

Óglaigh na h-Éireann.

Special

DEPARTMENT/LIAISON OFFICE,
KILDARE,
TELEPHONE-NAAS 7.

COUNTY COUNCIL OFFICES,
NAAS.

17th February 1922.

To: Chief Liaison Officer.

WILFUL MURDER

LT. JOHN HUBERT WOGAN-BROWNE

KILDARE, 10 FEBRUARY 1922

Most active inquiries and investigations are being made by me through 7th Brigade and with the assistance of R.A. and Military into the above. The O.C. 1st Eastern Division



JH Wogan-Browne.



MARK D. McLOUGHLIN

have the notes, and are making inquiries about the persons mentioned, but no action is being taken specially for the present. I feel sure we are on the right track

WILFUL MURDER

LT. JOHN HUBERT WOGAN-BROWNE

KILDARE, 10 FEBRUARY 1922

MARK D. McLOUGHLIN

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Kildare Library Services, 2022

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**An Roinn Turasóireachta, Cultúir,
Ealaíon, Gaeltachta, Spóirt agus Meán**
Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media

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Foreword

John Hubert Wogan-Browne was a cousin to our Australian family. We descend from the second Thomas Wogan Browne to run Castle Browne estate into debt. Not surprisingly the families fell out. John Hubert was not known to us until two great-aunts visited his former family home of 'Keredern' at Naas in 1965. Thanks to this second work by Mark McLoughlin, much is now known about John Hubert's Great War service with British Salonika Force, his home life in County Kildare and the machinations behind his wilful murder a century ago that extinguished the family name in Ireland.

John Wogan-Browne
January 2022

Message from the Mayor

As we mark the centenary of the most poignant time in Irish history we move beyond the period of personal recollections and so our responsibility to record stories like that of the murder of J.H. Wogan-Browne become all the more important.

Wogan-Browne's death is a tragic local episode of the period. I commend the Kildare Decade of Commemorations Committee who continue to provide an immeasurable resource to us in covering all aspects of the revolutionary decade.

This work by Mark McLoughlin is an outstanding example of local history expertly considered and well told.

The detail contained in these pages is a credit to the many, many hours of research undertaken by the author and will no doubt conjure vivid settings for the reader.

This was certainly the case for me as I imagined my great-grandfather, Commandant Thomas Lawler arresting the suspect, or my great-grandfather Patrick Power an employee of J.J. Parkinson, Maddenstown, perhaps behind the wheel of the first car to pass the scene of the murder.

That lucidity is key to the retelling of our history and critically, the secret to ensuring it is remembered.

Councillor Rob Power
Mayor of Kildare-Newbridge Municipal District

Preface

On 10 February 1922, a British Army officer was shot dead in Kildare town. The murder sent shockwaves through the local community and contributed to a crisis in Anglo-Irish relations. British troop withdrawals were suspended and there was outrage at Westminster. The Irish Republican Army, British Army and Royal Irish Constabulary combined to search for the culprits while Michael Collins sought to reassure Sir Winston Churchill that everything was being done to catch those responsible.

Who was responsible for the crime? Why was Lieutenant John Hubert Wogan-Browne, a native of Naas, County Kildare, and a member of a well-respected local family murdered? In the time between the end of the War of Independence in June 1921 and the Civil War of 1922-23, did the fledgling Irish Free State really attempt to catch those involved or let the killers slip away unpunished.

A decade ago, I carried out research into the killing which was published in the Journal of the County Kildare Archaeological Society in 2013 under the heading *'The Killing of Lieutenant John Hubert Wogan-Browne at Kildare on 10 February 1922 – A Test of Anglo-Irish relations'* which was awarded the Lord Walter Fitzgerald prize for historical research. With the passing of another decade, and with more records relating to this period in Irish history readily accessible, Kildare County Council's Decade of Commemorations Committee prompted me to reinvestigate the killing using recently released records which reveal further details of the crime and identify those responsible. The story that unfolds will reveal the key aspects to the events of that day.

On one hand, the British Army allowed a young officer to collect the regimental pay from the Hibernian Bank, unarmed and unaccompanied, at a time when orders were issued that all officers should be armed when outside their barracks.

On the other side, the Irish Republican Army were tasked with investigating the crime and apprehending the culprits – former comrades in arms – at a critical time in the formation of the Irish Free State and transfer of power from the British Government to the Provisional Government. Did they make a serious effort to apprehend those involved and what was the outcome of their investigation?

Finally, armed republicans had stolen money and killed a man in cold blood. Who were these men and where did they come from? The

investigation will reveal their journey from trenching roads and cutting down telegraph poles in the Curragh-Kildare-Newbridge triangle, an area deemed a safe zone by the British during the War of Independence – to murder. It will show the witnesses to the crime and ultimately reveal the name of the man who pulled the trigger.

Research on the above would not have been possible without the help and assistance of many people over the years in particular members of the extended Wogan-Browne family – John Wogan-Browne, Charles Lillis, Judith Robertson and Hilary McCallion; Mario Corrigan and James Durney of Kildare County Library Service; Seamus Cullen; Lisa Dolan, Military Archives, Dublin; Robbie Doyle, for access to the papers of Eamonn Ó Modhráin; Billy Graham; Colin McKay for preparing maps; Jim Howe, Des Howe, Paul Howe and Grace Raleigh for their cooperation. I would like to acknowledge the Military Archives, Dublin for the front cover image of correspondence from the Liaison Officer files (LE/4/14); the Sandhurst Collection for the image of a young Second Lieutenant Wogan-Browne; Whyte's Auctioneers for permission to reproduce the anonymous correspondence envelopes; and finally the Decade of Commemorations Committee of Kildare County Council for agreeing to publish this work on the one hundredth anniversary of the murder.

Mark McLoughlin
January 2022

The Murder

On the morning of Friday 10 February 1922, a British Army officer walked the short distance from Kildare Barracks to the Hibernian Bank to cash a cheque and collect the weekly regimental pay for his battery.

After leaving the bank, he commenced walking back to the barracks but just as he reached the Infirmary Hospital, he was accosted by a man who attempted to grab the bag containing the money. The officer struggled with the man, and a second assailant went for him also, while a third man stood guard on the driver of the waiting car. The officer and one of the men fell to the ground in the struggle, then one of the other assailants shot him in the head killing the officer instantly. The three men escaped in the waiting car telling the driver 'Drive, or by God, we'll riddle you,' and disappeared around Infirmary Corner with £135.

John Hubert Wogan-Browne

The British Army officer who was killed on that day was John Hubert Wogan-Browne. He was born at Hale Crescent, Cheltenham, on 23 July 1896 near Aldershot, England, where his father Francis William Nicholas Wogan-Browne, was stationed as a Major with the 3rd Hussars. F.W.N. Browne (1854-1927) came from a distinguished Kildare family, assuming the additional name Wogan by deed poll in 1880 – a name which had been used as a christian name for several generations. The Brownes were associated with Kildare since the seventeenth century and in particular with Clongowes Wood which Thomas Browne bought in 1677 and which was subsequently sold to the Jesuits in 1814. Thomas Wogan Browne (1758-1812), who took over the family estate in 1777 played a role in



*Second Lieutenant J.H. Wogan-Browne in
May 1915
(Courtesy of Sandhurst Collection)*

the 1798 Rebellion, when he commanded a force sent to meet insurgents at Clane, Co. Kildare. He died in 1812 and was succeeded by his brother General Michael Browne. Michael Browne served in the Army of Saxony in the early 1800s. His son Francois Louis Browne (1806-76) married Charlotte Rose de Keredern de Trobriand, daughter of a French general, in 1849, and his son Francis William Nicholas Browne was born in France.

F.W.N. Wogan-Browne had served in the army since 1873 commanding the 3rd Hussars during the Boer War. He married Bridget (Beda) Costello of Fox Hall, Co. Dublin in 1879 and they had three sons and five daughters: Mary Charlotte (1880-1962), Francis Thomas (1882-1902), Henry Edward (1883-1886), John Hubert (1896-1922), Beatrice Judith (1886-1886), Judith Helen (1887-1966), Dorothea (1890-1910) and Claire Renee (1893-1955). The eldest son Francis Thomas Wogan-Browne was commissioned into the army in 1901 and served during the Boer War with the Scottish Rifles but drowned while swimming in the sea at Greystones, Co. Wicklow, in 1902. The family suffered another tragedy when Major Charles Edward Wogan-Browne, a brother of F.W.N. Wogan-Browne drowned in a boating accident in Brest, France.

The Wogan-Brownes lived at Craddockstown House, Naas, until 1909 when F.W.N. Wogan-Browne built 'Keredern,' named after his maternal ancestors. F.W.N. Wogan-Browne was appointed Justice of the Peace in 1903 and was elected to Naas Urban District Council in 1908. He was an active member of the County Kildare Golf Club and hunted with the Kildare Hounds, while his wife Beda was an active member of the Naas Branch of the Women's National Health Society. She died on 2 June 1920.

John, or Jack, as he was more commonly known, was educated at Cheltenham College, from May 1910 to June 1914, where he was a keen rugby player, participated in the Officer Training Corps as a corporal and was house prefect. He was described as a 'very popular Irish boy' and a 'most attractive boy' by one of his contemporaries at Cheltenham. He applied for a cadetship to the Royal Military Academy at Woolwich, the home of the artillery in the British Army and was admitted as a gentleman cadet on 11 July 1914, on the eve of the Great War.

He served for a short period in France from October 1915 as a second lieutenant and sailed from Marseilles, France, to Salonika, Greece, on 25 November arriving on 12 December 1915 with 'C' Battery, 57th Brigade, Royal Field Artillery (RFA) – part of the 10th (Irish) Division, just as they were retreating from Serbia to a new defensive line. Here they suffered the extreme hardship of the brutal winter conditions of 1915-16 which incapacitated a large amount of the British forces. His first major combat was from May 1916 when the Bulgarians with German support attacked



*Photographs taken by J.H. Wogan-Browne with 116th Brigade,
Royal Field Artillery in Salonika.
Top: Observation Post. Bottom: Preparing a gun position.
(Courtesy of Charles Lillis)*





*Post-war image of J.H. Wogan-Browne with niece and nephew
(Courtesy of Charles Lillis)*

the Struma Valley. The artillery were heavily involved in actions at Karajakos and Yenikol in September-October 1916 forcing the Bulgarians into retreat. Wogan-Browne was promoted to lieutenant on 8 August 1916 and was appointed adjutant to the Brigade in February 1917. He was mentioned in dispatches in November 1917 and appointed aide-de-camp to the General Officer commanding the Brigade in December 1917 as an acting captain. Like most of the troops in Salonika, he suffered from malaria which caused havoc amongst the British Army.

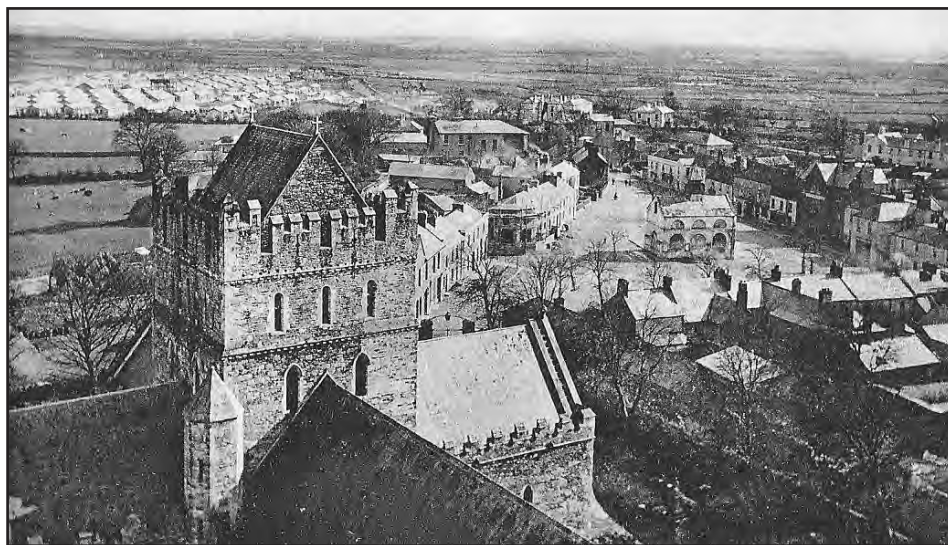
In May 1918, Wogan-Browne was transferred to 'D' Battery, 116th Brigade and embarked from Varna, Bulgaria, to Alexandria, Egypt, in April 1919 returning to the United Kingdom and to Ireland in August 1919. He was posted to the 48th (Howitzer) Battery at Kildare in 1920, by which time he had reverted to the peacetime rank of lieutenant with the position of battery subaltern. Wogan-Browne was fortunate in being stationed close to the family residence at 'Keredern'. He often served mass in Naas in the mornings before reporting for duty at Kildare. He was an accomplished athlete winning the 880 yards final at the Irish Command sports in June 1920 by 10 yards and played senior rugby for Lansdowne Rugby Club, in Dublin, as three-quarters, helping the club win the senior championship in 1921. He had played a match for the British Army at Leyton, on 26 January, against a United Hospitals team in the back row

and was due to line out for Lansdowne the day after the robbery. He was also engaged to be married to Mona Mary Robertson, of Malahide.

Kildare - 1922

Kildare Barracks was the home of the Divisional Artillery of the 5th Division, accommodating three batteries of 30th Brigade, Royal Field Artillery and one battery of the 36th Brigade, the remainder of the 36th Brigade being stationed at Newbridge. In the previous year the artillery was temporarily organised into the Royal Artillery Mounted Corps to support infantry units in the struggle against the Irish Republican Army (IRA) but since the cease fire had returned to normal peace-time duties.

Kildare town was in an area referred to by the British as the Curragh-Kildare-Newbridge triangle, a recognised safe area where the risk of attack was deemed low. There was little trouble in the area and relations with the local population were generally good. There was a shooting in October 1920 when George Graham, owner of Graham's Bakery, was seriously wounded in the back and chest while driving along Hospital Street and Kildare Railway Station was raided on a number of occasions by the Irish Republican Army. Graham was not a popular character amongst certain elements in the town and would suffer a further attack in March 1922:



*Market Square, Kildare with Military Barracks in the distance
(Author's collection)*

‘On Wednesday night in Kildare town the residence and motor car of George Graham, a Protestant were destroyed by fire started by armed ‘Republicans’. Graham, I understand, is a rather obnoxious character given to send the Pope to hell while drunk (Graham, not the Pope). This I presume is another ‘Boycott’ incident forgotten during the war.’

In general life continued unhampered by the conflict in the area with hunting and sports events continuing throughout the years of the War of Independence and an even more relaxed atmosphere prevailed since the truce. However, there were a few warning signs. On 8 January, Lieutenant Beven, an intelligence officer in plain clothes, was fired at from behind a hedge on the roadside 3.5 miles south of the Curragh, near Suncroft, the bullet passing through his coat and lodging in his motorcycle. There were general occurrences of lawlessness with gangs of armed robbers operating around Dublin. A bread-van was stopped by armed men outside Naas and the driver was robbed of his cash takings. The British military were anxious to evacuate troops and their families as soon as possible following ratification of the treaty by Dáil Éireann, especially after the release of republican prisoners in December 1921, as the situation, began to destabilise. Instructions were issued to all military stations on revised security measures and, as shall be subsequently seen, were not relayed to Kildare Barracks. Lieutenant Colonel Lionel Edward Warren, Commanding Officer, 36th Brigade, viewed the situation as so peaceful in Newbridge and Kildare that he saw no reason to issue orders to battery commanders in Kildare or Newbridge that their officers should be armed or provided with an escort.

The Events of 10 February 1922

At 10.30 a.m. Lieutenant Wogan-Browne, as battery subaltern on duty, collected a cheque from Lieutenant Colonel Arthur Graves Leech in the amount of £135, which was the weekly pay for 48th Battery. He walked from Kildare Barracks to the Hibernian Bank, on Market Square, to cash the cheque, a duty he had performed since May 1921. He was always the first officer to arrive at the bank and was always alone while the other subalterns would walk to the bank a little later and often together. He gave the cheque to the bank teller Charles Swain who issued him with £100 in Bank of Ireland £1 notes, £20 in silver and £15 in ten-shilling treasury notes. He put the money in his canvas haversack and left the bank by 11.20 a.m. walking towards the barracks.

Prior to this, two young men [Suspect ‘A’ and Suspect ‘B’] walked into the

garage of Mr. Kennedy, just off the Market Square at the top of Station Road, and asked a young mechanic, 18-year-old Patrick Daly about hiring a car to bring them to Kilcullen. Patrick Daly went up to his employer, Mr. Kennedy, who told him to agree a rate of 15 shillings for the trip. The men agreed and arranged to be back at the garage at 11 a.m. Patrick Daly testified to the



*Location of the Murder, now the site of
Kildare Garda Station.
The boundary wall and gate are the same as in 1922*

Coroner's Court that he had seen the men on the Market Square from at least 10.15 a.m. The two men returned to the garage at 11 a.m. and another employee of Mr. Kennedy, Thomas Graham, was instructed by Kennedy to drive the Ford car.

Graham was told by the men to stop opposite the Infirmary Hospital to pick up a third man. He was told to put the hood of the car up while Suspect 'B' stood beside him and covered him with a revolver. Suspect 'A' walked up and down the road while Suspect 'C' had followed Wogan-Browne from the bank on the opposite side of the road to him.

Suspect 'A' crossed the road when Wogan-Browne arrived and grabbed the bag from his shoulder and they struggled with each other to the middle of the road. Suspect 'B' and Graham got into the front of the car.

There are some slightly conflicting details from the witnesses about the sequence of events that occurred next, but the eyewitness testimonies agree that Suspect 'A' crossed the road to Wogan-Browne, shouted 'hands up' and tried to grab the haversack containing the money. Wogan-Browne struggled with the assailant with Suspect 'C' coming to his aid but falling to the ground in the struggle with Wogan-Browne. Suspect 'A' then shot Wogan-Browne in the head, over the right eye with a .32 colt automatic pistol.

One witness, a 14-year-old boy named Robert Neil who lived on New Row and whose father worked as a labourer on the railway, claimed that, at this point, a motor van owned by J.J. Parkinson, a well-known racehorse trainer based at Maddenstown on the edge of the Curragh, coming from Kildare knocked one of the suspects down but kept going. This was not mentioned by Bridget McCarthy, a second witness, who lived on Hospital Street and whose husband was an ex-soldier working as a civilian barber in the barracks, nor was it mentioned by Lizzie Flanagan, also of New Row,

who witnessed the attack and gave evidence at the Coroner's Court. She testified that Parkinson's car passed by immediately after the shooting. McCarthy testified that Suspect 'A' pointed the gun directly at her before getting into the car.

Driver Harold Onions was on sentry duty at the gate of the Artillery Barracks and had observed the car parked outside the school with the hood up, approximately 150 yards from the barrack gate. He testified to the military inquiry that the car was there for about five minutes when he heard a shot and saw Wogan-Browne fall behind the car as it moved off. He ran to the scene of the shooting and carried Wogan-Browne back to the gate where Onions collapsed exhausted. He put him into a cart and brought him to the barrack hospital where Wogan-Browne was subsequently pronounced dead.



The car carrying the assailants drove around Infirmary Corner. Thomas Graham testified that he was told *'Drive, or by God, we'll riddle you'*. One of the assailants remarked *'That fellow is done, anyhow.'* The car headed towards Kildoon, a townland about three miles south of Kildare town, where Graham left the three men. He drove back to Kildare town and told the Royal Irish Constabulary what had happened.

The Royal Irish Constabulary, Royal Artillery Mounted Corps (an infantry formation comprising of men from Royal Field Artillery batteries in Kildare and Newbridge) and Irish Volunteer Police immediately commenced a search of the countryside setting up a cordon in an attempt to apprehend the robbers.

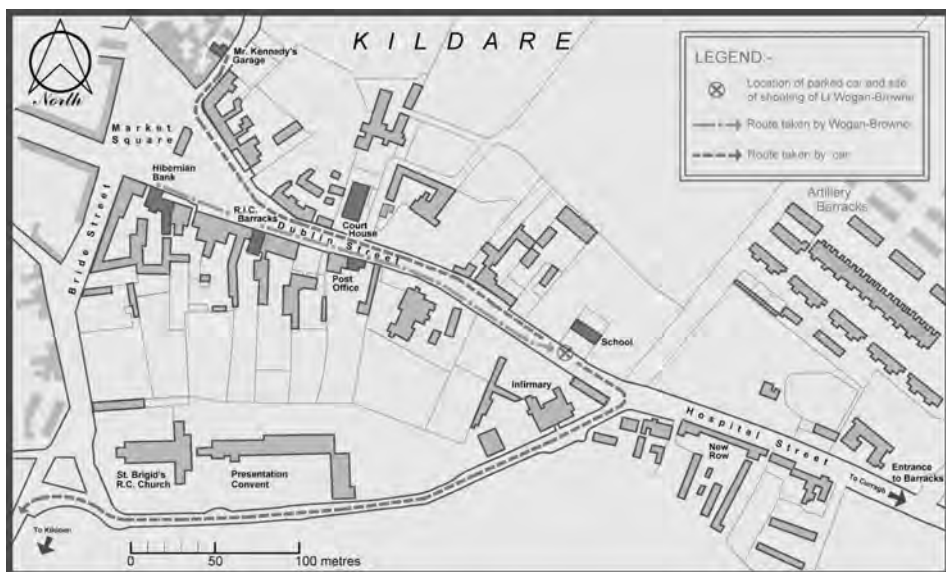
The military notified London at 2.10 p.m. by telegram that:

'10/2/22 aaa Lieut. J.H. Wogan-Browne 48th Battery 36th Brigade R.F.A. killed at Kildare aaa next of kin informed.'

The immediate response to the murder was an instruction by the War Office to suspend the evacuation of troops from Ireland. It was suggested that after the murder, the people of Kildare would not assist and *'laughed and jeered'*, which subsequently resulted in a hostile demonstration by some of the military in the town that night and the withdrawal of passes from traders to the Curragh. The local doctor, Laurence Rowan, refuted the allegations in a letter to the *Kildare Observer* and advised that a public meeting was held in the town the day after the murder to express abhorrence of the crime and to offer sympathy with Wogan-Browne's family.

The hostile demonstration reported in the *Kildare Observer* was a serious occurrence. According to the IRA Liaison Officer for County Kildare, Captain Seán Kavanagh, who was based in Naas and only appointed at the beginning of the month, it was suggested that John Breslin, an ex-prisoner and former IRA captain in Kildare town would be a target for the military because of his position as a senior republican in the town. The British military and local IRA representatives closed the public houses early and a military police picket was placed on the streets. Kavanagh reported that the local IRA company was not a strong one and most of the men were employed in the pursuit of the suspects. It would subsequently transpire that the local IRA were not involved in the killing. Dr. Rowan of Kildare noted that *'the unceasing search for the perpetrators, day and night, by every man here who is permitted or authorised to do so speaks for itself'*.

John Breslin, a former local IRA commander, was afraid that he would be attacked, and he asked the new local IRA commander, William Graham, for protection. Graham told them that he would only protect him if all unauthorised weapons were surrendered, which Breslin declined. Breslin sought assistance from other former IRA men in the area and they waited at his house with shotguns and rifles to protect him. At about 9.45 p.m. six British soldiers from the barracks broke some windows in the Palace Cinema where Breslin was caretaker and went to his house. Fire was



*Location map of key events in Kildare town
(Courtesy of Colin McKay)*

immediately opened up on the soldiers with three soldiers wounded and brought to hospital. A civilian named James Darcy got a pellet through the neck.

This incident seems to have been kept quiet as there was no reporting of it by the media. Captain Seán Kavanagh, IRA Liaison Officer, went to Kildare on Saturday morning to deal with the situation. He made contact with General Skinner, officer commanding 5th Division, to get British soldiers confined to barracks while he endeavoured to deal with the unauthorised possession of guns. The private secretary at the Under Secretary's Office at Dublin Castle, William Doolin, wrote to General Emmet Dalton, Chief Liaison Officer:

'The following extract from the Police report to yesterday's date is transmitted for your information:

Kildare: At Kildare on night of 10.2.22 six soldiers from RFA Barracks fired on while breaking windows in private houses; three wounded, one civilian wounded. All by Volunteer Police Force. Soldiers were unarmed. (This occurred following on the shooting of a Military Officer. Soldiers taken to hospital.)

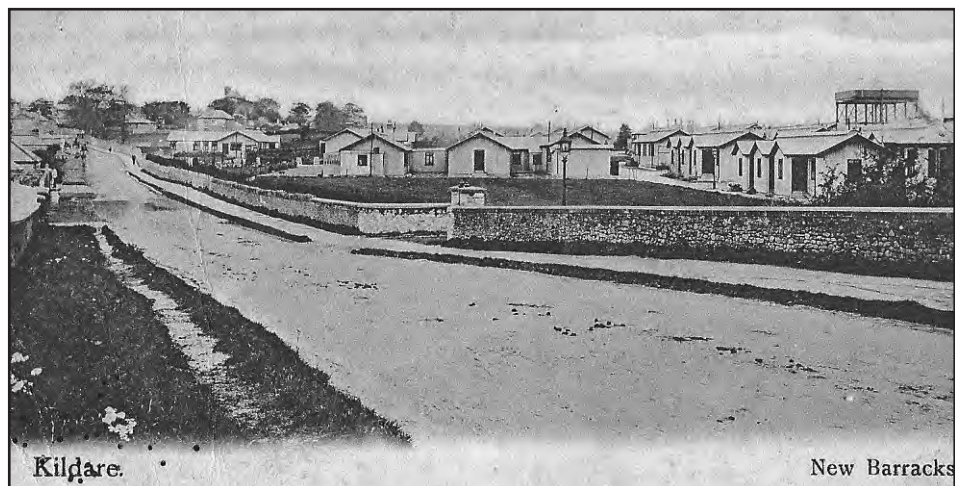
Doubtless you have received a report from your local Officer as to the circumstances in which fire was opened on these soldiers? I should be much obliged if you would kindly let me have your views on the matter.'

A threat to the Anglo-Irish Treaty

In addition to the personal tragedy for the Wogan-Browne family, the ramifications of the killing were quite serious. On the evening of 13 February, Michael Collins sent a telegram to the Prime Minister, Winston Churchill to advise:

'Have just been informed by telephone that we have captured three of those responsible for the attack on Lieutenant Wogan-Browne. Everyone, civilian and soldier has cooperated in tracking those responsible for abominable action. You may rely on it that those whom we can prove guilty will be suitably dealt with.

Churchill spoke on the matter in the British House of Commons the next day and advised the members of the contents of Collins' telegram. 'These persons have been captured and will be dealt with according to law in the most expeditious manner.'



*Kildare Barracks – the scene of the shooting was at the top of the road in this image
(Author's collection)*

An unnamed Member of Parliament shouted out:

‘What law? There is no law there.’

In the Weekly Survey of the State of Ireland presented to the British cabinet for the week ending 13 February 1922, Sir Hamar Greenwood, Chief Secretary of Ireland, reported that:

‘The murder of Lieutenant Wogan-Browne was entirely nonpolitical. He was attacked by three armed men and shot dead while returning to barracks, the motive of his murderers being to obtain possession of a large sum of money (£135) which he was known by them to be carrying. I am glad to state this abominable crime has aroused feelings of strong indignation in all sections of the people, and that the local IRA are co-operating energetically with the Crown Forces in the search for the murderers. Three persons have already been arrested on suspicion.’

General Neville Macready remarking on the suspension of the evacuation of troops which was ordered on the day of the murder said:

‘The suspension of the evacuation of troops from Southern Ireland was no doubt ordered for very good reasons. I have not been informed what those reasons were. I hope, however, that when the evacuation is allowed to proceed it will be continued without interruption and with all reasonable expedition.’

The reports by Sir Hamar Greenwood on 18 February and Macready on 21 February were a clear indication that the view from Ireland was that the murder was an isolated incident and that the British Parliament and War Office overreacted. An event at Clones, Co. Monaghan, on 11 February, where four Ulster Special Constables were killed by the IRA in a gun battle, was also playing on the minds of the British Government. Wogan-Browne's murder was the first of a soldier since October 1921 although five policeman were killed in the same week. The kidnap and murder of Lieutenant Henry Genochio, Royal Engineers, in Cork, on 15 February, and the murder of Lieutenant William Mead and CQMS Thomas Cunliffe of the Royal Army Service Corps near Inchicore, Dublin, on 20 February did not provoke as much outrage or reaction from the British. Greenwood noted:

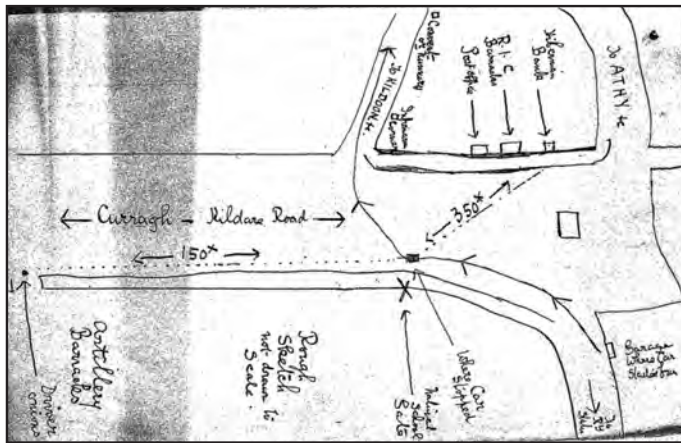
‘Breaches of the truce in the form of attacks upon Crown Forces have again been frequent, especially in the South-Western counties, where the extremist element in the IRA is known to be strongest. The most obvious inference to be drawn from these attacks is that they were committed with the object of discrediting the Provisional Government and embarrassing its relations with the British Cabinet.’

Cooler heads in the military on the ground in Ireland, keen to extract their troops as soon as possible, recognised the struggle between the Provisional Government and anti-treaty elements before Westminster did and were able to dissuade politicians from overreacting. The history of the 5th Division noted *‘... for certain unknown reasons the evacuation of troops was held up between 12 February and 27 February.’*

First steps in finding the truth: Coroner's Inquest and Military Inquiry

The coroner's inquest was held in the Curragh Military Hospital the day after the murder, at 4 p.m. on 11 February 1922 by Dr. Jeremiah O'Neill, Coroner for South Kildare. Amongst the attendance was the IRA Liaison Officer Captain Seán Kavanagh together with Company Officers William Graham and James Doyle from Kildare town. Also in attendance was the Royal Irish Constabulary District Inspector Michael Queenan – a combination that was unthinkable a few months earlier.

The jury called Patrick Daly, the garage attendant who met the suspects initially; Thomas Graham, the driver of the car; Charles Swain, the bank cashier; Lizzie Flanagan, a local resident; Driver Harold Onions who



*Sketch of the murder location from the Military Inquiry
(National Archives, UK WO339/43238)*

was duty at the gate of the Barracks, Doctor Edward Coady; and Captain O'Malley of the Royal Army Medical Corps.

The jury found that death was due to injury to the brain, caused by a gunshot wound, inflicted by some person or persons unknown, and returned a verdict of: *'... wilful murder against some person or persons unknown.'*

The Military Court of Inquiry held on Thursday, 16 February, in Kildare Barracks called a number of different witnesses and was called for a different purpose than the Coroner's Court. The Military sought to establish: *'the circumstances leading up to and in which the late Lieutenant John Hubert Wogan-Browne RFA left the Artillery Barracks Kildare on the morning of the 10th February 1922 and for what purpose and the consequent result thereof.'*

The witnesses were Lieutenant-Colonel Ronald Marryatt, RFA; Lieutenant-Colonel Lionel Edward Warren, RFA, Commanding Officer of 36th Brigade, Lieutenant-Colonel Arthur Graves Leech, Commanding Officer 48th Battery, 36th Brigade, Royal Field Artillery; Charles Edmund Swain, Cashier, Hibernian Bank, Kildare; Robert Neill, 3 New Row, Kildare, age 14; Bridget McCarthy, Hospital Street, Kildare; Driver Harold Onions, RFA, Kildare; Dr. Edward Thomas Coady, Infirmary House, Kildare.



*Lizzie (Lil) Flanagan
(Courtesy of Mario Corrigan)*

The Court of Inquiry was called to address the following issues:

The circumstances in which the deceased left Barracks.

Orders existing as to precautions to be taken for safeguarding parties and money.

Evidence of bank cashier regarding visit of deceased to Bank and to drawing of money; what article was used to carry the money and particulars of amount drawn.

Sentry on gate duty as regards the shooting of the deceased and the finding of the body with no haversack or money.

Medical evidence as to cause of death, subsequent post-mortem examination and verdict of coroners' inquest.

The focus of the military inquiry was largely on the orders that existed in respect of officers carrying arms as Wogan-Browne was unarmed at the time of the murder. On 22 February 1921 orders were issued by the General Staff of the 5th Division instructing that *'Whilst in Ireland all Officers are to be armed at all times, until this order is cancelled.'* Officers were issued with .32 Colt automatic pistols rather than the more cumbersome standard Webley revolver which were too bulky to carry. This was also the weapon used by Suspect 'A' to kill Wogan-Browne. The order to carry arms was relaxed on 14 October 1921 when an order was issued stating *'owing to the acceptance of the Conference by the representatives of Sinn Fein, the Divisional Commander has decided that the orders issued for the safety of Officers, Barracks etc., may be modified in certain cases.'*

The situation changed in January 1922 with a number of attacks on Crown Forces and Government property caused by *'the present lawless state of the country and to the return of released internees and convicts who no doubt will try to revenge themselves on those members of the Crown Forces who arrested them or gave evidence against them.'* This was a prophetic warning, and as shall be seen was very relevant to Kildare and the events leading to the death of Wogan-Browne.

The following orders were presented as evidence at the military inquiry:

'5th Division No. 13990.G of the 16th instant [16th January 1922] laid down as a minimum an armed escort of two Officers or other ranks for a single military vehicle travelling outside the Curragh-Newbridge-Kildare triangle. Conditions may arise later or in certain areas where this number will be too small. Brigade Commanders will therefore issue any orders they may consider necessary in their areas increasing the strengths of escorts.

No order has been issued forbidding Officers to carry pistols or revolvers except when proceeding on leave to some place in Ireland. The Order that all Officers should be armed at all times was only suspended, and is still suspended.'

The day before Lieutenant Wogan-Browne was murdered, the following order was issued from the Curragh on behalf of the General Staff, 5th Division:

'G.O.C. – in Chief Irish Command wishes attention drawn to para 5.g.h.q. letter 2/32413.G dated Nov 27th 1920 regarding necessity Officers being at all times prepared to offer resistance to any attempt against their persons'. Ends

Take necessary action. Letter referred to was forwarded under these H.Q. 3932/26 G. dated 28th November 1920.'

The Military Inquiry called Colonel Marryatt, Commander of Troops at Kildare; Colonel Warren, Commander of 36th Brigade and the Battery Commander, Lt. Colonel Leech who all confirmed that they had not yet received the Orders issued the previous day which would have meant that Wogan-Browne would have been armed or escorted and therefore, most likely would not have been murdered. The Military Inquiry made the following finding:

'that no orders were at the time the above events on the 10th February 1922 in existence either in the said officer's Brigade or Battery or in the artillery station at Kildare to the effect that officers should be armed or that they should be provided with an escort when proceeding to the Bank to draw public money or when returning there from.'

The General Officer Commanding 5th Division Lieutenant General H.S. Jeudwine gave the following handwritten opinion:

'I concur with the opinion of the Court. It is certainly regrettable that in view of the duty which he was employed, and the number of robberies which have lately taken place, Lieut. Wogan-Browne was not armed or escorted, but the evidence of Lt. Col. Marryat shows the view held on this point, for which there is considerable justification. If it is held that blame is attributable for the want of predictive measures I must personally accept the quarter share of it, for although definite orders had been issued from these H.Q. that officers were to be armed at all times, these orders did not issue in time to reach OC Troops Kildare before the murder took place.'



*Medal Ceremony at Kildare held on 5 February 1922
 Col-Comdt W.B.R. Sandys, CMG CRA 5th Division;
 Lt. Gen. H.S. Jeudwine, Commanding 5th Division;
 Lt. Col. Marryat, Commanding 30th Brigade RFA;
 Lt. J.H.E. de Robeck M.B.E. are the four officers at the front centre.
 (Author's collection)*

From the point of view of the military, the case was now closed. Despite the release of prisoners, and increase in armed robberies, no one would face any charges on their side for not taking appropriate action as there were no orders in place. It was now over to the Provisional Government to investigate the murder and find the culprits.

The Hunt for the Murderers

Once Thomas Graham returned to Kildare, a search was organised to hunt for the killers. In a highly unusual step, the Royal Irish Constabulary (RIC), the local Irish Republican Army in the form of the Republican Police and members of the Royal Artillery from Kildare Barracks in the form of the Royal Artillery Mounted Corps headed out to sweep the countryside where Graham indicated that he had left them.

Thomas Graham had claimed that he did not know who the men were but by Saturday afternoon, the IRA arrived at the houses of two brothers – Michael and William Howe, near Suncroft, and arrested both men who were brought to Naas Workhouse. It seems unlikely that Graham named any of the men to the RIC at this stage unless he told his former

commanding officer William Graham or John Breslin, however, there is every chance that one of the other many witnesses told the IRA that one of the men was a Howe, from Ballysax, the Curragh.

On Sunday morning the two brothers were questioned separately in the kitchen of the Workhouse in Naas about their movements and that evening William Howe was charged with murder by Commandant Thomas Lawler, Commanding Officer, 7th Brigade, IRA. The Howe brothers were handcuffed together, handed over to the Royal Irish Constabulary and brought to Naas RIC Barracks.

On Monday, 12 February, Michael and William Howe were put into an identity parade with six or seven other men in front of a woman, a boy and two soldiers in an attempt to identify them. Subsequent documents would suggest that the woman was Lizzie Flanagan and it is most likely that the boy was Robert Neill and Harold Onions was one of the soldiers.

By Wednesday, 15 February, it was decided to bring Michael and William Howe to Trim, Co. Meath, the Headquarters of the Eastern Division IRA which had authority over Naas and Kildare. In addition, Thomas Graham, the driver, was arrested and brought to Trim. This was the same day that District Inspector Queenan received an anonymous letter posted in Kildare the previous day which stated:

‘have good reason for believing mens names seen outside P Office with Graham “Friday” are Howe, Ballysax, Kelly, Byrne Maddenstown’

On Friday 17 February, Michael and William Howe were paraded in front of another man and it seems likely that this was Thomas Graham. Graham had been charged with complicity in the murder and it seems likely, that faced with this, he admitted knowing who one of the men was – William Howe, and that Howe was one of the assailants. There is no doubt that Graham knew Howe at the very least. Thomas Graham was in ‘F’ Company of the local IRA and is identified on a list, created in the 1930s for pension purposes, together with Howe, of IRA men involved in raids on Kildare railway station in May 1920. It was common for the companies to work together. The list identified ‘Operations carried out by 6th Battalion – holding up of train and capturing of mails at Kildare Station about May 1920.

The IRA Liaison Officer Commandant Kavanagh noted in his correspondence to Dublin that:

‘I find more we are on the right track and have at least one of the guilty men in custody.’



*The first three arrests
announced
by Michael Collins:
Michael Howe,
William Howe
and Thomas Graham
(Courtesy of Howe Family
and Billy Graham)*

He also noted that:

‘I might mention that the local Brigade OC Commdt Lawler, and myself have received warnings in connection with the case from a source which helps to confirm our suspicions as to the organisers and motives of the crime.’

Although Michael Collins had advised Churchill that he had three men in custody, giving the impression that the three men who attacked Wogan-Browne were captured, this was not the case as reported by Kavanagh. The three men were William Howe, Michael Howe and Thomas Graham with William Howe being the only one implicated in the killing at this stage.

There is no specific information as to when the other two men named in the anonymous letter, Patrick Kelly and Patrick Byrne, were arrested but it was certainly not until after Queenan received the anonymous letter and passed it on to the Liaison Officer probably in early March. Kavanagh established that those involved in the attack were part of a group of eight IRA men who attacked the house of a Mrs. Belford at Ballyshannon, near Kildcullen, in July 1921. Mrs. Belford together with her son and daughter took refuge in the Curragh and it is this event that set up the chain of events that led to the murder of Wogan-Browne.

From Kavanagh’s early investigations, it was quite clear that those responsible came from one IRA unit – ‘C’ Company, 6th Battalion IRA based in the Suncroft area, not far from Kildare town.

The Suspects – ‘C’ Company, 6th Battalion

The IRA in South Kildare was part of 6th Battalion of the Carlow Brigade during the War of Independence with ‘C’ Company concentrated around the area of Suncroft and Ballysax, just

south of the Curragh, and primarily operated in a broad stretch of territory from the south of Kildare town to Kilcullen. Kildare town was under 'F' Company of the same Battalion. In late 1921, they had been transferred with the Kildare town based Company to the Kildare Brigade of the IRA.

The unit was a relatively active one participating in the destruction of communications, cutting telephone wires, raiding post-offices, trenching and blocking roads south of the Curragh to disrupt British troop movements and a number of raids on Kildare railway station culminating in an attack on the Royal Irish Constabulary Barracks in Kilcullen. It was trench cutting that caused the first casualty in the area. A 50-year-old man named John Hickey was killed, on 5 May 1921, when his bike fell into a trenched road, less than 3 miles south of Kildare town at Newtown. His body was discovered by a postman, Patrick Farrelly, lying in a trench 3 feet deep and 3 feet wide.

One of the early suspects arrested in the Wogan-Browne case, William Howe, was active in the local IRA since early 1920. His name appears in a list of IRA members compiled by the Battalion Commander Eamonn Ó Modhráin, and activities carried out by Howe included guarding Ó Modhráin's house, raids on the railway station at Kildare, cutting down telegraph poles, attacks on post offices and the trenching of roads. The other early suspect Michael Howe had no known involvement with the republican movement. He was a member of the local Gaelic football club in Maddenstown, worked as an agricultural labourer and was married, since 1918, to Rose Quinn.

Execution of Michael Power

One of the most prominent actions of 'C' Company during the War of Independence was the execution of Michael Power. Michael Power, originally from Kilkenny, enlisted in the British army at the Curragh on 17 May 1917 at 40 years-of-age as a Pioneer in the Royal Engineers. He was too old for active service and was deemed more suitable to a roads construction company and was posted to the British Expeditionary Force in France, in June 1917, quarrying limestone for road construction with the 327th Quarry Company and serving there until 9 June 1918. He was discharged on 15 October 1918, being no longer fit for service. This unit was made up almost entirely of Irishmen, who had voluntarily enlisted in Ireland. The vast majority would never hold a weapon during their time in the army.

After he was demobilised, the Power family lived at Behan's cottage, in Brownstown, in the Suncroft area – an area where 'C' Company were active. It is not known precisely why he came to the attention of the IRA.

A surviving record of the activities of the IRA unit in this area suggest that he initially came to their attention in relation to larceny and gave the justification for his murder.

‘A man, named Power of Kilboggan, Suncroft was questioned about robberies in the area, but before he could be arrested he sought refuge on Curragh Camp, where he gave information concerning the IRA.’

Michael Power’s wife, Elizabeth, gave an account of this arrest. She recalled that in about September 1920, the IRA called to their house:

‘About 15 men surrounded the cottage and started to burst open the door. My husband went down and opened the door. Two armed and masked men with revolvers entered. They asked him if he was Power and took him away half dressed. He returned at 4 a.m. the following morning.’

Elizabeth Power said that her husband believed that he been taken to Martinstown House, where he was tried by a Sinn Féin court for larceny and was ordered to leave the country on the following Monday for a period of twelve months. Martinstown House was the home of one of the local IRA commanders – John Flanagan. She identified Edward Moran (Eamonn Ó Modhráin) as one of the masked men. Power decided not to leave the country and instead went to the Curragh for protection. He gained employment with his former colleagues in the Royal Engineers and was allowed to live in the barracks.

On a Sunday, in April 1921, Elizabeth Power visited her older sister, Catherine, at the house of Henry Scully, in Kilboggan, where she had worked for many years as a domestic servant. This was their home area as her family lived in the nearby townland of Bushypark. Elizabeth’s husband Michael called to her at the house during the day, leaving at about 7 p.m. Two hours later, four men came to the door and asked for Power. She told the men that he had gone home and they searched the house. Two of the men had revolvers.

The above account by Elizabeth Power matches the statement of Eamonn Ó Modhráin who recalled that:

April 1921

‘Two men from the co[mpan]y, Volunteers Wm Howe and Wm O’Neill were detailed to execute spies from Kilcullen who were under enemy protection at the Curragh Camp and who were reported to visit Kilcullen at certain times. They went on this

duty twice to Kinneagh between Kilcullen and Curragh and once to Kilcullen town, five miles from Co H.Q., two from Curragh Camp.

Spies had been warned and did not turn up'

On 13 June 1921, Power travelled to the house of Henry Scully at Kilboggan, where his wife was staying with her sick sister who was a domestic servant in their house. At about 4.45 pm, Power went outside to the yard. His wife spotted three men approaching the house. One of the men covered his face with a white handkerchief as he approached the house. She went downstairs finding her husband lying face downwards in a stable. Elizabeth reported that she did not hear any shots fired. She remained with her husband who was unconscious and he appeared to be dead within half an hour. His wife reported the matter to the Royal Irish Constabulary in Kildare at about midnight. Power had been shot three times, twice into the chest, and once into the left collar bone from small calibre bullets which had been fired from a distance of about three yards.

The use of a small calibre bullet suggests that the weapon was not the more commonly used .445 Webley revolver but more likely the .32 Colt automatic. The fact that Elizabeth Power did not hear the three shots that killed her husband also tends towards the lower calibre weapon.

Michael Smith's recollection of events some years later appears slightly misleading:

'When he left camp to return home on one occasion he was arrested, tried, found guilty and executed.'

The timescale outlined by Elizabeth Power would suggest that the killers were at the farmhouse for only a few minutes to carry out the execution – the time it took her to see the three men from her window and come downstairs – whereas Smith's testimony would suggest a more formal process.

The Court of Inquiry into his death met on 15 June and were collected at Newbridge Barracks, and having viewed the body at the Curragh, were brought to the RIC Barracks in Kildare and escorted to the site of the murder at Kilboggan where the case was held.

Eamonn Ó Modhráin recalled that:

13 June 1921

'Spy executed.

This man had been under military protection at the Curragh from about August 1920. The day following enemy troops came out from the Curragh in force, threw a cordon around the Co[mpan]y

area and made a house to house search. The men succeeded in escaping.’

Following the murder, Elizabeth Power and her four children were left destitute living at 15 ‘A’ Block, Married Quarters, Gough Barracks, in the Curragh. It was recorded that she had one sister at Kilboggan House, Nurney, a married brother at Ballyshannon, County Kildare, and another sister in Cork, before she left Ireland for Scotland.

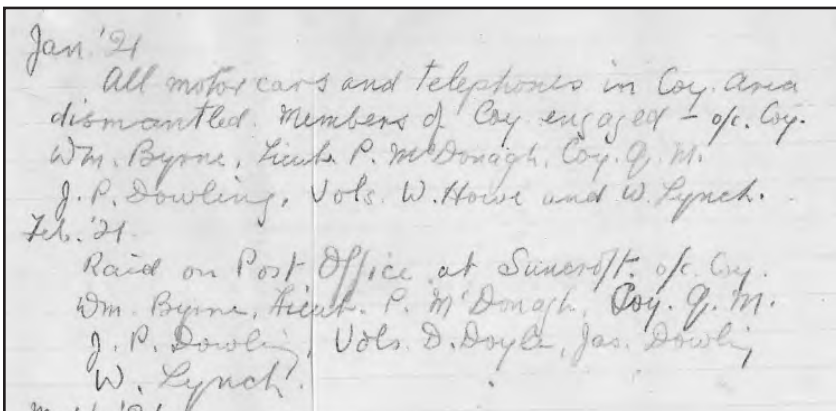
The Belford Family

In June 1921, the Belford family at Ballyshannon were intimidated out of their house by eight members of ‘C’ Company. There are a number of records relating to this case.

The Belfords were involved in the military – one son was killed in the war (Thomas Belford, 21 March 1918, Royal Dublin Fusiliers) and a second son James, was serving with the Connaught Rangers when captured in 1914, spending most of the war as a prisoner. In a compensation claim, James Belford wrote:

‘7th June 1921 My wife child and myself was taken to Kildare Barracks under British protection by Captain Babbins K.O.Y.L.I. I had a comfortable home and a good start in life. I was in Government employment and house and land with the ex-servicemen grant at Ballysax, Curragh Camp, Co. Kildare.

Lost all furniture, pigs, poultry, implements for farming tools, bicycle and all that was sowed on the land, vegetables and all sorts.



*Extract from notes of Eamonn Ó Modhráin on activities of ‘C’ Company
(Courtesy of Robbie Doyle)*

'It must have been because so many of our family belonged to the British Army and earned our living by the Government and did not take any part in their movement. My mother's home was destroyed 6th June 1921 midnight and they threatened to shoot sons and daughters if any report was made to the British.'

His widowed mother Bridget Belford lived a few miles away and she was also intimidated out of her home. She was visited by a party of about 10 IRA on 4 June 1921 and told to leave her house together with her 17-year-old son Joseph and 14-year-old daughter Eileen. The IRA returned about midnight on 6 June 1921, all masked and under the command of a taller man wearing a trench coat, trilby hat with a red handkerchief on his face, the rest of the men wearing white masks. The party demanded they leave the house and the leader fired three revolver shots over her head. They threw the furniture out of the property. Her son Joseph and daughter Eileen climbed out a window and two men stopped them. Both were unmasked and were identified as Patrick Byrne and Patrick Kelly. Patrick Byrne pointed a revolver at Eileen Belford and said *'Get in you bitch.'* The men locked the family into a room as they proceeded to strip the thatch from the roof of the house which took until 4.30 a.m. The leader said: *'If you inform on me or give the game away, I will riddle you with bullets, your sons and daughters, your brothers and sisters.'*

Bridget Belford was brought into Kildare Barracks for protection by Lieutenant Beven, Intelligence Officer of the KOYLI. She identified these men to the British investigation and as a result Andrew Byrne, Patrick Byrne, William Howe, Patrick Kelly and James Dowling of 'C' Company were arrested on 8 June at their homes and brought to the Curragh. John Dowling was arrested on 12 June at his work in Suncroft. Three of the men were imprisoned on 10 October 1921 in Mountjoy Gaol, Dublin, under the Restoration of Order in Ireland Regulations for 'whiteboy' offences, while three others were imprisoned in the Rath Camp, Curragh. In this case, those who did not recognise the court, went to Mountjoy Gaol and consequently suffered a harder time as criminals rather than at the Rath Camp as members of the IRA.

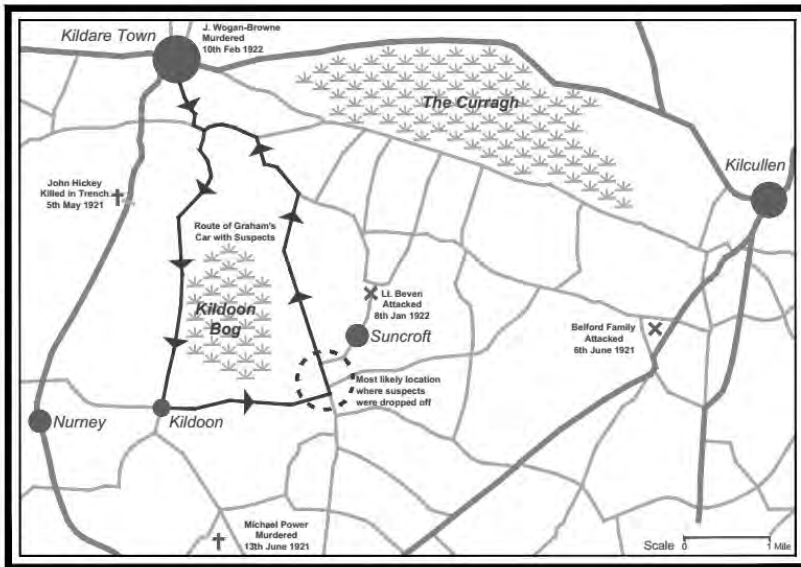
The majority of these man were released from custody on 8 December 1921 and some in January 1922 (including Patrick Kelly) when the Anglo-Irish Treaty was ratified. It is noteworthy that the very same Lieutenant Beven, British army intelligence officer, was fired at near Suncroft, on 8 January 1922.

'On the 8th instant, 3.5 miles south of the Curragh an intelligence officer in plain clothes was fired at from behind a hedge on the roadside.'

The incident was also reported in the *Leinster Leader* newspaper:

‘On Sunday last about midday, Lieut Bavin [sic.] K.O.Y.L.I. whilst returning to the Curragh Camp on a motor bicycle and in the vicinity of Suncroft, was fired on and narrowly escaped being hit by a bullet. The bullet passed through the lieutenant’s coat and the side of the side-car attached to the motor bicycle. It is stated the officer was engaged at the time in connection with the return of internees property and did not catch sight of his assailants at any time. The matter was reported to the liaison officer for Kildare Capt. Murphy who visited the Curragh and investigated the matter. The investigations are still being pursued by the intelligence Staff of the I.R.A. and a serious view is taken of the matter by the Republican Authorities as being calculated to precipitate trouble at the present grave juncture in the affairs of the Nation. Every effort is being made to apprehend the person or persons responsible.’

There is little doubt that ‘Babbins’ and ‘Bavin’ are the same man as Lieutenant Frederick Beven (1899-1969) of the King’s Own Yorkshire Light Infantry assigned to intelligence work in the Curragh area who resigned his commission in 1922.



Map outlining significant events related to 'C' Company's area of operations southeast of Kildare town (Courtesy of Colin McKay)

The pension file application of James Dowling suggests that there was a significant grievance amongst these men for being arrested and sent to Mountjoy Gaol. Those who did not recognise the Court were deemed criminals and therefore sent to Mountjoy Gaol under the Restoration of Order in Ireland Act for 'whiteboy offence' while the rest were interned at the Rath Camp in the Curragh.

It is therefore no coincidence that Lieutenant Beven was attacked shortly after they were released from prison by the same men he had helped convict while he was returning their belongings in the Suncroft area. This was the very warning issued by the British military authorities in the Curragh after Beven was shot at near Suncroft.

Members of 'C' Company carried out the killing of Michael Power at Kilboggan and as the Provisional Government authorities now knew, members of "C" Company were also involved in the murder of Wogan-Browne.

Building the Case

Captain Seán Kavanagh, through his investigations, established that suspects in the Belford case and the Wogan-Browne case were linked. Kavanagh wrote to Chief Liaison Officer General Emmet Dalton, on 29 March 1922, to advise that:

'Eight men were arrested last June on Mrs. Belford's information for being concerned in destroying her house. Five were subsequently interned in the Rath Camp, and three were detained untried at Mountjoy until the General Amnesty. Of these eight men there are at present in our custody for the murder of Lieut. Wogan-Browne Kildare on 10th February – William Howe, Patrick Byrne and Patrick Kelly – and Mrs. Belford's daughter is also a witness in this case.'

In a remarkable coincidence, it seems likely that one of the Belfords worked as a laundress in the Infirmary Hospital. Is it possible that she witnessed the murder of Wogan-Browne? By March 1922, the Belfords had petitioned Dublin Castle for protection and confirmation that they could return home without being molested. This was referred to Seán Kavanagh who was advised in a handwritten note:

'Mrs B believed by your people to be not as good as she ought to be, and that the attack on her house was really an effort on the point of locals to vindicate public morality and rid the neighbourhood of her presence.'

Mrs. Belford worked as a laundress for the military and this together with her family association with the British Army no doubt made them a target for 'C' Company.

On Friday, 17 February, Kavanagh travelled to Newbridge, Kildare, Dunboyne and Trim, county Meath, where he interviewed Michael Howe and William Howe. Thomas Graham identified William Howe in connection with the murder. Graham was released from custody at this stage. Graham was also in the IRA – having served with 'F' Company – the Kildare based unit of the 6th Battalion. There is little doubt that Graham knew of William Howe. They are both included on the same list of participants in a raid on Kildare Railway Station in 1920, recorded in the 1930s. He may not have known Patrick Kelly or Patrick Byrne who do not seem to have been active in the IRA for a long period.

William Howe was 20 years-old at the time, born in September 1901, to Michael Howe and Mary Byrne at Ballysax, Curragh. He was described as a labourer and was 5 foot 7 inches in height. He was interned in the Rath Camp in the Curragh after the Belford attack and was released with the other prisoners after the General Amnesty on 8 December 1921. With the transfer of 'C' Company to the Kildare Brigade of the IRA, 'C' was divided into three separate companies, based at Maddenstown, Suncroft and Ballysax with William Howe in command of the new 'C' Company. Despite the murder and his time in prison, he was still listed in command in July 1922 at the start of the Civil War and fought on the anti-treaty side.

Patrick Kelly was 22 years-old and was 5 foot 6 inches. He was also a labourer and lived at Newtown, Suncroft. His brother Hugh Kelly was a senior member of 'C' Company. Patrick Kelly was also listed as a member of the IRA in July 1922.

Patrick Byrne was a 20 years-old carpenter from Newtown, Suncroft and was 5 foot 10 inches in height. He was no longer listed as a member of the IRA after the murder.

One of the witnesses made much of the height of the suspects in her evidence to the military. Bridget McCarthy stated:

'A taller man had got out of car and gone to smaller man's assistance. The officer then knocked taller man down. The smaller man stuck to the officer and the officer was butting him with his head. The smaller man who had previously thrown the bag into the motor car then fired at the officer.'

The evidence of Bridget McCarthy would immediately suggest that if the authorities had arrested the correct men then it was clear that one of the

two smaller men, i.e. Howe or Byrne, fired the fatal shot. Wogan-Browne was a similar size – 5 foot 7 inches.

At this stage, the Howe brothers went on hunger strike that lasted nine days before the local priest in Trim, Father Thomas Caffrey, wrote to the Minister for Home Affairs on their behalf. The authorities finally made the decision to formally charge three men with Michael Howe released. A warrant was issued by Newbridge Parish Court on 15 April for:

‘... the arrest of William Howe, Patrick Kelly and Patrick Byrne who at Kildare town did unlawfully and with malice aforethought kill one Lieut Wogan-Brown [sic].’

The three men were brought to Mountjoy Gaol to await trial. However, the trial never started. A solicitor acting on behalf of the three men lodged a petition with the Republican Supreme Court to either charge or release the men and as a result the three men were released on 29 May 1922. There is no specific record as to why there was no trial, but it would appear that the lack of evidence or lack of witnesses during a critical time in the formation of the State allowed the case to fall between the cracks.

1928 – The case is reopened

In 1925, the *Irish Times* reported a memorial service for those killed in the Great War was held in Kildare Town on 11 November, after which friends of Lieutenant Wogan-Browne placed a wreath at the wall where he was killed with the inscription ‘Lest we Forget’.

His father Colonel Wogan-Browne did not abandon Ireland completely spending his time between London, Dublin and New York. His presence at hunts and a number of race meetings was reported in the next few years, the last occasion being the Leopardstown races, in March 1927, before he died while on a tour in France, on 12 April 1927.

By 1928, the new Irish police force – An Garda Síochána – had got around to a review of open cases and Wogan-Browne’s case was reactivated with the Chief Superintendent writing to the Department of Justice on 7 July 1928:

‘I am directed by the Commissioner to say the above named was shot by armed men on the 10th February 1922 while in the act of drawing a sum of money from a Bank in Kildare town for the payment of British soldiers stationed at Kildare barracks.

As there appears to be a doubt as to whether this case is covered by the General Amnesty I would request a ruling on the matter.’

The Department of Justice requested further details on the case and An Garda Síochána appointed Detective Joseph Kenny, a native of Rathangan, Co. Kildare, to carry out some discreet enquiries. Kenny, came with impeccable credentials, coming from a family with a tradition in the local IRA, An Garda Síochána and family links back to the 1798 rebellion. He enlisted in the Dublin Metropolitan Police in October 1923. Kenny established that *'a man residing in Rathangan was an eye-witness to the shooting and knows the man who fired the fatal shots. The latter is living about two miles outside Kildare town. It would appear to me that it was simply a robbery carried out for personal gain.'*

By November, Kenny had completed his enquiries and reported back. He spoke to Lil Flanagan [previously referred to as Lizzie] who attended the witness parade and had attended the Coroner's Court the day after the killing where she had said she did not know any of the men. According to Flanagan, she was told at the time that she would be shot if she identified them. Lil Flanagan confirmed that William Howe fired the fatal shot.

Kenny reported that Christopher Behan of Rathangan also witnessed the attack and confirmed he knew the man who fired the shot who was still residing near Kildare:

'I have caused Behan to be approached with a view to ascertaining if he would be willing to give evidence. He has stated he would not do so. In view of his attitude I do not believe that a successful prosecution would be carried out.

The motive appears to have been robbery for personal gain and according to Behan's story the shooting was deliberate, as the man who fired the shot did so deliberately without asking the officer to put up his hands or surrender the cash.'

Accordingly, six years after the crime, it was confirmed that William Howe of 'C' Company had murdered Wogan-Browne and that Patrick Kelly and Patrick Byrne were the other two assailants.

As there was no one willing to testify as to who was responsible An Garda Síochána took the view that:

'From this report it would appear that the re-opening of the case at this stage would not serve any useful purpose.'

It was quite clear that the police knew who was responsible but were unlikely to get a conviction. The Garda File was closed on 19 November 1928. The file remained unopened in Garda headquarters until transferred to the National Archives in the early 2000s.

Murder or manslaughter?

Murder in Ireland, according to the Law Reform Commission is divided legally into murder and manslaughter. *'Murder occurs if a person intended to kill, or cause serious injury to, another person who dies as a result. Murder convictions can include situations where a killing was planned in advance; where the victim was knowingly shot; and where the accused is aware that the natural consequences of their actions would lead to death. Manslaughter is an unlawful killing that is not murder and currently consists of two categories, voluntary manslaughter and involuntary manslaughter. Voluntary manslaughter deals with what would otherwise be murder but where there is some excusing circumstance – such as provocation – which reduces the offence from murder to manslaughter.'*

In the early twentieth century, the term malice aforethought was in use and was defined as an *'intention to do an act which the prisoner realised was likely to kill, although he had no purpose of thereby inflicting any hurt'*.

Christopher Behan's testimony suggests that William Howe killed Wogan-Browne intentionally rather than, for example, in a struggle over the weapon. If the witnesses had come forward, there is a strong likelihood that William Howe would have been convicted of murder. Execution for murder were carried in the new Irish Free State and it seems likely that, if Howe had been charged and brought to court, he could potentially have faced the death penalty.

Suspect 'A' William Howe (1901-56)

William Howe, the youngest of six children, was born on 14 September 1901 to Michael Howe and Mary Byrne at Ballysax on the edge of the Curragh, Co. Kildare. He was an extremely active member of 'C' Company during the War of Independence.

William Howe served for a brief period in the British army. On 1 January 1920 he completed a medical examination at the Curragh and on 6 January was enlisted in the Royal Dublin Fusiliers being posted to Bordon, Hampshire where they were stationed at the time. For some unknown reason, on 16 March 1920 he was transferred to the 1st Battalion, Essex Regiment, stationed at Kinsale, Co. Cork and was discharged on 31 May 1920 'not likely to become an efficient soldier'.

His brief stint in the British army raises many



*William Howe,
Royal Dublin Fusiliers, 1920
(Courtesy of Howe family)*

questions. Did he join the IRA before or after he joined the British army. He is first mentioned by Eamonn Ó Modhráin in his notes for May 1920 as amongst men guarding his house when Howe was actually in Kinsale at that time. Ó Modhráin recorded this information in the 1930s so it is understandable how his dates could be slightly inaccurate. In his pension application to the military pensions board, Howe stated that he was not absent during any of this period from IRA activity.

He remained in the IRA during the Civil War being part of an anti-treaty active service unit under the command of Captain William Byrne until he was captured and interned at Newbridge in September 1922 having only being released from Mountjoy in May 1922. Howe escaped from Newbridge Internment Camp on 13 October 1922 as part of a mass escape of 149 prisoners, and was subsequently involved in military engagements at Kildare, Ballymore Eustace and Kilcullen. Howe married Margaret Dempsey in August 1927 and left Ireland during the summer of 1928 emigrating to Coventry to work in a Foundry. It cannot be a coincidence that he left Ireland while Detective Kenny was making enquiries into the murder. Howe returned to Ireland in 1934 after Fianna Fáil, the anti-treaty party, had come to power in 1932 when the chance of being arrested or prosecuted was less likely. He became an active member of Fianna Fáil in the Suncroft area. Following the rise of Fianna Fáil to power, the military pension scheme for veterans of the War of Independence which had originally been closed to those who fought against the Irish Free State during the Civil War was revised to reward them and set off a flurry of activity as former IRA brigade committees set about compiling nominal rolls and lists of activities which would assist in verifying pension applications when received.

In December 1935 William Howe applied for an IRA pension and wrote that:

‘Owing to my activities with the IRA my health has been impaired in many ways owing to wettings and sleeping out. I lost a good job on the Curragh. I had £2.00 a week and never could get anything like same since. My father lost a contract of his own ... £5.00 a week because of my activities with the IRA during Civil War and never could get work on the Curragh after. I tried and could not get a job either.’

William Howe also had difficulty in claiming social welfare in 1924, which was raised under parliamentary questions in Dáil Éireann during 1925. William never received an IRA pension. His pension application file confirms that he had active service during the period 1919-21 and he was

awarded an IRA service medal. In respect of his pension application, he was called for interview in January 1937. The report noted that his only fight before the 1921 truce was at Kilcullen and that he had 'good column service' during the Civil War. His interview with the Military Pensions Board referred to the execution of spies:

- Interviewer: You were in the shooting of spies?
 Howe: Yes, I was detailed for the shooting of spies.
 Interviewer: And did you go on the job?
 Howe: Yes.
 Interviewer: Did you get hold of the fellow.
 Howe: No. That was on several occasions.
 Interviewer: Half a dozen times?
 Howe: Surely that. I was one of two or three selected for the job.

The above testimony matches the details given by the 6th Battalion Commander Eamonn Ó Modhráin in respect of being assigned to shoot spies and in particular Michael Power. However, William Howe and the other participants in the murder of Wogan-Browne were not involved in this killing as they were interned less than a week before Power was killed, even though a similar weapon, if not the same weapon, the Colt .32, was used in both murders. Howe's brief service in the British army meant that he would at least have had some basic training in handling and firing weapons making him a good candidate for the job.

Howe mentioned that he was detailed to execute an RIC Sergeant although there is no further detail on this. He was involved in an attack on Kilcullen RIC Barracks in May 1921 but the attempted murder of an RIC Sergeant seems to be a separate incident not recorded anywhere else. There is no reference on his file to the murder of Wogan-Browne or his time imprisoned for this. The pensions board also contacted Thomas Harris, former Commanding Officer of 7th Brigade, TD in Dáil Éireann and the man who submitted the nominal rolls of IRA activists to the pensions board, for comment on the case. There was no reason for Howe to mention Wogan-Browne as it would certainly not have helped his case, but there is a lingering suspicion that the authorities knew about this and blocked his pension. One of the other suspects, Patrick Kelly, also fought on the anti-treaty side during the Civil War with Howe and ended up in the Engineering Corps in the Curragh during the Emergency. Despite gaining some employment in the Curragh, Howe may well have been 'blacklisted' to a certain degree. Indeed, in his pension application he noted that the Free State troops raided his family home almost every

day and sometimes twice a day when he was on the run after escaping from internment.

The evidence that William Howe was not just a participant, but murdered J.H. Wogan-Browne is compelling. There were at least three witnesses who named him as the gunman – Thomas Graham, Lizzie Flanagan and Christopher Behan – together with the two anonymous letters who name him as a participant.

A timeline of events during the 1920-22 period makes for interesting reading:

6 January – 31 May 1920	William Howe's service in British Army
May 1920	Raid on Kildare Railway Station
25-26 May 1921	Attack on Kilcullen Royal Irish Constabulary Barracks
6 June 1921	Attack on Belford Family
8 June – 8 December 1921	Interned at Rath Camp, Curragh by the British Army
13 June 1921	Murder of Michael Power at Kilboggan (not involved)
8 January 1922	Attack on Lt. Beven at Suncroft
10 February 1922	Murder of Lt. Wogan-Browne at Kildare
11 February – 29 May 1922	Arrested by IRA and held for murder of Wogan-Browne
September – 13 October 1922	Interned in Newbridge by Provisional Government

The timeline above shows that William Howe was in the British army at the same time as the raid on Kildare Railway Station was stated to have occurred and in which he was a participant. The only explanation is that the raid, which was recorded as 'about May 1920' occurred at a later date than was recorded by former IRA commanders in the 1930s. William Howe signed his discharge documents from the British army at Kinsale on 31 May 1920. The timeline also shows that William Howe spent almost a year in prison during this period which included one hunger strike.

There is little doubt that it was common knowledge amongst his colleagues that he carried out the murder. The intimidation of the witness Lizzie Flanagan, and those investigating the murder, Captain

Seán Kavanagh and Commandant Thomas Lawler would suggest a certain level of protection of those involved culminating in William Howe being forewarned of the reopening of the case in 1928.

One hundred years on from the events, it is difficult to fully assess the internal dynamics of locally based IRA units, in particular in dealing with records written over a decade after the events and when many of those involved subsequently took opposite sides in a bitter Civil War. As one former 6th Battalion member, who took the Free State side in the Civil War stated:

‘I have certified the I.R.A. service of Captain Lillis for the period (E) up to the 30th September. He was an active member of the I.R.A. but was very much hampered by the cowardice of the Battalion Commandant Eamonn Moran who subsequently became an Irregular.’

Howe became a prominent committee member of the local Old IRA branch in the 1940s and 1950s, was a member of the local Fianna Fáil branch and served with his brother Michael in the voluntary Local Defence Force (LDF) during the Emergency. He died on 11 October 1956 at Martinstown, Curragh. His brother Michael was never involved in the IRA.

Suspect ‘B’ Patrick Kelly (1900-1968)

Patrick Kelly, a labourer, was born on 4 January 1900 to James Kelly and Mary Scully, a Kildare family living in Dublin City. The family moved back to Suncroft around 1904. Patrick joined the local IRA relatively late – probably during 1921 and was not involved in the Suncroft Old IRA in the 1940s or 1950s although he was still living in the area in the 1930s and fought on the anti-treaty side during the Civil War. His older brother, Hugh, a coach builder, was an active member of the IRA during the War of Independence and was Lieutenant in ‘C’ Company, also taking the anti-treaty side during the Civil War. Patrick Kelly married Jane Darcy in 1942 and lived in Newtown, Suncroft. Hugh Kelly and Patrick Kelly both joined the National Army serving in the Corps of Engineers in the Curragh during the Emergency. There was a practice at the time for old IRA members to serve together during the expanded Emergency period Defence Forces and therefore many of the local former IRA served in the Corps of Engineers stationed at the Curragh. Patrick Kelly died at Crotanstown, Newbridge, Co. Kildare on 3 October, 1968.

Suspect ‘C’ Patrick Byrne (1901-1949)

Patrick Byrne was born on 26 October 1901 at the Guinness Trust

Buildings in Dublin City to John Byrne and Julia Doyle, both originally from Co. Kildare. He had an older sister, Elizabeth. Patrick was a carpenter and is not mentioned in the activities of 'C' Company other than in the nominal rolls. There was a suggestion that he too joined the army during the Emergency years of the Second World War but this cannot be confirmed. Patrick Byrne never married and died on 9 December 1949 at Carna, Suncroft. According to the *Leinster Leader* newspaper report *'deceased was a member of C Company, 6th Battalion Carlow Brigade Pre-Truce I.R.A. and took part in all the major engagements in the area from 1917 up to the Truce, 11th July 1921. His funeral with full military honours took place on Friday morning.'*

Seán Kavanagh (1897-1984), the IRA Liaison Officer involved in this case went on to become Governor of Newbridge Interment Camp during the Civil War and subsequently Governor of Mountjoy Gaol. District Inspector Michael Queenan (1873-1935), a native of Sligo retired from the RIC on 12 May 1922 and emigrated to England. The Belford and Power families, victims of the activities of 'C' Company left Ireland for London and Scotland respectively. Thomas Graham (1902-51), the driver of the car also lived a relatively short life dying at 49 years old. The Hibernian Bank cashier, Charles Edmund Swain (1894-1944) a former Royal Dublin Fusilier, was shot dead in Hawke's Bay, New Zealand in December 1944 while working as a porter in a hotel.

The personnel file of Wogan-Browne held in the UK National Archives contains much information which, to the modern reader may seem callous. Some correspondence relates to the overpayment of wages as he was paid in advance for the month of February 1922 and the Government sought to recoup the overpaid wages from 11 to 28 February. His father was written to seeking repayment of wages and the cost of a railway warrant which he repaid. A Committee of Adjustment met in Kildare on 6 March to deal with his personal belongings and pay outstanding debts including two days wages to his groom. His sister paid his outstanding mess bill. Some correspondence deals with the stolen £135 and whether it could be recouped from the estate of the deceased. The Military sought recoupment from the Secretary of State for War and sought clarity on the issue. One official wrote:

'The W[ar] O[ffice] should be informed that the State cannot

undertake this case, and that if Lieut. Wogan-Browne wishes to pursue the matter he must make his own arrangements for lodging his claim at his own cost.'

The reply was short:

'Lieut Wogan-Browne is dead. The money was not personal cash but public money.'

The funeral of Lieutenant Wogan-Browne on 14 February 1922 was an enormous affair:

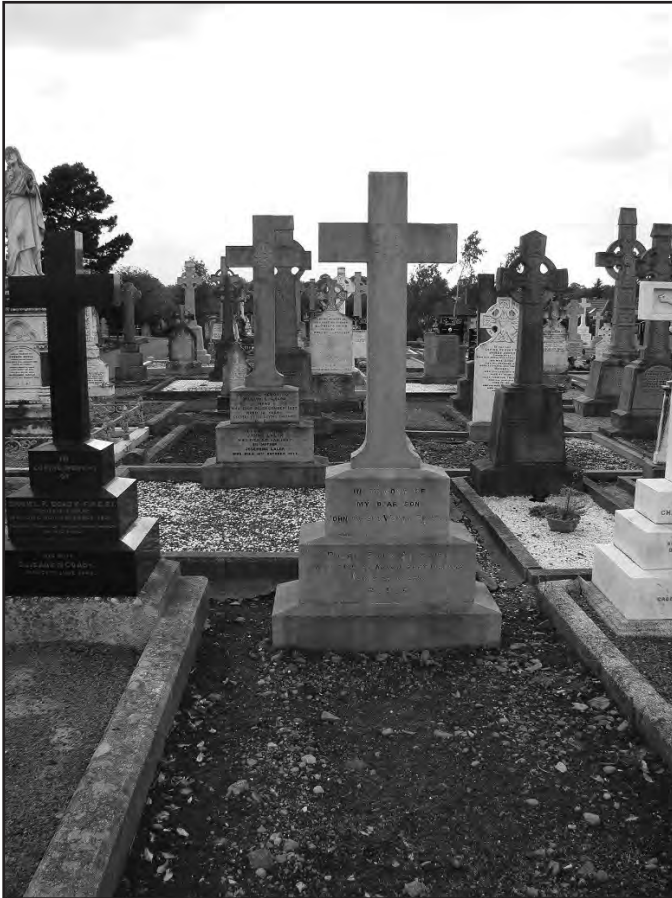
'On Tuesday morning at 11.30 the funeral of the murdered officer took place to the New Cemetery, Naas, after Mass at the Curragh. The cortege pulled up at the military barracks, Naas, where it reformed. A firing party from the deceased officer's regiment, the R.F.A., marched at the head of the funeral procession with arms reversed. Next came the band of the K.S.L.I. from the Curragh, playing the solemn strains of the Dead March (and later near the cemetery, Beethoven's funeral march). Then came a gun carriage drawn by eight horses with outriders bearing the coffin draped in the Union Jack. Placed on the coffin were the dead officer's sword and cap. Behind came his charger lead by a trooper. The top boots of the deceased were fixed in the stirrups reversed. Next followed Colonel Wogan-Browne, father of the deceased, with two other relatives. After this in the procession marched a detachment of the men of the R.F.A., carrying twenty-four beautiful wreaths and behind a number of buglers followed by some hundred of the county gentry, officers and men of the deceased's regiment and thousands of townspeople of every class and creed. The spectacle was the most impressive one ever seen in Naas, where military funerals have often passed through the streets, but nothing even remotely approaching in impressiveness and size this demonstration of grief for a young townsman, than whom we understand no more popular officer has ever served his country. For the first time in the history of relations between the military and the people of the country for the past few years was seen a complete co-mingling of the old and the new forces, police and the general public. All business and private houses were closed and shuttered as the procession passed through the town.'

A number of senior members of the IRA were in attendance at the funeral

including Brigade Commandant Thomas Lawler and Captain Seán Kavanagh. The IRA Battalion Police acted as crowd control at the funeral assisted by the British military.

There is no memorial or other marker at the spot in Kildare where Lieutenant John Hubert Wogan-Browne was murdered. The inscription on his grave in St. Corban's Cemetery, Naas, reads:

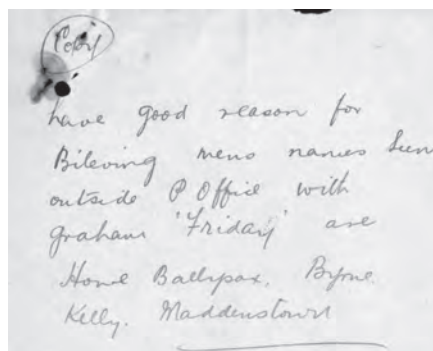
IN MEMORY OF
MY DEAR SON
JOHN HUBERT WOGAN BROWNE
ROYAL FIELD ARTILLERY
WHO DIED AT KILDARE FEBY 10th 1922
AGED 25 YEARS
R.I.P.



Postscript

April 2006 – The Anonymous Letters

Included in the IRA Liaison Officer files held in the Military Archives in Dublin is a copy of an anonymous letter posted in Kildare on 14 February 1922 addressed to District Inspector Queenan and received by the Royal Irish Constabulary on 15 February 1922. The letter appears to be transcribed from the original and states:



'Have good reason for bileving mens names seen outside P Office with Graham 'Friday' are Howe Ballysax, Byrne, Kelly, Maddenstown'

Two letters were auctioned by Whyte's Auctioneers on 9 April 2006 with the names of individuals omitted from the catalogue as follows – The first letter addressed to D.I. Queenan and postmarked 14 February 1922 at Kildare reads:

'have good reason for believing mens names seen outside P Office with [name] "Friday" and [4 names] Maddenstown'



The second letter to Mr. Lawler, Halverstown, Naas marked received 6 March 1922 reads:

'Kildare rob and murder bring [] and [] Maddenstown before [] and see will he know them they are ex-Mountjoy Prisoners'



There is no doubt that the first letter is the original letter transcribed and given

to Commandant Seán Kavanagh, the Kildare IRA Liaison Officer. The second letter is to Thomas Lawler who was Commanding Officer of 7th Brigade, IRA. The names on the second letter were not transcribed by Whyte's although the Maddenstown reference suggests it is likely to refer to the same persons. It is not known how the two letters ended up in private ownership and Whyte's Auctioneers could not provide details of the vendor or purchaser. The letters were sold for €480.

October 2021 – Decade of Commemorations

Although the events of 10 February 1922 are now outside living memory, in keeping with the Decade of Commemorations Committee theme, in October 2021, I made contact with a number of individuals with an interest in the murder.

James (Jim) Howe, is one of four children of William Howe. Jim, in his ninetieth year, and still living in the locality, knew that his father (known as Billy) was involved with the IRA during the War of Independence but knew very little of the detail. We sat down in his kitchen and went through the documents that implicated his father in the murder and it cleared up many unanswered questions about his father's life. Billy married Margaret Dempsey in August 1927 but emigrated suddenly to Coventry in the summer of 1928 where his father worked in a foundry and where Jim was born. An examination of the Garda file showed that the family emigrated precisely at the same time as Detective Sergeant Kenny was carrying out investigations into the murder. We surmised that Billy must have got wind of the investigation and left Ireland. He returned when Fianna Fáil came to power in 1932 and got employment in the Curragh. He was an active member of Fianna Fáil in Suncroft and the Old IRA Association in the early 1950s dying at the early age of 55, in 1956. He never received a pension for his service to the country.

In December 2021, the family located a photograph of William Howe in British army uniform which was a surprise to everyone. Some further research confirmed that Private William Howe served with the Royal Dublin Fusiliers and the Essex Regiment for five months in 1920 – adding to the complicated web of history that was Ireland in the 1920s.

William (Billy) Graham, now in his eighties, son of the driver of the car, Thomas Graham, told me that the windows of their family home were smashed on the night of the murder by British soldiers but believes his father was an unwilling participant. Billy recalled that some time in the 1940s, a local woman named Nellie Davis accosted him in Kildare and

said '*God be with you Wogan-Browne*', a reference that meant nothing to him at the time. He went home and recounted the incident to his mother who told him about the murder. His father never spoke about the murder and died in 1951, at 49 years of age.

I was also in contact with members of the extended Wogan-Browne family, including Charles Lillis, Hilary McCallin and John Wogan-Browne. Mary Lillis-Jensen, a niece of John Hubert Wogan-Browne, recalled that John Hubert's sister Claire Renee told the family that the IRA had not ordered the wanton killing and that they had apologised to his father for this tragic mistake, asking for permission to be officially represented at the funeral. His father petitioned the authorities not to execute those involved in the killing. It is only fitting that a century after this tragic event that his namesake John Wogan-Browne agreed to write the foreword to this publication.

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Appendices

- Appendix I:** List of Wreaths at Funeral of J.H. Wogan-Browne
- Appendix II:** Inquest into the Death of J. H. Wogan-Browne
- Appendix III:** A note on the Irish Republican Army in Kildare
- Appendix IV:** Military Court of Inquiry Witness Statements
- Appendix V:** Statement of Elizabeth Power to Military Court of Inquiry in lieu of Inquest on 15 June 1921 and Statement of Bridget Mary Belford to Field Court Martial on 23 July 1921
- Appendix VI:** Statement of William Howe – 18 May 1922
- Appendix VII:** Timeline of Events 1922-1928



*Aerial View of Kildare town 1918
(Author's collection)*

Appendix I

List of Wreaths at Funeral of Lt. J.H. Wogan-Browne

Dearest Jack, with his father's love

Jack, with deepest sympathy. From Frank and Fred

Dearest Jack, with love from his three sisters, Molly, Judith and Claire

From Lt.-Col. & Mrs. A.J. Wogan-Browne and Miss Wogan-Browne
with very deepest sympathy

In loving memory of our dear uncle Jack from Betty, Joan, John, Barry and Mary

With deepest sympathy from all at Killashee

With deepest sympathy from Miss de Robeck

With deepest sympathy from Mrs. James Robertson and family

In proud memory and in deep sympathy
from Col. Commandant and Mrs W.B.R. Sandy and Miss Sandy

With deepest sympathy from Colonel and Mrs W.J. Honner

With deepest sympathy from the Officers, R.A. Kildare

With deepest sympathy from the Officers 4th Brigade R.H.A. Kildare

With deepest sympathy from the people of Kildare Town

With deepest sympathy from Officers, 36th Brigade R.F.A. Newbridge

With deepest sympathy from the Officers, N.C.O.'s and Men 48th Battery R.F.A.

With deepest sympathy from the Junior N.C.O.'s and Men 17th Battery R.F.A.

With deepest sympathy from the Junior N.C.O.'s R.A. Newbridge

With deepest sympathy from W.-O.'s Staff-Sergts and Sergts R.A. Mess Newbridge

With deepest sympathy from N.C.O.'s 71st Brigade R.F.A.

With deepest sympathy from the N.C.O.'s and Men 15th Battery R.F.A.

With deepest sympathy from the N.C.O.'s and Men 142nd Battery R.F.A.

With deepest sympathy from the Sergeants, Royal Artillery Kildare

With deepest sympathy from John J. Moriarty

With sincere sympathy from T.L. Harrington

With love and deepest sympathy from all at Carrig, Queenstown

Appendix II

Inquest into the Death of J.H. Wogan-Browne held at Curragh Military Hospital on 11 February 1922

Transcribed from *Kildare Observer* newspaper

Attendance: Dr. Jeremiah O'Neill, Deputy Coroner for South Kildare, Captain Seán Kavanagh, Company Officers William Graham and James Doyle, District Inspector Michael Queenan, RIC, Kildare, Dr Edward T. Coady, Mr. Lipsett K.C. (instructed by Mr C. Blair White, Crown Solicitors) representing the military authorities.

Jury: Percy Podger (foreman), Luke Hanlon, Laurence Higgins, James Conor, Justin Hade, Philip Hade, Maurice Condran, John Magrath, William Rowley, Henry Church, James Clune, Richard Wellor, Enoch Poole.

Witness 1: Patrick Daly, aged 18 employee of Mr. Kennedy at garage.

Witness 2: Thomas Graham, employed as driver and mechanic

Witness 3: Charles Swain, cashier, Hibernian Bank

Witness 4: Lizzie Flanagan, New Row, Kildare

Witness 5: Driver Harold Onions, Royal Field Artillery

Witness 6: Doctor E.T. Coady

Witness 7: Captain O'Malley, RAMC

Witness 1: Patrick Daly, a young man of 18 years was examined by District-Inspector Queenan and stated that he lived at Cross Keys, Kildare. He was employed by Mr. Kennedy, garage proprietor at Kildare. He was in the garage on Friday when two young men came in and asked if they could hire a car to leave them in Kilcullen, and asked what would be the charge.

Daly: I went upstairs and asked the boss, and told them they could have the car for 15 shillings. I asked what time they wanted the car, and if they would have any delay there. They said they would want the car at 11 o'clock and that they would leave no delay – that they merely wanted to be left there. They went in the direction of the Square and came back about 11 o'clock. The two men waited for a little time and when the car was ready they started off. They got into the car and Mr. Kennedy's driver – Thomas Graham – drove the car. I did not see the third man get into the car. I only saw two. I described those men to District Inspector Sweeney.

Witness 2: Thomas Graham deposed in reply to DI Queenan.

Graham: I am employed as a driver and mechanic by Mr. Kennedy. On yesterday morning I was called at between 11 and quarter past 11 o'clock to go

out with the car. The men came into the shop. I saw two men in the square first about quarter past 10. At quarter past 11 I took out the car, and the two men I had seen in the shop got into it. They told me to drive to the Infirmary. When I got to the Post Office going down they said "Stop at the School gate." I was a time there and they said they were waiting for another man to come along. No other man came along until after the shooting. They asked me to put up the hood of the car and I did so. One of them helped me to put it up. I saw soon afterwards a military officer coming from the direction of the town going towards the military barracks.

DI Queenan: There are many barracks sir.

Graham: He was coming from the direction of the police barracks. When the military officer approached the car I saw one of the men take out a revolver. He pulled a magazine out of his pocket.

DI Queenan: A revolver?

Graham: No it was not in the shape of a revolver – a magazine I hear it called.

DI Queenan: What did he do then?

Graham: He walked towards the officer.

DI Queenan: What occurred then?

Graham: When he got within a few yards the officer jumped to catch hold of him. He presented the weapon. I did not hear any words. They ordered me to start the car.

Coroner: Who ordered you to start the car?

Graham: One of the men beside me ordered me to start the car. He had a revolver. The man who ordered me to start the car had a revolver in his pocket.

Coroner: How do you know that he had it in his pocket?

Graham: I saw him take it out and put it in (Like this). I saw him take it out from his breast pocket and put it in his coat pocket.

DI Queenan: Did a second man approach the officer?

Graham: He did, yes. The hood was up. I could not see but I could hear a struggle behind the car on the road. I did not hear any of the men fall.

DI Queenan: Did you hear a shot?

Graham: Yes.

DI Queenan: And after the shot what happened?

Graham: The man that was standing beside the car leaped in beside where I was – on to the seat next to me.

DI Queenan: Did you see the officer fall?

Graham: I did not. The other two men jumped into the car.

DI Queenan: Anything else?

Graham: Yes; one of the men said: "Well that fellow is done for, anyway."

DI Queenan: That was after he got into the car?

Graham: Yes.

DI Queenan: Having got into the car, what did they further say?

Graham: They said "Drive on."

DI Queenan: Did they indicate what direction?

Graham: Yes; they said "Drive round by the Nunnery."

DI Queenan: And they threatened you?

Graham: Yes; they told me that if I went to identify them in any way that there was more than three of them in it and they would get me sometime.

DI Queenan: During that time what words did they use – did they say anything else to you?

Graham: Not that I could hear, anyhow. They said only “Drive quickly.” This several times, and nothing more. I drove them to the bog. I do not know what bog. It is towards Kildoon. I do not know it as Maddenstown bog. I drove out for about three miles. They told me to pull up then, and they got out of the car.

DI Queenan: Did they say anything to you when going out?

Graham: Yes; they told me to go to hell or something, and then they told me to take the first turn to the left. That was in the direction of Kildoon. I continued on and came back into Kildare immediately. I did not pass through Suncroft. When I came to Kildare I met you (DI Queenan) in the garage.

DI Queenan: In reply to certain questions you made a statement to me?

Graham: Yes.

DI Queenan: Was it somewhat as you have given here?

Graham: Yes.

DI Queenan: You told me roughly what occurred?

Graham: Yes.

DI Queenan: Did you know any of these men?

Graham: I did not know any of them. They were strangers to me. I gave a description of them to the Captain of the Volunteers and to the military officer and to the police.

DI Queenan: Did you assist to the best of your ability to trace where these people went?

Graham: I did, yes.

DI Queenan: Did you see anything in their possession afterwards?

Graham: They carried the bag.

Coroner: What bag?

Graham: The bag they took from the officer. The officer threw the bag on the ground when attacked. And the man took the bag. He brought the bag over to the car. It was a kind of canvas bag. Subsequently when they left my car they took the bag away. When they left the car near Kildoon they took it with them.

Foreman: How long did the incident occupy – the shooting incident?

Coroner: How long was it from the attack until the men got into the car?

Graham: It was not more than two minutes. The car was in the road for five or ten minutes. One man walked over to meet the officer. They told me to take the Tully Road. They appeared to know the road thoroughly.

Mr. Rowley: Had they the appearance of countrymen?

Graham: Yes. They told me to take the Tully Road as if they had some knowledge of the district. The officer was shot behind the car and the hood was up. I did not see the third man approaching until he jumped in. The engine

was stopped for five or ten minutes and when the officer was coming down I was told to re-start it.

The man that followed the gentleman walked down by Nolan's. There was another man who walked across to meet him. Another man remained with me in the car all the time.

Witness 3: Charles Swain, in reply to District Inspector Queenan, stated;

Swain: I am the cashier in the Hibernian Bank at Kildare. I remember yesterday morning, 10th inst. I saw the late Lieutenant Browne in the bank about a quarter past 11 o'clock. He presented a cheque for payment. I produced the cheque. He would not have been in the bank more than about five minutes. He carried a small haversack. I know he put the silver in the bag, but am not certain about the balance, but they usually put all the cash into it after getting it from me.

DI Queenan: How much silver?

Swain: About £20 – that would be four £5 packets. The remainder was in notes, £100 in Bank of Ireland single notes and £15 in Treasury 10s notes. That would be £135 in all. Mr Wogan-Browne generally came early. He was generally first to come. Friday is the pay day for the battery.

DI Queenan: Did he always go by himself?

Swain: Yes; two may come together. He always came early and was always alone.

Witness 4: Mrs Lizzie Flanagan, in reply to D.I. Queenan, deposed she was married and resided at New Row, Kildare.

Flanagan: I was coming down Hospital Street at about 11.30 yesterday morning when at the Protestant school gate, I saw a motor car standing, and two men were standing on the footpath. I heard a row, and, turning round. I saw the two civilians and the officer fighting on the road. One of the civilians fell, and then I saw the officer and the other man standing on the road and the shot went off. I then met another officer on the road, and I told him that one of his officers was after being shot. He asked me where, and I said 'Just above the corner, sir.' The officer turned back into the barracks. That is all I know.

DI Queenan: Did you know any of these people who were scuffling with the officer?

Flanagan: No, sir.

There was a noise from the motor car. I noticed the car before the officer came up. To a Juror – I was coming from the police barrack direction. I did not see the third man.

I noticed the driver, who appeared to be sitting by the wheel.

To the Foreman - I only saw the two men scuffling in the road with the officer.

To Mr Lipsett, KC - I did not notice anyone about. There was not a Christian on the road beside myself.

To DI Queenan - I was on the footpath. The hood of the car was up. A man might be round in the shade on the other side. I did not see anyone

other than what I have said. I did not notice anyone walking behind the officer. I did not take notice of any.

Witness 5: Driver Harold Onions, R.F.A., examined by DI Queenan, stated he was stationed at the Artillery Barrack gate at the time of the occurrence.

Onions: I saw a motor car on the road. It was about 20 minutes to 12 o'clock, the car was there for about five minutes. I noticed the driver standing in front of the car. I was 150 yards from that point. I did not see anything happening.

Coroner: Did you hear a shot?

Onions: Yes, sir; I heard a shot.

Coroner: That was what attracted your attention?

Onions: Yes; I saw the officer fall. I only saw the driver in the car. The car moved away immediately the shot went. I could not say how many people were in the car. It was too far away. The hood was up. To the Coroner- The car went away from me, starting immediately. I saw nothing more.

DI Queenan: Later you went up to where the officer fell.

Onions: Yes, sir

DI Queenan: And in what condition did you find the officer?

Onions: He was lying with his face downwards. I turned him over; he was dead.

DI Queenan: Was he bleeding?

Onions: Yes, sir.

DI Queenan: Did you notice any wound?

Onions: He was shot through here (pointing to his forehead).

Coroner: Did you turn him over?

Onions: Yes, sir. The wound was over the eye.

Witness 6: Surgeon E.T. Coady: A considerable time was occupied by the post-mortem examination by Surgeon E T Coady, Kildare, and Captain O'Malley, R.A.M.C. Dr E T Coady stated he was called to the Kildare military barracks, where he saw Lieutenant Wogan-Browne, who was reported to be shot. He found life extinct. He made a post-mortem examination, assisted by Captain O'Malley. The deceased had a wound over the right eye and an abrasion on the left side of the forehead and left side of the chin. There was a wound in the occipital bone. Death was due to laceration of the brain. He found all the organs had been healthy.

Coady: To the Coroner – The abrasion may be due to falling on the road. It was a skin abrasion.

Witness 7: Captain O'Malley, R.A.M.C., sworn stated he assisted at the post-mortem examination. He agreed with Dr Coady. Death was due to laceration of the brain. There was a wound in the occipital bone over the right eye, and portion of the temple bone was fractured. The heart and lungs were normal, as were the abdominal viscera.

Coroner: Do you agree with Dr Coady as to the abrasion on the face.

O'Malley: Absolutely. The Coroner said the evidence in the case was very clear. It was shown that the officer was attacked at Kildare, and that he was

fired at and shot. They had evidence of the shooting and they had the doctor's evidence, which showed that a bullet entered the frontal bone and the brain, causing death. It appears to me the only verdict is wilful murder against some person or persons unknown. It is, of course, gentlemen, for you to say what is your verdict.

Coroner: Lieutenant J H Wogan-Browne comes from an old and distinguished County Kildare family that had hundreds of gallant gentlemen famous in history and in story, and it is for you, gentlemen, should you so desire, to express your strong condemnation of the dastardly crime committed in your midst, a crime absolutely un-Irish and which one could understand in some of the larger cities of the world, but not here - a crime absolutely devoid of any political significance and apparently perpetrated for money in the young officer's possession. Further, gentlemen, it is the duty of loyal Irishmen to give every assistance to the Provisional; Government to bring the authors of this outrage, culminating in the death of this young and promising officer, to justice. You, gentlemen, should you desire, can express you deep sympathy and pass a vote of condolence with the family of the deceased.

The jury, having deliberated for some time, found that death was due to injury to the brain, caused by a gunshot wound inflicted by some person or persons unknown, and returned a verdict of wilful murder against some person or persons unknown. Mr Clune (juror) said the views of the jury were expressed in the full statement made by the Coroner with reference to the deceased officer. The jury expressed abhorrence of the crime, which had been so fully committed in their midst, and conveyed to the relatives of the deceased an expression of deep sympathy.

Verdict of Jury

Death was due to injury to the brain, caused by a gunshot wound inflicted by some person or persons unknown, and returned a verdict of 'wilful murder against some person or persons unknown.'

Appendix III

A note on the Irish Republican Army in County Kildare

During the War of Independence, the Irish Republican Army in south Kildare and west Wicklow formed the 6th Battalion of the Carlow Brigade IRA. At the time of the Anglo-Irish truce of 11 July 1921 it consisted of 374 officers and men divided into seven companies designated A to G – (A) Dunlavin, (B) Seven Stars, (C) Suncroft, (D) Kilcullen, (E) Kilgowan, (F) Kildare, and (G) Monasterevin covering the south of the County. In late 1921, the IRA were restructured and three companies, Suncroft, Kilcullen and Kildare were transferred to the Kildare Brigade. The nominal roll of ‘C’ Company, at the time of the truce, recorded in 1935 by Thomas Harris, Officer Commanding the Kildare Brigade, for pension purposes was as follows:

1.	Captain	Denis Doyle	Carna, Suncroft (<i>Deceased</i>)
2.	Lieutenant	Patrick McDonagh	Carna, Suncroft
3.	2/Lieutenant	James Kelly	Martinstown, Curragh
4.	Adjutant	Hugh Kelly	Newtown, Suncroft
5.	Sect Comm	John Byrne	Newtown, Suncroft
6.	Sect Comm	Bernard Noud	Brownstown, Curragh
7.	Sect Comm	Patrick Doyle	Newtown, Suncroft
8.	Volunteer	William Kelly	Carna, Suncroft
9.	Volunteer	Augustine Kelly	Carna, Suncroft
10.	Volunteer	Joseph Conway	Eagle Hill, Suncroft
11.	Volunteer	Michael Anderson	Suncroft
12.	Volunteer	Patrick Byrne	Carna, Suncroft
13.	Volunteer	Patrick Flood	Carna, Suncroft
14.	Volunteer	William Delaney	Carna, Suncroft
15.	Volunteer	Thomas Jackson	Carna, Suncroft
16.	Volunteer	Michael Kinsella	Ballysax, Curragh
17.	Volunteer	James Cardiff	Ballysax, Curragh
18.	Volunteer	Patrick Whelan	Eagle Hill, Suncroft
19.	Volunteer	Arthur Kearns	Ballysax, Curragh
20.	Volunteer	John Bell	Mullaghmoy, Suncroft
21.	Volunteer	Michael Patterson	Mullaghmoy, Suncroft
22.	Volunteer	Peter Dunne	Martinstown, Suncroft
23.	Volunteer	Christopher Dunne	Martinstown, Suncroft
24.	Volunteer	William Lynch	Carna, Suncroft
25.	Volunteer	John Kearns	Eagle Hill, Suncroft
26.	Volunteer	James Burke	Maddenstown, Curragh
27.	Volunteer	William McDonald	Carna, Suncroft
28.	Volunteer	Thomas McDonagh	Carna, Suncroft
29.	Volunteer	John Cullen	Ballysax, Curragh
30.	Sect Comm	William Cramer	Maddenstown, Curragh

31. Volunteer	James Delaney	Maddenstown, Curragh
32. Volunteer	John Gleeson	Maddenstown, Curragh
33. Volunteer	Donal O'Neill	Maddenstown, Curragh
34. Volunteer	Stephen Kelly	Maddenstown, Curragh (<i>Deceased</i>)
35. Volunteer	Michael Geraghty	Maddenstown, Curragh
36. Volunteer	James Fleming	Maddenstown, Curragh
37. Volunteer	John Martin	Maddenstown, Curragh
38. Volunteer	Donal Hogan	Maddenstown, Curragh
39. Volunteer	Peter Reilly	Maddenstown, Curragh
40. Volunteer	Michael Murphy	Maddenstown, Curragh (<i>Deceased</i>)
41. Volunteer	Leo Flynn	Maddenstown, Curragh
42. Volunteer	Luke Hanlon	Maddenstown, Curragh
43. Volunteer	Thomas Lacey	Maddenstown, Curragh
44. Volunteer	Martin Lacey	Maddenstown, Curragh
45. Volunteer	Thomas Kinsella	Ballysax, Curragh

Interned as at 11 July 1921

46. Sect Comm	J.P. Dowling	Carna, Duncroft
47. Sect Comm	William O'Neill	Carna, Suncroft (<i>Deceased</i>)
48. Volunteer	James Dowling	Carna, Suncroft
49. Volunteer	Patrick Byrne	Newtown, Suncroft
50. Volunteer	Patrick Kelly	Newtown, Suncroft
51. Volunteer	Andrew Byrne	Moortown Castle, Kilcullen
52. Volunteer	William Howe	Ballysax, Curragh

Note: The 6th Battalion Staff officers were very much based in the Suncroft area with Eamonn Ó Modhráin living in Ballysax, John Flanagan living in Martinstown, Curragh, and when they were interned, William Byrne, Ballysax, became officer commanding 6th Battalion.

6th Battalion, Kildare (Extract from revised structure) as at 1/7/1922 'A' Company - Maddenstown

Captain	William Cramer	Maddenstown, Curragh
Adjutant	Leo Flynn	Maddenstown, Curragh
Volunteer	Patrick Kelly	Newtown, Suncroft

'B' Company (Suncroft)

Lieutenant	Hugh Kelly	Newtown, Suncroft
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'C' Company (Ballysax)

Officer in Command	William Howe	Ballysax, Curragh
	Eamonn Ó Modhráin	Ballysax, Curragh
	Andrew Byrne	Moortown, Kilcullen
	Peter Byrne	Moortown, Kilcullen

Appendix IV

Military Court of Inquiry Witness Statements 16-17 February 1922

Presiding: Lieutenant-Colonel Milton,
Lieutenant-Colonel Hanbury and Lieutenant-Colonel Hodgson

First Witness: Lt Colonel Ronald Marryatt, D.S.O., R.F.A. duly sworn states

I am stationed at Artillery Barracks, Kildare and am commanding officer there.

On the instruction for officers to carry arms (see para 2 of Letter for 5th Div to CRA 5 Division no 5043/4/G of 17 Feb 1921 copy attached marked 'A' signed by President) had been suspended by 5th Division letter C.R.A. 5th Division No 10653/11/G of 10 October 1921 (copy attached marked 'B' signed by President) and as we were living in peace conditions I had not considered it necessary to issue orders that officers drawing money from the Bank in Kildare should either be armed or be accompanied by an escort as during the last two years there has never been any trouble between the Troops and civilians in Kildare. Further the Bank (Hibernian) at Kildare is within the triangle referred to in paragraph 8 of circular letter (Secret) 5th Division No 13990/G of 17 January 1922. I would also refer to paragraph 9 of above quoted letter. (copy letter marked 'C' signed by President attached hereto). The 5th Division letters 5043/4/G dated 9 Feb and 10 Feb 1922 were not received in my office at Kildare until after Lt. J.H. Wogan-Browne had been murdered. The pay for all Batteries in the Station is drawn on Friday mornings under Battery arrangements. All orders received in my office from Higher Command are duly circulated.

Second Witness: Lt Colonel Lionel Edward Warren, D.S.O., R.F.A. duly sworn states

I am the Commander of 36th Brigade R.F.A. quartered at Newbridge, Co. Kildare. The 48th Battery which is part of my Brigade is quartered at Artillery Barracks, Kildare. The late Lt. J.H. Wogan-Browne was in 48th Battery. The pay of the men is drawn each Friday under Battery arrangements. The letters for 5th Division W.C.R.A. 5th Division No 5043 /4/G dated 9th and 10th Feb 1922 retrospectively were not issued to be by C.R.A. 5th Div until 10th February 1922 and were not received by me until after the murder of Lt. J.H. Wogan-Browne. (The Court examined such letters produced by the witness and satisfy themselves as to the dates deposed to.) The 48th Battery is under me for all purposes except so far as Station duties at Kildare is concerned.

Third Witness: Lt. Colonel Arthur Graves Leech, D.S.O. , R.F.A.

duly sworn states

I was Battery Commander of Lt. J.H. Wogan-Browne. On Friday 10th February 1922 about 10.30 a.m. I wrote a cheque for weekly pay of 48th Battery R.F.A. amount £135. Lieut. J.H. Wogan-Browne as Battery subaltern officer on duty signed for the cheque in AB69 (produced and verified by Court). About 11.15 a.m. on that day I received a report that Lt. J.H. Wogan-Browne had been shot at in Kildare town. I went to hospital in Barracks and found Lt. Wogan-Browne had just been brought in on Mess Cart. He was dead.

The ordinary routine at Kildare is for the Battery Subaltern Officer on duty to fetch the mens pay each Friday from the Hibernian Bank, Kildare. No escort is sent with him. He is not armed as the order to be armed at all times was suspended by letter C.R.A. 5th Division from 5th Division No 10653/11/G date 10 Oct 1921. (copy attached marked 'B' already deposed to) [The witness produces copy thereof issued to him by 36th Brig R.F.A.]

I gave the cheque out for £135 for Lt. J.H. Wogan-Browne and issued no instructions as to his having an escort or being armed either to or from the Bank. The distance from Barrack Gate to Hibernian Bank is roughly 500 yards and houses both side of road. None of the £135 was found on J.H. Wogan-Browne.

Fourth Witness: Charles Edmund Swain

duly sworn states

I am cashier at the Hibernian Bank, Kildare.

The Bank opens at 10. a.m. daily for business.

I have known the late J.H. Wogan-Browne since about May 1921. He used to come to the Bank on Fridays to draw the pay for his Battery. He generally came to Bank between 11 and 11.30 a.m. and was always alone. He was nearly always the first officer to draw pay on Fridays. The other officers drew pay about 12 (noon).

On Friday 10 February 1922 Lieut. Wogan-Browne came to the Bank between 10.10 and 11.15 a.m. He handed me (Cheque produced examined by Court and returned to witness) a cheque for £135. (crossed and co.) which I cashed and handed him:-

£100 in Bank of Ireland £1 notes

£20 in silver (4 packets of £5 each)

£15 on 10 s treasury notes

Lt Wogan-Browne had a haversack. The haver are carried by officers. I saw him put the packets (4) of silver into the haversack but did not notice what he did with the notes.

The Bank did not keep the number of the notes and has no record whatever of them.

He then left the Bank with the money. I have never seen him since about 11.20 a.m. that morning where he left Bank.

Fifth Witness: Robert Neill, 3 New Row, Kildare
duly sworn states

I am 14½ years of age.

(Before administering the oath the Court thoroughly satisfied themselves that the witness fully appreciated it and was a lad of good intelligence.)

On Friday 10 Feb 1922 I was returning from Curragh Camp. I had been given a lift in a car and got out of it near National School Gate, Kildare opposite Infirmary Corner about 11.30 a.m. After I had walked a few yards towards Kildare a motor car passed me. It stopped at National School gate. I met an officer coming down from Kildare with a bag on his shoulder. He was on footpath. I next saw two civilians get out of the motor car and rush at the officer. I heard them call 'hands up'. I saw two revolvers in both civilians hands. The officer did not put his hands up but rushed at one of the civilians. Just as the officer got hold of one of the civilians a motor car with a cover on it came from Kildare direction and knocked the civilian down. The officer then rushed at civilian who was on ground and fell himself. The officer had dropped the bag which was on his shoulder on to the footpath. The other civilian rushed and picked up the bag and jumped into the motor car back seat from the off side of car directly and civilian was in car the other civilian who had been struggling with the officer fired a shot at the officer and the officer fell behind the car. The officer was on road and close to the footpath when shot. The civilian who fired the shot then got into the front seat of car by driver. There was another civilian also sitting by driver. On front seat of car there were driver and the two civilians and the third civilian was in back seat of car. The car was covered over. The hood was up all the time I saw the car. There was no civilian coming down after the officer when I first met him. I saw the pistol in the hand of the civilian who shot the officer and heard shot fired. I saw civilian point pistol at officer. The noise of the shot was the next thing and then I saw the officer fall.

[The Court show witness a .32 automatic Colt pistol and witness says 'It was something like that'] The car drove away around Infirmary Corner and I did not see it again. A soldier then came up and carried away the officer. The covered van which I heard afterwards was Parkinson's drove right on towards the Curragh after it had knocked the civilian down.

My father is a labourer on Railway. He works on sleepers on the Line.

Sixth Witness: Bridget McCarthy,
wife of Charles McCarthy, Hospital Street, Kildare
duly sworn states

On Friday 10th Feb 1922 between 11 and 12 (noon) o'clock I saw a motor car standing with hood up just a little on Kildare side of National School gate, close up to footpath and I saw a small civilian walking up and down footpath close to the car. I then saw an officer coming towards car from Kildare. He was on footpath on Infirmary side of Road. When officer was nearly opposite back of car the small civilian rushed across Road and caught hold of the officer and pulled a bag off his right shoulder. They both closed together and together got across road towards car. A taller man had got out

of car and gone to smaller man's assistance. The officer knocked taller man down. The smaller man stuck in the officer and the officer was butting him with his head. The smaller man who had previously thrown the bag into the motor car then fired at the officer. The officer fell just behind the car with his face downwards. The little man then pointed the revolver at me and I ran away. The motor car then went away around Infirmary Corner. I do not know how many persons were in car. I only saw the two men I have mentioned get into it. I saw the soldier take the officer's body away. I saw a motor car a few minutes after officer shot. It went towards Curragh Camp. My husband is an ex-soldier (Dublin Fusiliers, Irish Fusiliers) and is now Civilian Barber in Kildare Barracks.

Seventh Witness: 1049368 Driver Harold Onions, R.F.A.

duly sworn states

On Friday 10th Feb 1922 I was R.M.P. on Gate Duty at Artillery Barracks, Kildare. My post was outside Gate on Kildare-Curragh Road. About 11.40 a.m. I saw a motor car (Civilian) standing near Infirmary Corner about 150 yards from my post. It was facing me from Kildare direction on its own side of road. The hood was up. The driver was standing in front of car, between car and myself. I saw no other person there. The car stood there I should say about 5 minutes when I heard a shot come from its direction. I looked and saw an officer fall behind the car, the car was moving as he fell to its offside otherwise I should not have seen him fall. I ran to the officer and found he was Lieut J.H. Wogan-Browne who I knew well. He was lying face downwards on road about four and a half feet from footpath. I saw he was dead. I carried him down to Gate of Barracks when I stopped a cart, put him in it and took him to hospital in Barracks. He had no haversack with him and I saw none at the spot he fell. A crowd was congregating as I brought him away. Before I could get up to the officer the car had gone around Infirmary Corner and I lost sight of it. I saw no arms on the officer and no money.

**Eight Witness: Edward Thomas Coady, Infirmary House, Kildare F.R.C.S.
(Ireland)**

duly sworn states

I am civilian medical officer to Troops at Kildare.

About 11.35 a.m. on 10 Feb 1922 consequent on phone message, I went to Artillery Barracks, Kildare.

I saw in the hospital there the body of Lieut J.H. Wogan-Browne who I knew very well. He was then dead. I examined him superficially and found a wound above and to inner side of right eye which explained cause of death.

On the following day 11 Feb 1922 I made a post mortem examination assisted by Capt David O'Malley R.A.M.C. at Military Hospital, Curragh Camp on body of deceased officer.

I found a fracture of frontal bone corresponding with the exterior wound already described, a fracture of the petrous portion of temporary bone also a comminuted

fracture of occipital protuberance in which was impacted a bullet. The bullet now shown to me by the Court is the one I found at the post-mortem of deceased officer. It is a pistol bullet intact but flattened on one side from impact with bone. Death was caused by injuries which I have described and laceration of brain by bullet produced. I gave evidence at the Coroner's Inquest on Saturday last, 11 Feb at Military Hospital, Curragh Camp and at which the jury returned a verdict of 'wilful murder against some person or persons unknown.'

The Court carefully examined the bullet produced and are of opinion that it is a bullet of a .32 Colt automatic pistol.

Ninth Witness (Being Second Witness Recalled)

Lt. Colonel Lionel Edward Warren, D.S.O., R.F.A.

recalled on his former oath states

The following Batteries are in my 36th Brigade R.F.A. viz:-

15th at Newbridge

48th at Kildare (deceased officer belonged to this)

71st at Newbridge

142nd at Newbridge

I took command of 36th Brigade at Newbridge on 17 January 1921. Since the 'Truce' or shortly afterwards the conditions in Newbridge and Kildare were manifestly peaceful and there has been no Sinn Fein trouble. In those circumstances, I saw no reason to give orders to my Battery Commanders either at Newbridge or Kildare that their officers should be either armed or provided with an escort when drawing public money at the Bank at Newbridge or Kildare.

Finding

1. That Lieutenant John Hubert Wogan-Browne R.F.A. as Subaltern officer on duty of 48th Battery R.F.A. at Kildare and in the ordinary routine of his duty as such received a Battery cheque for £135 for mens pay and proceeded from Artillery Barracks, Kildare to Hibernian Bank, Kildare in order to obtain cash there on Friday 10th February 1922.
2. That the said officer duly cashed above cheque and left the said Bank with £135 in notes and silver in a haversack on 10th February 1922.
3. That when returning from the said Bank to the said Barracks and when about 150 yards from the latter he was attacked by civilians who robbed him of this £135 and feloniously murdered him.
4. That the said officer was neither armed or accompanied by an escort at the time he left the said Barracks as aforesaid or at any time subsequent thereto.
5. That no orders were at the time of the above events on the 10th February 1922 in existence either in the said officers Brigade or Battery or in the Artillery Station at Kildare to the effect that officers should be armed, or that they should be

provided with an escort when proceeding to the Bank to draw public money or when returning therefrom.

Signed at Curragh Camp this seventeenth day of February 1922.

J.C. Milton. Lt. Col, President

P.L. Hanbury, Lt. Colonel

L.T. Hodgson, Lt. Colonel

Opinion of G.O.C. 5th Division

I concur with the opinion of the Court.

It is certainly regrettable that in view of the duty on which he was employed, and the number of robberies which have lately taken place, Lieut. Wogan-Browne was not armed or escorted, but the evidence of Lt. Col. Marryatt shows the views held on this point, for which there is considerable justification. If it is held that blame is attributable for the want of protective measures I must personally accept the greater share of it, for although definite orders had been issued from these H.Q. that officers were to be armed at all times that orders did not issue in time to reach the O.C. Troops Kildare before the murder took place.

The sequence of orders issued on the subject will be clearly seen by reference to annexes A, B, C, D, E. As regards B the suspension of the obligation to carry arms was sanctioned by me after telephonic communication with Colonel in the Staff G.H.Q. from whom verbal instructions were received permitting Divisional Commanders to use their own discretion. In the exercise of this discretion I issued the orders set out in B and C.

The financial loss should be borne by the Public.

H.S. Jeudwine Lt. Gen.
Commanding 5th Division.
20/2/22

Appendix V

Statement of Elizabeth Power to Military Court of Inquiry in lieu of Coroner's Inquest held on 15 June 1921 at Kilboggan regarding the Murder of her Husband Michael Power on 13 June 1921

Ms. ELIZABETH POWER sworn states, I am the widow of the late MICHAEL POWER whose remains I have this day viewed and identified at KILBOGGAN in the house of HENRY SCULLY.

My late husband was an ex-soldier of about 40 years of age – we had been married about 18 years, and have four children aged 18 years to 7 years. He was remobilized about 2 years ago. In February 1920, my husband, children and myself came to live at BEHAN'S Cottage, BROWNSTOWN, CURRAGH where we lived until the following September. About 11 p.m. one night shortly before we left Behan's Cottage about 15 men surrounded the cottage and started to burst open the door, my husband went down and opened the door. Two armed and masked men with revolvers entered. They asked him if he was Power and then took him away half dressed. He returned at 4 a.m. the following morning. Edward Moran was one of the two masked men who entered the house and took away my husband. On his return, he told me he had been taken to a big house which he thought was MARTINSTOWN. There he was tried by a Sinn Fein Court for larceny. He was ordered to leave the country on the following Monday for a period of 12 months. The consequence of this occurrence, my husband went and secured employment from the Royal Engineers at the Curragh, obtained quarters at the Curragh Camp.

On the 10th June 1921, I came to the house of HENRY SCULLY, KILBOGGAN to visit my sick sister, who is a domestic servant there. About 3.50 p.m. on the 13th June 1921 my husband came from the CURRAGH to the above house and remained with us about one hour at the house. At about 4.45 p.m. he told me he was going out to the yard and would be back in a few minutes. I was upstairs at the time. After he had left me I saw from an upper window three men approaching the house from the main road. I paid no particular attention to these three men who were about 300 yards away and were unknown to me. I observed the centre man take something out of his pocket and put it over his face – it appeared to be a white handkerchief. I became suspicious and went downstairs and into the yard to look for my husband. I found my husband lying downwards in a stall just inside the door.

I spoke to him and found him unconscious. I remained with him about half an hour but he never spoke. When I left him he appeared to be dead. I could find no assistance. I had heard no shots fired and saw nobody after leaving the upstairs window. I left the body lying in a stall at about midnight reported the occurrence to KILDARE RIC Barracks.

The Sunday at the end of April 1921 I visited my sister at HENRY SCULLY'S House, KILBOGGAN and my husband also came to the house later in the day. He left the

house at 7 p.m. At 9 p.m. four men, two of whom were masked came to the house and asked me where was POWER. I said he was gone home. They made a thorough search of the house and upset everything. Two of the men had revolvers. I knew none of the four men.

**Statement of Mrs. Bridget Mary Belford to Field Court Martial
on 23 July 1921 at Park Rebel Reception Centre, Curragh Camp**

Bridget Belford sworn states

Up till 13th June 1921, I lived with my son, Joseph, aged 14, and my daughter, Eileen, aged 17, at Ballyshannon, Suncroft. I supported myself by doing washing for the troops at the Curragh. I am also in receipt of a pension in respect of a son who was killed in the late war. On the night of Saturday 11th June 1921 a party of about ten masked men came to my house. [Note corrected under further statement to 4th June]. I cannot identify any of the accused as having been among that party. In consequence of what one member of the party said I spoke to a married son, James who lived about a mile from me at the time but has since enlisted in the Cameronians. About midday on Monday 13th June, [Note: later corrected to midnight Monday 6th June] as I and my two children were in bed in the bedroom opening off the kitchen, a party of about ten men came to the door, and demanded admittance in the name of the Irish Republican Army. I got out of bed and went to the bedroom window which was open. I saw the men quite distinctly from the window, as it was a moonlight night. All of them were disguised with masks on their faces. They were headed by a tall man, wearing a trench coat and a trilby hat and with a red silk handkerchief round his face as a mask. This man appeared to be leader of the party and acted as such throughout. The other members of the party had ordinary white handkerchiefs round their faces as masks.

When I first looked out of the window I did not recognize any members of the party. In reply to their demand for admittance, I said that I would not open the door at that time of night for anybody. The leader then said he would break in the door. I told him he could break it in if he wished. I also asked him who had sent him there. He said John Dowling had sent him. John Dowling, the accused now present is my landlord.

I know of no other John Dowling in the neighbourhood.

After that conversation, the party broke open the door and all rushed into the kitchen. Before going to bed I had put on a big fire in the kitchen to boil food for the pigs. This fire illuminated the kitchen brightly and I could see all the members of the party distinctly. I did not then recognise any of them.

When the party broke into the kitchen, I was standing at the door opening from the kitchen to the bedroom, clad in my night dress only. My boy and girl were behind me in the bedroom. The leader had a revolver in his hand when he entered the kitchen. I asked the leader what he meant by coming into anybody's house in such a manner at that time of night and by whose authority he had broken open the door. He replied 'you insulted the gentleman who came on Saturday night, but John Dowling sent me

here tonight' or words to that effect. He used most insulting language to me, and continued to do so all the time he was in the house. I asked him why he, John Dowling had not done the right thing, meaning thereby why he had not sent me proper notice to quit. He (the leader) replied that they did not put any money into foreign laws. He then fired three shots from his revolver over my head. The whole party then went outside and seemed to be consulting what to do. I went out after them, but the leader chased me back and into the bedroom. He offered to strike me but did not actually do so. Some of the party then went and let out my pigs. I saw them do so through the bedroom window. The leader of the party then stood at the bedroom door and prevented me from leaving the bedroom. I heard sounds of water being thrown on the kitchen fire. I opened the bedroom door a little and threw lighted matches in the face of the leader hoping to set his mask on fire. After that the leader held the bedroom door shut from the outside keeping me inside. I heard the leader order the men to throw the furniture outside and I saw them through the window doing so.

About this time I missed my boy and concluded he had climbed through the window and gone for help. My girl also tried to climb out through the window. Two men who were outside the window prevented her from so doing. One of them pointed a revolver at her and said 'get in, you bitch.' These two men were not wearing masks and I identified them as the accused, Patrick Byrne and Patrick Kelly. It was Patrick Byrne who pointed the revolver at my daughter. I have known these men practically since they were born, and their fathers and mothers before them. About the same time, I saw through the window my boy being pulled out of an outhouse and dragged across the yard. The leader pushed the boy into the bedroom. I then heard the leader order his men to strip the house. He had previously threatened to burn it down. The men proceeded to strip the thatch off the roof. I, my boy and girl were kept in the bedroom while this was being done, and were covered with dirt falling from the roof. As the thatch was removed I could see the men at their work. They carried on at this work till after daybreak and I could see them distinctly. I recognized the accused James Dowling, Patrick Kelly, Patrick Byrne and two other men not present, on the roof engaged in removing the thatch. They were not then wearing masks. I have known James Dowling practically all his life. All the thatch was removed from the roof, the work being concluded about 04.30. After that the leader said to me 'If you inform on me or give the game away, I will riddle you with bullets, your sons and daughters, your brothers and sister'.

I have altogether two sons, two daughters, three brothers and one sister alive. The leader then collected his party and went away. After that I went for my married son and reported to the military. I did not recognize the accused John Dowling, Andrew Byrne, or William Howe as among the party. I never did anything to any of the accused and cannot suggest any motive for the outrage, beyond my connection with the military.

Appendix VI

Statement of William Howe – 18 May 1922 IN THE REPUBLICAN SUPREME COURT

I, WILLIAM HOWE of Mountjoy Prison in the City of Dublin aged nineteen years and upwards Labourer, make oath and says as follows:-

1. That I resided with my parents at Ballysax Curragh Camp in the County of Kildare, and assisted my father Michael Howe in the cultivation of his holding up to the night of Saturday the 11th day of February 1922 when I was arrested by some members of the Irish Republican Army at my father's residence and removed by them with my elder brother Michael Howe who is married and resides at Ballysax about half a mile from my father's residence and is employed as an agricultural labourer by the neighbouring farmers, in a motor car to the town of Naas Workhouse and remained there that night. We were not told why or on whose orders we were arrested or to where we were going. I was subsequently removed from the kitchen of Workhouse and taken to a room where a man, a stranger to me, interrogated me, as to my movements on Friday the 10th February and if I knew anything about the murder of Lieutenant Wogan-Browne of the British Army on that day, and apparently made notes of my replies. I was then put back into the kitchen and my brother Michael Howe taken from the kitchen to the room where I had been and after some time brought back to the kitchen where I was but in a short time we were taken to the cells in the workhouse and passed the night there. On the following day Sunday the 12th February at about 5 o'clock P.M. I was in my cell when Commandant Lawler, 7th Brigade North Kildare I.R.A. came into the room and charged me with the murder of Lieutenant Wogan Browne and asked if I had anything to say. I replied that I had nothing to add to what I had already told the other man on Saturday. I was then handcuffed to my brother Michael Howe by the Royal Irish Constabulary on the Commandant's directions and put into a motor car and driven to the Naas Royal Irish Constabulary Barracks where we spent the night. On Monday the 13th February we were paraded in the Constabulary Barracks with about six or seven other men – all strangers to me – for identification by a woman a boy and two soldiers who walked up and down the line and said "none of them are there". I and my brother were then put back into the cell at the Barracks and remained there till the following Wednesday 15th February when we were motored to Trim Barracks and confined in a cell, where we suffered great hardship by reason of insufficient bedclothes and bad food. We then went on "hunger strike" and the Commandant of the I.R.A. , Trim told us if we went off "hunger strike" we would possibly be tried in a week so we went off "hunger strike", but weren't tried; and in a month's time went back on "hunger strike" for about seven days when we abandoned it, as the Priest attending us promised if we would go off the "strike" he would write to General Headquarters in Dublin and try to get us tried and our people to see us.

2. During the period we were once brought out together from the cell and paraded together for about a quarter of an hour in front of an officer where I could see a man whom I did not know. We were then taken to a room where there was a fire and I was brought out alone and taken to a room where there was a fire and I was questioned by a man I knew as Captain Kavanagh I.R.A. Liaison Officer as to my movements on Friday the 10th day of February and was brought back to my cell. My brother Michael Howe was released on Saturday the 15th day of April, from Trim and I was brought with two other men named Kelly and Byrne in a motor car to Mountjoy Prison where I have been ever since.
3. I am informed by my solicitor Mr. William A. Lamphier of Naas County Kildare that during my confinement in Trim he repeatedly applied to the Authorities of the I.R.A. in Naas, to the Commandant General I.R.A. at Dunboyne who is in charge of Trim, and to the Adjutant General of the I.R.A. for leave to see me at Trim and take my instructions; but was informed after great delay that he could not see me for the present, and I first saw my Solicitor at Mountjoy Prison on the 28th April, ult.
4. I have never been taken before a Parish Court or before any other tribunal for the investigation of the charge preferred against me by Commandant Lawler at Naas Workhouse on the 12th February or before an Officer of the I.R.A. to take a Summary of the Evidence to be produced against me, nor has any other charge been preferred against me, and I have been in custody at Naas Trim and Mountjoy from the night of the 10th February until the date of swearing this affidavit, and I pray that the Honourable Court may be pleased to grant an Order for a Writ of Habeas Corpus ad Subjiciendum addressed to the Governor of Mountjoy Prison and the Adjutant General of the I.R.A. of Beggars' Bush Barracks for my release.
SWORN before me this 18th day of May by the above named William Howe at Mountjoy Prison in the County of the City of Dublin, and I know Wm. A. Lamphier who certifies to his knowledge of Deponent.

Appendix VII

Murder of Lieutenant J.H. Wogan-Browne Timeline of Events 1922-1928

Friday, 10 February 1922

- 10.15 a.m. Two young men (**William Howe** and **Patrick Kelly**) walked into Kennedy's Garage, Kildare and spoke to **Patrick Daly**, aged 18 of Crosskeys, Kildare. They wanted to hire a car to bring them to pick up a passenger from the Infirmary Hospital and bring them to Kilcullen. Patrick Daly went upstairs to Mr. Kennedy who said they could hire the car for 15 shillings. The two men walked towards Market Square, Kildare to return at 11 a.m.
- 11.00 a.m. The men left for the Square and returned at 11 a.m.
- 11.15 a.m. Mr. Kennedy's driver **Thomas Graham** drove the car with two men. Graham told to stop car at School gate, opposite Infirmary Hospital to wait for another man. Graham told to put hood of car up, which he did helped by one of the men.
- 11.15 a.m. **Lieutenant J.H. Wogan-Browne** enters Hibernian Bank. Presents **Charles Edmund Swain**, cashier a cheque for £135. Swain handed him £100 in single Bank of Ireland notes, £20 in silver coins and £15 in treasury 10 shilling notes. **Wogan-Browne** put the cash into his haversack.
- 11.30 a.m. **Wogan-Browne** walks on post-office side of road towards Kildare Barracks. **Patrick Kelly** follows him on Nolans' Public House side of the road. **William Howe** took out a magazine pistol (Colt .32) and crossed the road to the officer and grabs the haversack from his shoulder. **Wogan-Browne** and **Howe** struggle across road towards the motor car. **Patrick Kelly** goes to assist Howe and falls to the ground. **Wogan-Browne** drops haversack in struggle. **Patrick Byrne** stood guard on **Thomas Graham** with revolver at hood then gets into front seat with him and orders him to start the car. **Patrick Kelly** grabs haversack from footpath and jumps into the motor car. **William Howe** struggles with Wogan-Browne and shoots him in head then jumps into front seat of car. Witness 1: **Lizzie Flanagan** was walking down Hospital Street at Protestant School Gate when she two men standing on footpath. Heard row behind her as two men and Officer struggled.
- 11.30 a.m. Witness 2: **Robert Neill** [aged 14, New Row], got lift from Curragh in motor car and got out opposite Protestant School gate. Walked passed Wogan-Browne before he crossed road.

- Witness 3: **Bridget McCarthy** [wife of Charles McCarthy] in unidentified location on Hospital St., saw **Howe** throw bag into car, then go back to help **Kelly** and shot Wogan-Browne. Witness also saw a car pass after the shooting.
- Witness 4: **Harold Onions** saw car parked 150 yards away from Barracks gate. He heard the shot fired and saw car moving as he fell. Wogan-Browne was lying 4 feet from footpath. He carried him down towards the gate of the Barracks, stopped a cart to help carry him in.
- Witness 5: **Christopher Behan** of Rathangan (who did not testify) saw **Howe** shoot Wogan-Browne in the head.
- 11.32 a.m. One suspect says: "Well that fellow is done, anyhow,"
"Drive on", "Drive round by the Nunnery."
Thomas Graham took the Tully Road, drives for approximately 3 miles towards Kildoon.
[Note: Conflicting information in newspapers which state 'Yellow Bog', Kilcullen]
Left suspects on side of road and took next left to Kildoon.
Lizzie Flanagan met another Officer coming from Barracks.
- 11.35 a.m. **Driver Harold Onions** heard shot and ran 150 yards from Barracks gate to the scene. Wogan-Browne was lying face down. Driver Onions turns him over and sees that he was shot in the forehead.
- 11.35 a.m. **Dr. Edward Thomas Coady** got telephone call to go to Artillery Barracks. Examined Wogan-Browne who had gunshot wound above and to innerside of right eye.
- Afternoon **Thomas Graham** returned to Garage where **District Inspector Michael Queenan** was waiting and gave him a brief statement. He subsequently gives description to the military and to the Captain of the local IRA [likely to be **Captain William Graham**]
- 1.14 p.m. Telegram sent by Military from Kildare to London:
'10/2/1922 aaa Lieut J.H. Wogan-Browne 48th Battery 36th Brigade R.F.A killed at Kildare aaa next of kin informed'.
- Afternoon: Local IRA sent to pursue the suspects.
Irish Republic Army, Royal Irish Constabulary and Royal Artillery search countryside for suspects.
- Evening: RIC closed all public houses. Military Police picket put on streets.
- Evening: Former IRA members armed with shotguns and rifles take position in field near John Breslin's house.
John Breslin asks **Company Captain William Graham** IRA for protection. Graham says he will only give him protection if the weapons are handed over which is refused.
- Evening: Windows broken in **Thomas Graham's** house [Driver of car]
- 9.45 p.m. Six soldiers broke windows in Picture Palace [where **John Breslin** was caretaker]
Soldier proceeded to Breslin's house and broke a window.
Waiting party of former IRA members fired on soldiers with shotguns injuring three of them.

Civilian named **James Darcy** shot by pellet in neck and brought to hospital.

Saturday, 11 February, 1922

William Doolin, Under Secretary's Office, Dublin Castle sent message to **Emmet Dalton, IRA Chief Liaison Officer**

'The following extract from Police report of yesterday's date is transmitted for your information:

KILDARE: At Kildare on night of 10.2.22 six soldiers from RFA Barracks fired on while breaking windows in private houses; three wounded, one civilian wounded. All by Volunteer Police Force. Soldiers were unarmed. (This occurred following on the shooting of a Military Officer. Soldiers taken to hospital.) Doubtless you have received a report from your local officer as to the circumstances in which fire was opened on these soldiers? I should be much obliged if you would kindly let me have your views on the matter'

Captain Seán Kavanagh, IRA Liaison Officer, Naas travelled to Kildare. Contacted General Skinner to get troops confined to Barracks.

Captain Kavanagh and Brigade OC **Commandant Thomas Lawler** receive a warning from a source linked to organisers of the attack.

All soldiers confined to Barracks. Officers picket placed on Street.

4 p.m.

Inquest into the death of Lt. J.H. Wogan-Browne held at Military Hospital, Curragh

7 p.m.

Verdict of Jury

'Death was due to injury to the brain, caused by a gunshot wound inflicted by some person or persons unknown, and returned a verdict of wilful murder against some person or persons unknown.'

Meeting of People of Kildare: Resolution passed *'We representing every creed and section of the community in Kildare, hereby express on their behalf our deep abhorrence of the two-fold outrage of highway robbery and murder of which our town has been made the scene and that we beg most respectfully to covey on behalf of Kildare our heartfelt sympathy with the family, relatives and brother officers, non-commissioned officers and men of the late Lieut. J.H. Wogan-Browne.'*

Attendance included: Rev. Thomas Kelly, Rev. Father Waldron, Very Rev. Dean Walker, Dr. L.F. Rowan, Messrs, T. McHugh, E. Heffernan, J. Bergin, J. Cosgrove, N. Hanagan, James Nolan, P.J. Connolly, Thomas Fitzpatrick, J.J. O'Driscoll, Chas. Heffernan, J. Forsyth, S. Bratton, D. Boland, C. Hackett, M. Dennehy, N. McNabb, D.J. Carbery, J. Breslin, J. Ryan, J. Byrne, P. Moore, J. Conlan.

Evening:

William Howe arrested by IRA at Ballysax, Curragh [his father's house] and **Michael Howe** arrested at his own house half a mile away at Ballysax, Curragh and brought to Naas Workhouse and detained in the kitchen.

Sunday, 12 February 1922

- Morning: **William Howe** questioned about the murder and movements on Friday 10 February.
Michael Howe questioned about the murder and movements on Friday 10 February
- 5.00 p.m. **William Howe** charged with murder of Wogan-Browne by **Commandant Thomas Lawler** IRA. William and Michael Howe handcuffed to each other by Royal Irish Constabulary, put into motor car and driven to Naas RIC Barracks.

Monday, 13 February 1922

Michael Howe and **William Howe** paraded with 6/7 other men in front of a woman [Lizzie Flanagan], a boy [William Neill] and two soldiers [including Driver Harold Onions]

Tuesday, 14 February 1922

- 9.15 a.m. Funeral procession leaves Station Hospital, Curragh
- 9.40 a.m. Funeral Mass of Lt Wogan-Browne at Curragh.
- 11.30 a.m. Interment at St. Corban's Cemetery, Naas
- Anonymous Letter posted in Kildare town to **District Inspector Queenan**, RIC:
'have good reason for bileving mens names outside P Office with Graham "Friday" are Howe Ballsax, Byrne, Kelly Maddenstown'
- Resolution passed at Meeting of **Naas Urban District Council**:
'That having heard with feelings of sorrow of the death under tragic circumstances of Lieut. Wogan-Browne, at Kildare on Friday last, we, in the name of the people of Naas, tender to his father Col. Wogan-Browne a former member of our body and an esteemed resident of the district the expression of our deep sympathy with him and his family in their sorrow.'
- British Cabinet Meeting – Weekly Survey on the State of Ireland, Report by **Sir Hamar Greenwood**, Chief Secretary of Ireland:
'The murder of Lieutenant Wogan-Browne was entirely non-political. He was attacked by three armed men and shot dead while returning to barracks, the motive of his murderers being to obtain possession of a large sum of money (£135) which he was known by them to be carrying. I am glad to state this abominable crime has aroused feelings of strong indignation in all sections of the people, and that the local IRA are co-operating energetically with the Crown Forces in the search for the murderers. Three persons have already been arrested on suspicion.'
- Dr Laurence Rowan** letter to *Kildare Observer* newspaper:
A chara,
As one result, it is now clear, of the terrible tragedy enacted in this town on last Friday a straining of the good relations which have hitherto existed even through the recent troubles, between the local garrisons and the civil population. The first evidence of this was the hostile

demonstration made by a number of the military in Kildare on Friday night. Another is to be found in the fact that the people who have been trading with the local garrison and the Curragh Camp have had their passes "stopped" which is a serious matter for most of them, whose chief support was derived from this trading. Any statement, therefore, which would help to relieve this tension, or remove all grounds for it, is not, I think, out of place and it is with this hope that I, as a magistrate of this town, feel called upon to ask for a little bit of your space.

At a very representative meeting of the townspeople, held on the day after the tragedy, to express their abhorrence of the crime, and their heartfelt sympathy with the family, fellow officers and regiment of the deceased, who was so universally respected, a gentleman stated that he was informed by a military officer that persons who were present when or immediately after the fatal shot was fired, refused to give any help to the soldier who tried to carry deceased into barracks, but, on the contrary, "laughed and jeered" and, as it were "connived at" the terrible deed. He said further that this was "quite true – a fact, a positive fact." (I indicate the words actually used).

A charge of this kind made with such emphasis was as serious a one as could well be made against the manhood of any community. I say manhood because we must suppose that those present or alleged to be, were an average sample of the townspeople generally.

And the demonstration afterwards made against civilians generally, and also the stopping of passes, bear out the view that by the action – or inaction of those present or alleged to be, the whole community were being judged. It was preposterous to ask people on any evidence short of a most rigid inquiry on oath, to believe that fellow-men could adopt such a callously inhuman attitude as this at such a moment. For my own part, I could do no less than I did, when I heard that charge and I stated my belief that it was a great slander. The gentleman who had made the statement thereupon claimed the protection of the chair: I do not know why I did not refer to slanderers and indeed had no idea who first made the charge. It was the people who were spoken of in such terms, in their absence who to my mind most requested protection.

I had only expressed an opinion but it was left to the next speaker to testify directly contra. He told us that his brother was on the scene just after the crime was perpetrated: that he saw a soldier hurry from the lower barrack gate to where deceased lay: that he asked for no help, that he succeeded in carrying deceased some distance towards the barrack gate, and then fell and lay on the ground in a fainted condition. I regret to say that although the gentleman's statement seems to be accepted as conclusive by all present, the original statement of which it was a refutation, was not withdrawn, nor indeed modified.

It seems clear therefore, that the military demonstration on that night was due to the impression conveyed by some channel or other to the demonstrators that some of the townspeople had been guilty of a most

unchristian display of inhumanity and that they should be made to feel that if the charge had been true, and were applicable to the public generally the latter would not have much to complain of, I think, if the demonstration had been much stronger. But it was to say the least of it, disconcerting that any body of men could even suspect of such foulness a community who, I do not hesitate to say, felt as horrorstricken and aggrieved over the death of a gentleman who (with his family) was so universally respected, as did his own military comrades. And the unceasing search for the perpetrators, day and night, by every man here who is permitted or authorised to do so, speaks for itself.

Mise

L Rowan

The Irish Times newspaper

The following telegram was despatched by Mr. Michael Collins, Chairman Provisional Government to the Right Hon. Mr. Winston Churchill yesterday evening:

With reference to concluding part of your wire of 11th instant about murder of Lieutenant Wogan-Browne. Have just been informed by telephone that we have captured three of those responsible for the attack. Everyone, civilian and soldier, has co-operated in tracking those responsible for that abominable action. You may rely upon is that those whom we can prove guilty will be suitable dealt with.'

Lieutenant Wogan-Browne was shot dead in Kildare last Friday. He was returning to the barracks from the bank with £400 with which to pay the troops when he was attacked by three men and the shot was fired when he resisted their attempt to seize the money.

House of Commons, Westminster

Sir Winston Churchill: *'I also received last night a communication from him [Michael Collins] to say that three of the suspected murderers of Lieut. Wogan Browne in the South of Ireland have been captured, as the result of a general pursuit against them in the district, in which the R.I.C., the I.R.A. the Troops, and the civilian population all combined. These persons have been captured, and will be dealt with according to law in the most expeditious manner, if they be proved guilty.'*

An Hon Member: *'By what court? There is no law there!'*

Sir Winston Churchill: *'I presume they will be handed over for treatment by a recognized court of law. That is the practice the British Government have followed in these cases.'*

Wednesday, 15 February 1922

William Howe and **Michael Howe** brought to Trim Barracks and imprisoned under IRA control.

Thomas Graham arrested and brought to Trim Barracks.

Thursday, 16 February 1922

10.30 a.m. **Court of Inquiry** held at Artillery Barracks, Kildare *'the circumstances leading up to and in which the late Lieutenant John Hubert Wogan-Browne RFA left the Artillery Barracks Kildare on the morning of the 10th February 1922 and for what purpose and the consequent result thereof.'*

Presiding: Lieutenant-Colonel Milton, Lieutenant-Colonel Hanbury and Lieutenant-Colonel Hodgson

1st Witness: Lieutenant-Colonel **Ronald Marryatt**, RFA

2nd Witness: Lieutenant-Colonel **Lionel Edward Warren**, RFA, Commanding Officer of 36th Brigade

3rd Witness: Lieutenant-Colonel **Arthur Graves Leech**, Commanding Officer 48th Battery, 36th Brigade, Royal Field Artillery

4th Witness: **Charles Edmund Swain**, Cashier, Hibernian Bank, Kildare

5th Witness: **Robert Neill**, 3 New Row, Kildare, age 14.

6th Witness: **Bridget McCarthy**, Hospital Street, Kildare

7th Witness: **Driver Harold Onions**, RFA, Kildare

8th Witness: **Dr. Edward Thomas Coady**, Infirmary House, Kildare

5.00 p.m. Court adjourned at 17.00 hours

Friday, 17 February 1922

10.30 a.m. **Court of Inquiry** resumed at Artillery Barracks, Kildare.

9th Witness (2nd witness recalled): Lieutenant-Colonel **Lionel Edward Warren**, RFA, Commanding Officer of 36th Brigade

Finding of the Court

1. That Lieutenant John Hubert Wogan-Browne RFA as Subaltern officer on duty at 48th Battery RFA Kildare and in the ordinary routine of his duty as such received a Battery cheque for £135 for mens pay and proceeded from Artillery Barracks Kildare to Hibernian Bank Kildare in order to obtain cash therefore on Friday 10th February 1922.
2. That the said officer duly cashed above cheque and left the said bank with £135 in notes and silver in a Haversack on 10th February 1922.
3. That when returning from the said Bank to the said Barracks and when about 150 yards from the latter he was attacked by civilians who robbed him of the £135 and feloniously murdered him.
4. That the said officer was neither armed or accompanied by an escort at the time he left the said Barracks as aforesaid or at any time subsequent thereto.
5. That no orders were at the time of the above events, on the 10th February 1922 in existence either in the said officer's Brigade or Battery or in the Artillery Station at Kildare to the effect that officers should be armed or that they should be provided with an escort when proceeding to the Bank to draw public money or when returning therefrom.

Captain Kavanagh travelled to Newbridge, Kildare, Dunboyne and Trim and interviewed **Michael Howe** and **William Howe** in Trim and paraded them in front of a man [possibly Thomas Graham]
 Interviewed **Thomas Graham**. Graham identifies Howe in connection with the murder.

Wednesday, 22 February 1922

Resolution passed at meeting of **Naas Board of Guardians:**

'That we, the members of the Naas Board of Guardians, have learned with deep regret of the death of Lieut. Wogan Browne at the hands of assassins, and we take this opportunity of denouncing such a foul crime, which is a blot on the fair name of Kildare County, with which the deceased's family have been associated for generations, and we hereby tender our sincere sympathy to Colonel Wogan Browne and his family in their sad bereavement and trust that ere long the perpetrators of this heinous crime may be brought to justice.'

Opinion of **Lieutenant General H.S. Jeudwine G.O.C. 5th Division on Finding of the Court of Inquiry**

'I concur with the opinion of the Court.

It is certainly regrettable that in view of the duty on which he was employed, and the number of robberies which have lately taken place, Lieut. Wogan-Browne was not armed or escorted, but the evidence of Lt. Col. Margate shows the view held on this point, for which there is considerable justification. If it is held that blame is attributable for the want of predictive measures I must personally accept the quarter share of it, for although definite orders had been issued from these H.Q. that officers were to be armed at all times, these orders did not issue in time to reach the OC Troops Kildare before the murder took place.

The sequence of orders will be clearly seen by reference to annexes A, B, C, D, E.

As regards B the suspension of the obligation to carry arms was sanctioned by me after telephonic communications with Colonel in the Staff GHQ from whom verbal instructions were received permitting Divisional Commanders to use their own discretion. In the exercise of the discretion I issued the orders set out in B and C.

The financial loss should be borne by the public.'

H. S. Jeudwine, Lt. Gen 20/2/22

Friday, 25 February 1922

Leinster Leader newspaper

'The Republican authorities are still pursuing active investigations into the murder of the late Lieut. J.H. Wogan-Browne. The men arrested in connection with the matter are still in custody and every effort is being made to bring the guilty home to those responsible.

Monday, 6 March 1922

Second anonymous letter. Posted to Thomas Lawler IRA
'Kildare rob and murder bring [] and [] Maddenstown before []
and see will he know them they are ex Mountjoy Prisoners. A friend
of peace'.

Thursday, 9 March 1922

Committee of Adjustment held at Kildare for the purpose of
collection of the effects and payment of preferential charges of the
late Lieut. J.H. Wogan-Browne RFA.

Lt. R.G. Price RFA, Lt. H.G. Foreman RFA,

1. All the effects of the deceased were secured and collected in his
quarters and posted under the supervision of the Committee to the
deceased's father and next of kin Col. Wogan-Browne.

Friday, 23 March 1922

William Howe and **Michael Howe** go on hunger strike.

Friday, 31 March 1922

Fr. Thomas Caffrey, Parish Priest, Trim, writes to **Mr. Duggan**,
Minister for Home Affairs to advise that **William Howe** and **Michael
Howe** are on hunger strike for 8 days.

Saturday, 15 April 1922

Michael Howe released from Trim Barracks.

Warrant issued by Parish Court District of Newbridge by Battalion
Police Officer Joseph Rowan for the arrest of **William Howe**, **Patrick
Kelly** and **Patrick Byrne** who '*at Kildare town did unlawfully and
with malice aforethought kill one Lieut Wogan Brown*'

[Note First Republican Court in Newbridge held on Tuesday, 14
March with Battalion Officer Rowan in charge of Police with P.J. Kelly
presiding].

Wednesday, 19 April 1922

William Howe, **Patrick Kelly** and **Patrick Byrne** brought to
Mountjoy Gaol.

Thursday, 18 May 1922

William Howe swears affidavit to his solicitor requesting to be
charged or released.

Monday, 29 May 1922

William Howe, **Patrick Kelly** and **Patrick Byrne** released from
Mountjoy by Order of Adjutant General.

Friday, 9 June 1922

Auditor, Irish Command

On 10th February 1922, Lieutenant J.H. Wogan-Browne, 48th Battery R.F.A. Kildare received from his commanding officer a cheque for £135 for the weekly payment of men of the Battery. He cashed this cheque at a branch of the Hibernian Bank, about 500 yards distant from the barracks. When returning on foot to the barracks he was attacked by armed civilians who stole the money and shot him dead. The civilians then escaped in a motor car.

When the attack occurred, Lieutenant Wogan Browne was unarmed and unescorted. This was due to the fact that there had been no conflicts between military and civilians at Kildare during the previous two years and that peace conditions prevailed at the time.

Four civilians were subsequently arrested and detained on suspicion by the Provisional Government authorities. The D.A.P.M. Curragh, has been informed that they will probably be released as there is no one to give evidence against them. None of the missing money has been recovered. Most of it consisted of Bank notes but the Bank has no record of the numbers of the notes.

Application is made for authority to write off the amount in question, £135 which is outstanding in the accounts of the 48th Battery, R.F.A.

11 November 1925

A wreath was placed on the wall over the place where Lieutenant Wogan-Browne was murdered on the Main Street. The wreath bearing the inscription: "Lest We Forget" was placed there by some friends of the deceased officer.

March 1927

Colonel Wogan-Browne attends Leopardstown Races.

12 April 1927

Colonel Francis William Nicholas Wogan-Browne dies in Parame, France.

7 July 1928

Correspondence from An Garda Síochána to Department of Justice

'I am directed by the Commissioner to say the above named was shot by armed men on the 10th February 1922 while in the act of drawing a sum of money from a Bank in Kildare town for the payment of British soldiers stationed at Kildare barracks.

As there appears to be a doubt as to whether this case is covered by the General Amnesty I would request a ruling on the matter.

Chief Superintendent'

10 July 1928

Department of Justice request the following:

Do the police have any information regarding the persons concerned in the shooting?

What was the motive for the shooting?

Was the shooting deliberate or accidental?

12 July 1928

Report received from Detective Joseph Kenny, a native of Rathangan

'I have received information that a man at present residing in Rathangan, Co. Kildare was an eye-witness to the shooting and knows the man who fired the fatal shots. The latter is at present living about two miles outside Kildare town. It was generally believed at the time that the Irregulars or those against the Treaty planned the robbery. The civil war did not start for some months afterwards, and therefore the Irregulars as such were not in existence.

It would appear to me that it was simply a robbery carried out for personal gain.'

August 1928

William Howe left Ireland for Coventry.

10 November 1928

Detective Kenny reports back on enquiries.

Spoke to **Lizzie (Lil) Flanagan** who attended witness parade. She was told at the time that she would be shot if she identified them. She confirmed that **William Howe** fired the fatal shot.

Christopher Behan, Rathangan also witnessed the attack and confirmed he knew the man who fired the shot who was still residing near Kildare.

'I have caused Behan to be approached with a view to ascertaining if he would be wiling to give evidence. He has stated he would not do so. In view of his attitude I do not believe that a successful prosecution would be carried out.

The motive appears to have been robbery for personal gain and according to Behan's story the shooting was deliberate, as the man who fired the shot did so deliberately without asking the officer to put up his hands or surrender the cash.'

19 November 1928

Garda Siochana to Department of Justice

'From this report it would appear that the re-opening of the case at this stage would not serve any useful purpose.'

Garda file closed.

Endnotes

- 1 'Things heard, seen and remembered,' Unpublished memoir of Lt. Col. Justin Hooper, pp 16-17, The Great War Archive, Oxford.
- 2 *Irish Examiner*, 16 October 1920.
- 3 James Durney says that Graham was shot by a sentry at Kildare Barracks – *Kildare and the War of Independence*, page 120.
- 4 Liaison and Evacuation correspondence LE/4/14 Military Archives.
- 5 Cabinet papers CP3641 Situation in Ireland week ending 14 January 1921 and *Leinster Leader* 14 January 1922.
- 6 *Kildare Observer*, 18 February 1922.
- 7 WO 35/34287 Correspondence from Lieutenant-General Jeudwine, 'Evacuation Files,' National Archives, United Kingdom.
- 8 Kennedy's Garage was still listed in the 1931 Trade Directory as a motor garage and cycle trader.
- 9 Harold Onions (1901-75). Born Lichfield and enlisted in RFA on 6/4/1921.
- 10 WO 339/43238, Wogan-Browne, J.H., National Archives, United Kingdom.
- 11 *Kildare Observer*, 18 February 1922.
- 12 LE/4/14 'Liaison and Evacuation Correspondence – Kildare', Military Archives, Dublin.
- 13 *Kildare Observer*, Letter to the Editor, 18 February 1922.
- 14 LE/4/14 'Liaison and Evacuation Correspondence – Kildare.'
- 15 LE/4/14 'Liaison and Evacuation Correspondence – Kildare.'
- 16 *The Times*, 14 February 1922.
- 17 Cabinet Papers CP 3747 'Weekly Survey of the State of Ireland' page 235, National Archives, United Kingdom.
- 18 Cabinet Papers CP 3769 'Report by the General Officer commanding-in-chief on the situation in Ireland' 21 February 1922, National Archives, United Kingdom.
- 19 Cabinet Papers CP 3747 'Weekly Survey of the State of Ireland' page 235, National Archives, United Kingdom.
- 20 Sheehan, Willam. *Hearts and Mines. The British Fifth Division Ireland 1920-22*, (Cork, 2009) page 122.
- 21 *Kildare Observer*, 18 February 1922.
- 22 Sheehan, *Hearts and Mines*, page 85.
- 23 WO 339/43238 Wogan-Browne, Lt. J.H., National Archives, UK.
- 24 WO 339/43238 Wogan-Browne, Lt. J.H., National Archives, UK.
- 25 WO 339/43238 Wogan-Browne, Lt. J.H., National Archives, UK.
- 26 WO 339/43238 Wogan-Browne, Lt. J.H., National Archives, UK.
- 27 MA/MSPC/A/67 Carlow Brigade IRA, Page 32.
- 28 Seán Kavanagh (1897-1984), from Waterford taught Irish in Naas from 1919, becoming part of Michael Collins spy network. He became Governor of Mountjoy Gaol.
- 29 Service record, Michael Power, WR 30600 Royal Engineers.
- 30 Smyth, Michael, 'Kildare Battalions IRA', Capuchin Annual 1970.
- 31 National Archives, Death of Michael Power; 13th June 1921; Kilboggan, County Kildare. WO 35/157B/11.
- 32 Michael Smyth, Athgarvan Company IRA.
- 33 Michael Smyth, Capuchin Annual 1970.
- 34 Ibid.
- 35 Statement of the Belfords is contained in the charge sheet of James Dowling on his pension application file.
- 36 *Leinster Leader*, 14 January 1922.

- 37 MA/MSPC/A/67 Carlow Brigade IRA.
- 38 2007/56/61 1922-1928 Shooting of Lieutenant Wogan Brown, British Army, Kildare 1922, National Archives of Ireland.
- 39 *Leinster Leader*, 28 March 1953, page 5.
- 40 Law Reform Commission.
- 41 Law Reform Commission, Consultation Paper on Homicide LRC – CP 17 – 2001.
- 42 William Howe, Regimental No. 33116 Royal Dublin Fusiliers, National Archives, United Kingdom.
- 43 Howe states in his pension application that he was interned from July-August 1922.
- 44 Interview with Jim Howe, October 2021.
- 45 Howe, William. MSPC 22538 Military Archives, Dublin.
- 46 *Kildare Observer*, 11 April 1925.
- 47 MA/MSPC/A/67 Carlow Brigade IRA.
- 48 MA/MSPC/24SP11761 Witness statement of Hugh McNally in Pension file application of James Lillis.
- 49 *Leinster Leader*, 17 June 1944, page 2.
- 50 Ibid, 19 March 1955, page 4.
- 51 Ibid, 24 December 1949.
- 52 *Irish Times*, 14 November 1925.

10/1922

Orders by
Colonel Commandant W.B.R.SANDYS C.B., C.M.G.
Commanding 5th Divisional Artillery

Curragh Camp. 12th Feb. 1922

1. The following will be the arrangements for the funeral of the late Lieut J.H.WOGAN-BROWNE, 48th Battery 36th Brigade R.F.A., on Tuesday 14th February
2. The funeral will be divided into 4 parts :-
 - (a) Procession from Station Hospital, the Curragh to R.C. Church, The Curragh
 - (b) Requiem Mass at the Curragh
 - (c) Conveyance of the body, the personell attending the funeral by motor transport from the Church to the Gates of the Depot Barracks, Naas.
 - (d) Procession from Gate of the Depot Barracks to the Cemetary at Naas
3. The procession in 2(a) will leave the Station Hospital at 09.15 hours.
The Gun Carriage, Pall Bearers, Firing Party, Trumpeters and following party will be found by 48th Battery R.F.A.
The A.A.G., 5th Division is arranging for the Band
4. The Requiem Mass will be at 09.30 hours
5. As soon as this is over 2(c) will be carried out.
The A.A.G. is arranging for a crossley Car for the conveyance of the body. O.C.Troops Kildare and Newbridge will inform R.A. Office by 1000 hours 13th, the total numbers requiring conveyance, when arrangements will be made for M.T.for the purpose
6. The procession as in 2(a) will leave the Depot Barrack Gate at 11.20 hours and will be formed as in para 3. 18th Battery R.F.A. will find the same detail as in paragraph 3.
The A.A.G. is arranging for the Band

The arrival at the Cemetary is timed for 12 midday
7. When the procession is well started the motor transport will move to the Cemetary in readiness to convey personnel back to the Curragh Newbridge and Kildare
8. Officers will wear a mourning band of 3½ inches

Officers at Newbridge and Kildare will wear medals.

T. K. MASSY
Major R.A.
Brigade Major, R.A., 5th Division

