chapel.

Who were these men?—Jeremiah O'Connell and John Rearden. They were the secretaries of the League. I do not know exactly the date of the occurrence, but it was shortly after March 25. They were

engaged in conversation, and appeared to be giving instructions. I did not hear what they were saying.

When you entered the chapel, did you notice anything?—The side where my brother-in-law sat was deserted. The people had left it. There were a great many seats on that side.

Were they all empty?—Excepting ten or 15 people the members of the congregation were on the other side of the chapel.

Did you know a tradesman in Millstreet named O'Mahoney?—Yes. He was a friend and tenant of mine.

Was he a member of the League?—I am aware that he was not.

Had he any difficulty in obtaining provisions?—Great.

Has he gone to America?—Yes. He left, I think, in 1882.

Was a butcher named Hennessy a member of the League?—Yes; a very active member apparently. The League rooms were immediately behind my own house.

Was he an official of the League?—I cannot say.

Is this (letter produced) in Hennessy's handwriting?—Yes.

The learned counsel then read the letter, which was dated June 15, 1881. It contained a request to O'Mahoney to send to Cork for his meat, as the writer was compelled to stop supplying him.

Had Hennessy been in the habit of supplying O'Mahoney with meat?—Yes.

And yourself?—Yes. He ceased to do so at Christmas, 1880.

Do you know a Mr. Kelleher, a solicitor at Kantuck?—Yes.

Are you a magistrate?—Yes.

Have you seen a number of men prosecuted at Quarter Sessions in Millstreet for assaults and other offences?—Yes.

Have you seen Mr. Kelleher defending those persons?—Invariably.

Have you seen who gave him instructions?—Nearly always the secretary of the Land League.

Did that gentleman sit beside him in court?—Yes.

When you prosecuted Murphy and Kelleher for acting as sentries before your house who defended them?—

This solicitor, Mr. Kelleher. I am satisfied that it was he.

Did you see the secretary of the League interesting himself in the defence of these men?—Yes.

Did you hear him challenging the jury?—Oh ; I do not know.

Do you remember driving home from your farm at Clenhannon in April, 1885?—Yes.

Had the boycotting continued up to 1885?—Yes.

In the interval had you received any threatening letters?—I have only received one. That was in 1885.

Did you see any threatening notices posted in the town in addition to those you have already mentioned?—There were notices posted up from time to time, but without seeing them I could not recall the contents with certainty.

Take this bundle in your hand. Did you see any of these?—Yes ; I have seen them ; but I cannot say myself that they were posted up. They were shown to me by the police.

The ATTORNEY-GENERAL (to Mr. Reid).—Do you object to their being read now? I am going to call constables to prove them all.

Mr. REID.—If my learned friend undertakes to call the constables, I do not object. Unless they are to be called I really cannot consent.

Mr. ATKINSON.—The difficulty is this. The notices will have to be proved by a great many policemen. One policeman can only depose as to one or two of them.

The ATTORNEY-GENERAL.—If we are to be put to the strict proof of every one of these notices we shall have to call 20 or more policemen.

The PRESIDENT.—I am quite sure it can be arranged.

The ATTORNEY-GENERAL.—We have the officer here in whose custody the notices have been for several years.

Mr. REID.—We must have an opportunity of looking at these documents, and then, when the officer is called, we will decide whether we can admit them.

Examination continued.—Do you remember returning home from Clenhannon farm in April, 1885?—Yes.

Were you shot at?—Yes, but I was not hit.

Did the smith in Millstreet continue to shoe your horses up to 1885?—Yes. He then refused to shoe

them. He had worked for me for more than 20 years.

After you had been shot at, did your inability to get provisions continue up to 1887?—That was the worst bit after that.

Then after the firing in April, 1885, the boycotting still continued?—Oh, yes.

Did it continue up to April, 1887?—Yes.

In that month do you remember driving from the Millstreet Railway Station with your son and a manservant?—Yes.

Were you fired at again?—Yes.

Did the first shot miss you, and were you struck by the second?—Yes, I was hit on the shoulder and head.

Are you still boycotted?—Partially ; but I do not care much now.

Before the establishment of the League was Millstreet a peaceable district?—As peaceable a district as there was in Ireland. There were only one sergeant and four policemen there. After the establishment of the League the force was increased to 70 men under a district inspector. There are at present two police barracks and three police huts.

In the interval between the suppression of the Land League and the establishment of the National League was there any cessation of the boycotting?—I think myself that things were quieter.

Did this boycotting affect your trade much?—It took away the whole trade. In eight years I must have lost £16,000.

Before the establishment of the Land League you knew something about the crime in the district?—Yes.

Did you ever hear of a man being punished for paying rent?—No.

Do you know what moonlighting is?—Yes.

Did you ever know of the commission of the offence of moonlighting before the establishment of the League?—There was not one moonlighter in the district.

It is not so now, I believe?—I am sorry to say it is not.

Cross-examined by Mr. REID.—I understand that, in your view you were an exceedingly popular man until December, 1880?—I was the most popular man in the county of Cork. (Laughter.)

And your only offence was that you would not join the Land League?—That is the only offence that I am aware I committed.

And from being the most popular man in the district you have been boycotted ever since 1880 and shot at twice because you would not join the League?—Yes, that is the view which I take myself.

Have you ever had anything to do with evictions?—I have. Up to 1880 I had not. After 1880 I became connected with the management of some properties in the neighbourhood.

Did you not assist in carrying out the eviction of a man named Lyons?—Yes; there was a tenant of that name evicted, and I was present on behalf of the landlord.

What was the date of the eviction?—It was in February, 1886, I should say, speaking from memory.

Were you connected with the eviction of Reardon?—Yes; that was, I think, in January, 1887. It might have been in 1886. I cannot be sure about the date.

Were you at the eviction of a man named Dennehy?—No; there was no eviction there, properly speaking, and I was not connected with the affair.

You had nothing to do with it?—No.

Were you generally considered to have taken part in that?—I cannot account for all that is considered. All that I can say is that I took no part in it.

MR. JUSTICE A. L. SMITH.—When was that eviction?—I should say that the change in the ownership of the farm took place in May, 1880.

Who was the landlord?—Dr. Thompson.

Were you his bailiff?—No; I am not anybody's bailiff.

Were you his agent?—No; I am his agent now.

Were you in any way connected with him at that time?—No.

Am I to understand, then, that you were not present at and were not in any way concerned in Dennehy's eviction?—No, I was not.

You were in no way connected, directly or indirectly, with this change of occupation in the farm?—I was in this way only—that I acted at the request of the tenant as mediator between him and the landlord, and I used the little influence I possessed in that way.

What did you do? Did you intercede for him with the landlord?—I did.

What else did you do?—I got the money from the landlord and gave it to the tenant.

Did you take the land?—No.

You did not become the occupier?—No.

Did any relation of yours take the land?—None whatever.

Let me come to the eviction of Dennis O'Leary. When was that?—I should say, so far as I can remember, in February, 1886.

Well, I will pass from that. Was John R. Sullivan evicted?—He was not.

Was there a change of occupation in his farm?—I do not know that there was. The tenant went to Australia, and left directions with the rector of the parish. He left possession of the place to the landlord. In the meantime Sullivan stepped into the place and took possession of it and cut the meadow, and he had to be put out of it.

That is your own version of the story?—That is the true version of it. (Laughter.)

Oh! you must not assume that we are going to accept everything you say as gospel. (Laughter.)

The ATTORNEY-GENERAL.—Surely the witness may say that it is true.

Mr. REID.—Certainly; but I do not see why every observation I make should be received with laughter by a clique on the other side.

The PRESIDENT.—I do not like to interfere often, but I strongly object to laughter. Do let us conduct the case as quietly as possible.

Mr. REID.—I am putting my question in a manner I am entitled to put it, and I do not think I ought to be continually interrupted with laughter. It is most indecent to my mind. (To witness.) Now let us proceed to business. Patrick Ford—do you know whether he was evicted?—There was such a case.

When was it?—If I remember, it was about 1886. Would you allow me to explain?

Mr. REID.—Certainly, if you think an explanation necessary.

Witness.—Patrick Ford was evicted by the landlord. I had a mortgage on the farm to a very large amount. The man refused to pay the rent over to the head landlord or any interest on the mortgage, and from being a

debt of £67 it became one of £247. Having this mortgage, I offered Ford to let him off half the money if he would give me possession. But no, he would not. He stopped there. At last he gave up possession peaceably. I put him back into the farm, but at last I was obliged to evict him.

When did you first act as sub-agent or bailiff or in any way for landlords?—I became agent to a very small property in April, 1880.

That was the first?—Yes.

Will you tell me the name of the landlord?—Mr. Singleton.

What was the next property you became bailiff for?—I did not become bailiff for any property. I do not wish to answer insulting questions.

Mr. REID.—I was not aware that the term "bailiff" was an offensive term in Ireland. It is not so in England. I did not mean to be offensive.

Witness.—It is taken the other way in my country.

Well, when did you next become agent or sub-agent to a property after April, 1880?—I think towards the end of 1881.

Did you serve, or take part in the serving, or direct the serving, of processes at all in the year 1880?—No.

Or of writs of any kind?—No.

Now, listen to this. Have you been charged with or suspected of being a land-grabber in any sense? Do not be offended with me.—No, the term could not be applied to me. There is no man the term could be applied to with less truth.

Did you become possessed of a farm that had been occupied by a man named John Flynn?—I became possessed of my father-in-law's farm under his will.

Is he your father-in-law?—He was. (Laughter.)

Did he leave you this farm?—Yes, by his will.

And you entered into it in that capacity?—Yes; it is only 14 acres of land.

Were you his executor?—No. It is a long time ago now—18 or 19 years.

Did you come into possession of a piece of land occupied by a man named Howlett?—No.

Do you know anything about this land?—The sum total of that piece of land was only about 20 perches. It was a small piece of land at the back of my premises. He had been permitted on my own applica-

tion to sell the interest in the tenancy of a farm he held, for which he got the sum of £240. For doing that he gave it to me. He said it was no good to him, and he had never done anything with it.

Will you allow me to put to you what I understood you to say—you will correct me if I am wrong. You said that Howlett had been in the occupation of some land, and on some change or settlement or other he told you you might take this piece of land. Your statement is that you took it with his consent?

The PRESIDENT.—I think I understood him to say that this was only a little bit of ground at the back of his business premises. Does land-grabbing extend to that? (Laughter.)

Mr. REID.—When was this incident?—It was in 1878 or 1879.

Now Cornelius Regan—was there any question about some land of his?—Never.

Was it Rearden?—Never.

Was it John Rearden or Regan?—No, nor any name approaching it. (To the Court.) I will ask you to permit me to explain. As regards the three evictions I presume Mr. Reid referred to —

What were the names—I will ask you?—One was Lyons, another Riordan, and the third O'Leary. In every one of these cases there was about four years' rent due. In the case of Riordan, he owed £340, and I offered to take from him half a year's rent—£40—and to wipe out all the arrears but £100. That was refused; and I scarcely think it is fair to attack me upon it.

Mr. REID.—Nobody has been attacking you.

Witness.—I made the same offer in the other two cases. I would not be connected with any eviction unless I had previously offered a very fair settlement.

I am asking you about your troubles of the last eight years. You say you were attacked because you had not joined the League. I want to ask you whether these evictions—in fact, all evictions in Ireland—have not been for a good many years a cause of great dissatisfaction and discontent?—There were no evictions whatever on the small property that I was connected with until these troubles commenced.

Is it not the fact that these and all evictions have been and are the sources of the trouble and discontent

in some districts in Ireland?—I am very sorry to say that it is and has been so.

When did the Land League first start in your district?—On August 1, 1880.

I believe you were an opponent of the Land League from the start?—Yes; and I stated distinctly to Mr. Davitt that I was not a member of that body and did not intend to be.

You distinguished yourself by your opposition to the League?—Well, I saw very distinctly from the beginning what would be the result of the teaching of the Land League.

Is it not the case that you have distinguished yourself from the commencement by your hostility to the League?—Yes; I offered them hostility as well as I could after their attack upon me.

Have you not constantly expressed your opinion about the League in strong terms?—I have always done so.

Is it not a fact that the League embraces a great part of the population of the district in which you live?—Apparently it does.

We are quite aware that you have always expressed a strong opinion, and you have expressed it now; but is it not the case that the League embraces a great proportion of the population?—Yes.

And you belong to the Landlords' Defence Association?—No; I belong to the Cork Defence Union.

That is a body which is in the habit of bringing down emergency men into the district?—They have a large number of men in their employment.

Gentlemen called emergency men?—They call them all manner of names.

The PRESIDENT.—When did you become connected with this Defence Union?—In 1885. If I may be allowed, I would explain that there is a very large number of people connected with the association.

Mr. REID.—You tell me a great number of things I do not ask you, you know. I asked you whether it was not the case that they are an association that bring down people called emergency men to the district?—They employ men locally to assist boycotted men.

And they are rather an unpopular body among those who are Land Leaguers?—As a matter of course any

one who opposes the Land League must be unpopular with the members of it.

They cultivate evicted farms, do they not?—To a certain extent, if a farm is evicted and the person who takes it is boycotted. They give their assistance to any boycotted person.

You have been active in that interest for the last four or five years?—I am one of the executive of the Defence Union.

And, therefore, you actively take part in its work?—Not actively I am sorry to say, because my time does not permit.

The Secretary.—Will you kindly proceed a little slower, as the shorthand writer can hardly take it down?

Mr. REID.—Certainly. (To witness.) Kindly give your answers a little slower. Before you joined this Defence Union had you not been very busy in the same interest for a good long time?—I do not quite follow your question.

Had you not busied yourself very considerably in endeavouring to get evicted farms occupied, and in assisting boycotted persons and dealing with boycotted persons very largely?—I have been very active all along in trying to assist people who were suffering through boycotting, and I have exerted myself as best I could, and as in duty bound to do, to get evicted farms protected.

I am not discussing the propriety or impropriety in the least. I am only asking you for the fact. Ever since 1880, ever since this Land League began, is it not true that you have exerted yourself in favour of persons who were boycotted, and in favour of endeavouring to get boycotted farms taken up?—I have assisted boycotted people from the commencement, and I have endeavoured, of course, to get the farms taken up.

Now, you have said that you lost £16,000. Will you tell me how you make that out? In eight years you say you have lost £16,000; that is at the rate of £2,000 a year. You were making a profit of £2,000 a year before 1880?—I should say so. I have arrived at that by taking the basis of the profits of my business for the years previous to those in which I was boycotted.

What was your business?—I was in every description of business. I farmed very largely, and I still continue farming. For a long time I have farmed under very great disadvantages. I have been a general grocer, have had a spirit and wine store, and a timber store.

And you state you put down your profit before 1880 at £2,000 a year?—I should say so. My business had very much extended for two or three years previous to that. The business since was a losing concern.

Mr. Davitt.—I will ask you a few questions.

Mr. REID.—May I just ask you this, which I omitted? Do you know Archdeacon Bland?—By repute.

In October, 1880, did he evict some families near Millstreet who were in very poor lodgings?—Personally I do not know; but I heard of it.

Had Archdeacon Bland omitted to give due notice required by law to the guardians of the eviction?—I do not know that myself. It was a long time ago.

Were you a member of the Millstreet Board of Guardians at that time?—I was.

Do you remember its being proposed there to proceed against Archdeacon Bland for a penalty for not giving notice?—I have some recollection that it so happened.

And do you recollect that you opposed proceeding against Archdeacon Bland?—I did. Will you allow me to explain though? The matter, so far as I recollect, was brought before the Board at the time of an eviction carried out by Archdeacon Bland, with whose property I had no connexion whatever. I was in favour of proceeding against Archdeacon Bland, and subsequently the gentleman who was acting as his solicitor came before the Board and stated the terms that the tenants were offered. I asked him whether he would still hold to the same statement, which was a very liberal one at the time, and which I thought the Archdeacon was not prepared to continue at the time, and seeing that he was I did not feel it my duty to be a party to prosecuting him.

He had given this notice?—He had. It was proposed to prosecute him for a penalty, and I ultimately opposed it.

Was not that an extremely unpopular thing at that time?—No. It was a very popular thing at the time to take the part of the evicted tenant, which I had done.

Did you not incur great unpopularity by ultimately opposing the proceedings against Archdeacon Blaud?—
I do not think I did.

By Mr. ARTHUR O'CONNOR.—How many men did you employ?—About 15.

Have you a man named Killy in your employment?—
I have not.

Counihan?—No; but I had.

You have always had a misgiving with regard to the character of the National League from the commencement?—I have.

You always anticipated that its proceedings would lead to misconduct?—I always thought it would lead to a deal of mischief.

And if disturbances of any kind followed the meetings of the National League your anticipations were verified?—I have not been at the National League meetings.

If any meetings of the National League were followed by misconduct in the neighbourhood what you had looked for was realized?—Just so.

Was there a meeting in Millstreet on August 15, 1886, on a Sunday?—I do not remember.

I may help you to remember. Do you recollect that the windows of the Protestant church were broken at that date?—Yes.

Listen to this:—"John Killy, jun., and Cornelius Counihan, both of Millstreet, were charged for that they did wilfully and maliciously break, damage, destroy, and injure several panes of glass in the windows of the Protestant church at Liscahane, Millstreet, on Sunday, August 15, 1886." Were those men fined?—I never heard that they were.

By Mr. Davitt.—Did I ever ask you to join the League?—You never did ask me.

Did I ever coerce you?—No.

With reference to this very able letter of yours, which you say you sent on December 26, 1880, did it appear in the *Daily Telegraph* before it was sent to me?—No.

Are you sure of that?—I am. I sent it to the *Daily News* afterwards. It was in the *Daily News* on December 28, and it was also sent to the *Cork Herald* and the *Cork Examiner*.

Was that written to me in consequence of anything I

had said?—I wrote the letter to you because I believed that you could use your great influence against such cruelty to a man who had done nothing wrong. I wanted to put before you the uses to which the League had been prostituted in my district and, in my opinion, many other districts.

Did you read anything I had written or spoken at that time about people being coerced into joining the League?—I do not know, but I must have entertained a strong opinion of you, or I would not have written as I did to you.

Have you any recollection of anything being written by me expressly on behalf of the executive of the Land League against anything in the shape of coercion or intimidation with regard to people joining the League?—I do not remember; but I must have had some such idea in my head when I wrote that letter to you.

I remember having received a letter, and I thought I had written a reply; are you certain you got no reply?—Certain.

Did you hear of the local branch of the League being reprimanded by me for its conduct towards you?—Never; but your explanation now is very satisfactory. If I had received a reply my previous experience of you would have made me expect that it would be in that direction.

Now, in that same letter you said that the Millstreet League had been used to gratify spleen and private malice?—Yes.

Did you never come to the executive for protection?—My case ought to have been put before the council; it was sent up to Dublin.

Do I understand you to say that you are under the impression that your case was discussed in Dublin by the League, and that they acquiesced in boycotting?—No, I do not exactly say that, but I thought you might feel it your duty to lay it before the executive in Dublin and put a stop to the boycotting.

I think the chairman of the local branch opposed some resolutions directed against you; so the local branch would not be unanimous in going against you?—No; I believe the chairman did as you say.

Now you say you have experienced a great deal of trouble in getting provisions?—Yes, in Millstreet; I had no trouble elsewhere.

Are you not a provision dealer yourself?—Yes, my business was carried on for the purpose of providing myself and sustaining people who were suffering from boycotting. A deputation from the League went to some wholesale provision merchants and asked them not to supply me, and some had to send me goods secretly.

That is not an answer to my question. You said you had a great deal of trouble in getting provisions; do you mean meat and such things?—I killed my own sheep and got mutton.

You deal in groceries?—Yes.

Now, I do not mean it in any way to be disparaging to you, but I suppose even wholesale dealers who supplied meal and flour and other articles found themselves interfered with. I suppose there are in Millstreet a large number of small shopkeepers?—Yes.

They would be jealous of your large establishment and the general character of your merchandise?—Very naturally they would, but I was always very popular with the whole neighbourhood.

What is the population of Millstreet?—About 1,300 or 1,400. In 1880 it had four police and one sergeant; now it has 70 men. There are two barracks in the town, and the police are scattered over the district.

Do you think this large increase in the police force may have something to do with the boycotting and annoyance to which you were subjected?—I do not think directly; indirectly it may have done.

Was the district charged with the support of these extra police?—No.

Are you certain?—I am.

Now, with regard to this £16,000, what does that represent?—General trade.

Including bad debts?—Some, since the establishment of the Land League.

Were there no bad debts before this wicked Land League came along?—I consider that in my district there was peace and plenty until the Land League came.

Was there no poverty?—Every one was fairly content and able to meet demands, and willing to pay rent.

There was no disturbance with regard to the land?—No.

How old are you?—56.

Then you remember the years before the famine?—
Well, I was only a boy.

Your father would remember them?—Oh, yes.

Did you never hear from him about the troubles—
murders and outrages—in consequence of the large
clearances?—My father died when I was only a few
years old.

Then you can give me no information about it?—No.

By Mr. Biggar.—Did you give evidence before the
Bessborough Commission?—Yes.

What was the nature of that evidence with regard to
a Land Act?—In favour of it.

If everything was as favourable as you say, why was
a Land Act required?—People are always anxious to
be made secure in their farms.

Did you occupy a farm of a man called Toomey?—
Yes.

In what way did you get it?—From the Court of
Chancery.

Did the widow consult you with regard to this farm
before you took it?—No, she was dead at the time.

What became of the children?—There were only
two; they are still in the district.

You hold the land?—Yes.

You did not give the orphans any compensation?—
No; I had not the slightest notion of it. That was
in 1876, I think.

Do you think your action was calculated to make
you popular in the community?—Yes. I was one besides
several prominent Nationalists in the place who offered
for the land to the Court of Chancery. They would
not have given compensation.

You estimate your profits at £2,000 a year up to
1879. Upon what sum did you pay income-tax?—I
cannot tell you. There are a great many reductions
allowed in respect of income-tax.

Did you ever pay income-tax on £1,000?—I would have
brought my papers if I had known I should be asked
these questions.

Did you pay income-tax on £1,000 up to 1879?—
The witness was understood to reply that he did not
think he did.

You made a return in 1879?—I think the return was
made before that.

The return you made was not what you now say
your income was?—Before 1879 it was less than £1,000

that I returned as my income to the Government. In those years I made extensive alterations in my business.

Will you swear that your return reached £500 a year?—I cannot tell you. I cannot recall everything that occurred nine years ago.

Well, we will leave the Judges to form their own conclusions as to the value of your evidence with respect to your income-tax. You were employed once by John M'Carthy, were you not?—Yes, 30 or 32 years ago.

Did you ever serve him with a writ?—No.

Tell me; have you ever received secret service money from the Government?—I have no hesitation in answering the question, although I know it is only put with the intention of insulting me. I never received a penny from the Government. I am under no obligation, with regard to money, to any one in the United Kingdom. I would scorn to accept it.

Have you ever been present at an eviction?—I have; but not at many. I detailed the circumstances to Mr. Reid a short time ago.

You have told us you were in the spirit trade?—I was, I am not now. The licence is in my son's name. He has been on a pleasure tour to New Zealand and Australia.

Do you get the profit?—I do not. It goes to his account. I have not been connected with the business for three years. I am out of it.

Is it customary in county Cork to make the sub-agents of landlords magistrates?—I am not aware that it is.

Were you made a magistrate because you were the pet of the landlords?—No, I have property of my own.

Re-examined by SIR H. JAMES.—Do you own considerable property?—I farm about 1,200 acres.

Are you estate agent for certain properties as well as sub-agent?—I am.

When did you first become subject to ill-treatment at the hands of Land Leaguers?—Towards the end of December, 1880.

Before then did you ever hear any complaint as to any action of yours as agent for Mr. Singleton?—I did not hear a word of complaint.

Had you ever heard any complaint in respect of your management of his property?—No.

You were asked by Mr. Biggar as to some land which you took in 1876?—Yes; in that year a shop-keeper in Millstreet became bankrupt, and the land, which consisted of accommodation fields, was sold, the Court of Chancery interfering, and I was declared the tenant.

A question was put to you about two children in connexion with a holding which you obtained. Was there any reason why you should give these children any compensation?—None whatever.

Before 1880 did you ever hear any complaints as to your conduct with respect to this holding?—No, they never complained of my conduct.

Now as to your popularity. In 1879 you lost a daughter, I believe. Was the funeral attended by 2,000 persons?—It was the largest funeral ever seen in Cork. It was a mile and a quarter long.

That may be taken to be some proof of the estimation in which you were held?—Yes.

Did the local branch of the League ever communicate to you that Mr. Davitt had remonstrated with them?—No.

If he did remonstrate with them, did it have any effect?—No. No beneficial effect as far as I was concerned.

The letter which you wrote to Mr. Davitt was published on December 28, 1880. Did the treatment to which you were subjected increase in severity after that or not?—It increased in severity.

The business, is it your son's or your own?—The witness was understood to say that it was his son's.

Now as to income-tax. You made all the regular deductions?—Yes.

The return is supposed to be the average of three years' takings?—Yes.

It was in 1879 that your business profits reached the sum which you have mentioned?—Yes, there had been a very large increase up to 1880. It reached the *maximum* in that year.

Has the business fallen off to the extent which you have described?—Yes.

And can you ascribe the falling off to any cause except the boycotting?—No.

You have spoken of the difficulty of collecting debts and said that you were prevented from collecting them. How was that?—Simply because it was no use to get

decrees which would not be executed by the ordinary officers. The statement applies generally to all kinds of decrees. This state of things has existed more or less ever since 1880. Before that year every man paid his debts honestly as best he could.

Mr. REID.—I understand that your Lordships directed that the O'Kelly letter might be seen, and you stated so to Mr. Asquith. Myself and my learned friend Mr. Harrington appear for Mr. O'Kelly, and I presume we are entitled to see the letter.

The PRESIDENT.—Certainly, it is intended that you should.

Mr. REID.—And so we all assumed, and when the letter was in the hands of Mr. Asquith we endeavoured to see it, but we were denied possession.

The PRESIDENT.—Will you tell me of whom you are complaining?

Mr. REID.—I do not complain of Mr. Cunynghame, my Lords. I complain of my learned friends on the other side.

SIR H. JAMES.—I can assure you there has been a misunderstanding. There can be no objection on our part to your seeing the letter.

The letter was handed to Mr. Reid. and the Commission adjourned.

ROYAL COURTS OF JUSTICE,

DECEMBER 4.

Rev. Canon Griffin was the next witness. In reply to the ATTORNEY-GENERAL he said,—I went to Castleisland in 1855. The place was then quiet and peaceable, and the people were industrious and religious. In 1857 I went to Killarney and I remained there till 1872. At the end of 1872 I went to Millstreet, and I have been there up to the present time. From 1872 till 1880 the neighbourhood of Millstreet was excessively peaceable. The people were quiet, industrious, and religious. I kept an accurate account of my communicants, and I found that, taking an average for the years between 1873 and 1879 inclusive, they amounted to 39,000 per annum. In 1880 the number of communicants fell off. The district, which had been quiet and peaceable, became disturbed, and during 1881 and 1882 there was a great falling off in the number of people who attended to their religious duties. The great majority of the people continued very respectful towards me, though a good number did not. One of the male schools in Millstreet was boycotted in consequence of the teacher, William Reardon, having given evidence at the Assizes at Cork. Reardon had previously been in the school as a monitor. Afterwards I appointed him assistant teacher, and then teacher of the junior school. He had been in the school from the time I went to Millstreet, and he was a young man whose conduct was extremely well regulated in every respect. A collector in my church named Reardon, the father of the school teacher, was also boycotted. One morning I was surprised to find the gallery on one side of the transept almost empty, while the gallery on the other side was crowded to excess. After the service I made inquiries, and found that notice or word had been given to the people—I do not know by whom—not to enter by one door in consequence of Reardon being the collector there. The elder Reardon, I think, also gave evidence, I had a smaller church at Cullen, which was attended by a man named O'Keefe, who had been boycotted and was under police protection. Just previous to the service one Sunday when O'Keefe entered the church the people all got up and

walked out. On all occasions I preached against outrage. On December 25, 1881, I found a notice posted on the door of my church, importing that I favoured the "tyrants" of the country, and saying that those who gave Christmas gifts to me would get buckshot. Every time that an outrage had taken place in my parish I had denounced it. A man named Jeremiah Reardon, a brother of the collector in the church, who was boycotted, was secretary of the local branch of the Land League. One day I was denouncing some crime—I do not exactly remember what—when he spoke out in church most offensively. My parish became disturbed immediately after the establishment of the Land League. Up to that time rents were fairly paid in my district. The outrages seemed to me to arise out of mere vindictiveness and malice rather than anything connected with the land. People were much intimidated and often told me they were afraid to do things they wanted to.

Mr. REID.—I object to my friend giving evidence of what people said to Canon Griffin.

The PRESIDENT.—I think it is admissible as general evidence.

Examination continued.—I believe that a great many people were coerced into doing things which they did not like. If I remember rightly, the League was first established in the Millstreet district about 1880 or 1881.

Cross-examined by Mr REID.—There are a good many exemplary priests all over Ireland who are in sympathy with the League, are there not?—Thousands.

Who no doubt, like yourself, have denounced outrages and crime?—Very possibly. I have heard so.

I understood you to say that vindictiveness had a good deal more to do with crime than the land question?—As far as my parish was concerned, I believe so.

Do you contend that the substantial basis of the Land League was spoliation?—I do not say it was started for that purpose, but when established it was used for that end.

What was the condition of the Millstreet district in 1879, when the Land League was started?—Very peaceable, as far as I remember. There was a good deal of distress, but it was stopped by relief. It was brought about by the failure of the potato crop.

Were the rents about Millstreet largely reduced by

the Land Commissioners?—They were reduced by the Commissioners and by the landlords.

Is it not the case that reductions as a general rule were opposed before the passing of the Land Act?—I never heard of cases where they were refused. I know that on several occasions I recommended the landlords in the district to give substantial reductions, and they almost invariably adopted my suggestions.

You considered that the reductions were necessary?—Absolutely necessary. I considered that a very large portion of the land about Millstreet was much over-rented, and I was surprised that the people seemed satisfied to pay such high rents.

You have told us that the Land League was misused; do you not agree that the excessive rents that prevailed and the deep distress in consequence were the causes which provoked the agitation of 1879?—It may have been. As a priest I could not admit anything into my parish which caused irreligion or disorder.

I am asking you what in your opinion were the causes of the agitation?—I believe that every agitation should be conducted within the walls of the Ten Commandments.

So do I, but the question I want to ask you is whether you do not think that the excessive rentals were the cause of the agitation?—I do not think so. I think that the people themselves were not the cause of the agitation, but that it was the work of people who wanted to come to the front and be great men. (Laughter.)

Did not the agitation get the sympathy of the people in 1879?—I dare say. Sympathy would come very quickly after it was originated.

What do you think was the cause of the popularity of the Land League?—When a tempting picture is presented to the people they look at it and come to admire it.

When did crimes begin in your district?—Boycotting began at the end of 1880. I think that crimes of violence classed in Government returns as agrarian offences began in 1881.

Cross-examined by Mr. LOCKWOOD.—Do I understand that you have been opposed to the Land League from its very start?—Yes.

Are you in the position, as far as your brethren are

concerned, that you are standing alone in this question?—I do not know that; I do not believe I do.

Can you give me the name of one of your brethren who holds the same opinion on this subject that you do?—I cannot.

Can you give me the name of one in your district?—In my district I believe all my clerical brethren support the Land League.

How many priests are there in your deanery?—Eleven or twelve.

Was there, as far as you know, any agitation in your district with regard to the matter of rent before the establishment of the Land League?—Not to my knowledge.

Was there not a fair rent agitation in 1878-9?—Not that I am aware of.

Have you heard of the Farmers' Club?—That was not in Millstreet. When it is out of my district I pay no attention to such things.

Did you ever hear of it?—Yes.

Where was it held?—At some place 20 miles from Millstreet.

Did you not hear in 1878-9 of any agitation in favour of the reduction of rent?—No, not that I remember.

Did not you yourself in the services in your church in 1878-9 denounce an agitation which was then going on for the reduction of rent?—Certainly not.

Not in your own church and from your own altar?—I do not think so.

I ask you whether you did so or not?—I am almost certain I did not.

It is not the sort of thing which you would have forgotten if you had done it?—The only allusion I made from the altar at that time was when the Government gave cheap loans, when I advised the farmers to meet after the service, and they did meet for the purpose of seeing what they could do with regard to them.

That was not in 1878-9?—It was in 1879, I believe.

I am asking you with reference to the course you pursued in 1878-9. I do not, however, wish to spend more time upon that. You espoused the cause of Hegarty?—I espoused the cause of morality.

I did not say anything about the cause of morality. I asked you about Hegarty. Are they synonymous terms? You see you will argue with me instead of answering my questions.

The PRESIDENT.—Yes ; but he is answering what is implied in your question.

Examination continued.—Did you espouse the cause of this man?—No. I was opposing the iniquity that was going on. The man was boycotted.

Do you remember Hegarty starting a bakery on his own account?—I do.

Do you recollect taking active steps in supporting that bakery?—No.

Do you remember a man named Cooper?—Yes.

Was he a rival of Hegarty's?—He was a rival of all bakers. (Laughter.)

Do you recollect taking any active steps with regard to Cooper? What did you do?—Other bakers told me that he was selling bread much below the proper weight, and I spoke of it from the altar. I cannot say what I did.

I am not asking you that.—I cannot say what I did unless you will allow me to say what he did. (Laughter.)

The ATTORNEY-GENERAL.—You shall have an opportunity of explaining afterwards.

Cross-examination continued.—What did you say from the altar with regard to Cooper?—I spoke of selling bread that was short in weight as not being honest.

You mean his underselling the other bakers?—It was not a question of underselling. It was a case of giving short weight.

Did you pay a visit to Cooper?—Certainly not.

Did you take any other steps with regard to him?—No.

Then what I understand is that you did mention the fact from the altar that Cooper was not selling bread as he ought to have done from your point of view?—From the public point of view.

By Mr. Davitt.—I have only a few questions to ask you. You say that the cause of the agitation was not the people themselves, but certain persons who wanted to come to the front and to create names for themselves?—Yes.

Does that observation apply to Bishops and to priests?—I do not know that they initiated the agitation, but even if they did that would not prevent me from taking the action I did in the matter.

I am not questioning your right to take any action

you might think fit to adopt. I ask you whether your Archbishop did not take a prominent part in assisting the agitation?—I do not know.

Do you not know that he took an active part in the initiation of the Land League movement?—I do not know that.

You have told us that you preached against outrage always. Did you ever preach against evictions?—There were only five or six in my parish, and in those I was obliged in the interests of peace to interfere to get them settled.

In the interests of peace as well as of justice?—Yes.

You believed that evictions caused very bad feeling and disturbance?—Yes. I believed that, undoubtedly.

But evictions of every kind will cause angry feelings on the part of the evicted?—Naturally.

Do you remember the evictions which followed the famine of 1848-49?—I was a boy at that time, but I understood that there were very cruel evictions at that time.

Do you remember the year 1849?—Not specially. It was the year before I went to college.

It was a year of great disturbance in Ireland, was it not?—I should say so, but I do not recollect myself.

Do you know that there were over 200 agrarian murders in 1849?—No, I do not. I was a boy at the time. I may say this—that there were no agrarian murders committed in the county of Kerry for 30 or 40 years until Poff and Barrett were executed. I believe, though, that there was one agrarian murder which was committed in the county the year before I went to Castleisland, but that I understood to be the result of a family feud.

The ATTORNEY-GENERAL.—He is speaking of 1854.

Cross-examination continued.—Are you a native of Kerry?—I am.

I think you say that you advised the landlords to give reductions?—Yes.

Then that was in the interests of peace as well as justice?—It was.

Then you thought that substantial reductions of rent would conduce to peace?—Most decidedly.

You have said that the people were coerced into joining the agitation in your district?—Undoubtedly. A great many people would not have joined in the

agitation of the Land League had they not been compelled to do so.

Do you remember the land agitation in 1852?—No.

I suppose that you know that it was not continuous?—No, I do not.

You say that you sympathized with Mr. Hegarty because he was boycotted? I am not putting this question to you in an offensive manner. If you think that I am I will apologize beforehand. You have, I suppose, read a very able letter written by Mr. Hegarty and addressed to myself?—I do not think I read it. I believe that he read it to me soon after he had written it and he complained to me that you had not answered it.

There may be a question as to my having answered it. But what I wish to ask you is, Did you write that letter for him?—No, certainly not. Mr. Hegarty can write a letter as well as anybody in this court.

By Mr. Biggar.—Now, how do you define an unjust eviction?—A case where a man did his best to pay his rent—did not allow himself to fall into these large arrears, and paid what he could. If in such circumstances a landlord was cruel enough to evict him that would, in my opinion, be an unjust eviction.

Have you ever known of an unjust eviction?—Yes.

You have told us that you preached against outrages. Have you ever preached against unjust evictions?—I do not consider that there were any unjust evictions in my parish, and therefore I did not think it necessary to preach against them. In a large number of cases the matter was settled.

Then you did not preach against unjust evictions or extortionate rents?—There was no necessity. It was not for me as a priest in an agricultural district to raise a storm.

Is not extortion a sin?—It is.

And yet at the same time you did not preach against it?—There are two sides to the question. I believe that the landlords were to blame and that the tenants were to blame also, because the farmers offered such enormous rents that they tempted the landlords to accept rents which they could not pay. Then I saw that the tenants when they saw a farm to be sold would offer fabulous sums for it.

Did you preach against land-grabbing or covetousness?—There was no land-grabbing in my district. What

was the necessity for preaching against what did not exist?

Are not you the only priest in your district who has identified himself with the landlords?—I have not identified myself with the landlords more than any other priest. I love the people as much as any other priest, and I have gone as far to serve them.

Have you ever written a letter to a paper called the *Union* in Dublin?—No.

Your relatives are, I believe, very much in sympathy with Lord Kenmare?—My brother was his physician and I was his chaplain some years ago, and some of my relatives were tenants on the Kenmare estates.

Therefore your family was very closely identified with Lord Kenmare in every way?—I should be glad to be identified with Lord Kenmare in any way, because there is not a better landlord in Ireland.

Are you aware that in Kerry there is more crime than in any other diocese in Ireland?—Unfortunately there is.

And the Bishop of Kerry happens to be one of the very few Bishops who take the part of the landlords against the people?—I am very glad you have asked me that question. The Bishop of Kerry has done no such thing.

Re-examined by the ATTORNEY-GENERAL.—How long ago did the Cooper incident take place?—The year after I went to Millstreet—in 1873.

Mr. REID.—If it is not inconvenient to Canon Griffin, perhaps he had better remain in London, as Sir Charles Russell might wish to ask him a few questions.

The PRESIDENT.—Not unless you can put forward some special object to be gained.

The Commissioners then adjourned at 20 minutes past 4 o'clock.

ROYAL COURTS OF JUSTICE.

WEDNESDAY, JULY 17.

When the witness left the box the PRESIDENT called Dr. Tanner, M.P., who thereupon entered the witness-box.

The PRESIDENT said that Dr. Tanner had been represented by counsel and the Court understood that he was prepared to give evidence.

Dr. Tanner.—My Lords, I will give every facility I possibly can to the inquiry.

Cross-examined by Mr. MURPHY.—You do not wish to make any statement yourself, Dr. Tanner, before I examine you?—If you wish to cross-examine me I shall be very pleased.

If you wish to make any statement, I suggest that it is a convenient time. When did you enter the House?—In 1885; I first began to take a public part in politics a few years before that.

And joined the Nationalist party?—No, I did not join the Nationalist party.

When did you become connected with the National League?—I rather imagine I joined the National League in 1884.

What was the branch?—The City of Cork.

And in connexion with it did you become acquainted with its operations throughout the county of Cork?—No, I cannot say I did; merely in Cork city; I did not go to any country meetings until at or about April, 1885.

Prior to that were you acquainted with the working of the League in Cork?—Oh dear no.

About Millstreet?—I practically knew nothing about Millstreet. The first time I went there was as a guest of Mr. Aubrey Maurice. I did not go again until the occasion of Mr. Coleman's sale. He was the president of the National League at Millstreet. That was the date of one of the meetings—December 15, 1885.

Joining the Land League or the National League you became acquainted with the doctrines that were preached by those at the head of it?—I suppose so, in a general way.

Boycotting?—Well, I was very viciously boycotted myself at that time, and it was because I was viciously boycotted and because my practice in the city of Cork was destroyed. I was earning a very good income in the city of Cork before the month of April in that year, and when my business was destroyed by the Conservatives—the supporters of law and order so-called, self-styled—in the city of Cork the people came to my assistance. I was elected physician and surgeon to several popular societies of some of the poorer people, and these people came to my assistance, and accordingly I took from that time a greater part in politics than I had previously done.

Was boycotting practised to any extent in Cork when you became connected with the League?—I think it was not enough practised, because I thought if the head of the Cork magistracy was sufficiently strong to have me boycotted, to have Charlie Tanner chased out of Ireland by depriving me of the means of earning my daily bread, I thought if he was fit to do that the people were perfectly entitled to practise boycotting in order to enable them to sustain their wives and their families. I thought they might do it more, without, of course, having recourse to outrage. I went by my own treatment, and from platform after platform I have pointed out to the people that what was fair in my case was perfectly fair for them to practise—what was sauce for the goose was sauce for the gander.

Were you one of those who think it a proper thing to name a man and hold him up to be boycotted?—Well, certainly; if it was fair for them to do it with me, I think it was perfectly fair to use the same political weapon for the side I now belong to—the National party—the same weapon as that of the Tories in county Cork, and which is now extensively used by the Primrose League.

Until you joined the League were you aware that people who were boycotted were often outraged?—No, I was not; I knew nothing about it except from hearsay.

Did you hear anything about it in 1882-3?—From the papers.

You have no reason to doubt that what was said upon that subject was true?—I have many reasons to doubt,

Speaking generally, Dr. Tanner?—Speaking generally of what the papers contain there is a grain of truth in a great number of reports, and in that way people who have been boycotted may have been subjected to outrage.

I have some questions to ask you with reference to the Prince of Wales's visit to Cork in 1885. *United Ireland* says that as the Royal procession was passing the Queen's College "a Union Jack was torn from its post and torn to shreds, amid cheers for Parnell." Was that the case?—I know nothing at all about that.

The report continues :—

"During the rest of the Prince's stay hisses were the order of the day, and several loyal young men were severely beaten. The last thing the Prince heard as he left the city was 'God save Ireland,' sung along the quays by thousands of people. The performance was frequently varied with cheers for the Mahdi, Parnell, O'roke, and the Czar, and groans for the British Government. The Nationalist mayor, Alderman Madden, was carried on the shoulders of the crowd, and Mr. John O'Connor, M.P., was loudly cheered wherever he went. Mr. O'Connor, Dr. Tanner, Mr. J. C. Flynn, and other speakers afterwards addressed a large gathering of citizens."

Is that a correct description?—I only know that I did address a meeting from the windows of the National League rooms. It was but a stuttering utterance on the spur of the moment. I think that was the first time I ever spoke in public. As to the pulling down of the Union Jack I saw nothing of the kind.

You would not have approved of it, I suppose?—Certainly not.

Your next appearance was on August 20, 1885, at Kealkill, Cork. You are reported to have said :—

"Dr. C. Tanner called on the people present several times for God's sake to boycott every man, woman, and child that would not be true, and join the national cause. He told the people to be careful and not to purchase an article from any one but a Nationalist, and if this would not take effect the steel would 'be gob.'"

Did you use that language?—Certainly not. I wish, my Lords, to find out where these reports came from. I have asked for copies of the speeches

attributed to me, but I have not been supplied with them. I want to know whether they come from the *Cork Constitution* or from police reporters.

Who was your counsel until yesterday?—Well, there were several counsel.

Do you not know who your counsel was?—I had written to two counsel from Galway Gaol, Mr. Lockwood and Mr. A. O'Connor, and the latter has replied. I suppose both these gentlemen had charge of my case, but Mr. Lockwood is the senior.

When did you go to prison?—On May 2.

Who were your solicitors?—I presume Messrs. Lewis and Lewis were.

Do you not know that copies of these speeches were delivered to Mr. Lewis on your behalf as long ago as November?—I cannot say that. I have applied again and again for copies of these speeches, and have not succeeded in obtaining them. I have applied to my counsel and to Mr. Lewis. When a man is in gaol many forms have to be complied with before he can obtain even documents which he is entitled to have. This may account for my not having received the speeches. At any rate I did not get them.

Are you aware that this particular speech was given in evidence long ago?—I was not aware of that. I should like to know from what source that speech came, as an accusation is founded upon it.

You are aware that your counsel admitted this speech as correct?—I am not aware of anything of the kind.

The PRESIDENT.—I hope we shall not have to call Mr. Lockwood as a witness. (Laughter.)

Mr. MURPHY.—Is it true that you "called on the people several times for God's sake to boycott every man, woman, and child that would not be true and join the national cause"?—It is very hard to remember what I said at this distance of time. To the best of my recollection I did not say that, but I will not swear one way or the other.

Did you tell the people "not to purchase an article from any one but a Nationalist"?—That is very likely; I have frequently told the people that.

Did you say "If this would not take effect the steel would"?—Certainly not. There was no shorthand reporter at this meeting as far as I know. Your longhand police reporters have repeatedly sworn to

more than it was possible for them to have taken down.

Did you say at Coachford on November 8, 1885 :—
 “ Now, to my mind, the evictor is a mere bird of prey, something like the hawk, sometimes descending as low as the carrion crow, but when you want to get an actual land-grabber you have to go to that foul bird the vulture to find him—a bird that fattens himself upon dead carrion which is strewn about the land. One is merely a bird of prey ; the other is a rapacious beast, too low, too filthy to take cognizance of, too low to denounce. He is like the leper in the East, or like that other gentleman ; and, like such a noisome creature, we should treat him in the only way in which he ought or can be treated ; we should leave him severely alone ; leave him to his noisome pestilential company ; let him revel in his own baseness ” ?
 —I cannot swear to every word that you have read, but I certainly have denounced land-grabbers to the best of my ability. (Laughter.)

The PRESIDENT.—Is that the best of your ability ? (Laughter.)

Mr. MURPHY.—I think not, my Lord.

At this point, it being 4 o'clock, the Commissioners adjourned.

THURSDAY, JULY 18.

The Special Commission held their 109th sitting to-day in No. 1 Probate Court of the Royal Courts of Justice.

On the Commissioners' taking their seats,

Mr. M. Harris entered the witness-box and said,—
 My Lords, I mentioned yesterday Mr. Breunan and Mr. Egan as members of the Fenian body. I should also have mentioned that some years previous to my own resignation in 1880 they had severed officially their connexion with the organization, on grounds similar, or nearly similar, to those upon which I severed mine—namely, their connexion with the public movement. At the time of the establishment of the Land League, neither of these gentlemen, so far as

my knowledge goes, was connected with the Fenian organization.

SIR H. JAMES.—There is a letter of the 19th of December, 1877, Mr. Harris, the copy of which you spoke of as being misleading; where shall we find that letter?

Mr. M. Harris.—I can give you that letter in full.

The PRESIDENT.—You promised to mark certain passages in your speeches to which you wished to call our attention?—I find, my Lords, that I had marked some points.

Dr. Tanner, M.P., then re-entered the witness-box. He said,—I wish to make an explanation before my cross-examination begins again. I have looked and I see that it is no fault of mine about the dates of my Kealkill speech; *The Times* has been wrong again; the speech was not delivered on the 23d of July, 1885. The Attorney-General was also wrong in endeavouring to correct *The Times*, as he said that the speech was delivered on the 29th of August; but I find that the speech was delivered on the 23d of August, and reported on the 24th in the *Cork Daily Herald*.

SIR H. JAMES.—It was not a mistake originally on the part of the Attorney-General. In his opening statement he mentions that it was on the 23d of August.

Witness.—Even the Attorney-General is not infallible.

SIR H. JAMES.—I did not say he was.

Mr. MURPHY then continued the cross-examination of Dr. Tanner.

Do those words about boycotting men, women, and children appear in that speech?—No, not to the best of my belief.

Do you think that perhaps the reporter did not choose to report the words of that character?—I am no judge of the reporter's judgment. This is the *Examiner* report. It is nearly the same in the *Herald*.

Is there anything about boycotting?—I spoke of boycotting.

Was there nothing about boycotting land-grabbers?—No; I do not think I spoke much about land-grabbers. I did not know much about land-grabbers at that time.

Are there any words at all corresponding to what has been suggested?—Distinctly not. There are no words to that effect.

Then, either the reporter must have invented those words or they were not uttered?—Distinctly. I sincerely trust I had more sense than that. I would point out, my Lords, that Mr. Gilhooly's speech, which is in the same volume of the *Cork Daily Herald*, has been underlined by the counsel or the solicitor for *The Times*, and that they have paid no attention to my speech.

Did you speak at Coachford on the 8th of November, 1885?—Yes.

Did you use these words :—

“ Now, my friends, in coming here to-day it was not my intention or object on this present occasion to open my candidature for Mid Cork, the constituency for which it pleased our great leader, Charles Stewart Parnell, to nominate me. It was not my intention for many reasons. In the first place, I have not been here before, and it was more suited that Macroom, being the largest town in this great division of Mid Cork, and being a very central place, it was more suited that I should commence in the town of Macroom. (Hear, hear.) But hearing of a monster meeting being assembled in Coachford to denounce those crimes which stain the face of the earth, to denounce land-grabbing and grass-grabbing, and the villains who lend themselves to such foul practices, I, after being nominated by Mr. Parnell, thought I would not be doing my duty if I did not come down here and take part in your proceedings to-day.”

—I would like to know whence this report comes.

This is the report which was proved at the time when you were represented by Mr. Lockwood and other gentlemen. Did you use this language?—I could not be perfectly certain of what language I used many years ago.

Mr. MURPHY (continuing to read) :—

“ Now, to my mind, the evictor is a mere bird of prey, something like the hawk, sometimes descending as low as the carrion crow ; but when you want to get an actual land-grabber, you have to go to that foul bird, the vulture, to find him—a bird that fattens himself upon dead carrion which is strewn about the land.”

Did you use these words?—I may have used words to that effect. I denounced land-grabbing as strongly as I could.

Mr. MURPHY (continuing) :—

“ One is merely a bird of prey, the other is a rapacious beast, too low, too filthy to take cognizance of, too low to denounce. He is like the leper in the East—or like that other gentleman; and, like such a noisome creature, we should treat him in the only way in which he ought or can be treated. We should leave him severely alone; leave him to his noisome, pestilential company; let him revel in his own baseness. Now, my friends, if we will give this treatment to this class of creature, what are we to do to the men who sustain them? We have known and we have read that quite recently there is a society which has arisen in our midst—a society which puts itself up as the I.L.D.U. Well, my friends, these initials I.L.D.U., they are copied from a society which existed in Ireland in times gone by. I allude to the men of '67—the I.R.B. Their initials mean the Irish Loyal Defence Union, which practically means a certain number of gentlemen—gentlemen with a point of interrogation—who are banded together to put money in their own pockets at the expense of all other classes; themselves first and everybody else after—and these men come forward with a long programme. These gentlemen who call themselves the Cork Defence Union, they put forward a long programme, and they tell us that they are coming forward to the defence of the boycotted creatures who have suffered from that iniquitous system that has been allowed in our midst by the League of Hell. They do not call it any other name; they would send us there quick enough if they only had power. These gentlemen are coming to the relief of the boycotted. Who are the boycotted in the county of Cork? You will find, in the first instance, that there are very few landlords actually boycotted in the county of Cork. The unfortunate fellows—they are at their last gasp; and they are going, going, and at last gone. (Cheers.) The landlords not being boycotted people, who are the boycotted people? I maintain the boycotted people are the grabbers—the grabbers whom we have come here to-day to denounce. These are the boycotted people, these are the vultures, these are the

lepers, these are the men who deface the face of this earth. If they are coming to the defence of the grabbers, I think we ought to leave them severely alone, and the measure we mete out to the grabber we ought to extend to his defender."

Did you use those words?—I may have used language to that effect; but I hope it made better sense than what is reported there.

Were many men boycotted in Cork for what you call land-grabbing?—No, I only knew of two people who were boycotted in Mid Cork at or about or after that time; one was Jeremiah Hegarty, and the other Dr. Cross, who has since been hanged by Mr. Balfour.

Do you mean to say that you have not heard that through the county of Cork generally many people were suffering from boycotting?—I was suffering from boycotting myself.

Did you not know that numerous persons throughout the county were suffering from boycotting?—I have heard of it; but I am speaking on oath, and I say I do not now remember the names of any others than those I have given as being specifically boycotted.

I am speaking of a class. Were there a number of people boycotted at that time?—No; I was trying to get land-grabbers boycotted, and for that purpose I spoke strongly, in order, if possible, to challenge her Majesty's Government to prosecute me, in order that boycotting might be tried out, whether it was fair to boycott me as representing the people. It was a fair challenge.

Do you say that you did not know that people were being boycotted?—I say that I did not know of any individual cases other than those I have given.

"These gentlemen are coming to the relief of the boycotted." Who were the boycotted?—I do not know.

"I maintain the boycotted people are the grabbers—the grabbers whom we have come here to-day to denounce." How do you reconcile that language with the answer you have given?—I said that I could not give you any names of persons boycotted in county Cork other than those two names. I know that there was boycotting. I heard of it or read of its being practised: but I had only a general acquaintance with the fact.

I think I asked you about a class?—I was not well-informed on the subject. I was trying to advocate boycotting to the best of my ability.

“These are the boycotted people”?—I do not admit that I used those words.

Do you deny them?—I will not deny them, but I will not admit them. I cannot do either one or the other.

Were you aware at that time that Hegarty was boycotted?—I think it was some time after this.

Before this were you acquainted with the fact?—No; I had only the slightest acquaintance with Hegarty before this. I met him on this first occasion when I was on a visit to Lishane Castle. There was a meeting at Millstreet. I could not tell you the date of that. It was some years before. I was present at a meeting at Millstreet on the 15th of December, 1885. I was made more acquainted with Hegarty on that occasion.

Were you aware that in 1880 or 1881 he had been boycotted by the Land League of the place?—I did not know how long he had been boycotted.

When you were at Millstreet were you aware that he had been fired at in April of the same year?—I was not.

Do you mean that?—I do, certainly.

When did you first hear that the man had been fired at in April, 1885?—I heard nothing about it. I may have seen something in the papers; but I knew nothing about it.

Will you swear that you did not hear it or see it in the papers that he had been fired at?—I could not swear as to what I saw in the papers. To the best of my ability I say that I knew nothing about it.

Did you call him “a low creeping reptile living in their midst, who used all his influence in maligning the people amongst whom he lived, and who was endeavouring to climb to the magisterial bench, but who would yet be relegated to the lowest depths of a felon’s cell; and an infamous being who did not deserve the name of being, whose proper definition would be a thing; but whom you would call the lowest of created beings—a creeping louse”?—I certainly called him a louse. I would like your Lordships to understand what had occurred in that case. I had been elected member for Mid-Cork a

very short time before, and Hegarty was, practically speaking, the only person in that district who had organized any opposition. I was elected by a majority of 5,000, and the opposition was a purely factious opposition, and Hegarty was my principal political opponent. I attended this meeting at Millstreet; I had not been there at the time of my election, and it was my first opportunity of hitting back at Hegarty for the way in which he had behaved in the election.

You knew that he had been boycotted for many years before that?—Only in a general way; I knew very little about it.

Do you think that those words, coming from you as the elected member for the constituency, would be likely to have effect?—I think no more effect than that of boycotting him as I was boycotted myself. I always denounced outrage.

Are you aware that he was subsequently shot?—I heard he was shot; but I have my own doubts as to that from what I heard afterwards. I heard from people about there that the shot was fired from off the car on which Hegarty was sitting; that there were two policemen close by; and that when they challenged him he did not stop, but drove back. It was a strange coincidence. I was ready to denounce that as an outrage if I had known it to be such. I may say, in the first place, that there was not a regular meeting at Millstreet on this occasion.

The PRESIDENT.—I do not think that that is material.

Witness.—Very well, my Lord.

Mr. MURPHY.—The evidence of the constable is that he was present at a meeting. Did you say that “as long as Mr. Jeremiah Hegarty is in your midst there will never be peace in Millstreet”?—Yes; I thought, from what I learnt that day about Hegarty, that he was one of the two people who had created all the trouble in Millstreet. I went down to the sale of Cronin’s effects. He was clearing his farm. All the tenants on that property were threatened with eviction, and were trying to sell their stock, and the first thing I heard of him was that the whole thing was being done by Hegarty; that he was the *fons et origo* not only of the evictions which were then threatened, but of all the evictions that had occurred for some time past. He was spoken ill of on all

sides, and I put it straight to the people whether they did not wish him out of the district, where he was promoting disorder.

You wanted him removed?—Certainly not removed in any wrong or improper way, Mr. Murphy.

Had he refused to submit to the dictation of the local League?—That occurred in 1881. I had no connexion in the world with politics then; I heard it subsequently in this Court.

On the 3d of January, 1886, did you attend a meeting at Ballyvourney?—Yes. Might I say one or two words about this Hegarty, my Lords? There was another matter which prejudiced me seriously against Hegarty. A friend of mine, Mr. John M'Carthy, whom I attended in my medical capacity, and who was High Sheriff of Cork, had taken Hegarty from the Macroom Workhouse and set him up, and employed him, and Hegarty got on very well. Subsequently Hegarty tried to wrong him, and the Master of the Rolls, in trying the case, spoke in the strongest possible way of Hegarty's conduct towards his employer and benefactor. That made me dislike the man.

In common fairness, if you had these things in your mind, ought they not to have been referred to at the time when Hegarty was cross-examined?—I supplied my counsel with a certain number of facts in connexion with this matter. I had very little opportunity of searching into all these things, and many of them I have only been able to prove absolutely since then.

Did you allude to this in any speech?—I made a statement. I made a speech at Moll M'Carthy's-bridge, when I was undertaking a tour. That speech would appear in the *Cork Daily Herald* of January 25, 1887.

Did you say this of Mr. Hegarty:—"What was this miserable creature's history? He was taken from the Macroom Workhouse by John M'Carthy. He nurtured a viper in his bosom, and they knew what return he made to John M'Carthy." Is that all you said about him?—I think I said more.

May I also ask you, in proportion as Mr. Hegarty was unpopular in the district it would be more dangerous to use such language of him?—No; I always spoke against outrage.

In a speech on January 3 did you describe Hegarty as "a foul, corrupt lump of carrion"?—I may have.

On August 25 did you again visit Millstreet?—Before you go to that may I also read a paragraph? I spoke against outrage.

Dr. Tanner then read a passage in which he implored and besought the people to be calm and patient in their present trying circumstances. Their opponents were trying to promote outrages. By preserving law and order they would condemn them a thousandfold; they would send their bum-bailiffs to the right about, would practically make them swallow their own writs, and would be strengthening tenfold their representatives who were supporting the cause of Home Rule in an alien Parliament.

Mr. MURPHY.—On August 25 at Millstreet did you say this:—"When the sore of a patient was irritated inflammation set in, and the inflammation that had now set in should be brought to a point"?—I certainly could not have said that. To the best of my belief I said nothing of the sort. I should not like to stake my professional reputation on a statement like that. I always tried to speak common sense.

Did you speak of Hegarty as "the rotten carrion of these landlords"?—Yes. This was after the second election, my Lords.

The next occasion about which I wish to ask you is December 1. I think you were one of those who supported Tim Hurley when brought to trial for being in the possession of dynamite?—Yes, I was one of those who escorted him to the Court-house. I did hear that there was a minor charge against him of having some dynamite in his possession, but I think that charge was dismissed. I certainly did escort him from the railway station to the Court-house. (To the Court.) Your Lordships would perhaps like to know a little more about that. On that occasion I had my head opened. I was on a car with my friend Mr. O'Connor. I had been down to Bandon, and I arrived from there in the same train with Hurley. When I drove up to the Court-house I noticed a series of assaults on the people, and when I saw an old woman knocked down with a policeman's sword I jumped down from the car to remonstrate. I was then struck on the head by a baton, receiving a wound an inch long. While I was lying in a senseless condition on the ground, although some of the police un-

doubtedly saved my life, others of them tried to kick me in the ribs. As a matter of fact the magistrates brought in a true bill against the inspector who was in command on that occasion, but the Government quashed it.

Examination continued.—On December 5 did you speak at Inchiquin to this effect :—“ Now is the time to stand stern and steadfast, not to let any man go behind the back of his brother man. Any man who attempts to do so is a coward and a miscreant, and should meet with what those miscreants deserve. They should be branded with the sign of infamy and abhorred as men ought to abhor them. I trust there are not any in this district, and I feel certain that you will bring others into the path which will lead to the emancipation of the Irish tenant-farmer ” ?—Yes : that is the Plan of Campaign.

Did you use that language ?—I daresay I did. I would like to say, my Lords, that that refers to the Plan of Campaign on the Ponsonby estate, which is now a matter of controversy, and I think Mr. Murphy would have done better if he had not brought it out.

I am dealing with your statement ?—I challenge your statement that any speech of mine ever led to any outrage.

On January 25, 1887, were you at Cooldorrihy ?—I was. That was also a Plan of Campaign meeting.

Did you refer to the police and say that the mothers who gave them birth should be ashamed of them, that the women of the place should not speak to them, and that fathers and mothers should take care of their daughters, and brothers should watch their sisters ?—Certainly. I was always very proud of the Millstreet people. The men had the finest physique of any in my constituency, and the people were always very kind to me, and I always praised them up whenever I got an opportunity.

They understood your language and you understood them ?—I did not hint at any outrage, Mr. Murphy.

Was there a thorough understanding between you and them ?—I hope I understood them. I have always tried to represent them to the best of my ability.

Are you aware that some men visited the house of a man named Murphy and cut off the hair of his daughter and tarred her head, telling her not again

to speak to the police?—Yes, I am aware of that. On many occasions I have told the women in my constituency to boycott the police. I have told them they ought not to be seen speaking to the police. I have told the girls again and again to have nothing to say to policemen. That outrage occurred in the month of February. I was in London at the time. I at once made inquiry about it. It was denounced by the National League in Millstreet immediately after it occurred, and I found that the outrage was not altogether as bad as it was stated to be in the papers. I considered it an iniquitous thing and a stain on the district, and I took the first possible opportunity in the following autumn to refer to it and to tell the people they ought to be ashamed of it. I spoke in Macroom. I cannot give you the date now. I should say the speech would be in the *Herald*. I have been in prison, and have not had the opportunity of hunting up all these speeches.

The next speech to which I will call your attention was delivered on January 25, 1887, at Cooldorrihy, in which you are reported to have said:—"If a soldier enlisted in the Army was required by his colonel to march with his comrades to meet the enemy at the gap, fell out of the ranks, well, he would be shot, do you mind. Well, the men who will not obey me as their colonel and join the National League, well, I would not say they should be shot, do you mind, but they should be roughly treated. But I won't be accountable for their lives, and maybe the daylight would be seen through them in bullet-holes, do you mind." Did you use that language?—I certainly never said anything like that. I am perfectly certain I did not make use of that language. I went down there because there was a squabble in the League. They wanted to have two Leagues in the district, and I was determined there should be only one. The speech I made was delivered at a meeting. There were only a few policemen there, and they never came into the field where I was speaking.

At all events, Dr. Tanner, you deny having used those words?—I do.

Mr. MURPHY.—This speech, my Lords, has not been put in, though it was referred to by the Attorney-General in his opening. Perhaps it would be better that it should be read now. (The learned counsel

then read the speech at length, ending up with the words above quoted.)

Witness.—I deny having used those words. I went down there to reconcile differences that had occurred in the National League.

Mr. MURPHY.—Did Mr. John Slattery say this?—I would suggest that he should answer for himself.

In your presence, Dr. Tanner, did Mr. Slattery say that they should take the advice of their representative, Ireland's darling, Dr. Tanner, and unite like one man to gain their independence by constitutional means, and if that failed, to say "By God, we'll gain it by physical force"?—I am sure I cannot say what Mr. Slattery said. I will tell you this, Mr. Murphy. I have frequently said that if constitutional means failed in Ireland I for one would be perfectly willing to engage in a physical force movement.

Did you on that occasion in another speech say to the people that they should go round and boycott every trader who had not got that nice little green thing, the card of the National League, in his window? That is from the report of Sergeant Brady.—I am perfectly certain I never said anything of that sort.

Did you hear of Mr. Hegarty being shot at in August, 1886?—Yes.

What is the suggestion you make as to that? That he wounded himself?—I was told that the impression amongst the people was that the shot was fired off the car.

Accidentally or not?—I cannot tell.

Did you read his evidence?—I did not.

Are you aware that he was cross-examined by Mr. Arthur O'Connor on your behalf?—Yes.

And that no such suggestion was made by him?—Yes.

Do you suggest that your counsel had any information of the character of which you speak?—I cannot tell you what information he had.

Did you give any information to either of your counsel on the point?—I did.

To which of them?—I think Mr. Arthur O'Connor. (To the Court.) I should like to explain to your Lordships that a mistake was made by Mr. Arthur O'Connor. After a meeting on August 5, 1886, the

windows of the Protestant church were broken by two small boys, sons of *employés* of Jeremiah Hegarty. This was an incident that Hegarty was cross-examined upon, and I want to tell your Lordships what I know about the matter. The windows of a Protestant church were broken, and the allegation is that I was present at the meeting. The extraordinary circumstance was that two boys, who were sons of men who, I believe, were in the employment of Hegarty —

Mr. MURPHY.—I want to get at the bottom, if I can, of this suggestion about Hegarty. What he says himself is that in April, 1887, he was going home in a car from Millstreet Station with his son and servant man when he was shot at and wounded. Now, what is the information that you received upon which you ventured to make the suggestion that Hegarty was injured by some one on his car? In the first place, who gave you the information upon which you based it?—Several people.

Name one. I mean to probe this matter to the bottom in the box.—John Reardon.

What did he tell you?—He told me that the general impression was that the shot was fired from the car.

By one of the persons on the car?—Yes; how otherwise could the shot have been fired from the car?

The two persons on the car were a servant man and a son of Mr. Hegarty. Did you ask Reardon which of the two he suggested fired the shot?—I did not.

Who was Reardon?—He was a member of the National League in Millstreet, and was the correspondent of some of the newspapers.

Did he hold any office in the Land League?—I think he did, but that was before my time.

What office did he hold?—That of secretary, but I do not think that he was secretary during my time.

Did any one else tell you this story?—Yes, there was a railway porter in the employment of the Great South-Western; I do not know his name; I think he is now a porter at the Kingsbridge Station.

Did you ask Reardon from whom he heard this story?—I think he heard it from the railway porter.

Then the railway porter, whose name you cannot give, is supposed to have told Reardon, and Reardon told you?—Yes, but I saw the railway porter myself.

What did he tell you?—He told me that he believed that the shot was fired on the car.

Did you ask him how he came to know anything about it?—He said that he was on duty on the station —

Tell me what he said he saw.—I wish to tell you as simply as I can, if you will allow me. I met this railway porter, under very strange circumstances, not so long ago. I was going through Ireland visiting the Plan of Campaign stations, and when I reached Dublin I was in danger of being arrested. It was my intention to avoid arrest, and to get to Parliament to vote before I was arrested, and I accomplished that object. When I came to Dublin on my way to London a very strange thing happened. I went to the railway office to get some change —

The PRESIDENT.—I am afraid that all these details throw no light upon the matter.

Dr. Tanner.—My Lord, I am explaining why I had a very short interview and a very hurried one with the railway porter. I wish your Lordships to understand that I had to look out for fear I should be apprehended at any moment, and therefore I had only a short opportunity for learning what the account of the railway porter was.

Mr. MURPHY.—What did he tell you?

Dr. Tanner.—He told me that he believed that the shot was fired off the car.

The PRESIDENT.—Do you mean that he told you that he was in such a place that he could see what occurred?

Dr. Tanner.—I think so, my Lord.

Cross-examination continued.—Did he tell you that he saw it done?—He said that he saw a flash.

Do you say that he told you that?—Yes, something to that effect.

How long ago did he tell you that?—About a fortnight before I went to prison—at the end of April last.

When did Reardon tell you this?—When did the outrage occur?

In April, 1887.—What was the next meeting I attended after that?

That I cannot tell you.—Well, it was, at any rate, on the next occasion when I went to Millstreet after April, 1887.

Was it before or after you went to Ballyvourney?—
I went there on the 3d of January, 1886.

Yes, but after the occurrence. Was it before or
after your next visit to Ballyvourney?—I cannot
possibly tell you.

Do you stand in that box, Dr. Tanner, and seriously
say that you believe that the occurrence took place,
owing either to design or to accident, on the part of
either the son or the servant of Hegarty?—I should
not wonder.

To which of them do you attribute the occurrence?—I
could not say which. Many similar plots occur in Ire-
land.

They are got up for the purpose of injuring the
Land League?—Certainly.

There is a speech of yours which was delivered im-
mediately after the firing at Hegarty, and which is
reported in the *Cork Herald* on the 30th of May, 1887,
in which you say:—

“Hence those men who declare that they would
wish to be our friends were doing everything they
possibly could to make mischief here in Ireland, and
their object in doing so was to deliver over the Irish
people to the tender mercies of the little gang and
their unfortunate dupes and minions who work evil in
this country. (Hear, hear.) By the latter he meant
the class of bum-bailiffs, and even the Royal Irish
Constabulary. (Groans.) No, they should not groan
them, for they would be all on the popular side before
long. They should treat every man according to his
deserts. How did they know when they booed the
police that many of the men among them may not
possibly, if they had the power, go off to-morrow or
the next day and join the ranks. He had not gone
there on that occasion to abuse any one—not even Jerry
Hegarty (boos and hisses), because he was too low
to abuse. There were some insects that crawl on the
face of the earth that were too small to crush. There
were certain insects that if one did happen to crush
them they would smell. He did not want to abuse
Hegarty or to crush him (laughter), but they could
rest assured that every man who worked against his
country, every man who was a renegade to Ireland
and to her rights, would meet with his deserts.
Therefore he was there to speak to the true men, and

to ask them, as they had been true in the past, to be more true and firm and solid as this year of coercion went on. (Cheers.)”

Now, at the time you used those words, did you not know that this unfortunate man was lying wounded from the shot that had been fired at him?—I think not. I could not tell you. I would not swear to it. There are several other meetings at which I made speeches which have not been put in, and to which the learned counsel who cross-examined me has paid no attention. I call your Lordships’ attention to the fact that I made other speeches in which I advised boycotting of a similar kind to that which had been practised upon me, and which did not lead to intimidation or outrage. I do not believe in intimidation or outrage, and I have always denounced outrages. (Dr. Tanner here read several speeches which he had made in support of his assertion that he condemned outrage.)

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