

W.O. 70/348

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**CLOSED
UNTIL**
1992

68 Victoria Street, S.W.1.

5th May, 1917.

Dear Sirs,

I am in receipt of your letter of the 3rd inst. I should have thought that the reasons why I am unable to supply you with copies of the evidence in the case of E. Kent, deceased, would have been apparent from the correspondence which has already passed between us, but as this does not appear to be the case, I will again point out that the grounds of my refusal are because your application is not made on behalf of the person tried, and because the trial took place in camera and the Army Council to whom I have referred, claim privilege ~~from~~ production ~~from~~ these proceedings for reasons of public policy.

Messrs. Corrigan & Corrigan,
Solicitors,
3 St. Andrew Street,
Dublin.

Yours faithfully,

J. C.

CORRIGAN & CORRIGAN,
SOLICITORS.

3, ST ANDREW STREET,
DUBLIN.

3rd DAY OF May 1917.

Judge Advocate General,
68 Victoria Street,
London.

135/17/148.

Re:- E.Ceannt or E.Kent

Dear Sir,

We have your letter to hand herein and note contents.

We are advised that our client as Executor of the will of above named deceased and also as his Widow is entitled to be furnished with the documents asked for.

We would thank you to look into the matter again and write us fully thereon giving us your reasons for refusing to supply the documents.

Yours faithfully,

Corrigan & Corrigan

CORRIGAN & CORRIGAN,
SOLICITORS.

3, ST ANDREW STREET,
DUBLIN.

30th DAY OF April 1917.

Judge Advocate General,
68 Victoria Street,
London.

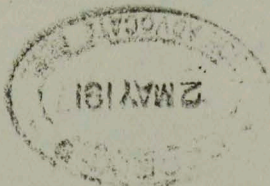
re:- Eamonn Ceannt otherwise
Edward Kent Deceased.

Dear Sir,

Referring to previous correspondence
we have been expecting to hear from you with
reference thereto.

Yours faithfully,

fongan fongan



-/135/17/149.

68 Victoria Street,

30th April, 1917.

E. Ceanut, (E. Kent).

Gentlemen,

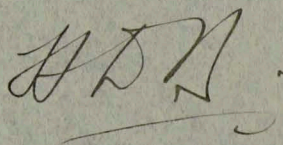
With further reference to your letter of the 14th inst. and his reply of the 16th inst. I am directed by the Judge Advocate General to inform you that he is unable to accede to your requests.

I have the honour to be,

Gentlemen,

Messrs. Corrigan & Corrigan,
Solicitors,
3, St. Andrew Street,
Dublin.

Your obedient Servant,



Major,
S. C. for J. A. G.

135.

7

CORRIGAN & CORRIGAN,
SOLICITORS.

3, ST ANDREW STREET,
DUBLIN.

31st DAY OF March 1917.

Judge Advocate General,
68 Victoria Street,
London.

Dear Sir,

We are acting as Solicitors on behalf of Mrs. Frances Kent who is the Administrator of the will annexed of Eamonn Ceannt otherwise Edward Thomas Kent who was shot in May last after trial by Court Martial. We would thank you to let us have copies of the depositions and the findings of the Court etc. On hearing from you the costs of same will remitted to you to save delay.

Yours faithfully,

Corrigan & Corrigan

STANBROOK STREET

DUBLIN

21st March 1917.

CORRIGAN & CORRIGAN
Solicitors

Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above matter. I am sorry to hear that you have been unable to obtain the necessary information from the authorities. I will endeavor to assist you in this regard.

We are making every effort to obtain the necessary information on behalf of Mrs. Frances Kent. I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above matter. I am sorry to hear that you have been unable to obtain the necessary information from the authorities. I will endeavor to assist you in this regard.

Yours faithfully,
Corrigan & Corrigan
31/3/17
Dublin

Recd 2/4/17

Ans 3/4/17

Yours faithfully,

68 Victoria Street,

3rd April, 1917.

Gentlemen,

I am directed by the Judge Advocate General to acknowledge the receipt of your letter of the 31st ult. and to forward you a copy of the order convening a Field General Court-Martial for the trial of E. Ceanut, (E. Kent), schedule shewing the charge, finding and sentence of the Court, and minutes of confirmation and promulgation of the proceedings, certified by the Judge Advocate General as being a true copy.

Kindly acknowledge receipt.

I have the honour to be,

Gentlemen,

Your obedient Servant,

K. L. H.

Acting Deputy Judge Advocate.

Messrs. Corrigan & Corrigan,
Solicitors,

3, St. Andrew Street,
Dublin.

CORRIGAN & CORRIGAN,
SOLICITORS.

3, ST ANDREW STREET,
DUBLIN.

4th DAY OF April 1917.

Judge Advocate General,
68 Victoria Street,
London.

re:- Kent Decd.

Dear Sir,

We have your letter to hand herein with enclosure, we require a copy of proceedings in full in this case including the evidence. Kindly let us have same by return and oblige.

Yours faithfully,

Corrigan & Corrigan

1st letter asked for definition

but C. & C. always use

this word meaning

"proceeding"

Dear Sir,

We have your letter to hand herein with enclosure, we receive a copy of proceedings in full in this case including the evidence. Kindly let us have same by return post office.

Yours faithfully,

68 Victoria Street,

11th April, 1917.

E. Ceanut, (E. Kent).

Gentlemen,

With reference to your letter dated 4th inst. I am directed by the Judge Advocate General to ask you to be good enough to inform him exactly for what purpose the evidence at the trial as distinct from the charge, finding and sentence is required.

As the proceedings in this case were held in camera it will be necessary for the Judge Advocate General to refer to the Army Council.

I have the honour to be,

Gentlemen,

Your obedient Servant,

Messrs. Corrigan & Corrigan,
Solicitors,

3, St. Andrew Street,
Dublin.

H. S.

Major,

CORRIGAN & CORRIGAN,
SOLICITORS.

3, STANDEW STREET,
DUBLIN.

14th DAY OF April 1917.

Judge Advocate General,
68 Victoria Street,
London.

re:- Ceannt (E.Kent)

Dear Sir,

We have yours of 11th inst and note contents.

Our client Mrs Kent has requested us to obtain for her a full file of the proceedings in her husband's case. We have already obtained the complete files in a large number of cases and this is the first occasion on which we have been asked the purpose for which we required same. Kindly let us have documents without delay.

Yours faithfully,

Corrigan + Corrigan

68 Victoria Street, S.W.I

16th April, 1917.

E. Ceanut, (E.Kent).

Gentlemen,

I am directed by the Judge Advocate General to acknowledge the receipt of your letter of the 14th inst. With regard to the other cases to which you refer I am directed to call your attention to the fact that in this case your application is not made on behalf of the person tried by Court-Martial.

I am however to inform you that your application has been referred to the Army Council together with the correspondence and that a further communication will be made to you when their views have been ascertained.

I have the honour to be,

Gentlemen,

Messrs. Corrigan & Corrigan,

Solicitors,

3, St. Andrew Street,

Dublin.

Your obedient Servant,

H. S. James

Major,

TELEPHONE N^o 720.

R.H. BEAUCHAMP & ORR,
SOLICITORS.
A.D. ORR,
Notary Public.

5, FOSTER PLACE,

Dublin 21st March, 1917

Dear Sir,

We are acting as Solicitors for the Scottish Amicable Life Assurance Society in the Defence of an Action brought against them by Mrs. Frances Kent as Administratrix of Edward Kent to recover the amounts due on two Policies of Insurance on his life with this Society.

Edward Kent was tried by Court Martial during the late Rebellion in Ireland and was sentenced to death and shot, and our Clients are advised that for the purpose of defending the Action brought against them they will require to produce on the hearing, which has been fixed for the 13th April next, copies of the following documents which we have been informed are in your custody and certified by you.

Will you please let us have as soon as you conveniently can these Certified copies so that we may prepare for your Clients' Defence in the Action.

The documents required are:-

The Order of General Maxwell convening the Field General Court Martial.

The Schedule shewing the charge brought against the Accused.

The Finding and Sentence of the Court and the Confirmation of the Sentence by General Maxwell.

The Judge Advocate General,

(1).

We

TELEPHONE N° 720.

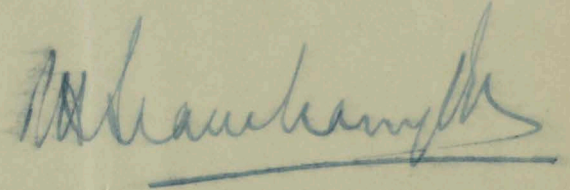
R. H. BEAUCHAMP & ORR,
SOLICITORS.
A. D. ORR,
Notary Public.

5, FOSTER PLACE,

Dublin 21st March, 1917

We have been advised that the Certified copies of these documents for the purpose of being available as proof on the Trial will require to be signed by you as "Judge Advocate General".

Yours faithfully,



The Judge Advocate General,
68, Victoria Street,
Westminster.

*Mrs Beauchamp's OTT
Edition*

21/3/17

Rec 22/3/17

Amo 23/3/17

5/124.

68 Victoria Street,

23rd March, 1917.

Gentlemen,

As requested in your letter of the 21st inst. I now forward a copy of the order convening a Field General Court-Martial for the trial of Edward Kent, schedule shewing the charge, finding and sentence of the Court, and minutes of confirmation and promulgation of the proceedings, certified by the Judge Advocate General as being a correct copy.

Please be good enough to acknowledge receipt.

I have the honour to be,

Gentlemen,

Your obedient Servant,

Messrs. R.H. Beauchamp & Orr,
Solicitors,
5, Foster Place,
Dublin.

Kila.

Acting Deputy Judge Advocate.

15
Kent

7. 5th day

32

19

FORM FOR ASSEMBLY AND PROCEEDINGS OF FIELD GENERAL COURT MARTIAL ON ACTIVE SERVICE.

PROCEEDINGS.

State the place & country.

At* Dublin this 7th day of May, 1916:

A. Order convening the Court.

Whereas it appears to me, the undersigned, the Officer in Command of the Forces in Ireland, and a competent Military Authority under the Defence of the Realm Regulations, that the persons named in the annexed Schedule have committed the offences in the said Schedule mentioned.

Omit except where convening Officer is not a Commanding Officer, and is below rank of Field Officer.

And I am of opinion that it is not practicable that such offences should be tried by an ordinary General Court Martial, nor is the offence one of a minor character.

I hereby convene a Field General Court Martial to try the said persons, and to consist of the Officers hereunder named.

| <u>Rank</u> | <u>NAME.</u> | <u>Regiment.</u> |
|--------------------------|-------------------------|----------------------|
| <u>Brigadier General</u> | <u>C. G. Blackader.</u> | <u>D.S.O. A.D.C.</u> |

MEMBERS.

| <u>Rank.</u> | <u>Name.</u> | <u>Regiment.</u> |
|---------------|--------------------|---|
| <u>Lt Col</u> | <u>G. German</u> | <u>5th Leinster Regt (T)</u> |
| <u>Lt Col</u> | <u>W. J. Kent.</u> | <u>R.F.A (T)</u> |

Signed C. G. Maxwell

General,
Commanding the Forces in Ireland.
Convening Officer.

Sheet No. 2.
SCHEDULE.
19 16

Date *1st May*

No. *32.*

Not more than six names to be entered on one form

32 E. Ceann-
(E. Kent)

| Name of Alleged Offender | Offence charged | Plea | Finding, and if Convicted, sentence (b) | How dealt with by Commanding Officer. |
|--------------------------|--|--------------------|---|---------------------------------------|
| | Did an act to wit did take part in an armed rebellion and in the waging of war against His Majesty the King, such act being of such a nature as to be calculated to be prejudicial to the Defence of the Realm and being done with the intention and for the purpose of assisting the enemy. | <i>not guilty.</i> | <i>Guilty. Death by firing shot.</i> | <i>Confirmed</i> |

(a) If the name of the person charged is unknown, he may be described as unknown, with such additions as will identify him.

(b) Recommendation to mercy to be inserted in this column.

J. H. Maxwell

Cyberkadee Brig General

Convening Officer.

President.

Promulgated this sentence day of May, 1916.

Lo. Anderson Capt.

3/rd The Royal Irish Regt.

*Kilmainham Gaol,
Dublin.*

Trial of E. Canutt.

Prosecution.

1st Witness Major J.A. Armstrong. Sumner Driller
 states:-

I was at Patrick's Park on the 30th April 1916
 The British troops were fired on, the fire came from the
 neighbourhood of Jacobs Factory. Several casualties
 occurred. I was under fire. I was present about 5:30 AM
 when the party from Jacobs Factory surrendered.

I directed an officer to make a list of the unarmoured
 men. ~~He~~ ^{one of} the accused surrendered as one of the party &
 was at the head of it, his name was not on the
 unarmoured list. There was an armed list made
 and his name appears at the head and from
 information he gave he is described as Commandant.
 I asked him to give over and he did so, they were
obeyed.

Cross examined by the accused.

a list of all the men on parade was made,
 and that is the list of armed men, it does not
 follow that all men on parade were armed men.
 I have a perfect recollection of the time the list was
 commenced, it was commenced after the men were
 disarmed. I succeeded in making a list of
 all armed men after they had been disarmed
 because I had had a separate list of the
 unarmoured men made before the disarming took
 place. I arrived at list of armed men by a
process of elimination only, and a recollection of men seen

with arms, the accused was one of them.

He had ~~a~~ no rifle; either a revolver or automatic pistol, which he took out of his pocket, and laid on the ground.

Prosecution closed.

Defence

The accused calls witnesses.

1st witness John McBride. sworn, states.

I know the accused intimately, I should be in no doubt as to his identity, I remember Sunday the 30th April 1916 and preceding days, I was in Jacob's factory, I left it on Sunday afternoon between 4 and 5 P.M. ~~I was~~ ^{from} the accused was not in my company before I left. It was impossible for the accused to be in Jacob's factory without my knowledge, he had no connection with the party that occupied Jacob's factory.

Examination of the Prosecutor

I saw the accused in the neighbourhood of St Patrick's Park when my party surrendered. I did not see the accused at any time between Easter Monday and Sunday the 30th April 1916. I have not the slightest knowledge that he is Commandant of the 4th Battalion. I saw him in uniform at the time the surrender took place drawn up in line.

~~The Court adjourns.~~ ^{Q.M.}

The Prisoner calls on Thomas Mc Donagh who was not available as he was shot this morning.

The Court adjourns this case for further evidence.

XH

at 12.45 P.M. on the 4th May 1916 the Court re-opens.

2nd witness.

Richard Davys, being duly sworn states.

I was in Jacobs Factory from Monday the 24th April till Sunday the 30th. The accused was not in Jacobs Factory during any part of that time. He was not of the party which surrendered from Jacobs Factory. I know the accused perfectly well. I don't think accused could have been in Jacobs factory or been one of the party surrendering from Jacobs Factory without my knowledge. I did not hear accused's name mentioned at any time in connection with Jacobs Factory.

Cross examined by Prosecutors.

The Party at Jacobs Factory surrendered about 5 P.M. on Sunday the 30th. The surrender took place near Patrick's Park. When I surrendered accused was at the far corner of the same square. I could not say if he was of the same party with me that came to Richmond Barracks.

I heard shots fired from near Jacobs Battery but could not say who fired.

I saw a proclamation declaring Ireland a Republic on Wednesday 26th April, I did not take any notice of the name appended.

3rd witness Patrick Emmet Greaney
being duly sworn. states.

I was in Jacobs Factory from Easter Monday
to Sunday 30th April 1916. I never saw
accused in Jacobs factory the whole time
I was there.

The accused in his defence states.

Three witnesses who were in Jacobs Factory
from Monday the 24th April 1916 to about
5 P.M. on Sunday the 30th have sworn that I
was not in Jacobs Factory during any of
that period and was not one of a party
which disembarked from Jacobs Factory on
Sunday the 30th April. Another
witness who was not available would have
been able to corroborate these 3. The
evidence makes it quite clear that I
cannot have had any thing to do with
the firing from the neighbourhood of
Jacobs which resulted in casualties to
British troops at St. Patricks Park as
alleged to. I do not accuse myself
of endeavouring to mislead
the Court, but it is clear that he was

deceived in thinking that I was attached in
 any way to the Jacob's party which en-
 deavored first on British troops in the
 neighbourhood of Patrick's Park. He
 has admitted that his plan of making
 a list of armed men was by a process
 of elimination of the unarmed men
 from the whole list or parade and from
 collection. He has admitted that the
 list of armed men was compiled after
 all men had been disarmed. I submit
 that this evidence is not conclusive except
 in so far as it concerned the unarmed men,
 and is not evidence as to the men who
 were armed. I claim at least that there
 is reasonable doubt and the benefit of the
 doubt should be given to the accused.
 In regard to my carrying arms there is
 no positive or direct evidence except that
 Thayer Armstrong believes I carried a revolver
 or automatic pistol which he says I
 took from my pocket and laid upon the

ground. As to my having surrendered
 to the military authorities this is
 sufficiently proved by my presence at Richmond
 Barracks and is heavily fully admitted.
 As to the accusation that I did an act
 "with the intention and for the purpose of assisting
 the enemy" I ~~entirely~~ ^{em.} content myself with
 a simple denial. The Crown did not
 even tender evidence in this regard.

I gave away my automatic pistol.

The Volunteer uniform more often than not does
 not indicate the rank of the wearer.

The witness I interviewed to call and could
 not ~~come~~ ^{be found from the accusation} ~~have~~ ^{em.} I gave to the
 Police witness have proved that I did not
 come from the neighbourhood of Jacobs
 factory.

I came at the head of 2 bodies of
 men but was only connected with one
body.

Cyril De James

Sheet No. 3.

Evidence and Charge Sheets to be pinned here.

I certify that the above Court assembled on the
 3rd day of *May* 1916 and duly tried the persons
 named in the said Schedule, and that the plea, find-
 ing, and sentence in the case of each such person
 were as stated in the third and fourth columns of
 that Schedule.

B.
 Certificate
 of Presid-
 ent as to
 proceed-
 ings.

Omit
 if not
 applicable.

I also certify that

1. The members of the Court.
- (2. The witnesses)
- (3. ~~The interpreter~~) *cpu*.

were duly sworn.

Signed this *5th* day of *May* 1916

Cyril Edwin Biggs

President of the Court Martial.

I have dealt with the findings and sentences in
 the manner stated in the last column of the said
 Schedule, and, subject to what I have there stated, I
 hereby confirm the above findings and sentences.

C.
 Confirm-
 ation.

To be
 omit-
 ted
 unless
 the
 Confirm-
 ing
 Officer
 desires
 that the
 sentence
 be sus-
 pended.*

(I direct that the soldier named in the margin be not
 committed to prison until further orders).

Signed this day of 191

Promulgation
 to be enter-
 ed here.

Sheet No. 4.

I have dealt with the reserved findings and sentences in the manner stated in the last column of the Schedule, and, subject to what I have there stated, I hereby confirm the said reserved findings and sentences.

D.
Confirmation of reserved sentences

Signed this _____ day of _____ 19 ____ .

General (Field) Officer in the Force.

Subject to what I have stated in the last column of the Schedule, I hereby confirm the (finding and) sentence of death in the case of _____ and of _____

E.
Confirmation of sentence of death or penal servitude

~~penal servitude in the case of~~ *E. Count*

*Omit. (~~*and in the case of the above sentences of death I where confirmed by am of opinion that by reason of 1) Officer in Chief Command. it is not practicable, having due regard to the public~~

~~1 State service, to delay the case for confirmation by any according to the qualified Officer superior to myself.)~~

Signed this *6* day of *May* 19 *16*.

J. G. Maxwell

the nature of the country or the great distance of the operations of the enemy.

General (Field Officer) in Chief Command of the Forces.

A.G. to see

27/5/16

79
Irish
241

~~Capt. S. C. Clay~~

~~D. A. G.~~

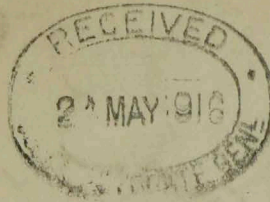
~~War Office~~

~~11/1/17~~

~~2. J. A. G. 21/3/17.~~

Adjutant General

16/4/17



29
END

Field General, C.M.

Civilian

E. beanut. (32)

Dublin

1st May, 1916

