

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21
BURO STAIRÉ MILEATA 1913-21
NO. W.S. 466

ROINN



COSANTA.

BUREAU OF MILITARY HISTORY, 1913-21.

STATEMENT BY WITNESS

DOCUMENT NO. W.S. 466.....

Witness.

Frank X. Thunder,
West View,
Palermo, Bray,
Co. Wicklow.

Identity

Civil Servant

in the Irish Land Commission, 1918.

Subject

Civil Servants and the British
Oath of Allegiance, 1918.

Conditions, if any, stipulated by Witness

Nil

File No. S.1618.....

Form B.S.M. 2.

ORIGINAL
ROINN COSANTA

BUREAU OF MILITARY HISTORY 1913-21
BURO STAIRE MILEATA 1913-21
No. W.S. 466



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Telefón 61018.

(COPY)

BURO STAIRE MILEATA 1913-21

(Bureau of Military History 1913-21.)

26 RAEDH NA NIARTHARACH,
(26 Westland Row),

BAILE ÁTHA CLIATH.
(Dublin).

S.1618.

15. Nollaig. 1950.....

A Chara,

The enclosed leaflet will explain why I am writing to you.

Among the minor matters on which the Bureau would like to obtain information is the Oath of Allegiance, which Civil Servants in this country were required to take in 1918, and as a result of which a number were dismissed from the Civil Service.

As you were one of those concerned, the Director would be glad if you could see your way to record for the Bureau an account of your experiences in connection with that matter.

So far it has not been possible to obtain any information as to the authority for the imposition of that Oath, whether it was based on law, Order in Council, Cabinet decision or Castle instruction.

It is understood that, owing to a challenge by one of the Civil Servants in the Department of Agriculture, a number were merely suspended pending clarification of the points raised and that it was not until some months later that they were definitely dismissed.

It is understood also that refusal to take the Oath did not result in dismissal in some branches of the Service.

The Director would be glad if you could throw some light on these matters, including those under the following headings:-

1. The text of the Oath.
2. The specific authority, statute, Order in Council, or otherwise, on which its imposition was based, and the date thereof.
3. The names and ranks, and if possible, the total number and the Departments in which they served, of persons within your knowledge who refused to take the Oath and were dismissed as a result.
4. The Departments where refusal to take the Oath did not result in dismissal and the reason for that exemption, and the names and ranks of those who refused.
5. The reason why as a result of a challenge of its validity, certain Civil Servants in the Department of Agriculture and probably elsewhere, were merely suspended pending resolution of the points raised, and the steps taken to secure that clarification, e.g., reference to the law officers of the Government in Dublin or London.

Mise, le meas,

(Signed) P.J. Brennan.

Frank X. Thunder, Esq.,
West View, Palermo,
Bray, Co. Wicklow.

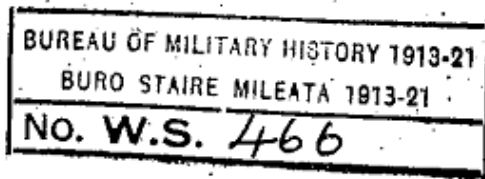
RÚNAÍ.

ORIGINAL

West View
Palermo,
BRAY
Co. Wicklow
7/1/1951

The Secretary,
Bureau of Military History 1913-21,
26 Westland Row, Dublin

S. 1618



in copy

Re yours of 15th ulto., I was one of three dismissed from the Irish Land Commission. The other two were Dáire O'Donoghue and Ned Healy. The former was, I think, a Land Commission 2nd class clerk (a special civil service grade for that particular Dept.) and the latter was, like myself, an Asst. Clerk (Abstractor class). Dáire O'Donoghue's present address is 6 Bushy Park Road, Rathgar and Healy is Controller of the Patents Office.

I should first say that for weeks before the administration of the Oath, all sorts of specious arguments were in circulation to try and justify the more nationalist individuals (some of them even 1916 men) swallowing the Oath. It was

and . . .

argued that one could make a mental reservation whilst taking it, that it was not a seriously binding oath and that even certain learned priests had stated that the oath could not be considered as morally binding. This atmosphere rendered it all the more difficult for conscientious patriots to have the moral courage to refuse the Oath when the actual swearing process took place.

In our cases in the Land Commission, these arguments looked very hollow in the light of the actual ceremony. This was a serious and solemn affair. We were brought in in batches into the room of the Head of the Branch where each individual had to take the Bible in his hand and repeat the Oath of Allegiance word for word as administered by a Judge - Justice Wylie - with the Secretary of the Dept. also in attendance. The Judge visited each Branch and went through the same procedure.

D.

The actual words I cannot remember but I do know that allegiance was to be sworn to the King of England and his lawful heirs and successors.

The authority for the Oath, so far as I remember, was an English Cabinet decision administered through the Under-Secretary's Dept. Dublin Castle. Refusal to take the Oath involved suspension and after a few weeks (during which time we were called to the Secretary's office and given an opportunity to change our minds) final dismissal. I never heard before nor of any suspensions being due to a challenging of the validity of the Oath in the general Civil Service. If this happened in the Dept. of Agriculture, your Director, Mr. W. Murphy, will have the facts. The normal procedure in the Civil Service that time, i.e. for men guilty of irregularities, drunkenness or the like, was suspension first and later on Dismissal. The only case, to my knowledge, where

where refusal to take the Oath did not
involve dismissal was that of my elder
brother - Joseph F. Thurston, High Const of
Justice Clerk. And here, as he has probably
told you the reason was - not that the
Oath was invalid in law - but that
the High Const Clerks was not but
servants and none of them (loyalists
included) could have been legally
dismissed for refusal.

The following in addition to the three
of us in the Land Commission were others
involved :-

~~J.P. Dunne, High Const of Justice Clerk.~~

Samuel Duggan, High Official (now a
principal officer in Dept. Industry & Commerce)

Tom McAnally, 2nd Div. Local Govt. Dept.

D. O'Hegarty } Dept. Agriculture,
R. Mc'Donogh } Dept. Agriculture,

Cremmins (I think) - Post Office.

Eilis Ward - Post Office.

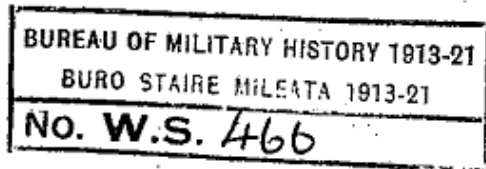
I am sorry I cannot give you any more.

L.M.H.

helpful information except to say that it
was, I think, early in November 1918
that the Oath was administered. My own
dismissal dated, as far as I remember,
from the 30th November, 1918.

I would emphasize again that the
Oath was a solemn one and, in
my opinion, legally and morally
binding and no evasions, mental
reservations or, could possibly justify
an Irish rebel taking it frivolously
or pretending it had no binding
effect.

Yours to rest,
Frank X. Thunder



COPY.

BUREAU OF MILITARY HISTORY 1913-21
BURO STAIRE MILEATA 1913-21
NO. W.S. 466

WEST VIEW,
PALERMO,
BRAY, CO. WICKLOW.

S.1618.

7.1.51.

Secretary,
Bureau of Military History, 1913-21,
26 Westland Row, DUBLIN.

A Chara,

Re yours of 15th ultimo. I was one of three dismissed from the Irish Land Commission. The other two were Daithi O'Donnchadha and Ned Cleary. The former was, I think, a Land Commission 2nd Class Clerk (a special Civil Service Grade for that particular Department) and the latter was, like myself, an Asst. Clerk (Abstraction Class). Daithi O'Donnchadha's present address is 6 Bushy Park Road, Rathgar, and Cleary is Controller of the Patents Office.

I should first say that for weeks before the administration of the Oath, all sorts of specious arguments were in circulation to try and justify the more nationalist individuals (some of them even 1916 men) swallowing the Oath. It was argued that one could make a mental reservation whilst taking it, that it was not a seriously binding oath and that even certain learned priests had stated that the oath could not be considered as morally binding. This atmosphere rendered it all the more difficult for conscientious patriots to have the moral courage to refuse the oath when the actual swearing process took place.

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The authority for the Oath, so far as I remember, was an English Cabinet decision administered through the Under-Secretary's Department, Dublin Castle. Refusal to take the Oath involved suspension, and after a few weeks (during which time we were called to the Secretary's office and given an opportunity to change our minds) final dismissal. I never heard before now of any suspensions being due to a challenging of the validity of the Oath in the general Civil Service. If this happened in the Department of Agriculture, your Director, Mr. McDunphy, will have the facts. The normal procedure in the Civil Service that time, i.e., for men guilty of irregularities, drunkenness or the like, was suspension first and later on dismissal. The only case, to my knowledge where refusal to take the Oath did not involve dismissal was that of my elder brother - Joseph F. Thunder, High Court of Justice Clerk. And here, as he has probably told you, the reason was - not that the Oath was invalid in law - but that the High Court Clerks were not Civil Servants and none of them (loyalists included) could have been legally dismissed for refusal.

The following, in addition to the three of us in the Land Commission, were others involved:

Eamon Duggan, Higher Official (now a Principal Officer in Dept. of Industry & Commerce).

Tom McArdle, 2nd Divn. Local Govt. Dept.

D. O'Hegarty } Dept. of Agriculture.
M. McDunphy }

Cremmins (I think) - Post Office.

Eilis Ward - - Post Office.

I am sorry I cannot give you any more helpful information except to say that it was, I think, early in November 1918 that the Oath was administered. My own dismissal dated, as far as I remember, from the 30th November 1918.

I would emphasise again that the Oath was a solemn one and, in my opinion, legally and morally binding and no evasions, mental reservations &c. could possibly justify an Irish rebel taking it frivolously or pretending it had no binding effect.

Mise, le meas,

Sd. Frank X. Thunder.

