

M.S. 973

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21
BURO STAIRA MILITVA 1913-21
No. W.S. 973

ROINN  COSANTA.

BUREAU OF MILITARY HISTORY, 1913-21.

STATEMENT BY WITNESS.

DOCUMENT NO. W.S. 973.....

Witness

Patrick Costello,
Glin,
Co. Limerick.

Identity.

Member of Irish Volunteers, Glin, Co. Limerick,
1917 - ;
Company Captain, later.

Subject.

Irish Volunteers, Glin, Co. Limerick,
1917-1921.

Conditions, if any, Stipulated by Witness.

Nil

File No. S. 2267.....

ORIGINAL

W. S. 973

STATEMENT of Patrick Costello,
Glin,
Co. Limerick.

BUREAU OF MILITARY HISTORY 1913-21
BURO STAIGE MILITIA 1913-21
No. W.S. 973

I was born on the 8th May, 1886, I was sent to Glin National School until I was 15 years of age. After leaving school I went to Mooneys of Dublin to serve my apprenticeship to the Wine and Spirit Trade for a period of four years. After my apprenticeship I worked in a public house called "Wines from the Wood" at 21, Eden Quay, Dublin, for a period of two years. I was Manager here for about one year. From here in the year 1907 I joined the R. I. C. and was stationed in different parts of Ireland, and in 1916, prior to the Rising, I was stationed in Portadown.

A delegate meeting of the officers and men of the R. I. C. stationed in the country had been arranged for the Monday of Easter Week 1916. I had been appointed a delegate to represent the R. I. C. men in the North of Ireland. I arrived in Dublin at 1 p.m. Easter Monday. I left Amiens Street Station, called to Mooney's of Abbey Street and found it was closed. I spoke to two young men in Mooney's window and discovered that the Rising had started. I then saw the flag hoisted on the G. P. O.

I then reported at the R. I. C. Depot in the Phoenix Park; after reporting I wanted to go out into the city but was not allowed to leave. Soon afterwards an R. I. C. man who had just arrived from Tipperary told me he had a message to deliver on the following morning to the Manager of Kingsbridge Railway Station. I asked him if I could go out with him; he said yes, so on the following morning, as he produced his pass to the

guard at the gate I walked out with him. I was not in uniform and as soon as I got out I left the other man and went to stay in the Ivy Hotel, Temple Street, Dublin, where I remained until the Friday of Easter Week.

From the Hotel I went out each morning through O'Connell Street and other parts of the city. On one of these mornings I saw the Volunteers barricading Henry Street. I spoke to the officer in charge. I did not know him and he did not know me, but I helped the Volunteers to barricade the street. On the Friday morning I was halted by the British military, arrested and taken to Amiens St. Station where the British had set up a Headquarters. When asked who I was, I told them. They wanted to know if I could find anyone to identify me. I replied that a D.M.P. ^{MAN} who happened to be on the platform as I was taken into the station, knew me. He was a Sergeant Hartnett, an Abbeyfeale man, stationed at Store St. Barracks, Dublin. Hartnett was brought to me and identified me. He was put in charge of me until there was a train leaving for the North. Eventually, I was put on a train for Dundalk and later got a train to Portadown. The following June I resigned from the R.I.C. and returned to my native town of Glin.

A Sinn Féin Club was formed in Glin early in 1917 and the Volunteers were reorganised almost immediately after. I joined both the Sinn Féin Club and the Volunteers then.

There were only about 20 men in the Company when first reorganised. Philip Stack was appointed Captain and John Dunne 1st Lieutenant. I was appointed drill instructor and all that year instructed the Company in the handling of the rifle - the rifles were wooden at this time.

In the month of February 1918 an election for officers of the Company took place. I was appointed Company Captain: John Dunne, 1st Lieutenant and Phil Stack, 2nd Lieutenant.

About this time conscription was to be applied to Ireland. The strength of the Company increased, as a result, to about 190 men. Nearly all of the men who joined the Company then left when the conscription scare was over. This resulted in the Company strength being reduced to about 37 men. As well as being the Company Captain, I was still the drill instructor during this period.

On the 13th May 1918 I, with the men of the Company, collected from farm houses outside the town and from houses in the town, a total of 34 shot guns, 4 small rifles and one revolver with ammunition for same.

At 2 a.m. on the 6th June 1918 I, with four other men of the Company named Philip Stack, John Dunne, John Holly and Maurice Hayes, were arrested and taken to Limerick prison. Four days later at Adare I was charged and tried for illegal drilling. The other three men were charged and tried at the same time and for the same offence. I was sentenced to six months' imprisonment, the other three men to two months imprisonment and two months' bail each. They refused to take bail and were subsequently sentenced to four months each. Of course, we all refused to recognise the Court.

I was sent to Belfast Jail to serve my sentence. I took part in the mutiny there at that time: for this I received 10 days hard labour and solitary confinement on bread and water. I was released from Belfast Jail on the 10th December 1918 and came home to Glin. A man

named Joe Dore had been appointed Company Captain while I was in jail. I rejoined the Company as soon as I came home and attended parades and meetings as before, and discovered that the British Military had arrived and were stationed in the town.

Early in 1919, under the elected representatives of the people the Volunteers became known as the I.R.A. In this year I took part in the trenching of roads and the falling of trees to prevent the military and R.I.C. moving from place to place. This year I was appointed by Austin Stack, Clerk of Republican Court here in Glin. Miss B. Kennedy, Danganbeg House, was appointed Court Registrar. Miss Kennedy is now proprietor of the Edenvale Hotel, Harcourt St., Dublin. I continued as Clerk of the Court right up to the year 1923. See attached list of Court Clerks appointed (A): Instructions (B).

In March 1920 at the time of the I.R.A. attack on Ballybunion R.I.C. Barracks, I cut the telegraph wires midway between Glin and Tarbert and Glin and Newcastlewest. A short time afterwards I, with other men of the Company, while armed with a revolver raided the Income Tax Offices, seized and destroyed all documents on which we laid our hands.

In March 1920 the R.I.C. and military evacuated Glin. Some time after, I and other men of the Company raided the Petty Sessions Court and seized from the Clerk, Court documents, which we destroyed. We were armed with revolvers at the time. An R.I.C. man came home on leave about this time. I raided his house and got a revolver. Later, I and a few other I.R.A. raided a couple of private houses and got two shotguns.

In May 1920 I took part in the demolition of the Courthouse and the R. I. C. barracks which had been evacuated earlier. We also demolished a Club House which had been used by the military.

In June 1920 a party of eight Tans arrived in Glin on their way to Foynes. I conveyed the information to the column who were then located at Loghill on the main road between Glin and Foynes. The column opened fire on the Tans when they arrived at Loghill: in the engagement one Tan was killed and the remainder got away.

Other of my activities in the year 1920 were the trenching of roads and commandeering men in the area to assist in falling trees and the trenching of the roads; the posting up on walls and houses of proclamations issued from time to time by Dáil Éireann; the raiding of houses for dog licences issued by the Petty Sessions Court and searching of the houses of persons suspected of giving information to the Tans, as well as the issue of summonses, Civil Bills and the collection of fines for which I was responsible as Court Clerk. As Q.M. of the Company I was responsible for collecting money from time to time for the upkeep of the column.

In January 1921 the column attacked a military train at Barrigone. I and other men of the Company met the column afterwards and conveyed them to billets at Ballygoughlin outside Glin. I walked about twelve miles that night. On the 30th March 1921 the column were surprised by the Tans at Ballyhahill about three miles from Glin. In the engagement which followed one of the I. R. A. - Seán Finn, Rathkeale ^{the O. G. of the column} - was shot dead; another I. R. A., David Quann, Ballyoogan, was wounded. Quann was taken into Glin and billeted there. I and some men of the Company met the column after the engagement

and conveyed them to billets on the other side of the town. I was out all that night seeing the column fixed up.

A week or so after the clash at Ballyhahill the Tans came into Glin. I thought they were looking for Quann, so with Volunteer John Barry I went to the house where he was and told him that the Tans were in Glin. I helped to make arrangements to have him removed if the Tans came that way. When I got to the house where Quann was I found that James Dore (Draper, Glin) of the Column and John Dore (now a Guard in Tipperary) of the Glin Company were there also, and that Dr. Enright of Listowel was attending to Quann. I was armed with a revolver on the occasion. An hour or so later we got word that the Tans had left Glin.

In April 1921 I took part with other men of the Company on a raid on the mail car between Glin and Foynes. We seized the mails, examined the letters and marked them censored by the I. R. A.

In May 1921 I took part in a raid on the house of an R. I. C. man at Loghill, held him up, seized his revolver and bicycle.

In June 1921 two members of the North Cork Column came to Glin for the purpose of removing the telephone in Glin Post Office. Volunteer Joe Dore, the two Cork men and myself went in to the P. O. and removed the telephone which was taken away by the men from Cork. In this month I took part in a second raid on the mail car between Glin and Foynes. We seized the mails, which were then taken by Volunteers Isac Thomson and John Dore to Labbasheeda in Co. Clare. A few days later the Tans arrived and inquired in several houses in the town for the Brennans of Clare.

In 1921, apart from the activities related, I took part in the usual road trenching, demolishing bridges, cutting telegraph wires; the provision of armed guards for and the billeting of members of the West Limerick and Tipperary flying columns when they visited our area from time to time. All this time I carried on my duties as Court Clerk up to the truce and until 1923 when the Courts ceased to exist.

Signed

Patrick Costello

Date

12th July 1954

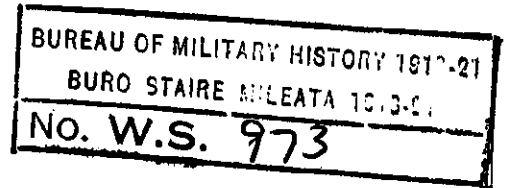
(Patrick Costello)

12th July 1954.

Witness

John J. Daly

(John J. Daly)



Registrar's Office
West Limerick Court.

"A"

A copy

The following are the names and addresses of the Clerks of the Parish Courts in West Limerick:-

- Adare. Jim Clancy, Knochanes, Adare.
Askeaton, Wm Fitzgerald, Moig, Askeaton.
Abbyfoale, Dan Murphy, Barrack, St. Abbyfoale.
Athea. Edward Connor, Athea.
Ardagh. P. J. Ahern, Carrickkerry.
Ballingarry. Tom Riedy, Ballingarry.
Ballyahill. Tom Mullane, Ballyahill.
Borris. Wm Ruddle, Borris.
Ballyagran, John Daly, Ballyagran.
Cappa. Richard Sheehy, Ardgoal.
Castlemahon. David Sullivan, Ballincullen.
Croagh. James Sheehy, Croagh.
Drumallogher. J. Daly, Zarahy Broadford.
Glin. Pat Costelloe, Glin.
Knochaderry. J. O'Donnell, Knochaderry.
Kilmeedy. Ed. Connor, Aghada, Tenagh.
Kilcady. Richard Anglin, Ballykenny.
Kilcolman. Wm. Cremer, Ballyfiely, Antagh.

continued:-

Mosagea. Tadj Collins Ballyhenry.

Newcastle West. Jos. Ambrose. Newcastle West.

Pallaskenny. Mr. Lynch. Ballydoole House
Pallaskenny. Kildimo

Shanagolden. Mr. O'Shaughnessy. Shanagolden.

Rathkeale, John O'Shaughnessy, Main St.

Stonehall. Pat Meade Shanbally, ~~Kilcolman~~ ^{Kilcornan}.

Templeglantine, Séan Quirke Templeglantine

Tournafulla. James O'Connor, Caherbeg

Mountcollins.

(Signed)

Registrar.

District Court of

"B"

West Limerick

To:-

Each Parish Clerk.

1. It is not at present desirable to invite too much publicity. There must be no relaxation in our efforts to empty the enemy courts, but the work should go on quietly and unostentatiously.
2. Public notice of the dates fixed for Court sittings should not be given and newspaper reports of the proceedings must be avoided.
3. Decrees and orders of the Court are to be executed with as little display as possible.

(Signed) Registrar.

"C"

District Court of
West Limerick.

20

Parish Clerk.

A. C. S. P. A.

I desire to inform you that in all proceedings taken for the recovery of rates you have authority to issue Civil Bills on payments of 25% of the usual deposit fee. The remaining 75% to be paid when the Decree of the Court has been executed.

The Collector applying for the issue of the Civil Bills will only be required to deposit 25% of the fee. If a decree be granted the whole deposit fee should of course be included in it and when the amount has been recovered the remaining 75% of the deposit will be retained by the Court.

Wise

B. Kennedy,

Registrar.

Part 6

Department of

Errors most commonly made by clerks and
Court sittings.

(1) Each Parish Court must have regular fixed sittings at least twice each month.

This order has not been observed in many cases.

(2) Parish Clerks are not quite clear on the question of Court Fees. Please note and point out to them that (a) the lowest Court fee is 3/6 i. e. cost of summons (Form 1, Page 25) of the Judiciary which is only issued in cases of petty criminal nature e. g. threatening and abusive language, petty assaults, trespass, etc. (b). In all cases of a purely civil nature e. g. claims for damages, recovery of debts, claims for rates, etc. the cost of Civil Process (Form 2, Page 26) is 5/- or 10/- according as the amount claimed is under or over £5 (c) The cost of a summons for a witness (Form 1, Page 25) is 3/6.

No clerk or Registrar shall list a case for hearing, or issue a summons, Civil Bill, or Process until the full amount of court fees, has been paid, and on no account shall these fees (or any part of them) be returned to plaintiff.

If a plaintiff sustains his claims, the Court when making its order shall add to the amount of the Decree given against the Defendant, an amount equal to the amount the Plaintiff would have been required to pay (as Court Fees) if he had claimed the amount awarded to him by the Court. Thus in Parish Court Cases:- If a Plaintiff claims £10 and is awarded £5 the amount awarded for Court Deposit shall be 10/-. If a Plaintiff claims £10, and is awarded any amount under £5 the amount awarded for Court Deposit shall be 5/-

Court Expenses.

numerous errors occur under this heading.

The only expenses sanctioned by this Department are (a) Stationery and Printing accounts. (b) out-of-pocket expenses (if any) incurred by Justices in attending Court sittings, (c) salary for Clerk or Registrar. If any other expenses are incurred permission must be obtained from this

Department before they can be paid out of Court monies
n. B. It is not necessary now to incur the expense of a
Court messenger. The Police are now responsible for (a) the
service of all summonses, Civil Bills, etc. (The only fees to which
they are at present entitled for this work are the ordinary mileage
fees as prescribed in the Judiciary page 23. Rule 2) (b) execution
of all Decrees handed to them for execution by the Clerk or
Registrar. (For this work they are entitled to fees at the rate of 1-
in the £1. The amount they are entitled to as execution fees must
of course be added to the amount to be recovered from Defendant's
Court Cash Book. Please note (a) that each Clerk and Registrar
must keep a strict account of all Court Revenue and Expenses. (b)
that before any payments are made out of Court monies, they
must be sanctioned by the Justices, (c) receipts must be retained
for all payments made. (d) the Court Cash Book must be
presented regularly to the Justices of the Court for inspection.
Monthly Reports.

These reports are not being furnished punctually, and as a
rule Parish Clerk's report sheets are not in order. Explain to
the Clerks what is required on their report sheets, and point ^{out} that
the exact amount of Court monies collected, and Court expenses
must be stated. Where no expenses are incurred this should be
stated on the Clerks report sheet, so that the Registrar will
not have to leave this part of his report sheet blank.

In future where the monthly reports are not
furnished punctually by Clerks or Registrars, they must be
accompanied by a written explanation of the delay. Where
Registrars see from the Clerks' report sheets that errors
have occurred they are expected to point them out to the
Clerks and have them corrected.

The Justices of each Court are expected to see that
the Clerk or Registrar of their own particular Court
carries out his duties efficiently.

DAIL EIREANN.

DEPARTMENT FOR HOME AFFAIRS.

November, 1921.

To Each District Registrar.

You will please note the following instructions and re-issue them to every Sub-Registrar and Parish Clerk in your area:—

Police Fines.

In all prosecutions instituted by the Police, any fine imposed, when collected by the Police, must be paid to the Clerk or Registrar of the Court which imposed the fine. All such fines are Governmental Revenue, which must be accounted for to this Department. This Department must, in its turn, account for same to the Department of Finance. Each Parish Clerk, Sub-Registrar and Registrar, must keep a separate account of all such fines. At the end of each month Parish Clerks and Sub-Registrars must remit all such fines to the Registrar, who must send them with his monthly report to this Department, with any such fines imposed by his own Court.

Ordinary Fines.

In the case of summonses brought by civilians (e.g., a summons for assault, threatening language, trespass or the like), if any fine is imposed by the Court, the Court may, in its discretion, award the fine, or a proportionate part of it, to the Complainant. Any fine or portion of a fine not ordered to be paid to a Complainant, must be paid to the Clerk of the Court, as it must be treated as Governmental Revenue, and must be dealt with in the same way as fines imposed in Police prosecutions.

In the case of civil proceedings by way of Civil Bill, claiming damages for assault, trespass or the like, the Plaintiff will, of course, be entitled to the full amount of any decree given.

All other fines (e.g., fines imposed for contempt of Court, etc.) will be treated as Governmental Revenue, and will be dealt with as such.

Ordinary Court Revenue.

Ordinary Court Revenue consists of deposit fees received on the issue of summonses or civil bills. This is the fund out of which all the current expenses of the Court (printing, stationery, salary of Clerks or Registrar, etc.) are paid. Particulars must be kept of all receipts and expenses, as arrangements are being made to send an Auditor to all Courts for the purpose of verifying accounts.

Return of Surplus of Ordinary Court Revenue to Department of Home Affairs.

All Court monies on hands at the 30th of September must be forwarded to this Department not later than 15th November, and in future all surplus of Ordinary Court Revenue on hands at the end of each period of three months, must be forwarded to reach this Department not later than the 15th of the following month.

Expenses of Justices.

Parish and District Justices are voluntary officials. They are not entitled to any salary or fee for attendance at Court. They may, however, receive out of Ordinary Court Revenue payment of any actual out-of-pocket expenses which they may incur by reason of attending Court sittings. Any such payment must be vouched in the usual way.

Salaries of Registrars, Sub-Registrars and Clerks.

Registrars, Sub-Registrars and Clerks may be paid out of Ordinary Court Revenue such salary as may be fixed by their respective Justices. Any salary fixed must be sanctioned by this Department. When an application for sanction is being made, it must be stated whether the Registrar, Sub-Registrar or Clerk is a whole-time or part-time official. The application must be countersigned by one of the Justices.

Trustees of Court Monies.

The District Justices of your District should meet at once and appoint two Trustees, to which all Court Monies would be handed, and to whom all accounts must be presented for payment. These Trustees would be requested to inspect the Court Cash Book each month, and see that it is being kept in proper order. The names, etc., of these Trustees should be forwarded to this Department as soon as they have been appointed.

Monthly Reports.

Specimen Report Sheets were issued to each Registrar a considerable time ago, with instruction that a report of all Court work in his District must be furnished on similar sheets for each month (beginning with August). A few Registrars have not yet sent in any of these Report Sheets. If you have not done so, please let me have them at once.

Is mise,

MINISTER FOR HOME AFFAIRS.