

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21

BURO STAIRE MILEATA 1913-21

No. W.S. 1467

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BUREAU OF MILITARY HISTORY, 1913-21

STATEMENT BY WITNESS.

DOCUMENT NO. W.S. 1467.

Witness

Patrick J. Higgins,
Ardramore House,
Raheny,
Co. Dublin.

Identity.

Captain, Aghada Company, 4th Battalion, Cork I Brigade.
Battalion Quartermaster.

Subject.

Activities of Aghada Company, Co. Cork, Irish
Volunteers, 1917-1921, and East Cork Flying
Column, 1920-1921.

Conditions, if any, Stipulated by Witness.

Nil.

File No .. S.2758.....

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STATEMENT BY PATRICK J. HIGGINS,

Ardramore House, Raheny, Co. Dublin.

I was born at Aghada in East Cork. My people were farmers. My father had some connection with the Fenian movement and had a few old guns and some ammunition from those days.

In 1917 a company of Irish Volunteers was formed in my native place. I was the first Company Captain. One of our Lieutenants was Tom Higgins, now a Colonel in the National Army. We had about fifteen men in the company. Our armament consisted of only a few shotguns. I happened to have an automatic revolver which I bought from a returned Yank. When the company got going we carried out a few raids for arms on private houses in the neighbourhood. I do not think we got much from these raids, except a shotgun or two and a pair of binoculars.

In March, 1918, I went to Waterford with a contingent of Cork Volunteers to help out in the parliamentary election in Waterford on behalf of the Sinn Féin candidate, Dr. Vincent White, whose opponent was Captain William Redmond, representing the Irish Party. When in Waterford we were placed with Volunteers from other counties in charge of Austin Brennan, a prominent Clare Volunteer officer, our duties being to prevent intimidation of Sinn Féin election speakers by the Ballybricken, Waterford, pig-buyers and their hangers-on, who were supporters of Redmond. We carried sticks to defend ourselves against attacks with stones and bottles, which the Ballybricken mobs threw at us from behind cordons of R.I.C., the latter

making no effort to restrain them. In one of these attacks on us, my head was split open by a blow of a bottle when protecting a polling booth in the Ballybricken district.

After the Waterford election I returned to Aghada and carried on with my job as Company Captain until late 1918, when I was appointed Quartermaster of our battalion, i.e. the 4th Battalion, Cork No. 1 Brigade. Mick Leahy of Cobh was Battalion O/C at that time and I attended various Brigade Council meetings with him.

Attack on Cloyne R.I.C. Barracks:

The first, what might be termed, major operation in which our company took part occurred in connection with an attack by the Cobh and Midleton Companies on the R.I.C. barracks at Cloyne. This attack took place on 8th May, 1920, and the job assigned to the Aghada Company was the blocking of roads leading from Fort Carlisle to Cloyne to prevent any assistance coming to the British garrison at Cloyne while the attack was on.

About fifteen of the Aghada Company were engaged on the night in question, felling trees across the roads and erecting road blocks of stones in the district of Whitewell, situated about two miles from the village of Cloyne and four miles from Fort Carlisle. No British relief party attempted to get through to Cloyne from Fort Carlisle that night.

In December, 1920, I joined the East Cork Flying Column. Diarmuid Hurley, O/C Midleton Company, was in charge, and Jos. Ahern, also of Midleton, was second in command. The column consisted of approximately twenty men. This number fluctuated from time to time, some men returning

to their company areas and being replaced by others. The column was armed with rifles and revolvers.

Attack on R.I.C. patrol in Midleton:

It would be at the end of December, 1920, when the Column O/C, Diarmuid Hurley, decided to attack a police party which patrolled the streets of Midleton every night. Hurley's information was that this patrol, numbering a dozen or sixteen, divided into groups of three or four and patrolled both sides of Main St., Midleton.

Arriving during darkness in Midleton, we entered certain houses in the main street by the back. I went into Fitzgerald's (drapers) and waited inside the front doorway for the patrol to appear. When they passed, we opened fire with revolvers. So far as I can remember, ~~all but~~ ^{only} two of the R.I.C. escaped. I was with Joseph Ahern and another Volunteer whose name I cannot recall. We then went on to the street and I remember taking a rifle from a Black and Tan who was lying wounded (or dead) on the roadway. The other members of the column also captured rifles and revolvers that night. Following this the column moved to Clonmult.

Flying Column attacked at Clonmult:

On Sunday, 20th February, 1921, the column was billeted in a farmhouse near the village of Clonmult (about a mile distant). The house was one-storied, with mud walls and thatched. There was only one door (the front door) and three windows. There were three rooms in the house, which looked out on to a yard, around which was a low wall. A long boreen led up to the building, which was situated in a hollow. There were a few outhouses also.

Early on that particular Sunday, Diarmuid Hurley had made arrangements for the column to move that evening to a position adjacent to Cobh Junction (railway) about ten miles to the south, where he was planning to ambush a train on the following Tuesday. Hurley left Clonmult about midday on Sunday (so far as I can remember the time) with Jos. Ahern and Paddy Whelan to have a look over the ground at Cobh Junction. Jack O'Connell of Cobh was left in charge of the column when Hurley and the other two men went away.

Tea was being made about 3 p.m.; we were packing up preparing to leave and the guards were withdrawn, as the Clonmult Company were to take over outpost duty (that is, as I understood the position to be). Two of our lads, John Joe Joyce and Michael Desmond, had gone to a well nearby for water. These latter two were unarmed, so far as I know. At this point someone looked out a window of the house and said that the military were surrounding the place. Shots rang out. It was the soldiers firing on Joyce and Desmond. We did not see the latter again.

Jack O'Connell now decided that we should make a rush from the house and fight it out in the open. He led the way, carrying a rifle and fixed bayonet, and got safely across the yard under heavy fire from the military. Michael Hallinan, who followed him, was shot dead immediately outside the door, and Richard Hegarty a few yards from the door. (He was Captain of the Ballymacoda Company). James Aherne, the third man to go out, was shot and killed after getting about fifty yards away. The door of the house was then closed and we

decided to continue the fight from inside, hoping that some help might come.

I was now the next senior officer in charge and I directed the lads to positions at the windows, where a steady fire was kept up on any soldiers who came into view. We made an effort to bore a hole in the gable end wall of the house, through which we might be able to get out, and also in the back wall, but this was not a success. The enemy spotted our intention and directed heavy fire on these places, wounding one of our lads who tried to get through.

It was now about 4.30 p.m. The military still kept up continuous heavy fire and threw bombs on to the roof. These bombs fell off the thatch. Eventually the roof was set on fire by the enemy and our position became a hopeless one. Our ammunition was getting scarce; we had no hope of getting out into the open country and the place would soon be an inferno, which meant we had to surrender or be burned alive. We hung on for another while, as we knew that the North East Cork Column was not many miles away and there was always the hope that they might have got word of our plight and would come to our help.

The military repeatedly called on us to come out and surrender. I discussed it with the boys and said I would do as the majority wished. The majority were in favour of surrender, as further resistance seemed useless and the house was now well on fire. Three of us were in favour of fighting it out, viz. Liam Aherne of Middleton, myself, and the youngest member of the column, a lad by the name of Jimmy Glavin from Cobh (the bravest little lad

I ever met; he was no more than seventeen years of age). We shouted out we would surrender, and then threw our guns into the burning house. We were told to come out with hands up. We did so.

We were lined up alongside an outhouse with our hands up. The Tans came along and shot every man, with the exception of three, namely Paddy O'Sullivan, Maurice Moore, both from Cobh, and "Sonny" O'Leary, who had been wounded in the fight in the house. These three were saved from the Tans by the officer in charge of the military party.

A Tan put his revolver to my mouth and fired. I felt as if I was falling through a bottomless pit. Then I thought I heard a voice saying, "This fellow is not dead, we will finish him off". Only for the military officer coming along, I, too, would be gone.

I cannot have been unconscious for long, because I remember Paddy O'Sullivan and Maurice Moore being told to help me to a lorry. They brought me across the fields to the lorry. I was thrown into it and, with O'Leary, O'Sullivan and Moore, driven to the barracks at Midleton. We were taken out of the lorry there for identification by the R.I.C. I was the only one identified. We were then beaten up, thrown again into the lorry and driven the fifteen miles into Cork military barracks, where I had my wound dressed for the first time. I was then taken to the military hospital. After some days in hospital, the bullet which had lodged in my jaw fell out. (It was a lead bullet, not a nickel one). I was over three weeks in hospital when I was taken out and put into a cage - a contraption in the barracks square where prisoners with no specific charge against them were kept. I was there for

a night and then handcuffed and taken under armed escort to Cork military detention barracks.

On 21st June, 1921, I was brought before a military court and sentenced to death. My case was appealed a few times, some of the lawyers in my case being Paddy Lynch, and John Costelloe, the present Taoiseach. Because of my wound and the delay in hearing the appeals, my execution was delayed until the truce came in July, 1921, and saved me. I was released from gaol a few days after the truce.

I learned afterwards that our position in Clonmult was given away to the British by an ex British army man named Walsh, who was trapping rabbits in the neighbourhood of our billet. This man subsequently confessed and was executed by the I.R.A.

Paddy O'Sullivan and Maurice Moore of Cobn, who were taken prisoners with me at Clonmult, were executed by the British in Cork gaol on 5th May, 1921. "Sonny" O'Leary was sentenced to death but reprieved. The following were shot, when prisoners at Clonmult, by the Black and Tans: Liam Aherne, Jeremiah Aherne, David Desmond, Christopher Sullivan, Donal Dennehy, J. Morrissey, James Glavin. Killed when drawing water from a well: John Joe Joyce and Michael Desmond. Killed in the fight at the house: Michael Hallinan, Richard Hegarty and James Aherne.

As an appendix to this statement I am submitting to the Bureau a summary of evidence given by witnesses at my trial (See Appendix A).

BUREAU OF MILITARY HISTORY 1913-21 BURO STAIRE MILEATA 1913-21
NO W.S. 1467

Witness: *P. J. Heenan*
(Investigator)

Signed: *P. J. Heenan*

Date: 25th July 1956

Appendix A.

CHARGE SHEET.

The accused PATRICK HIGGINS of ARDRA,
ROSTELLAN in the County of CORK, civilian,
is charged with

COMMITTING AN OFFENCE

in that he

at CLONMULT in the County of Cork on the 20th day
of February 1921 with JEREMIAH O'LEARY and other
persons DID LEVY WAR AGAINST HIS MAJESTY THE KING
by attacking a detachment of His Majesty's troops.

SUMMARY OF EVIDENCE

Taken in the Case of

PATRICK HIGGINS, civilian, by direction of the Competent
Military Authority and Military Governor.

1st WITNESS:

sworn saith: -

On 20 February 1921 I was with a party of my Regiment operating at Clonmult. At about 3.30 p.m. I heard firing and walked with half our party towards a house in the direction from which the sound of the firing came. I found the other half of the party under engaged with a party of armed civilians round this house. There were two dead civilians lying outside the house. I could not see whether there were arms on them. The rest of the civilians were inside the house. We blocked the exits from the house with rifle fire. Shortly afterwards two armed civilians ran out of the house; one carried a rifle, the other a shotgun. They started to run across the yard, but were both shot dead before they had gone more than a couple of yards. Shortly afterwards, about 4.30 or 5 p.m., a party of police arrived and reinforced us. Shortly after that a military officer set fire to the thatched roof of the house. Two or three bombs or thereabouts were thrown in. I did not see this but I heard the bombs explode. Just after this a report was brought to me and I went round to the front of the house and saw about 6 civilians coming out. I could not see any arms on them. When they were about ten yards from the door a couple of shots

were fired within the house and apparently through one of the windows. I saw the flashes of the shots through this window. I and several men were then moving forward to meet the civilians who had come out. I intended to take their surrender. They had their hands up. Before they came out of the house someone in the house had called out: "Give us another two minutes". I replied: "Come out straight away". When the two shots were fired, the civilians outside the house dropped their hands and ran forward pushing and shoving at me and my men apparently in an attempt to break through us. I heard some shots behind me and looked round and saw a civilian running away. I saw him fall. We rounded up the civilians who were still there outside the house and I found we had 8 of them. I saw no arms on any of them. I placed them under a guard and entered the house. There I saw about a dozen rifles and police carbines, some shotguns and revolvers and a quantity of ammunition, equipment, bayonets and stores. We took the prisoners and the captured arms and equipment, etc., to CORK. I have seen the accused man now present, but I do not know where. I cannot swear that he is one of the prisoners taken that day. The party of my Regiment brought these 8 prisoners and no others to Cork that day. I handed two or three of the unwounded prisoners to the Main-gate Guard at Victoria Barracks. Four of the prisoners were wounded. After arrival at Victoria Barracks I do not know what was done with the wounded prisoners.

Accused does not cross-examine this witness.

(Sgd.)

2nd WITNESS:

sworn saith : -

On 20th February 1921 I took part in an attack by two small parties of my Regiment on a farm near Clonmult in Co. Cork. We were going to search this farm and on getting near it found one of the small parties engaged with a party of armed men who were in the house. I saw two bodies of civilians lying dead outside the house. Just as the small party I was with got there I saw four men of whom at least 3 were armed run out of the house by the front door and make for a barn across the yard. We opened fire and 2 of them fell. The other two got into the barn. After the fighting had continued for some time, a party of police arrived and reinforced us. Later the thatch was fired by a Military Officer and I saw some bombs thrown into the house. A quarter of an hour later about 6 men came out by the front door with their hands up. They walked out. I and some others advanced into the yard to meet them. Fire was re-opened from the house and about a dozen men ran out and tried to escape. The men who had come out before with their hands up, dropped their hands and also tried to escape. We opened fire on those who were running away and arrested all we could. When the affair was over we found we had 8 prisoners. Some were wounded - I think four. I went into the house and saw a quantity of rifles, shotguns and revolvers a Mills bomb and a lot of ammunition. I saw some of the prisoners being searched but don't know what was found on any of them. We brought the 8 prisoners to Cork. I saw the wounded prisoners at the main gate, Victoria Barracks, going in the direction of the hospital. I recognise the accused, now present, as one of the wounded prisoners we took that day. I saw him in a barn after the engagement.

So far as I remember, his head was bound up, so that he must have been wounded in the house or at any rate before the final melee. He was not one of those who tried to escape.

Accused declines to cross-examine this witness.

(Sgd.)

3rd WITNESS:

sworn saith :

I was night Ward Master at the Central Military Hospital at Victoria Barracks, Cork, on 20 February, 1921. At 9.30 p.m. the accused whom I now identify was brought in with four other wounded men in civilian clothes. They were brought in under escort of soldiers and police under the Command of an Officer of the Regt., and were handed over to the Orderly Officer. Accused was suffering from a wounded mouth. He remained there till about 12th April, 1921. I saw him taken away about then by Military escort. On 20 February 1921 four of the five men I have mentioned were brought in together under the escort, the fifth was brought in within a quarter of an hour afterwards by the Provost Sergeant of the Regt. Accused was one of the first four. There were no other prisoners brought into the hospital that night. I produce Army Book 27A (Admissions and Discharge Book) and Ward Master's Report Book containing entries of the admissions to hospital on 20th February 1921. The accused man's name is Patrick Higgins.

Accused declines to cross-examine this witness.

(Sgd.)

Accused makes no statement but reserves his defence.

Taken down by me at Cork this 7th day of June 1921
in the presence and hearing of accused. I certify that
R.F.4. (c) (d) & (e) have been complied with.

(Sgd.)

for Competent Military Authority & Military Governor.

Further Summary of Evidence taken in the case of
PATRICK HIGGINS, Civilian, by the direction of the
Competent Military Authority and Military Governor.

4th WITNESS ----- sworn saith : -

On a Sunday in February - about the third week -
I went with a party of police to a house at CLONMILT.
When we got there I saw the house was surrounded by the
military. I could not see any civilians but there was
firing coming from the house and I could see the flashes
through the windows. The soldiers were firing also.
I went with a party to the rear of the house at about
3.30 to 4 p.m. as near as I can remember the time.
We kept up rifle fire on the windows where we could see the
flashes. I saw a military officer throw bombs at the
house. Fire was kept up by the persons inside the house
also. The firing from within the house could not have
been done by less than about ten people. I saw the
military officer who had thrown bombs set fire to the
thatch of the roof. I went then round to one side of the
house and saw three or four civilians rush out at the door

in front and make for a field across the yard. They were armed - some with carbines and at least one with a revolver. At the same time I noticed the bodies of two civilians lying in the yard. I heard shots fired from outside the house and the three or four civilians stopped, dropped their arms and put up their hands. Immediately after they left the house I saw three more civilians come out and run into the barn closeby. I am not sure whether they were armed or not. I saw the three or four civilians, who had halted in the yard, arrested and taken to a shed in the yard. I then saw that there were several civilians already at this shed, some standing up in custody, others lying on the ground apparently wounded or dead. I took a revolver from one of the three or four men who I had seen come out of the house and halt on being fired at. It had six empty cartridge cases in it. I then assisted to search the house. I did not find any arms nor see any found, but when I came out of the house I saw several rifles, bayonets, revolvers and equipments lying about in the yard. There were more arms and equipment lying in the yard when I came out than there had been when I went in. Before we left I saw the prisoners lined up and I looked at them all. After that they were marched to some lorries. Some weeks later I saw some of the prisoners tried at Cork by Court Martial for Levying War. I saw Jeremiah O'Leary, Sullivan and Moore tried and also others whose names I cannot remember at this moment. I do not recollect the man now present - the accused. I cannot swear whether he is one of the prisoners taken at Clonmult that day. Accused declines to cross-examine this witness.

(Sgd.)

Accused makes no statement but reserves his defence.

Taken down by me at Cork this 13th day of June, 1921, in the presence and hearing of accused. I certify that R.P.4. (c) (d) & (e) have been complied with.

(Sgd.)

for Competent Military Authority and Military Governor.

Further Summary of Evidence taken in the case of PATRICK HIGGINS, by direction of the Competent Military Authority and Military Governor.

FIFTH WITNESS: ----- sworn saith : -

On 20 February 1921 I was one of a party of police that went in the afternoon to assist the military near CLONMILT. We arrived at a house near CLONMILT at about 5.30 p.m. so far as I remember the time. I saw soldiers surrounding the house and firing on it. I saw no civilians but I heard firing from within the house. The firing I heard from the house could not have been done by less than 3 or 4 people. I was sent to a position at the rear of the house. There were two windows and no door in the back of the house. I stayed there for about three quarters of an hour and maintained rifle fire on the windows. After I had been there some time I saw the thatched roof burning but I did not see fire set to it. I heard an order to cease fire and I did so and proceeded to the front of the house and as soon as I got within sight of the door I saw that there were civilians coming out of it.

I saw about 6 or 8 civilians coming out but saw no details as I was immediately ordered out into a field on outpost duty. I only had a momentary glimpse of these men and noticed at the same moment a body of a man in civilian clothes (shirt sleeves) lying in the Courtyard about 20 yards from the house. I never heard anyone call out from within the house and never heard anyone call out to the people in the house. I heard no call to surrender or anything of the sort. After I had been about 20 minutes on outpost the party of military, police and prisoners came by. There were about 6 or 7 prisoners and two or three bicycles and some arms. I joined the party and walked next to a prisoner whom I recognise as the accused now present. His hand and jaw were bandaged. As we got into the road we passed a house and the prisoner asked for some water. I went to the house and got some water and gave it to another policeman for the accused. I did not see whether the accused got it, as I turned back at once to get some water for myself. After this we followed on to where the police and military tenders were parked and drove to Midleton. There I saw the prisoners lined up and noticed the accused among them. I saw all the prisoners put on tenders. I got on another. We drove to Cork. I did not see any of the prisoners after we left Midleton.

I do not know whether accused is one of the men I saw leaving the house at Clonmult. I was not present at the trial of any of the prisoners.

Accused declines to cross-examine this witness.

(Sgd.)

Accused makes no statement but reserves his defence.

Taken down by me at Cork this 14th day of June, 1921, in the presence and hearing of accused.

I certify that R.P. 4 (c) (d) & (e) have been complied with.

(Sgd.)

for Competent Military Authority and Military Governor.

Further Summary of Evidence taken in the case of PATRICK HIGGINS, civilian, by direction of the Competent Military Authority and Military Governor.

6th WITNESS: sworn saith: -

On 20 February, 1921, I was with a party of my own Regiment consisting of an Officer and about 8 other ranks. We were crossing a field about 3.30 p.m. going towards a house in a dip with a few trees round it. The officer and about half the party were in front of me and I saw them cross a hedge at a gap. I was losing distance, so I started to run towards the gap and immediately afterwards heard a shot fired. The sound came from my left front, that is to say about the end of the house. I heard the officer order us to surround the house and I then went off along the hedge to my left with about 3 others. We got into a position along the hedge where we could see the house. I was able to look straight along the front of the house, which faced to my right. I heard some more firing from the shed at the far end of the house judging from the sound. My party had not fired up to this time but

presently I saw 3 civilians running out in file from the front of the house. The first was armed with rifle and fixed bayonet; the third one was armed with a shorter rifle, but I could not see if the middle was armed. We opened fire on them and I saw them all fall. Just then some more men of my Regiment under another officer came up and reinforced us. I then heard some firing from the troops on my left who were in a position to see along the back of the house. I went along to the left till I could see along the back of the house and then saw two civilians lying at the back of the house. One had a rifle and the other had a revolver and holster. I worked back to my former position and for some time there was firing on both sides. I could see that there were people firing from inside the front windows - it seemed as if one man at a time were firing from each window. About an hour, more or less, after the first shot was fired, I was sent for reinforcements and bombs. I got back with police and bombs about 5.30, I think. There was still firing going on occasionally from both sides. About 6 p.m. or thereabouts I saw a bomb thrown into the roof which was on fire. Then I heard a shout from inside that they would surrender. I was then again on the right of the house but more to the front of the house than I had been before. We were ordered to cease fire and firing ceased. I saw 6 or 7 civilians coming out of the front door with their hands up. They had no arms in their hands. I saw some of the troops advance to meet them and heard shots fired from the house as our men were getting up and going forward. The soldiers dropped down and fire was opened again. There was then a confused sort of melee. We again were ordered to cease fire and I saw some more civilians come

out of the house with their hands up. I saw them taken prisoner and marched away. I was then put on guard outside a shed where prisoners were being searched. Later on when it was getting dark I saw the prisoners, to the number of about 8 or 9, marched off towards the lorries we had come on. I know the accused now present. He was one of the wounded prisoners and I saw him being helped along towards the lorries by 2 policemen. He was bleeding from the mouth or lip. I do not think he was bandaged, but I am not sure. He may have had a bandage round his jaw, but there was no bandage over his eyes and I could see his face quite clearly. Next time I saw him was a week or two later in the Central Hospital, Victoria Barracks. I recognised him then.

Accused declines to cross-examine this witness.

(Sgd.)

Accused makes no statement but reserves his defence.

Taken down by me at Cork this sixteenth day of June, 1921, in the presence and hearing of accused.

I certify that R.P.4. (c) (d) & (e) have been complied with.

(Sgd.)

for Competent Military Authority and Military Governor.

