

THE IRISH WORKER

AN T-OIBRIÖE ZAÖÜLAC

Edited by JIM LARKIN

No. 34. NEW SERIES.

(Registered at the G.P.O. as a Newspaper.)

SATURDAY, MARCH 1st, 1924

TWOPENCE

LARKIN versus FORAN, O'BRIEN, AND OTHERS. NOT FORGETTING JUDGE O'CONNOR, MASTER OF THE ROLLS

McCarthy's evidence—(continued from last week's issue).

Witness—We did not get the members of the Union to go with us all the time. Many a time we got our jaws broken trying to get them together.

Mr. Larkin—Well, I never got my jaws broken. Your jaw has never been broken, has it?

Witness—It has.

Mr. Larkin—I am sure he never got his jaw broken, not that he may not have deserved it. To Witness: Well, we always did keep the members of the Union together, and did what we could.

Master of the Rolls—Have we not had enough of this now?

Mr. Larkin—This is a sidelight on Dublin life which you have never seen, my lord. (Laughter.)

Master of the Rolls—I can see that though there is this public contest, you are very good friends.

Mr. Larkin to Witness—Well, Mr. McCarthy, you knew that there was a need for these rules to be revised?

Witness—I expect you will say there was.

Mr. Larkin—Well, this is the 18 rules.

You were a member of No. 1 Branch at that time. Did you ever attend a meeting of the Branch to discuss the rules.

Witness—You know a member of the Branch could not discuss the Rule Book.

Mr. Larkin—Did you ever attend a meeting of the Members where these rules were discussed?

Witness—No.

Mr. Larkin—What section did you represent?

Witness—I represented the Carters' Section that particular year.

Mr. Larkin—Where did they hold the meeting to revise these rules?

Witness—In Liberty Hall. There was a meeting called to consider the question, and other questions including an application from myself for increase of wages.

Mr. Larkin—I am asking you a special question. Witness—I have already answered that.

Mr. Larkin—Did you ever get a meeting to vote upon the revision of the rules?

Witness—No.

Cross-examined by Serjeant Hanna, K.C.

Sjt. Hanna—You say that there were sectional meetings held and that it was because it was impossible to hold a meeting of the big branch because it was so large?

Witness—It was impossible to hold a meeting of the Branch, but it was also impossible that the rules would be discussed by about 7,000 or 8,000 people.

Sjt. Hanna to Master of Rolls—My lord, I wish to call your attention to the following entry, dated 7th November, 1918, in the Minutes of No. 1 Branch. (Reads out entry.)

To Witness—Were these sectional meetings called?

Witness—I attended at least two.

Sjt. Hanna—You speak for two. How many sections would be in a Branch?

Witness—I could not answer that.

Sjt. Hanna—How were the Sections arrived at?

Mr. Larkin—What was the other Section?

Witness—It was called?

Witness—I would not be able to give the date. If you like I will give you a reason why I recall the meeting. (Gives as reason mortality question raised by a prominent member; also questions as to the benefits received from the Union by single and married men respectively.)

Mr. Larkin—Why did you not say that a moment ago?

Sjt. Hanna—What he said to me was that he could only answer for two. Mr. Larkin asked him about the Dockers, and then he gave the answer.

Mr. Larkin—I asked him before. To Witness: Did you ever get the members to vote upon those rules?

Witness—No.

Mr. Larkin—That is what I want to get you to say.

Master of the Rolls to Witness—Did you see this? It contains the draft Rules. To your knowledge were these distributed amongst the members?

Witness—I got a few copies myself. I took several copies and handed them out to various members.

Master of the Rolls—I see. Were a considerable number of these red books drafted and circularised?

Witness—There were certainly a number to be seen at No. 1 Office.

Mr. Larkin to Witness—Tell me what was the procedure laid down for the attendance at the election of members of the Union?

Witness—They were taking anyone who came along. If there was any doubt about them they were taken upstairs.

Mr. Larkin—Was not it in the Rules of the Union that a man came before a Committee to be appointed?

Witness—No, Jim, when I joined anyone was taken.

Mr. Larkin—You joined first, you were one of the apostles.

(Mr. Larkin asks for Minute Book of No. 1 Branch.)

Witness—In the early days when a man came in he got his card as a matter of course.

Mr. Larkin—In the Rules of 1909-1912 was not there qualifications for membership, and the Executive could deny membership to any man?

Witness—In some cases.

Mr. Larkin—Do you remember John Connor sitting as Executive Officer in 1914?

Witness—I do not.

Mr. Larkin—Do you remember any meeting to elect an Executive in 1913-14?

Witness—I do not.

Mr. Larkin—Did you ever come into the room on the right hand side of the corridor. We used to call it No. 7?

Witness—Yourself and James Connolly, usually sat there—and Foran.

Mr. Larkin—And John Lynch?

Witness—I never saw John Lynch.

Mr. Larkin—But we did sit there?

Witness—I know you were there, and Connolly, and Foran.

Mr. Larkin—Did you ever read any communication from the Committee of the Executive Branch of No. 1?

Witness—No, I did not.

Master of the Rolls—Any more witnesses?

Mr. Larkin—My lord, I have told you there is a difficulty about the Subpoenas.

Sjt. Hanna—We will give you until the morning. Junior Counsel (Mr. Maguire, B.L.) reads out documents accepted in evidence, viz.—

Master of the Rolls—Listen to this, Mr. Larkin. Certificate of Registration, dated 6th May, 1909; Rules of 1915 of the Irish Transport and General Workers' Union.

Rules of 1918.

Minute Book of the Executive containing Minute of the Meeting of 27th February, 1918.

Minute of the 3rd May, 1918.

Minute of the 30th August, 1918.

Minute of the 3rd October, 1918.

Minute of the 3rd November, 1918.

Minute of the 10th November, 1918.

Minute of the 22nd December, 1918.

Minute of the 8th February, 1922.

Minute of the 24th March, 1923.

Circular letter dated 3rd April, 1918, from the Executive Committee of the Irish Transport and General Workers' Union as to the Branches.

Original replies from the Branches, tied together in a bundle.

Master of the Rolls—There is some dispute as to this. Is this the bundle with Mr. Bohan's letter? Mr. Larkin thought he was getting a bundle of original documents, and I was under the impression it was put in for the purpose of Mr. Bohan's letter.

Mr. Larkin—My lord, I can help you. I will call for those documents to be put in.

Master of the Rolls—Show me the documents. Letters handed to Master of the Rolls. (Accepted by Mr. Larkin.)

Circular letter dated 11th November, 1918 from the Executive Committee to the Branches.

A list of the Branches voting for and against the Rules, and giving the number of votes in each Branch.

Certificate of Registration of the 1918 Rules.

Letter dated 13th November, 1923, from Daniel O'Connell Miley, notifying an objection received and enclosing copy of objection.

Resolution of the 11th June, 1923, suspending Mr. Larkin, and the Minute of that date.

Whole Minute Book of the Executive of 1918 and 1919.

Master of the Rolls—Do you object, Mr. Larkin? Mr. Larkin—I have not seen them, my lord. I looked over them hastily but I did not peruse them.

Letter of the 14th June, 1923—Messrs. Wm. Smyth & Son to Messrs. James O'Connor & Co., Solicitors for the Plaintiff—(letter returning key of Liberty Hall).

Minute of No. 1 Branch dated 17th November, 1918.

Minute of No. 1 Branch dated 1st December, 1918.

Master of the Rolls—One important thing has not been put in—the draft print of the Rules—the red book.

Mr. Larkin—My lord, it was I who handed that up for marking.

Master of the Rolls—For that reason it is important that it should be put in evidence.

Also added to list by Master of the Rolls.

File of Returns from Branches of Members and Voters.

Mr. Larkin—My lord, these are not originals at all—only copies by some clerk.

Hearing adjourned.

John O'Neill Sworn.

Larkin—Was there any opposition to that nomination?

O'Neill—I do not recollect.

Larkin—He was elected in your presence?

O'Neill—According to the minute.

Larkin—Was President Foran in the chair?

O'Neill—Yes.

Larkin—Was it your duty to carry out your duties within the Rules?

O'Neill—Yes.

Larkin—Did you make any exception?

O'Neill—No, I did not.

Larkin—He was elected to an office which did not exist—Vice-President?

O'Neill—No.

Master of the Rolls—We are not concerned with that here, we are only concerned whether O'Brien was properly appointed General Treasurer.

Larkin—I only want to connect up the links.

Larkin—Did O'Brien attend any meetings during the year 1917?

O'Neill—He may have been present at some.

Larkin—Did he take any part?

O'Neill—He may have.

Larkin—Look at the minutes of the November meetings and see if he attended. O'Brien first attended a meeting on 11th November, 1917, as

Vice-President. Had O'Brien any right under the Rules to be at that meeting?

O'Neill—He had a right to be at the meeting.

Larkin—No right to be at a Committee Meeting?

O'Neill—Not in an official capacity.

Larkin—Look at Rule 22—1915 (Reads Rule). Was there any election in your Branch of Executive Officers in 1917?

O'Neill—I do not recollect.

Larkin—Any Convention of the Union called?

O'Neill—I do not remember.

Larkin (continuing to read Rules) There was no such Convention in 1917?

O'Neill—I could not swear.

Larkin—No communication sent to you in '17 from Executive Officers?

O'Neill—No recollection.

Larkin—None whatever?

O'Neill—No.

Larkin—No Executive in 1917?

O'Neill—I could not say.

Larkin—Any record of Summons of Members for convention or election of Delegates to E.C.?

O'Neill—I do not remember.

Larkin—You were charged as Secretary of the Branch with certain duties, amongst the duties is that of Treasurer of the Branch?

O'Neill—No.

Larkin—Look at Rule 18 (Reads same). There you are charged with control of the money.

Did you carry out your duties?

O'Neill—To the best of my ability.

Master of the Rolls—This is not a Committee to enquire into the conduct of the officers of the Union, we are here to try certain issues, we have nothing whatever to say to the conduct of Mr. O'Neill. I would ask you to confine yourself to relevant matters, you have not asked a single relevant question since you came into Court.

Larkin—I want to know if an executive was appointed, and I reserve my right to question this matter.

Thomas Foran Sworn.

Larkin—You have been General President of this Union since its formation?

Foran—Yes.

Larkin—You are fully acquainted with all the Rules?

Foran—Well, reasonably yes.

Larkin—You were elected in 1909 to office?

Foran—Yes.

Larkin—And at the election under the Rules every second year you were re-elected?

Foran—Yes, sometimes every year.

Larkin—You were elected in 1911-13-15?

Foran—I cannot remember the years.

Larkin—In 1916 there was an Insurrection?

Foran—Yes.

Larkin—The acting Secretary, to the great loss of this country, was then executed?

Foran—Yes.

Larkin—You, at that time, were a General Officer?

Foran—Yes.

Larkin—You were arrested by the then Government?

Foran—Yes.

Larkin—And returned after some time to your duties?

Foran—Yes.

Larkin—That would be in 1916?

Foran—Yes.

Larkin—You found that some of the members had gathered together again for the purpose of re-organising the Union?

Foran—My lord, I will tell you what I found. When I returned I found Liberty Hall in ruins and I found the total funds of the Union to be £90.

Larkin—Was there a meeting to nominate a General Executive in 1916 or was there an election for a General Executive?

Foran—I cannot remember. What do the records say?

Larkin—You informed me in your affidavit that all the records were destroyed in Liberty Hall.

Foran—Well, I cannot tell.

Larkin—I was asking you were you re-elected to your office in 1916?

Foran—I was due for election, I certainly was.

Larkin—You were charged with certain duties under the Rules?

Foran—Certainly.

Larkin—The Rule is, my lord, No. 25. (Mr. Larkin reads Rule). Were you elected to the office of General President in December, 1916, at any Meeting, by any form of ballot?

Foran—I certainly cannot swear, but if I was due for election I certainly was elected and functioned.

Larkin—Were you elected in December, 1919?

Foran—I could not swear that.

Larkin—Were you elected to the General Executive in 1917?

Foran—I cannot remember.

Larkin—Was there an Executive sitting in 1917?

Foran—There must have been.

Larkin—Any minutes of 1917?

Foran—I do not know, the records should be there.

Larkin—You were also acting Secretary?

Master of the Rolls—Not concerned with that period.

Larkin—Was there any election in 1918?

Foran—What do the records say?

Larkin—Was there any election in November, 1918?

Foran—I cannot say. I am not sure as to dates.

Larkin—Did you function during 1918?

Foran—Yes.

Larkin—Did you revise the Rules?

Foran—Yes.

Larkin—If no Executive was elected in November, how could these men send out Rules? If these men were not elected how could they send out to the branches instructions to vote upon amendments to Rules not yet carried through?

Larkin—Did draft Rules, or copies of draft Rules, go to the branches in November, 1918?

Foran—Draft Rules certainly went out to the branches.

Larkin—In November, 1918, they went out from Head Office?

Foran—Went out in 1918.

Larkin—They were to be returned by the 1st December?

Foran—Yes.

Larkin—They were registered as being the considered opinion of the members of this Union on the 20th December, 1918?

Foran—That's right.

Larkin—Does not the Rule Book say so?

Foran—Yes.

Larkin—Did you call a Convention of the Union in 1918 or at any time?

Foran—Yes, I believe I attended a meeting.

Larkin—Where was the Congress held?

Foran—Cannot say.

Larkin—Was it Sligo?

Foran—It may have been.

Larkin—Did you also hold a Convention in 1917?

Foran—I cannot say.

Larkin—You did not carry out Rule 22, by failing to elect an E.C. in November, 1918?

Foran—No, nor we never did it.

Larkin—We never did it?

Foran—Even in your time.

Larkin—Did you do it in 1918?

Foran—Not in November.

Larkin—The Rules say you must elect an E.C. in November to take office in January?

Foran—Yes.

Larkin—What reason had you for not calling for nominations and election in 1918?

Foran—Because it was never done.

Larkin—Why did you not do it? You had charge.

Foran—Because possibly I suffered from your teaching.

Larkin—I hope all my pupils do not develop on the lines you have developed on.

What authority had you to send out draft Rules?

Foran—No authority.

Larkin—Did you send out those draft Rules to be amended?

Foran—I was responsible for sending them out.

Larkin—They went out to the branches in November?

Foran—They were under contemplation for a considerable time.

Larkin—This Executive kept sending out suggestions for Rules?

Foran—We did.

Larkin—Were there many replies from the branches?

Foran—The records should show considerable.

Larkin—How many branches qualified according to Rule?

Foran—Not very many.

Larkin—Would there be 39?

Foran—About that.

Larkin—The E.C. were only elected in 1918, and immediately sent out a demand for revision of Rules.

Larkin—What right had the Executive to alter the Rules of this Union or send out these particular amendments? What legal right?

Master of the Rolls—That is a question of law.

Mr. Larkin—All right, my lord.

Larkin—Do you hold that you amended these Rules of 1915 according to Rule 33?

Foran—Yes.

Larkin—Had you an election in 1919?

Foran—The new Rules created new Offices and there was an election to fill them.

Larkin—Where was the meeting held at which you were elected General President?

Foran—At the Mansion House or Liberty Hall.

Larkin—How was the election carried out?

Foran—In the ordinary way, General Meeting.

Larkin—Any opposition?

Foran—What do the records say?

Larkin—No election of E.C., in November, 1918?

Foran—I do not know.

Larkin—Did you make application for registration of Rules to Mr. O'Connell Milroy on a sworn affidavit taken by Mr. Seville?

Foran—Yes.

Larkin—I observe my right to question this man further.

Mr. J. J. Hughes called and sworn.

Larkin—Mr. Hughes, were you at any time in charge of any secretarial duties in the Transport Union?

Hughes—Yes.

Larkin—You kept the minutes from 1918 until you were compelled to leave the service of the Union?

Hughes—Yes.

Larkin—What year?

Hughes—July, 1921.

Larkin—Were you ever a member of the Criminal Investigation Department?

Hughes—No.

Master of the Rolls—I object.

Larkin—When acting as Secretary you came into close touch with the members of the Executive?

Hughes—Yes.

Larkin—On what date did you become an Officer or employee of the Union?

Hughes—I was employed as a clerk in charge of office work about October, 1917.

Larkin—Who engaged you?

Hughes—Mr. Foran and Mr. O'Brien.

Larkin—Any Executive Meeting in 1917?

Hughes—I believe there was an Executive Meeting towards the end of '17; it might have been early in 1918.

Larkin—Was Mr. O'Brien present?

Hughes—I cannot say positively, I believe he was.

Larkin—In the office in Liberty Hall?

Hughes—Yes.

Larkin—In 1918 you were acting as Secretary?

Hughes—Yes.

Larkin—Were there many minutes kept during the year 1918?

Hughes—There were.

Larkin—You took all notes?

Hughes—Oh, yes.

Larkin—Is that your handwriting?

Hughes—Yes.

Larkin—All members set down in the first minute were present as an Executive?

Hughes—Yes.

Larkin—Did you draft out that statement yourself, or who supplied you with the information?

Hughes—Statements made by individual members in comprehensive minute.

Larkin—During that year were you directed to send out requests to branches for amendments to Rules?

Hughes—During 1918, Yes.

Larkin—Was there any communication from the Executive in reference to the procedure necessary when revising the Rules?

Hughes—Oh, yes.

Larkin—We come down to November, 1918. Were you instructed to summon meetings of the branches for the purpose of nominating members for E.C. under Rule 22? Was your attention ever called to that Rule?

Hughes—I cannot say yes or no from memory.

Larkin—Did you send out any circular notifying branches that the Election of the Executive was due?

Larkin—You were never instructed by the General President or Acting Secretary to get nominations for election of E.C. in November?

Hughes—As far as I can remember, no.

Larkin—You were instructed to send out a letter to branches in November notifying them that certain Rules in Book form were to go before the members and were to be voted on in globo?

Hughes—I remember that.

Larkin—Who instructed you to send the circular out?

Hughes—The Executive. The instruction about voting in globo was given by Mr. O'Brien.

Larkin—He was a member of the Executive?

Hughes—Yes.

Larkin—Took part in the meetings?

Hughes—Yes.

Larkin—Were you also told what branches to send out to?

Hughes—I believe I made up the list of branches myself and sent them out in accordance with instructions.

Larkin—Are these the forms that were returned to you?

Hughes—Oh, yes.

(Mr. Larkin then read out list of forms returned.)

Larkin—Do you remember any branches in Dublin sending in any ballot papers?

Hughes—I do not remember.

Larkin—Were you a member of No. 1 Branch?

Hughes—Yes.

Larkin—No. 1 Branch Office was in Liberty Hall as well as the Executive?

Hughes—Yes.

Larkin—Any ballot taken?

Hughes—No ballot taken that I am aware of.

Larkin—What section do you belong to?

Hughes—E. C. Official.

Larkin—You never had an opportunity to vote on these Rules?

Hughes—No.

Larkin—How many members were there in No. 1 Branch at that period?

Hughes—10,000 or thereabouts.

Larkin—How many members in No. 3 Branch?

Hughes—5,400.

Larkin—Were there any ballot papers issued to No. 3 Branch?

Hughes—I could not tell you that, I never issued any instructions.

Larkin—How many members were there in the Union?

Hughes—I could not remember that.

Larkin—No. 1 did not vote as far as you know?

Hughes—There was no General Meeting.

Larkin—You saw no ballot papers. No ballot papers were issued?

Hughes—I saw none.

Larkin—Did you discuss the suggested revisions in the Rules with O'Brien?

Hughes—Oh, yes.

Larkin—Was O'Brien one of the gentlemen who drafted them?

Hughes—He instructed me about the drafting.

Larkin—Who wrote the foreword in the Rule Book?

Hughes—I wrote that myself.

Larkin—Was the suggestion for revision of R. less sent out in November with instructions to vote and have them back by 1st December?

Hughes—I cannot recollect the exact dates.

Mr. Larkin then reads circular letter of 11th November, 1918.

Larkin—Such were your instructions?
Hughes—Yes.

Larkin—Did it come under your notice that these Rules were registered?

Hughes—Oh, yes.

Larkin—You were ordered to issue Rule Books?

Hughes—Yes.

Michael Connolly called and sworn.

Larkin—You are a member of the Transport Union?

Connolly—Yes.

Larkin—Are you a member since its formation?

Connolly—Since 1911.

Larkin—In 1919, did you attend a meeting of the Union?

Connolly—Yes.

Larkin—Did you take exception to the nomination of O'Brien?

Connolly—Yes.

Larkin—Did any other man make exception?

Connolly—Two more.

Larkin—Were you expelled from the Union?

Connolly—Yes.

Mr. Larkin puts in Mr. Justice Powell's Finding in action against I.T. & G.W.U. by Connolly.

Mr. Larkin Sworn.

Master of the Rolls—You heard it sworn that on the 11th June, 1923, when O'Brien and others appeared at the entrance to the Offices in Parnell Square you forcibly prevented them from entering?

Larkin—My lord, I refused to allow O'Brien, Foran, Kennedy, and McCarthy to enter the Offices of the Irish Transport and General Workers' Union on the grounds that they had been suspended by their branches. There are three doors to the Offices at 35 Parnell Square, and it would be impossible for any man to see me coming down the stairs. I simply stood in the doorway and told them that they had been suspended until they had answered the charges which had been made against them.

Master of the Rolls—One witness swore there was a crowd.

Larkin—My lord, there was no crowd—two members of the Union and myself. There was no force or violence used.

Hanna—I do not wish to cross-examine him.

Mr. King called and sworn.

Larkin—You were employed by the Transport Union?

King—I was, on the 11th June, 1923.

Larkin—Do you remember my coming home and going into the Office in May of 1923?

King—No, I cannot say, I remember you coming in then, the first time I saw you was in June, 1923.

Larkin—Do you remember the morning of the 11th June?

King—I do distinctly.

Larkin—You turned up to your duties as usual?

King—Yes, about 10 o'clock.

Larkin—Was there anyone in the hall way of 35 Parnell Square?

King—Only two men standing at the doorway.

Larkin—Was anything said to you about coming in?

King—I passed right in and left my bicycle in the hall.

Larkin—What did I say to the Staff in No. 3 Room?

King—You asked for the Staff of this department, and stated you wanted to inform them that a dispute had arisen between yourself and certain members of the Executive, that this dispute did not interfere with the Staff, that the Staff were to carry on their duties in the ordinary way, the question would be settled by the Union, that the Staff had no connection with the matters in dispute, and you then left the room. We then heard some voices on the street and we crowded to the windows.

Mr. O'Brien was on the footpath.

Larkin—Many people with him?

King—About eight or nine, some of them I knew, Foran, Kennedy and Hill. O'Brien pointed out that the General Secretary was acting illegally and called upon the Staff to leave the premises. Archie Heron was coming down the stairs and said: "Come on boys, Bill is calling us out."

Larkin—Where is No. 3 room situated?

King—On the third floor.

After you had spoken to the Staff you left the room and went down the stairs.

Larkin—How many doors are there?

King—Three.

Larkin—Could you see anybody coming down the stairs from outside?

King—No, unless the doors were held open.

Larkin—When you came down the stairs what was I doing?

King—You were addressing the Executive Committee, the Staff crowded on the steps and you told them to come in and do their work, that they were paid employees of the Union.

Larkin—You came back to your work?

King—Yes.

Larkin—You were dismissed later for returning to your work?

King—Yes.

Cross-examined by Sergeant Hanna.

Hanna—You are Mr. Larkin's Private Secretary?

King—I am no such thing.

Hanna—You worked at 35 Parnell Square?

King—Yes.

Hanna—How many storeys up?

King—Three, I think.

Hanna—How long did you stand at the window?

King—Roughly about half a minute.

Hanna—Did you know there was going to be an argument?

King—No.

Hanna—Did you know anything about the row?

King—I was at a meeting in the Mansion House on the Sunday previous, a member of No. 1 Branch, I did not vote.

Hanna—When you came down the stairs was Mr. Larkin in the hallway?

King—In the outer hallway.

Hanna—Did you see him shut the door?

King—I cannot say.

Hanna—Did you see him shut the door?

King—I cannot say.

Hanna—Oh, surely you can bring your memory back that far?

King—If I saw Mr. Larkin closing the door I would tell you so.

Larkin—Were there sentries at the door?

King—Not that I was aware of.

Mr. Larkin Addresses the Judge.

As I stated in the start everything I have done I have done because of my membership in the Union and because of the duties which had been placed on me, and duties which I for the time transferred to another man. I left this country and while I was away the Rules have been outraged in every particular and all benefits and rights of the members refused. When I returned I resigned and they asked me to carry on my duties until they had a meeting called. I stated I wanted to go away to Russia, but in the meantime I would do everything possible. When I returned many things came under my notice, relatives of deceased members were being denied benefits to which they were entitled under the Rules. O'Brien was a member of the Dail and from the Wages Book I find he had been receiving wages until 1922. £8 a week.

In many other cases I found that members had been denied every right under the Rules. This was a Union of Members, not a Union of Officers. Rules had been so written up without the authority of the members that every right had been taken from them.

It came under my notice that O'Brien had never been a member unless when he, with other officials got into office in the Union against the Rules.

O'Brien joined the Union in 1917 and was actually working as an officer of the Union in 1917. The Rules were drawn up to give a certain crowd an opportunity to take over management of the Union in their own interests. Rules were established so that the E.C. themselves would manage their own payment.

My lord, in the Rules dealing with the membership I hold that these Rules are not the legal Rules of 1918.

They elected themselves by bogus vote.

Financial members of the Union were denied a right to vote.

Branch No. 3 did not get their right to vote.

Branch No. 1 did not get their right to vote.

The General Treasurer was never at any time entitled to become a member or officer of the Union.

Rule 35 was not carried out. Rule 36 was not carried out.

They submit to the members a book of rules alleged to be revised rules, they say they are not to be amended, they must be voted on in globo.

This Court has a right to protect the members of the Union.

No ballot papers have been produced, they have never proved that any ballot papers were issued.

Any money my wife received was in return for my services to the Union. The Union owes me more than they can ever repay and I owe the Union a great deal.

Mr. Brown, K.C.

I intend to confine myself to the matters in issue. (Reads Claim.) We have to show that the Rules under which the Plaintiffs were elected are the valid Rules of the Union.

(Reads Rules out of 1915 and 1918 Rules.)

I would ask you to allow that the plaintiffs were duly elected under the Rules of 1918. From his own evidence Larkin admits that he excluded them from the premises in Rutland Square, and we are entitled to a declaration.

The only relief that could be claimed by Larkin was a declaration that Kennedy and McCarthy were not qualified to act as members of the Executive Committee.

Master of the Rolls.

The action is brought by the Plaintiffs claiming a declaration that they are the legal trustees, officers and Executive of the I.T. & G.W. Union, that is the first claim. They also ask for an injunction restraining the Defendant, etc., from entering and taking possession of the premises.

The first case is—the Plaintiffs undoubtedly were carrying on the business of the Union and in the course of their duties one morning they proceeded to the Head Office in Parnell Square, and on their arrival they were refused entrance by the Defendant, James Larkin. He may have been actuated by the very best motives he may have thought he was acting within his legal right to go there, but I am bound to say that he acted most imprudently, he acted most rashly, when he took upon himself to decide this question of law, he enforced his view by force. I am sorry Mr. Larkin took that course. He is a man who

has got very high ideals of his duty to the working-class, still it has occurred to me that in this action he has shown a very bad example to the working-man. If this example were carried out by the working man it must result in nothing more than chaos, and instead of being a society of civilized human beings we would be a lot of savages. I regret very much that Mr. Larkin took this course. The Plaintiffs on the other hand, well advised, in order to avoid a breach of the peace, went away quietly, determined to have their legal right determined, and an action is brought, firstly for a declaration for the possession of these premises which they are of the opinion they are entitled to enjoy by virtue of their office, and for a declaration that they are the lawful trustees, officers and executive of the I. T. & G. W. Union. The defences which Mr. Larkin has raised to these claims are set forth in what is called his Statement of Defence, a document prepared for Mr. Larkin by able Counsel and the document signed by three able Counsels, so that I do not think he was badly advised when he came into Court, and the legal defences settled by these gentlemen after due consideration are clearly set forth, and now I may say that with regard to this legal defence that if this case had been conducted by these gentlemen on behalf of Mr. Larkin the trial of this action would not have taken quarter of the time it did. Mr. Larkin is not to blame for bringing in irrelevant matters, and it was in consideration of his position that I gave him latitude which certainly would not have been given to Counsel, he accused me personally of giving latitude to the Plaintiffs here which I have not given to him. I think on reflection he will come to the conclusion that I have given him a great deal more latitude than was ever given to any litigant in this Court.

His main defence is that these people who claim the right to carry on the business of this Union are not properly constituted trustees and officers of the Union, and all the reason he gives in his Statement of Defence is this, that they were elected under a set of Rules which were enacted in the year 1918, and that these Rules are not valid because they do not comply with a certain Rule previously enacted and under the authority of which only these Rules could have been altered. Now that is entirely a question of law. It is Mr. Larkin's case that previous to the enactment of the Rules of 1918 the Union was governed by the Rules of 1915, and that those Rules contained a special rule (No. 33). That Rule is this—The Rules shall only be altered by the General Executive Committee after amendments have been asked for and sent in by Branches, such amended Rules to be finally voted on by the members. Now if this Rule was to be closely scanned it might be found not to be a very satisfactory one, because when you come to the words "after amendments have been asked for" the question arises in what manner these amendments are to be asked for, but there is no mode of asking prescribed, it does not say that the request is to be made in any form or petition. Common sense reading of that would allow that amendments might be sent in by the Branches after suggestions to the Branches by the Executive Council; and then again it is provided that such amended Rules should be finally voted on by the members, that is by the members of the several branches. Now, any person working under that Rule must be struck with this, that it is necessary to bring a little more common sense to bear upon it, in order to see how it could be worked out. If each branch was to vote for certain amendments, and if these amendments, perhaps by each branch, were to be insisted on, the utmost confusion would arise, remembering all the branches in Ireland widely separated from one another and not in communication with one another, each branch might have a very different view as to what kind of Rules they wanted, the people in Cork very different from the people in Armagh, the people in Sligo different from the people in Waterford, so unless there was some central authority to give them suggestions as to what kind of amendments they ought to put forward for the purpose of amending their rules, it would be unworkable.

Now in the year 1918 it is obvious from the opinion of members of the Union in different parts of Ireland that the Rules required amendment and now that is proved clearly by this minute which I will read.

(Reads minute of the 27th February, 1918.)

Shortly after the 27th February, on the 3rd April, a circular letter was sent out from the Executive Committee to the branches here it is (reads letter). It was merely a suggestion to them that the Rules required alterations, it was the duty of the Executive Committee to see that the amendments proposed by the several branches were in harmony, and no person could deal with amendments coming in from several branches except the central body.

A circular letter was sent out on the 3rd April and on the 3rd May, within a month, there was a meeting of the Executive Committee and the matter, dealing with the alteration of the Rules and proposed amendments, owing to the length and difficulty of the work, was referred to a Committee of responsible members, who considered the amendments submitted by the branches and reported the alterations to a special meeting of the Executive Committee, who then referred the amendments to the branches to vote on.

As regards the Construction of the Rules, it was absolutely impossible for work of that kind to be

(Continued on Column 1, page 6)

"An Injury to one is the concern of All."

IRISH WORKER

EDITED BY JIM LARKIN.

THE IRISH WORKER will be published weekly—Twopence—and may be had of any newsagent or newsboy. Ask for it, and see that you get it.

All communications, whether relating to literary or business matters, to be addressed to the Editor, 17 Gardiner's Place, Dublin.

We do not publish or waste time on anonymous contributions.

Tel. No.—Dublin 5439.

Subscriptions, 10s. per year; 5s. for six months, payable in advance.

We are not responsible for views or opinions expressed in Special Articles.

JUDGES AND JUDGMENT

We have been making an appearance again in Court, at the order of (as the documents set out) "George the Fifth, by the Grace of God of the United-Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith." We are guided in our legal warfare in this case of Bennet against Larkin by a gentleman, a Judge and a scholar, Chief Justice Maloney. It is a pleasure to be corrected by this Judge who, with a smile on his face, looks at the combatants after a wordy wrangle and quizzically suggests "it were well to confine words—to ideas and wiser still to keep to the issue." The voice alone would command respect, never a note of anger, well modulated, brings remembrance of boyhood days of one who sang and hushed the turbulent ones to silence and peace of heart. I have no respect for Courts of Law. I think, nay, I believe that the so-called Courts of Law and Justice and the decisions rendered therein, the forms of procedure, the costly processes, the red (now green) tape, the mummy, the dead hands which clutch and strangle truth, impede justice, this tyranny of dead minds embodied in words quoted from Books and accepted even above the word of God and the truth in Man Himself is sufficient in itself to condemn the present system of Society.

We suggest to our readers to mentally digest, if they cannot analyse the following: "A person who does not elect within the time limited, when a time is limited, will be considered as having elected to take against the instrument putting him to his election."

We suggest truth is more important than forms, that justice is more important than form of judgment, that judges are controlled by economic laws just as other men who have to live and eat—with this difference—that judges have a better judgment on which side their bread will be buttered than the average layman. Selah!

If only the Ten Commandments were accepted by so-called Christians and acted upon and lived up to as some of the fossilised decisions of servile, senile minds of dead gents, who were political place-hunters—and judges—because of their willingness to decide according to instructions. When I see a lawyer open up a book and quote Coke—or Brimstone, see Law Reports (Irish), page umpteen—and these gents—I beg pardon—and ladies, gown and wig, flitting in and about the Courts of Justice (?) who have studied all the ologies, eaten dinners, and learnt how to pronounce "Ignorantia legis neminem excusat."—it gives one to laugh.

The decision in the action of Bennet v. Larkin has not been arrived at previous to going to press.

LARKIN SUSTENTATION FUND.

A Mass Meeting under the auspices of the Dublin Trades' Council, called at the urgent request of the citizens, will be held at an early date to discuss the judgment delivered in the case "Larkin against Foran, O'Brien and Others," and to open a fund to sustain Larkin in fighting this vital issue. A preliminary meeting has been held, a tentative Committee formed. Collecting books and defence stamps will be issued in a few days. Some fifty pounds are already in the hands of the Treasurers: Councillor John Lawlor and James Mitchell. Any reader willing to assist in this urgent matter should write the Editor.

PLAYING THE GAME.

No rumours reach the outside world to tell why the political prisoners in English and Irish prisons are still being held. If the minds of some British statesmen and their "Irish" colleagues could be read a tale would be unfolded which might shatter whatever remnants of reputation remain to clothe the nakedness of some of the political tribe.

A year or so ago the street gamins entertained themselves and us (perhaps) singing "We all go the same way home," and in the course of the vocal ebullition informed us that as "the whole collection" was travelling "in the same direction" there "was no need to part at all." Prophetic gamins!

The retention of over a thousand prisoners in Irish prisons and a very large number in English prisons is not an accident or an oversight, but the expression of the wish and attitude of mind of "if-it-costs-as-much more—Johnson, deal—drastically—with the Irregulars—O'Brien, and the motley collection of Broadcasters, Hydro-Electricians, Catholic Truth magnates (Mr. O'Higgins) and Ascendancy men. The union of hearts represented by this gathering has its affiliations on the other side of the Channel where the reactionaries, holding the strings of the labour movement, to the movement's detriment, play the song of Empire. J. H. Thomas—yclept "Jimmy"—is the leader of the band and you can't hear the rest when Jimmy blows the bugle. But in the background, tooting in a minor key, is Asquith, and not too far away Lloyd George—who hanged Kevin Barry—and the murder gangs of both Liberal and Conservative parties are watching and waiting till the "Labour" government proves its sapineness beyond doubt—and then there shall be a funeral, and the "labour" leaders who will have lent themselves to the persecution of Irish men and women will be laid to their appropriate rest.

It is awful to contemplate, but it has to be admitted that there is a spiritual and material affinity between the fake "labour" leaders on both sides of the Irish Sea and the forces of capitalist reaction in both countries. Thomas and the Astors, Cosgrave and Johnson—they "all go the same way home," and they know it, and they are playing the game of life to meet their heart's desire.

It is, possibly, too much to expect that whatever there is of honesty and independence amongst the labour representation at Westminster will have vision enough to see that pandering to the forces of reaction will have an inevitable reflex on the cause of the workers in England. The next General Election in that country will come either when the government has been defeated in an honest endeavour to pass progressive legislation or when the combined forces of Liberal and Tory capitalism decide that the Labour government has

BROADCASTING—HUSH! HUSH! HUSH!

Departmental Ditties not to be Published.

By agreement between the Dark Brothers the truth is to be again denied the public.

"The evidence and documents submitted to the Special Committee on Wireless Broadcasting, at any stage of their proceedings, will be printed and circulated, except such Departmental minutes as in the opinion of the Committee are not necessary to be published."

Except such as the Committee think should not be published. Ask Johnson, Labour (?) T.D.—moryah—"He knows tother from which."

LENIN.

Rest, Comrade, rest! Thy long day's work is o'er;

Lay down the torch thy hand has borne so long.

Close now thine eyes, and let thy spirit soar Through the wide earth, borne on our funeral song.

Toward that cold grave beneath the Kremlin's wall

The thoughts of millions of the workers turn. Thy silent tongue still sounds its clarion call; And in their souls the answering pulses burn.

Hunted, maligned, a fugitive on earth; Fighting the workers' battle to the end; Through wars, through plots, through

Famine's grisly death; Faithful to death, thy spirit did not bend.

A hired assassin dealt the coward's blow That robbed us of thee, Comrade—that removed

Thee from our ranks, and laid thy body low; But left thy memory ten times more beloved.

What fools they be who think that by such deed

They stem the Revolution's mighty flood. Let them beware!—for he who runs may read The answer to their holocaust of blood.

Sleep, Comrade, sleep! Nor fear the work was vain

In which thy life was spent for others' sake; The Torch from thy dead hand we raise again; And carry onward—till the full day break.

S. MAJOR.

THE DIGNITY OF OFFICE.

"What a beautiful little darling you are. You really don't know how attractive you are." (President Cosgrave, Executive head of the Irish Free State, replying to a female critic during a political meeting at Rathmines, February 18th.)

THE "NATIONAL" DEBT.

In the King's Bench Division on Monday, February 18th, P. Byrne brought an action to force the Military Authorities of the Free State Army to pay money due for the hire of a motor car by Free State officers.

We would urge our readers to recall the advice given to income tax defaulters by Mr. Blythe and his comrade-in-"service," Mr. Kevin O'Higgins: "Pay your debts, eh!"

sufficiently defiled itself, in the minds of the workers, through association and compromise with them, and it looks as if the latter alternative will become the fact.

As for the "Irish" Labour (?) leaders. In truth they have dug their own graves. Year in, year out, they have played and worked with capitalism, selling the national honour and the destinies of the workers. Their day has come. Perhaps they will succeed by their studied silence in keeping the prisoners in jail a little longer, but the end is in sight.

ZANGWILL AND LARKIN

Written specially for the "Irish Worker"

By ANONYMOUS.

"Comrades and gentlemen," said the humorist of the gang, "Jim Larkin has published an article by Zangwill and he wants our opinions."

"I think that Zangwill is right," said the Doctor, "although I have never read a line of any of his attacks. I know he is right because every Professional Jew denounces him. So I'm convinced Zangwill is right. Because the Professional Jews won't permit criticism and house-cleaning this handful of riff-raff . . . you know who I mean? I refer to those who are responsible for the faginism, procuring, brothel-keeping, sweating, sharp-dealing, receiving stolen goods, etc."

"This handful of riff-raff is made representative of our race—of the great population of hard-working, poverty-stricken, law-abiding, clean-living, simple Jews. So they stifle criticism, these Professional Jews who are doing nothing but working on their lucrative jobs of appealing to the racial vanity of their people. What if the criticism pierces like the probing, cleansing lancet, and burns and pains like antiseptic poured on festering sores? The Jews."

Tea and cakes are served and we drink and eat in silence. We watch the doctor, expecting the tank to fill again and spill cascades of ideas. A young Jewish boy, not knowing the cause of it all, feels the rising, personal anger within him. It is easy to perceive the struggle that rages within him. . . . The eloquence of the doctor . . . like the far-away boom of the surf, crawling, menacing, ominous . . . "The Jews . . . only the Jews themselves . . . can solve the Jewish question. But it has been made a closed subject. Its door has become a trap. He who ventures to open it is caught and crushed in the jaws of the guardian dogs of Jewry, the Professional Jews. They call themselves the protectors of their people. But in reality they are the jailors of their people, keeping them from enlightenment and self-liberation. Undiscussable—the unwritten law of the Professional Jews. Non-discussable. The Jew is non-discussable, a forbidden subject."

"But I will discuss it. I will take the sick ego out of my people to the clinic. I know I will be called the enemy of my people, hounded, cursed, spat upon, disowned, even by my own family, ridiculed, called a renegade, turncoat, the paid tool of the Anti-Semites . . . excoriated . . . left without peace . . . But I have got to go ahead . . . I will take the sick ego out of my people to the clinic."

"There is no question of religion. . . . Worship as you please, when and where you please. But get rid of the foul fungus of the Ghetto. If you do not become an integral, euphonious part of the American nation you will again isolate yourselves and stand out yellow-badged among the people of the New World . . . again . . . alien, wandering, strange figures . . . again . . . distrust, dislike, persecution. . . . The Jew must take himself in hand, see himself as the world sees him. Face historical facts. Face scientific truths. Face medical and pathological findings. Treat himself . . . I know when the outsider criticises the Jew, the Jew withdraws behind the ramparts of his Ghetto and his religion, throws himself blindly into his 'consoling' faith, a faith that has given our race a paranoiac tendency, the faith that he is God's Chosen People . . . God will deliver His Chosen People from the oppressors and smite the oppressors and His Chosen People will rule the world some day . . . some day . . . We are hysterical, overwrought, high-strung, we need the sedative of repose, selfishness . . . We are neuroasthenics . . . look at the greater ratio of insanity and feeble-mindedness

among our people . . . We suffer from racial paranoia . . . believe in our racial supremacy, assert it, boast it; flaunt it in all our actions . . . There has been too much inbreeding in the fastnesses of the Ghetto, so there are insanity and feeble-mindedness, diabetes . . . I know the Jew has been forced to use his brain-machine until it is jolted out of gear . . . that living in dread and fear of the oppressor has made us hysterical and neuroasthenic . . . but here in America . . . it is different . . . should be different . . . we can make it different. Tear down the walls, let out the pent-up people to mingle and mix. End the isolation."

Discussion waxed hot. How the prosperous Jews attacked the doctor. He laughed for they only proved the truth of his argument. "Strange," he concluded, "that this discussion should have been brought on by a paper published by no less a person than 'Jim' Larkin. How many times has he criticised his own people, in exactly the same manner that I have done to-night. Good old Jim, big-hearted, simple, strong and loving. I wonder what his race will do to him. Will they make of him a second Christ and compel him to walk the road that leads to Calvary?"

We walk home, at two in the morning, and the words ring in our ears: "Will they . . . compel him to walk the road that leads to Calvary?"

MR. DOOLEY AND THE SCABS.

"What's all this that's in the papers about the open shop?" asked Mr. Hennessey.

"Why, don't you know?" said Mr. Dooley. "Really, I'm surprised at yer ignorance, Hinnissey. What is th' open shop? Sure, 'tis where they keep the doors open to accommodate the constant stream av' min comin' in t' take jobs cheaper than th' min what has th' jobs. 'Tis like this, Hinnissey: Suppose wan av' these freeborn citizens is workin' in an open shop f'r th' princely wage av wan large iron dollar a day av tin hours. Along comes another son-av-a-gun and he sez to th' boss "Oi think Oi could handle th' job nicely f'r ninety cints." 'Sure,' sez th' boss, and th' wan dollar man gets out into th' crool-woruld t' exercise his inalienable roights as a free-born American citizen an' scab on some other poor devil. An' so it goes on, Hinnissey. An' who gits th' benefit? Thru, it saves the boss money, but he don't care no more f'r money than he does f'r his right eye."

"It's all principle wid him. He hates t' see men robbed av their independence. They must have their indidipence, regardless av anything else."

"But," said Mr. Hennessey, "these open shop min ye menshun are they f'r unions iv properly conducted?"

"Shure," said Mr. Dooley, "iv properly conducted. An' there we are: An' how would they have thim conducted? No strikes, no rules, no contracts, no scabs, hardly iv wages an' dam few mimbers."

A RARE HAPPENING!

SOMETHING FOR NOTHING!

We have been favoured by a grant of a remainder lot of a pamphlet called "Economic Discontent," by Fz. Hagerty. This pamphlet, of which over 1,000,000 copies have been sold in Scotland, was first published in the British Isles by the Catholic Socialist Society of Glasgow, which was organised by John Wheatley, present Minister for Health in the Labour Cabinet in England and the Editor of the "Irish Worker." We will send this pamphlet to anyone making application and paying postage of pamphlet.

DOINGS IN THE STATES

From our Correspondent.

THE OIL STEAL.

The power that a capitalist, like Doheny—the multi-millionaire, oil king, has in the making and unmaking of governments in this great "Democracy" is being further revealed, to the great relish of class-conscious workers here.

A paper owned by the late President Harding was bought at a boosted figure, to keep on the deal, or steal. Ex-President Wilson's son-in-law, MacAdoo, was also on Doheny's pay-roll, and it was arranged before the present Cabinet took office that Doheny was to get the naval oil reserves at his own figure.

Doheny subscribed heavily to the campaign funds of both the Democratic and Republican parties, in a sort of Vicar of Bray spirit, no doubt.

To Dope the Workers.

At the moment of writing one hundred of the leading editors, editorial writers and newspaper owners are the guests of Secretary of the Navy Denby aboard a swell warship, cruising in the warm Caribbean Sea, to witness the naval manoeuvres.

The taxpayer of New York, who will foot part of the bill for the junket, are shivering in a new zero spell.

In a few weeks they will read arguments why they should submit to heavier taxes for naval efficiency, or in other words, a preparedness that will result in some of the workers of the world being shot to pieces by each other, so that the oil and the profits of the Dohenys and Stinnes and the Devonshires or Portmouths may be made safe and secure.

The evidence in the oil probe shows that Denby also received Doheny's cash and agreed that his Department's oil supply fields should be exploited by the ubiquitous Doheny. He made no secret of it when questioned by the Senate, but like the MacDonald Government and the Tory searlords—the navy's efficiency would be impaired if Denby was given the boot.

Child Slavery.

One child in every twelve, between the ages of ten and fifteen, a million in all, slave on an average ten hours per day in this enlightened "democracy," that worked as hard as nails to hand-back Russia to the Czars.

They slave in the cotton mills, in the cotton fields, the canning factories and other textile mills, etc.

In North Carolina the State laws prohibit convicts in prison being worked more than nine hours daily, yet in this same State the maximum time a child of ten can be kept daily at a loom in a cotton mill is eleven hours.

Starve the German Children.

The world-wide drive to relieve the hunger pangs of the German workers' children has suffered a severe check here.

The German Consul-General at Washington did not half-mast his flag on the day of Wilson's funeral as he considered it merely the corpse of a private citizen, diplomatic usage a custom only calling for a salute to a dead President, a high official or Church dignitary. Some ex-soldiers of the "Tan" type compulsorily lowered it, and in the dark of night played a child's trick of nailing an American flag on the German Consulate door.

And the bourgeoisie patriots who batten on their incomes derived from working-children of ten years for eleven hours daily have now decided to boycott the drive for German children.

(Continued on Column 3, page 7)

carried out except by a small committee of people and it was quite proper that a Rules Committee should be appointed and for that purpose to consider the amendments submitted by the branches. Now, a branch does not submit an amendment unless it wants amendments.

It appears that the Rules Committee which was appointed proceeded to do its work because several minutes show it, viz., 30th August there was a meeting of the Executive Committee (gives particulars of minutes).

On the 5th October the matter came before the Executive Committee and the draft was approved of as a draft, the Rules were not approved of, the draft was approved of containing the Rules that they were of opinion the branches ought to adopt and on the 5th October there was an issue of 1,000 copies of the draft rules ordered to be printed in small type to be sold at 2d. each.

Now it is questioned whether in fact the draft was submitted to the members of the branches. Now, the mere fact that the draft was ordered to be printed and that 1,000 copies were ordered to be made goes to show that the draft was intended for circulation amongst the members of the branches because I cannot see for what other purpose such a number would be ordered except for circulation. The membership of the Union amounted to 100,000, but of course no person ever thought that every member of this Union, comprising working men who had to take in the "Freeman," "Independent," and "Irish Worker," would buy it, and the Executive Committee came to the conclusion that it was not necessary to have 100,000 copies of the draft rules and that it would be sufficient to have 1,000 of these copies. It has been shown that these copies were distributed amongst the branches and the actual number of copies given to each branch. Now, what could be done by the various secretaries when they got these drafts. Now, a branch might consist of a very large number of people, sometimes 6,700, sometimes two and three thousand. I do not suggest that any rules were considered by a meeting of say 1,000; that could not be done, and the only thing for the secretary to do was to call together a representative of the men and get their approval of it.

On the 11th November there was a meeting of the Committee and it was agreed that the draft of the new Rules should be sent out for the sanction of the qualified branches, and on the 10th November there was another meeting and it was agreed that all the branches entitled to vote should be asked to vote on them in globo by 1st December and that registration be applied for. It must be remembered that before the draft was sent out the Executive Committee had had several suggestions from the different branches who desired amendments; and these amendments must have been constructed by the Rules Committee. Some of them may have been adopted and others of them rejected; and I have no doubt that the draft which was sent out did not comply with all the suggestions for amendments that were made by the branches that called for amendments. The Executive Committee came to the conclusion that the branches should vote on the draft in globo. If they wished to reject it they were entitled to do so. If each branch had sent back the draft with amendments the matter would never have ended, it would be impossible to have a draft to meet the amendments of each branch. The branches were notified that they could either reject them or accept them in globo; that is shown by a letter of the 11th November, 1918.

(Master of the Rolls reads letter.)
There is nothing whatever in the construction of the Society to prevent the Executive Committee from making recommendations to their branches, and in fact I may say it ought to be the principal duty of the Executive Council. (Continues to read letter.) It occurs to me that this is a most business-like letter. Instead of taking a vote on each rule and having one half of the rules accepted and the other half rejected. If the rules were rejected as the branches were entitled to, it would be necessary to proceed against with any set of Rules.

That circular was sent out with the result that several secretaries proceeded to call meetings of the members of their branches. In some cases where the branches were very large, some of them consisting of 1,000 members, and at meetings that would be so large it would be impossible to discuss the rules, and consequently these branches were divided into sections and these sections discussed their rules.

It was stated that these votes should have been taken by ballot. I do not know of any rules that compel the members to vote by ballot.

So far as the Executive Council was concerned they got from the several secretaries of the branches the returns and it appears from these returns that the Rules were approved of with the exception of one branch—Sligo, I think. Accordingly a meeting was held on the 22nd September, 1918, and it was announced that the revised Rules had been passed, only one dissenting.

It occurs to me that the course which was adopted for amendment of the Rules of 1915, under the provisions of Rule 33, was in accordance with the Rules of 1915. I think it was the only way under which Rule 33 could have been properly carried out. Now, I therefore must rule that the Rules of 1918 were validly passed and inasmuch as the only objection which is raised to the election of the Executive Committee by the Statement of Defence is that they were elected under Rules which were invalid the election was invalid also. I must rule on that

point in favour of the Plaintiffs and against the Defendant, Mr. Larkin.

Before I go to the next point I must say this: not only is the case made in the Statement of Defence that these Rules are invalid, but it is also alleged that Mr. Foran falsely and fraudulently signed the Statutory Declaration. I must say this is a very serious charge; there has been nothing in the case to justify this charge. There is no excuse whatever in preferring a charge of false declaration, none whatever.

In addition to attacking the validity of the appointment of the Executive Council, Mr. Larkin in his defence also attacks the appointment of the officers, Mr. Foran and Mr. O'Brien.

The great point Mr. Larkin makes against Mr. O'Brien is that he did not become a member of the Union until, I think, the 6th January, 1917, and that he was appointed to some office, I think Vice-President, within twelve months from the 6th January, 1917. I am not concerned with that, the only thing I am concerned with in this action is whether in the year 1923 he was validly appointed to General Treasurer. Now, he was certainly a member of the Union for several years before 1923. So that point is disposed of. His next point is that these officers ought to have been elected every two years and he complains that was not followed, and that time was allowed to elapse, and that in February, 1922, there was an appointment made which should have been made at an earlier date, and if made at an earlier date O'Brien's term of office would have expired, wherea's by making the appointment at a later date, viz., February, 1922, he secures for himself office until 1924. It would be the duty of the Executive Council to fill up the vacancy as soon as their attention was called to the fact.

In February, 1922, all the Executive Officers of the Society were appointed to their Offices. I refer to the minute of the 8th February, 1922.

(Reads minute.)
I cannot see any objection to that. According to the Rules there must be an election every two years.

It comes to this that if the other two Officers were invalidly elected on that day, Larkin was also invalidly elected.

Now, there is another point raised against Mr. Kennedy and Mr. McCarthy and that is that they were paid officials of the Union. (Reads Rule 25.) Undoubtedly Mr. Kennedy and Mr. McCarthy were receiving payment as officials of the Union and I must decide that they were paid officials. I do not think that the appointment of Kennedy and McCarthy, who were paid officials of the Union, was a valid appointment. The Plaintiffs are entitled to the relief they claim and I must give a declaration unless Mr. Larkin gives me an undertaking not to interfere with the Plaintiffs in their management of this Union.

Mr. Larkin—My Lord I intend to appeal.
Serjeant Hanna—Then do not give the undertaking. If you did you could not appeal.

Master of the Rolls—Then I will give the declaration. I will say nothing for the present about the costs.

LARKIN v. FORAN AND OTHERS

Monday the 18th day of February, 1924.

Mr. Larkin asks the Master of the Rolls to allow him to amend his pleadings.

Master of the Rolls—I certainly will not. I will allow you to amend the Statement of Claim in one particular and that is so as to enable you to allege that monies were applied to pay two members of the Executive Council inasmuch as they were not entitled to receive payment. The reason I give you this permission is that these Defendants cannot be taken by surprise.

(Mr. Larkin then reads from Greenwood.)

Larkin—May I respectfully call your attention to this fact, it has been laid down that the Members of the Union are the Union, not the branches, not the Officers, only by membership can a man become an Officer. (Rule 5, page 8.)

My lord, I hold that this is a political levy; through it they have taken from the members of the Union to which I belong 6d. per quarter, equal to 2/- per year, which since the year 1915, up to the date when this section was entered has amounted to not less than £50,000.

I want to get out of this Court into another Court.

I want to call your attention, my lord, to documents which I have marked 16a, taken from the minutes of this Union in which these men have paid money for political purposes.

Master of the Rolls—I want to call your attention to this. I think you ought to address yourself to the cases made by the Statement of Claim. Your claim is that the Executive have applied money for political purposes not lawful and have not complied with the Act of 1913.

Larkin—I have looked through their Books. There is only one fund, a general fund, out of which money was taken for political purposes.

Mr. Foran called by Mr. Larkin and Sworn.
Larkin—Did you attend an Executive Meeting on the 22/5/22?

Foran—I cannot remember.

Mr. Larkin reads minutes.

Larkin—Were you present at that meeting?

Foran—I cannot swear. I take it that I was.

Master of the Rolls—What date was the meeting held?

Larkin—The meeting apparently was held on the 17th and the minutes were not dated until the next meeting.

Larkin—I was asking the witness was he present at that meeting.

Foran—I cannot swear.
(Mr. Larkin reads minute No. 796. Paid McCarthy and Kennedy £6 each for their wages. Also minute No. 846 and 936.)

Judge—Do you admit that payments were made for political purposes?

Hanna—We do, out of the General Funds, from 1911, until passing of the 1923 Rules. We do not admit we made a political levy.

Master of the Rolls—Serjeant Hanna admits that from 1911 to 1923 moneys were applied for political purposes, that may or may not have been legal. Once you show me that any moneys whatever were illegally applied for political purposes that will be enough for your case, once that is established I will direct an enquiry to be held to ascertain what moneys were applied for political purposes, once you establish that there were illegal payments then I think it will be open to you to ask for an enquiry as to what was the amount of these illegal payments.

Larkin—I ask for relief, my lord.

Master of the Rolls—I think you are entitled to ask for an enquiry always assuming that you have proved that certain illegal payments were made. Serjeant Hanna admits that payments have been made for political purposes 1911-23.

Larkin—I am surprised at Serjeant Hanna as the law was amended in 1913.

Hanna—Do you remember the Municipal Elections of Jan. '12?

Foran—Yes.

Hanna—Do you remember the names of the candidates?

Foran—Murphy, Larkin, Hopkins and O'Brien.

Hanna—Was Hopkins a delegate of No. 1 Branch of the Union?

Foran—Yes.

Hanna—Were these expenses paid out of the General Fund?

Foran—Yes.

Hanna—Mr. Larkin was unseated on petition and the Union put up Mr. Bohan?

Foran—Yes.

Hanna—In September, 1912?

Foran—Yes.

Hanna—Were his expenses all paid?

Foran—Yes.

Hanna—Did Mr. Larkin take an active part in supporting him?

Foran—Yes, a very active part.

Hanna—In January, 1913, were you and Bohan again put up by the Union and all expenses paid?

Foran—Yes.

Hanna—Was there a Municipal Election in January, 1914?

Foran—Yes.

Hanna—Were you and Mr. Daly put up?

Foran—Yes.

Hanna—And your expenses paid in the same way?

Foran—Yes.

Hanna—Who were the candidates in the Poor Law Guardian Elections in May, 1914?

Foran—Myself, Daly, Bohan, Hayden, Byrne and Miss Delia Larkin.

Hanna—Were your expenses paid in the same way?

Foran—Yes.

Hanna—Larkin went to America in October, 1914?

Foran—Yes.

Hanna—Do you remember the occasion of the Harbour Division Election in 1915?

Foran—Yes.

Hanna—At that time was Larkin in America?

Foran—He was.

Hanna—Did you cable to him about the election?

Foran—Yes.

Hanna—Did you receive a reply?

Foran—Yes.

(Hanna reads copy of cable.)

Master of the Rolls—What is the date on it?

Hanna—August 26th, 1915. Signed Larkin.

Hanna—What reply was sent to it? Have you a copy of it?

Foran—Yes.

Hanna—Did any money come from America for that election?

Foran—No.

Hanna—Larkin was nominated?

Foran—No.

Hanna—Do you remember the election of 1918—Parliamentary?

Foran—Yes.

Hanna—Were the Labour Party prepared to put forward a candidate?

Foran—They were.

Hanna—Did you cable to Mr. Larkin?

Foran—Yes.

(Hanna reads cable.)

Hanna—Did you receive a reply 14th October, 1918?

Foran—Yes.

(Hanna reads reply.)

Hanna—In what way were the expenses of these candidates defrayed for that election?

Foran—In the usual way—from the General Fund.

Hanna—I want to come to the Municipal Elections, 1920. Do you recollect these?

Foran—Yes.

Hanna—Some of the Union candidates were put forward for that election?

Foran—They were.
Hanna—And how were their expenses paid?
Foran—Out of the General Fund.
Hanna—Were there any candidates who were not branch candidates whose expenses were paid under sanction of the E.C.

Foran—No.
Hanna—When the first Free State Election took place in 1922 the Union decided to take part in it?
Foran—Yes.

Hanna—There was an Executive Committee resolution passed as to the payment of these expenses?

Foran—Yes.
Hanna—Who were the candidates to be supported by the Transport Union in 1922?

Foran—O'Shannon, O'Brien, Larkin and Foran.
Hanna—What happened as regards Larkin?
Foran—I received a cablegram from him dated 5th June, 1922.

(Hanna reads cablegram.)
Hanna—On receipt of that cablegram he was not nominated?

Foran—No.
Hanna—That was the day before the nomination?
Foran—Yes.

Hanna—Were the expenses of the candidates as in other cases paid out of the General Fund?
Foran—Yes.

Larkin—cross-examining.
Larkin—Mr. Foran, you have a very keen knowledge of what occurred in the Union in 1909-1923?

Foran—I have.
Larkin—You are familiar with all the Rules?
Foran—A good many of them.

Larkin—You were General President in control of the finance, are you charged with the responsibility of the books and funds of the Union in that office?

Foran—Not solely.
Larkin—Did you swear here to your Counsel that money had been spent out of the General Funds of the Union?

Foran—Certainly.
Was there any Executive of the Union in 1909-10-11-12-13-14-15?

Foran—Not an Executive in the proper sense of the word.
Larkin—No Executive under these Rules 1912-1915?

Foran—Not an Executive in the proper sense of the word, there was a coming together at rare intervals of a certain number of people.

Larkin—Was there an Executive under Rule 22 in 1915, 1912 and 1909-9?

Foran—I have given you my answer.
Larkin—No such Executive?

Foran—No.
Larkin—Take that in your hand (hands him letter of 29th November, 1915). Look down at the bottom, see the name signed to it, what is the name?

Foran—James Connolly.
(Mr. Larkin then read letter.)

Larkin—Your point is that if moneys were spent during the time I was Secretary for illegal purposes that you had a right to spend them?

Foran—No, my lord, my point is that a Trade Union must necessarily support Labour Representation. We did not believe the Osborne Judgment applied to Ireland. When we realised it did and that labour representation in the future was going to be a serious matter we immediately took steps to set ourselves right with that judgment.

(Mr. Larkin then made some remark to the witness about the process of thought by which he got into the Senate.)

Foran—I went in there not because I believed in aggrandisement but because I believed I ought to be there to do something for the class I belonged to.

Larkin—Is that an apology or a confession?
Foran—It is an answer to your question.

Larkin—Did you not know that in 1913 the law had been changed in reference to the funds of the Union and their uses?

Foran—I was not fully aware of this, but you might have let me know.

Larkin—You state you never agreed with the Osborne Judgment, you do not agree with the Law of England?

Foran—I do not believe in the Osborne action no more than I do in your case.

Larkin—In 1918 you were an admirer of mine?
Foran—Yes.

Larkin—So you sent me a cablegram?
Foran—Yes.

Larkin—Do you know of any man deceased who was denied benefits under the Rules because he did not pay this levy? Were any members of the Union, from 1917 to 1923, who died and passed on and who were entitled to benefits under the Rules of the Union and because they were a penny in arrear their relatives were denied their £9?

Foran—No person.
Judge—No member of the Union was refused benefit for a political reason.

Foran—No person deprived of benefit for political reasons.

Larkin—Supposing a man paid 6/6 per quarter and refused to pay 7/- per quarter, and in the lapse of time this man came into arrears because he declined to pay this political levy would he be deprived of his benefit?

Foran—I decline, it is not a political levy. If a man only paid 6/6 per quarter he would be 6d. in arrears.

Larkin—Is it true that widows have been denied mortality benefits because of that Rule?

Foran—No.
Larkin—Was it ever brought to your attention that members of the Union had died and the widows came to you and asked you and your colleagues for benefits and were told they owed 6d.

Foran—Of course if you broke a Rule for them you would be paying all the time.

Larkin—Were the men charged in this Union with other levies?

Foran—Yes.
Larkin—Were the funds of the Union and these levies used to refurbish Liberty Hall?

Foran—No. In 1916 wages were beginning to move upwards and the members of No. 1 Branch decided to hand over their first week's increase whatever it might be towards the rebuilding of Liberty Hall, which was then in ruins. The amount collected for that purpose was something like eight or nine hundred. There was a man introduced to me by Larkin named James O'Neill, who was a contractor in a small way, and this man was engaged by the Branch Committee to employ members of the Branch and rebuild Liberty Hall at an expense of something like six or seven hundred pounds.

It was a special levy.
On resuming—Mr. Foran in the Witness Box.

Witness to Master of the Rolls—Please, my lord, before Mr. Larkin asks any more questions I would like to say that I have taken advantage of the luncheon hour to look into the points regarding the £1,000 drawn in 1918, and if you will allow me to make a statement.

Master of the Rolls—Very well.
Witness—Well you remember, my lord, in 1918 there was a Conscription menace hanging over the country and the Executive realised that owing to the position there was a possibility of the funds of the Union being seized, and in order to make sure that the funds of the Union would not be seized £1,000 was withdrawn from the funds of the Union, as directed by the minutes, and lodged with a Revd. gentleman whose name I will give you in confidence.

Master of the Rolls—I do not want to know, the name of the Revd. gentleman at all.

Witness—Well, the money was afterwards got back from him and was redelivered.

Master of the Rolls—Well, that is quite satisfactory. And it is right to say Mr. Larkin never suggested that the money was not redelivered.

Witness examined by Mr. Larkin.
Larkin—According to your minutes did you, by resolution of the Executive, allocate a sum of £100 to establish a military force in this country?

Master of the Rolls—That is outside the question.
Master of the Rolls to Witness—Now, Mr. Foran, will you tell me the meaning of this. According to an extract taken from the books of the Union, it is headed "Report of Meeting of Dublin Members re Insurance Crisis, 22nd June, 1919." Do you remember that meeting?

Witness—1919, my lord?
Master of the Rolls—That was the meeting I mentioned.

Mr. Larkin to Master of the Rolls—Yes, my lord, there were many matters discussed at that meeting, with reference to the Insurance question and to the question of the funds. We will reserve that matter for argument as to the Insurance section.

Mr. Larkin to Witness—You are charged with saying that you, Thomas Foran, with John O'Neill, Secretary of the No. 1 Branch, withheld £7,500 of the Union funds in 1913.

Master of the Rolls to Mr. Larkin—You had better read the Minute.

Mr. Larkin reads—That in 1913 Thomas Foran and John O'Neill, Secretary of the No. 1 Branch, had saved out of the funds of the Union £7,500; that they were thus able to make a payment and secure the Union's interest in the property known as Liberty Hall. To Witness—Did you make that statement?

Witness—Substantially, yes.
Larkin—In 1913 were you charged with the administration of the funds of the Union?

Witness—Not entirely.
Larkin—You had control of the funds of the Union—strike funds?

Witness—Yes.
Larkin—And John O'Neill, as Secretary of No. 1 Branch and distributor of these funds, was in close touch with you and assisted you?

Witness—And others.
Larkin—Who were the others?
Witness—Well, there were a number of people paying out at the time.

Larkin—Let me recall to your mind—That in 1913 John O'Neill, Secretary of the No. 1 Branch, and yourself had saved out of the funds of the Union a reserve, unknown to Larkin, of £7,500.

Witness—Will you read that again?
Larkin—I prefer you should read it yourself. It is your document taken from Discovery. (Hands document to witness to read.)

Mr. Larkin to Master of the Rolls—My lord, while the Defendant is reading may I ask that the other party to this statement leaves the Court until this gentleman goes down—Mr. John O'Neill?

Master of the Rolls to Counsel—What do you say to that?
Serjeant Hanna—It is a very unusual application. I do not know who Mr. Larkin refers to.

DOINGS IN THE STATES

(Continued from Column 3, page 5)

A Communist Daily.

It is a sign of the times that we can now boast a Communist daily paper with offices in Chicago.

Recently the only New York Socialist weekly was handed over to the "intellectuals" who turned it into a daily—changing the name from the "Call" to the "Leader"—but it was a case of too much "intellectual" and not enough common managerial infusion, and the paper went on the rocks in one month.

Another, the "Independent," a weekly critical journal of the high-brow order, ceases publication this month, the subsidy which kept it going for three years having lapsed.

It was financed by a daughter of one of the big Chicago packing-house millionaires—who seemed to think the revolution would come by way of the poets and artists and intelligentsia, newer critical standards and the new verse.

If she would commune with some of the "illiterate" Finnish or Russian workers who slave in her papa's packing-house, she would get closer to the roots of the coming revolution—and be better able to help it by helping them to expression.

The Irish Aspect.

Doherty, probably believing that he could sink oil wells in Ireland or distil it from the peat deposits of the central plain, became an ardent Irish Republican and friend of Eamonn De Valera during the hey-day of this movement here.

He was elected national President of the American Association for the Recognition of the Irish Republic at the request of Harry Boland and Mary MacSwiney, who addressed the delegates at the Chicago Convention.

Doherty never bothered to attend a meeting, and he blessed the "Treaty" when it was signed.

Griffith wrote to the "slave mind" but he, too, wanted a John Sweetman to head his organisation, a reactionary who opposed labour and contended that women had not the same intellectual capabilities as men.

Arthur also had Sir Thos. Esmonde as a figurehead for his party during the latter's temporary defection from "the Party."

But Sir Thomas scurried back when John Redmond and the Bishops scolded him.

This same Irish-American "slave mind" that elected a capitalist adventurer like Doherty to its highest gift, allowed a man like James Connolly to go hungry on many occasions during his struggle on this side.

And the same type struck Padraic Pearse on his last visit here when collecting for St. Enda's school.

It is time we broke the habit of seeking leaders from the "ranks of the native aristocracy" or from the oil-grabbing aristocracy.

Many in turn worshipped Griffiths and Collins and the present agony of Ireland is due to this "slave mind" type of worshipper.

Radio.

The Chicago Federation of Labour has decided to instal a broadcasting outfit so as to send correct labour news to any who may be "listening in," and in this way overcome the opposition or distortion of the capitalist press.—Radio or wireless and Mah Jong, a Chinese game, are the crazes at present. There are about three million receiving sets in operation now, the bulk production cheapening the cost. There is no government restriction.

Gas.

It may interest Bill Cosgrave or Kevin to know that the State of Nevada successfully executed or killed a malefactor by filling the death house with hydrocyanic gas. The convict was strapped to a chair and the gas sprayed at him from a machine. It was first tried on two cats who lasted fifteen seconds.

(To be continued in next week's issue)

JAMES CONNOLLY AND HIS EPOCH

CHAPTER III.—THE PREPARATION.

The only real boyhood that Connolly knew ended with the first ten years of his life. Born on 5th June, 1870, he remained on his parents' holding outside Clones, Co. Monaghan, only until 1880, during which year his family, no doubt for the same reasons as affected so many millions of other Irish families, left its country home in Ulster and from Oriel of the Gael travelled to Edwinstown of the Saxon, Edwinstown built by the Northumbrians but occupied and held as their capital by the Alban Scots. There was an end to the companionship of Nature, and a beginning to that of the multitude; in place of the limitless expanse of the hills by day and the deserted silence of night came the hideous vista of slum streets, the ceaseless roar and bustle and the artificial light by night succeeding the smoke-marred day.

Perforce commencing his wage-slavery immediately, Seumas joined the other little old men of ten, twelve, fourteen and sixteen years whom one can see even to-day travelling to the offices and warehouses clothed in cheap respectability, heavy for the lack of the sleep which they should get and do not. Manhood has begun for them; they have put away the things of the child.

Those ten years in Ulster must have been wisely guarded and well used. During that period the good-health of the boy was developed and the foundations of his strong frame and robust constitution laid. His later life was spent amongst the very worst type of surroundings and conditions—in slums, under poverty and long hours of work. Struggle, want, study—all these taxed his physical and mental resources. Amongst the very poor, the weaklings go to the wall. Yet Connolly was strong in body, mind and soul. For this we must thank, in large measure, the wholesome upbringing on the Monaghan farm.

Three years before his birth there occurred the Fenian Rising. In the "forties" no organisation or movement had sprung up capable of leading the people, and for twenty years no appreciable resistance was advanced against famine, eviction and emigration, and the governmental and social system which produced the trio. But ten or fifteen years after the Great Hunger a movement was launched seeking to satisfy the yearnings for national independence, for free expression of traditional ideals, for a human system of society. This movement took the form of the Irish Republican Brotherhood, a secret military force, popularly known as the Fenians.* The I.R.B. possessed a strong "Left Wing" essentially proletarian in instinct, opposed to industrial wage-slavery as well as to landlordism, although the conditions of oppression of the time brought into the ranks many with petty bourgeois and bourgeois outlooks also.

The I.R.B. enrolled large numbers all over the country. It brought with it a re-awakening of every craving for liberty and courage and self-respect to a subjugated and half-degraded nation. Even numbers of the militarized R.I.C. and Irishmen impelled into the British Army by economic pressure entered into the conspiracy in their thousands. John Boyle O'Reilly, who shortly after his arrival in America founded "The Boston Pilot," was a successful recruiting agent of the Fenians within H. M. Army until his detection and sentence. The main strength of the I.R.B. was in the U.S.A. In that country there was and still is a large section descended from the Irish victims of Imperialism, all with a natural desire to free the home of their Race, so that from the States has come mighty financial and other aid to every Irish national movement. The Fenians in U.S.A. possessed Generals, Colonels, State Governors amongst their sworn members.

BENNETT v. LARKIN

The Court awarded Bennett one farthing damages against Larkin and against Cahill. No costs have been awarded so far. Bennett has not yet applied for judgment. We will have a full report in our next issue.

So that soon after the cessation of the Civil War, Irishmen who had fought for the Confederacy, Irishmen who had upheld the United States, and others who had remained unattached to either army, joined forces and launched an attack on their erstwhile oppressor. In Ireland, for reasons which are not necessary to be stated, the Rising was mismanaged and failed from its inception. In the U.S.A. an army was gathered which marched into Canada, defeated a British force and prepared to deprive the Empire of that province in the name of the Irish Republic! However, the young U.S. Government feared the consequences of war with Britain at such a critical juncture of its own internal affairs. Pressure from the U.S., and the cutting of communications and supplies by the U.S. Government forces, which drew up on the frontier in rear of the Irish, caused the Fenians to withdraw.

A military coup by exiles in the North of England was abortive, owing to the plans becoming known through the indiscretion of some of the conspirators.

*The I.R.B. members were called Fenians at the instigation of their remarkable chief, Jas. Stephens, a man well versed in Gaelic lore. The name is taken from that of the "Fianna," the national military force of Ireland about the third century A.D., a body which was probably authorized by the mutual consent of the clans as a protection against the Roman Empire then at the zenith of power. A great deal of interest might be said of these heroes, of Ossian, Eire's Homer, of Finn and Oscar, of Cormac MacArt, and of the tragedy of Gabhra-Aicle, were this the correct place. The story of the Fianna is one of the many unique historical heirlooms of Ireland.

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Edited by JIM LARKIN

No. 35. NEW SERIES.

(Registered at the G.P.O. as a Newspaper.)

SATURDAY, MARCH 8th, 1924

TWOPENCE

LARKIN EXAMINES FORAN ABOUT A SAFE,

O'NEILL, a Breadvan Server, and submits a few Questions to JUDGE O'CONNOR, who again uses his discretion

FORAN in the Witness Box.

Larkin—To Mr. John O'Neill. Serjeant Hanna—I do not see what is to be gained by his leaving the Court while the document is being read.

Mr. Larkin to Master of Rolls—Well, my lord, I ask that Mr. John O'Neill, Secretary of the No. 1 Branch, be asked to retire from this Court.

Master of the Rolls—I do not see the necessity. I refuse to grant the application.

Larkin—Very well, my lord.

Larkin to Witness—Well! What do you say to that?

Witness—This is slightly inaccurate.

Larkin—Who took down the Minutes at that meeting?

Witness—I think it was Paddy O'Kelly.

Larkin—It was Paddy O'Kelly who took down the Minutes.

Witness—I think so.

Master of the Rolls to Mr. Larkin—Well, he says it is substantially correct, but slightly inaccurate.

Larkin—In the amount or in the statement.

Witness—In the statement.

Mr. Larkin to Master of the Rolls—Well, my lord, we had better be clear upon this.

Master of the Rolls to Witness—You agree that you did make the statement that you had saved £7,500 on reserve unknown to Larkin?

Witness to Master of the Rolls—I agree I made the statement, my lord, up to a certain point.

Master of the Rolls to Larkin—Well, go on.

Larkin—I have asked a question, my lord. Did he say it or did he not? He qualifies that. Then he says "up to a certain point."

Witness—Well, I will be allowed to make a statement on that now.

Larkin to Witness—You and I are in his lordship's hands.

Master of the Rolls to Witness—You are entitled to explain your answer. Tell us up to what point.

Witness—I will make a statement on the whole thing, my lord.

Master of the Rolls—Very well, go on.

Witness—My lord, regarding this £7,500 it is absolutely necessary, in the interests of all concerned, that I make a detailed statement with regard to the whole thing. I was charged during the year 1913 with bringing from the Central Funds in the Trades Hall the amount we required for dispute pay—strike pay.

Mr. Brown, K.C.—There was a lock-out at the time.

Witness—There were certain funds, subscriptions of various kinds, coming in to Liberty Hall during that period, and as the lock-out developed the income was considerably higher than the demand for actual strike pay.

John O'Neill and I put the surplus by each week in the safe in Liberty Hall until the end of the year—some time in Christmas week. At that time I believe it was in the neighbourhood of £7,500, and I have stated that repeatedly to various meetings of the men. That money was lying in the safe. Mr. Larkin approached me during Christmas week and he asked me how did the Union stand, and I said John O'Neill and I have agreed that we will not tell you how the Union stands. He said "I do not want to know exactly the position. I want to know is the Union secure?" I said "The Union is absolutely secure" without breaking any confidence with John O'Neill. He expressed himself satisfied. Some days afterwards there was a General Meeting and instructions were issued that a mid-week payment be made of strike pay, and there being no other funds available or any other source from which we could get any money to make the payments, as the people in the Trades Hall and the people in England, which was where the money

supplied came from, had refused to make any advance for Christmas week, it had to be paid out of this accumulation of funds, and it ran somewhere between £1,800 and £2,000. It was a payment made to the members of the Transport Union that no other Union in Dublin was able to pay. We were brought over the coals for it by Mr. Seddon and the Committee. It was said that we, as the Transport Union, could pay more than any of the other Trades Unions. The funds were diminished to that extent. This was out of the annual fund of the Union, this sum of money. Very large expenditure had to be made as anyone can easily understand. At the close of the big lock-out the reserves were very much diminished consequently. Mr. Larkin had other various accounts of expenditure, such as Crovden Park, and so on, and the Committee of the Branch were at that time relieving distress amongst the members generally, and meeting accounts of various kinds. This so diminished the funds that eventually I went to Mr. Larkin and I said unless we take steps now to secure Liberty Hall we will have neither home nor habitation for the Union. He did not quite agree at the moment. I brought Mr. O'Neill with me and we then impressed on him the necessity for securing Liberty Hall. Eventually he agreed and we took steps to secure it. We paid £500 I believe, but altogether we paid £3,500 plus a Mortgage from the National Bank for £2,000, or the Northern Bank, I mean. This was the purchase price of Liberty Hall—£3,500 plus £2,000 plus agent's commission which was pretty considerable, I think 2½. You will see, my lord, that the £7,500 had two enormous drains on it in connection with the mid-week payments of Christmas and the purchase of Liberty Hall and the meeting of expenses right down to the end. During that period the lawyers, Messrs. Wm. Smyth & Sons, received, sometimes from me personally, but through the Union, at any rate, the sum of £600.

Master of the Rolls—They received this from you as law expenses.

Witness—Yes. As the Transport Union had to pay the law expenses of their own and every other Union that was involved in the 1913 dispute. That, my lord, is the explanation regarding the £7,500.

Master of the Rolls to Mr. Larkin—Did you want to ask any further questions about the £7,500?

Larkin—My lord, I think it is admitted now that I am entitled to an Order to look into the Banking accounts of the Union.

Serjeant Hanna—This is a Deposit receipt dated 23rd April, 1914, from the Hibernian Bank. Received from the Irish Transport and General Workers' Union the sum of £3,425 14s. 3d. This is the entire balance and is endorsed on the back: "Please transfer to Current Account of the Irish Transport and General Workers' Union" and is signed by a number of the members, and finally countersigned by James Larkin as Secretary.

Larkin—My lord, I am going to put that in evidence.

Larkin—But Mr. Foran said the £7,500 was paid out of the safe in Liberty Hall without my knowledge and he did not say it while I was in the country. He said it in 1914-19. To Witness: I am going to ask you now—How did you come to control £7,500 of the Union money without my knowledge?

Witness—I helped to accumulate it—I did not control it.

Larkin—You accumulated it out of what?

Witness—Out of the surplus which came into Liberty Hall. There was this surplus.

Larkin—Did you make application each week to the Dispute Committee telling them you wanted on a certain date, say £2,000, and £1,000, and so on?

Witness—Yes.

Larkin—And afterwards if you did not want it all did you return the surplus?

Witness—No. We accumulated the surplus.

Larkin—Surely the Trades Council has not been guilty of allowing you to accumulate £7,500 without accounting for it?

Witness—They didn't know.

Larkin—I am not putting that to you at all. I am asking you did you tell the Secretary of the Trades Council you required a certain sum to be paid out each week?

Witness—Yes.

Larkin—Did you tell the Secretary that you saved this money?

Witness—No.

Larkin—Did you tell him? On your oath?

Witness—I told him the Union was absolutely secure.

Larkin—Was there any surplus in the Bank—in the Hibernian Bank—at that time?

Witness—No.

Larkin to Master of the Rolls—My lord, this can only be proved by reference to the Bank Books and Accounts.

Serjeant Hanna—Here they are.

Mr. Larkin to Master of the Rolls—My lord, I have been asking for these for three weeks and now I get them thrown at me in a moment.

Counsel—You never asked for them.

Mr. Larkin to Master of the Rolls—My lord, I asked for these from Mr. Norman. I can prove it.

Mr. Larkin to Witness—You say you spent in Christmas week this money upon extra strike pay. Did you report that?

Witness—There was a report made.

Larkin—How was this strike money paid out?

Witness—What do you mean?

Larkin—Was there £100 paid to one man for strike pay? How did you pay it?

Witness—To each man.

Larkin—There are 1,000 men entitled—what is their right to this money? To have a right to this money they must have a Union Card?

Witness—Yes.

Larkin—Was their number taken down when they came up for 5?

Witness—Not in 1913.

Larkin—Rather a peculiar thing there are not any documents in existence.

Larkin to Witness—Was there anybody in the Transport Union concerned with this outside you and O'Neill?

Witness—Thomas Farren was Treasurer and Wm. O'Brien was Secretary of the Dispute Fund.

Larkin—And all the accounts had to go through Mr. O'Brien and Mr. Farren?

Witness—Not always.

Larkin—But Mr. O'Brien was Treasurer and all the accounts had to be given to him?

Witness—Yes.

Larkin—Did Mr. O'Brien know that you kept this £7,500 without my knowledge?

Witness—You are rather making too much about that "without your knowledge." Mr. O'Brien did not know. It was a surplus. It was generally known that the expenses of the Transport Union for law and so on would be very much greater than any other Union.

Larkin—What was the capacity of the safe in Liberty Hall? The cubic capacity?

Witness—You ought to know that.

Larkin—I am asking you.

Witness—I suppose about 3' x 2'.

Larkin—How was this money kept? Gold, silver or copper?

Witness—Large notes.

Larkin—£5 notes?

Witness—Oh, no. £100 notes.

Larkin—What were the numbers?

Witness—Oh, how do I know?

Larkin—Where did they come from?
 Witness—They came from the Bank.
 Larkin—What Bank?
 Witness—The Hibernian Bank.
 Larkin—And you received so many £100 notes from the Hibernian Bank in 1913 and kept them in the safe. What became of them after?
 Witness—I brought them back to the Bank.
 Larkin—Then the Bank will have a record?
 Witness—I do not know whether they will or not.
 Larkin—Do you think the Banks do not take the numbers of the notes changed?
 Witness—I do not know what the Banks do.
 Larkin—Well, you brought £100 notes from the Bank and only you and O'Neill knew of that. You kept them in the safe and when you did not want them you returned them to the Bank?
 Master of the Rolls—Proceed!
 Larkin to Master of the Rolls—My lord, I want to know what became of this money? To Witness: You spent £3,500 on buying Liberty Hall. There must have been a lodgment. It must be proved by the Bank Account that £3,500 was paid to meet this amount.
 (Counsel shows account to Mr. Larkin.)
 Larkin to Master of the Rolls—My lord, I am not going to look at that account now. I have asked for it before this and now it is thrown at me like this.
 Larkin to Witness—Who placed the £3,000 on Deposit?
 Witness—The Transport Union.
 Larkin—When was it paid?
 Witness—Some time previous to that.
 Larkin—Was it a year previous?
 Witness—I think so.
 Larkin—So the building was secure up to the time when the purchase was completed.
 Witness—Yes.
 Larkin—Now, you paid £1,800 dispute pay and you paid £3,000 to secure the premises, plus commission?
 Witness—No, there was commission beyond that.
 Witness—We got a Mortgage from the Northern Bank.
 Larkin—You paid them £3,400 and you paid a further sum of £600. Now, £3,400 and £600 makes how much?
 Witness—Are you serious Jim?
 Larkin—I will be serious later on, I assure you. This £4,000—what did you do with it?
 Witness—The question of the £7,500 I have already explained to the Court.
 Larkin—Do you suggest that the Court is going to accept that statement without getting a confirmation by the Bank?
 Larkin—So members of the Union did not pay any moneys?
 Witness—I said a great number of the members fell away and well you know it.
 Larkin—Was there any balance left in 1914 of this money?
 Witness—What part of 1914?
 (Argument as to entry appearing in Books.)
 Master of the Rolls—Well, the Annual Report of 1913, a copy of which is in my possession, can be referred to. I have not got it here now.
 Larkin—Well, my lord, there is a document here signed by James Smith and also by Joseph Casey. The date it was submitted to the Registrar, according to this, was 11th July, 1914, and if that £3,000 was paid by the Transport Union cheque would not the auditor have had access to that cheque and insisted on its insertion in the Annual Return?
 Witness to Mr. Larkin—Who is the Auditor?
 Larkin—I am asking you would not the Auditor insist upon seeing that cheque?
 Witness—I do not remember there was any auditor.
 Larkin—Do you swear the books were put in without being audited?
 Master of the Rolls—It is only right to say that these documents show that the accounts from January to 31st December, 1913, were audited, they show that there were eleven guineas paid for Auditor's fees.
 Witness—Do the Auditors certify to that, my lord?
 Master of the Rolls—Yes. The signature of the first Auditor is Joseph Casey. The signature of the second Auditor is James Smith.
 Larkin—Now, my lord, James Smith is in Court.
 Master of the Rolls—You must conclude this examination.
 Larkin to Witness—Do you suggest that James Smith did not audit this account?
 Witness—I suggest he is not capable of doing it.
 Larkin—What position does he hold at the present time?
 Witness—Merely stationery clerk.
 Larkin—Who appointed him?
 Witness—The Executive Committee of the Union.
 Larkin—Who was present at the meeting?
 Witness—I do not know.
 Larkin—Rule 37, says—(reads out rules re audit of accounts).
 Larkin—You were President of the Union in 1913?
 Witness—Yes.
 Larkin—Was there an election of Auditors by a General Meeting?
 Witness—I cannot say.
 Larkin—Did you object to these two men auditing the accounts in 1914?
 Witness—No.
 Larkin—There you must agree that these two auditors were qualified?
 (No answer.)
 Larkin—Do you suggest that there were parties trying to hide away the funds of the Union?

Witness—I suggest no such thing.
 Larkin—Did you say there was £3,000 paid out in 1913 on Liberty Hall?
 Mr. Brown, K.C.—No, on the 1st September, 1914.
 Larkin—When I said 1914 before I was contradicted and told it was 1913. If Mr. Senator Brown would not be contradicting I would have shown that the money had been paid in 1914 and that the annual return could only have been shown in 1915. Was I here in January, 1915, or up to June, 1915?
 Master of the Rolls—I have the original document before me now showing the accounts from the September, 1913, and find Mr. Larkin himself signed it.
 Larkin—Certainly. My lord, in that document it says that money was deposited on the purchase of a house.
 Master of the Rolls—I cannot see it.
 Larkin—If you look, you will see on the fourth page "Deposit, House Purchase." (Shows paper to the Master of the Rolls.)
 Master of the Rolls—Yes, that is so. (Reads from account.)
 Larkin—What year is that, my lord?
 Master of the Rolls—That is December, 1913.
 Serjeant Hanna, K.C.—I do not think Mr. Larkin suggests that is the purchase of Liberty Hall.
 Larkin to Serjeant Hanna—I wish you would not confuse these matters. This man says there was no money in the Bank in January, 1914.
 Witness—I do not.
 Larkin—Well, I am going to ask you now, was there any money in the Hibernian Bank in 1914? Haven't you said there was no money except what you had in the safe with John O'Neill?
 Witness—I am not going to put my memory back on 10 years.
 Larkin—Against the Bank records.
 Master of the Rolls—You need not charge your memory with any such things. I have before me the accounts which, according to Mr. Larkin, were duly audited, and they record that in the Bank there was £1,746 6s 7d.
 Witness—Yes, my lord, but supposing the Bank records do not bear that out?
 Larkin to Witness—Your Counsel have got the Bank records, and we can go to the Bank.
 Serjeant Hanna—There was £260 on Deposit receipt, and there was no balance in Bank from end of October, 1913, to April, 1914, when they made a lodgment.
 Master of the Rolls—That is only the Deposit Account.
 Serjeant Hanna—There is a Current Account, my lord.
 Master of the Rolls—There never was ready money in the Hibernian Bank from June, 1913, until the 18th October, amounting to more than £200; that is the largest sum, then that was reduced, so far as I can see, to nil at the end of the year.
 Larkin to Master of the Rolls—What was the amount in the Bank, my lord, when this Statement was made out?
 Master of the Rolls—When this audit was made the date up to which it was made was 31st December, 1913, and on that date, so far as I can see, there was nothing at all to credit.
 Larkin—My lord, the money was in two different Accounts when that audit was made, and Smith, who is now present in Court, and Casey must have confirmed that statement by going to the Bank and getting the Bank's statement. Now, I ask, my lord, that I be allowed to go through the accounts of the Banks and check up these accounts. We make this audited statement and we are bound in law by it and the penalty. Mr. Foran and Mr. O'Neill had £7,500 of the Union money and failed to disclose it to the Auditors of the Union, which they were bound to do; and failed to disclose it to the members of the Union, who, at least, are entitled to respect. So in January, 1914, Mr. Foran and Mr. O'Neill conspired together to withhold £7,500 of the Union money. That is clear to everybody on their own statement.
 Witness—I have already made a statement as to that.
 Larkin—What did you do with the remainder?
 Larkin—So there was no income in 1914?
 Witness—Very little.
 Master of the Rolls—You had suffered from the strike at the time?
 Larkin to Master of the Rolls—My lord, we did not suffer from a strike at the time. We had money on deposit, and our friends had money. There were two Union accounts for that period. There was No. 1 A.C. and No. 2 A.C., they brought in one account. The Sligo Branch had money. We had branch autonomy and the Executive could not draw money from a branch except under certain rules. And that money was in Bank. I am now, my lord, going to ask him again. To Witness: Do you mean to say there were no moneys known to the officials and auditors on January 1st?
 Witness—What do you mean?
 Larkin—I mean in the books of the Union that there was shown they had no money at that time.
 Witness—What business would a man like Smith have auditing books?
 Master of the Rolls to Witness—You had better look at that.
 Witness—But I know, my lord, Smith would have no business auditing the accounts.
 Master of the Rolls—Well, it is practically quite plain that they are not worth the paper they are written on. In the first place the account bears the signature of James Smith while the man was barely able to write his name.

Larkin—I am glad you make that remark, my lord, while he is here. I am going to show you, my lord, that this gentleman produced an audited statement of account.
 Larkin—It is peculiar though that a man who has been accepted by the Registrar is challenged as to his competence.
 (Some questions asked as to second auditor. Also reference made to Mr. Casey.)
 Larkin—Mr. Casey?
 Witness—Wait, now, I am not sure.
 Larkin—No, it seems you are allowed to say anything you like. Mr. Casey must have been a competent accountant. And if he did fail it must have been in your time when you were in the Union. I challenge you or any other man in the Union to prove that they ever were audited from the date that I left Ireland, and I am going to ask you, sir, on another occasion, to prove that you held £7,500 in the safe without my knowledge, and that you paid that money out without my knowledge.
 Master of the Rolls to Mr. Larkin—Go on.
 Larkin—I know you are impatient, my lord.
 Master of the Rolls—I am not impatient at all.
 Larkin—It seems to me you are impatient when I put a question to this man who has yet £2,500 to account for, and who is on oath.
 Cross-examined by Serjeant Hanna, K.C.
 Serjeant Hanna—There are one or two matters I want to ask you about. You said something about the books having been burned. When was that?
 Witness—Some time in 1913.
 Serjeant Hanna—How did they come to be burned?
 Witness—Well, when I arrived there one morning the place was full of smoke and I was informed that an order had been issued calling for the destruction of the books, etc., in Liberty Hall.
 Serjeant Hanna—Who ordered it?
 Witness—Mr. Larkin, I understand.
 Serjeant Hanna—And who was burning the books?
 Witness—Mr. O'Neill and some others. At any rate it was well in hand when I got there.
 Serjeant Hanna—You have been asked a question as to the Executive. You say there was none in 1918?
 Serjeant Hanna—You have said in answer to Mr. Larkin that no person was deprived of benefits because he did not approve of the levy being paid. Of course this levy is really a matter of the rules. Was that levy in any sense a political levy?
 Witness—Not at all.
 Serjeant Hanna to Master of the Rolls—In the account for the purchase of Liberty Hall, my lord, we put in an Assignment of Liberty Hall, dated 1st September, 1914, from Pile and Others to Larkin and Others, of the premises known as Liberty Hall.
 Master of the Rolls—What is the date?
 Serjeant Hanna—1st September, 1914. We put in, of even date with that, my lord, an Indenture of Mortgage—not even date, my lord, 26th Sept.—Mortgage to the Northern Bank to secure an advance of £2,000.
 Master of the Rolls—I do not know how that bears out.
 Serjeant Hanna—It is the £2,000, my lord, portion of the £3,500. I want to give your lordship the history of Liberty Hall. That Mortgage was paid off on the 24th December, 1918, leaving the title of Liberty Hall clear to the Union.
 (Mr. Larkin asks to see document.)
 Serjeant Hanna to Witness—Now, just one general question, Mr. Foran. Did, on penny of this £7,500 get into anyone's pocket except those who were entitled to it as members of the Union?
 Witness—No.
 Master of the Rolls to Witness—Now, that will do, Mr. Foran.
 Larkin—I want to ask this to be identified by Mr. Foran, my lord, and put in.
 Witness—This is a genuine signature.
 Larkin—That is all right.
 Mr. Brown, K.C., to Witness—Why did you and O'Neill object to letting Larkin know of this money?
 Witness—Well, we knew that he was not very keen on saving, and we had in mind the ultimate purchase of Liberty Hall, because at that time another Organisation which was bitterly opposed to the Transport Union had in mind to secure the premises and throw us out on the street, and we wanted to secure against that by buying the Hall.
 Larkin—What Organisation was that?
 Witness—The Ancient Order of Hibernians.
 Larkin to Witness—You said you came in one morning and found the building on fire?
 Witness—I did not say I saw it on fire. I said I saw smoke.
 Larkin—Was there ever any smoke without fire?
 Witness—There is a lot of smoke here and no fire yet.
 Larkin—There may be fire very shortly. You had better get away while the air is clear. Was there any fire in the Hall? Didn't you say Mr. O'Neill got orders from Larkin to destroy the books?
 Witness—He told me so.
 Larkin—And you were told there was an order given by Larkin to destroy the book? What was the sense or the purpose of destroying the books?

Witness—Oh, there I leave you.
Larkin—But there you won't leave me. I want to know. You told the Court there was some obvious reason why the documents should be destroyed, and Larkin gave orders to O'Neill to destroy the documents.
 Witness—No, I say these people wanted to evict us from home and habitation.
Larkin—Was not there £500 paid on these premises in April, 1913.
 Witness—Of course there was.
Larkin—And nobody could get it while we had the deposit on it?
 Witness—Oh, yes, they could.
Larkin—You did not make any attempt to put the fire out and save the documents?
 Witness—No.
Larkin—No, of course you wanted to see them destroyed.
 Witness—No, I did not. I always obey orders. I always obeyed your orders.
Larkin—You were always a good soldier. Did you obey orders on the 29th April, 1916?
 Witness—I got no orders.
 Master of the Rolls—Now, Mr. Larkin, who do you want next?
Larkin—Mr. John O'Neill.

John O'Neill Sworn.
 Mr. O'Neill, did you attend a meeting in the Mansion House in 1919?
 Witness—Possibly I was there.
Larkin—I do not want possibly, I want to know did you attend it. This is a meeting of No. 1. I want to know did you sign this. The date is 22nd June, 1919.
 Witness—I don't know.
Larkin—Did you hear Mr. Foran say that after 13th June Mr. O'Neill, Secretary of the No. 1 Branch, and he saved out of the funds of the Union, unknown to Larkin, a sum of £7,500 out of which they were able to make a payment to secure the premises, Liberty Hall?
 Witness—I did.
Larkin—And you are the O'Neill who kept the £7,500 in the safe?
 Witness—Yes.
Larkin—And the money was in denominations of £100?
 Witness—And some £50.
Larkin—And no cash?
 Witness—There may have been.
Larkin—Where were you working before this, Mr. O'Neill?
 Witness—I was working first on the docks.
Larkin—Where were you previous to going on the docks?
 Witness—I was in Kennedy's of Parnell Street.
Larkin—Why did you leave it? Was there any charge made against you?
 No answer (Counsel objects).
Larkin—Were you charged with taking the money of the customers and not paying same into Messrs. Kennedy—in other words, embezzling the money?
 Witness—Yes.
 Master of the Rolls—That has nothing to do with the matter.
Larkin to **Witness**—Did you hear Mr. Foran say he came in one morning in 1913 and found smoke and some documents burning in Liberty Hall?
 Witness—I did.
Larkin—And he asked you what you were doing and you told him you had orders to burn the documents from me?
 Witness—Yes.
Larkin—How did you get these orders from me?
 Witness—A note brought by Mrs. Larkin.
Larkin—Did you burn that note along with the documents?
 Witness—I don't remember.
Larkin—Will you produce that note?
 Witness—I could not.
Larkin—That is sufficient.

Cross-examined.
 Mr. Brown, K.C.—You heard Mr. Foran's explanation as to the £7,500?
 Witness—Yes.
 Mr. Brown—You paid out that money?
 Witness—There was more than me paying it out. I would not be able to pay out it all. I used to pay three days a week from 11 in the morning to 7 in the evening and Foran was paying in another room upstairs, assisted by some other members of the Committee.
 Mr. Brown—Do you know, Mr. O'Neill, how much of the £7,500 was paid out in relief?
 Witness—I could not say definitely. But we were paying relief until the lock-out was called off at the end of January.
 Mr. Brown—There was a large number of people who did not get relief? And a lot of people who did not get back to their work and had to get relief?
 Witness—Yes.
 Mr. Brown—You were not getting contributions from other Societies?
 Witness—No, not at that time.
 Mr. Brown—And you heard Mr. Foran submit that the money was paid out at Christmas.
 What was your opinion of this?
 Witness—That was the Christmas donation.
Larkin to **Witness**—You said you had £7,500 in the safe. You paid £1,800 in January?
 Witness—Yes.
Larkin—Mr. Foran said if I had known of it I would have given it away. You knew that money could not be got in any other way.

Witness—You ordered a sectional payment to be made in Christmas week.
Larkin—It is extraordinary. Mr. Foran says he gave this money out and I had no knowledge of it. He says, in June they had £7,500 Larkin did not know of. Now you spent this in January?
 Witness—Christmas week is not in January, Mr. Larkin.
Larkin—Well, in 1913 you paid it out, that left you a balance for 1914. There was intense distress in Dublin in 1914, and you had the balance of £7,500 in the safe and you kept that until in 1914 you bought Liberty Hall?
 Witness—No.
Larkin—Did you keep the money that was given to you to dispense in strike pay to buy Liberty Hall?
 Witness—Anything we got to dispense in strike pay we dispensed every week, to anyone who was entitled to it, and during the beginning of 1914 we were paying people who did not get back to work or could not get work.
Larkin—But where did you get the £7,500 from?
 Witness—That has been very well explained.
Larkin—From the surplus of the strike money, that should have been disbursed to the strikers but had been saved. How many weeks did it take to save the £7,500?
 Witness—I don't remember.
Larkin—Was there any other Union connected with the strike but the Transport Union?
 Witness—I could not say definitely. I was not on the Strike Committee.
Larkin—But you were disbursing the money, and you kept this money, this surplus, and still asked for more, and the other Unions finally broke because they had not money. Didn't the Builders' Union go back because they could not get strike pay?
 Witness—No.
Larkin—You had a balance of £7,500. You did take more than your share of the dispute pay and put it in the safe in Liberty Hall unknown to the man who got all the odium of the strike, and you spent £1,800 in Christmas week under this man's orders?
 Witness—Yes.
Larkin—Did you get a written order?
 Witness—I got a verbal order.
Larkin—Well, you did spend the money at my orders. Had you any Committee giving you instructions as well as Larkin?
 Witness—There was a Committee.
Larkin—And you kept that money until you completed the purchase of Liberty Hall, while the men and women and children of the Union were starving.
Mr. George Leahy Sworn.
Larkin—You are a member of the Trades' Council of Dublin for many years, Mr. Leahy?
 Witness—For 20 years.
Larkin—Were you on the Strike Committee of 1913 in the Trades' Hall?
 Witness—I do not think so.
Larkin—Did you know of the strike being carried on under the auspices of the trade? Would it be true to say that the consequent breakdown of one of the sections was due to lack of funds?
 Witness—Undoubtedly.
 Master of the Rolls—That has nothing whatever to say to this. I will not take it down.
Larkin—All right, my lord.
James Smith Sworn.
Larkin—You are a member of the Transport Union from its formation?
 Witness—Yes.
Larkin—Were you elected in 1913 to audit the accounts with Casey?
 Witness—I do not remember being elected.
Larkin—Did you audit the accounts?
 Witness—I did not.
Larkin—Is that your signature?
 Master of the Rolls to **Witness**—Take that in your hand and see if the signature "James Smith" is yours. Do you see "James Smith" there?
 Witness—Yes, my lord, that is mine.
 Master of the Rolls—That is your signature?
 Witness—Yes.

Cross-examined by Mr. Brown, K.C.
 Mr. Brown—How did you come to audit these accounts?
 Witness—Well, Mr. Larkin came along and said he had to get these accounts returned.
 Mr. Brown—Well, what did he next say or do?
 Witness—To sign that form, and he produced that.
 Mr. Brown—And you were to sign that form?
 Witness—Yes.
 Mr. Brown—Did he suggest you were to go through the accounts?
 Witness—No.
 Mr. Brown—Did he give you any opportunity?
 Witness—No.
 Mr. Brown—So you signed them, and that is all you know?
 Witness—Yes.
Larkin to **Witness**—
 Sergeant Hanna to Mr. Larkin—This is your own witness.
 Master of the Rolls to Mr. Larkin—I think Mr. Larkin is entitled to ask him further questions.
Larkin to **Witness**—You were asked to sign this document as being a true statement to submit to the Registrar, and you signed it because Mr. Larkin told you?
 Witness—Yes.
 Master of the Rolls to **Witness**—Wait a moment. Mr. Larkin told you to sign these accounts. Did you ever audit accounts before?

Witness—I think my name is on two return I was at my work and a message came to me.
 Master of the Rolls—From whom?
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 Witness—Yes.
 Mr. Brown—Did you ask for any voucher to show the money was there?
 Witness—No.
 Mr. Brown—What were you at this time?
 Witness—I was working in a grain store.
 Mr. Brown—You are described as a Warehouseman.
Larkin—He was a warehouseman. To the Master of the Rolls—My lord, the rule says that a member of the Union can audit the accounts so long as he is competent.
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 Witness—Yes.
Larkin—My lord, you remember making the observation that this man could hardly read or write?
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 Master of the Rolls—I have accepted Mr. Smith's statement.
Larkin to **Master of the Rolls**—Yes, my lord, and have accepted everybody's statement who enters into the box who libels me.
 I would ask your lordship for an adjournment until I get permission to bring to this Court a verified account of the dealings of the Irish Transport Union of 1913 and afterwards. I think I am fully entitled to it now that things have got so serious, and I have been placed at this disadvantage that I have asked for the documents, and they have not been shown to me, but they have now been thrown at me. There is an account brought in here—copy of one account—but there are two accounts of the Transport Union. I challenge contradiction. I say there is a deliberate attempt to mislead this Court. I ask your lordship to support me. If you rule against me on that, my lord, I will still persist in asking for an adjournment until the morning.
 Master of the Rolls—You had better proceed with the case, Mr. Larkin. I will not give any adjournment at this hour.
Larkin—All right, my lord. Well, my lord, I call upon you to give me the right to go to the Bank and get these statements out. There are other accounts. We have got to get the returns from all the Branches and compile them in a general statement.
 Master of the Rolls—Have you got any more witnesses, Mr. Larkin?
Larkin—No.
 Mr. Brown to **Master of the Rolls**—Well, my lord, there are three issues raised in this which he has not dealt with at all. First, the Rules of 1923. He talks in this action of the Rules of 1918 which we have already decided on. He then goes on to talk of the Rules of 1923 which have been suspended because this action was going on. We are entitled to have these rules and I ask your lordship to allow us. I know we could claim to have the action dismissed on this issue, but it is more satisfactory to it is important that we

(Reads out rules.)
 Master of the Rolls to Mr. Larkin—Do you want to establish that the Rules of 1923 were invalid?
Larkin—Most certainly, my lord.
 Master of the Rolls—Well, then it is necessary for you to complete your case.
Larkin—I am compelled to go on without having access to these men who can swear that these rules were illegal. I am entitled to ask that they come here. John Davis and John Bohan, two men who signed this Declaration under the Statutory Declarations Act, and they have made Affidavits that they were misled in signing the Affidavit and now wish to withdraw their signatures. May I point out, my lord, that a certified copy of the registration has to be submitted to the Secretary of the Union then acting. I happen to be the Secretary of the Union. I was in the office and had no knowledge of it until I found the Rules were registered on the 2nd June, 1923. I was told in the office, I had not seen the Rules. The difficulty is what to do in this dilemma, to allow a thing which, on the face of it, is absolutely dishonest and unfair. And, my lord, I make another proposal and ask your indulgence until to-morrow morning, and I will bring these men. It is impossible to get to them except by Subpoena.
 (Case adjourned to 11 o'clock Tuesday morning.)
 (Continued on Column 1, page 5)

Witness—Oh, there I leave you.
Larkin—But there you won't leave me. I want to know. You told the Court there was some obvious reason why the documents should be destroyed, and Larkin gave orders to O'Neill to destroy the documents.
 Witness—No, I say these people wanted to evict us from home and habitation.
Larkin—Was not there £500 paid on these premises in April, 1913.
 Witness—Of course there was.
Larkin—And nobody could get it while we had the deposit on it?
 Witness—Oh, yes, they could.
Larkin—You did not make any attempt to put the fire out and save the documents?
 Witness—No.
Larkin—No, of course you wanted to see them destroyed.
 Witness—No, I did not. I always obey orders. I always obeyed your orders.
Larkin—You were always a good soldier. Did you obey orders on the 29th April, 1916?
 Witness—I got no orders.
 Master of the Rolls—Now, Mr. Larkin, who do you want next?
Larkin—Mr. John O'Neill.

John O'Neill Sworn.
 Mr. O'Neill, did you attend a meeting in the Mansion House in 1919?
 Witness—Possibly I was there.
Larkin—I do not want possibly, I want to know did you attend it. This is a meeting of No. 1. I want to know did you sign this. The date is 22nd June, 1919.
 Witness—I don't know.
Larkin—Did you hear Mr. Foran say that after 13th June Mr. O'Neill, Secretary of the No. 1 Branch, and he saved out of the funds of the Union, unknown to Larkin, a sum of £7,500 out of which they were able to make a payment to secure the premises, Liberty Hall?
 Witness—I did.
Larkin—And you are the O'Neill who kept the £7,500 in the safe?
 Witness—Yes.
Larkin—And the money was in denominations of £100?
 Witness—And some £50.
Larkin—And no cash?
 Witness—There may have been.
Larkin—Where were you working before this, Mr. O'Neill?
 Witness—I was working first on the docks.
Larkin—Where were you previous to going on the docks?
 Witness—I was in Kennedy's of Parnell Street.
Larkin—Why did you leave it? Was there any charge made against you?
 No answer (Counsel objects).
Larkin—Were you charged with taking the money of the customers and not paying same into Messrs. Kennedy—in other words, embezzling the money?
 Witness—Yes.
 Master of the Rolls—That has nothing to do with the matter.
Larkin to **Witness**—Did you hear Mr. Foran say he came in one morning in 1913 and found smoke and some documents burning in Liberty Hall?
 Witness—I did.
Larkin—And he asked you what you were doing and you told him you had orders to burn the documents from me?
 Witness—Yes.
Larkin—How did you get these orders from me?
 Witness—A note brought by Mrs. Larkin.
Larkin—Did you burn that note along with the documents?
 Witness—I don't remember.
Larkin—Will you produce that note?
 Witness—I could not.
Larkin—That is sufficient.

Cross-examined.
 Mr. Brown, K.C.—You heard Mr. Foran's explanation as to the £7,500?
 Witness—Yes.
 Mr. Brown—You paid out that money?
 Witness—There was more than me paying it out. I would not be able to pay out it all. I used to pay three days a week from 11 in the morning to 7 in the evening and Foran was paying in another room upstairs, assisted by some other members of the Committee.
 Mr. Brown—Do you know, Mr. O'Neill, how much of the £7,500 was paid out in relief?
 Witness—I could not say definitely. But we were paying relief until the lock-out was called off at the end of January.
 Mr. Brown—There was a large number of people who did not get relief? And a lot of people who did not get back to their work and had to get relief?
 Witness—Yes.
 Mr. Brown—You were not getting contributions from other Societies?
 Witness—No, not at that time.
 Mr. Brown—And you heard Mr. Foran submit that the money was paid out at Christmas.
 What was your opinion of this?
 Witness—That was the Christmas donation.
Larkin to **Witness**—You said you had £7,500 in the safe. You paid £1,800 in January?
 Witness—Yes.
Larkin—Mr. Foran said if I had known of it I would have given it away. You knew that money could not be got in any other way.

Witness—You ordered a sectional payment to be made in Christmas week.
Larkin—It is extraordinary. Mr. Foran says he gave this money out and I had no knowledge of it. He says, in June they had £7,500 Larkin did not know of. Now you spent this in January?
 Witness—Christmas week is not in January, Mr. Larkin.
Larkin—Well, in 1913 you paid it out, that left you a balance for 1914. There was intense distress in Dublin in 1914, and you had the balance of £7,500 in the safe and you kept that until in 1914 you bought Liberty Hall?
 Witness—No.
Larkin—Did you keep the money that was given to you to dispense in strike pay to buy Liberty Hall?
 Witness—Anything we got to dispense in strike pay we dispensed every week, to anyone who was entitled to it, and during the beginning of 1914 we were paying people who did not get back to work or could not get work.
Larkin—But where did you get the £7,500 from?
 Witness—That has been very well explained.
Larkin—From the surplus of the strike money, that should have been disbursed to the strikers but had been saved. How many weeks did it take to save the £7,500?
 Witness—I don't remember.
Larkin—Was there any other Union connected with the strike but the Transport Union?
 Witness—I could not say definitely. I was not on the Strike Committee.
Larkin—But you were disbursing the money, and you kept this money, this surplus, and still asked for more, and the other Unions finally broke because they had not money. Didn't the Builders' Union go back because they could not get strike pay?
 Witness—No.
Larkin—You had a balance of £7,500. You did take more than your share of the dispute pay and put it in the safe in Liberty Hall unknown to the man who got all the odium of the strike, and you spent £1,800 in Christmas week under this man's orders?
 Witness—Yes.
Larkin—Did you get a written order?
 Witness—I got a verbal order.
Larkin—Well, you did spend the money at my orders. Had you any Committee giving you instructions as well as Larkin?
 Witness—There was a Committee.
Larkin—And you kept that money until you completed the purchase of Liberty Hall, while the men and women and children of the Union were starving.
Mr. George Leahy Sworn.
Larkin—You are a member of the Trades' Council of Dublin for many years, Mr. Leahy?
 Witness—For 20 years.
Larkin—Were you on the Strike Committee of 1913 in the Trades' Hall?
 Witness—I do not think so.
Larkin—Did you know of the strike being carried on under the auspices of the trade? Would it be true to say that the consequent breakdown of one of the sections was due to lack of funds?
 Witness—Undoubtedly.
 Master of the Rolls—That has nothing whatever to say to this. I will not take it down.
Larkin—All right, my lord.
James Smith Sworn.
Larkin—You are a member of the Transport Union from its formation?
 Witness—Yes.
Larkin—Were you elected in 1913 to audit the accounts with Casey?
 Witness—I do not remember being elected.
Larkin—Did you audit the accounts?
 Witness—I did not.
Larkin—Is that your signature?
 Master of the Rolls to **Witness**—Take that in your hand and see if the signature "James Smith" is yours. Do you see "James Smith" there?
 Witness—Yes, my lord, that is mine.
 Master of the Rolls—That is your signature?
 Witness—Yes.

Cross-examined by Mr. Brown, K.C.
 Mr. Brown—How did you come to audit these accounts?
 Witness—Well, Mr. Larkin came along and said he had to get these accounts returned.
 Mr. Brown—Well, what did he next say or do?
 Witness—To sign that form, and he produced that.
 Mr. Brown—And you were to sign that form?
 Witness—Yes.
 Mr. Brown—Did he suggest you were to go through the accounts?
 Witness—No.
 Mr. Brown—Did he give you any opportunity?
 Witness—No.
 Mr. Brown—So you signed them, and that is all you know?
 Witness—Yes.
Larkin to **Witness**—
 Sergeant Hanna to Mr. Earkin—This is your own witness.
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"An Injury to one is the concern of All."

IRISH WORKER

EDITED BY JIM LARKIN.

THE IRISH WORKER will be published weekly—Twopence—and may be had of any newsagent or newsboy. Ask for it, and see that you get it.

All communications, whether relating to literary or business matters, to be addressed to the Editor, 17 Gardiner's Place, Dublin.

We do not publish or waste time on anonymous contributions.

Tel. No.—Dublin 5439.

Subscriptions, 10s. per year; 5s. for six months, payable in advance.

We are not responsible for views or opinions expressed in Special Articles.

GENTLEMEN OF UNBLEMISHED CHARACTER, AND OTHERS.

We feel that our readers will appreciate the effort to publish full reports of the trials of Foran, O'Brien and others v. Larkin, and Bennett against Larkin. We will complete reports in our next issue.

These two cases, if studied, will prove to any unbiased mind the foul conspiracy organised to destroy our work in the past and to prevent, if possible, our efforts to enlighten, organise and assist the Irish Working Class in their struggle to emancipate themselves from Wage Slavery in the present and the future. Note the judicial manner in which Judge O'Connor approaches the case of the Injunction Executive against Larkin. Follow the examination of witnesses closely. Note the interpolations of Judge O'Connor. The Judge's discretion is so wisely used in favour of the gentlemen who admitted they committed arson—they admitted they destroyed records and documents, their excuse being they were told to destroy records and documents. Strange to relate, these destroyed records and documents would have proven who is justified. These creatures, Foran, O'Brien, O'Neill and others have been in possession of the property and machinery—books, documents, etc.—since October, 1914. Why did O'Neill burn records and documents which would have proved how much money he and Foran got from the Strike Fund to disburse, and proved how much they disbursed. Not an account book; not a receipt book; not a line of writing of all the records of the Union up to 1918, according to these honest gentlemen of unblemished character. An official comes before a Judge and admits he burned records and documents. A Senator comes before the same Judge and swears he saw the records and documents burning in an insured building, and admits he did not try and prevent the destruction of the documents. And the Judge admits these two—and one a Senator—are gentlemen of unblemished character. And when one of these two gentlemen admits he failed to pay monies entrusted to him to the firm he was employed by, we are told this gentleman is an honest man and that he leaves the Court without a stain on his character. This O'Neill admits he did not hand the monies entrusted to him to pay Messrs. Kennedy for bread supplied. O'Neill admits he set fire to records and documents in an insured building. O'Neill admits he withheld some £7,500 which he, along with Senator Foran, put in a safe without the knowledge of the Union officials, Executive Committees, auditors and members of the Union. And we are told he and the Senator are gentlemen of unblemished character. One of these gentlemen of unblemished character, along with another superfine

Our sympathy is extended to our colleague, Alderman John Lynch, of Sligo, on the death of his mother. Jack has been recently released from internment and is at present in a very weak condition of health. The deceased came from the district of Maugerow and had reached a ripe old age and enjoyed the respect of all the workers in Sligo. Her father was an adherent of Smith-O'Brien and her husband was sub-centre for Sligo in Stephens' time. She was a fluent Irish Speaker.

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unblemished character, yept, O'Brien, Alderman, admit that he with others, has for years past taken and used the monies of the Union illegally, that two of the creatures who voted and sanctioned the spending of these thousands of pounds had no right to vote or sanction the spending of such monies. But Judge O'Connor says they are all honourable gentlemen with unblemished characters.

This question of machine building and corruption in the Union and Labour Movement is the most threatening phase of the new method of the Capitalistic system of society.

The Capitalist now realises that his best method of delaying the coming into power of the organised working class is to assist the corrupt, ambitious gentlemen of unblemished character who have succeeded in working their way into the Unions.

THE STORY OF THE MONGOOSE AND THE SNAKE

As told by A. Woods, K.C.

A mongoose was put in to provide a meal for a snake, and when the luncheon hour had passed there was no snake but a well-satisfied mongoose. Our story with a moral. The Shipping Federation (Mongoose) was put on the Maritime Board with the Snake (Have-it-all-Wilson, Union representative). When the feast of reason and flow of soul came to an end, the Mongoose (Shipping Federation) was perfectly satisfied. Mongoose and snake were one.

TAKING THE GAIN.

Let the Credit be Claimed by who so will.

We are glad our comrade in the cause—Dowling—and the close comrade of our comrade Bob Monteith, is out. We passed the meeting in College Green assembled to welcome him and express appreciation of his services; and incidentally boost a political candidature, and above all, to claim credit for Dowling's release—fine work. Now, how about the other lads in British prisons—Scotch, English and Irish prisons?

SOCIAL NOTES.

Senator Foran, accompanied by his guard, attended Leopardstown race meeting on Saturday last. Thanks to information received, he had a good day, backing four winners—Steady Scotch—no relation to his friend Fleming; Most Noble—of unblemished strain; Bleach Lough—not breach lock, the Senator gave up all ideas of 'breachlocks' in 1916, April 29th. Our reporter did not get the name of the fourth winner. Maybe Stable-boy but of Betrayah. We wonder what the stable-boys on strike at the Curragh think of their General President.

THE SLAUGHTER OF THE INNOCENTS

When will the conscience of the nation awaken? Every day and every hour of the day the unfortunate victims of the moral and economic breakdown in this country are being sacrificed in death to the disgrace of the public press and the self-appointed moralists who deliberately suppress the horrible conditions arising out of this vital question of the unmarried mother and the unwanted child.

Letters appear in the press appealing on behalf of horses, dogs and cats. Even our Lords, Dukes and other parasites make loud moaning over the treatment meted out to cattle and sheep during transit. Not a voice is raised about the organised murder of innocent children. Poor unfortunate girl-mothers—victims of the lust of a ribald, licentious soldiery—are driven from their homes at a time when they ought to receive sympathy and unlimited care; driven to the shelter of the Poorhouse. Not alone have they to bear what the world calls their shame; deserted by the cowardly shameless hound who, in many cases, used force and terror to accomplish the ruin of these hapless, betrayed ones; driven by reproaches from a once happy home, every door closed against them except the Poorhouse; and in those bastilles of poverty they bring into the world an innocent child, one of God's creatures. Instead of being helped, sheltered and tended with care as is the married mother, these outcast ones are separated from their little ones. The mother may go hence into the outer darkness—to any fate. And we know, to our shame, the vast majority of unmarried mothers gravitates to the pavement, and the child, the innocent victim, is boarded out at thirty shillings per month, or put out to nurse by paying a lump sum down. Sixty-five out of a hundred of these unwanted children die before they reach the age of one year. A society or nation that allows such a crime to continue must pay.

We call our readers' attention to the form printed below.

You see we have a Government within a Government.

Senator Foran's friend, Mr. J. P. Cuffe, seems to be privileged to arm his hired gunmen, imitating the Injunction Executive. May we remind Mr. J. P. Cuffe that Gurra Byrne, M. Donnelly, Gannon, Brophy, Kelly are reliable men at a price for a job like this protection job.

County Dublin Employers' Protection Association.

37 Upper Fitzwilliam Street, Dublin,

27th February, 1924.

Dear Sir (or Madam),

In view of the possibility of a strike among the Farm Labourers, in the County Dublin, please state on this form the number of men you will require to do your work until such times as a settlement is reached, also state if you will require men for protection purposes.

Please fill in the particulars required and return this form immediately.

Yours faithfully,

J. P. CUFFE,

P. J. KETTLE.

N.B.—Subscriptions to the value of 6d. in the £ on your gross Poor Law Valuation, may be forwarded to the Trustees, Messrs. J. P. Cuffe and P. J. Kettle, at the above address.

To Messrs. J. P. CUFFE and P. J. KETTLE, Dear Sirs,

In the event of a strike I will require the following—

No. of men for Labour.....

No. of men for Protection.....

Yours faithfully,

Name.....

Address.....

Date.....

The Plaintiff, Mr. Bennett, is, and has been for several years, a considerable number of years, the District Secretary in Ireland of the National Seamen and Firemen's Union. It is a very important Union and he holds a very responsible and trusted position, and the importance of his position and the responsible duties which he has to perform, and the obligation upon him of complete loyalty to the members of the Union are very vital in this case, because it is upon these matters that the Defendant, Mr. Larkin, has impeached him in a most scandalous, vitriolic and malleous libel. As you will readily appreciate, the employment of seamen is one that takes men from one port to another, not only in Ireland, but England, Scotland, the Continent, and all over the world, and, accordingly, it would probably occur to you that the natural Union for Seamen of all parts of the country to belong to is the National Union. (It would probably occur to an intelligent human being, if not to a King's Counsellor, that the proper Union for Seamen to belong to would be an International Union of Seamen. Of course the Seamen of any country should belong to a National Union and amalgamated with the Seamen of every other nation.) If an Irish Seaman, who belongs to the National Union, is taken ill or meets with an accident at the Port of London or at any other port, if he belongs to the National Union there representatives there to look after him. If he goes to any port in Europe the same principle applies (Hanna, K.C., means method), and applies almost to any part of the world.

The first part of the history of this transaction that I have to deal with is the occurrences in Dublin in 1923 arising out of the Seamen's and Firemen's Strike and the Dockers' Strike, because it is out of those transactions that arises the motive on the part of Mr. Larkin for attacking Mr. Bennett.

For some time prior to the return of Mr. Larkin from America on the 28th, or at the end of April, 1923, there had been an effort made by the Irish Transport and General Workers' Union to form a Seamen's Section of Irish Seamen. Of course that is a contest in which neither you nor I care concerned. If Irish Seamen thought they were better off in the Transport Union than in their own business, and accordingly a considerable number of them in the Port of Dublin and in the Port of Belfast seceded from the National Seamen's and Firemen's Union and joined the Seamen's Section of the Irish Transport and General Workers' Union. This was before Mr. Larkin came back from America at all. It was a struggle such as often takes place between two sections of labour as to which of them can get control of a particular class of workers. But, although a considerable number joined the Seamen's Section of the Irish Transport and General Workers' Union by far the greater majority of them still adhered to the National Seamen's Union. There were several hundreds of them in Dublin here and several hundreds in Belfast. I do not know exactly the number, but it is immaterial here. (Everything that is true is immaterial to a lawyer in stating a case.)

Now, in or towards the end of May the National Maritime Board (National Maritime Board—Hanna, K.C., cannot distinguish between a National and an International Board—or Union) had agreed that there should be what is called a cut in the wages of seamen and firemen. Now, the National Maritime Board—as a reference is made to it in the libel that I will point out later—is a Board about which I will have to say a word as to its constitution. During the War there were formed by the Ministry of Shipping, throughout the country—in England, Scotland, Wales and Ireland—what were called District Maritime Boards, which were given the control and settlement of all disputes between Shipowners and Seamen that were referred to them. And the decision of these District Boards—of which I will tell you the representation in a moment—when it was given, whether in the Irish Free State there was no "Irish Free State" during the War—how is a poor King's Counsellor to know such an elementary fact?) or in Northern Ireland, was sent to headquarters in London for confirmation. In the constitution of this National Maritime Board the law laid it down, or it was laid down by the Minister of Shipping under his powers, that there should be three shipowners, three representatives of the Seamen, and one independent judge. In Ireland there were two Maritime Boards (another figment of Hanna, K.C.'s brain), one for Ireland and one for the Irish Free State. (There is no such Board acting within the area of the Free State.) The employers or shipowners are nominated by the Shipping Federation, and then the Union, the Seamen's and Firemen's Union, nominate the three representatives to represent the Seamen. (Why did not Hanna, K.C., state the full facts:—that the Shipping Federation nominated the whole Board.) And on the Board in Dublin they nominated and they have Mr. Bennett, the Plaintiff, Mr. Carter who is one of the leading members, I think the Secretary in Cork for the Seamen and Firemen; and Mr. McGrath, Secretary in Waterford. And these three representatives, with an independent Judge, constitute the Board here, and it is the same in every other district.

Well, in May of last year the National Maritime Board decided there should be a cut in the wages of the Seamen and Firemen. (The Shipping Federation and Havelock Wilson arranged and decided on this reduction in London.) Naturally they fought it out as well as they could, but the Dublin members of the Seamen's and Firemen's

Union had to submit to it, and did submit to it after a considerable amount of grumbling, and feeling that they had a grievance, and, accordingly, that was used for the purpose of endeavouring to take more members away from the Seamen's and Firemen's Union and to get them into the Section of the Irish Transport and General Workers' Union.

The next thing that happened was the Dockers' Strike in Dublin in the beginning of June, and this libel was issued. The letter complained of is dated 23rd June and the issue of the paper 30th June. The Dockers' Strike took place on the 23rd, the date this letter was alleged to have been written. And, now appears how the Seamen came into it. The Dockers struck for higher wages, but ships came into Port and certain discharging could be done by the Seamen or Sailors (one wonders what is the difference between a Seaman and a Sailor—ask Hanna, K.C., he knows) and was done by them. The Irish Transport Workers' Seamen did not work, and they brought the matter to a crisis by refusing to work with the Seamen of the National Union, and that was in or about the 20th or 23rd, or the end of June. The Seamen of the Irish Transport and General Workers' Union refused to work with the men of Bennett's Union, but the men in Bennett's Union stood firm and the difficulty in the way of the Dockers and of the Transport Union was Mr. Bennett and his Seamen's Union (the creatures in Bennett's Union openly scabbed—as usual), and not being able to beat them by fair means Mr. Larkin had, of course, recourse to foul means, and this is the subject of the complaint that we have to make to you.

Now, I have explained to you that you have Bennett, the responsible head of an organisation that was adverse to the interests of the Transport Union at that time, a man whom Larkin had to down at any cost. Truth was of no importance so long as he could get a statement into the paper to disparage Mr. Bennett's character, get it into the paper which was spread among these people, which the seamen would read and say to themselves: "This is the kind of man who is the Secretary of our Union, the less we have to say to this Union the better. And what do you think was the weapon Larkin used this time? Religious intolerance. Mr. Bennett, who is a Protestant, had been the Secretary of this Union, living in Dublin, in Clontarf, for years, among a Catholic population. In a Union, I suppose 90 per cent. of whose members were Catholics, working whole-heartedly in their interest. Any weapon is good enough for some people to use to effect their purpose, and here in 1923, in Dublin, when everything had passed over that horrible subject of religious intolerance, it is left to the refugee from America to raise this blazing torch throughout the country so that he might wade with his sword drawn, through the people, sweeping them aside, and leaving the terrible track that he leaves behind him everywhere. (Listen to this product of a University, Hanna, K.C. "Raise the blazing torch, wade with his sword drawn through the people, etc., etc." We wonder if he had his waders or his sea boots on.)

Here is the Article.—It is headed "Seamen's Dispute" and it starts with a letter alleged to have been written to Larkin by some of his correspondents, and it appears in his paper "The Irish Worker." It is written from Belfast and dated 23rd June, 1923 (the date of the Dockers' Strike). Suddenly some inspired individual in Belfast thinks that it is very necessary that Larkin should get some information, and here is a letter signed by a "Union Man" to Mr. Larkin, and a long comment on it by Larkin afterwards. (Reads letter.)

Gentlemen, I ask you, as men who live in a city that certainly has been characterised by no intolerance, I ask you, is there any more damning statement could have been made against a man like Mr. Bennett, who spends his life among illiterate men who are inclined to believe what they see in print, (it must be a sight for tired eyes to see the illiterate men believing what they see in print. The Learned K.C. seems at sea) that when the Catholics were in trouble in Belfast Bennett phoned for the Crown Forces and had the Lewis guns turned on them. Gentlemen, it is untrue; it can be proved untrue; but it was a terrible charge; it was a charge that might have led to the blood of Bennett being on Larkin's head. (Continues to read.)

Now, that was all that was said in the letter about Mr. Bennett, there were other references we need not go into, we are not concerned with. He ends this letter, "Union Man," and adds: "P.S.—I enclose my name and address." Now, Larkin proceeds to comment on that letter, and here is his comment:—(reads comment.)

Well, that passed over and Mr. Bennett went about his work. Larkin was not helping Catholic Seamen or anyone else in 1921, he was in America. But when he came home he began to attack Bennett. And his object in attacking Bennett is not in the public interest, it is not for the benefit of anybody, it is a malicious attack for the purpose of injuring Bennett and trying to get members to his own Union. Here he says:—(Counsel continues to read.)

Now, there is a charge against Mr. Bennett of active participation in the persecution of the Catholic workers. If it was not the Secretary of the Union it would be a serious charge, but to say it of a man who was Secretary of a Union I fail to think of any charge that would be more damning or put a man's life and limb in more peril than that. (Continues to read.)

The next part we complain of is this. After setting out the advertisement he says:—"We draw our readers special attention to the fourth paragraph of the advertisement—'Have your protests sent to the different Government Departments.'"

Agent Provocateur.

Now, I presume Mr. Larkin knows the meaning of the word he used. "Agent Provocateur." It is a French word, and when the French wished to get any man within their toils they sent one of their own paid spies to pretend he was on the side of the Government and to stir him up to some act of a revolutionary character and then be in a position to prove against him. The Agents who held sway during the French Revolution were most despicable creatures, they were people who lent themselves to deceive those to whom they pretended they were friends, and they were the essence of everything that was disloyal. Does he mean, referring to Mr. Bennett, that he went up to Belfast and was opposed to the Catholic Seamen and had the guns turned on them, or does he mean that he was disloyal to them as members of the Union? It is a matter for you to decide, but it has a very libellous meaning. And he goes on to say that the man lent himself to it for the purposes of the Shipping Federation. Now, this is complained of as one of a series of libels against us.

It means that Bennett, who was paid by the Seamen, was guilty of a breach of trust and was conniving with the Shipping Federation and trying to get their interests carried out against the interests of the men who were paying him. This is a very serious charge to make against any man as a Secretary.

He then goes on to say:—"We are glad he has unmasked himself." Meaning that he was carrying on under pretence and instead of being the Seamen's friend he was playing into the hands of the employers. (Reads again.)

He suggests that the Shipping Federation when they want men to fight the Union go to Bennett, that Bennett, who was Secretary of the Union, provides the scabs who take the men's ships while they are out on strike and work them. Well, I suppose some of you know the duties of Secretaries of Trades Unions, and certainly as Secretary of a Trades Union, a man who is guilty of any conduct of that kind, of providing his employers, or the employers of his men with scabs to take the place of the men on strike would be the worst imaginable Secretary, and should be scouted out of decent workmen's society.

Then he goes on to—(reads again.)

Well, he has a very ample vocabulary, has Mr. Larkin, and when an offensive term is required it comes very readily to the point of his pen as also to his tongue. A "thug" was an Indian word. It was applied to a body of assassins in the mountains of India in the early part of the last century who frequently assassinated people to whom they had any objection for a religious reason, and the term is used as a description of the most vile of the Indian race. But that does not stop Mr. Larkin. He has said of Bennett in this article the worst that could be said of any man, that he will sell his friends, that he will sell his own class, he will do worse, he will assist in getting people who are opposed to him in religion murdered and the Lewis guns turned on them. (He reads again.)

This is repeating in other words the allegation that he has already made and he makes it plainer that he charged Bennett with assisting the Craig Government in the persecution of the Catholic workers in Belfast:—"Bennett will be very likely living in the Shelbourne Hotel. Well, of course, that is a very cheap sort of sneer. Bennett does not live in the Shelbourne Hotel and he does not dine with the Shipowners. (Havelock Wilson lived in the Shelbourne Hotel in 1913.)

Now, there is the terrible article that we complain of. Mr. Bennett is a man who will put himself before you as a decent man, a man who has done his best for his class and for his Union in his position as Secretary. A man who has never truckled to his employer, who has handled all disputes referred to him. And of this I think you will be satisfied—he has a record that will compare favourably with Mr. Larkin's. I will say that for him.

Now, when an article like this appears what is a man to do? A law abiding citizen can only appeal to law. He cannot take the law into his own hands. But this is a charge, and after we prove it to you you should make or should dispel in such a way that Mr. Larkin should be on the outside of all decent workmen's society for all time, no matter what he claims he has done for the class. No man can achieve anything for any class by ill-methods such as these, and we claim we should get a verdict for substantial damages against him. Do not be led astray by the idea that he may not be a man of means. We ask for substantial damages. We ask for damages in connection with the injury he tried to do us and did us, and they can be measured in no small scale. The worst that may be said of a man has been said in that article, and it may be that there are people in the various places to where this "Irish Worker" goes who think far worse of a man being disloyal to his Union and his class than of almost any other crime in the calendar. (Yes, every reader of the "Irish Worker" we sincerely hope believes that any worker who is disloyal to his class and his Union is guilty of the unforgivable crime.)

He, Larkin, has pleaded that these statements

are true in substance and in fact; he has pleaded he published them in the public interest bona fide. Well, it must be bona fide in your opinion, not in Mr. Larkin's opinion. If the facts are as I tell you, what honest worker, what interest of the public can be served by making allegations of that kind? Why, it is a libel for which proceedings could have been taken in the Criminal Court, but I think civil liability and damages have more terrors for Mr. Larkin than the Criminal side.

I said in my opening words that it was a horrible subject for people to have to discuss, in public, the intolerance of one religion against another. That was why Larkin used it. It was the poisoned weapon, because it was what would influence the class of people who read the "Irish Worker" more than the suggestion that Bennett was mixed up in attacks that were made upon their own co-religionists. And I say that that was done with malice. He knew it might not affect Bennett to say that he dined or dined with the employers, because the workmen who worked with Bennett knew whether it was true or not, but the people who would read that Bennett was an Orangeman—that this man who was living in Clontarf, who was their representative on the Maritime Board, etc., etc., that he was an Orangeman—I need only suggest that to justify me in suggesting that it was a poisoned weapon that Larkin was using, and he knew it. Because, in this country—though it is two years since this terrible thing happened—in this country, even now, there is nothing so calculated to rouse the feeling of any decent person, no matter of what religion, than the thought of what took place in Belfast in 1921.

I leave the case now in your hands so far as my address is concerned. I will call Mr. Bennett and a man who was associated with him in 1921 when they went on this deputation, and I think I can anticipate with confidence that you will believe what Mr. Bennett tells you, because a man does not remain a member of the Union, of a Union of that kind, with every hour spent among the men without knowing him, and if he was not an upright and straightforward official it would be found out by people here far more interested in finding it out than Mr. Larkin.

(Bennett examined. Connolly examined)

Mr. Wood, K.C.

May it please your lordship and gentlemen of the Jury, I appear with Mr. James C. Geoghegan for Mr. Larkin. The case against him is that he has libelled Mr. Bennett, and my defence for Mr. Larkin, and his own defence for himself is that what he has stated is true, and that his remarks are a fair comment on a matter of public significance. At the very beginning of the case yesterday when Junior Counsel, Mr. Maguire, opened the case, when he mentioned Mr. Larkin's name he said "of whom you have presumably heard" and Learned Counsel leading for the Plaintiff went further and told you that "Mr. Larkin with a torch in one hand and a sword in the other wanted to wade through the country, leaving a terrible track behind him everywhere."

Gentlemen of the Jury, these are not matters of evidence, they only represent the attitude of the mind of those who are conducting this case for the Plaintiff, to appeal to the prejudice which they think already exists in your mind. You are the roaring lions, you special jurors of the City of Dublin, and Larkin is carnivora.

Gentlemen of the Jury, these things were not said without a purpose. The case has been opened with a vehemence of epithet derived from the debris of a quarter of a century of forensic advocacy. I do not purpose to follow that line, because I appear for Larkin, and on Larkin's instructions. I appear for truth, and when you tear aside the veil what do you find on the other side? A very simple issue, Gentlemen, and it was not an issue between Bennett and Larkin. In a sense, unfortunately, but in another sense, fortunately, it was an issue between Bennett and the man who wrote the letter, Michael Nolan, and those who would be produced to you to show that the incident which is in the forefront of that letter occurred, viz., that on the 6th June, 1921, when the holocaust of woe was spreading desolation in Belfast, the men formed themselves into a Committee, and a deputation went to Queen's Square to see Mr. Bennett, who should protect them through the power of their Union.

The man, Michael Nolan, who wrote the letter, and another man who went on the deputation and others would be produced

as witnesses; they will tell you that when they went to Bennett's office the treatment they received was, instead of receiving them as members, men who had a terrible and awful experience, who were positively under the threat, as will be proved to you, of further and terrible desolation amongst them, and wanted Mr. Bennett to hold a public protest meeting of their members in Belfast at which a resolution might be passed, so that they might have the protection not only of what Mr. Bennett could do in Belfast, but what Havelock Wilson could do as President through the Imperial Government in London. As they proceeded to talk to him, the common men, if you like, some heat was engendered; he told them, "if you don't clear out I will send for the police" and suiting the action to the word, he went into the inner office, rang up the telephone and these men will tell you that they heard him ringing up Musgrave Street Police Barracks. When they filed down those steps and went out into the street a number of the men who came from the hall to hear the result of the deputation were on the street, they were out for a few minutes when there arrived in or about 25 Police from Musgrave Station and two armoured cars and their members were gradually moved out of Queen's Square.

That is what these men will tell you, that is the issue; whether or not you will believe these men that this incident occurred, and if you do, there is an end to this case.

Gentlemen of the Jury, if you or some of you ever adopted the unfortunate position of trying to lead men, and you received a letter from what you believed to be an honest man, whom you had known for years, and you received a letter like that, what would you do? If you had courage, if you had truth, would you do anything less than what Larkin did, and if you refrained from doing it might you not be nominated as cowards and knaves.

Gentlemen of the Jury, they knew the weakness of their case, and therefore Larkin had to be paraded as "a man who leaves a terrible track behind him," "an American refugee," "a man who knows the criminal courts and is not afraid of them," and you are therefore invited to crush Larkin with a verdict because the suggestion is that he feared the weight of money, he did not fear the weight of incarceration in jails for what he believes to be the cause of Liberty.

Let me call your attention to what is the position. On the 30th June when Mr. Larkin first inserts that letter, makes one comment upon it, then inserts Bennett's letter and makes a series of comments upon Mr. Bennett's letter. There is a strike in Dublin in April; the men may be right or they may be wrong, that is not the question; they believed Mr. Bennett's Union was under the control of the Shipping Federation, and for this reason, that the Shipping Federation is how in this position, that every member of the Shipping Company is a member of the Shipping Federation. During the War there was a Board set up on which there were representatives of the men and representatives of the Shippers; they controlled the wages and conditions of working of the men during the War. After the War that Board was reconstituted and now you have 12 members of the Shipping Federation and 11 members of Bennett's Union and 1 of some other Union, and they sit down at a Board and they finally decide what are to be the wages of seafarers, and that is Bennett's own expression.

The seafaring men of this Port and of Belfast take the view that if 12 representatives of the men sit down beside 12 Shipping Magnates, and they decide the wages and conditions for the workman, that, so far as the men are concerned, it is possibly the story of the mongoose and the snake, you know the story. Gentlemen of the Jury, That is the opinion of the men, they may be right or they may be wrong.

The men in the Dublin Port went out on strike in April last. Bennett's Union had

submitted to the reduction in wages, and on the 27th June Bennett gave a punch to the fight by the letter you heard yesterday, the one phrase to which I call your attention is "Have your protests sent to the different Government Departments." Mr. Larkin's comment is—(reads comment).

Send in your protest to the Government Departments, everything is right in Government Departments. Governments never do wrong. That letter appeared in the press and when Mr. Larkin read that letter he had in his pocket the letter from his friend Michael Nolan. He—Larkin—organised the Seamen's Section in Belfast, he knew Nolan. He had that letter from Nolan and he saw that letter from Bennett—"Send in your protests to the Government Departments"—and he was appealed to by Nolan for the Seamen of Belfast and he only did what was his duty to do. He set out the letter from Nolan merely with a comment, and the only comment he made is this—"the gentleman who, it is alleged, actively participated in the persecution of these Catholic Seamen and Firemen is a Mr. J. H. Bennett." Then he takes up Bennett's letter and he devotes three columns to Bennett's letter, you will see it yourself. I again ask you if you were leaders of the Seamen and a threat like that is put in print, published in the evening papers, and at the same time you have in your pocket an appeal like that of Nolan's relating to an incident like that, what would you do? What would you be bound to do?

Gentlemen, I will not weary you in detail with Nolan's letter, later when I examine him I will bring Nolan through all the facts he makes appealing for Larkin to do something for them.

Gentlemen, the issue will be, do you believe these honest, decent men, so far as we know them, who come from Belfast and say that incident did occur, or do you believe Bennett? You saw Bennett, you saw his evasive manner in the box; was it the manner of a man who thought he was injured, full of self-satisfaction, expressing the attitude of mind which showed to you the internal working of the man's mind. Did you observe how he answered?—always to the "best of his recollection." I put it to you, gentlemen, that possibly you will find when you really consider and reflect on his manner in the box, the way in which he gave his evidence, you will come to this conclusion that he answered with a studied caution, he stealthily picked his steps amongst the shifting sands of evasion; he never heard of the case of "Reynolds v. the Shipping Federation." No minutes of any meetings that he attended, no document that he can bring before you as to any meetings, and even Michael Nolan is not a member of the organization in his recollection, nothing that matters to the Defendants he can remember anything about it.

Gentlemen, it is a simple issue, why will you not believe these common men from Belfast rather than Bennett, these common men from Belfast will swear to you that the incident happened. Serjeant Hanna said this letter was inspired, you will find it is not inspired. Michael Nolan writes the letter in his own hand to Mr. Larkin, Larkin gets that letter from a man known to him, and he acts upon it.

Gentlemen, my case is truth and fair comment, and I ask you to believe the men I will produce to you, and if you believe them in respect of that one charge and believe that happened, Serjeant Hanna admitted and even the Plaintiff himself, that if you believed that incident occurred, and I know you will believe it; that is the *ab uno disce omnes* of this case. The real issue is one, and one only, will you believe Bennett or will you believe these men from Belfast? Larkin is out to perform a duty and he has performed it; he stood by his men and stood up against that threat of the introduction of the Government into Labour disputes, and is paraded to you as an "American refugee," and because he is not

afraid of criminal courts you are invited to crush him with a verdict of damages as he fears money.

Will you do it, Gentlemen of the Jury?
I suggest you will not, and the way this case was introduced from beginning to end only shows they knew the weakness of their case. If you, when you believe these men who came from Belfast and who will tell you their tale, and I know that you men, if, though you are special jurors, you will take this view that if Larkin had not stood by the men who appealed to him that he should go into outer darkness where dwells the knave and coward.

Michael Nolan called and sworn.

Mr. Wood—Where do you live, Mr. Nolan?
Nolan—15, New Andrew Street, Belfast.

Wood—Did you write that letter?

Nolan—Yes, that is my letter.

Wood—Is that the letter complained of?

Nolan—Yes.

Wood—Who did you write to?

Nolan—Mr. Larkin.

Wood—Mr. Nolan, were you in 1921 a member of the National Union of Seamen and Firemen?

Nolan—Yes, a member from 1917 to 1921.

Wood—When did you leave the Union?

Nolan—We came over 1st October, 1921 to the Irish Transport and General Workers' Union.

Wood—How many came over?

Nolan—About 250.

Wood—Are you a deep water seaman?

Nolan—Yes.

Wood—What time in 1921 did you arrive in Belfast?

Nolan—I arrived back from Australia about the third week in May.

Wood—What did you find in Belfast?

Nolan—I found Belfast in a terrible state.

I found my fellow working men hounded away from their ships at the point of the gun: The district in which I live is called "Sailor Town," and we were attacked repeatedly from '21 to '22.

Wood—Do you remember in the month of June—

Saturday, 11th June, 1921?

Nolan—I do well.

Wood—Tell what happened on that day, particularly what happened to yourself.

Nolan—On Saturday, 11th June, my lord, there was a mass attack made on Sailor Town, there was bombs and revolvers and rifles and I myself was wounded on the 11th day of June.

Wood—How many were killed?

Nolan—On the 11th? The newspapers of the 13th gave a report of 8 killed and 40 wounded. I was one of the 40.

Wood—Between the date you returned and the 11th June were there a number of meetings held in St. Mary's Hall?

Nolan—There were.

Wood—Of what were these meetings composed?

Nolan—Composed of the Catholic Seamen of the City of Belfast.

Wood—Were you present at the meeting of Monday, 6th June?

Nolan—I was.

Wood—You tell my lord and the Jury what happened at that meeting.

Nolan—There was a resolution passed at that meeting that a deputation should be sent to 13 Queen's Square to request the General Secretary to call a protest meeting of all the members of the Branch and for the General President, Haveback Wilson, to bring the seamen's case before the Imperial Government.

Wood—Who was chairman at that meeting?

Nolan—John Ward.

Wood—Who were the members of the deputation appointed?

Nolan—John Ward was chairman, Thomas Brady, Hugh Mahenny, Owen Sheridan, James and Charles O'Raw, William Gorman and myself.

Wood—Were you a member of it?

Nolan—Oh yes, my name should be there too.

Wood—Did you and the other members of the deputation proceed to Queen's Square?

Nolan—We did.

Wood—To Mr. Bennett's Office?

Nolan—Yes.

Wood—Did you and the others (the Office was divided) go into the outer Office?

Nolan—Yes.

Wood—Would you tell my lord and the Jury what class of a partition divides the outer office from the inner office?

Nolan—On my oath I believe myself that the partition only goes about 8 or 9 feet.

Wood—Would you tell my lord and the Jury what occurred after you went in?

Nolan—Thomas Brady was the spokesman.

Lord Chief Justice—Was there anybody else in the office?

Nolan—Yes, Mr. Bell, Brady told Bennett about the Resolution about calling a General Meeting.

Wood—Did he mention anything about Haveback Wilson?

Nolan—He did.

Wood—What did he say?

Nolan—That the men wanted their case brought before the General President with a view to bringing the Catholic Seamen's position before the Imperial

Government and Mr. Bennett absolutely refused to take any notice.

L.C.J.—Tell us what Mr. Bennett said.

Nolan—Bennett told us to get out of the office or he would send for the Police, then Bennett left the outer office and went into the inner office, rang up the telephone. The deputation was then leaving the office and I heard Bennett distinctly over the phone asking was "that Musgrave Street Barracks," and when we went out the men were in various groups around the Square.

Wood—About how many?

Nolan—About 100, standing in groups waiting the result of the deputation.

L.C.J.—Say 120.

Nolan—When we were speaking to them about 25 constabulary men came out from the direction of Prince's Street and 2 armoured cars from the direction of the Albert Memorial and we were cleared off the Square.

Wood—Any guns on the armoured cars?

Nolan—Oh, yes, two guns in each turret.

Wood—How long were the deputation in the office with Mr. Bennett?

Nolan—About 10 minutes.

Wood—You are living in Belfast?

Nolan—Yes, sir.

Wood—Prior to June 30th, 1923, when did you last see Mr. Larkin?

Nolan—11 or 12 years ago.

Wood—Did you, prior to 23rd June, 1923, hear from Mr. Larkin directly or indirectly?

Nolan—No.

Wood—You wrote the letter?

Nolan—Yes.

Wood—My lord, it has not been fully read and I would like to read it.

L.C.J.—Certainly.

Wood (commencing to read letter)—A Chara,

Hanna—The witness will tell you.

Wood—Will he?

L.C.J.—Go on.

(Mr. Wood proceeds to read letter.)

L.C.J.—Down to armoured car is the only part complained of?

Wood—Yes, my lord. (Continues to read letter.)

Wood—Is what you stated in that letter true?

Nolan—Yes.

Wood—Never seen Mr. Larkin for 11 years?

Nolan—11 or 12 years.

Wood—You gave him a history of what happened?

Nolan—A review, yes.

Wood—And you called on him for help?

Nolan—Yes, Mr. Larkin was Secretary of the I. T. & G. W. Union?

Wood—What was your wage in 1921, as a seaman?

Nolan—£15 a month.

Wood—What is the wage of a seaman at present?

Nolan—I believe £9 10s.

Cross-examined by Serjeant Hanna.

Hanna—What day of the week did you write this letter on?

Nolan—Saturday.

Hanna—In Belfast?

Nolan—Yes.

Hanna—On 23rd June?

Nolan—I believe it was.

Hanna—Had you been reading anything in the papers about law between Mr. Larkin and the Transport Union in Dublin?

Nolan—I read sketches in the local papers the same as any other man.

Hanna—Did you know Larkin was suspended as Secretary of the Union?

Nolan—No, I would not take it he was suspended. Everything you read in the papers is not gospel.

Hanna—Did you read in the paper that Larkin had been suspended from Secretary from the 11th June?

Nolan—Yes.

Hanna—Did you believe it?

Nolan—No.

Hanna—Is that the reason you wrote to Mr. Larkin?

Nolan—It is not the reason.

Hanna—Your letter is an attack on the Seamen's Union, on Bennett?

Nolan—My letter is a review.

Hanna—Is it an attack on Bennett and the Seamen's Union?

Nolan—I do not see where the truth is in attack.

Hanna—Is it a compliment?

Nolan—It is the truth.

Hanna—Was the rest of your letter an attack on Mr. Foran?

Nolan—I made no attack on Mr. Foran, I assure you.

Hanna—You made a complaint against Mr. Foran, was not that playing into Larkin's hands?

Nolan—I made no complaint against Mr. Foran only that he did not take action in time.

Hanna—Is your complaint that Foran was not doing what you wanted?

Nolan—He did not hurry up.

Hanna—You were giving him a stick to beat Foran with?

Nolan—I was giving Larkin the truth.

Hanna—You wrote this letter?

Nolan—Yes.

Hanna—Where is the envelope?

(Not forthcoming.)

Hanna—Do you know from beginning to end there is not an alteration in it? Did you write it or did you copy it?

Nolan—I copied it from nothing. It came from my own brain, it is truth.

Hanna—Is it an invention of your own brain or the truth?

Nolan—Truth.

Hanna—Do you want the Jury to believe you are a man of reputable character who would not do anything?

Nolan—I do.

Hanna—Were you bound over by the Magistrates in Belfast for beating your wife?

Nolan—In what year?

Hanna—Take any year.

Nolan—I was at one time. It was only a domestic quarrel.

Hanna—And you are still under Bail?

Nolan—No, thank God.

Hanna—Were you in recent trouble for interfering with another man's wife?

Nolan—No, I swear it.

Hanna—Were you beaten by another man?

Nolan—No.

Hanna—Within the last two months?

Nolan—No.

Hanna—Do you know what I am referring to?

Nolan—I do not.

Hanna—What do you think I am referring to?

Nolan—I would like you to tell me.

Hanna—Any marks on your face within last month?

Nolan—No.

Hanna—Within the last two months?

Nolan—No.

Hanna—Were you in hospital?

Nolan—Yes.

Hanna—What for?

Nolan—I accidentally broke my arm in the month of August.

Hanna—Do you swear on your oath there was no transaction between you and another man?

Nolan—I swear on my oath before God, there was not. I have got a wife of my own and that is enough.

Hanna—When did you leave the Seamen's Union?

Nolan—In 1921.

Hanna—Have you been to sea since 1921?

Nolan—No, not since I was shot.

Hanna—What have you been doing?

Nolan—Doing nothing.

Hanna—And you look well on it?

Nolan—Oh, yes.

Hanna—Are you an agent of Larkin or the Transport Union?

Nolan—No.

Hanna—Not doing anything since 1921?

Nolan—No.

Hanna—Are you the man who eat the Orange Lily to show your contempt for the Orangemen?

Nolan—Not at all. I would want a doctor's Certificate for that, Mr. Hanna.

Hanna—What did you eat?

Nolan—It takes me all my time to get my bread.

Hanna—But did you eat an Orange Lily?

Nolan—Ah, do you take me for an ass, Mr. Hanna?

Hanna—Are you a character in Sailor Town?

Nolan—No.

Hanna—But did you eat an Orange Lily?

Nolan—No. Orange Lillies don't grow in Sailor Town.

Hanna—This partition you were talking about, are you quite sure that it goes to the top?

Nolan—No.

Hanna—You heard Mr. Bennett on the 'phone saying "is that Musgrave Street Barracks"?

Nolan—Yes.

Hanna—You went out into the Square and the Police were there?

Nolan—A few minutes after.

Hanna—How many minutes would it take to get from Musgrave Street to Queen's Square?

Nolan—4 or 5 minutes.

L.C.J.—How far is it in yards?

Nolan—Two or three hundred yards.

Hanna—Queen's Square is opposite Albert Memorial Clock?

Nolan—Yes.

Hanna—How long were you away from Belfast when you came back in 1921?

Nolan—I left Belfast after Armistice Day, 1918.

Hanna—When you came back in 1921 did you pay up your dues to the Seamen's Union?

Nolan—I paid my dues up in Alexandria in Egypt.

Hanna—Do you say you paid up your arrears for three years?

Nolan—I paid my arrears.

Hanna—Where did you last pay dues?

Nolan—In Alexandria there is an agent there.

Hanna—What is his name?

Nolan—I could not tell you that.

Hanna—Have you got your books?

Nolan—When we came over in a body we threw our books into the waste paper.

Hanna—Have you got your discharge book?

Nolan—No, not with me.

Hanna—Is it a fact that you cannot get work without it.

Nolan—No, not deep water work.

Hanna—You can write in Irish?

Nolan—Yes, I can talk Irish a little.

Hanna—You wrote this out from a copy?

Nolan—No, there was no copy.

Hanna—Do you say to the Jury that you wrote that out without anybody's dictation without having a copy?

Nolan—I wrote that out.

(To be continued in our next issue)

LAW PROCEEDINGS

(Continued from Column 3, page 3)

TUESDAY, 19th FEBRUARY, 1924.

Mrs. Mary Murphy called and sworn. Examined by Mr. Larkin.

Larkin—You are the widow of James Murphy who was a member of the Transport Union?

Mrs. Murphy—Yes, sir.
Larkin—You made application for mortality benefit?

Mrs. Murphy—Yes, sir.
Larkin—You were refused by the Officers?

Mrs. Murphy—Yes, sir.
Larkin—When your husband died he was alleged to have been in arrears in the Union to the amount of 10 7, marked in red?

Mrs. Murphy—Yes.
Larkin—Did you go to the office again on my instructions and complain to the Officers that you were entitled to the money, and that your deceased husband was overpaid in Union at time of death?

Mrs. Murphy—Yes, sir.
Larkin—I told you you were entitled to Death Benefit?

Mrs. Murphy—Yes, sir.
Larkin—They refused to pay you?

Mrs. Murphy—Yes.
Serjeant Hanna—This document is irrelevant.

Mr. Larkin—I insist on them going in, I want them marked as evidence.

Serjeant Hanna—I object, my lord.
Larkin—I ask for the Finance Rulings Book to be put in and marked.

Master of the Rolls—No Finance Book except the one before us.

Larkin—I ask for it to be put in now for the years 1918-23.

Master of the Rolls—Have you any objection to that going in?

Serjeant Hanna—My lord, we have nothing to conceal.

Larkin—I desire to put in the "Voice of Labour" for 9th February, 1914.

Hanna—My lord, I object.
Master of the Rolls—You will not put it in, it is not evidence.

Larkin—I must take your refusal, my lord, but I object. This paper is alleged to be the official organ of the Union.

Larkin—I ask for the Annual Returns to be put in of the Union, 1917/23, which I believe are in your possession.

Master of the Rolls—Do you mean the returns made to the Registrar?

Larkin—Yes, my lord.
Master of the Rolls—The returns in this book commence with the 31st December, 1912. I suppose the whole of that book might go in?

Larkin—Yes, my lord. There is further returns, my lord.

Hanna—There is a gap in that book, my lord.
Master of the Rolls—Wait a moment.

Returns for 31st Dec., 1912; 31st Dec., 1913. No returns for the years 1914-5-6.

Returns for 31st Dec., 1917, 1918, 1919, 1920, 1921, 1922.

Larkin—I would call your attention to the fact that in 1917, in the Statement of Assets, no mention of any property of the Union appears, and in the 1918, 1919, 1920, 1921, 1922 there is no statement, although bound by the Treasury to put in a detailed statement of all expenses in reference to political expenditure.

Master of the Rolls—I think that is admitted.
Larkin—I would call your attention to the "Voice of Labour."

Master of the Rolls—I cannot hear the "Voice of Labour."

Larkin—You will listen now to the voice of organized labour.

Master of the Rolls—I refuse to take it.

Larkin—I think everybody should refuse to take it.

Mr. Larkin calls for Senator Michael Duffy. Not in Court.

Mr. Larkin calls for Mr. Michael Ryan. Not in Court.

Mr. Larkin calls for John Hill. Not in Court.

Master of the Rolls—Have you served Subpoenas on these men?

Larkin—I have seen them in Court on different occasions.

Larkin—I am informed Duffy was in Court a few minutes ago, can I call him when he comes into Court again?

Master of the Rolls—No.

Larkin—I ask to be put in and called for the Partnership Deed between Thomas Foran and James O'Neill, now in Mountjoy gaol.

Hanna—We have no such document.

Larkin—I will have it here this afternoon. I have sent for it to the Solicitor.

Master of the Rolls—If it is here in time you can tender it.

Larkin—I will tender it with your permission.

Master of the Rolls—Go on.

I want two affidavits put in, one sworn by John Bohan and the other by John Davis, on 23rd June, 1923.

Master of the Rolls—Show them to me.

Hanna—These are affidavits sworn on behalf of Mr. Larkin. Mr. Bohan is a living man and can be produced.

Master of the Rolls—These affidavits are not in evidence.

Larkin—You refuse them, I tender them.

John Bohan, T.C., called and sworn.

Larkin—You are Secretary of No. 3 Branch of Thomas Street?

Bohan—Yes.
Larkin—Did you sign an application for registration of the Rules? Alleged to be the Rules, on 2nd June, 1923?

Bohan—I do not follow your question.
Larkin—Did you sign a document applying for registration?

Bohan—I signed a form.
Larkin—Would it be on the 1st June, 1923?

Bohan—About that date.
Larkin—Where did you sign that document?

Bohan—In Thomas Street.
Larkin—Were you instructed by the members of your branch either by meeting or by resolution of ballot vote to sign such?

Bohan—No.
Larkin—Any meeting called of No. 3 Branch in 1923 to revise the Rules?

Bohan—No.
Larkin—You did not get instructions to sign these Rules?

Bohan—No.
Larkin—Were you requested to sign them?

Bohan—Yes.
Larkin—Who requested you to sign those Rules?

Bohan—An Executive Officer—Thomas Kennedy.
Larkin—You believed he was a member of the Executive?

Bohan—Yes.
Larkin—Is this the Minute Book of No. 3?

Bohan—I do not know.
Larkin—Look at it down at the bottom of the page. Did he, Kennedy, make a request that the Committee should sign a Book of Rules alleged to be the Revised Rules of the Union?

Bohan—No.
Larkin—What did he do? Did he take any

Bohan—No, he conversed with a man called Hanratty then in the chair and asked for a letter to be read.

Larkin—Was the letter read?

Bohan—I believe it was.
Master of the Rolls—Read the minute.

The witness read the minute of meeting of 31st May.

Larkin—How many present at the meeting?

Bohan—I think there was a full attendance.
Larkin—Were there ten there?

Bohan—Yes.
Larkin—How many members of financial standing in June last year?

Bohan—Approximately about 6,000.
Larkin—Any instructions given to that Committee by the 6,000 members?

Bohan—I may state from memory I believe the previous year there was an Advisory Committee to be formed to prepare Rules and have them re-drafted, and your humble servant was appointed by the Branch.

Larkin—There was a meeting called for Sunday, 3rd June, for the purpose of dealing with the matter of the rules and other matters in the Olympia Theatre?

Bohan—I would not say which Sunday, whether the 3rd or 10th.

Larkin—There was an intention of holding a meeting to discuss rules and submit revised rules, here in this minute, a report of the General Meeting of the Branch members, June 10th, 1923.

Hanna—The Rules, my lord, were registered on the 2nd June.

Larkin—I will show how the Rules were registered: Master of the Rolls—What is the minute?

Larkin—In the form of a report, my lord. (Minute or report read.)

Hanna—Out of which there are three slander actions arising!

Larkin—Which will be tried by a Jury.

Larkin—Mr. Bohan, on the Friday previous to the 2nd June did Mr. Kennedy come to the office of No. 3 Branch?

Bohan—Yes.
Larkin—Who was present on that occasion as far as you recollect?

Bohan—When he entered the office there might be others there, but I know I was there, myself.
Larkin—Did Kennedy speak to you?

Bohan—Kennedy spoke to me with reference to the signing of a certain document.

Larkin—What was the document?

Bohan—Something in connection with the Rules.
Larkin—Did he tell you it was necessary to sign this document?

Bohan—He asked for a man named Hanratty.
Larkin—Did he ask you to sign these suggested Rules?

Bohan—I believe he did.
Larkin—Did you agree to sign them?

Bohan—Well, I mentioned a certain thing.
Larkin—Tell the Court what it was.

Bohan—That it should go before the members for approval, and I was told it was only a matter of form.

Larkin—Of course.
Bohan—They had already been passed by other people.

Larkin—By whom?

Bohan—By the Delegate Conference.
Larkin—He told you there was urgency upon this matter?

Bohan—Yes.
Larkin—Did you ask him why he was getting this document signed?

Bohan—Well, now, I could not swear that, but I know when it was signed there was another document he had not in his possession and he phoned to the office for it; it was a green document. Mr. O'Kelly brought it. He brought it over at a quarter past nine on Friday, 1st June.

Larkin—Did O'Kelly say there was extra urgency about the question of signing these?

Bohan—Yes, that he had to get same by hook or by crook.

Larkin—More by crook.
Larkin—Did you sign that document?

Bohan—I did.
Larkin—Do you believe they were instructed by the members to revise the Rules for 1923?

Bohan—On my oath I believe for years past everything had been done by means of camouflage.

Larkin—Council elected by ballot vote to your branch?

Bohan—No.
Larkin—Was Kennedy acting as Secretary to No. 3?

Bohan—He was.
Larkin—For a long time?

Bohan—During the time I was a guest of His Majesty.

Larkin—Kennedy was acting as an official of No. 3 Branch?

Bohan—Yes.
Larkin—Getting paid?

Bohan—Yes.
Larkin—He was also on the E.C.?

Bohan—Yes, I understood so.
Larkin—Did you know he was?

Bohan—Yes, he led me to believe he was.
Larkin—Was Kennedy also getting paid out of the National Insurance to your knowledge?

Bohan—He may have paid himself from them.
Larkin—Did you know he sent in a bill to the Branch which was reduced because he was getting paid from Insurance and Branch?

Larkin—Do you know if that is Kennedy's handwriting?

Bohan—It is.
Larkin—Sent to you while you were a guest of His Majesty?

Master of the Rolls—Show me that document.
Larkin—I was going to put it in, my lord.

Hanna—I object, this document might be relevant in the slander action.

Master of the Rolls—Have you seen this document?

Larkin—They got a copy of it in discovery, my lord.

Master of the Rolls—Do you object?

Hanna—I object to it.
Larkin—All right, my lord, I only wanted to show that this man was an E.C. Official.

Larkin—Kennedy told you to sign those Rules, and you agreed?

Bohan—Yes.
Serjeant Hanna cross-examining.

Hanna—You have been a member of the Union for many years?

Bohan—Yes.
Hanna—How many years?

Bohan—Since formation.
Hanna—And how long have you been Branch Secretary of No. 3?

Bohan—Well since the Branch became No. 3.
Hanna—The Branch relies upon you?

Bohan—I cannot say how much they relied upon me, but I carried out my duties to the best of my ability.

Hanna—Would you sign your name to a statement that was not true?

Bohan—I do not know what you mean.
Hanna—It is a very simple question; would you sign your name to a statement that was not true?

Bohan—What is a statement?

Hanna—Would you sign your name to a document that was not true?

Bohan—Are you referring to the document for the Registrar? I signed that.

Hanna—Is that the only document you signed that was not true?

Bohan—I could not say. I may have signed documents believing them to be true.

Hanna—It depends upon the document?
Bohan—I could not say.

Hanna—If you put your name to a document that was not true that would be issuing a lie?
Bohan—Yes.

Hanna—You would not do that?
Bohan—I believe not.

Hanna—Look at that document there dated the 31st, and tell is that your signature?

Bohan—That is my signature.
Hanna—Show it back to me for a moment.

Master of the Rolls—Tell me the date the document is.

Hanna—Certificate of Mr. Bohan dated the 31st May, 1923, which reads as follows:—This is to certify that the above Branch No. 3 of the Union adopted the draft of proposed new rules.—Signed, J. Bohan, Branch Secretary.

Hanna—I will have that marked.

Bohan—Let me read it again, Serjeant Hanna. I want to explain. This had to be done, at least we were told by the gentleman who attended there that night and who got the statement on that occasion to have the letter which was sent from

Head Office in order to put the thing in order and it was then I signed.

Hanna—Is this the circular letter of the 9th May?

Bohan—(Reads circular). That is it.

Larkin—Read it out.

Hanna—I will read it.

Bohan—I think I can do that much reads circular letter.

Hanna—How many copies of the Rules did you get?

Bohan—I could not tell you.

Hanna—The Branch Committee that considers these Rules, how is it drawn? Are there representatives from sections of the Branches?

Bohan—Different sections.

Hanna—I suppose there would be ten or a dozen sections?

Bohan—More.

Hanna—Did you receive a copy of that letter

2nd December, 1921?

Bohan—What date?

Bohan—Look at that.

Bohan—No, never got that letter.

Hanna—Where were you then?

Bohan—I was away then.

Hanna—Who was acting in your place?

Bohan—Councillor Thomas Kennedy.

Hanna—When did you return to your duties as Secretary of No. 3 Branch?

Bohan—After Xmas, 1921, I believe.

Hanna—When you came back after Xmas, 1921, did you become aware that this document had been received?

Bohan—I would not swear it.

Hanna—When did you first become aware that they were going to change the Rules?

Bohan—When I got a circular letter in '22 asking branches to appoint a representative for the Advisory Committee to redraft the Rules.

Hanna—You could not tell us the date?

Bohan—It might have been October, as far as I know.

Master of the Rolls—That letter asked your Branch to appoint someone to act on the Advisory Committee?

Bohan—I am not sure of the particular month, but I would say it was October, '22.

Hanna—I want you to come to a more important matter. After October, 1922, and between that and April, 1923 did you become aware of a proposition to hold a Delegate Conference with reference to the new Rules (reads circular letter dated 6th April, '23). In No. 3 Branch do you remember that proposition coming forward?

Bohan—I believe I saw the document.

Hanna—No. 3 entitled to send 7 delegates to the Conference. Now at the Conference we find that the delegates who attended on behalf of your Branch were (reads names). Is that right?

Bohan—Yes.

Hanna—That Delegate Conference was held on the date mentioned—24th and 25th April?

Bohan—I could not say about the 25th. I went the first day and came away after dinner.

Hanna—Did you become aware of this? (Reads resolution).

Bohan—No, I believed it was all wrong, and I believe it still.

Hanna—Did you become aware that a resolution was passed?

Bohan—No, I was not present.

Master of the Rolls—You disclaim responsibility for the resolution?

(Hanna reads minutes.)

Hanna—What position had Brady in your Union?

Bohan—An ordinary member and sometimes chairman.

Hanna—Brady was chairman?

Bohan—He was.

Master of the Rolls—Was Brady at that Meeting?

Bohan—I was with him in the early part of the day but not again. I was not present the second day.

Hanna—Now, it was in pursuance of the resolution of the Conference that you received the circular letter of the 9th May?

Bohan—I could not say.

Hanna—Of course you can.

Hanna—I want to ask you about another matter. Did you ever protest against the funds of the Union being used for Labour representation?

Bohan—It would not have paid me.

Hanna—You did not?

Bohan—I did.

Hanna—When did you?

Bohan—Without effect.

Hanna—Did you object to the funds of the Union being paid for an organized Labour representative?

Bohan—I did not but I wanted the funds segregated from all others.

Hanna—Did you ever object to it?

Bohan—I always did.

Master of the Rolls—Did you ever make any protest?

Bohan—The members did at meetings, my lord.

Hanna—Answer his lordship's question.

Bohan—I was a paid official.

Hanna—Would you be offended if I suggested Mr. Larkin dominated you?

Bohan—No one ever dominated me, neither could you, you tried one time.

Hanna—I do not think so.

Bohan—I withdraw that.

Hanna—I accept the withdrawal.

Hanna—You knew money was being spent as being deposited to by Mr. Foran?

Bohan—Everyone knew it.

Hanna—Your sole anxiety was to get the money segregated for political purposes from the other?

Bohan—My sole anxiety was to see things done as they might have been, but I was prevented from that.

Hanna—Are you aware that in the 1923 Rules a suggestion is made to separate them?

Bohan—I have not read them.

Brown, K.C.—A useful delegate.

Hanna—That is all I have to ask you.

Larkin—(Handing circular letter to Mr. Bohan) Is this an official document from Head Office?

Bohan—Yes.

Larkin—You see where it sets out about irregular payments according to Head Office?

Bohan—Yes.

Master of the Rolls—Give me the date; perhaps you had better show it to me.

Larkin—Yes, my lord (hands up the document).

Master of the Rolls—This seems to be something like the revision of an account of this Branch No. 3 in which certain irregularities in the keeping of accounts were pointed out by the E.C., etc.

Larkin—I want you to look at the fourth page.

Master of the Rolls—Something about War Chest (Master of the Rolls reads circular). What is the date?

Bohan—No date, there was a covering letter with it.

Larkin—You spent money for election purposes and they objected; this money should have been passed into the General Fund and spent out of the General Fund for election purposes?

Bohan—Yes.

Larkin—Did they also call your attention to the fact that Thomas Kennedy had been guilty of taking £57?

Master of the Rolls—Is there anything about that in this document?

Larkin—There is, my lord.

Master of the Rolls—Show it to me.

Larkin—On the back page, my lord.

Master of the Rolls—Yes, that is a tot of several weekly sums, eleven weekly sums.

Larkin—Was O'Brien General Treasurer at the time?

Bohan—He was.

Larkin—Was Kennedy ever called on to account for these sums? Was he prosecuted?

Bohan—No.

Larkin—Had Kennedy any authority to take money out of the Branch funds at that time?

Hanna—I object.

Larkin—You told me you remember the circular letter of 6th April, 1923, re Delegate Conference for the members of the Union. Do you know of any rules in the Rules of 1918 that gave power to any General Officers to call a Delegate Conference?

Bohan—No.

Larkin—Did you elect your Delegates by Branch Committee? How many?

Bohan—Seven.

Larkin—How many on Committee?

Bohan—Ten or twelve.

Larkin—So ten men elected seven men, amongst them two paid officials. Listen to this. (Reads resolution.)

Larkin—Was Thomas Kennedy an employee of Head Office?

Bohan—He was.

Larkin—Were you elected by ballot vote?

Bohan—No.

Larkin—Any opposition?

Bohan—Maybe next time.

Larkin—Did you leave the Conference for any reason?

Bohan—I did, I left the Conference because I did not agree with the procedure.

Master of the Rolls—The ordinary conclusion I would come to would be that you left it for dinner.

Larkin—You left because?

Bohan—Something was done which was irregular.

Larkin—None of your Branch members elected you?

Bohan—No, we elected ourselves.

Larkin—In fact all the delegates who were there elected themselves?

Bohan—As far as I know.

Hanna—I want to ask Mr. Bohan a question to clear this matter up. You do not charge Mr. Kennedy with misappropriation of £57 6s. 6d.?

Bohan—I do not charge anyone.

Hanna—Is this the fact, he was paid this money by the Branch funds for work done for the Branch, and the Head Office objected to him being paid by the Branch as well as being paid by Head Office?

Bohan—He was one of the Head Office people himself.

John Davis called by Mr. Larkin and sworn.

Larkin—Are you a member of No. 3 Branch?

Davis—Yes, sir.

Larkin—Did you sign a document presented to you on 31st May?

Davis—Yes.

Larkin—Who requested you to sign that document?

Davis—Thomas Kennedy.

Larkin—Can you tell his lordship how it came to pass that you signed these Rules. Tell him in your own words.

Davis—What led up to the signing of the Rules. There was a meeting on the Thursday preceding the Friday, a Branch Committee Meeting, as to which house they could get to hold a General Meeting of the members of the Branch. Of course

Mr. Kennedy was there that night and he stated he could procure the Olympia Theatre, and it was agreed that Mr. Kennedy should go the next day and see if the Olympia Theatre could be had for this meeting. By arrangement myself and one or two others were to meet Kennedy on Friday evening in the Transport Union Hall, Thomas Street, to see if he could procure the Theatre for the meeting on Sunday. I left work, went home and went back to the Hall. I went into the Secretary's room. The Secretary was at the desk (Mr. Bohan). When I came into the room Mr. Bohan said he had got a phone message that the Olympia Theatre was got for the meeting. I said "that is good, it will save me from waiting." Kennedy came in. When he came in he asked the Secretary was the chairman knocking about (Hanratty) as there is some rules to be signed. He turned round to me and said are you not Vice-Chairman of the Branch? I said no, never. Vice-Chairman, and he said if you even acted as chairman for the Branch Committee Meetings you will do to sign those Rules. And it was on a book that we signed our names and during the time we were signing he discovered that he had forgotten some document and there was a telephone in the Branch Office and he telephoned to a Mr. Kelly to bring this document to be signed also. So Mr. Kelly came up on a bicycle with the form and, of course, the form was signed also.

Larkin—Do you recognise Mr. Kelly?

Davis—Yes.

Larkin—Did you get any instructions from the Branch Committee or from the members of the Branch to sign that document?

Davis—No, sir.

Larkin—Did Kennedy state it was an urgent matter and wanted dealing with immediately?

Davis—He made a statement that the names had to be got again morning.

Larkin—Did you ask him any question for the urgent need for the signing of these documents?

Davis—No. He stated he had to get some more signatures.

Larkin—Did you know who was Secretary of the Union at that time?

Davis—Yes.

Larkin—Did he say he was instructed by the Secretary?

Davis—No.

Larkin—Did he mention that he had consulted with any of the Officers?

Davis—He stated he came from the Head Office.

Master of the Rolls—Do you want to ask any questions, Sergeant Hanna?

Hanna—No, my lord.

John O'Neill, Secretary No. 1, called and sworn.

Larkin—Did you sign application for registration of Amended Rules for the Transport Union?

O'Neill—I did.

Larkin—By whom were you instructed to sign such application?

O'Neill—Message came from Head Office.

Larkin—Who was the messenger?

O'Neill—Michael McCarthy.

Larkin—Did he give you any information as to Meetings that were held?

O'Neill—No.

Larkin—Did McCarthy tell you to sign the Rules?

O'Neill—He asked me to sign the Requisition for registration of the Rules.

Larkin—Did you read the document? What did it say?

O'Neill—I could not tell you.

Larkin—Did it say that instructions had been given for the registration of New Rules?

O'Neill—Something to that effect.

Larkin—Were you at the Delegate Conference?

O'Neill—Yes.

Larkin—How many are on the Branch Committees?

O'Neill—I could not say—between 25 and 30.

Larkin—Did you summon meeting to discuss revision of Rules?

O'Neill—Yes.

Larkin—Who attended from Head Office?

O'Neill—The President.

Larkin—And also President of Branch?

O'Neill—Yes.

Larkin—Any reference made to a man named Larkin coming back from America?

O'Neill—None whatever.

Larkin—How many members in No. 1 Branch?

O'Neill—12 or 13,000.

Larkin—What was the reason for not calling the members together?

O'Neill—Well, I do not know what was the reason, the matter was before the Branch Committee and the Branch Committee gave no instructions for the members to be called together.

Larkin—Did No. 1 Branch send in amendments?

O'Neill—I believe they did.

Larkin—What were the amendments, you are Secretary?

O'Neill—Amendments in reference to men who got too old for work.

Larkin—How many in Branch Committee when Rules read through?

O'Neill—Well, I suppose 20 or 30.

Larkin—This is also the Meeting which elected delegates to the Conference?

O'Neill—Elected by 80 or 90?

O'Neill—About that.

Larkin—Elected 10 or 12?

O'Neill—12 I think.

Larkin—Was Patrick Martin elected on behalf of the Drug Section?

O'Neill—Have you got the minutes of that meeting?

Larkin—Where can they be found?

O'Neill—In the Hall, possibly.

Larkin—Who elected Spain?

O'Neill—The Furniture Section.

Larkin—There was a meeting of the Furniture Section?

O'Neill—I believe so.

Larkin—Thomas Butler; who elected him?

O'Neill—The Dockers, as far as I know.

Larkin—Do you know of any election of Patrick Byrne, Coal Section, at any time from 1909?

O'Neill—Patrick Byrne, a member of Union previous to 1909, he was a member of the National Union of Dock Labourers, one of the oldest members.

Larkin—I am not asking you that.

O'Neill—As far as I know he was elected by Tedcastle's men.

Larkin—How many other coal firms in the city?

O'Neill—Quite a number.

Larkin—How many members work in Tedcastle's?

O'Neill—I could not tell you.

Larkin—Would there be a hundred?

O'Neill—Yes.

Larkin—Can you produce a document or minute were any of those so-called delegates elected by the members of the Union?

O'Neill—They must have been.

John Doyle called and sworn.

Larkin—Mr. Doyle, you are a member of No. 1 Branch?

Doyle—Yes.

Larkin—Have you been a member since the foundation of the Union?

Doyle—Since 1911.

Larkin—What section do you belong to?

Doyle—City of Dublin Dockers' Section.

Larkin—Do you ever remember a meeting being called in 1923 to revise rules of the Union?

Doyle—No.

Larkin—Do you ever remember a meeting being called to elect delegates to Delegate Conference?

Doyle—No.

Larkin—Do you know what delegate representative was elected to represent the Dockers?

Doyle—No. Never heard of anyone representing the Dockers.

Larkin—Did you ever make a protest against the enforcement of a levy called the 6d. levy or political levy in the Union?

Doyle—I did.

Larkin—Did you ever make a protest about members being deprived mortality benefit?

Doyle—Yes, but I was always hounded down.

Larkin—Mr. Doyle, you worked for years in Ross and Walpole's and you found yourself dismissed? Master of the Rolls objects.

Larkin—My lord, I want to show that this man was victimized because he protested against these Rules.

Mary Kennedy called and sworn.

Larkin—Mrs. Kennedy, was your husband a member of the Transport Union?

Mrs. Kennedy—Yes.

Larkin—You brought his cards after death to the Officers?

Mrs. Kennedy—Yes.

Larkin—They refused you benefit?

Mrs. Kennedy—Told me they could do nothing for me.

Larkin—They wrote you a letter stating you were not entitled to any money under the Rules?

Mrs. Kennedy—Yes.

Larkin—You came to me at a later stage and I told you that you were entitled to Mortality Benefit.

Mrs. Kennedy—Yes.

Larkin—Master of the Rolls—When did your husband die?

Mrs. Kennedy—3rd April, 1923.

Larkin—You were refused your money by the Officers of the Union?

Mrs. Kennedy—Yes.

Mrs. Catherine Christian called and sworn.

Larkin—Mrs. Christian, will you try and speak up? Your husband was a member of the Transport Union?

Mrs. Christian—Yes.

Larkin—When he died you went to claim the Mortality Benefit under the Rules and you were denied it?

Mrs. Christian—Yes.

Larkin—What amount did he owe over the 8 weeks?

Mrs. Christian—I do not know.

Larkin—Did they tell you that he owed 1d. and refused to pay you?

Mrs. Christian—Yes.

Larkin—Did you instruct Messrs. William Smyth & Son of 29 Lr. Gardiner Street, Dublin, to proceed?

Mrs. Christian—Yes.

Larkin—My lord, I could call a number of witnesses who have been refused Mortality Benefit, but I will not trouble the Court.

(Adjourned until after lunch.)

Resuming—Meleady called and sworn.

Larkin—Any meeting, as far as you know, of the Coal Section to elect Delegates to Conference?

Meleady—No, sir.

Larkin—As a matter of fact, the membership was ignored?

Meleady—Yes.

Larkin—Did you make any protest against a quarterly levy?

Meleady—K. did.

Larkin—Did you ask them to mark it down in a proper way and did they refuse and say they would mark it down as they pleased?

Meleady—Yes, as they pleased.

Larkin—On every occasion they held a meeting when you were at liberty to attend, did you attend?

Meleady—Yes.

Patrick Lennon called and sworn.

Larkin—You worked for years as a carter in the City of Dublin?

Lennon—Yes.

Larkin—Did you know at any time of a meeting being called of the section of carters to elect delegates?

Lennon—No.

Master of the Rolls—What Branch do you belong to?

Larkin No. 1 Branch, my lord.

Lennon—Yes, sir.

Larkin—Did you instruct by a meeting anybody to sign a Requisition for registration of amended Rules?

Lennon—No.

Larkin—Did you make any protest against the enforcement of this 6d. political levy?

Lennon—Yes.

Larkin—Did you ever ask what the levy was for?

Lennon—Yes. When I went to pay up my card it was brought forward as arrears. I objected to pay it and took back my card and on the following Sunday I did pay under protest.

Larkin—You were brought into arrears because you refused to pay this political levy?

Lennon—Yes.

Larkin—Have you your card with you?

Lennon—I have a new card.

Larkin—Are you an original member of the Union?

Lennon—For about 13 years.

Larkin—Did you drive for the firm of Wallis for 9 years?

Lennon—I did.

Larkin—You were put into the casual section?

Lennon—Yes.

Larkin—How many years were you in the R.I.C.?

Lennon—20 years.

Larkin—You have always tried to work and earn your living?

Lennon—Yes.

Larkin—Do you object or did you object to these individuals, such as are on the Executive, using the funds of the Union for their own advancement?

Lennon—I made protest and went to the Assistant Registrar's office.

Larkin—And drew his attention to the fact that the Rules were not the Rules of the Union?

Lennon—Quite true, my lord.

Larkin—Net my lord yet.

Cross-examined by Serjeant Hanna.

Hanna—What section do you belong to?

Lennon—No. 1 Branch.

Hanna—What section?

Lennon—I am on the card entered in Liberty Hall as a casual.

Hanna—You were at one time a sergeant in the R.I.C. were you dismissed for forgery?

Lennon—I was not dismissed at all.

Hanna—How did you come from being a sergeant in the R.I.C. to a labourer?

Lennon—I was called upon to retire.

Master of the Rolls—Have you a pension?

Lennon—I have not, my lord.

Hanna—So much for the credit.

Lennon—What section are you in?

Lennon—I am in the casual section.

Hanna—Did your section elect a member for the Branch Committee?

Lennon—I could not tell you, I was idle.

Hanna—Who represents your section?

Lennon—I could not tell you exactly.

Larkin—You are a casual carter?

Lennon—I am.

Larkin—You objected to being put into the casual section?

Lennon—I did.

Larkin—You were only one of thousands who resigned from the R.I.C.?

Hanna—He did not resign.

Larkin—He did his duty in times that were necessary.

James Mitchell Sworn.

Larkin—What are you by occupation?

Mitchell—a motor mechanic.

Larkin—Do you belong to the motor Section?

Mitchell—Yes.

Larkin—You also represented your section on the so-called Committee?

Mitchell—Yes, on the Section Committee and also on the Branch Committee.

Larkin—How were you elected on the Section Committee?

Mitchell—By the Section. By our own Section.

Larkin—Was there a ballot paper issued?

Mitchell—No open vote, show of hands.

Larkin—You were on the Section Committee and then on the Branch Committee?

Mitchell—The first thing was the Section Committee met and I was delegated to the Branch Committee.

Larkin—Were you elected or anyone elected to represent the Motor Section of the Union at a meeting of the members?

Mitchell—No.

Larkin—Did you at any time go to a meeting summoned to elect a delegate of the Motor Section?

Mitchell—No.

Larkin—Did you at any time go to a meeting summoned to elect delegate of the Motor Section?

Mitchell—No.

Larkin—Any ballot papers issued?

Mitchell—No.

Larkin—Ever voted at a meeting?

Mitchell—No.

Larkin—Did you elect or assist to elect a delegate to an All Ireland Conference in May of 1923?

Mitchell—Never heard of it. As a matter of fact I raised a protest and a sectional meeting of the Branch Committee met about these new rules as no one in the Motor Section heard anything about these rules until they were handed to me in book form.

Larkin—Were you at a meeting alleged to have adopted this revision of Rules?

Mitchell—I was.

Larkin—How many delegates present?

Mitchell—About 22.

Larkin—Did Foran sit there?

Mitchell—Yes, I believe he was there that night.

Larkin—Who was in the chair?

Mitchell—Mr. Butler in chair.

Larkin—What did Mr. Foran tell you?

Mitchell—As far as I remember the Rules were just mentioned. When I went into the Committee meeting a Book of Rules was put into my hand for the first time. I did not open the book nor look at them and there was a proposition put that the Rules were passed.

Larkin—When were you asked to vote on them?

Mitchell—There was a motion put to pass these Rules and I objected to the passing of the Resolution as I never heard anything about them. I went there to represent the Motor Section. I would not take any part in the passing of the resolution. I objected and would not vote.

Larkin—Did you make any objection to paying this 6d. quarterly levy?

Mitchell—No.

Larkin—Do you agree that this particular levy was a political levy?

Mitchell—Well, I believe it was.

Larkin—Do you agree that certain individuals are spending the money of the Union on what they call "labour representation" without the knowledge of the members?

Mitchell—It is commonly known.

Larkin—Do you agree to it?

Mitchell—I do not agree, I have denounced it.

Larkin—Do you agree that these are the Rules of the Transport Union as amended?

Mitchell—They never came before our section.

Cross-examined by Mr. Brown, K.C.

Brown—You were at the meeting of the Committee that passed these Rules?

Mitchell—Yes.

Brown—How many other members present?

Mitchell—About 22.

Brown—How many others objected?

Mitchell—I was the only one objected.

Brown—One among so many.

Brown—How long have you been a member of this Union?

Mitchell—Since December, 1922. We went over in a body from the Motor Drivers Union.

Brown—How were you qualified to get on this Committee?

Mitchell—I was there as a full benefit member qualified and entitled under the Rules of the Union.

Brown—Did you know that the Committee of No. 1 sent in a number of amendments to those Rules?

Mitchell—I am telling you honestly I never heard or seen the Rules until they were put into my hand.

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(To be continued in next week's Issue.)

DOINGS IN THE STATES

NEW YORK, Feb. 22nd.

Washington.

To-day the workers and drones are idle because of the birth of the "Father of his Country," who cut down a cherry tree but "could not tell a lie" when his father asked of his misdeed.

Washington, however, in later life laid the foundations of a nice family fortune when acting as surveyor. Several hundred acres were missing or lost, when the Government maps were made, and these lost acres became the family demesne and fortune of Washington, the land surveyor, later the first President of this "democracy."

An Irish Consul.

Desmond Fitzgerald went through the farce of demanding that a Consul and Ambassador for the Twenty-Six County area be received at Washington, but the Washington official statement points out this is a purely domestic affair that must be settled by the British Colonial Office.

Canada, or Australia, or South Africa never had an ambassador or consul here. The British Consulate is a very up-to-date organisation and attends to all affairs connected with the British Empire, which fact Fitzgerald and his Cabinet should realise.

During the years of the Republic a very efficient Consular office was opened here by Dail Eireann which functioned like all foreign consulates and gave information and samples to American business men and built up a very considerable trade. It also opened up the Moore McCormack line of steamers to Irish ports.

It was closed down after a spectacular siege and fight for its possession between Lindsay Crawford and the late Larry Ginnell and Muriel McSweeney.

Crawford, by Court aid, obtained possession for the Free State and has since closed it down, opening a smaller office in another part of the city.

Joe Connolly, the last Consul of the Republic, has opened up a textile import agency.

Immigration Quota.

Application was also made by the Free State for a separate quota under the immigration regulations. Presumably the idea is that the Free State Cabinet will be free of its troubles if the million or more Republicans could be forced or asked to emigrate.

A brilliant solution, moryah! Depopulate Ireland and increase the acreage of grasslands, so that more cattle can be raised for English consumption.

Fall of the Franc.

Workers view the collapse of French currency as foreshadowing the end of the Poincare regime and increase of "reds" at the April elections.

Jim Connolly's Murderer.

General Maxwell, who ordered Jim Connolly propped up on a chair so that he could be shot, is in this country fraternising with the one-time Irish leaders. This week he is staying with Senator John D. Phelan of California, member of the Association for recognition of the Irish Republic.

FOR SALE

Medium size morning coat and vest, also striped trousers, suitable for a Senator. Will be sold cheap. X.Y. this Office or the Office of the Dublin Employers' Protection Association.

IRISH WORKER LEAGUE

Usual weekly meeting on Sunday next at Eight o'clock, Trades' Hall. Come and bring a recruit.

IRISH WORKER LEAGUE

LONDON READERS PLEASE NOTE.

A London Group of the Irish Worker League has been formed. Open meetings, Sunday, March 9th and 23rd, 7.30, at Central Southwark Labour Centre, 124 Walworth Road, S.E.

"Irish Worker" is On Sale :-

NEWSAGENTS

- Battersea - A. Tolman, 54 Battersea Rise.
- W.C. - Communist Party, 16 King Street.
- E.C. - Workers' Dreadnought, 152 Fleet Street.
- Plumstead - O'Sullivan, 154 Plumstead Road.
- East Greenwich - Johannes, 11 Blackwell Lane.
- Deptford - Latter, Catholic Church.
- Lewisham - Catholic Church.
- Bermondsey - A Mallandain, 19 Parker Row, Dockhead.

Voluntary sellers wanted. Also members. Write :- Hon. Sec., Irish Worker League, above address.

IF YOU BELONG TO THE IRISH WORKING CLASS IN ENGLAND

READ "THE WORKERS' DREADNOUGHT."

The only paper in England that stands for Irish Freedom, economic, political and social. Can be had at all Newsagents, or from "THE MANAGER," The Workers' Dreadnought, 152 Fleet St., London, E.C.

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First Production of "JUNO AND THE PAYCOCK." A Tragedy in 3 Acts, by Sean O'Casey.

Booking at Theatre. Phone 3268.

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We are helping to fill the stomach of the Irish working class, so that they also may march forward.

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PRICE LIST.

- Sardines 3d. per tin
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IN DUBLIN AND VICINITY

WILL ASSEMBLE IN

BERESFORD PLACE

On Sunday next, at 12 o'clock

AND MARCH IN PROCESSION TO COLLEGE GREEN

Prominent Speakers will address the Meeting

We asked for Work or Bread. They gave us a Stoney Stare and a Speech from Joe McGrath.

GOD HELP US!

BANDS INVITED TO ATTEND. 12 o'clock

TO SUBSCRIBERS.

If there is an X in this square your subscription has expired. Please renew.



Do a good day's work for yourself and your class.

Fill up these forms and send them to us.

SUBSCRIPTION FORM.

THE MANAGER, "IRISH WORKER," 17 GARDINER'S PLACE, DUBLIN. Enclosed please find 10/-, 5/-, 2/6 being one year's, half-year's, quarterly subscription to "Irish Worker."

Name.....
Address.....

IRISH WORKER LEAGUE.

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THE SEC., I.W.L., 17 GARDINER'S PLACE, DUBLIN. I desire to join the Irish Worker League and enclose One Shilling for Entrance Fee. I agree to pay..... weekly.

Name.....
Address.....

ST. BRENDAN'S G.F.C.

Second Grand Annual Dance

Will be held in

THE BANBA HALL

On Saturday, 15th March, 1924

Nappers' String Band. :: Dancing 10.30 p.m.

TICKETS (DOUBLE) ... 12/6

Printed by THE GAEELIC PRESS, 21 Upper Liffey St., Dublin, for the Proprietor and published by him at 17 Gardiner's Place, Dublin.

THE IRISH WORKER

AN T-OIBRÍDE ZAODLAC

Edited by JIM LARKIN

No. 36. NEW SERIES.

(Registered at the G.P.O. as a Newspaper.)

SATURDAY, MARCH 15th, 1924

TWOPENCE

GRATITUDE

A woman in County Armagh brought a family into this world. One son fought for the Empire and died in France. A grateful Empire granted the mother a miserable pension. Another son, a refugee from Ulster, joined the National Army and is still in the service, though on the eve of discharge due to injuries sustained in the service.

The mother, 90 years old, in addition to Empire pension has been receiving the Old Age pension. The father, still living in Co. Armagh, also receives Old Age pension. The mother, a daughter, and a grand-daughter, suffering from cataract in the eyes, exist on the Old Age pension plus Empire pension plus allotment for grand-daughter—making £1 3s. 7d., out of which they pay 15/- per week rent. And now a grateful Free State notifies this woman of 90 years of age that they must take the Old Age pension from her, and they also intend to stop the seven shillings separation allowed to the grand-daughter.

FOR SALE—AN OBSERVATORY.

A woman, four children and a man (a worker) are to be evicted from what the eviction notice humbly calls "a premises" in Townsend Street. This woman was born in these premises—two rooms, with entrance top, bottom and sides. When the door is closed the roof is open. It would be a great observatory, and the astronomer could lie in his bed and watch the stars wheeling in space. The premises have been condemned for the past six months and the tenant has sought far and near for an abiding place. No rooms, no resting place, though any hour may bring the walls and what remains of the roof in on them. It is easy for the Public Health Authorities and Borough Surveyor to order the place to be closed and dismantled, but it seems impossible for any Board or official to provide this working man, his wife and four children with a room or rooms to abide in. Yet, strange it is that many houses are lying idle and untenanted within a stone's throw of these premises so unfit for human habitation. We are a great country, a great people. We say so!

"THE TOOL" AND THE CRAFTSMEN.

On the morning of Thursday, 13th March, at 8 o'clock, a man called Gaffney was hanged as an offering to Justice and in punishment of the crime of murder. The crime, the trial, and the judgment have passed, but still remains the cause.

This man Gaffney was first armed by a Government. Gaffney was sent out to kill for a State and he killed. Gaffney was the tool. The tool was used by the State and then cast aside. Killing by the individual is murder, but by the State is justice. When are we going to be rid of this Capital Punishment.

ANOTHER BOGUS TRADE UNION CONGRESS

Irish Transport and General Workers' Union.

Offices: 35 Parnell Square,
14th March, 1924.

To the Secretary of the Branch
named in the address.

SPECIAL TRADE UNION CONGRESS.

A Chara, —A Special Trade Union Congress will be held in the Mansion House, Dublin, on the 14th and 15th inst., commencing at 3 p.m. on the 14th. The purpose of the Congress is to consider questions deferred from the Annual Congress held in August last, and suggested alterations in the Constitution of the Irish Labour Party and Trade Union Congress.

Owing to the great demands on the funds of the Union, arising out of past and pending industrial disputes, the E.C. does not feel justified in paying the expenses of the Union delegates to this Special Congress.

The Union will be represented there by the Executive members, and Branches wishing to send representatives, must do so at their own expense. Should your Branch desire representation we would be glad if you would forward us the names and addresses of the delegates selected by, at latest, the 10th inst.

Yours fraternally,

EXECUTIVE COMMITTEE,
I. T. G. W. UNION.

RESOLVED THAT:

We, the Committee of No. 3 Branch, having been called together by the Secretary to deal with urgent and important matters contained in a circular letter dated March 4th, and received in the office, No. 3 Branch, Friday morning, March 7th. Having read the circular letter and the matters contained therein, we now enter our emphatic protest against the manner in which these important matters are submitted to our consideration. It would be utterly impossible to submit these matters for consideration and action by the members of this Branch, we therefore call upon those members charged with executive duties to postpone this special Congress until such times as the members of the Irish Transport Workers' Union are given facilities within the Rules of the Union to express their opinion on matters which affect every individual member, and we also protest against any member of this Union attending at or taking part at any special Trades Union Congress without the authority of the Union or approval of the general body of the members. We further call attention to the fact that the Irish Trades Union Congress is a body charged with and exercising political activities and any member of this Union, executive or otherwise attending Congress is committing an illegal act, and any expenditure at such

Congress is an illegal expenditure. And, we, the Committee, will call upon the members of No. 3 Branch to take such action as will protect them against such illegal action. Copies of this resolution to be sent to the public press, Voice of Labour and Irish Worker.

Proposed by Patrick Carroll; seconded by Patrick Norton.

The Resolution was passed unanimously.

To the Editor, "Irish Worker"
(Copy.)

Irish Transport and General Workers' Union.

Head Office: 35 Parnell Square,
Dublin.

10th March, 1924

John Bohan, T.C.,
Dublin No. 3 Branch.

A Chara,

RE SPECIAL CONGRESS.

We have your letter of 10th inst. to-day re above.

We are quite aware that the notice given with reference to the above was very short, but we only got short notice of the meeting ourselves, and the matter had to wait on E.C. meeting before we could communicate with the branches, and owing to the legal proceedings the holding of this meeting had to be deferred. The date for sending in names of delegates is fixed by the National Executive of the Labour Party and not by us.

Yours fraternally,

IRISH TRANSPORT AND
GENERAL WORKERS' UNION,
6 FB., per Wm. O'Brien.

SLAUGHTER OF THE INNOCENTS.

We print a letter from a foster-mother in this issue. We have spoken with the woman; we believe every word written by her to be true. She, it seems, is sensible of her responsibilities and filled with maternal love for this foster-child. She was in terrible trepidation for fear any serious ill would befall the child entrusted to her care. Yet we find, according to her statement, the callous indifference of those who are charged with the supervision of the health and welfare of this unwanted child. The citizens pay this foster-mother thirty shillings per month to feed, clothe, and get the necessary medical attention for this infant. Is not this a case of Pilate repudiating his blood-guilt.

1 Rutland Cottages.

11/3/24

Dear Sir,—I read with much interest your article on nurse children and their mothers. I want to ask you, if you please, to publish the treatment that is meted out to foster mothers when those children are ill. I have a nurse child and it took ill on December 20th. I sent for doctor at 7 p.m., he had not come at 9 p.m. On advice of a friend I went

CONNOLLY PROVES O'BRIEN A DELIBERATE LIAR

JOHN NOLAN'S Evidence.

(Continued from our last issue).

Larkin—Did you at any time know of a meeting of the Sailors' and Firemen's Section to elect a delegate to the Branch Committee?

Nolan—Never.

Larkin—Did you ever hear of an election of a delegate to an All Ireland Conference?

Nolan—Never.

Larkin—Did you ever hear of any Rules being revised and sent out to be voted on?

Nolan—Never seen them.

Larkin—Were you going to sea any time during the period between May and August, 1923?

Nolan—Backwards and forwards twice a week.

Larkin—Did you ever hear any of the men discussing the new Rules of the Union?

Nolan—Never.

Larkin—Did you make any protest against paying a quarterly levy?

Nolan—No, never did.

Larkin—Do you agree that these men charged with the responsibility of the Union should be permitted to take the funds of the Union for political purposes without your permission?

Nolan—No.

Serjeant Hanna cross-examining.

Hanna—Have you got a secretary for your section?

Nolan—No, the man who acts as secretary is Mr. O'Neill.

Hanna—Who acts as secretary for the Sailors' Section?

Nolan—None.

Hanna—And do you hold any meetings of the Sailors' Section?

Nolan—We call them ourselves.

Hanna—Who represents the Sailors' Section on the Branch Committee?

Nolan—I do not believe we have anyone.

Hanna—Why have you none?

Nolan—Because we would not get one.

Hanna—Did you hear the evidence of Mr. Bohan? Is your branch conducted by No. 3?

Nolan—We are a section on our own in No. 1 Branch.

Hanna—No representative on Branch Committee?

Nolan—Not that I know of.

Hanna—When did you come into the Union?

Nolan—About two and a half years ago.

Larkin—How many years have you been a member of the National Sailors' and Firemen's Union?

Nolan—From 1911.

Larkin—Have you always been a Union man?

Nolan—Yes.

William Fitzgerald, Cross-Channel Dockers, called and sworn.

Larkin—You are an original member of this Union?

Fitzgerald—Yes.

Larkin—Working for years at the Docks in Dublin?

Fitzgerald—25 years, for two firms.

Larkin—Do you know of any meeting of your section being called to elect members of No. 1 Committee?

Fitzgerald—No.

Larkin—Do you know of any meeting called for the purpose of electing delegates for All Ireland Conference?

Fitzgerald—Never.

Larkin—Did you ask anyone to vote on revision of Rule Book?

Fitzgerald—I protested against it.

Larkin—Did you make a protest which caused you some little trouble?

Fitzgerald—I was victimized from work for months.

Larkin—Did you protest against unfair treatment?

Fitzgerald—Yes.

Mr. Larkin Sworn.

My lord, I want you to bear with me while I go over the various matters.

I left this country on the 14th October, 1913. I left after discussion with my comrades, one of them a man now dead—James Connolly. I went from this country with a purpose, on a mission in two parts, one to convey a message to America as to the position of the Irish working class, the other to assist in the liberation of this country from the Empire.

When I left Ireland there was an Executive in control of the Union, an elected Executive. I am No. 1 in No. 1 Branch, and I am in this Court as a member of the Union as well as Secretary of the Union. James Connolly was Ulster Organizer—he was called in upon my leaving for America

and given charge of that portion of the work including the industrial and literary side of the movement. P. T. Daly was given charge of the management of the National Health Insurance Section. Mr. Foran worked under Mr. Daly and got dismissed by Mr. McMahon, one of the Commissioners of the National Health, for incompetency and was taken over as a Junior Official in the Union, although he still held the position of General President of the Union, in those days the General President was a working man and the General Treasurer was a working man, the General Treasurer got £20 a year, the General President got nothing and the General Secretary was paid. No official ever received any more money than they would have received as workers. I had £9 19s. a week. On many occasions the members voted me an increase in my wage, but I always insisted on getting the wage I first got in the Union. During the years 1909-13 we went through great travail in this country, and the life led by a member of the Irish Transport Union was a particularly trying one. During those years I did my duty honestly and with all sincerity and in the interests of the members. The last time in 1913 that I made an annual return to the Registrar was when the members audited the books of the Irish Transport and General Workers' Union, one of the men, James Smith, has been in this box and the other man was Casey. It is the work of a professional accountant but under the Rules these two men, Smith and Casey, were elected under Rule 1 left the accounts of the Union, as far as I know, with every penny accounted for. The statement I submitted to Mr. O'Connell Mile in 1914-Fran prepared to stand by in any Court of Law as true and correct.

When I went to America many things happened. During my period of work in America a law was passed by the British Government that James Larkin was never to be allowed within the King's Dominion—the same thing happened in Australia and the same in Canada. I was prevented from ever coming back until things had changed in this country. My wife and children were here and all the interest of my life lay in Ireland. I was not allowed any communications, and anything that did come through came in secret. One of the letters is in discovery, a letter from James Larkin to his wife in 1915. That letter was kept from her until it came out in documents under discovery in 1924. I left Foran in charge of my family and I always believed he was acting as a friend.

Mr. Brown, K.C. addressing the Court.

I want to deal very shortly with the matters raised by Mr. Larkin's action. The first charge made against the Defendants is in reference to moneys of the Union which were spent for political purposes.

You got a full history of the expenditure of the Union funds for political purposes from Mr. Foran yesterday; he concealed nothing, he had nothing to conceal. But there is this good excuse, that in justification for this political expenditure, although it was illegal it was sanctioned by the Rules. It was only decided to be illegal although it was always illegal. It was only decided in the Osborne Judgment. The decision in the Osborne case was in the year 1910. Up to then, although expenditure on political purposes had been illegal, every Trade Union, practically every Trade Union in England believed it to be legal, and most of them were spending a certain portion of their funds for those purposes.

Here in Ireland legal decisions in England take a long time to filter through, and it was not until the year 1918 that it began to be established over here that the expenditure of Union funds on political purposes was not legal.

Now, my lord, the only expenditure after 1918 was the expenditure on the election of 1922, the details of which Mr. Foran gave you yesterday. If your lordship will look at the dates you will find that roughly the history of the expenditure is this:

In May, 1911—Expenditure on Poor Law Guardian Election.

January, 1912—Election for Dublin Corporation.

Larkin, Foran and Hopkins, expenditures on the three were paid.

September, 1912—Bohan expenses paid.

January, 1913—Expenses paid.

January, 1914—Foran and Daly—expenses paid.

May, 1914—Poor Law Guardian—Della Larkin, Bohan, etc., etc. all expenses paid.

There is nothing until 1922. No expenditure in 1918. Not another penny spent for political purposes. There was an election in 1920 in which the expenses were paid by Branch funds, not out of the General Fund. Now, that is the entire history of the political expenditure out of the Union funds.

Of course, my lord, there is no defence in law to this expenditure, and Mr. Larkin would be

entitled to his Declaration, he has asked for a Declaration, that this expenditure is illegal, and he is entitled to it; he would be entitled to a Declaration that certain monies were expended for political purposes, that these were illegal expenditures. But I respectfully submit to your lordship that he is entitled to no more in this action than that Declaration.

He is not entitled to an enquiry in this action because the only object for an enquiry would be for the purpose of personal liability. If he had asked for personal relief against Defendants in this case he would have been entitled to an enquiry. His Statement of Claim has been settled by three eminent Counsel who must have carefully weighed it before they put their name to the prayer, and in that Statement of Claim they would have claimed personal relief against the members of the E.C. if they could have done so. But they have deliberately omitted to do so because they recognised that the litigant would not be entitled to an Order of that kind. If the Union itself had been Plaintiff there might be something to be said. Mr. Larkin is the sole Plaintiff in this action and surely it cannot be suggested that he is a Plaintiff who would be in a position to ask for relief of this kind. He knew all about it, as Mr. Bohan said "everybody in the Union knew about it," and I would therefore ask your lordship, although he is entitled to this Declaration, he is not entitled to any other relief in respect of monies spent for political purposes.

Judge—In the years 1913 and 1914 he was quite cognizant of this expenditure.

Mr. Brown—And in 1922, my lord, although he refused to stand he knew the election was going on.

The Master of the Rolls then referred to a cable sent by Mr. Larkin to Mr. Foran in which he stated he was forwarding money, and from this he would take it that Mr. Larkin did not wish the Union money to be spent. But this money was not forwarded; he was not nominated, so no expenses were incurred at that time.

Mr. Brown, K.C.—There was a blank of several years, 1918-22, when not one penny of the Union funds were spent on political purposes.

Master of the Rolls—There was an election in 1922.

Mr. Brown, K.C.—Mr. Larkin was put up without his knowledge and on the very last day he declined to stand. He never at any time protested against the funds of the Union being used for political purposes.

Although these monies were undoubtedly illegally spent, there never was a levy for political purposes. No one has been deprived of any benefit. This levy of 6d. was not a political levy, it was a levy that would have to be paid under the Rules. No member of the Union has been deprived because they refused to pay a political levy.

Master of the Rolls—I understand that the funds produced by the quarterly levy went into the same fund as the weekly payments, it is merely a supplement to the general funds of the Union.

I speak of the Rules of 1918. I know nothing about the 1923 Rules.

Mr. Brown—No doubt it may seem hard that widows were refused benefit because their husbands were in arrears.

Master of the Rolls—I do not know what the Officers of the Union could do if they had no claim on the funds of the Union and if the Officers of the Union made payment, they would be illegal payments, and I have not noticed any rule in any of the rules giving authority to remit the arrears. It is hard when a member comes to die to find that he has fallen into arrears, but it is the rule.

Mr. Brown, K.C.—With reference to this sum of £7,500, the facts are these which have been practically proved by Mr. Foran. Towards the end of the year 1913 the funds of the Union were in a critical condition. The lock-out of 1913 had then lasted for more than six months, and the finances of the Union were almost exhausted only the sum of £7,500 which had been collected from week-out of contributions from various funders, and Mr. Foran and Mr. O'Neill who was the Secretary of No. 1 Branch, had come to the conclusion that if the Union was to live or to exist through the period which they knew perfectly well would come as soon as the lock-out was over, the only chance of putting the Union through these anxious times was to reserve this sum of £7,500.

They had this sum of £7,500 in money in the safe in Liberty Hall, and they did conceal the amount of that fund from Mr. Larkin because they knew that Mr. Larkin had a habit of spending money on the members of the Union in a rather lavish way and was not good at saving. They made up their minds not to tell Mr. Larkin about this. When Mr. Larkin came to enquire from them about this fund they told him they had but were not going to tell him the amount of it. Mr. Larkin knew in 1913 that

his fund was there. He must have known perfectly well it was the sole fund of the Union at the end of this trouble, and he was satisfied that the Union was safe. Every penny of that £7,500 has been expended either on the members of the Union or for their benefit.

A sum of £1,800 was spent in the Xmas week of 1913 which I think was called a mid-week payment, a payment which was announced by Mr. Larkin, and they had to honour his word and had to hand out this £1,800 which they would rather have kept in the safe.

Master of the Rolls—Was this Christmas of 1913? Mr. Brown, K.C.—Yes, my lord.

There was now a sum of £5,700 in the fund now, and if your lordship will allow me to look at the figures not quite in order, I will explain—

On the 23rd April, 1914, the whole of the rest of the fund was put on Deposit Receipt in the Hibernian Bank, which amounted to the sum of £3,425 14s. 3d. I will tell you how the fund comes to be reduced to that amount.

At any rate £3,425 was put in the Hibernian Bank on Deposit Receipt on the 23rd April, 1914—it remained there until the 28th August, 1914. It was then drawn out together with the sum of £21 15s. 3d. interest. Now, at that time the purchase of Liberty Hall was being completed—the Conveyance of Liberty Hall to the Trustees of the Union is dated the 1st September, 1914. The consideration of Liberty Hall was £5,500. Out of that the sum of £2,000 was left out on mortgage to the Northern Bank (which was paid off in 1918) and the £3,425 which had been on deposit receipt was used in this way. On the 28th August, that is the very date on which the £3,425 was drawn out, there was lodged to the Current Account of the Union the sum of £3,000 net. There was a cheque given to the Northern Bank for £3,003 11s. 9d., portion of the consideration of Liberty Hall. This cheque, although given on the 1st September, apparently was not cashed by the Bank until the 28th September. The money was paid to the Northern Bank who were the Mortgagees of the property.

The difference between the £3,003 and the £3,500 was paid in cash. A sum of £600 was paid in respect of a Bill of Costs in the case of "Long & Larkin." Mr. Foran told us yesterday that the sum of £1,600 was distributed between Christmas time and the end of April for absolute necessary purposes of the Union, even though the lock-out was over there was still a great deal of unemployment. Every penny was expended for the benefit of the Union. All this took place in 1913-14. The books have been destroyed and the only account we have is a copy of the account from the Bank. There was no other Bank account, there was of course the National Health Insurance which was entirely separate. The only account which the Union had in any Bank was that account. This is a correct copy of the entire account that was kept at this time and shows that when Mr. Larkin thinks there should have £1,600 to the credit of this account there was nothing to the credit of the account.

RULES, 1923.

Our case is this, they are amended or rather they are not amended Rules, they are substituted Rules, an entirely new set of Rules, and they were passed under Rule 33 of the Rules of 1918. The only difference between Rule 33 of the 1918 Rules and Rule 33 of the 1915 Rules was that the word "Branches" was inserted. I do not think there is any change in the construction of these Rules. The procedure laid down by Rule 33 of the Rules of 1918 was carried out on the 2nd December, 1921, by a circular letter sent to the branches signed by Mr. William O'Brien "To all Branches twelve months in existence" (reads circular letter).

Master of the Rolls—As you are not starting a new subject I think we had better adjourn until to-morrow morning.

Wednesday, 20th February, 1924.

Mr. Brown, K.C.

Before I go into the matter of the Rules of 1923 I have to take you back to the sum of £7,500. Your lordship may remember that yesterday I said that the sum of £500 of the purchase money of Liberty Hall was paid in cash at the time of the conveyance, that is not correct, it is recited in the Conveyance as having been paid but it was paid as a deposit on the date of the agreement, it was paid in cash. That reduced the sum to £1,600. If you look at the deposit account you will find that the very day we drew out the £3,450 14s. 3d. there was lodged on deposit receipt the sum of £447. I thought that the £500 had been used to pay the cash. The recital in the deed is "in pursuance of said agreement and in consideration of the sum of £500 paid by the Purchasers to the Vendor on the execution of said agreement."

Rules of 1923.

The procedure of their being carried out commenced on the 2nd December, 1921, by a circular letter written by the Executive to all Branches then 12 months in existence. I read the letter for your lordship yesterday and will not read it again. It asked for amendments from all branches. Now, my Lord, replies to that letter were received from a number of branches, the original replies are in Court and we will put them in, and in view of the great importance of the Rules of 1923, the Executive Committee determined before ultimately asking the branches to accept them to hold a Dele-

gate Conference, that is a Delegate Conference of the entire Union, and to submit these Rules to the Delegate Conference, and accordingly on the 6th April, 1923, another circular was sent out to all branches 12 months in existence, which was read to your Lordship by Mr. O'Neill.

Master of the Rolls—What is the date of this? Brown—6th April, 1923. I think you have a copy of it. It leaves a space for the group No. and the number of votes to which the branch is entitled. (Mr. Brown, K.C., reads circular letter.)

The drafting of these Rules was a big job. It also included the Rules for the National Health Insurance Society and also for the political side of it.

On the 24th and 25th April, 1923, the Delegate Conference was held in Dublin, it was attended by practically every delegate. We have elaborate minutes of that meeting and each one of the draft Rules was discussed in order. The discussion took two days and at the end of the second day were unanimously adopted by the Conference and recommended to the branches. Your Lordship will appreciate the reason for a procedure of that kind; it was quite futile to expect these branches in the country to go into a copy of the Rules with any useful result.

Master of the Rolls—No essential part of the Rules The Executive invited branches to send delegates to conference in order to get the benefit of their advice. In the name of commonsense how could you hold a meeting of 12,000 members and discuss these Rules. A meeting of that kind could have no result. Therefore, in order that these branches would really take part in the framing of these Rules and really know and approve of what was going to be done they hold this Delegate Conference, a thing they need not have done at all, but a wise and prudent and right thing to do.

Your Lordship will have the minutes of that Conference before him, and will see that each one of these Rules was discussed in order, and No. 3 Branch had a representative there notwithstanding the evidence of Mr. Bohan in the box yesterday and duly proposed a few useful amendments.

Having held their Conference and having their Rules approved of and recommended to the branches by that Conference, a circular letter was sent out on the 9th May, 1923, to each branch then 12 months in existence, enclosing a copy of the draft Rules, asking each branch to hold a meeting of the branch for the purpose of adopting or rejecting these draft Rules, and also enclosing a ballot form or return to be filled up with a result of the vote.

5,000 were printed and no doubt 5,000 were distributed.

122 branches sent in returns and the original of these returns are here and will be put in in evidence, 105 of the 122 were received in time, and 17 were received late. Of the 105 that we received in time 98 adopted the Rules, voted for them, and 7 voted against; and of the 17 returns received late 16 were for the adoption of the Rules. In fact, out of 122—114 branches voted for and 8 against. Your Lordship will have the minute of the meeting of the Executive at which that result was recorded, and so far as the 1923 Rules are concerned they then became the valid Rules of this Society, they did not require registration.

These Rules, my Lord, are in suspension from the moment this action was started in the month of June. And I would ask your lordship to say as this issue has been raised that these Rules have been passed and are the valid Rules of this Union.

Master of the Rolls—I think what you should ask me to do is to declare that they were validly passed in accordance with Rule 33 of the Rules of 1918.

What I propose doing as regards allowing Mr. Larkin to amend his Statement of Claim is making an order for the amending of the Statement of Claim in this respect by adding a paragraph thereto that the Defendants Thomas Kennedy and Michael McCarthy, being paid Officials of the I. T. & G. W. Union, were and are disqualified from being members of the Executive.

Brown—Look at paragraph 19 of the Statement of Claim; Foran v. Larkin. What he wants is to amend the prayer to his statement.

Master of the Rolls—No necessity for that amendment.

Brown—Once your Lordship has come to the conclusion on the construction of the Rules that these two gentlemen are paid officials Mr. Larkin would be entitled to that Declaration. It does not invalidate the acts of the Executive Committee. Alphonus Conway, Bank Manager, called and sworn.

Hanna—You are in the employment of the Hibernian Bank?

Conway—Yes.

Hanna—In what employment were you in 1913?

Conway—I was there.

Hanna—Are these two accounts taken from the Bank Books of the Irish T. & G. W. Union Deposit and Current Accounts correct?

Conway—Yes, they are correct copies.

Hanna—Was there lodged in your bank at that time the National Health Insurance Fund—in 1913/14?

Conway—I could not swear.

Hanna—Are you aware of any other accounts in the Hibernian Bank belonging to the Transport Union other than these two accounts?

Conway—No, none.

Mr. Larkin cross-examining.

Larkin—Do you remember an account being entered there for the Union to pay out weekly for the National Health Insurance Section?

Conway—No.

Larkin—Have you a branch in Thomas Street? Conway—Yes.

Larkin—Would you know yourself whether there is money on deposit and current account in other branches?

Conway—No, except the branch I work in. Larkin—You say there was no other account to the credit of the Union in your Bank in December, 1913?

Conway—Except these two that are in Court and the Insurance Account.

John O'Neill examined by Mr. Sullivan, K.C.

Sullivan—You were examined on yesterday and the day before?

O'Neill—Yes.

Sullivan—In 1913-14 you were a member of No. 1 Branch?

O'Neill—Yes.

Sullivan—Were you then an official of it?

O'Neill—Yes.

Sullivan—What position did you hold?

O'Neill—Branch Secretary.

Sullivan—Do you know of any Bank Account except the Bank Account in the Hibernian Bank?

O'Neill—I do not know positively, there might be.

O'Neill—I am referring to the Union.

O'Neill—No.

Master of the Rolls—At what office of the Bank was the account kept?

O'Neill—In the Office at the corner of O'Connell Street and Abbey Street.

Mr. Larkin cross-examining.

Larkin—You swore the other day that you destroyed the documents of the Union in 1913?

O'Neill—I said about 1913.

Larkin—They were destroyed on my instructions?

O'Neill—Yes.

Larkin—Can you produce the order?

O'Neill—I cannot.

Larkin—Did you admit you were a thief when you worked in Kennedy's?

O'Neill—I did not.

Master of the Rolls—Are you aware of any other account which the Union kept with the Hibernian Bank except that kept at O'Connell Street?

O'Neill—No, my lord.

Larkin—What were you dismissed for?

O'Neill—For a discrepancy in my books.

Larkin—Did you embezzle money belonging to Messrs. Kennedy & Co.?

O'Neill—I did not.

Larkin—Were you dismissed for not returning money paid to you by the poor of Dublin to your employer?

O'Neill—No.

Larkin—Did you destroy papers in Liberty Hall?

O'Neill—Yes.

Larkin—Did you keep any papers since 1913?

O'Neill—Well, any documents we had have been produced.

Larkin—What documents have you in your possession since 1914?

Master of the Rolls—I must stop this. A very grave accusation has been raised against this man and I must give him liberty to explain what happened. You were a bread server?

O'Neill—Yes.

Master of the Rolls—There is charged up against you any bread you took out and you had to account for the monies at the end of the week?

O'Neill—Yes.

Master of the Rolls—There was a shortage in your books and you were dismissed on account of the shortage?

O'Neill—Yes, because I would not lodge further security.

Hanna—Is it not a common thing for bread servers to run accounts with their customers?

O'Neill—Yes.

Hanna—But they are responsible for the bread they get whether the customer pays for it or not?

O'Neill—Yes.

Hanna—Was any charge made against you?

O'Neill—No.

Hanna—Did you keep Id. of your employer's money?

O'Neill—No.

Larkin—Am I entitled to cross-examine him?

Master of the Rolls—Certainly you are not.

William O'Brien called—(Groans in Court.) Judge threatens to clear Court.

Hanna—Was there a circular letter dated 2nd December, 1921, sent out to all branches 12 months in existence?

O'Brien—Yes, in December, 1921.

Hanna—How many branches at that time?

O'Brien—About 350.

Hanna—From how many branches did you receive replies and suggested amendments?

O'Brien—I think the number was 19.

Hanna—Did you then in April send out another circular letter?

O'Brien—Yes.

Hanna—Had there been any discussion at E.C. on these amendments sent in by the branches?

O'Brien—Very particularly.

Hanna—During the year 1922?

O'Brien—Yes.

Hanna—This circular letter of the 6th April was for the purpose of convening a Delegate Conference? The new draft Rules were very complicated. There were many changes in the structure of the Union and it was decided that the only way to have them discussed was by a representative body at a Delegate Conference.

Hanna—What was the procedure adopted for the construction of the Delegate Conference, how called?

(Continued on column 1, page 5)

"An Injury to one is the concern of All."

IRISH WORKER

EDITED BY JIM LARKIN.

IF PADRAIG RETURNED TO IRELAND.

We are constrained to ask ourselves the question: What would Padraig think of this "Land of Saints and Scholars" if he returned again to earth after sixteen centuries?

Our pagan forefathers had land, houses, plenty of food, clothing, everything for their needs. Love and peace lived with them. To-day what have we after sixteen centuries? Cathedrals and churches by the hundred, Christians numbering millions. We wonder would Padraig recognise his fellow-Christians. In a nation of four millions, an army of hired Christians are marshalled, drilled, clothed and armed to keep in control the other Christians. And for fear the organized army may not carry out the orders of the superfluous Christians, we have an army within an army—a secret army—an army of the night. We have an Executive Government within an Executive Government, and directing both of these Executives a small group of Christians—at least they say so, and therefore it must be true—called Freemasons, who own, control and direct the life activities of the great unthinking mass of Christians. These Christians are so imbued with the love of each other that not only have they an army, but thousands of young men who should by producing wealth are specially drilled, clothed, fed and reserved to make the Christians live like Christians. And so that work may be found for the weaponless army and the army with lethal weapons, a large number of Christians are paid to move in and out among the mass of Christians who don't think to create hatred, ill-feeling and disorder, thus giving excuse, if not a reason, for the blue and green armies, and to regulate, co-ordinate and legalise the action of the blue and green armies we have another group of Christians specially trained to write decrees, ordinances, writs, statutes, motions and orders. And behind these armies of mischief-makers, breeders of disaffection, we have another body of Christians—some have named them "Sons of Ananias"—who are paid to write incitements to hatred, to assassinate truth, to pen appeals to the lowest and most selfish instincts of mankind.

These several groups of Christians believe they have a special mission and are set apart to control the mind and body activities of the great mass of unthinking Christians. And if any one or any number of the ordinary Christians makes a protest against the travesty and blasphemy of the basis of Christianity, the "Sons of Ananias" libel and divide them. The decree writers issue the writs to confine the bodies of the protesting Christians in strong places. The blue army is ordered to execute the decrees of the decree writers; and if protest is made against these unchristian decrees the army of green-clothed Christians are ordered out by the Executives, seen and unseen, to shoot, bayonet and coerce the Christians who would live as Christians. Man built in the image of God kills man. The State or Executives order the killer to be killed to prove that killing is no murder. Violence is legalised if done by the State. Stealing is legalised if done by the State. Whether the stealing be of property or life, thousands of little innocent children and thousands of young men and women are offered up as a sacrifice on the altar of this fearful Moloch—Capitalism—which blasphemes the very basis of Christianity. Young men are taken from the refining influences of home and parents as a further sacrifice to this fearful, selfish monster—rents, interest and profits.

Padraig came to preach the Fatherhood of God—the Brotherhood of Man—Community of interests—Community of Goods—Service—Christianity. Is it not time we got back to Padraig and lived by his message?

"TROOPS OUT IN BOMBAY"

British Capitalism at Work in the East.

Why Home Rule for India is Opposed.

London, Wednesday.

The newspaper posters the other day announced with plenty of red ink:

INDIAN DISTURBANCES.

TROOPS OUT IN BOMBAY.

A brief message from Bombay conveyed to the British workers and other readers that native strikers in the cotton mills had been concerned in disturbances. Troops had been called out and there were a number of casualties. There were no casualties among the troops, however.

Of course, casualties among the natives do not matter when it is a question of upholding the British Raj. That is an axiom of Imperialism.

It is also the belief of some Socialists. A writer in the Glasgow "Forward" recently declared that he had lived 33 years in the East and had been a foreman, bossing Chinese, Indians, Burmeses, and other coolies. He said they were as happy as larks on a small wage and a dish of rice a day. They didn't want education.

Mr. Saklatvala, who is well known to London Communists, strongly denounces this.

The fight in India, says Mr. Saklatvala, is essentially and undoubtedly a fight of the Workers and Peasants against British Capitalists.

Unfortunately many English foremen and tradesmen (some of them alleged Socialists) have not only failed to give their share to the workers of India in such a fight, but are rendering daily assistance to their Capitalist paymasters who pay them at a much higher rate in the East than here at home.

There is not much of a fight between British Capitalists and Indian Capitalists. The Indian Capitalist is a protégé and henchman of the British Capitalist. He is the favoured child of the British Raj, titled and honoured and pampered and generally belongs to the non-political or the moderate political section in India. The Indian Capitalist is the mere cats-paw of the larger British Imperialist Capitalism. The Indian Capitalist is no better and no worse than the British Capitalist, but he is entirely the product of the British Capitalist, who, by creating such an Indian interest in India manages to preserve his own position.

Between the Indian and British, or for that matter, Capitalist masters, of any nationalities, there is little difference from the Socialist viewpoint, but it is contrary to truth to describe Indian masters in India as more sinful as a class than the British.

Large schemes of Welfare for Workers have been inaugurated and worked by Indian masters as extensively and efficiently as any European masters have done. In fact one enlightened Indian firm actually constituted a committee of advisors including Mr. Sydney Webb, Mr. Tawney and others to devise the most generous type of Welfare Work, and their work in this direction has not been equalled by all European employers and has been imitated by several other Indian employers.

Gang of Terrorists.

I am not so much concerned with the conduct of the British Capitalist or the Indian Capitalist as both of them are carrying on as they ought to carry on believing in their own greed and loyalty to their principles.

The most disgraceful part is really played by those British Managers, foremen and technical experts who go out to the East and become slave-drivers over human beings without ever standing up for those who are put to work under them.

They are not only a gang of terrorists over the poor dumb Indian workers, but they are the blacklegs who go out to the East and create a situation which makes the economic position of British workers in Britain impossible, and day after day the British miner and worker has got to beware of the formidable competition in the East where labour is trained and daily ordered and controlled by British foremen.

The writer in "Forward" declares:—"Indian labour is dumb, ignorant, apathetic, in no way concerned with politics. What a picture! Who made them so? Who holds all the channels of public enlightenment?"

The bolsheviks came into power in Russia and in five years time have made the Russian peasantry as well as the Russian workers vociferous, enlightened, keen on their political rights and in every way concerned in the exercise of their political duties and privileges.

For more than a hundred years the British have been in India, and for the last seventy-five years large masses of Indian workers have been living their daily life directly under British foremen and superiors, and are still left in the condition described by your correspondent. The assertion is made that Indian workers would rather work for European firms than for Indian.

There is not the slightest proof whatever of it, whereas there is abundant proof of as many cruel and unreasonable European bosses being found, as Indian bosses, in India.

The white man when he goes abroad in other people's countries is always accustomed to give to himself a very grand certificate for his own virtues. As sweated and oppressed labour in other parts of the world, out of fear, keeps singing the praises of the oppressing master, so also a few individuals in dominated countries may be found to sing the praises of the oppressors in conquered countries.

Can any Socialist fundamentally believe that one nation is entitled, because of its nationality, to go and dominate over another nation and to control it completely.

There have been numerous strikes in India which have been spontaneous and which have been carried on under circumstances of great hardship by the Indian workers. In not one of these strikes the so-called British Trade Unionists and Socialists who are out in the East have sided with the men, and in almost all the strikes these European foremen have been chiefly instrumental in calling out the armed police or even the soldiers with the sole purpose of terrorising over the ignorant workers.

So far there was only one man, Mr. Miller of the Indian Railways, who sided with the strikers and he was sentenced to six months imprisonment and he was abandoned by all the Europeans, including many claiming to be Socialists, because they are all subject to the great obsession of preserving the white man's prestige. 95% of the Tea Plantation Industry is under European control and the labour condition is abominable and scandalous on these Tea estates.

Indian politicians who have attempted to go over and fight for the rights of the men have been bullied and prevented by the White Government Officials for so doing.

Out of about 140 Coal companies in India more than 127 are under European control, and the miners wages on the average are not above 8d. a day, and fifty thousand women are employed in a manner in which any human being ought to be ashamed of himself.

Irish Worker League—London Branch.

PUBLIC MEETING

to explain purposes of League. Open discussion. You must be there. Sunday, March 23rd, 7.30 p.m., Labour Centre, 124 Walworth Road, S.E., near "Elephant."

SUPPLEMENT TO THE IRISH WORKER

A Character Worth a FARTHING

BENNETT Vindicates His Character? Gets One Farthing Damages

Nolan, cross-examined by Sjt. Hanna

Hanna—What age did you go to sea at?
Nolan—I was at sea in 1888.
Hanna—What were you doing before you went to sea?
Nolan—I was a boy at home working about the rope works.
Hanna—You left school about 8 or 9?
Nolan—I left school about 8 or 9? No, I did not leave until I was about 10.
Hanna—This is certainly a very creditable production?
Nolan—A man can educate himself.
Hanna—That letter was written by a well-educated man?
Nolan—That letter was written by me and nobody else.
Hanna—Do you suggest you composed this letter?
Nolan—Yes, Mr. Bennett will tell you I contribute to the papers in Belfast.
Hanna—Did you submit them to Mr. Bennett to correct your spelling?
Nolan—No.
Mr. Wood—You have not been working since 1921. How many Catholic Seamen have been out of employment since 1921?
Nolan—Over 500 idle, both National Union and Irish Transport Union.
L.C.J.—Had you ever previously any conversation with Mr. Bennett, and if so, where?
Nolan—No.

Hugh Mawhenny called and sworn.

Mr. Wood—Where do you live?
Mawhenny—49 Ship Street.
Wood—Were you in 1921 a member of the National Union of Seamen and Firemen?
Mawhenny—I was.
Wood—How long had you been a member?
Mawhenny—From 1907.
Wood—Were you in St. Mary's Hall on Monday, 6th June?
Mawhenny—I was.
Wood—Were you appointed a member of the deputation?
Mawhenny—I was.
Wood—Who was chairman?
Mawhenny—John Ward.
Wood—Did you and the other members of the deputation proceed to Mr. Bennett's Office?
Mawhenny—We did, sir.
Wood—Did you see Mr. Bennett there?
Mawhenny—Yes, sir.
Wood—Will you tell in your own way what occurred between the deputation and Bennett while in the office?
Mawhenny—Well, Mr. Brady led the deputation and asked Bennett for protection and to get Havelock Wilson to do something in the House of Commons. There was a heated discussion, Mr. Bennett went to the telephone and called the Police up.
Wood—Before he went to the telephone to send for the Police did he say anything?
Mawhenny—He ordered us out of the office, said he would charge us.
Wood—Did you hear him on the telephone?
What did you hear?
Mawhenny—I heard him calling the Police out of Musgrave Police Barracks.
Wood—Did you then leave the Office?
Mawhenny—We then left the Office.
Wood—How long were you in the Office?
Mawhenny—About ten minutes.
Wood—When you left the Office and went outside were there a number of men in Queen's Square?
Mawhenny—Yes, they were in groups, some groups larger than others.
Wood—When you went outside did you see anything arriving?
Mawhenny—I saw armoured cars and police arrive.
Wood—How many armoured cars?
Mawhenny—There were two.
Wood—What did they do with the crowd?
Mawhenny—They moved through them and dispersed them.
Wood—What were your wages in 1921?
Mawhenny—£13 10s. per month.
Wood—What class of a Seaman?
Mawhenny—An able seaman.
Wood—What is the rating of your wages now?
Mawhenny—£10 10s. a month.
Wood—Are you a Catholic?

Mawhenny—Yes.
Wood—Any employment since 1921?
Mawhenny—None.

Cross-examined by Lardner, K.C.

You have no doubt whatever the direction the armoured cars came from?
Mawhenny—Skipper Street direction. No; Victoria Street, Prince's Street is the proper name. What Nolan said is right.
Lardner—How many of you went to Queen's Square?
Mawhenny—(Gives names of deputation.)
Lardner—Where did you come from to go to Bennett?
Mawhenny—From St. Mary's Hall.
Lardner—Were there any groups in Queen's Square when you arrived at Bennett's Office?
Mawhenny—No.
Lardner—Did they come with you?
Mawhenny—No.
Lardner—Therefore the groups of 120 men must have collected between the time you went into Bennett's Office and the time you came out?
Mawhenny—They followed us up from St. Mary's Hall.
Lardner—Why could they not wait in the Hall for you to come back with the answer from Bennett?
Mawhenny—We could give them the news in the Square.
Lardner—Did it occur to you that you were going to make trouble?
Mawhenny—We were not out for trouble, there was enough trouble in the City.
Lardner—Were you thinking of leaving the Seamen's Union?
Mawhenny—No, not if we could get justice from it.
Lardner—Why did you bring the mob up to the Square?
Mawhenny—We did not bring them they came up themselves.
Lardner—What was the heated discussion?
Mawhenny—We were demanding protection for our men to go aboard the ships.
Lardner—Tell us what Bennett said.
Mawhenny—He told us to get out.
Lardner—Did you think of telegraphing to Havelock Wilson?
Mawhenny—No.
Lardner—Why did you not sit down there and then and write to your own headquarters in London and tell them their Secretary had called out the Police on their members?
Mawhenny—This you think we are Exchequers?
Lardner—Was this letter discussed before writing to Larkin?
Mawhenny—It was.
Lardner—Nolan was there and then directed to write the letter?
Mawhenny—No.
Lardner—Did he volunteer to write?
Mawhenny—He did.
Lardner—How soon after you went to the Hall?
Mawhenny—We got ourselves together in another Hall.
Lardner—What Hall?
Mawhenny—In the Lower Hall of the Transport Union.
Lardner—How soon after you had seen Bennett?
Mawhenny—We had a discussion, and then went into the Hall.
Lardner—It was there Nolan stated he would write to Larkin and you gave him authority to write?
Mawhenny—Yes.
Lardner—Letter not written until 1923. Do you suggest you are telling the truth?
Mawhenny—I do.
Lardner—You directed that letter to be written in 1921?
Mawhenny—Any man might make a mistake.
Lardner—In Bennett's Office the heat got up and you were ordered out of the place?
Mawhenny—Yes.
Lardner—Any mob outside when you went in?
Mawhenny—No.
Lardner—Gathered while you were in?
Mawhenny—Came down to hear the report.
Lardner—Did he lift the receiver of the telephone and put it to his head?
Mawhenny—What other part of his body would he put it to? (Loud laughter.)
Lardner—Did you see him?
Mawhenny—I heard him.
Lardner—Did you hear him give a number?
Mawhenny—Of course he gave a number.
Lardner—You have not been working since 1921?

Mawhenny—No.
Lardner—When did you leave the Seamen's Union?
Mawhenny—October.
Mawhenny—When did you last pay your dues to the Seamen's Union?
Mawhenny—In August.
Lardner—Did you make up your mind when you paid your last dues they were going to be your last?
Mawhenny—No. If I got any concession.
Lardner—Did you intend to go over to the Transport Workers' Union?
Mawhenny—We wanted justice.
Lardner—Had you been in the Transport Union before that day?
Mawhenny—No.
Lardner—How did you walk out of Bennett's room into the Transport Union Hall?
Mawhenny—Because the door was open.
Lardner—Was Nolan the man who wrote that letter?
Mawhenny—Yes.

Francis Ward called and sworn.

Wood—Were you, in 1921, a member of the National Union of Seamen and Firemen?
Ward—I was, in the Belfast Section.
Wood—How long had you been a member?
Ward—From 1913.
Wood—Do you remember in 1921 on Monday, 6th June, being in St. Mary's Hall?
Ward—I do.
Wood—Do you remember a meeting being held in it?
Ward—I do.
Wood—Who presided at that meeting?
Ward—My father, John Ward, was chairman.
Wood—You went on the deputation?
Ward—No.
Wood—After the deputation left the Hall did you go up to Queen's Square?
Ward—Yes, we went to Queen's Square.
Wood—How many were standing in Queen's Square?
Ward—About 150.
Wood—Do you remember waiting in Queen's Square for the deputation to come out. How long?
Ward—About ten minutes.
Wood—After the deputation came out of Bennett's Office did anything happen?
Ward—Two armoured cars and about two dozen police came up.
Wood—What direction did they come from?
Ward—I was coming out of a public house after getting a package of cigarettes and the police were clearing the people away.
Wood—Do you know Mr. Bennett's office?
Ward—I do.
Wood—Would Mr. Bennett from his office window see the crowd?
Ward—I saw Mr. Bennett look out of the window.
L.C.J.—That was before the Police came?
Ward—Yes, before the Police came.
Wood—Do you remember subsequent to that date going down to the S.S. Baltic to get a job?
Ward—Afterwards.
Wood—Were you on board the "Baltic"?
Ward—I was.
Wood—Did anything happen to you?
Serjeant Hanna—I object.

Bennett Called.

Wood—It is alleged that the "Baltic" sailed from Belfast on 21st June. Is that the date?
Bennett—21st.
Wood—Did this boy John Ward see you on that day?
Bennett—I was in Brighton attending a meeting.
Wood—Where were you on the 20th?
Bennett—I was in Brighton also.
A Juror—Can you give the Jury any proof that you were in Brighton on that day?
(Mr. Bennett hands up his diary.)
A Juror—Where were you on the 6th June?
Bennett—I was in Dublin.
Serjeant Hanna—Mr. Bennett, until yesterday has your attention ever been called to what you were doing on the 6th June or other days?
Bennett—No, it was not.

Ward re-called.

Wood—Do you remember in the month of June going to Mr. Bennett?
Serjeant Hanna—I object.
L.C.J.—Mr. Wood, you will have to show me that it is material. I do not think that is a matter in issue.

Wood—If your lordship thinks so I will not pursue it.

Cross-examined by Serjeant Hanna.

Hanna—You were a member in 1921?
 Ward—Yes.
 Hanna—There were meetings from February down to May?
 Ward—I only attended from May.
 Hanna—When did the movement start to take men away from the Seamen's Union and get them into the Transport Union?
 Ward—It started in May, 1921.
 Hanna—Was your father in favour of that movement?
 Ward—None of us were in favour of it.
 Hanna—Was not Nolan?
 Ward—No.
 Hanna—Brady?
 Ward—No.
 Hanna—Were you in the Square that day you told Mr. Wood that Bennett knew there was a crowd, that he looked out of the window?
 Ward—He came to the window and looked out.
 Hanna—You remember seeing Bennett look out of the window?
 Ward—Yes.
 Hanna—Could you see the other people?
 Ward—No.
 Hanna—Is the office on the ground floor?
 Ward—Two storeys up.
 Hanna—How did you fix the 6th June in your mind?
 Ward—The date we got money out of the Expelled Workers' Fund, and an incident happened to myself which fixed it in my mind.
 Hanna—Quite sure it was on a Monday?
 Ward—Quite sure.

John Nolan Called and Sworn.

Were you a member of the National Seamen and Firemen's Union?
 Nolan—I was, of the Dublin Section.
 Wood—You joined the Irish Transport and General Workers' Union?
 Nolan—Yes.
 Wood—What date did you join the I.T. & G.W. Union, about 22nd September, 1921?
 Nolan—That is right?
 Wood—At the time you left the National Seamen's Union did a number of other members leave as well and join the Transport Union?
 Nolan—Yes.
 Wood—Tell my Lord and the Jury, the reason you left the National Union and went into the Transport Union.
 Hanna—My Lord, I object.
 Mr. Wood—I was tendering evidence from the Dublin Section to show that these men left Mr. Bennett's Union when they found out that their interests were being betrayed. I want to prove this as a fact and justify Mr. Larkin's comment, but if your lordship thinks it is not in evidence L.C.J.—I think there may be. Ask the question you want to ask but do not let the witness answer.
 Wood—Nolan, you are not to answer this question yet. Why did you, in September, 1921, leave the National Union of Seamen and Firemen?
 Hanna—I object, my lord.
 L.C.J.—I do not think it is in evidence. (Adjourned for lunch.)

Resuming—Mr. Larkin Called and Sworn.

Wood—What is your name?
 Larkin—James Larkin.
 Wood—Your age?
 Larkin—45.
 Wood—Ever been in a witness box before?
 Larkin—Yes.
 Wood—Were you at a certain period in your life organiser in Belfast?
 Larkin—Yes, in 1907—13, different times.
 Wood—Prior to that were you a working seaman?
 Larkin—Yes, a member of the National Union of Seamen and Firemen.
 Wood—Did you organize a section of the National Union of Seamen and Firemen in Belfast?
 Larkin—No, I reorganized them, in Belfast in 1907.
 Wood—You know a man called Michael Nolan?
 Larkin—I knew him well in the old days.
 Wood—Did you enroll him?
 Larkin—I organized all sections of men and women and put them into their several Unions.
 Wood—Do you know Mawhenny?
 Larkin—I know him well.
 Wood—Did you return to Dublin in April of last year?
 Larkin—Yes, in April of 1923.
 Wood—Are you an "American Refugee"?
 Larkin—I might be claimed as a "Belfast Refugee" like Mr. Hanna. No, I returned to Ireland to where I belonged and to where all my people belong.
 Wood—After you returned was there a dispute at the Docks?
 Larkin—There had been a dispute, no dispute when I arrived, the Sailors and Firemen of the British and Irish Steamers came out owing to a reduction being forced on them. They returned to work pending an investigation of their claim, and one of my first official duties was to go over to the Ministry of Industry.
 Wood—When speaking of your official duties, what is your official position?
 Larkin—Secretary of the Irish Transport and General Workers' Union which I founded.

Wood—Mr. Joseph McGrath was amongst those present?

Hanna—I object.

Wood—Subsequent to your letter there was a dispute on the quays?

Larkin—The men came out again.

Wood—Did they come out or were they locked out?

Larkin—The Sailors and Firemen came out on one ship on the question of wages.

Wood—Was the dispute between the Unions?

Larkin—The National Sailors' and Firemen's Union in London had arranged for a reduction in wages.

Hanna—I object.

Wood—Tell us shortly as you can—

Larkin—A remnant of the Sailors' and Firemen's Union had agreed to take a reduced wage and our men refused to work with them.

Wood—Was there a lock out or strike at the beginning of June?

Larkin—It commenced about 16th June. I was not in Dublin when the strike occurred.

Wood—In the month of June did you see what is now called an "advertisement" in the daily papers?

Larkin—I got it in a letter form from a Union official and subsequently saw it in the Evening papers.

Wood—That is the letter of the 27th June (reads same).

Wood—Had you prior to that received this letter from Michael Nolan?

Larkin—A few days before going to press.

Wood—Had you any previous communication from Michael Nolan, directly or indirectly?

Larkin—I did not know he was living. I had not seen him for close on 12 years. I knew a Michael Nolan had been shot, but did not know it was the same Michael Nolan.

Wood—It has been suggested you inspired the writing of that letter, is that so?

Larkin—No. When I got that letter I went down to the Head Line boats; I made enquiries from the crews.

Hanna—I object.

L.C.J.—Anyway, you made enquiries.

Larkin—Yes, my lord.

Wood—Did you ascertain, amongst other things, that two more ships—

Hanna—I object.

Wood—Did you make enquiries in Belfast?

Larkin—Yes, I sent a man to Belfast.

Wood—And then did you put in the letter and the circular letter?

Larkin—I printed the letter and the circular letter and I made a comment.

Wood—Do you believe, did you believe then and do you still believe that the statements in that letter are true in substance and in fact?

Larkin—Letter sent by Michael Nolan? Certainly.

L.C.J.—Were they published by you in good faith for the benefit of the public?

Larkin—Certainly, my lord.

Hanna—I object, that is for the Jury.

L.C.J.—Still it can be put as a general question.

Wood—You say, commenting on the first letter, Nolan's letter, "the above letter was written by a man going to sea for over 20 years, he briefly touches on the bitter experiences of Catholic workmen experienced during the years 1920 and 1921 in the City of Belfast"?

Larkin—Bennett stood as an Independent Unionist Candidate.

Hanna—I object, my lord.

Wood—Is it true that "the gentleman who, it is alleged, actively participated in the persecution of these Catholic seamen and firemen is a Mr. J. H. Bennett"?

Larkin—I believe he did as a Mason and an Orangeman.

Wood—After setting out the circular letter you say "the advertisement speaks for itself (down to the word 'Belfast') is it true?"

Larkin—He supplied scabs while our men were locked out.

Hanna—I object to these things being brought in.

Wood—Continuing to read comment—When about 870 unarmed men, 300 odd women, 213 children were murdered. Is this true? Were 32,000 Catholics and their families driven from their homes in Belfast?

Larkin—That is truth, my own relatives were amongst them.

Wood—In this article Mr. Larkin complains "Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately, and with malice, lend himself to the purposes of the Shipping Federation of London?"

Larkin—He was organizing scabs in Liverpool to take our men's jobs.

Hanna—I object.

Wood—Mr. Larkin answer these questions shortly—Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately, and with malice, lend himself to the purposes of the Shipping Federation of London?

Larkin—He was organizing scabs in Liverpool to take our men's jobs.

Hanna—I object.

Wood—Mr. Larkin answer these questions shortly—Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately, and with malice, lend himself to the purposes of the Shipping Federation of London?

Larkin—It is true.

Wood—We are glad he has unmasked himself. He has been working too long under cover. As it has been well said, this Union that he acts for, the members pay a shilling a week to get reductions in wages, and they only exist as a Union because they are prepared at all times to do the dirty work of the shipowners of England, and take directions from the Shipping Federation of London. When

ever scabs are wanted the Shipping Federation always knows where to go to. Whenever thugs or agent-provocateurs are required the Shipping Federation knows the address to write to, and they are always supplied.

Thursday, 28th February, 1924.

May it please your Lordship and Gentlemen of the Jury, I have again to address you on behalf of Mr. Larkin.

As I told you yesterday at the outset, his Defences were two, firstly justification, that is he pleads the truth of the matters alleged to be complained of, and secondly fair comment on a matter of public interest, viz., that he honestly believed what he wrote to be true, and that he fairly and honestly believed what he wrote, and I ask you to find these two issues in favour of Mr. Larkin.

First of all, what I would like to draw your attention to is this, that when the Plaintiff comes here and claims heavy damages from you, almost vindictive damages, the first thing he boasts of is that so far as his membership of that Union is concerned he has suffered no loss, in fact it increased from week to week, and therefore, I would suggest so far as his occupation is concerned he is not imperilled. You saw his manner and attitude in the box and I would suggest to you that it was not the manner of a man who came before you as an injured man, and again, Gentlemen of the Jury, he tells you that the "Irish Worker" is not a paper which is much read within his province, in fact scarcely read at all.

I will go further than that, as you listened to the cross-examination of Mr. Larkin's witnesses yesterday and of Mr. Larkin himself, was it not an inference from that cross-examination, was it not a fact that this action is belonging to and part of the chain by which it is sought to bind Mr. Larkin, it is not a bona fide action, but that on the other hand it is what I would describe part of the barbed wire entanglement of law in which they seek to crush and destroy Mr. Larkin, and if you take that view of it, and I say you are bound to from Mr. Bennett's own evidence and attitude in the box and his instructions to Counsel for cross-examination, if you take that view, then keep that in your minds when you are dealing with the issue of justification.

On the issue of justification, Gentlemen of the Jury, was I not right yesterday when I said it was a simple issue, do you believe Mr. Bennett as to that incident of the 6th of June, or do you believe the three witnesses or any of them produced from Belfast? That is for you, they are common men, they are stupid men if you like, at least some of them, they are ignorant men if you like, are each and every one of them telling you what is untrue, or are they telling you the truth?

What surprises me, and possibly what surprises you is that Mr. Larkin in the situation in which he stood in Court here should have any witnesses from Belfast who stood by him in Dublin and who will have to return to Belfast. Mr. Larkin was assailed on Tuesday as an "American Refugee" on Wednesday as a "Deportee," on Tuesday as a "criminal," on Wednesday as a "ticket of leave man." (Lord Chief Justice: Oh, no. Lardner: "as a man with an undetermined sentence." Mr. Wood: I thank you.) Well as a man with "an undetermined sentence" he has been assailed, he has been traduced and sought to be despised. He was challenged as a man who dare not visit Belfast, that is the man who had to bring witnesses from Belfast, he brought them and you have seen them, you have seen and heard Nolan, Mawhenny and Ward, and it is for you to say whether you believe them, and having being brought from Belfast, common men and ignorant men, do you believe them?

What about Nolan, what do you think of the treatment of Nolan? Assailed as a wife-beater or the instructions of Mr. Bennett; assailed as a seducer of another man's wife on the instructions of Mr. Bennett, without one particle of evidence to support it, not even the name of the man given; he is assailed as a brawler with marks on his face, and Gentlemen of the Jury, not even in a bantering way, he is a wife-beater, a seducer of another man's wife, and the greatest grievance of all was that he had eaten an Orange Lily, that was on the instructions of Mr. Bennett. All this was said in vehement language by Serjeant Hanna, but Serjeant Hanna only acted on instructions, he never goes outside them. It is an index to the attitude of the man who is Plaintiff here to-day and asks for damages from Mr. Larkin, and these three men they are assailed because they have not been in employment since 1921. I suggest that the inference is they were seamen in Belfast, they were Catholic seamen, and were not members of Bennett's Union.

Gentlemen of the Jury, they fix the date on which this incident occurred, the visit to the Office in Queen's Square, as Monday the 6th of June, and Nolan has reason to remember that date because on the Saturday of that week he himself, and the workmen of his area, received a visit which brought death and desolation into their street, 8 were killed and 40 wounded. He tells you that on the previous Monday he had gone as a member of the deputation for protection, for a protest meeting. Do you believe him? Do you believe Ward? Do you believe Mawhenny? Mr. Lardner very skillfully and very effectively on his cross-examination of Mawhenny confused him as to the streets, but you

Wood—If your lordship thinks so I will not pursue it.

Cross-examined by Serjeant Hanna.

Hanna—You were a member in 1921?
Ward—Yes.
Hanna—There were meetings from February down to May?
Ward—I only attended from May.
Hanna—When did the movement start to take men away from the Seamen's Union and get them into the Transport Union?
Ward—It started in May, 1921.
Hanna—Was your father in favour of that movement?
Ward—None of us were in favour of it.
Hanna—Was not Nolan?
Ward—No.
Hanna—Brady?
Ward—No.
Hanna—Were you in the Square that day you told Mr. Wood that Bennett knew there was a crowd, that he looked out of the window?
Ward—He came to the window and looked out.
Hanna—You remember seeing Bennett look out of the window?
Ward—Yes.
Hanna—Could you see the other people?
Ward—No.
Hanna—Is the office on the ground floor?
Ward—Two storeys up.
Hanna—How did you fix the 6th June in your mind?
Ward—The date we got money out of the Expelled Workers' Fund, and an incident happened to myself which fixed it in my mind.
Hanna—Quite sure it was on a Monday?
Ward—Quite sure.

John Nolan Called and Sworn.

Were you a member of the National Seamen and Firemen's Union?
Nolan—I was, of the Dublin Section.
Wood—You joined the Irish Transport and General Workers' Union?
Nolan—Yes.
Wood—What date did you join the I.T. & G.W. Union, about 22nd September, 1921?
Nolan—That is right?
Wood—At the time you left the National Seamen's Union did a number of other members leave as well and join the Transport Union?
Nolan—Yes.
Wood—Tell my Lord and the Jury, the reason you left the National Union and went into the Transport Union.
Hanna—My Lord, I object.
Mr. Wood—I was tendering evidence from the Dublin Section to show that these men left Mr. Bennett's Union when they found out that their interests were being betrayed. I want to prove this as a fact and justify Mr. Larkin's comment, but if your lordship thinks it is not in evidence L.C.J.—I think there may be. Ask the question you want to ask but do not let the witness answer.
Wood—Nolan, you are not to answer this question yet. Why did you, in September, 1921, leave the National Union of Seamen and Firemen?
Hanna—I object, my lord.
L.C.J.—I do not think it is in evidence. (Adjourned for lunch.)

Resuming—Mr. Larkin Called and Sworn.

Wood—What is your name?
Larkin—James Larkin.
Wood—Your age?
Larkin—45.
Wood—Ever been in a witness box before?
Larkin—Yes.
Wood—Were you at a certain period in your life organiser in Belfast?
Larkin—Yes, in 1907—13, different times.
Wood—Prior to that were you a working seaman?
Larkin—Yes, a member of the National Union of Seamen and Firemen.
Wood—Did you organize a section of the National Union of Seamen and Firemen in Belfast?
Larkin—No, I reorganized them, in Belfast in 1907.
Wood—You know a man called Michael Nolan?
Larkin—I knew him well in the old days.
Wood—Did you enroll him?
Larkin—I organized all sections of men and women and put them into their several Unions.
Wood—Do you know Mawhenny?
Larkin—I know him well.
Wood—Did you return to Dublin in April of last year?
Larkin—Yes, in April of 1923.
Wood—Are you an "American Refugee"?
Larkin—I might be claimed as a "Belfast Refugee" like Mr. Hanna. No, I returned to Ireland to where I belonged and to where all my people being.
Wood—After you returned was there a dispute at the Docks?
Larkin—There had been a dispute, no dispute when I arrived, the Sailors and Firemen of the British and Irish Steamers came out owing to a reduction being forced on them. They returned to work pending an investigation of their claim, and one of my first official duties was to go over to the Ministry of Industry.
Wood—When speaking of your official duties, what is your official position?
Larkin—Secretary of the Irish Transport and General Workers' Union which I founded.

Wood—Mr. Joseph McGrath was amongst those present?

Hanna—I object.

Wood—Subsequent to your letter there was a dispute on the quays?

Larkin—The men came out again.

Wood—Did they come out or were they locked out?

Larkin—The Sailors and Firemen came out on one ship on the question of wages.

Wood—Was the dispute between the Unions?

Larkin—The National Sailors' and Firemen's Union in London had arranged for a reduction in wages.

Hanna—I object.

Wood—Tell us shortly as you can—

Larkin—A remnant of the Sailors' and Firemen's Union had agreed to take a reduced wage and our men refused to work with them.

Wood—Was there a lock out or strike at the beginning of June?

Larkin—It commenced about 16th June. I was not in Dublin when the strike occurred.

Wood—In the month of June did you see what is now called an "advertisement" in the daily papers?

Larkin—I got it in a letter form from a Union official and subsequently saw it in the Evening Papers.

Wood—That is the letter of the 27th June (reads same).

Wood—Had you prior to that received this letter from Michael Nolan?

Larkin—A few days before going to press.

Wood—Had you any previous communication from Michael Nolan, directly or indirectly?

Larkin—I did not know he was living. I had not seen him for close on 12 years. I knew a Michael Nolan had been shot, but did not know it was the same Michael Nolan.

Wood—It has been suggested you inspired the writing of that letter, is that so?

Larkin—No. When I got that letter I went down to the Head Line boats; I made enquiries from the crews.

Hanna—I object.

L.C.J.—Anyway, you made enquiries.

Larkin—Yes, my lord.

Wood—Did you ascertain, amongst other things, that two more ships—

Hanna—I object.

Wood—Did you make enquiries in Belfast?

Larkin—Yes, I sent a man to Belfast.

Wood—And then did you put in the letter and the circular letter?

Larkin—I printed the letter and the circular letter and I made a comment.

Wood—Do you believe, did you believe then and do you still believe that the statements in that letter are true in substance and in fact?

Larkin—Letter sent by Michael Nolan? Certainly.

L.C.J.—Were they published by you in good faith for the benefit of the public?

Larkin—Certainly, my lord.

Hanna—I object, that is for the Jury.

L.C.J.—Still it can be put as a general question.

Wood—You say, commenting on the first letter, Nolan's letter, "the above letter was written by a man going to sea for over 20 years, he briefly touches on the bitter experiences of Catholic workmen experienced during the years 1920 and 1921 in the City of Belfast"?

Larkin—Bennett stood as an Independent Unionist Candidate.

Hanna—I object, my lord.

Wood—Is it true that "the gentleman who, it is alleged, actively participated in the persecution of these Catholic seamen and firemen is a Mr. J. H. Bennett"?

Larkin—I believe he did as a Mason and an Orangeman.

Wood—After setting out the circular letter you say "the advertisement speaks for itself (down to the word 'Belfast') is it true?"

Larkin—He supplied scabs while our men were locked out.

Hanna—I object to these things being brought in.

Wood—Continuing to read comment—When about 870 unarmed men, 300 odd women, 213 children were murdered. Is this true? Were 32,000 Catholics and their families driven from their homes in Belfast?

Larkin—That is truth, my own relatives were amongst them.

Wood—In this article Mr. Larkin complains "Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately, and with malice, lend himself to the purposes of the Shipping Federation of London?"

Larkin—He was organizing scabs in Liverpool to take our men's jobs.

Hanna—I object.

Wood—Mr. Larkin answer these questions shortly—Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately, and with malice, lend himself to the purposes of the Shipping Federation of London? On the plea of justification is it true?

Larkin—It is true.

Wood—We are glad he has unmasked himself. He has been working too long under cover. As it has been well said, this Union that he acts for, the members pay a shilling a week to get reductions in wages, and they only exist as a Union because they are prepared at all times to do the dirty work of the shipowners of England, and take directions from the Shipping Federation of London. When

ever scabs are wanted the Shipping Federation always knows where to go to. Whenever thugs or agent-provocateurs are required the Shipping Federation knows the address to write to, and they are always supplied.

Thursday, 28th February, 1924.

May it please your Lordship and Gentlemen of the Jury, I have again to address you on behalf of Mr. Larkin.

As I told you yesterday at the outset, his Defences were two, firstly justification, that is he pleads the truth of the matters alleged to be complained of, and secondly fair comment on a matter of public interest, viz., that he honestly believed what he wrote to be true, and that he fairly and honestly believed what he wrote, and I ask you to find these two issues in favour of Mr. Larkin.

First of all, what I would like to draw your attention to is this, that when the Plaintiff comes here and claims heavy damages from you, almost vindictive damages, the first thing he boasts of is that so far as his membership of that Union is concerned he has suffered no loss, in fact it increased from week to week, and therefore, I would suggest so far as his occupation is concerned he is not imperilled. You saw his manner and attitude in the box and I would suggest to you that it was not the manner of a man who came before you as an injured man, and again, Gentlemen of the Jury, he tells you that the "Irish Worker" is not a paper which is much read within his province, in fact scarcely read at all.

I will go further than that, as you listened to the cross-examination of Mr. Larkin's witnesses yesterday and of Mr. Larkin himself, was it not an inference from that cross-examination, was it not a fact that this action is belonging to and part of the chain by which it is sought to bind Mr. Larkin, it is not a bona fide action, but that on the other hand it is what I would describe part of the barbed wire entanglement of law in which they seek to crush and destroy Mr. Larkin, and if you take that view of it, and I say you are bound to from Mr. Bennett's own evidence and attitude in the box and his instructions to Counsel for cross-examination, if you take that view, then keep that in your minds when you are dealing with the issue of justification.

On the issue of justification, Gentlemen of the Jury, was I not right yesterday when I said it was a simple issue, do you believe Mr. Bennett as to that incident of the 6th of June, or do you believe the three witnesses or any of them produced from Belfast? That is for you, they are common men, they are stupid men if you like, at least some of them, they are ignorant men if you like, are each and every one of them telling you what is untrue, or are they telling you the truth?

What surprises me, and possibly what surprises you is that Mr. Larkin in the situation in which he stood in Court here should have any witnesses from Belfast who stood by him in Dublin and who will have to return to Belfast. Mr. Larkin was assailed on Tuesday as an "American Refugee" on Wednesday as a "Deportee," on Tuesday as a "criminal," on Wednesday as a "ticket of leave man." (Lord Chief Justice: Oh, no. Lardner: "as a man with an undetermined sentence." Mr. Wood: I thank you.) Well as a man with "an undetermined sentence" he has been assailed, he has been traduced and sought to be despised. He was challenged as a man who dare not visit Belfast, that is the man who had to bring witnesses from Belfast, he brought them and you have seen them, you have seen and heard Nolan, Mawhenny and Ward, and it is for you to say whether you believe them, and having being brought from Belfast, common men and ignorant men, do you believe them?

What about Nolan, what do you think of the treatment of Nolan? Assailed as a wife-beater or the instructions of Mr. Bennett; assailed as a seducer of another man's wife on the instructions of Mr. Bennett, without one particle of evidence to support it, not even the name of the man given; he is assailed as a brawler with marks on his face, and Gentlemen of the Jury, not even in a bantering way, he is a wife-beater, a seducer of another man's wife, and the greatest grievance of all was that he had eaten an Orange Lily, that was on the instructions of Mr. Bennett. All this was said in vehement language by Serjeant Hanna, but Serjeant Hanna only acted on instructions, he never goes outside them. It is an index to the attitude of the man who is Plaintiff here to-day and asks for damages from Mr. Larkin, and these three men they are assailed because they have not been in employment since 1921. I suggest that the inference is they were seamen in Belfast, they were Catholic seamen, and were not members of Bennett's Union.

Gentlemen of the Jury, they fix the date on which this incident occurred, the visit to the Office in Queen's Square, as Monday the 6th of June, and Nolan has reason to remember that date because on the Saturday of that week he himself, and the workmen of his area, received a visit which brought death and desolation into their street, 8 were killed and 40 wounded. He tells you that on the previous Monday he had gone as a member of the deputation for protection, for a protest meeting. Do you believe him? Do you believe Ward? Do you believe Mawhenny? Mr. Lardner very skillfully and very effectively on his cross-examination of Mawhenny confused him as to the streets, but you

have to consider this, whether or not in fact that visit occurred, and how did Mr. Bennett meet it.

It is suggested to you he did not know until it was mentioned the date, we decided from the first that there was no doubt in his mind as to the particular date on which that visit took place; if there was, any doubt in his mind as to whether or not it ever took place he could have asked the date, but he refrained. He comes to you with an alibi for June and half of July, and Mr. Bennett, who has refrained from getting the particulars, has brought before you his alibi for June and July, and the man who is District Secretary and who has the interests of the Catholic and Protestant workmen at heart his own evidence is that he attended during all those years of strife, struggle and desolation, he attended one protest meeting of Catholic Seamen and two committee meetings, all before the 9th of May, and we have in evidence that after the 9th of May, in June, there was travel in Belfast and he never went to another meeting.

He avoided asking the date. If there was any doubt in his mind about the incident, he could have got the date and the hour. He never applied.

Gentlemen of the Jury, this alibi speaks for itself, the District Secretary was out of Belfast whilst desolation was raging amongst the Catholic inhabitants.

Gentlemen, on his own statement he never attended any meeting, committee or mass meeting after the 9th of May, and any efforts he made, according to his own evidence, were prior to the 1st of May, when the sum total of his efforts for the Catholic Seamen of Belfast was that he was able, through his interview with Sir James Craig, to arrange that some of the men should sign on at the Custom House instead of going through the Island, and for doing that he is a suspect with the other workers in Belfast. His duty is to care for all members. He is a suspect with the Protestants of Belfast because he does his duty. Which side was he serving?

Gentlemen, let me say this, when you look at the full facts and then about this Diary, this Diary was not made evidence until yesterday, but, Gentlemen, the real test of the truth of Nolan is the letter itself. If you look at that letter you will see this, first look at what you are asked to believe. When Sergeant Hanna was cross-examining Nolan yesterday one of the matters was this—he suggested that letter was not signed, that it was not a genuine letter, he said it was an inspired document, and in order to impress you with the fulness of that measure of iniquity he put it to the witness: "Look at that letter—turning over the pages—perfect in composition, perfect every way, a letter which you copied." I will ask you to take that letter and what you will find is this, there are twenty-four words in the four pages mis-spelt. Nolan could not even spell the name of the President of the Union—Havelock Wilson—correctly, nor the name of Mr. Bennett, the Secretary, and coming from Belfast he could not even spell "religion" correctly. Other words mis-spelt in the letter were "supplied," "conference," "brief," "shipped," "organization," "against," "propaganda," "committee," "they," "done," and "address." The spelling had been corrected in the print, otherwise the letter was word for word, and you will find on every line of the letter that he always used capitals, that is the educated man who copied the document, mind you, that was the test which was applied to him in the witness box. Take him by their own test, it is a genuine letter.

You then come to the next matter, it is this, when you look at the letter you will find it contains a number of matters, it starts as an outline of the position of Catholic Seamen in Belfast from 1920 to 1923. The first thing on the face of the document you will see he mentioned about the terrible conditions in Belfast. He then mentions this incidentally about Bennett, how they changed over as a result of their treatment in Belfast in this Union to the Transport Union. He then deals with the specific incident of the "Melmore Head" scabbed on by Bennett's men and the appeal to the Transport Union, that there was nothing done, and he finally comes to this "we have two more ships, the 'Fair Head' and the 'Bengal Head' and if something is not done they will take crews from the seab National Union. We have the 'Rathlin Head' and the 'Fair Head' due here on Monday. You have the 'Carrigan Head' in Dublin, and I think the time has come that action should be taken with this line of ships." What the man was writing is this, a letter of appeal to the man who had formerly re-organized the Seamen's Union in Belfast, a letter from the Seamen of Belfast who had no employment from 1921. He showed what was happening, he asks Mr. Larkin to take action. Is that the kind of a letter that Mr. Larkin had he wanted to use it in his action, that he would inspire? I suggest to you it is not, and when you have had it proved that every matter in that letter is unchallenged and unchallengeable. Nolan was telling what was happening incidentally he mentioned that incident. Do you believe it is true? If you believe that letter is true as representing what happened that is an end of the case. Do you believe Nolan? Do you believe that it is true that he ordered them away from the office, or do you believe this alibi?

What was the position of Mr. Larkin as General Secretary to the Transport Union here in Dublin? The ships were arriving, he went down, he went to the ships, he also sent to Belfast, and of course Mr. Larkin had received this letter from a seaman, a seaman whom he knew, a seaman whom he had

enrolled when he re-organized the Seamen's Section in Belfast. He was called upon, he acted, and he wrote. Mr. Larkin may be imperfect, he is imperfect, but he is human. Mr. Larkin is a man who, on the evidence before you, has suffered for his honest convictions whether they are right or wrong; to him it was the agonized cry from the helpless, the neglected and persecuted in Belfast. May the earth never be without men who will answer such a cry even to the death penalty if necessary. Larkin acted, Larkin wrote, Larkin acted courageously, fearlessly, vehemently if you will, but you who believe in the principles of justice and of right, you will do him justice, if not honour. The letter was the true letter of a man who is telling and relating true facts. It is a true letter coming from Nolan. You have seen him and I ask you to believe that the plea of justification is true. If you do it is an end of the Plaintiff's case.

Every citizen is entitled to pass fair comment upon matters of public interest, and so long as it is fairly and honestly done and believed, the law says a man is entitled to exercise the right of fair comment, and particularly persons who have even a paper under their control like the "Irish Worker."

As to the fair comment which I suggest to you that Mr. Larkin has made, it is the duty of the Plaintiff to prove that it is dishonest and untrue.

The men came to Bennett as their protector to hold a protest meeting; they were turned out of the office with a threat of the police, and when they came outside the police arrived. This is stated in the letter, a genuine letter, from a former member of the Union. Larkin honestly believed it was true and does honestly believe it is true. There is no proof, or no suggested proof, that at any time under any circumstances a move was made by the President in the Imperial Parliament or, elsewhere to protect these Catholic seamen in Belfast.

The other matter which I am sure has been riveted upon your attention is the alleged use Mr. Larkin makes of the word "agent-provocateur." Mr. Larkin was asked for a definition and he gave it—an emissary of the Shipping Federation, a stool-pidgeon of the Shipping Federation—and he bases it upon what he tells you, what is admitted. The facts were stated and introduced by Sergeant Hanna. Bennett's Union represents the Seamen on the Maritime Board. His Union has an agreement with the Board, the object of which is to establish one source of supply of seamen. Such an agreement may be right in law, but the seamen who are not members of the Union have a right to protest against it; and if the seamen of Dublin find that the man who is their representative is also the representative of the Free State Government on that Board, my comment is that it is left to Mr. Bennett to be one of those miraculous persons who can faithfully serve two masters.

You will do justice as between Larkin and Bennett. Larkin seeks to serve the seamen, not masters or governments.

Let us understand the meaning of the libellous word "agent-provocateur." Before you came into this box, if you had been going home in the tram or in the train or in a motor car, and you bought and were reading a copy of the "Irish Worker," and read in it the word "agent-provocateur," what would you think it meant, what would it convey to any of your minds? Of course Sergeant Hanna quite rightly dug out the meaning of the word as used in the French Revolution and says that must be the meaning and the only meaning there can be for it. Is the meaning he resorted to the meaning it conveyed to you in the way Mr. Larkin used it? Of course not. Again, gentlemen, get to another stage. What meaning would the seamen down at the Port of Dublin put on the expression "agent-provocateur"? I would rather suggest that they thought it was some Imperial Badge Mr. Bennett had received through the influence of Mr. Wilson.

My friend cannot have it both ways. One of the things Mr. Larkin is charged with is that he used the words "a Bolshevik." He was asked for the meaning and Mr. Larkin says it means "majority rule," but to ordinary people it does not mean that, it means the elements of brutality which have been attributed to the Soviet Government of Russia. Bennett does not want you to take this word in its original meaning. He asks you to deal with the word in its applied sense. On Larkin's behalf I therefore ask you to deal with the word "agent-provocateur" in its sense, if any, that it was understood by the seamen and dockers at the Port.

Do you think that in the use of the Latin-French word that he honestly believed that in respect of Bennett's relations with the Maritime Board, the interests of the Shipping Federation are the interests really served when Mr. Bennett sits down with the Shipping Federation, he cannot get away from it, the circumstances are such that the body which really settles the wages and conditions of service is that body which is represented by the twelve shipping magnates. They are the people who really control, not the eleven from the National Seamen's Union.

That is the whole case, and I ask you in justice to say that the plea of justification has been proved to your satisfaction. And I ask you also to say that when Mr. Larkin received Nolan's letter and when he saw Bennett's letter published in the Press, then he was only doing his duty, in acting courageously, fearlessly and vehemently on behalf of the seamen. Having done that courageous

thing for these men, he is assailed in Court with every discreditable epithet. You have been asked to judge him because of his alleged criminal past, as a man who leaves a terrible track after him wherever he goes. The only track he has left so far—proof given in this case—is that in Belfast, Liverpool and Dublin he has lifted up the working man. That may be to some a terrible track, I do not know whether it is so to the minds of a Special Jury of the City of Dublin. I do not believe it is. Someone must be on the side of the people, someone must take up the cause of the persecuted, the cause of those who are down under in the social scale, and it is only a miracle that the man who takes up their cause becomes a Prime Minister. Those who espouse the cause of the poor and outcast, who believe their cause, to be more sacred than life itself, go through life isolated, despised and hunted by men. Larkin, with all his humanity, with all his imperfections, says that he commented fairly and honestly and in true belief and with all sincerity upon the matter before him, and he asks you, Gentlemen of the Jury, to say on his behalf that this is not a case where the Plaintiff has been wronged. May I say, there are many in Dublin, many throughout the world and possibly some, if not all of you who believe that everywhere the wage earner is better because Larkin has lived.

L.C.J.—For the purpose of pleading the Plaintiff did not claim that the whole article was a libel against him, he took out a certain portion of it which I have enclosed in red squares and numbered 1 to 7; but of course in considering whether these seven matters complained of are or are not libels on the Plaintiff you are quite entitled to read the whole article and from your views as regards these seven matters. Some of these questions are questions which will give you no difficulty at all and are in fact admitted in this case.

Questions:

1. Did the Defendants publish of an concerning the Plaintiff the words following:—

(a) A Chara I will give you an outline of the Seamen's dispute in Belfast. As you know we have had a hellish time in Belfast from 1920 to 1923. The seamen in 1920 were members of Havelock Wilson's Union. Many of the members of that Union were driven away from their ships at the point of the revolver on account of their religion. We had one member shot but the Union never protested or tried to get protection for their members. When they asked for a protest meeting Mr. Bennett, the Secretary of the National Sailors' and Firemen's Union, phoned for the Crown Forces and we were cleared away at the point of Lewis guns of the R.I.C. and armoured cars.

(b) The above letter was written by a man who has been going to sea for over twenty years. He briefly touches on the bitter experiences of the Catholic workmen experienced during the years 1920 and 1921 in the City of Belfast. The gentleman who, it is alleged, actively participated in the persecution of these Catholic seamen and Firemen is a Mr. J. H. Bennett.

This gentleman Bennett knows something of Government Departments having worked in conjunction with the Six Counties Government in the North during that period when an organized pogrom, was carried out against the Catholic workmen, their wives and children in the City of Belfast, when about 870 unarmed, mech, ordinary Union men, 312 women and something like 200 children were brutally murdered, when blocks of houses, nay, whole streets in fact were set on fire and the occupants to the number of 32,000, mostly Catholics and a few hundred Protestant sympathisers were driven out of the City. This is one of the fights that Mr. Bennett took more than a passing interest in, for according to a former member of the Union this Mr. Bennett, when called upon to hold a protest meeting against the murderous attacks on the members of the Union who were paying him, telephoned to the Crown Forces, and his own members were cleared away at the point of the Lewis guns in the hands of the Special Constables and even armoured cars were brought up against these unarmed sailors and firemen whose only crime was that they were Catholic seamen and firemen.

Why should Mr. Bennett be permitted to act as an agent-provocateur and deliberately and with malice lend himself to the purposes of the Shipping Federation of London.

We are glad that he has unmasked himself. He has been working too long under cover. As it has been well said in this Union that he acts for the members paying a shilling a week to get reductions in wages and they only exist as a Union because they are prepared at all times to do the dirty work of the shipowners of England and take directions from the Shipping Federation of London. Whenever scabs are wanted the Shipping Federation always knows where to go to. Whenever thugs or agent-provocateurs are required the Shipping Federation knows the address to write to and they are always supplied.

Oh, yes, Bennett knows the Governments. We think the British Government could give us a lot of information in that direction and we know how willingly he worked with the Craig Government in the persecution of the workers in Belfast. Bennett will be very likely living in the Shelbourne Hotel like his Master J. H. Wilson during the 1914 struggle and dining with the shipowners. They are specially gifted, the Officials of the National Sailors and Firemen's Union, in the art of hobnobbing, winning and dining with the shipowners and other employers.

2. Were the words defamatory of the Plaintiff?
3. Did the words mean—

(a) That the Plaintiff had telephoned for Crown Forces (as alleged) and that as a result thereof members of the said Union were forcibly prevented by Lewis guns and armoured cars from holding a meeting to protest against members of the said Union being driven from their ships at the point of the revolver on account of their religion, that the Plaintiff had thus betrayed the members of the said Trades Union and that the Plaintiff, as an Official of the said Trades Union, should have protested and did not protest or try to get protection for the members of the said Trades Union.

(b) That the Plaintiff actively participated in the persecution of Catholic Seamen and Firemen in the City of Belfast during the years 1920 and 1921.

(c) That the Plaintiff worked in conjunction with the Government of Northern Ireland in an organized pogrom or massacre of Catholic workmen and their wives and children in Belfast, when 870 unarmed men, ordinary Trades Union men, 312 women, 200 children were brutally murdered and when blocks of houses and whole streets were set on fire and the occupants numbering 32,000, mostly Catholics and a few hundred Protestant sympathisers were driven out of the said City and that the Plaintiff was an accessory to and responsible for said crimes.

(d) That the Plaintiff had acted and was acting as an agent-provocateur and deliberately and maliciously leading himself to the purposes of the Shipping Federation of London and betraying the members of his Union and the employees of the said Shipping Federation and was unworthy of any trust or confidence.

(e) That the Plaintiff was prepared at all times to betray the members of the said Trades Union and the employees of the shipowners of England and that the Plaintiff was prepared to supply on request and did supply "Scabs," "Thugs," and "Agent-Provocateurs" to the said Shipping Federation.

(f) That the Plaintiff had acted as a spy and informer and secret service agent for the British Government giving them false information and that the British Government could give a lot of information to that effect, that it was well known that the Plaintiff had willingly worked with the Government of Northern Ireland in the persecution of workers in Belfast.

(g) That the Plaintiff as an Official of the National Sailors' and Firemen's Union was specially gifted in the art of hobnobbing, wineing and dining with the shipowners and other employers and thereby betraying the interests of the members of the said Trades Union and the members who reposed their trust in him, and that he was wholly untrustworthy and unfit for his business and occupation as Trades Union Official.

4. Were the words true in substance and in fact?

(5) (a) Were the words mentioned in Question 1 (b) a fair and bona fide comment on the facts stated in the letter of 23rd June and advertisement of 27th June? (b) Were they published by the Defendant without any malice towards the Plaintiff?

6. If the Plaintiff is entitled to recover, assess the damages which the Plaintiff is entitled to recover.

(I) Against Defendants jointly?

(II) Alternatively against:

(a) The Defendant Larkin.

(b) The Defendants Cahill & Co., Ltd.

In respect of the words complained of in Question 1 (a).

7. If the Plaintiff is entitled to recover, assess the damages which the Plaintiff is entitled to recover—

(I) Against the Defendants jointly;

Alternatively

(II) Against (a) The Defendant Larkin;

(b) The Defendants Cahill & Co.

In respect of the words complained of in Question 1 (b).

As regards the Defendants—Messrs. Cahill & Co.—they withdraw and apologise and consequently he is in a different position from that of Mr. Larkin.

We now come to another defence, which is the defence of fair comment.

When you come to consider what is fair comment, you will find that the law in reference to these matters is essentially common sense. In order to establish this plea you must be satisfied of three things, first that the comment must be comment and not a mere assertion of fact, that the comment must be a matter of public interest and thirdly that the comment must be fair. The two things you have to consider in dealing with this is, first, is the alleged comment comment and not a mere assertion of fact, and secondly, is it fair comment.

The limits of fair comment are not altogether easy to confine, but a definition of its limits are laid down by an eminent Chief Justice.

You must be satisfied, looking at the matter as men of common sense, that the comment was fair, that none of the facts were untrue, stated, and further that there was no malice. Malice in a case of this kind means any wrong or improper motive.

If you are satisfied that there were no misstatements of facts in it, that the comment is fair within the meaning I have given you, that the Defendant was not dealing with it in a wrong or improper motive, then the plea of fair comment will not arise.

In considering the question of fair comment, and the absence of malice you have to consider the personal element in the case, which has been the

question of truth or falsehood. (Judge then goes over Mr. Larkin's evidence.)

As regards damages, the law is such that you are not at liberty to differentiate between Cahill & Co. and Larkin. You have to find damages against both. The authority for considering questions of this kind was laid down in the Court of Appeal in England.

(Judge reads from Law Reports.)

So far as Messrs. Cahill & Co. are concerned the position is very simple, they do not appear in the trial, but they have apologised and expressed regret for the publication and withdraw all imputations on the Plaintiff's character.

The Jury retired and after an absence of one hour and fifty minutes they returned and asked if the date of the letter was material to the action as the Jury could not agree as to the date.

L.C.J.—The witnesses swear it was on the 6th June, and that is the date they have given you, and on the other hand the Plaintiff swears he was not in Belfast on that day. (Jury again retires.)

Jury's Findings:—
The Jury found for the Plaintiff as against the Defendant James Larkin for £d. damages, and as against the Defendants Cahill & Co., Limited, for £d. damages.

L.C.J.—Mr. Lardner, will you take judgment now? Lardner—I would ask you to leave it over until to-morrow, my lord.

Friday, 29th February, 1924.

Hanna—I would ask, my lord, for judgment against Larkin, and I would ask your lordship that the £250 lodged in Court by Messrs. Cahill & Co. with their admission of liability should be paid out to us. It is our money, subject to costs.

L.C.J.—As regards Larkin, I give you judgment for £d. and £d. costs, and in Messrs. Cahill's case I give you judgment for £d. and £d. costs. As the £250 in Court—

Hanna—It was lodged with an admission of liability and becomes our money.

L.C.J.—It became your money if you had taken it out. You did not do that, therefore it is not your money now.

Hanna—Reads Report Gray v. Bartholomew. L.C.J.—I will direct the money to be paid out to Messrs. Cahill & Co. less the £d.

Hanna—My lord, the whole amount can be paid out, we reserve our right to set aside the damages as not being substantial, but we may be satisfied with the vindication of our character.

L.C.J.—Now let's all go into Bankruptcy."

This closes our report of this trial. At the urgent request of many of our readers we intend to publish the verbatim report of this trial in pamphlet form.

THAT £7,500.

Senator Foran and John O'Neill put away in a "safe" place in 1913—the little matter of £7,500 so that they could rebuild Liberty Hall three years later; after its destruction by the British forces, and for this example of foresight received the encomiums of the Master of the Rolls. With all due respect to his lordship, we do not think he went far enough. A man who could foresee the destruction of Liberty Hall three years before it happened deserves more than a compliment: Yes, sir; he is a fitting man to abide in the bosom of Senator Browne and in the effulgence that is Yeats.

HA ! HA !

"I think it shows the anxiety—or words to that effect—of Mr. Foran to do right by the members of the Union, that he concealed from Mr. Larkin the existence of this money, Mr. Larkin not being of a saving—or "Safe"—ing—disposition." The Master of the Rolls said that. Quite right, too. No doubt Mr. L. would have disbursed the money to the members, and then they would have no money. But the Senator kept the money and that explains why the members were never short of funds. Of course, if Senator Foran had given away the boodle to the members, the members would have had no funds at all. Funny, isn't it? Give me my money and I've none; keep my money and I've plenty.

THE NEW MORALITY

According to Mr. Chas. O'Connor, Master of the Rolls, there is nothing wrong in a trustee withholding knowledge of funds entrusted to him when his fellow trustee is of a "spending" turn of mind. It opens up possibilities.

Any day now we expect to see defences like the following set up in the police courts:
Magistrate: Why did you pick this man's pocket?

Prisoner: I believed he would have spent the money taking his family to the pictures if I hadn't taken it.

Magistrate: Give this good man ten shillings out of the Court Poor Box. Dismissed.

Or

Magistrate: Prisoner, why did you beat your wife?

Prisoner: She wanted my wages.

Magistrate: Shocking! Does she really think she is entitled to your earnings?

Prisoner: Yes, sir; she wanted to know if she could feed her family on air.

Magistrate: A most improper remark. This woman is clearly of a spending disposition. I dismiss the summons.

WHEN THE DEVIL WAS SICK.

Mr. Thomas Johnson, T.D., is on the verge of realisation. He is not so sure as heretofore that all is well with the cause of Johnson. Hence you will have noticed the tremendous fight (!!) put up by him to maintain Old Age Pensions. A man must live—we think this is the standard excuse for backsliding—and Mr. Thos. J. is convinced that he is entitled to number himself among the survivors.

Speaking on the question of reducing Old Age Pensions, he said: "That is what the Old Age pensioners are to pay for freedom." Certainly, "a Chara." But if the late civil war has "cost as much more," a possibility Mr. Johnson expressed himself prepared to face cheerfully, the bill to pay for the attempt to destroy the Republican idea would have been exactly twice as much as it is, and the cut in Old Age Pensions, according to the Blythe system of effecting economies, would have been "as much more."

Mr. Johnson is trying hard to get away from his Free State Government friends, insofar as the connection injures his "prospects." He is rattling, but he makes even a poor rat. To be sure he would go over to capitalism—mistake, he is it—but there is not a capitalist, even of the Fish-and-Chip persuasion, who would betray the traditions of his craft by association with this political Robinson Crusoe. We will attend the funeral.

TAKES THE BISCUIT.

It having been elicited, in evidence, from Ald. Wm. O'Brien, that a number of Branch Secretaries had made away with Union funds during his tenure of office—how many he could not say—his lordship, the Master of the Rolls, expressed himself satisfied with the Alderman's business capacity.

His lordship did not say so, but we opine he would have been still more satisfied if all I.T.G.W.U. secretaries had done in like manner.

AWAITING A REPLY.

Mr. Cosgrave and his fellow-patriots have ascribed the necessity of cutting Old Age Pensions, teachers' salaries, the cost of feeding necessitous school children, etc., etc., to the activities of the "Irregulars" and the cost to the nation of suppressing their activities.

We are wondering what size civil war would be necessary to justify a "cut" in an Executive Minister's salary. Pass us the word.

LAW PROCEEDINGS

(Continued from Column 3, page 4)

O'Brien—It was based on 1 member for each 1,000 financial members and in addition members of the Executive.
 Hanna—Was the Union divided into groups?
 O'Brien—Into 23 groups.
 Hanna—Was the Delegate Conference held on the 24th 25th April?
 O'Brien—Yes.
 Hanna—What kind of a discussion a full discussion?
 O'Brien—Yes, a detailed discussion.
 Hanna—You know the contents of the report of that Conference?
 O'Brien—I do.
 Hanna—Is it true?
 O'Brien—A very accurate summary.
 Serjeant Hanna reads report.
 Hanna—The resolution was put and carried unanimously?
 O'Brien—Yes.
 Hanna—After that on the 14th May there was an adjourned Delegate Conference?
 O'Brien—There was.
 (Serjeant Hanna reads minutes of same.)
 Hanna—And on the 9th May did you send out a circular letter to the Secretary of each branch enclosing proposed new Rules requesting them to fill in form if they approved of the Rules?
 O'Brien—Yes.
 Hanna—You gave them until the 1st June to hold their Branch Committee Meeting and fill up the form?
 O'Brien—Yes.
 Hanna—Could you give us the number of branches that rejected the Rules that were delivered in time?
 O'Brien—7, I think.
 Hanna—Of the 17 that were received late there were 16 in favour and one against?
 O'Brien—Yes.
 Hanna—The Rules were registered on the 2nd June?
 O'Brien—They were.
 Hanna—The action was started on the 11th June?
 O'Brien—Yes.
 Hanna—Are these Rules still in suspension? Not acted on?
 O'Brien—In so far as we could avoid it.
 Mr. Larkin cross-examining.
 Larkin—Did you swear an affidavit on the Injunction Motion in this Court on 31st July?
 O'Brien—I swore so many.
 Master of the Rolls—What is the date of filing?
 Larkin—Sworn 30th July and filed 31st July.
 Mr. Larkin then reads affidavit to Mr. O'Brien.
 Larkin—Is it true that this particular Trade Union at any time spent no money on political action or representation?
 O'Brien—Every statement in that affidavit is true. I have sworn it.
 Larkin—Everything you swore in that affidavit—
 O'Brien—It is true; come on, ask me any question you want to, I will face you as I always did.
 (Loud laughter in Court. At this stage the Master of the Rolls threatened to clear the Court.)
 Larkin—You arranged everything?
 O'Brien—I did.
 Larkin—Always did?
 O'Brien—Before you went away—
 (Master of the Rolls interfered.)
 Larkin—Why did you wait such a long time between the December, 1921, and 6th April?
 O'Brien—We were not waiting.
 Larkin—You were working all the time?
 O'Brien—Working hard, doing your portion.
 Larkin—I will not plead guilty to anything you did in my name.
 Master of the Rolls—Go on.
 Larkin—You send out a circular and then wait until 6th April, 1922, until you take any further action?
 O'Brien—We discussed the proposed Rules very carefully.
 Larkin—Who with?
 O'Brien—With the Executive and many other people.
 Larkin—Who were the Executive?
 O'Brien—The Minute Book will tell you.
 Larkin—Anybody else outside the Executive?
 O'Brien—Everyone we thought could give us useful opinion.
 Larkin—Any Counsel brought in?
 O'Brien—No.
 Larkin—Did Mr. Porter, B.L., of Belfast advise?
 O'Brien—Never discussed these Rules.
 Larkin—Did he give you advice on political questions?
 O'Brien—Yes, Rules not conformable with the Law.
 Larkin—Did you know it was not conformable with the Law previous to getting Counsel's opinion?
 O'Brien—Not exactly.
 Larkin—Never discussed the amendment of the Act in 1914 with anybody?
 O'Brien—In what way?
 Larkin—At Trade Union Congress?
 O'Brien—I do not remember.
 Larkin—Do you remember in 1915?
 O'Brien—Yes.
 Larkin—Remember discussing the matter with anybody?

O'Brien—I suppose I did.
 Larkin—In what year?
 O'Brien—I do not remember; discussed it many times.
 Larkin—In 1915, 1916, 1917?
 O'Brien—Cannot say definitely.
 Larkin—Can you answer any question definitely? Did you discuss it previous to getting Rules amended?
 O'Brien—Yes.
 Larkin—Never heard Osborne Judgment mentioned?
 O'Brien—Yes.
 Larkin—Did you know that Trade Union Congress in England had come to a decision in 1914?
 O'Brien—No.
 Larkin—You are not in touch with Trades Unions.
 O'Brien—Yes, still in it.
 Larkin—You are not half deep enough.
 Larkin—Had you any legal right to call a Congress under the Rules of 1918?
 O'Brien—Yes.
 Larkin—What Rule?
 O'Brien—I don't remember.
 Larkin—You always lived by the Rule Book?
 O'Brien—I tried to.
 Larkin—You are very definite in deciding under Rule 12.
 O'Brien—We have to be.
 Larkin—And when a woman owed a penny you declined to pay her Mortality Benefit?
 O'Brien—Yes.
 Larkin—Did the Finance Committee ever rule on application by Mrs. Christian?
 O'Brien—I cannot say.
 Larkin—May I refer you to this letter?
 O'Brien—Show it to me.
 Larkin—Hand it to the Prisoner. I mean witness Prisoner before long.
 O'Brien—That is an official document.
 Master of the Rolls—Reads letter to the Court.
 Larkin—Take these two books formerly belonging to Mr. Joseph Christian and tell us where the alteration in the payment took place.
 O'Brien—The figures for 21st January, 1922, appear to have been altered.
 Master of the Rolls—Show it to me. (Examines the books.) Certainly it does appear to suggest that there was alteration. Is there any book kept by which the accuracy of these cards could be checked?
 O'Brien—The Branch Book, my lord.
 Master of the Rolls—I am allowing this question to be put inasmuch as serious charges are made against these men which really do not come within the case.
 Larkin—I would draw your attention to the Rules. These men are charged according to the Rules with deciding whether the relatives of a dead member are entitled to Mortality Benefit. This man Joseph Christian was a member of No. 2 Branch and the Rules of 1912-1918 state that a man having paid 52 weeks at 6d. per week, in case of death his legal representative is entitled to £9 Mortality Benefit. Why did you not keep to the Rules of the Union in this case?
 O'Brien—So we did.
 Larkin—Give me the 1915 Rules.
 O'Brien—They are not the Rules of the Union.
 Larkin—I hold that the Rules of the Union are the 1915 Rules.
 O'Brien—That does not make it a fact.
 Larkin—Agreed; nor does your statement make the Rules of 1923 a fact. Did you, since the passing of these alleged Rules, did you sell them to members of the Union?
 O'Brien—We did.
 Larkin—Have you acted upon them?
 O'Brien—Possibly to some extent.
 Larkin—Spent money for political purposes under them?
 O'Brien—No.
 Larkin—Are you conscious that the Transport Union is affiliated with the Irish Trade Union Congress?
 Master of the Rolls—I object.
 Larkin—Have you the shorthand notes that were taken of this Delegate Report?
 O'Brien—I do not know.
 Larkin—Did you burn them?
 O'Brien—I burnt no books; I left that to you.
 Larkin—I left them, in 1914, to you and others and you took special care to burn them.
 Larkin—You say this is an accurate report?
 O'Brien—A fair summary.
 Larkin—Who transcribed it?
 O'Brien—What date?
 Larkin—The Delegate Conference 14th and 24th-25th April, 1923.
 O'Brien—Joseph O'Kelly.
 Larkin—Can you produce Joseph O'Kelly?
 O'Brien—Where?
 Larkin—Here—Where can he be found?
 O'Brien—At the Head Office of the Union. He is in Court.
 Larkin—Are these notes correct?
 O'Brien—They are a fair summary.
 Larkin—Did they come before the Executive Meeting of the Union?
 O'Brien—I hardly think so.
 Larkin—You arranged that they were correct?
 O'Brien—I accepted them as correct.
 Larkin—Did the members of the Executive get an opportunity to pass them?
 O'Brien—Not called for.
 Larkin—Did every member get a copy of them?
 O'Brien—No.

Larkin—Did you issue a report of the adjourned Delegate Conference held on 14th May, 1923?
 O'Brien—To whom?
 Larkin—To those entitled to it?
 O'Brien—There was a report prepared.
 Larkin—For whom?
 O'Brien—For the Records.
 Larkin—Did it come before the Executive Meeting at any time?
 O'Brien—I do not think so.
 Larkin—Who was Secretary in May, 1923?
 O'Brien—Of what?
 Larkin—Of the Union?
 O'Brien—James Larkin.
 Larkin—Why was he not supplied with these minutes?
 O'Brien—He was.
 Larkin—Who supplied them to him?
 O'Brien—I did.
 Larkin—This you brought to me?
 O'Brien—I sent it to you.
 Larkin—Any Executive Meeting that the document came before?
 O'Brien—I do not think so.
 Larkin—What date did you give me that Report?
 O'Brien—I do not remember.
 Larkin—Somewhere about the 3rd of June?
 O'Brien—Before you went on Tour.
 Larkin—How many days elapsed between the writing of the report and sending it to the Secretary?
 O'Brien—I could not say.
 Larkin—You were doing my work, you say, and you for years, as General Treasurer, allowed monies of the Union to be taken away by defaulting secretaries, shop stewards and others?
 O'Brien—Not true.
 Larkin—Did you submit a copy of these Rules 1923 to me as Secretary?
 O'Brien—No.
 Larkin—Why not?
 O'Brien—You were not discharging your duties.
 Larkin—Was I in the Office on the 2nd June, 1923?
 O'Brien—I cannot say. I did not see you.
 Larkin—Was I there any day in May?
 O'Brien—You returned from tour the last week in May.
 Larkin—These Rules were brought by Thomas Kennedy to No. 3 Branch, do you believe that to be true?
 O'Brien—Anything Kennedy would say would be true.
 Larkin—Was Mr. Kennedy also acting Secretary?
 O'Brien—Doing some of the work.
 Larkin—You were a member of the Dail, who was doing the General Treasurer's work?
 O'Brien—I was doing portion of it.
 Larkin—Do you swear you were doing portion of it, who was doing the other portion?
 O'Brien—Mr. Kennedy.
 Larkin—What date did I enter into office on my return?
 O'Brien—You never took up office.
 Larkin—What do the minutes say?
 O'Brien—I stand by the minutes.
 Larkin—That is not the same book I saw on discovery.
 O'Brien—It is the same book.
 (Minute Book produced.)
 Mr. Larkin reads minutes of 4th May, 1923.
 Larkin—Did I attend the Meeting as General Secretary?
 O'Brien—Yes.
 Larkin—On that date did you act as Secretary or Thomas Kennedy?
 O'Brien—I think I acted.
 Larkin—Did the Secretary attend any other meetings as far as you know?
 O'Brien—I think he attended meetings afterwards, Committees, at which I was not present.
 Larkin—Did Thomas Kennedy go to the Registrar to your knowledge on Saturday, 2nd June, at the hour of 4 to 5 to get these Rules registered?
 O'Brien—No.
 Larkin—Who went to the Registrar?
 O'Brien—I did.
 Larkin—Did you tell Mr. O'Connell, Miley or his Assistant that you were instructed to get these Rules registered?
 O'Brien—No, not necessary.
 Larkin—What time did Butler sign the Rules, on what day?
 O'Brien—I do not know.
 Larkin—Did you send anyone to Thomas Butler to sign those Rules on Saturday afternoon?
 O'Brien—No.
 Larkin—What time?
 O'Brien—Saturday morning.
 Larkin—What day did you sign that document?
 O'Brien—I did not sign it at all.
 Larkin—Did that document say that these men were instructed by a meeting to submit Rules for registration?
 O'Brien—Show it to me.
 Larkin—At the meeting on the 24-25th April of this alleged Delegate Conference did J. Hickey of Cork say that the resolution passed by the Delegate Conference would be referred back with full power to amend?
 O'Brien—Is it on the records?
 Larkin—It is on the records.
 O'Brien—I do not think so.
 (Mr. Larkin then read out report of Delegate Conference.)
 Larkin—Did you vote upon this resolution?
 O'Brien—I hardly think so.

Larkin—But did you not say they voted unanimously?

O'Brien—I think so.

Larkin—Did Thomas Foran vote?

O'Brien—I cannot say.

Larkin—Thomas Kennedy?

O'Brien—He might, I cannot say he voted.

Larkin—Did your Private Secretary type you that record?

O'Brien—No Private Secretary, never had one.

Larkin—Did Mr. O'Kelly at any time do any work except attending on you and your private business?

O'Brien—I don't know.

Larkin—Was employment given to him for a period of three years?

O'Brien—Given to him by the Executive.

Larkin—Who were the Executive?

O'Brien—You will find their names in the Books.

Larkin—Did No. 1 Branch, of which you are a member, vote upon these Rules?

O'Brien—I was not present at any Branch meeting.

Larkin—Any report from No. 1 Branch that they had voted?

O'Brien—Yes.

Larkin—Did you hear a Mr. Mitchell say that the Committee had received a number of these draft copies and without any discussion adopted them?

O'Brien—I do not think he said that.

Larkin—What did he say?

O'Brien—He said he came in late and were discussed when he came in.

Larkin—Mr. Mitchell did say he was handed a copy of these Rules and was called upon to vote?

O'Brien—Yes.

Larkin—There was present at that meeting some 11 to 20 members?

O'Brien—I would not accept Mr. Mitchell's statement without corroboration?

Larkin—If corroborated by other members?

O'Brien—11 to 20 is a big radius.

Larkin—Did No. 1 Branch vote on these Rules?

O'Brien—I believe they did.

Larkin—No. 3 Branch?

O'Brien—I believe they did.

Larkin—Did any Branches of the Union vote on them?

O'Brien—Oh, yes.

Larkin—What Branches?

O'Brien—Oh, now, I cannot tell you that: out of 105 received 98 voted in favour.

Larkin—There were over 350 branches of the Union on that date?

O'Brien—Yes, fully qualified to vote.

Larkin—You admit that the Secretary had no knowledge of the application being made for registration?

O'Brien—I do.

Larkin—Could you not have told him that the E.C. were going to apply for registration?

O'Brien—You were busy preparing to go to Russia, you said men's lives depended on you getting there.

Larkin—Any Executive in 1915-1916 and 1917 of the Union?

O'Brien—First election in 1915 after you had left.

Larkin—Did you say there was no Executive in 1915, 1916, 1917?

O'Brien—That is correct.

Larkin—Then the words of James Connolly which live in his writing are not true; y' are good enough to read that, sir, and it will prove that you are a deliberate liar.

(Copy.)

Irish Transport and General Workers' Union.
James Larkin, General Secretary.

Head Office, Liberty Hall,
Beresford Place, Dublin.
29th November, 1915.

Secretary, High St. Branch.

Dear Sir—You are hereby notified that there will be a meeting of the General Executive of this Union on the First Sunday of January, 1916, in Liberty Hall, Dublin. It is therefore necessary that your delegates be notified and be instructed upon any matters your members desire to bring before the National Executive.

An auditor's report of the state of the branch will be called for at the meeting.

Fraternally yours,

JAMES CONNOLLY,
Acting General Secretary.

Master of the Rolls—You have no right whatever to say that.

Mr. Larkin—Mr. O'Brien and I will meet in another place.

Mr. O'Brien—My lord, might I be permitted to make a statement about the charges that are being made against me?

Master of the Rolls—It is not necessary to make a statement, there has been nothing proved against you.

Master of the Rolls—Now, Mr. Larkin, you must put in any documents on which you rely.

Mr. Larkin puts in proofs.

Registrar's Returns, Statement of Account of the I. T. & G. W. Union for the various years from 1912 to date of action.

Finance Rulings Book.

Payments Book.

Executive Minute Book of Transport Union from 1918 to 1924.

Letter from James Connolly on behalf of the Irish Transport and General Workers' Union to High St. Branch of Union, 1915

Mr. Larkin—I desire to put in these Mortality Claims—Murphy, Kennedy, Ryan and many others.

Master of the Rolls—A few of them will do to be marked.

Rules for 1909-12-15-18-23.

Hanna—Heard nothing of 1909 Rules.

Larkin—1912-15-18-23 will do.

Affidavit of O'Brien on Injunction Motion of July, 1923.

The Reports of the Irish Trade Congress.

Master of the Rolls—I will not accept them.

Larkin—I submit copy of the "Voice of Labour" 9th February, 1923.

Master of the Rolls—I Will not accept it.

Letter to No. 3 Branch re irregularities.

Letter Thomas Kennedy to John Bohan—

Irish Transport and General Workers' Union.

Head Office—

Liberty Hall, Dublin.

No. 3 Branch.

Dated April 24th, 1921.

Address 74 Thomas Street.

Mr. John Bohan,

Hut 10, F. Coy., No. 2 Camp.

Ballykinlar, Co. Down.

Dear Bohan—I duly received your letter which I placed before the Committee. They quite realise the difficulty of stating the exact amount of cash in hands. However the annual balance sheet has not been passed, not on account of the £42 17s. 2d. debited to you, but for other reasons which you are in no way accountable for. From your letter the Committee have taken it for granted that the £33 is branch funds and they would be glad if you would give your consent for that amount to be transferred to their account. As there is a good deal of money in the Assistant Secretary's hand belonging to your wages account you could pay the Committee the £33 and allow the money in Bank to remain to your a c. You will be surprised to hear that O.C. may be suspended at any moment by the E.C. The trouble is in connection with strike pay. I think its a certainty he will go. This will leave me in a very bad position as I had intended to give up the work at the end of this month providing they could get someone to keep things going. To make matters worse I owe O'Connor a good deal of money, in fact he would have been gone before this if I could pay him. For this purpose I would be ever so thankful if you would lend me say £15 from your wages a c. I realise that this is asking something but I can assure you that I will repay you. If you do this for me write Tim and tell him to make the order for me to get it. Many of the members have been enquiring after you and hope that at least you are in good health. Best regards.

THOMAS KENNEDY (Acting Secy.)

Master of the Rolls—I rule that out.

Cables alleged to have been sent to Larkin (already in).

Minute Book Dublin No. 3 Branch.

E.C. Minute Book for various years of I. T. & G. W. Union.

Bank Books and Statement of Account (already in).

Letter from J. Larkin to T. Foran—

This is written in haste. Bearer waits. Reliable.

My Dear Tom—Greetings and congratulations on the result of your loyalty and work. May I extend to you and the boys my heartfelt sympathy on your magnificent work for the Irish Proletarians and my regret that I cannot share in your labours directly. I need not say that I am with you in spirit and with Freedom of the Seas is a fact and the power of despotism shattered for ever, may I hope to rejoin you and your comrades in the truly great work you have set your minds, hearts, and bodies to accomplish. Don't be led astray by the ephemeral political movements of a moment. Our work is fundamental. Not only do we want an Independent Ireland, but we demand a Free Nation of Free Men and Women. I realise the tortuous paths you and your colleagues must walk. Certain forces in Eire seem to have exploited the struggle for their own ends. Don't be in any way deterred, hew straight to the line, let the chips fall where they may. Be assured we are on the side that must ultimately prevail. Leaders! Morvah, and parties rise up and pass away in a night, but men live on for ever and principles are permanent. I see that Sinn Fein wants a Republic in Ireland now. What is become of Arthurs, King, Lords and Commons. Does he not want the foreign capitalists to come and start up industries in Ireland because land is cheap and labour cheap and unorganised. May I again ask you to send me books, papers, reports of Trade Union Congress, both Irish, Scotch and British, also a copy of Wilson's play of 1913 strike, and Connolly's play. Send me any propaganda. Let me know how the old ship sails. Are Nolan, O'Neill, Redmond, Daly and the other boys doing their share. Tell O'Brien, McPartland to let me know how Friend saw Cahal Shannon in L'pool. I trust to you to not let my woman and her kiddies go short. I will repay. Why not send out an appeal for help to the Colonies? Australia would

respond. Peter at last writing is well. I will send you American papers in my next.—Your Comrade, JIM.

Master of the Rolls—I have nothing to say about them.

The Rules of the National Health Insurance.

Master of the Rolls—I have not got anything to say to them.

Minutes of No. 1 Branch, 1914/15.

Correspondence dealing with alleged revision of Rules, 1918/23 (already in).

Written protest against proposed adoption of Rules (in minutes).

Continued next week

AN HONEST BOURGEOIS.

Mr. W. J. Perry, of the University of London, has just published a book dealing with "The Growth of Civilisation." On the subject of "The Origin and Development of War" he says: "organised violent behaviour between communities is not an essential of human society. We are apt to think that 'civilisation' has tamed the 'savage,' that it has imposed restraint on his violent tendencies. I am convinced that this is one of the most profound mistakes that can be made."

"For various reasons mankind has educated itself in force, and the gravest problem with which we are faced is that of eliminating this frame of mind, of vanquishing the sentiments that so poison human relationships."

"Two great tendencies are at work in civilisation. On the one hand there is the constructive tendency, which has caused men to discover one thing after another, to elaborate the arts and crafts, to open up and to strive to maintain communications between all parts of the earth, to colonise fresh countries, where desirable things are to be found, to write books, poems, plays, to paint pictures.

"At the same time, certain faults inherent in the relationships that have arisen between men in the course of the development of civilisation have set up social disharmonies. The great task of the future is to eradicate these disharmonies, so far as it is possible."

Irish Self-Determination League (Gt. Britain)

182, Shaftesbury Avenue,
London, W.C.2.

6th March, 1924.

The News Editor, "Irish Worker."
Sir,

RE RELEASE OF IRISH POLITICAL PRISONERS IN ENGLAND.

At a special meeting of the Committee of the Irish Self-Determination League, Central Branch (London), the following resolution was passed, and the Secretary was directed to send a copy to the Prime Minister, the Home Secretary and the Press. I trust, therefore, you will see your way to extending to us the courtesy of your columns.

RESOLUTION:

THAT the Central Branch (London) of the Irish Self-Determination League desires to call the attention of the Home Secretary to the continued imprisonment of Irish Political Prisoners in Wormwood Scrubs and Holloway prisons. The men at Wormwood Scrubs are victims sacrificed to the illegal action of the previous Government—a Government that cleared itself of its action by special protective legislation.

THIS Branch calls on the Home Secretary to release Mrs. Eady (from Holloway) and Art O'Brien, Sean McGrath, A. Mullarkey, D. Fleming, T. Flynn and M. Galvin (from Wormwood Scrubs), and thus justify the claim that Labour has made upon the Irish electors of Great Britain.

Yours faithfully,

C. J. LOFMARK,
Hon. Secretary.

Larkin—But did you not say they voted unanimously?

O'Brien—I think so.

Larkin—Did Thomas Foran vote?

O'Brien—I cannot say.

Larkin—Thomas Kennedy?

O'Brien—He might, I cannot say he voted.

Larkin—Did your Private Secretary type you that record?

O'Brien—No Private Secretary, never had one.

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O'Brien—Given to him by the Executive.

Larkin—Who were the Executive?

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Larkin—Did No. 1 Branch, of which you are a member, vote upon these Rules?

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Larkin—Any report from No. 1 Branch that they had voted?

O'Brien—Yes.

Larkin—Did you hear a Mr. Mitchell say that the Committee had received a number of these draft copies and without any discussion adopted them?

O'Brien—I do not think he said that.

Larkin—What did he say?

O'Brien—He said he came in late and were discussed when he came in.

Larkin—Mr. Mitchell did say he was handed a copy of these Rules and was called upon to vote?

O'Brien—Yes.

Larkin—There was present at that meeting some 11 to 20 members?

O'Brien—I would not accept Mr. Mitchell's statement without corroboration?

Larkin—If corroborated by other members?

O'Brien—11 to 20 is a big radius.

Larkin—Did No. 1 Branch vote on these Rules?

O'Brien—I believe they did.

Larkin—No. 3 Branch?

O'Brien—I believe they did.

Larkin—Did any Branches of the Union vote on them?

O'Brien—Oh, yes.

Larkin—What Branches?

O'Brien—Oh, now, I cannot tell you that: out of 105 received 98 voted in favour.

Larkin—There were over 350 branches of the Union on that date?

O'Brien—Yes, fully qualified to vote.

Larkin—You admit that the Secretary had no knowledge of the application being made for registration?

O'Brien—I do.

Larkin—Could you not have told him that the E.C. were going to apply for registration?

O'Brien—You were busy preparing to go to Russia, you said men's lives depended on you getting there.

Larkin—Any Executive in 1915-1916 and 1917 of the Union?

O'Brien—First election in 1915 after you had left.

Larkin—Did you say there was no Executive in 1915, 1916, 1917?

O'Brien—That is correct.

Larkin—Then the words of James Connolly which live in his writing are not true; y' are good enough to read that, sir, and it will prove that you are a deliberate liar.

(Copy.)

Irish Transport and General Workers' Union.
James Larkin, General Secretary.

Head Office, Liberty Hall,

Beresford Place, Dublin.

29th November, 1915.

Secretary, High St. Branch.

Dear Sir—You are hereby notified that there will be a meeting of the General Executive of this Union on the First Sunday of January, 1916, in Liberty Hall, Dublin. It is therefore necessary that your delegates be notified and be instructed upon any matters your members desire to bring before the National Executive.

An auditor's report of the state of the branch will be called for at the meeting.

Fraternally yours,

JAMES CONNOLLY,

Acting General Secretary.

Master of the Rolls—You have no right whatever to say that.

Mr. Larkin—Mr. O'Brien and I will meet in another place.

Mr. O'Brien—My lord, might I be permitted to make a statement about the charges that are being made against me?

Master of the Rolls—It is not necessary to make a statement, there has been nothing proved against you.

Master of the Rolls—Now, Mr. Larkin, you must put in any documents on which you rely.

Mr. Larkin puts in proofs.

Registrar's Returns, Statement of Account of the

I. T. & G. W. Union for the various years from 1912 to date of action.

Finance Rulings Book.

Payments Book.

Executive Minute Book of Transport Union from 1918 to 1924.

Letter from James Connolly on behalf of the Irish Transport and General Workers' Union to High St. Branch of Union, 1915

Mr. Larkin—I desire to put in these Mortality Claims—Murphy, Kennedy, Ryan and many others.

Master of the Rolls—A few of them will do to be marked.

Rules for 1909-12-15-18-23.

Hanna—Heard nothing of 1909 Rules.

Larkin—1912-15-18-23 will do.

Affidavit of O'Brien on Injunction Motion of July, 1923.

The Reports of the Irish Trade Congress.

Master of the Rolls—I will not accept them.

Larkin—I submit copy of the "Voice of Labour" 9th February, 1923.

Master of the Rolls—I Will not accept it.

Letter to No. 3 Branch re irregularities.

Letter Thomas Kennedy to John Bohan—

Irish Transport and General Workers' Union.

Head Office—

Liberty Hall, Dublin.

No. 3 Branch.

Dated April 24th, 1921.

Address 74 Thomas Street.

Mr. John Bohan,

Hut 10, F. Coy., No. 2 Camp.

Ballykinlar, Co. Down.

Dear Bohan—I duly received your letter which I placed before the Committee. They quite realise the difficulty of stating the exact amount of cash in hands. However the annual balance sheet has not been passed, not on account of the £42 17s. 2d. debited to you, but for other reasons which you are in no way accountable for. From your letter the Committee have taken it for granted that the £33 is branch funds and they would be glad if you would give your consent for that amount to be transferred to their account. As there is a good deal of money in the Assistant Secretary's hand belonging to your wages account you could pay the Committee the £33 and allow the money in Bank to remain to your a c. You will be surprised to hear that OC. may be suspended at any moment by the E.C. The trouble is in connection with strike pay. I think its a certainty he will go. This will leave me in a very bad position as I had intended to give up the work at the end of this month providing they could get someone to keep things going. To make matters worse I owe O'Connor a good deal of money, in fact he would have been gone before this if I could pay him. For this purpose I would be ever so thankful if you would lend me say £15 from your wages a c. I realise that this is asking something but I can assure you that I will repay you. If you do this for me write Tim and tell him to make the order for me to get it. Many of the members have been enquiring after you and hope that at least you are in good health. Best regards.

THOMAS KENNEDY (Acting Secy.)

Master of the Rolls—I rule that out. Cables alleged to have been sent to Larkin (already in). Minute Book Dublin No. 3 Branch. E.C. Minute Book for various years of I. T. & G. W. Union. Bank Books and Statement of Account (already in). Letter from J. Larkin to T. Foran— This is written in haste. Bearer waits. Reliable.

My Dear Tom—Greetings and congratulations on the result of your loyalty and work. May I extend to you and the boys my heartfelt sympathy on your magnificent work for the Irish Proletarians and my regret that I cannot share in your labours directly. I need not say that I am with you in spirit and with Freedom of the Seas is a fact and the power of despotism shattered for ever. May I hope to rejoin you and your comrades in the truly great work you have set your minds, hearts, and bodies to accomplish. Don't be led astray by the ephemeral political movements of a moment. Our work is fundamental. Not only do we want an Independent Ireland, but we demand a Free Nation of Free Men and Women. I realise the tortuous paths you and your colleagues must walk. Certain forces in Eire seem to have exploited the struggle for their own ends. Don't be in any way deterred, hew straight to the line. let the chips fall where they may. Be assured we are on the side that must ultimately prevail. Leaders! Morvah, and parties rise up and pass away in a night, but men live on for ever and principles are permanent. I see that Sinn Fein wants a Republic in Ireland now. What is become of Arthurs, King, Lords and Commons. Does he not want the foreign capitalists to come and start up industries in Ireland because land is cheap and labour cheap and unorganised. May I again ask you to send me books, papers, reports of Trade Union Congress, both Irish, Scotch and British, also a copy of Wilson's play of 1913 strike, and Connolly's play. Send me any propaganda. Let me know how the old ship sails. Are Nolan, O'Neill, Redmond, Daly and the other boys doing their share. Tell O'Brien, McPartland to let me know how Friend saw Cahal Shannon in L'pool. I trust to you to not let my woman and her kiddies go short. I will repay. Why not send out an appeal for help to the Colonies? Australia would

respond. Peter at last writing is well. I will send you American papers in my next.—Your Comrade, JIM.

Master of the Rolls—I have nothing to say about them.

The Rules of the National Health Insurance. Master of the Rolls—I have not got anything to say to them.

Minutes of No. 1 Branch, 1914/15.

Correspondence dealing with alleged revision of Rules, 1918/23 (already in).

Written protest against proposed adoption of Rules (in minutes).

Continued next week

AN HONEST BOURGEOIS.

Mr. W. J. Perry, of the University of London, has just published a book dealing with "The Growth of Civilisation." On the subject of "The Origin and Development of War" he says: "organised violent behaviour between communities is not an essential of human society. We are apt to think that 'civilisation' has tamed the 'savage,' that it has imposed restraint on his violent tendencies. I am convinced that this is one of the most profound mistakes that can be made."

"For various reasons mankind has educated itself in force, and the gravest problem with which we are faced is that of eliminating this frame of mind, of vanquishing the sentiments that so poison human relationships."

"Two great tendencies are at work in civilisation. On the one hand there is the constructive tendency, which has caused men to discover one thing after another, to elaborate the arts and crafts, to open up and to strive to maintain communications between all parts of the earth, to colonise fresh countries, where desirable things are to be found, to write books, poems, plays, to paint pictures."

"At the same time, certain faults inherent in the relationships that have arisen between men in the course of the development of civilisation have set up social disharmonies. The great task of the future is to eradicate these disharmonies, so far as it is possible."

Irish Self-Determination League (Gt. Britain)

182, Shaftesbury Avenue,

London, W.C.2.

6th March, 1924.

The News Editor, "Irish Worker."

Sir,

RE RELEASE OF IRISH POLITICAL PRISONERS

IN ENGLAND.

At a special meeting of the Committee of the Irish Self-Determination League, Central Branch (London), the following resolution was passed, and the Secretary was directed to send a copy to the Prime Minister, the Home Secretary and the Press. I trust, therefore, you will see your way to extending to us the courtesy of your columns.

RESOLUTION:

THAT the Central Branch (London) of the Irish Self-Determination League desires to call the attention of the Home Secretary to the continued imprisonment of Irish Political Prisoners in Wormwood Scrubs and Holloway prisons. The men at Wormwood Scrubs are victims sacrificed to the illegal action of the previous Government—a Government that cleared itself of its action by special protective legislation.

THIS Branch calls on the Home Secretary to release Mrs. Eady (from Holloway) and Art O'Brien, Sean McGrath, A. Mullarkey, D. Fleming, T. Flynn and M. Galvin (from Wormwood Scrubs), and thus justify the claim that Labour has made upon the Irish electors of Great Britain.

Yours faithfully,

C. J. LOFMARK,

Hon. Secretary.

JAMES CONNOLLY

AND HIS EPOCH.

CHAPTER III.

"THE PREPARATION" (concluded).

Thus when the exiled child in Edinburgh, having learnt to read, began to study and grapple with the problems of life, he found that a recrudescence of social activity was swaying Ireland in two ways. Firstly, by the virile parliamentarianism of Parnell, its tactics, obstruction and the judicious and deliberate use of the balance of voting power, its objective, legislative independence for Ireland; and secondly, through the fierce passions aroused by the Land League and all that went with it—shooting of agents and landlords, resistance to eviction, and, most deadly weapon of all, the "Boycott."

The Land League desired a Peasant Proprietorship on easy financial terms, a demand uniting all classes of farmers. The movement professed also its intention of securing regular and improved conditions of life for the wretched labourer, though here the less impoverished or more soulless farmers became merely lip-servants. Some, like Davitt, cherished the ideal of the land nationalized with every farmer and labourer a partner in its working, superintended by an Irish State.

Later on, our young student of affairs saw the two movements coalesce, the Home Ruler concentrating pro tem. on the land demand. One opinion amongst the National Leaguers was that national freedom should not be subordinated to the economic demand but Parnell recognized that a nation dwindling in population and with 99% of its people lacking the least economic "stake in the country," was less likely to succeed in compelling the Empire to concede the essentials of legislative independence, than a nation growing in numbers and hopeful of developing its soil and improving its new-won homes!

The result was the most powerful and, for a time, the most successful Irish effort since the days of Grattan and Tone, of 1782 and 1798.

Meantime the little boy of nine years who afterwards was to conduct several journals of wide circulation and fame, sat behind a packing-case in a printing establishment in Edinburgh. He was now a printer's devil, and was made to occupy such a seat in order to conceal the fact of his extreme youth from the inspector. By this device his masters managed to prevent the authorities from noticing that they employed a child too young for the duties involved; but at length the ruse was exposed, the printers reprimanded and Jim was dismissed.

Yet, at twelve years we find him employed under the unhygienic conditions of the baking trade. The night duty performed in the unnatural atmosphere of the bake-house soon undermined the health of the child. He became ill and again was out of a job.

But through the mercy of God, and for the great gain of his class, Jim did not succumb to the evil effects of ruthless capitalist exploitation on his young physique, as do so many young workers even to-day; but he rallied, and after a dismal spell of unemployment he found a mosaic tiling factory whose owners condescended to use him as a profit-making tool. For two years, he worked in the factory until, arrived at adolescence, he left the job. He was now a self-assured man of eighteen, and like many another wage-slave, he went forth full of confidence to win his meed for the battle of life. In Glasgow, and over to Dublin, he learnt the accomplishments and outlook of the tramp, the navy and the peddler.

Approaching his majority of years he met in Dublin a cabin. It was ordained that this acquaintanceship was to be the inspiration

of much happiness, and the young apostle of economic determinism felt himself influenced by that great and subtle mystery the entire depths of which no materialist can probe.

But in the midst of it all came the unexpected and sorrowful tidings that his father, yet a comparatively young man, had died. Jim hurried back to Edinburgh, buried his father, consoled the family, and sought his father's vacant post as Corporation dustman. This he obtained, and feeling himself established and secure, he married and "settled down" in Edinburgh, a husband at twenty-one, prepared to support his mother and the young Connollys as well as the probable Connollys of the future generation. His voyage of life was fairly under way. It behoves us to examine awhile the mind of the mariner, already remarkable in the broadness of its development and the greatness of its ideals. "When I was a child I spoke as a child, I understood as a child, I thought as a child; but when I became a man, I put away the things of a child."—St. Paul.

From his writings and recorded speeches we can proceed to estimate the nature of the thoughts of the man Connolly.

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NOTE ON ISAAC BUTT.

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The opponents of the Union began afresh by launching, under Butt's leadership, the Home Government Association. Having attested its loyalty to the Empire, the Association, in whose ranks were Whigs and Tories and Repealers, demanded, or rather proffered a legitimate request for a National Parliament to consist of the King, Lords and Commons of Ireland.

They were at once opposed by the orthodox Liberals and Conservatives, by the "Freeman's Journal," and the Church, but as they grew in power and became the idealization of the interests of the native small capitalists and farmers, the astute "Freeman" and their Most Reverend Opponents, the Bishops, gradually fell into line. In 1871 fifty-nine seats were gained, and four members were Fenians, all of whom were duly expelled from the I.R.B. on taking the oath. In 75 a vacancy occurred in Tipperary and John Mitchell was elected as a Republican abstentionist. It is on record that C. S. Parnell subscribed £25 towards Mitchell's expenses. When he declined to enter Parliament he was unseated, but further developments were obviated through his sudden death.

We gave an account of how Butt failed because of his Conservative instincts. This is what Bigger, the first of the obstructionists and an ex-Fenian, said of Butt's methods: "All nonsense, sir, the way Butt goes on

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Butt died, lone and rejected. As far as his environment and Conservative ideals allowed him to be, he was an honest man. Undoubtedly he assisted evolution in Ireland. Yet, his movement helped to delay the revolutionary outburst for a generation. It is not through Parliamentary leaders, but by their own purposeful organization that the lowest classes can obtain their rightful freedom.

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VERSES.

(Suitable for a Candidate in the elections in County Dublin.)

Ole Bill stood on the burning deck
When all about was rout,
And says, "I'll think, like Monsieur Coué,
The fire is going out."
"There's nix like simple trust," says he,
"When things begin to burn,
And perhaps a little of the same
Will put in Archie Heron."

* * *
Ride a cock Ford
From Dean's Grange to Swords
And see Archie H.
As he's taking the boards,
With an ear towards the city
That so he may hear,
If the "Sufferin' Ducks"
Are advancing in rear.

* * *
I come from haunts of Coote and Heron,
I make a vocal rally;
And jabber at and to the mugs
And call the biz a rally.
And all the time it's O.B.U.,
Eh! don't you think I'm clever,
For men may come and men may go,
But Bill and me for ever.

ATTENTION! LONDON READERS!

In 1922 Mrs. Eady, ~~Ellis~~ ~~Ni~~ Conghaile received a sentence in London of two years' hard labour for possessing explosives. She was a very upright and devoted voluntary worker in the Republican and Gaelic cause, and her brother, Captain Sean Connolly, died with the Irish Citizen Army in Dublin in 1916.

The broadminded "Labour" Government has made her finish her savage sentence. She will be released this month and a Ceilidh will be held to welcome her at the Poplar Town Hall on Friday, March 21st. She sacrificed a position in the Pensions Ministry and it is to be hoped that those with whom she worked and to whom she gave such an excellent example will not leave her now to her own resources.—EXILE.

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* * *
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SLAUGHTER OF THE INNOCENTS

[Continued from column 1, page 1.]

to Relieving Officer for red ticket. I was refused on ground that I could pay a doctor. I went to doctor and he asked me if the Guardians knew that I had four children of my own and that I was looking for out-door relief for nurse child. In the end I had to pay 7 6 for doctor and 3 5 for medicine, not including flannel and sherry wine, and for every bottle of medicine I had to pay 1 6. Also, for a fortnight I had to keep fire and light burning day and night. The same baby took ill on 5th March. I went for doctor; was refused ticket by Relieving Officer. I asked doctor to come in nurse's hour; he refused. I went further for advice and found out that I could compel doctor to come. I got letters for both doctor and officer. I had doctor down at 9 p.m. on Thursday.

I may mention that I got baby when he was only 7 days old. He is now 12 months, and I can honestly say for three months I did not know what sleep was.

I write this for other foster mothers to take example from me, and don't let the Officials boss them.

FOSTER MOTHER.

We were advising a mother the other day to buy natural milk for her child, three months old, which she, a poor anaemic girl, was unable to nurse. Oh, no, she did not believe in giving a child cow's milk. She had been told cow's milk was unhealthy for babies. Rather interesting, we said, "what do you feed the child on?" "Perforated (?) milk," she said. "Oh," we said, "you call it perforated because of the two holes you punch in the can, is that it?" She did not see the point. We asked her to bring a can of this milk for our information and we found she had been supplying her baby with a skimmed milk especially branded "Not for Babies." Can we wonder at the high death rate among young children—an ignorant mother, unsuitable food, nay, poison, not a food. Will no one take up this task of protecting child life?

We are told pure milk is an essential food for infants and young children. We find dairykeepers charging two shillings and eightpence a gallon for this essential food which, according to contracts entered into with the Dublin Poor Law Union, can be supplied at from 1 1/3d. to 1 5/2d. per gallon. In other words the retailer is charging over one hundred per cent. for distributing the life-sustaining food for infants.

ARE WE AT PEACE ?

To the Editor, "Irish Worker."

A Chara.—Conditions in our country have been wrought to such a pitch that we find this question to-day forming the subject of a controversy in the "Irish Press." We are two years and three months under a form of "government" that has so far failed to materialise. Since 6th December, 1921, that "government," to carry out its operations, has presented to the Irish people (which it claims is the will of the Irish people) a scheme for the collection of double Income Tax, a Landlord and Tenants' Bill favouring the landlord, an Irish Land Bill harrassing all Land Commission Annuity payers, including Fee Farm and Leaseholders. A Flogging Bill (subject to renewal), a sliding scale reducing the Old Age Pensions of the aged, the infirm and the blind, a scale of reduction of School Teachers' salaries, etc., etc. And while these matters were in embryo and the necessary machinery to legalise them set up, a demand for a £10,000,000 loan was made on the Irish people with the intimation that a further loan would be required next May or June. To make this "government" effective in 26 counties of Ireland the people will be compelled to agree to this modus operandi. In this compulsion on one side will be threat

IRISH WORKER LEAGUE

LONDON READERS PLEASE NOTE.

A London Group of the Irish Worker League has been formed. Open meetings, Sunday, March 9th and 23rd, 7.30, at Central Southwark Labour Centre, 121 Walworth Road, S.E.

"Irish Worker" is On Sale:— NEWSAGENTS

- Battersea—A. Toleman, 54 Battersea Rise.
- W.C.—Communist Party, 16 King Street.
- E.C.—Workers' Dreadnought, 152 Fleet Street.
- Plumstead—O'Sullivan, 154 Plumstead Road.
- East Greenwich—Johannes, 11 Blackwell Lane.
- Deptford—Latter, Catholic Church.
- Lewisham—Catholic Church.
- Bermondsey—A. Mallandain, 19 Parker Row, Dockhead.

Voluntary sellers wanted. Also members. Write:—Hon. Sec., Irish Worker League, above address.

"AN ARMY MARCHES ON ITS STOMACH."

We are helping to fill the stomach of the Irish working class, so that they also may march forward.

We offer all members of the Irish Worker League the following bargains:—

PRICE LIST.

- Sardines 3d. per tin
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of force, on the other visions of homes that were built up at much expense and on the earning of the people's children, some of whom toiled in England, some in Scotland, some in America. How long this strain will stand the test is very obvious. Look at the daily newspapers and read of the drift, the anxiety, the barbarism, the robbing, the shooting, etc., and then reflect for one moment on how the National Festival of our Patron Saint this month is wedged in between two dates fixed for two Irish executions in British Jails in Ireland by England's public executioner. Are we at peace? If not, what is the reason. Ask the electorate!
Yours fraternally,
JOHN P. BOWLER.
8 Vicar Street, Dublin.
10th March, 1924.

MEETING

Of all members of the Irish Transport and General Workers' Union and members of Irish Worker League will be held

IN THE MANSION HOUSE

DUBLIN,
SUNDAY, MARCH 16th, '24
At 8 o'clock.

Urgent and important matters will be discussed.

JIM LARKIN WILL SPEAK

Officials of other Unions are invited to attend

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READ "THE WORKERS' DREADNOUGHT."
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I desire to join the Irish Worker League and enclose One Shilling for Entrance Fee. I agree to pay..... weekly.

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WANTED—A VOLUNTEER!

Will any League member who understands cutting out of children's frocks volunteer yo' cut out and design a number of small frocks for Dependents' children. Will such volunteer call at 17 Gardiner's Place.

ST. BRENDAN'S G.F.C. Second Grand Annual Dance

Will be held in
THE BANBA HALL
On Saturday, 15th March, 1924
Nappers' String Band. Dancing 10.30 p.m.

TICKETS (DOUBLE) ... 12/6

Printed by THE GAELIC PRESS, 21 Upper Liffey St., Dublin, for the Proprietor and published by him at 17 Gardiner's Place, Dublin.

THE IRISH WORKER

AN T-OIBRÍDE ZAOLÁC

Edited by JIM LARKIN

No. 37. NEW SERIES.

(Registered at the G.P.O. as a Newspaper.)

SATURDAY, MARCH 22nd, 1924

TWOPENCE

A HETEROGENEOUS CONGLOMERATION CALLED AN ARMY.

SAYS KEVIN O'HIGGINS. SO SAY WE ALL!

"It was clear that an immense abscess reacting on the general health and the general morale" and the general death rate of the nation "existed." "There existed in the army," says Kevin, "factions, organisations, societies—call them what you will"—don't tempt us, Kevin!

The faction that Kevin forgets to name that caused all the trouble is the faction outside the army which controls the army and the Government—the faction formerly located in Kildare Street, now located in Molesworth Street. Cut adrift from that faction. Get back to Pearse and Connolly.

Johnson still believes England is right in breeding dissension among Irishmen. The audacity of this cuckoo. He would be tempted to say something he would be sorry for.

Comrade Johnson was not so temperate a few months ago. What about the last man (Irishman) and the last shilling (Irish) to be sacrificed to maintain the social fabric and Comrade Johnson's £360 a year.

Why not give Johnson's £360 a year to some wounded lad of 1916 and let Johnson go back and sell Bibby's Oil Cake or the Horse Medicine? He has been throwing the bull too long.

Comrade Mulcahy insists upon the "Will of the People being respected." Comrade Mulcahy regretted to have to tender his resignation. So did Comrades Tobin and Dalton. Comrades Tobin and Dalton did not find out the Republic had been betrayed until they lost a job. It is never too late to find out the truth.

Let us get back to 1916—back to Pearse and Connolly.

Comrade Johnson did not want to be tempted to say things one would afterwards be sorry for. Wise young judge. Johnson was as wise, cunning, and courageous in 1914 when he deserted his comrades because he, Johnson, was an Imperialist and believed in the war, and believed England was right.

When some of these lads who are now quarrelling with each other were fighting together against the Empire, Johnson was helping the Empire, and Johnson's secretary, Master Mortished, was working in the Castle.

Suppose Johnson gave one of these lads Mortished's job to be going on with, Johnson would be saying something then we would not be sorry for.

We understand President Cosgrave was too ill to attend to his militaristic duties. His deputy represented him in the Freemason Club—the Seanad. But is it true that

President Cosgrave was dining with George Windsor in London on the 17th March.

BACK TO CONNOLLY AND PEARSE

Would it not be wise to consider getting back to first principles.

Someone, somewhere, at some time must make an effort to submit a reasoned suggestion to the factions, societies, groups and parties who are for ever loudly proclaiming their loyalty to "Caitlín Ni Houlihan"—their loyalty to Republican principles. Some say they believed the so-called Free State was a step towards the Republic, others differ and say it was a retrograde step.

We dare to suggest, step to or step from, now is the time to step together and step forward, and the time is opportune. But all sections who believe in this nation, this race and its destiny, must be given an opportunity to step a full and free step.

Now that the "Mutineers" have won out let them show their sincerity and give earnest of the conviction. Let them join publicly in making a demand that all Irishmen now confined in prisons within the Free State and the prisons in England, Scotland, Wales and the Six Counties be released at once, and that a Race Convention be called to meet within the ruins of the Post Office, O'Connell Street, Easter Sunday. That the Call be signed by the elected or selected representatives of each group. We are told over 900 men are incarcerated in Free State prisons—over 300 have been sentenced to long terms of imprisonment by secret military courts. If it were wise and politic to permit those who have been charged with insubordination (some say mutiny) why not throw open the gaol gates within the Free State, and force them to open the gaol gates in Great Britain and the Six Counties. Let us get back to Connolly and Pearse. Let the groups come together and find a common denominator and Easter Sunday is the psychological hour.

THE HANDWRITING ON THE WALL.

Balham Labour Party Delegates moved — That this meeting calls for the expulsion of J. H. Thomas (Jimmie Thomas of the N.U.R.) from the Executive of the British Labour Party.

Mr. Hewat, T.D., says that under ordinary circumstances, Parties opposing the Government might make political capital out of

the bursting of the abscess, political and military," vide Kevin O'Higgins. But continued Mr. Hewat, to do any such thing to-day would be a crime. But who are the parties to criticise the Government when all of the groups, factions and societies (secret and otherwise) sitting in the Dail are part of the Government. What a heterogeneous conglomeration—Hibernians, Freemasons, and I.R.B. (sections one and two) but all agreed on one thing, exploiting the Common People.

Another brilliant thought. Major Bryan Cooper, T.D., Freemason, delivers himself thusly:—

"It was not a question what the form of Government in this country would be ten years hence, but whether there would be any Ireland at all unless they were prepared to sink their differences and work together for the common good."

Is it not a terrible thing to contemplate: "Whether there will be any Ireland at all? What does the bould Major mean at all? Is he going to take the Old Land under his arm and walk off with it? Yes, Major, there is going to be a different form of Government, with a different type of representative. You bet your spurs!

Yes, Major, you and your type are going to work. The days are bringing a new intelligence and a new determination.

Eoin MacNeil, the adaptable one, master of compromise and betrayal, says: "his idea was that as short a term as two years was quite sufficient to continue army officers in important administrative posts."

Correct, Owing! Why not apply that decision to Professors and Ministers of Education who profess principles they fail to live up to? Easy, Owing, Master Hugo has got one of these sinecures. Don't be saying things that you will be sorry for—to quote your protegee Johnson.

The Red Heron who turned yellow got cooked in the County Dublin Election, losing his nomination deposit. Now to find out who footed the bill for the motor cars, the free drinks and the papers distributed free.

The intriguing, lying grafters who masquerade for a time as the Executive of the Irish Transport and General Workers' Union have had their little joke this week. They have expelled the Founder of the Union. The cuckoos will wake up shortly.

Judge rules that the case must close, disallowing Larkin's objection, who asked for an adjournment

I will not weary the Court with too lengthy an address. I pause to take exception to the ruling of the Court, refusing me an adjournment for the purpose of examining the Bank records brought into the case—without notice—and further denying me the opportunity to relate the facts sworn to, in order of time, to refute the perjured statements of the Defendants, and generally to arrange my case. You have ruled I must proceed. I repeat my exception. I have no seniors nor juniors to remind and correct me, no solicitors to instruct and arrange my papers. Your Lordship rules that I, a layman, unacquainted with your rules, your procedure, must be bound by a code—a privileged code—which has been built by a privileged caste giving them special privileges, thus denying the people access to the Temple of Justice. The doors of the Citadel of Truth are hidden by this accumulation of mental garbage, the dead minds and writings of centuries will not hold the peoples in awe and subjection much longer. These rules, these procedures, these fossilized mental perturbations of dead minds must be obliterated. The common people are becoming sensible of these privileges of a caste. They have, in other countries, applied a summary remedy. They attempted to apply a remedy here; they are beginning to realise in this country that their methods were not as successful as they hoped. Take note—the next attempt will be used in a more direct, therefore a more intelligent manner.

I also desire to point out I was compelled to travel over certain country (as your lawyers have it) and by direction of the Court. Your Lordship ruled you would take this consolidated case in parts. Your Lordship, with that judicial poise which so well becomes you, on more than one occasion ruled in a most arbitrary fashion, and not without heat, when I dared to take exception to your conduct of this case. On the Plaintiffs' case (the Defendants in this action) you ruled, over my objection, that the Rules of 1918 were valid and that the Defendants were validly elected, thus prejudicing my case. I respectfully suggest it was your duty to deliver judgment on the several points in the case at the close of the consolidated case. I have made this halting objection. I intend to make an objection in a more strict and legal manner.

The Defendants come into this Court after many months delay and they plead guilty to having taken the monies of the members and expended, the said monies without authority and without the knowledge of the members of the Union. They acknowledge they have, since 1918, to date, been doing illegal actions under the Trades Union Acts as amended in 1913. They make an apology in the Court for doing these illegal acts, because they say James Larkin had done them previous to 1914. That is their defence. We have committed a fault, they say, and are now repentant. Their mean apology is worthy of them. Their crime, a mean crime, to take money illegally from these men and women (mostly illiterate) for their own political and social advancement. A mean crime, a mean apology, worthy of these Labour parasites.

The men who established the Irish Transport Union set out to remedy the grievances of the working class, to help the down-trodden and oppressed and to bring into existence a new social order. The members of the Union now find themselves oppressed and betrayed by these Defendants who have, by intrigue and illegal methods, seized the Executive offices, the property and money of the Union, and organized a corrupt machine of paid officials, usurped and abused power, have taken the money of the members

under Rules drafted and registered by themselves for a purpose which was never approved of by the members, and used that money, not in the interests of the members, but to their own political and social aggrandisement.

This morning you heard that 105 branches out of 350 had the opportunity of voting upon these Rules of 1923, 98 voted for, 7 against. That is their own sworn statement. No branch in Dublin was allowed to vote. Yet, there are more members in the smallest branch in Dublin than is embraced by the total number who are alleged to have voted. Foran, O'Brien and their paid hirelings have built up a machine to get control of the Executive machinery, property and money of the Union for a mischievous purpose and with criminal intent. They have robbed the widows of the men who founded this Union, men who in life gave their labour and liberty for the purpose of building this Union. Here let me cite some few cases. Mrs. Mary Christian, widow of the late Joseph Christian, who, in the box on oath, stated she made claim for nine pounds mortality benefit. She is refused, and Joseph Christian, a member at death in good standing, can be buried like a pauper. "You owe us a penny," they say; "we refuse to consider your claim." When, as a matter of fact, Joseph Christian was overpaid at death; and his widow is defrauded of her legal due. Thomas Ryan, a member, was shot in Croke Park, November 21st, 1920, by the Military. There were no doubts about this man's death. Yet O'Brien, by deputy, writes to Thos. Ryan (then ten days dead) that "we will not pay you because you are in arrears," and the widow's claim is not even acknowledged. And thus another widow is defrauded.

Edward Kennedy, a member for many years, dies. He is overpaid according to their own bogus rules, yet, when his poor old widow applies for her legal claim, she is refused. You have seen the widow Kennedy in the box. You have seen the widow Murphy in the box. You have seen Foran, O'Brien and O'Neill in the box. Which do you believe—the widows who produced documentary evidence of their claims, or these gentlemen, who admit that two of them burned the documents which would have proved—what? I say their actions prove that they conspired to defraud the members of the Union of their property, monies and legal rights; to rob the widow and the orphan—the unforgivable crime.

Were they instructed by the members of the Union to submit Rules for certification in 1918? I say no. They have proved my statement true on their own sworn evidence. They say they were instructed to register Rules in June, 1923; they now admit that was a lie. No meetings had been held, no instructions given by the members. Mr. O'Brien says that the Rules of 1918 were passed by the members. I challenge that statement. Neither the Rules of 1918 nor of 1923 were submitted; the members never had an opportunity to vote, and O'Brien, Foran, O'Neill and other officials conspired to deny the members their legal rights, and I hope you will give these common people an opportunity to exercise their intelligence. I would ask your lordship to say with me and with the members of the Union that these Rules of 1918 and 1923 are not the Rules of the Irish Transport and General Workers' Union.

I am not unmindful that you have ruled that the Rules of 1918 are valid Rules. I challenge your ruling. I have entered an appeal against your finding. If the Appeals Court sustains your ruling I will go to the Privy Council of England, even I, Republican though I am, one who never recognised the British Government and never will. But

I will go there and will use every method and every form of procedure under your laws to protect the interests of these ignorant, humble, working men and women of this Union, who have been so ruthlessly exploited by these unconscionable creatures who have abused the confidence, the loyalty, the willingness of these humble men and women to sustain their organisation.

These hypocrites and social climbers shall answer—

(Judge intervenes—takes exception to the line of argument):

I have no intention of giving offence. I feel things deeply and express myself, I hope, with sincerity and with that sincerity which this case deserves, and I hope your lordship will take that explanation into consideration.

Upon the question of the Political Levy, what answer do the Defendants make? "Because a man spent money in 1912, 1913, and 1914"; does that absolve them? These men continued taking money from the members (illiterate men) with a knowledge admitted by Mr. O'Brien, that the law had been amended in 1913.

It is untrue to say that I ever got money for political or other purposes out of the Union at any time, except my wages, from the day I founded this Union until this hour. Yet these Defendants have taken fifty-nine thousand pounds of the Union Funds without authority and have given no accounting. They have used that money in a corrupt way and for their own political and social aggrandisement. I repeat that at no time has a true annual return of the Union position been made to the Assistant Registrar, as required by law, except from the years 1909 to 1913. Take up the 1917 Annual Return, there is no statement therein of the assets of the Union, neither Liberty Hall, Inchicore, or the property in Cork appears in that statement, and when I challenge the accuracy of the Return I am told by the Court "You will have to take it because it has been submitted to the Registrar and from the Registrar there is no appeal."

O'Brien says there was no Executive in the years previous to nor in 1916, and a man, whose life work O'Brien is exploiting and in whose ghostly shade he shelters—James Connolly—rises from the dead and gives him the lie; there was an Executive in 1915—James Connolly's letter proves O'Brien a liar.

(Copy.)

Irish Transport and General Workers' Union.

James Larkin, General Secretary.

Head Office, Liberty Hall,

Beresford Place, Dublin.

29th Nov., 1915.

Secretary, High St. Branch.

Dear Sir—You are hereby notified that there will be a meeting of the General Executive of this Union on the First Sunday of January, 1916, in Liberty Hall, Dublin: It is therefore necessary that your delegates be notified and be instructed upon any matters your members desire to bring before the National Executive.

An auditor's report of the state of the branch will be called for at the meeting.

Fraternally yours,

JAMES CONNOLLY,

Acting General Secretary.

An Executive was elected and functioned until after the death of James Connolly, when this creature O'Brien and his fellow conspirators usurped power and place and appointed their hirelings; and they have seen to it by the judicious distribution of money and jobs they have held on to Executive power.

Foran says Larkin spent money on political action in 1913, 14 and your lordship accepted that statement without proof, and even if that statement of Foran were true, that is no excuse for their illegal action. Let me tell your lordship, I never ran for any public office in '13, '14. In 1912 I was debarred by the Courts from approaching the question of election for 7 years to any public office. And may I remind your lordship the Laws governing Trades Unions were amended in 1913 by legislation.

In 1914 it was decided by the Executive of the Union to alter the Rules governing political representation, but the Trade Union Congress of that year decided to wait a while and in the meantime I left the country. From the hour James Connolly passed to his rest these usurpers started to spend money recklessly and illegally. The members of the Union, under your direction I hope, are going to get the protection of the Court and we demand the return to us of the money these men, Foran, O'Brien and others, took out of the Union funds, amounting to some fifty-nine thousand pounds. I could overthrow this Free-State if I had fifty-nine thousand pounds. These Defendants have been working to the detriment of the working class. If you do not decide to make these men return the money they have illegally spent other measures will have to be taken. Kennedy and McCarthy, I say acted illegally. They were never elected to the Executive according to Rules; they are not qualified and have never been qualified to sit on the Executive. I ask you to so rule. I ask for relief in this case. I ask you to give me an opportunity of going through the books of the Union, and the Insurance Section of the Union. There has been gross and fraudulent misappropriation of the funds of the Insurance Section. One Johnston took three thousand pounds of the money of these people and was convicted; how many of his fellow conspirators are not convicted? We cannot do anything to bring them to justice until we get the books, and the books we will get.

I have no feeling of hatred or revenge against these Defendants; my expression of feeling towards them was set down in writing during the years I was exiled. I have never said an untruthful word about any one of these Defendants; out of their own mouths they stand condemned.

O'Brien dares to quote some words of mine delivered at the close of the Irish Trades Union Congress in Cork, 1912. One admits that on such an occasion one may make a few rather rhetorical flourishes. We are told that "the Man of Sorrows" and "acquainted with grief" had one favourite apostle who took occasion to betray Him for thirty pieces of silver, and later realising his World Shame took a rope and went out and hanged himself; but there sits O'Brien who, with Foran and O'Neill, took the silver belonging to the women and children of the members of this Union; who denied the widows and orphans their legal claim; O'Brien betrayed his trust but he lacked the courage of his prototype, Judas, and he has not up to this hour taken a piece of rope.

O'Brien had the audacity to send a local secretary in Mayo, with a wife and twelve young children depending on him, to gaol for twelve months, because this ignorant man had failed to account for a few pounds. O'Brien, Foran and the other Defendants come into this Court and plead guilty to having taken illegally uncounted thousands of pounds of Union funds, and is there no penalty to be attached to their misappropriation? The Court objects? Be it so. If I have brought any irrelevant matters before the Court according to the Rules of Evidence, I am not bound by your rules. I intend to get a full investigation into the illegal conduct of these Defendants. I am not bound by your forms and rules of procedure. If you so bind me here I shall

find a method and a Court in which to get justice for the members of this Union.

Let us turn to the charge against Kennedy and McCarthy—two of the paid hirelings. I claim and I know the Court will sustain my contention that these two, Kennedy and McCarthy, were never elected legally and have never been qualified to sit and act on the Executive of the Union; yet Kennedy and McCarthy have voted to deny widows and orphans of the deceased members of the Union their legal and just claims, but they, with O'Brien, their boss, never hesitated to vote themselves and O'Brien's nominees thousands of pounds of the monies of the Union for illegal purposes. I demand from this Court an accounting of the monies illegally voted by these two and others of the Executive. I demand an injunction against their continuing in office. I demand that they and their associates be held accountable for all the monies illegally voted and spent, and that such monies be returned to the account of the Union. I demand that O'Brien, Kennedy and McCarthy and the other Defendants be restrained from further illegalities; that all monies be returned. I demand protection for those who, through ignorance, cannot protect themselves. O'Brien took this matter to the Courts. He wanted the Law Courts to decide a matter that should have been decided by the members. He appealed to Caesar, to Caesar shall he answer. O'Brien lives rigidly by the rules when widows and orphans make a legal claim, and by those rules shall he perish.

Mr. Foran and Mr. O'Neill were on the spot, engaged in depriving the people affected by the Lock-out of the money entrusted to them to disburse to these men, their women and children. They, Foran and O'Neill, were engaged, not in the blessed work of distributing the money, but in the unholy task of cooking the accounts, making false requisitions on the Central Strike Fund and changing the silver they had misappropriated into one hundred pound notes and placing these £100 notes in "a safe". There was a safe in Liberty Hall; many a time during that period of travail have I gone to that safe (not Foran's and O'Neill's safe), to see if there was but a shilling left to give some poor hungry woman to buy a loaf of bread, and at that time Foran and O'Neill had stowed away in "a safe" £7,500. Did they keep this money without the knowledge of Mr. O'Brien, Secretary, and Mr. Farren (now Senator Farren), Treasurer of the Central Fund? I say, with a deep sense of responsibility, that either O'Brien and Farren were incapable of keeping account or, which now seems to be clear, O'Brien had a guilty knowledge of Foran's and O'Neill's wrongdoing, and because of that knowledge he compelled these two to acquiesce in his, O'Brien's, entrance into membership of the Union, and his consequent seizure of power.

Let us turn to the matter of the £7,500 unlawfully withheld by Foran and O'Neill from the women and children of the strikers in 1913. There was a meeting in the Mansion House Dublin, on 22nd June, 1919, at which guns had been drawn by the hired gunmen of O'Brien and Foran, gunmen employed and paid out of the funds of the Union, gunmen employed to overawe the members. Their hired gunmen on that occasion were quietened, and Foran, to save himself, in a boastful outburst to try and win support, admitted he had withheld £7,500 of the Union Funds in 1913 without the knowledge of the members and without authority. Saved £7,500 are the words he admitted using. Mr. Foran, to save himself, claimed he was a good man, a far-seeing man. "I saved money in 1913," I saved £7,500."

How do Foran and O'Neill explain the liquidation of this £7,500. These big-hearted, generous men who would not let Larkin know of this £7,500 because they say that Larkin is too generous, has no saving sense and would have given this money to the strikers and their women and children;

yet they explain that they, Foran and O'Neill, distributed £1,800 of this £7,500 as an extra payment in Xmas week, 1913, at Larkin's orders. Big-hearted, kindly chiefs, they save (?) £7,500, yet give £1,800 away at the orders of the man they would not permit to have a knowledge of the £7,500 they had saved (?) They want protection of the Court. O'Brien wants protection. A ring of bayonets would not have protected them in 1913 had that fact been made public. Then they saved (?) to buy Liberty Hall. They knew beforehand that they had to buy Liberty Hall so they commenced to save (?) in time, and the money they saved did not belong to them or to the Union, but was given to them to distribute. Honest, far-seeing men. No wonder Foran is a Senator. He is a fit and proper person to grace that august chamber. They paid £3,500 for Liberty Hall. They lie and they know they lie. They never paid for one brick of Liberty Hall out of that £7,500. Then they paid £600 to lawyers for Larkin's costs.

That only explains £5,900. How did they get rid of the balance—close on £2,000? Mr. Brown, Senator, K.C., comes into Court this morning and explains that they paid £500 deposit on Liberty Hall. Strange to relate that £500 deposit was paid before the Lock-out and Strike of 1913. Another anticipation; and the Court permits such an abuse, such a travesty of justice, such rank perjury; but the Court has accepted every unsupported statement made by these men. The Court has wisely exercised its discretion throughout this trial, but always on the side of the Defendants in this action. May I now, even at this late hour in the life of this case, suggest that the Court's discretion be directed in favour of the Plaintiff and the members of the Union. Permit me an opportunity for a few hours to have access to the Bank records and I will prove their explanation of the disbursement of this £7,500 is a lie out of whole cloth. They never paid one penny into any of the accounts into which they claim they have paid. I demand relief and an accounting in Chamber of this money.

Instead of the Court looking with suspicion on any evidence or statement given by men who have admitted that they burnt the books and records of the Union in 1913, pleading guilty to arson in an insured building; the man O'Neill admitted to misappropriating the money belonging to his employer, monies paid him on behalf of the poor, the Court proceeds to indict the Plaintiff and on the evidence of a Bank statement which I saw for the first time to-day. I say the annual return for 1913 was and is correct. You have denied me the right to have access to the Bank records. We had two Bank accounts in 1913, No. 1 and the Insurance Account—that has been admitted by the bank clerk. I say we had monies in more than one bank. On that annual return for 1913 I stand and am prepared to prove its correctness. But the Court seems more concerned as pleader for the Defendants than to deal with the testimony adduced. Even after the experience I have endured, denied opportunity to further discovery of documents, denied legal assistance, denied access to documents which would help to strengthen an already admitted and proved case. I hope the Court will give protection to the members; to the widows and members of the deceased members, will give us that relief sought and an enquiry in Chambers, the removal of the unqualified usurpers on the Executive, that the Court will declare the Rules purporting to be the Rules which we call the Rules of 1918 and 1923 are invalid and not the Rules of the Union. That the only Rules governing the Union are the Rules passed by the members—the Rules of 1915. I hope, in the interests of justice, the Court will do this righteous action; the Court has more at stake than the Plaintiff. If the common

"An Injury to one is the concern of All."

IRISH WORKER

EDITED BY JIM LARKIN.

THE IRISH WORKER will be published weekly—Twopence—and may be had of any newsagent or newsboy. Ask for it, and see that you get it.

All communications, whether relating to literary or business matters, to be addressed to the Editor, 17 Gardiner's Place, Dublin.

We do not publish or waste time on anonymous contributions.

Tel. No.—Dublin 5439.

Subscriptions, 10s. per year; 5s. for six months, payable in advance.

We are not responsible for views or opinions expressed in Special Articles.

WHO IS THE OWNER.

ROBINS OR THE MEMBERS?

There is a shop at 35 Eden Quay supposed to be owned and controlled by the Irish Transport and General Workers' Union. This shop is run in the interests of a few individuals who have by intrigue, bogus balloting, injunctions from Law Courts and doing the stool-pidgeon work of the employers, secretly and openly, got the machinery of the Union under their control.

They advertise in the "Vice of Labour," a sheet run in the interest of the Junta and for the benefit of the Bank Account of Sealy, Bryers, and Walkers. Some ten thousand copies per week are printed, less than two thousand copies are paid for, the remainder are given or thrown away. The monthly subsidy for this rag runs to something like two hundred pounds a month, which loss does not appear in the Balance Sheet of the Union. In this rag there is a lying statement with reference to an incident that occurred in this shop, supposed to be owned by the Union. The advertisement says: "Cigarettes and tobacco at reduced prices to members." Stephen Hastings, a member of No. 1 Branch since the formation of the Union, went into this shop and asked for six packets of cigarettes. When he was asked to pay more than charged by another tobacconist, he demurred, and the lassie, Miss Cunningham, daughter of Paddy Cunningham, instead of explaining that she was bound to charge what was arranged by Capt. (?) Robins, the so-called Manager, gave Hastings some impudence and told this member of the Union, who provides a job for this lassie and helps to feed her, "that nobody asked you to come into the shop and we don't want your custom." Hastings, quick tempered, spoke hastily to the girl and went out. Then Robins got on the job. The girl swore on oath that she did not know Hastings, though, as a matter of fact, she is related in some measure to Hastings, through his wife. She did not know Hastings name and address. Who told her the name? The woman next door? Who told her the address? No answer. Robins, we suggest. This Robins, who had to be forced to join the Union when he was working for the firm of Barrington, Soap Manufacturers. Hastings was summoned. Hastings was bound over not to enter the shop and premises owned by the Union. Let all Union men be bound by Magistrate's order. The cuckoos, O'Brien and Robins, such are the Union parasites who control the properties of the members of the Union. Wait and see!

South Wales Miners are getting 20% more wages than in 1914 and the cost of living is 78% above 1914.

THE SLAUGHTER OF A PERFECT INNOCENT.

"But when James Connolly actually marched out to battle on Easter Monday, 1916, he had no illusions as to what he was doing or the fate before him. We are marching out to be slaughtered," he calmly informed his friend, Wm. O'Brien, on the steps of Liberty Hall."—Extract from Life of James Connolly, by Desmond Ryan.

On reading the extract given in the preceding paragraph we at once got into communication with our Intelligence Dept. with a view to determining its accuracy. Our chief I.O. (Mr. McClew) placed his services unreservedly at our disposal and expressed his willingness to follow up any clues in our possession as well as any independent ones which might develop as a result of his investigations. We suggested the following queries as a possible basis of enquiry and he agreed they would probably cover all likely avenues of investigation.

(a) Did Wm. O'Brien march out of Liberty Hall to be slaughtered on hearing the fateful declaration?

(b) Was he slaughtered, and if so, where and on what date?

(c) If slaughtered, who is the person arrested in 1916 and subsequently released as a result of representations to the British Government to the effect that he took no part in the Rising?

(d) If slaughtered, who is the individual at present acting as an Executive Officer of the I. T. & G. W. U.?

After an absence of five days we received a visit from Mr. McClew and he has now laid before us the result of his investigations. We can best summarise them by giving, in brief, the statements made to him by different persons whom he interviewed:

(1) Mr. Felix Johnson:—I do not know if a Wm. O'Brien was slaughtered in the Rising. I know only one Wm. O'Brien, and if he were to testify to that effect I would accept the statement. As the old tag has it, he added with a smile, "If you see it in 'John Bull,' it is so."

(2) Senator Boran:—As I attended Fairyhouse Races on Easter Monday, 1916, I cannot say if my friend Wm. O'Brien stood on the steps of Liberty Hall on that day. Perhaps the Wm. O'Brien referred to is the gentleman from Mallow. The quotation you have shown me does not say what happened after the declaration on the steps was made. Anyhow, I am certain that my friend Wm. O'Brien was not slaughtered, nor even injured during that week, nor was he within the area of hostilities. Wm. O'Brien's motto is akin to my own—"Safe 'ty first."

(3) Mr. Watershed:—I cannot pretend to know all the facts, but I can quite believe the statement alleged to have been made on the steps of Liberty Hall, was actually made. I heard, myself, on the Tuesday of Easter Week, that Mr. O'Brien had fallen on the preceding day. Later enquiries evinced that he was coming down the steps of Liberty Hall when the event happened, but it was due to some careless person throwing a piece of orange peel on the steps. Mr. O'Brien is still alive.

(4) Jem. Horkans (doker):—I was standing on the steps of Liberty Hall on Easter Monday, 1916, and I heard Wm. O'Brien of the Transport Union saying to somebody I'm not sure of, something about "drastic action." The next time I saw him was in Frongoch and he was leading a life and death fight to get more peas put in the soup and to get the bread baked better. He is a great fighter, so he is.

The evidence of Nos. 5, 6, 8, 15, 24, 26, 40 and 42 bears out the contention that Mr. O'Brien was arrested after the Rising, and, therefore, it does not seem to be true that he went out to be slaughtered. The question is, did he march out at all? Our

doubts in the matter were raised by the consideration that Mr. O'Brien's favourite literary work is "Mr. Dooley," and it was this celebrity, who, on a famous occasion, marched his men "up the hill" and then "marched them down again." In view of this circumstance would it not seem the natural thing in Mr. O'Brien, having first marched his troops out, promptly to march them in again—a case of literary and physical coincidence; a sort of natural reflex action, so to speak. This, of course, is pure surmise and we do not regard ourselves as being content with it as evidence, but, from our enquiries we have no hesitation in saying that:

(a) Mr. O'Brien did not march out to be slaughtered.

(b) Mr. O'Brien did not march out at all.

(c) The Mr. O'Brien referred to is the person purporting to act as General Treasurer of the I. T. & G. W. U.

We are now up against a problem. The statement in the published book is "We are going out to be slaughtered." If this is a fact, then, as Mr. O'Brien did not "march out," he must have altered his plans—or as it has been more popularly stated, "changed his mind."

If, however, Mr. O'Brien neither "marched out" nor "changed his mind," the conclusion already put forward in explanation will not meet the case, and the solution is still to discover. At this point I.O. McClew disappears.

* * *

In the hope of getting at the facts we have now re-read the book, and in the light of a further accession of evidence beg to tender a possible solution. The final chapter, devoted to "Bibliography and Sources," contains the following: "I must acknowledge the kindness of Ald. Wm. O'Brien, Dublin, an intimate friend of James Connolly and veteran in the Irish Labour Movement, who has furnished me with many facts and much of the material used in this book." We own the italics. The division of the subject matter into "facts" and "material" pleases us to distraction. It is a stroke of genius and a fount of limitless possibilities. We must confess it has almost caused the shattering of our cerebral vertebrae with honest laughter. Allow us to thank the originator of the brilliancy; we kneel humbly at the shrine of his understanding.

If no one has any particular objection, we intend, in future, in all cases where we shall find ourselves playing facts on a short suit, to make good the deficiency with a generous helping of "material." Pass us the water carafe.

LAW PROCEEDINGS

(Continued from Column 3, page 3)

people of this country have reason to believe that justice and truth cannot live within these Courts, then they will set up Courts and Tribunals that will dispense justice, so that it can be said Truth has come to live in our midst again, that honesty and integrity are the lines upon which the economic, political and social life of the people must run. I know the Court will not hold me in prejudice because of the inadequate way I may have presented my case, but, harassed and interfered within my presentation by rules I am not conversant with, rules formulated by a privileged class within the body politic. I have spoken the truth, I have lived by truth and I have done my best to place the Court in possession of the truth. I confidently await judgment on behalf of the members of the Union I am honoured in serving.

IRISH WORKER LEAGUE

The usual weekly meeting of the above will be held in the Trades Hall, on Sunday night next, at 8 o'clock. All members earnestly requested to attend.

JAMES CONNOLLY

{ AND HIS EPOCH.

CHAPTER IV.—THE MIND OF CONNOLLY.

"The Catholic Church is a community in which the clergy are but the objects serving the laity in a common worship and service of God, and that, should the clergy at any time profess or teach doctrines not in conformity with the true teachings of Catholicity, it is not only the right, but it is the absolute duty of the laity to refuse such doctrines. Indeed it is this saving clause in Catholic doctrine which has again and again operated to protect the Church from the result of mistaken attempts of the clergy to control the secular activities of the laity."

"If the pioneers of the Socialist movement were indeed Freethinkers, so much the more shame to the Church that, by neglecting its obvious duty, left Freethinkers to do the work in which Churchmen ought to have been their leaders."

* * *

Connolly must have been very young when he first became a thinker, because when only a boy in his teens he was already a member of the Social Democratic Federation, the earliest Socialist organisation to be formed in England, where its membership included, amongst other well-known men, Hyndman and William Morris, the poet of the social revolution. The youth studied history, economics, languages and literature, even when amongst the lowest ranks of juvenile wage-slaves. He seems to have received encouragement from his uncle, John Leslie, an old Fenian, who, like many of his fellows of the I.R.B. in England, was a Socialist. Sensing his vocation already, James found himself baffled as a propagandist by a serious impediment in his speech, but determinedly overcame the defect and perfected his elocution.

So that before he had reached the age at which a male youth is eligible for the inheritance of property, if fortunate enough, or to suffer the extreme penalty of the law, or so, unlucky as to be sentenced thereto, he had begun to seek to influence men's minds in public life.

Just when he was "settling down" as described in the last chapter, at the age of 21 years, he went forward, a corporation dustman, in the elections to Edinburgh Municipality, as a Socialist candidate.

He obtained 300 votes—and the sack! Thus was he privileged to learn the fate of the victimized worker who has transgressed the edicts or challenged the power of the ruling classes. A "down and out," without a "character," branded as a Socialist agitator, in the days when even the working classes were in mortal fear of the Socialist mare's nest.

Despondently he acquainted his uncle of his resolve to emigrate to Chili. But Leslie prevailed upon him to postpone consideration of such a step, and together they arranged for him to sail to Dublin and there obtain employment, fired with a new and higher ambition than anything he had yet visualized, viz.:—the creation of an Irish Socialist Movement.

And this he did in the year 1896.

Yet before unwinding the warp and woof of the stirring and wonderful years between 1896 and 1916, twenty of the most pregnant years of all the three thousand in the history of our people, we should, as proposed, estimate the principles that propelled Connolly forward always in the same direction, and ever faster.

For the main substance of his ideals had already set firm in his mind, and his views seemed to have been formed whilst he was but a youth. Only in some lesser respects particularly as to the means to be adopted to reach his destination, did he see it neces-

sary to change, and he seems to have completed even that aspect of his outlook within a very few years of beginning his work in Dublin in 1896.

We must remember that he lived in the period of pioneer Socialism, when, to a far greater extent than to-day, each man and woman thought with initiative. We of the younger generation can begin where these, our mentors, have taken us, and can progress still further. In criticizing and improving their thought let us not forget the enormous advantage which we possess, and that we owe the advantage to their mental travail and the lessons derived from their experience.

Now, Connolly was a Catholic all his life. Never at any time did he renounce his beliefs, never did he act inconsistently with them.

When I say that he was a Catholic, I mean that he accepted the declared and essential doctrines of the oldest Christian religion. He was not an Atheist or an Agnostic. He bowed to no man, but worshipped an Infinite Power of Perfect Attributes that Christians name God, Creator and Builder of the Material Universe.

Probably he shared the view of Pearse, a man who died with him in Easter Week—

"No education can start with a nego, any more than a religion can. Everything that even pretends to be true begins with its Credo. It is obvious that the savage who says, 'I believe in Mumbo Jumbo,' is nearer to true religion than the philosopher who says, 'I deny God and the spiritual in man.'"

Connolly was not a Catholic because he was born in that religion and had never troubled to drop it or change it. He thought of and felt the existence of the spiritual, of immortality, and of a controlling Power, inscrutable but of necessity good. He did not understand the evil in the world or why a good God should permit it, but neither did he regard our earthly dream, that we call "life," as the ultimate.

And he accepted Christ and His teaching. But let it not be imagined that he was a Catholic of the commonplace variety. On the contrary, he resolutely condemned the organizational ideology of the Church, a thing apart altogether from its doctrines, and the reactionary influence of most ecclesiastics in mundane affairs, both in feudal times and latterly. As a profound scholar he versed himself, inter alia, in Church history, in the writings of the Fathers, as well as in all branches of the history of the human race.

As a result of his researches, he ably refuted the attacks of reactionary Christendom on the proletarian revolutionary movement, and he went further. He showed the utter incompatibility of Capitalism and Christianity, the immoral basis of capitalist economy and the vicious concrete application of this economy to society. He exposed the disgraceful abuse of their power practised throughout mediæval and modern times by many of the clergy from the Pope to the curate, particularly in Irish history. He bade his co-religionists join with O'Connell in declaring that whilst they would accept their religion from Rome, their politics should be made at home and by themselves in Ireland.

But let it not be imagined that he desired to eradicate religious beliefs from the minds of his followers. The question of religious belief he regarded as external and separate from Socialism. The position of the religious organizations in relation to capitalism, on the contrary, was the question to be considered. Where the religious organizations upheld wage-slavery and opposed the progress of the workers, he fought them as relentlessly and somewhat more effectively than most socialists.

When Father Kane misused a Dublin pulpit to "expose" Socialism, Connolly wrote an answer. "Labour, Nationality and Religion," a pamphlet which revealed the pitiful ignorance of economics and blind bias of the lecturer. It further attacked the

attitude of the clerics towards wage-slavery and the past evils of feudal times in an answerable manner, and quoted Saints Ambrose, Clement, Basil the Great, Gregory Nicæmus, Gregory the Great, and Chrysostom to show that **Communism and the absence of property monopoly was the ideal of the Christian pioneers.** Accepting the precepts of Christianity he sought to purge the administration of his religion from the corrupting influence of capitalism, and denied the master classes the right to monopolize and exploit Catholicity.

I hope that the non-Christians and anti-Christians in the working-class movement will not conclude from the above that Connolly was subsequently insincere or incomplete in his revolutionary socialism. On the contrary, we shall see that he was an uncompromising Communist Internationalist with a definite plan for the realization of his ideal, prepared finally to face certain and hard death in an endeavour to rally the waverers and recall the traitor.

When I describe Connolly as a Socialist or Communist, I mean that he deemed the root of all the social evils of the present time to lie partly or wholly in the way in which we organize the production and distribution of the fruits of labour. He saw that a small class had effectual control of this production and distribution, and that this state of affairs evolved from the fact that all production takes place for private profit. By virtue of their ownership of the means of production, the employing and investing classes draw a tax from the industry of the rest of the community in varying degree. Ultimately all real power lies in the hands of a tiny few of the greater capitalists, who use that power for their own material advantage and manipulate the lives of sections of each nation, of the whole nation, or of the peoples of the world, more or less indirectly but none the less really. From this economic system comes the slums, unemployment, wait, "the submerged tenth," the luxury of a few, tremendous waste, unnecessary and unproductive work, strikes, lock-outs and the industrial class war, the bulk of crime, much lunacy, international and civil wars, bad working conditions, much of our modern diseases and maladies, e.g., consumption, anæmia, and debasement of intellectual and spiritual standards.

The basis of the change necessitated by the desire to eradicate the evils of capitalism is that production must be for public use and not for private profit, i.e., that all should work to supply the needs of all in purposeful co-operation. It is extremely easy to prove that the co-ordinated labour of the whole of the community could supply an overflowing abundance of what we require.

I have not attempted to enunciate in a reasoned manner or fully the central philosophy of Socialism. In former issues of this journal we have studied certain aspects of it and certain of its main arguments. It is not within the scope of this work to do more than indicate and outline the root principles, although I hope to "point the moral and adorn the tale" as we progress.

In our next article we shall review Connolly's practical proposals formulated in connection with the above views. To conclude this week, let us note that, like all real social revolutionaries of this age, he was international in his conception of things.

That means, that he did not dislike or despise foreigners as foreigners, that he was concerned about the conditions and activities of all foreign peoples and that he co-operated when and how it was mutually deemed desirable with any foreign workers in conflict with a master class or Government.

Now this was because of his Socialist views. He considered that in every country of the world the workers were exploited and oppressed by the master classes. He knew that the Empire that had anguished Ireland had also anguished its own wage-slaves in England and that the struggle was not

THE EVE OF WATERLOO.

"IF IT COST AS MUCH MORE"

"One did not want to be tempted to say things one would afterwards be sorry for."—Deputy Johnson in the Dail, 20/3/24.

A straw shows how the wind blows. A reader of the daily press can not but be impressed by what appears to be a state of "chassis"—as the "Paycock" terms it in "Juno and the Paycock," in the Free State Government. How it impresses depends on one's attitude towards established institutions. If you should be an "Irregular" it will strike you that the barometer is rising and that the wind is now in a favourable quarter. If your predilections point Free Statewards your allegiance is, possibly, in the balance. If you are a frequenter of the Kildare Street or Constitutional Clubs or a finger-twiddler in the Molesworth Street Institution, you will open your 'Irish Times' with a far-away look in your eyes and, pulling yourself together, glue your optics to the 'financial' column with the purpose of ascertaining the current price of National Loan. If you are a Senator you will not hesitate, but will fling your 'Independent' a-wide open and precisely fall to work on the sporting column. That is all as it should be; it takes all sorts to make a world.

The historic battle which is the title of this brief article was decided, the while some care-free yokel in some English shire picked his teeth with a wood chip. And the domestic quarrel, as Mr. J. H. Thomas, M.P., would call it, which is raging at present in the Free State is pursuing its tortuous course while many an Irish lad, mayhap, is singing "Brave Robert Emmet, he died for his Country."

Individually and collectively the Editorial staff of this paper are not concerned whether or not the personnel of the present Government retire into suitable obscurity or alternatively procure a length of rope, and separately or "in globo," as someone we know would say, haul themselves into the eternal ether. But as a matter of public concern the situation which has arisen within the Government is our business, and; therefore, it is the subject of our comments.

There may be Ministers in the Free State Government who believe that Providence has destined them to save the country; in the opening days of the recent "civil" war there certainly was one who made regular public appeals to the Almighty to give him credit for virtues which, however they might be evident to an Omniscient Being, never obtruded themselves overmuch into his public actions. The present situation in the country is directly the result of the actions of individuals, and the individuals who are responsible must be called to account by the people who elected them to power.

Recent debates in the Dail make it clear that the present disorders in the Free State Army are not of to-day. Late Minister McGrath, according to his own statement, has been using his best efforts for the past fifteen or sixteen months to heal the sore. Mr. Cosgrave denies that he ever had any conversations or conferences with the "mutineers." It is hardly creditable to his intelligence or to his "standing" in the Cabinet if he were left out in the cold while even Mr. O'Higgins, who holds lesser rank than he, could know that "the army situation had been unsound for a considerable time back." And if Mr. McGrath is correct in saying that he tried to put things right, it cannot be the fact that Mr. Cosgrave was otherwise than well informed as to the trend and development of events.

A further proof that Mr. Cosgrave cannot evade responsibility is that he has not charged General Mulcahy or any other Minister with concealment of facts.

Now, if Mr. McGrath and Mr. O'Higgins

are speeking the truth and the present unrest has been a matter of uneasiness to the Cabinet for any period up to fifteen or sixteen months, why is it that not till to-day has it been found necessary to dispense with the services of the Army Council. We are not interested in the survival of Mulcahy or O'Sullivan as public men or as officers; rather we would wish to see them betake themselves to some distant clime where they might have an opportunity of burying their none too savoury reputations. They, no less than Cosgrave, O'Higgins, McNeill and the rest, must bear the odium of the murder of Mellows, O'Connor, Barrett and McKelvey as well as the hideous outrages of the murder gangs, for they are all spiritually akin.

In suggesting, therefore, that the "resignations" of Mulcahy and the Army Council do not seem to be a natural development of the crisis, we are not doing so out of any regard for Mulcahy and his colleagues in distress, but simply out of regard to the facts.

The ultimatum presented to the Government by the "mutineers" demanded the dismissal of the Army Council. Mr. McGrath at the same time laid charges at the door of the Ministry of Defence. General Mulcahy and the Army Council have gone. What is the explanation? Were Mr. McGrath and the "mutineers" right? Mr. Cosgrave has made it plain that General Mulcahy and the Army Council were forced to resign, not as a result of the raid in Parnell Street, but as a result of other matters. Out with it! If there is any ground for the suggestion that the "mutineers" were right and the Cabinet wrong, then it is the Cabinet that should have gone, not the Army Council. Let it be remembered that the Cabinet, as a body, must accept responsibility for the official acts of each individual minister and for the conduct of his department, unless, as in the present instance, they repudiate him. General Mulcahy has only been repudiated now. If he has allowed things to drift for the past year or more and the other members of the Cabinet were well informed, as appears to be the case, then the major portion of responsibility is on the shoulders of the Ministers remaining in office. The reason given by the Cabinet for the forced resignations of General Mulcahy and the Army Council was that they did not grapple with the "mutineer" problem and that they were incapable of handling the crisis. The honours are divided. On the only occasion in the crisis on which Mulcahy and the Army Council acted on their own responsibility they are repudiated by the Cabinet.

A word about mutineers and mutineering. It is not our intention to damn any man or body of men with a phrase or a catch-ery. Hence the term "mutineer" does not affect the issue, in our minds, except inasmuch as the term has a real significance. Recent Irish history stinks of epithet and name-calling: "Sinn Feiner," "Rainbow-chaser," "Irregular, now it is 'mutineer.' If the "mutineers" are mutineers in real fact, let them be dealt with as, in justice, they deserve. If they have merely disregarded constitutional forms in order to call attention to an impending national disaster or a danger to the well-being of the people, let the fact be acknowledged and let their traducers stand aside. A survey of the facts, as they have appeared in the daily press, lies before us. It will be remembered that the first move in the present crisis was the ultimatum by the disaffected officers, purporting to speak on behalf of the I.R.A., and in this document Mr. Cosgrave and his associated Ministers are charged with being false to the late General Collins and with having betrayed the Republic. While we have no use for death-bed Republicanism and cannot see what help the "mutineers" have given to the cause of the Republic in the late "civil" war—quite the contrary, we examine their case without any feelings of prejudice. One of the causes of the recent revolt within the Free State Army was the demobilisation

of very many of the officers and men who, according to their lights, believe, or say they believe themselves to be Republicans. The question that rises to the mind, at once, is, why had they to wait till their services were dispensed with before discovering their souls? Why, after their ultimatum to the Cabinet, did they retract and say that, once again, everything was right? Reviewing the matters involved, we feel ourselves on sure ground in saying that the present quarrel is due to a conflict of interests within the Free State body. On the one hand is the present Cabinet with alliances in the Lodges of Orangeism and Freemasonry. Hand in glove with them is the Press and Hierarchy and existing commercial interests, such as the Guinness's, etc., and the general body of ultra-conservatism amongst the farmer and landowner classes. On the other hand stand the "Mutineers"—I.R.A. they style themselves—neither acceptable to the present leaders of Free Stateism nor—we hazard a guess—to the leaders of the Republicanism. They stand alone, but, despite that fact, they seem to have shaken the fabric of Cosgrave-O'Higinism, with its affiliations. Are they as well organised and as powerful as, at times, the available evidence would suggest? We do not know. This, we can say, that it looks like someone's Waterloo. Who holds the Nap hand?

JAMES CONNOLLY

[Continued from column 1, page 1]

between the Irish people and the English, but against the actual enemies of the English masses, i.e., the English governing class. He further knew that the obstacle to Socialism anywhere was the master class, not only of Ireland or of the Empire, but of the whole world. Socialists declare that it would be difficult to establish the co-operative society in any country of the world if capitalism flourished elsewhere, and that for deep economic reasons. When the Russians attempted to build Communism they found themselves immediately isolated economically. Besides that, and more important, the governing classes everywhere used force of one kind or another to overthrow the Soviets. They feared the force of example on their own wage-slaves. Besides, the French, English and other capitalists owned holdings in Russian concerns, i.e., were economically on the backs of the Russian workers, and the revolution upset them.

In "Socialism Made Easy" he shows how capitalism is an international system, not merely national. Russian railways are partly owned by Irish capitalists. The Russian revolution of 1905 was crushed with the help of American financiers; stocks and shares in undertakings everywhere are held by capitalists of all nationalities. Thus in the repression of the workers the master classes of the world, whatever their internal differences, combine, whether it be to crush armed revolts or to manipulate a fall in wages.

Consequently the progress of the fight anywhere in the world is of first-hand interest to Irishmen. He bade Irishmen beware of national hatreds, for they have no basis. He showed in his history what a part sections of the Irish nation have played in oppressing their own people. All genuine socialists or communists are aware of the fact that national hatreds are merely stimulated by interested ruling classes or would-be ruling classes, so as to prevent the outlook of the masses, prevent their attacking the class system, and usually so as to prepare for a war designed to aggrandize or protect the masters' economic position. National hatreds are the exploitation of the patriotism or natural affection for home and kindred by the bourgeoisie, nobility or royalty.

*Socialist Labour Press, 50 Renfrew Street, Glasgow.

HAPPENINGS IN THE U.S.A.

From Our Correspondent—March 7th.

MORE OIL.

Attorney General Dougherty and his sidekick William J. Burns, Chief of the Department of Justice, are tainted with the stolen oil and the rich Doheny's money. Both are fair specimens of the type produced by the system here and both are merciless foes of labour, of free speech, and even free thought. Dougherty is a small town lawyer that couldn't plead a case intelligently in a Petty Sessions Courts, but a skilful politician of the late Stephen Hand type. He has been in the employ of the big trusts and money interests for years and the late President Harding had to give him office.

He is responsible for the continued detention of wartime and free speech offenders and for many injunctions against strikers. He is an open and avowed tool of the capitalist classes and has at times used the whole legal machine of the United States against strikers when his masters cracked the whip.

W. J. Burns.—The private government code of the U. S. secret service was used in telegrams to and from the Doheny conspirators. The Chief of the Department of Justice—Burns—wired one of the rich criminals that his department had to investigate him owing to the row in the Senate, etc.

Honour among thieves seems to prevail in the higher as among the lower grade of malefactor.

Burns, too, is a tool of the interests. His investigations of the "Wall Street Bomb Case" showed conclusively that a consignment of powerful blasting powder was delivered by the rich Du Pont de Nemours Company, contrary to the City bye-laws, to a large contracting firm that was blasting the rock for basements for a new Wall Street skyscraper.

The law states explosives shall be carried only at night and in a special conveyance.

The greed for profit was so great in some department of this Du Pont firm that grabbed hundreds of millions in the "Great War"—making powder and shells for workingmen to kill their brothers—that they made a delivery of a few hundred pounds of mixed explosives in an ordinary van—like a Dublin baker's van. Some automobilist in a hurry collided with the powder wagon, and forty persons, mostly clerks and office girls out for the lunch hour, were blown to pieces.

J. P. Morgan's office was in the vicinity. He is one of the richest and most powerful bankers of the world. Some glass and debris fell near a desk Morgan had used a week before.

Burns, our hero, saw "red." It was a "bomb" made by the "anarchists." It couldn't have been Larkin because that "anarchist" was in Sing Sing. He then blamed it on Lenin, Trotsky, and the Third International. People were inflamed by newspaper articles fastening the crime on the workers!

Burns and Dougherty, two of a kind, have persisted in this lie of an anarchist "bomb," solely to save the Du Pont Company the millions of dollars of compensation that would be sought in Court by property-owners and relations of the working girls and clerks hurled into eternity as they poured out of their offices, going to lunch.

We may assume Du Pont did like Doheny—sent on a five-figure check occasionally to friends and acquaintances.

WAR VETERANS.

Another scandal, overshadowed by the oil graft and participated in by Dougherty, has been exposed by a Chicago Grand Jury. A very large sum of money was voted at

close of the war to establish hospitals and convalescent homes and vocational training centres for disabled veterans.

It now transpires that millions were given to politicians to build the hospitals and homes, and that graft and corruption and drunkenness worked the whole administration of the fraud. That supplies were bought and re-sold almost for a song. For instance, three million dollars of medical supplies in Maryland were resold at twenty cents to the dollar by a drunken official, who wasn't even reprimanded.

And ex-soldiers are begging and without shelter.

POET OR POLITICIAN.

Padraic Colum, who started on the road to fame as "Ireland's Peasant Poet" addressed a meeting of the Brooklyn Jewish Forum on "The New Ireland."

Ireland, he stated, was one of the richest nations in Europe, as the recent internal loan was over subscribed by four millions. Cosgrave and his Cabinet were "intellectuals." The constitution was the most democratic so far drawn up and Ireland did not have any contributions to make to the Imperial exchequer. He deplored the ruin of the handsome buildings like the Four Courts and Custom House. Michael Collins was one of the greatest Irishmen that ever lived because he took Dublin Castle from the British.

Heckled as to whether he thought more of a building than the life of a man like Cathal Brugha the speaker snapped "Cathal Brugha died with a gun in his hand."

Asked if Sean MacDermott or Padraic Pearse would have accepted the Treaty—"I don't know about Sean MacDermott, but I know that Padraic Pearse would accept it."

Colum, so far, is the only speaker with the temerity to defend the existing Irish Government.

ONLY WORKERS' LIVES.

An explosion occurred last week in a town in New Jersey and many were blown to pieces including a family of five, house and all. The firm purchased the unused shells sold by the army authorities and extracted the contents to make fertiliser.

The inquiry revealed that another firm poured quantities of liquid explosive and nitric glycerene in the stream, and that this may have caused the blast.

Nothing has, and we may conclude, will be done for the widows and orphans. No one will be arrested.

A tenement house in New York burned up with several families during the week. No proper fire escape.

An average of three or four killed daily by motor cars in this city—mostly workers' children playing on the streets because of lack of playgrounds. And the well-fed motorists don't even stop now to see if it's a "kill" or only a knockout.

WILSON APPRAISED.

Immortal only for his Crimes and Lies.

By Bishop William M. Brown.
Whether at Babylon or Washington,
Whether the cup with sweet or bitter run,
The Wine of Life keep falling one by one.

OMAR.
Wilson is dead, yet he lives, both because he left undone those things which he ought to have done and did those things which he ought not to have done.

Wilson still lives, and his immortality is secure, because he did not do what he ought to have done: (1) Keep his promise to save his country from the war—he did not attempt to do it; (2) Keep his promise, after taking us into it, to make it a war to end wars by forcing a peace upon 14 points which would make future ones unnecessary and indeed impossible—he did not even present them to the Versailles Conference, and (3) Keep his promise to have the war make the world safe for democracy—he did not add one item to our liberties, but took many away.

Wilson still lives, and his immortality is secure, because he did what he ought not to have done: (1) He created and operated the largest and most efficient lying, coercing and robbing machinery in the interest of the owning class that any nation has ever possessed; (2) He crowned money as our king and influenced his majesty to appoint corruption as the prime minister, and (3) he placed the name of our country above that of every other as a symbol of gold, graft and crime—the triune divinity in which his 100 per cent. Americanism lives, moves and has its being, and to which divinity he sacrificed thousands of young men, and billions of wealth, helping mightily to flood the world with blood and tears.

"THE LAND OF THE FREE AND THE HOME OF THE BRAVE."

All Irishmen will immediately recognise the "happy" land referred to in the above headline, because the majority of Irishmen and women always entertain a secret desire to go to that country, or better still, bring about conditions in Ireland exactly similar to those existing in the political, social and economic fields of life in the "Land of the Free."

The greater number of the men and women in Ireland, who believe in severing the English connection, loudly proclaim their intention of setting up a Republic like unto that of the United States. We wish them luck and may they enjoy the fruits of their sowing. The harvest at present being garnered in the United States is as follows:

(1) Four attempts in one week, by white mobs, to lynch six untried negro prisoners confined in American jails.

(2) Seven raids in one week by the police on Trades Unionists who were selling newspapers, collecting subscriptions, and otherwise carrying on Union business. 80 men were arrested during these raids, and one of them was a boy aged 14 years.

And such is the liberty we covet.

EFFICIENCY!

The dissipation of every ton of coal divided into component parts has been figured by the director of the United States Geologist Survey as follows: At the outset 600 pounds are lost in mining. Once the remaining 1,400 pounds comes to the surface, it takes 126 pounds to get the coal from the mine to the boiler room. There 446 pounds float up the smoke stack in waste gases, 501 pounds escape in radiation and another 51 in the chimney. The amount lost converting heat energy into mechanical energy is 650 pounds, leaving the remaining 76 pounds really to accomplish something productive.

The Russian Envoys at the Naval Conference in Italy demanded the right to have a fleet in the Baltic Sea, in the Pacific Ocean and in the Black Sea before they would agree to any disarmament resolution.

DISMISSED by ORDER OF MR. WM. O'BRIEN

(Copy.)

Irish Transport & General Workers' Union.

Head Office: 35 Parnell Square, Dublin.

REGISTER.

Mr. James Larkin,
54 Upper Beechwood Avenue,
Ranelagh.

A Chara—I am directed to inform you that the E.C., at their next meeting, will have under consideration the question as to whether you have been guilty of conduct unbecoming a member of the Union, and inimical to the interests of other members.

Before coming to a decision the E.C. wish to give you an opportunity of furnishing to them such reasons as you may have as to why you should not be suspended or expelled from membership of the Union. If you fail to furnish such reasons within one week from this date it will be assumed that you do not intend to submit same.

Yours fraternally,

(Signed) WM. O'BRIEN.

54 Up. Beechwood Avenue,
7th March, 1924.

William O'Brien.

Sir—I enclose a copy of letter I have written to Mr. Foran, G.P. Irish Transport and General Workers' Union.

General Secretary.

(Copy.)

54 Up. Beechwood Avenue,
Ranelagh, Co. Dublin.
7th March, 1924.

To Mr. Thomas Foran, G.P.

Irish Transport and
General Workers' Union,
35 Parnell Square, Dublin.

Dear Sir—I have received a letter a copy of which I enclose.

I shall be glad if you will inform me of the names of the persons who will constitute the E.C. and under what authority, Rules and Rule they propose to act.

I also request full detailed particulars in writing of the alleged charges to be submitted to the E.C. and the date of the proposed meeting.

The letter I received is signed "Wm. O'Brien" only and not as an Official of the Union.

Yours truly,

JAMES LARKIN,

General Secretary.

(Copy.)

Irish Transport & General Workers' Union.

Head Office,

35 Parnell Square,
Dublin.

8th March, 1924.

Mr. James Larkin,
54 Upr. Beechwood Ave.,
Ranelagh.

A Chara—In reply to your letter of the 7th inst., I have to state that the persons who will constitute the Executive Committee are those who were elected in accordance with the Rules of 1918 and are qualified to act, and that they propose to act under Rule 12 of the Rules of the Union registered on the 2nd June, 1923.

The charges against you which will be submitted to the E.C. are, that you evicted by force the General President, the General Treasurer, and other members of the E.C. and of the Union, from the Head Office of the Union at No. 35 Parnell Square, and thereby rendered necessary, prolonged an expensive litigation, that you made false charges of the making of false and fraudulent declarations amounting to criminal offences against

the General President and other members of the Union, that you refused to leave the questions in issue between yourself and the other General Officers and members of the E.C. to the decision of a delegate Conference to be called for the purpose, that since your return to this country you have persistently pursued a course of conduct which has made it impossible for the other Officers and members of the E.C. to work with you in the management of the affairs of the Union.

This matter will be considered by the E.C. on Friday the 14th inst. at 11.30 a.m.

Yours fraternally,

WM. O'BRIEN.

13th March, 1924.

To the President and other persons purporting to act as the Executive Committee of the Irish Transport and General Workers' Union.

I, James Larkin, in reply to the charges stated in the letter 8th March, 1924, signed William O'Brien to be submitted to the Executive Committee on Friday, the 14th instant, at 11.30 a.m. say:—

(1) That the purported Rules of 1918 and 1923 are illegal.

(2) That Rule 12 of the purported Rules alleged to be registered on the 2nd June, 1923, is illegal and ultra vires.

(3) That the said Rule does not apply to a member of the Union who has been a member prior to the 2nd June, 1923.

(4) That the persons or some one or more of them who will constitute the purported Executive Committee being the persons purported to be elected as such Committee on the date of their election or subsequently were disqualified persons under the Rules of the Union.

(5) That a validly elected or qualified Executive was not elected under the said Rules or set of Rules.

(6) That the persons so elected do not constitute a valid and lawful Executive Committee.

(7) That the said persons or one or more of them are suspended from membership by the Branches of the Union of which they were members.

(8) That the purported Executive Committee does not represent the membership of the Union as since 1918 the Dublin Branches have not been represented by qualified representatives elected by them to the Executive Committee.

(9) I deny that I illegally evicted by force or otherwise the General President, the General Treasurer and other members of the Executive Committee of the Union from the Head Office of the Union at No. 35 Parnell Square; that I made false charges of any kind against the General President and other members of the Union, or that I refused to leave the questions at issue between myself and the other General Officers and members of the Executive Committee to the decision of a Delegate Conference to be called for the purpose, or that I have at any time pursued a course of conduct which made it impossible for the other members of the Executive Committee to work with me in the management of the affairs of the Union.

(10) That I intimated to the Court, at the hearing of the said litigation, that I would serve a Notice of Appeal against the Orders of the Master of the Rolls when his order was issued. That the making of the Order has been delayed and is not issued even at this date, and this is so to the knowledge of both parties to the litigation.

That in consequence of the notices served on me I have served a Notice of Appeal which I may require to amend as to details. Pending the decision of the Court of Appeal I submit that no action can or should be taken in respect to the pending controversy.

(Signed)

General Secretary.

Irish Transport & General Workers' Union.

Head Office,

35 Parnell Square, Dublin.

18th March, 1924.

REGISTER.

Mr. James Larkin,
54 Upper Beechwood Avenue,
Ranelagh.

A Chara—I am directed to acknowledge receipt of your letter of the 13th inst., which I placed before the E.C. at their meeting on the 14th inst., and in reply I have to inform you that the E.C. has expelled you from membership of the Union on the charges set forth in my letter to you dated the 8th inst.

Yours fraternally,

WM. O'BRIEN.

NORTH COURT, 11.30 A.M.

Police District of the Dublin Metropolis to wit.

Thomas Healy, 23, Lower Oriel Street in the City of Dublin. Complainant.

Thomas Foran, William O'Brien, Thomas Kennedy, Michael McCarthy, William Hill, John Clancy, Patrick Stafford, Michael Ryan, Patrick Gafney, Michael Duffy, all of 35 Parnell Square, in the City of Dublin. Defendants.

Whereas a complaint has been made to me that you and each of you did wilfully apply moneys of the Irish Transport and General Workers' Union to purposes other than those expressed, or directed in the Rules of the said Union, to wit certain sums of money were paid by you and each of you in the year 1922 to certain persons Messrs. M. Donnelly and J. Byrne, by way of financial assistance to help in defraying the necessary organizing expenses for the establishment of a Military Force "The Irish Workers Army." Arm Luct Oibre.

This is to command you to appear as a Defendant on the hearing of the said complaint at the Dublin Metropolitan Police Court, Inns Quay, Northern Division, in said District on 25th day of March, 1924, at 11.30 o'clock in the forenoon, to answer said complaint.

Dated the 13th day of March, 1924.

EDMOND LUPTON (Copy)

To the above named Defendants.

"AN ARMY MARCHES ON ITS STOMACH."

We are helping to fill the stomach of the Irish working class, so that they also may march forward.

We offer all members of the Irish Worker League the following bargains:—

PRICE LIST.

Sardines	3d. per tin
Green Peas	3d. per lb.
Split Peas	3d. per lb.
Oatmeal (Fine Scotch)	3d. per lb.
Flour	2d. per lb.
Tinned Milk (Sweetened)	10d. per tin
Tinned Peaches (1lb. tins)	8d. per tin
Linoleum, 2 yards wide	5/- per lineal yd.
Soap (3 lb. bars)	1s. per bar

To be had any time, any day, at—

THE IRISH WORKER LEAGUE

17 Gardiner's Place, Dublin.

JOIN THE IRISH WORKER LEAGUE.

Entrance Fee, 1/- Subscriptions Voluntary

Printed by THE GAELIC PRESS, 21 Upper Liffey St., Dublin, for the Proprietor and published by him at 17 Gardiner's Place, Dublin.