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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

IRISH REPUBLICAN BROTHERHOOD
INTERNEES—
REPORT ON CASES BY MR. JUSTICE HARVEY.

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REPORT.

To HIS EXCELLENCY THE RIGHT HONORABLE SIR R. C. MUNRO FERGUSON, P.C., G.C.M.G.,
Governor-General of the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,

I have the honour to report that, in pursuance of the order of His Excellency Sir Walter Edward Davidson, Deputy of the Governor-General, dated the 2nd day of August, 1918, and published in the *Commonwealth of Australia Gazette* of the 3rd day of August, 1918, No. 118, I held the inquiry therein directed on the 8th, 19th, 20th, 21st, 22nd, 23rd, 26th 27th, 28th, 29th, and 30th days of August last.

I beg to report that the following facts and circumstances disclosed at such inquiry may, in my opinion, properly be taken into consideration by the Minister in deciding whether, for securing the public safety and the defence of the Commonwealth, the continued detention of the following persons respectively, viz. :—

Albert Thomas Dryer, Sydney
Edmund McSweeney, Sydney
Michael McGing, Sydney
William McGuinness, Sydney
Maurice Dalton, Melbourne
Frank McKeown, and
Thomas Fitzgerald, Brisbane

in military custody, as provided by Regulation 56a of the War Precautions Regulations, is expedient.

Albert Thomas Dryer.—This internee was a second-class locker in the Customs Department at Sydney, and a B.A. of Sydney University. About the beginning of August, 1916, Dryer was enrolled as sub-centre of the first New South Wales sub-circle of the Australian Division of the Irish Republican Brotherhood. This brotherhood, the members of which are commonly called "The Fenians," was formally organized in 1868, and has from that date been the principal organization aiming at securing complete independence of Ireland from Great Britain by the use of physical force. "Force is the cardinal principle of our organization, and an Irish Republic is the end towards which all our efforts are directed." It has always been a secret society; its principal place of operation has been America, where it or a closely allied organization is known as the Clan na Gael. One, John Devoy, the editor of the *Gaelic American*, has been for many years its leading spirit in America. There was, so far as appears, no formally constituted organization of the I.R.B. in Australia prior to 1916, though there were a number of men here who had at different times been members of old circles elsewhere. The Australian branch, when founded, professed to be "bound by the closest ties of friendship and community of purpose with a similar organization in Ireland and America; the two work in complete harmony and are practically one organization." The Australian branches adopted the organization and ritual of the Clan na Gael for their own use.

In Ireland, at the time of the rebellion of Easter, 1916, "this brotherhood consisted, so far as is known, of a small knot of violent men, of whom the principals, T. J. Clarke, of Dublin, and James Daly, of Limerick, had, in connexion with the dynamite outrages of 1883, been sentenced to penal servitude. These men worked with great secrecy, never appearing on public platforms or in the press, or making themselves in any way amenable to the law. With some members of the Executive Committee of the Irish Volunteers, and with the leaders of the Citizen Army, they constituted an inner circle by which the plans for the insurrection were no doubt matured. The Irish Republican Brotherhood was certainly in close communication with the Clan na Gael organization in America and received funds from them." (Statement by Sir Matthew Nathan, Under Secretary for Ireland, before the Royal Commission on the Rebellion in Ireland.)

John Devoy and other members of the Clan na Gael, or I.R.B. in America, were the principal intermediaries for communications between the promoters of the Irish Rebellion of 1916 and the authorities in Germany. These communications are stated, in the report of the above-mentioned Royal Commission in June, 1916, to have been at that date matters of common

notoriety. Details of these communications are given in the Press Bureau statement, *Sydney Daily Telegraph*, 27th May, 1918; and the Chief Secretary for Ireland, in making a statement to the House of Commons on the 25th June last, said:—

“ I think I am justified in stating that no one to-day can doubt for a moment that the unfortunate rising at Easter, 1916, was fomented, and, certainly to some extent, financed by Germany.” (*London Times*, 26th June, 1918.)

The proclamation of the Irish Republic by the rebels of Easter week referred to their “ Gallant allies in Europe,” obviously referring to Germany.

The Australian branch of the I.R.B. was apparently started in Melbourne in 1916. The interned man, Maurice Dalton, professes to be a member of an old circle of the brotherhood, and to have been concerned in the Irish Rebellion of 1867, which was, in fact, organized by the brotherhood. There seems no reason to doubt this statement. One, John Doran, was an influential member of the Shipwright’s Union in Melbourne. He was an American citizen of Irish origin, and was residing in Melbourne in 1909. He was greatly interested in Irish affairs, and one of the principal persons in the Gaelic League of Victoria. There was no evidence brought before me to show whether he was or was not associated with the physical force party before 1916. In the first half of that year Dalton and Doran purported to found a branch of the I.R.B. in Melbourne; there is no definite information produced before me to show who the other members were, with the exception of one William Butler.

On the 8th July, 1916, Doran sailed from Melbourne and arrived in Sydney on the 11th. He remained in Sydney for two months, till the 13th September, 1916, when he sailed as ship’s carpenter on the *Cacicque*, bound for San Francisco. During his stay in Sydney Doran was actively engaged in founding the Sydney branch of the I.R.B. By the 4th August he was able to inform Dalton that two sub-circles of ten men each were completed, and the names were conveyed to Dalton in invisible ink. The first two names of the first sub-circle were those of the interned men Dryer and McSwesney. The first two names of the second sub-circle were those of the interned men McGuinness and McGing. Doran also busied himself with getting the I.R.B. started in Brisbane, and on the 16th August he was able to report to Dalton that T. F., of 50 Melbourne-street, Brisbane, meaning the interned man Fitzgerald, had “ taken shares in the company,” and was “ doing his best to establish a strong branch in Brisbane.” This without question refers, as do other similar business references in Doran’s letters, to the I.R.B. organization.

On the 22nd August, 1916, Doran in a letter addressed to John Devoy, the head of the organization in America, states that “ the I.R.B. has been on foot here for some time in Melbourne. A start has also been made in Sydney and Brisbane, and the young Irishmen, especially in Sydney, are flocking to the banner in a very gratifying number.”

At the time of the foundation of these branches the intimate nature of the connexion between the Irish physical force party and Germany was probably not so notorious as it afterwards became, but I think there can be no question that it must have been known to the persons who joined the I.R.B. in Australia in 1916 that such a connexion existed, and by the end of 1916, or the beginning of 1917, it was known to everybody who took any interest in passing events.

John Doran left Sydney for America in September, 1916. Dryer informed Dalton that he (Dryer) had been left by Doran in charge of the “ regulars ”; by which expression he meant, no doubt, the members of the I.R.B. When conveying this information to Dalton in November, 1916, Dryer also states that the conscription question has taken up all his time, but he “ will try to make strides now. How are these affairs progressing with you? We have about 50.” From this it would appear that the Sydney sub-circles had by November, 1916, increased to about five from the original two at the beginning of August. He also states that “ in Queensland they have a very good man, I believe, Mr. F.” This, in light of all the other correspondence, appears to me to point unmistakably to the interned man Fitzgerald.

Doran on his arrival in America evidently came into close contact with Devoy and his physical force associates, and was recognised unofficially as “ the representative of the Australian wing.” Writing from San Francisco in December, 1916, to a correspondent in Melbourne, he says, “ there are great things on foot over here which I dare not even hint at just now, but which will all be known to the world in due time. I can only say this much, there will be another Easter week before the war ends, and it won’t be 3,000 men against 20,000 this time.” In this letter he promises to keep “ our old friend Mr. D. (no doubt Maurice Dalton) informed through Sydney of the trend of events.” A system was established by which communications between

America and Australia were conveyed across the sea by hand, and it is evident from such letters as have been produced that many communications passed between the members of the I.R.B. in Australia and America.

America came into the war in April, 1917, and, no doubt, this put difficulties in the way of the extremists of the Irish Party in America. On 16th July, 1917, Doran wrote to Dryer a letter from which an excerpt was found in Dalton's possession, which showed that Doran was actively working in America, though disappointed in his Irish associates regarded as "a fighting unit." He adds, "there is every sign of coming trouble in Ireland again." On the 17th September, 1917, a letter was written from San Francisco by Doran to Dalton, sent by hand on the *Somerset* to Sydney, and posted there on the 10th October. This letter was signed "X.Y.Z.," but is in Doran's handwriting. This contains the following passages:—

"America's entrance into the war is a blessing in disguise. It has thrown the Irish and Germans in this country into a united mass . . . if you have any subscriptions for guns, &c., send them to Sydney (you know who I mean) along with a list of names, and they will be transmitted here and through the proper channels to Berlin or Hamburg by direct messenger. Keep the boys in good heart, for the outlook is very bright."

The same messenger brought a letter to Dryer from Doran. Dryer is, no doubt, the person in Sydney referred to in Doran's letter to Dalton, as Dryer had been left in charge of the "regulars" by Doran.

In a letter to his mother, dated the 18th October, 1917, Dryer sends her a message from Doran; he also says "there is certain to be another rebellion in Ireland before long. The British are trying to provoke a rebellion before the lads are ready, but we are not going to bite at the bait until our own time comes."

In the latter end of 1917 the members of the brotherhood set themselves to collect moneys for arms in view of the anticipated fresh rebellion in Ireland. As before mentioned, the sub-circles in Sydney adapted for their own use the constitution and the ritual of the *Clan na Gael*. Copies of these publications with an imprint of 1916 were found in Dryer's possession, and also typewritten documents adapting them for Australian use. An "initiation fee" for each member of 10s., and weekly "dues" of 3d. per member were fixed. The Sydney "due book" of the brotherhood was found in McSweeney's possession, giving the names of three complete sub-circles of ten men each, headed respectively by Dryer, McGuinness, and McSweeney, and two incomplete sub-circles. The book itself is only entitled "due book," but, in my opinion, everything points to the fact that it is the due book of the I.R.B. The object of the initiation fees and dues, as shown in the constitution and ritual, is to defray the expenses of the organization, and to procure "war material." It is shown that from this fund McSweeney handed to Dryer in December, 1917, a sum of £20 5s. 5d., and that Dryer on the 8th January, 1918, despatched £20 to Doran in San Francisco. The receipt of this money was acknowledged by Doran in April, 1918; he states that he invested the money as required, and that that amount received from Dryer made a total to date of 194 dollars 80 cents. There is every reason to believe that this money was despatched to Berlin or Hamburg, as indicated in Doran's letter to Dalton of September, 1917, for the purchase of war materials for the Irish physical force party.

That the connexion between the Irish physical force party and the Germans which existed in 1916 continued into the year 1918 was definitely stated by the Under Secretary for Ireland in the House of Commons on the 25th June, 1918, and is definitely shown by Doran's letter to Dalton of the 17th September, 1917.

It is in my opinion impossible to resist the conclusion that the Irish physical force party represented by the Irish Republican Brotherhood, the *Clan na Gael*, and de Valera's military organization in Ireland, had during the present year "hostile associations" in the sense that they were through their accredited agents in communication with persons in Germany to further their own military ends and to prepare for a renewal of their armed rebellion against the British Government on the first favourable opportunity. This is not from any love for Germany, but because any means are in their view justifiable to injure Great Britain, whom they regard as the enemy and oppressor of Ireland.

In his private correspondence, where Dryer may be assumed to disclose his real sentiments, he rejoices over the successes of Germany and the reverses of Great Britain and her allies; one most cherished desire is to see Great Britain and her allies worsted in the war. He regrets that he cannot do something "practical."

Edmund McSweeney.—This internee was stated to be a canvasser for a leading insurance company. It is, in my opinion, proved that Edmund McSweeney is a member, probably a sub-centre, of the Irish Republican Brotherhood, and the treasurer of their funds. He was privy to the despatch of the moneys to Doran. There was found in his possession a printed copy of the rules of the North of England Division of the Irish Republican Brotherhood. This document appeared to be many years old. Doran informed Dalton that McSweeney was an old member of Irish circles. It is significant that since his internment an attempt was made through the instrumentality of Mr. G. O'Connor to smuggle into the detention barracks to McSweeney a cipher key of the alias type. Among the items for which the cipher provides an alias are the following:—Doran, Dalton, Dryer, Devoy, McGuinness, McSweeney, Clan na Gael, Circle, Irish Republic. From a letter of Doran's to Dryer of the 10th April, 1918, he was apparently using a similar cipher, as is shown by the use of the name "Bosanquet" for "Fegan."

Michael McGing.—This internee was until the late strike employed on the road staff of the Tramway Department. He did not regain his employment, and at the time of his internment was employed as a gardener at Lewisham Hospital. It is in my opinion shown that he was a member of the Irish Republican Brotherhood in 1916. He has shown himself an active member of the Irish National Association, a public society formed to advocate the complete independence of Ireland from Great Britain and to combat the supporters of the Parliamentary party of Mr. Redmond. He may or he may not have remained a member of the brotherhood till his internment; his name does not appear in connexion with any of their activities at the close of 1917 or during the present year. If I am right in drawing the conclusion that McSweeney's "due book" is the due book of the Irish Republican Brotherhood in Sydney, the absence of McGing's name from the book would indicate that he was no longer a member of it. There is, however, no question that he did once belong to it. This is shown both by Doran's letter to Dalton of the 4th August, 1916, giving McGing's name as Number Two of the second sub-centre, and also by a document of uncertain date found in McGuinness' possession. This was a circular issued by the Irish National Association for subscriptions for the Irish Relief Fund. On the front of this circular was Doran's name, with an address in San Francisco. On the back was a list of names headed "No. 2 Dancing Class." A number of names appear on it, some of which are struck through; at the bottom is a list of ten names in pencil, marked "complete," with the letters A to J against them. In the adapted ritual of the organization it is stated: "each member is assigned to a sub-centre which consists of ten members. Each sub-circle is numbered, and each member of the sub-circle has a letter assigned to him. It is by this number and letter that the members are known at the meetings." I think in the absence of any explanatory evidence there is a strong presumption that this represents the names of the No. 2 sub-centre of the Irish Republican Brotherhood at some date in 1916. In this list McGuinness is the first name and McGing's is the second.

From the absence of any reference to him in the correspondence, I should infer that McGing was not a very influential member, though he was a warden of the Irish National Association. As warden he signed the half-year's report ended the 31st December, 1917, which deplored that a large number of the members had not reached a comprehensive realization of the needs of the Irish nation. This report contains the following passage, which may be taken as typical of the attitude of the officers of the Association:—

"On the soil of Ireland is marshalled, under Ramon de Valera, an Irish army, perfect in arms, order and discipline, standing pledged to redeem that right without which all other advantages are futile. Are we fully conscious of the tremendous significance of this fact, the whole future of Ireland and the Irish race! Are we in speech and action inspired by this consciousness that when Ireland achieves her hard-won liberty, as more than one German statesman has promised to assist in obtaining for her at the European Peace Conference, the gigantic task of reconstruction will confront the nation! As members of the Irish race we must conceive it to be our sacred duty to join in this task, and to qualify in all possible ways for participation in the work of re-erecting from out the ruins wrought by England a nation worthy of her great traditions, worthy of the blood of Tone, Emmett, Pearce, and Casement."

To the uninitiated this might appear to be mere political and patriotic propaganda. In reality it was, so far as all events as the members of the brotherhood were concerned, an attempt to get support from the Irish National Association for the physical force party which they knew was in communication with German agents.

William McGuinness.—This internee was a salesman in a Sydney boot shop; he was undoubtedly an original member of the Irish Republican Brotherhood in Sydney. He was an old member of the brotherhood, according to Doran, and he continued to be the sub-centre of the second sub-circle until his internment. There was found in his possession a prohibited publication entitled *The Crime against Europe*. With McEling and Dryer he signed the half-yearly report of the Irish National Association to which I have referred above. Though, presumably, not a man of the same education and ability as Doran and McSweeney, he was active in the formation and carrying on of the Irish National Association.

Maurice Dalton.—It is to this man, who is 75 years of age and an old-age pensioner, and to John Doran, that the country owes the organization in its midst of branches of the Irish Republican Brotherhood. An old rebel himself, as he proudly boasts, he endeavoured to inoculate all the young Irishmen he came in contact with with his views. He evidently exerted himself to promote the physical force movement, and he found younger and more active men ready to carry his teachings into practice. He was the head of the branch of the brotherhood in Melbourne, and continued to actively interest himself in it, although he knew that the American branch was in communication with the enemy. It does not appear whether any money was actually sent from Melbourne. He furnished John Doran with his credentials for America, which, though not strictly in order, secured his unofficial recognition as "representative of the Australian wing" of the Irish Republican Brotherhood.

Dalton had in his possession a prescription, in his own writing, evidently intended to be the "fire dope" used by the I.W.W. in Sydney for the destruction of buildings. It was called "recipe for a severe cold." What his object was in obtaining this recipe was not explained; his counsel suggested that it was mere curiosity. Bearing in mind the past record of members of the Irish Republican Brotherhood, I think there is grave suspicion that he obtained it on the chance that it might come in useful for himself or his associates.

Frank McKeown.—This internee was a bricklayer residing in Melbourne. He was an intimate friend of Dalton, Dryer, and Doran. He was the first secretary of the Irish National Association in Melbourne, and a strong Irish separatist. His real sentiments are shown in cards written in Gaelic posted to Fitzgerald and Dryer respectively, in which he expresses the sentiments "To h— with the King" and "The Germans on top and Ireland free." In a letter written apparently to Dryer, on the 26th November, 1917, he says he was obliged to resign as secretary of the newly-formed branch of the Irish National Association in Victoria because they would not make it sufficiently Irish. He confesses to having no interest in Australia, and evidently Ireland occupied the whole of his thoughts. There is, however, nothing directly showing that he was a member of the Irish Republican Brotherhood, or that he subscribed or collected any moneys knowing they were to be sent for the purchase of arms from Germany. It might possibly be inferred that he was a member of the Melbourne sub-circle of the Irish Republican Brotherhood from the fact that Dryer speaks of him as "Brother" McKeown. In writing to Dalton on the 21st August, 1917, he says, "Be not downcast with regard to U.S.A. 'Brother' Doran is not idle. . . . As a final word for this occasion, let me exhort you and 'Brother' Butler and 'Brother' McKeown not to be discouraged in any way," &c. At this time there was no branch of the Irish National Association in Melbourne. Doran and Butler were both members of the Irish Republican Brotherhood. This is very slight evidence.

Thomas Fitzgerald.—This internee was a bookseller residing in Brisbane. He is the head of the branch of the Irish Republican Brotherhood founded in that city, and an energetic man in Irish circles. He took an active part in collecting moneys in Brisbane for de Valera. He became secretary of the local branch of the Irish National Association in April, 1917. He was a great agitator for "Ireland's Sovereign Independence" and an uncompromising opponent of Great Britain.

Generally.—There appears to be no evidence that any of the interned men had any connexion with any enemy persons resident in the Commonwealth. Such of the internees as were members of the Irish Republican Brotherhood had by virtue of that membership hostile associations through German agencies in America. They collected moneys in Australia for the purpose of assisting armed rebellion in Ireland against the British Government on the first available opportunity. This money was expended in the purchase of warlike material from Germany, with which country the leaders of the movement were in communication. In Australia they made use of the Irish National Association to further their aims, but it is not shown that the rank and file of the association had any knowledge of their connexion with Germany.

In conclusion, I may state that the evidence tendered before me was almost entirely documentary. The internees themselves put forward no evidence to explain away any of the suspicious circumstances disclosed by the documents, in spite of my published statement that no person would be required to answer any question which he feared might tend to incriminate himself in any way. Although my powers under the Order authorized me to compel any person to give evidence, I did not think it advisable under all the circumstances to summon any person as a witness, as the internees themselves did not elect to give evidence. The only really material matter upon which I was assisted by evidence called on behalf of the internees was the identity of John Doran and the nature of his employment in Melbourne between 1909 and 1916.

11th September, 1918.

J. M. HARVEY.