

How We Won The Fianna Trials

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‘The most dangerous form of animal is a Fianna boy’. This quaint remark caught my ear as I entered the ruined courthouse in Wexford. Surprised, I turned and asked, ‘Why?’ The answer came in a chorus, ‘Didn’t you hear they brought them handcuffed together in pairs from Waterford?’ Scarcely credible, but true.

The GHQ of Na Fianna Éireann had decided to fight the two cases that the British Free State police had brought against the ‘boys of Wexford’ and I had come down with Mr Alec Lynn, whom we had chosen to be our champion.

The trial was to be held in a small court in the half-ruined courthouse, and we passed through the roofless hall where the British had formerly sat to jail patriots into the meaner hall where those who were today doing their dirty work were to sit.

We asked to see the boys. They were grouped together in the gallery. At Alec Lynn’s demand that we should have privacy, the bayoneted soldiers and police guarding them were moved on one side, and they were all shaking us by the hand and giving us a warm welcome. I explained to them why we were there and told them that GHQ were fighting this case in the interest of the organisation, and to show up the Free State in its persecution of a boys’ organisation. I told them that the order for individuals if arrested not to recognise the court still stood, and if disobeyed would be considered to be a grave offence against discipline, that I knew the boys who had defied the Justices in the lower court would be prepared to do so here and now, and that I knew that they were ready to go back to jail and suffer anything that they might be made to suffer for the Republic.

They asked if they might state that they pleaded in obedience to orders from GHQ. I was delighted with the suggestion. It was arranged that the first put up should state this for all. I told them, too, that we were almost certain of winning, and that if we were beaten that day, it would not matter, as we were sure to win on appeal, and we should gain more publicity. Also, I assured them that it was not to save them from prison that we had decided to fight the case, but that we could win a great victory for the Fianna over the British in spite of their allies, the Staters, and their Treason Act, by, as it were, ambushing them from a new and unexpected quarter.

The fun began when the judge realised that we were putting up a fight and that we had the redoubtable Alec Lynn to champion us. He nearly jumped to the floor when Lynn stood up. The next shock his nerves got was when P. Connic said that he pleaded not guilty because he was instructed to do so by his own governing body. The Judge, to use a descriptive phrase, 'let a roar'. But the words were said and he could do nothing.

The CID gave great sport. Alec Lynn made one of them declare on oath that he could not swear that he, Alec Lynn, was not an Adjutant of the Wexford Brigade IRA.

It was awfully funny, too, when he tried to force one of them to read the letter found on Pádraig Mac Connaicain (P. Connic). The man stuttered and stammered, and it seemed as if he couldn't read the Irish heading. Perhaps it was that he was nervous, but however it was he made a show of the enemy he represented.

The judge's charge to the jury was the speech of a bitter prosecuting counsel, so biased that it must have helped to get us a just verdict. He also exhibited the careless manner in which he had been listening to the case, as in spite of the emphasis laid on the letter in Lynn's cross-examination of the CID man, the judge referred to it so inaccurately that Lynn was able to prove it to him, force him to bring the jury back and to explain to them that he had been wrong in his charge, and that our counsel had been right.

This all helped to bring out the truth and a jury of clever, thoughtful Wexford men were not going to be fooled into giving a wrong verdict.

The next case went as merrily. The first bit of fun was when the police witness declared on oath that the orders were given to 'stand at ease', 'right turn', omitting 'Attention' and making nonsense of the whole proceeding. Our counsel made great fun over this. The judge strongly opposed us quoting from the British Boy Scouts books to show that they were a military organisation run in the interests of England, and in which the boys as part of their routine were instructed in musketry. But Lynn got it out somehow, also that some of their number had been guilty of robbery. He did not mind Lynn alluding to the drilling of school children in the national schools nor the drilling and the military names of the officers in the Salvation Army.

The judge again did his best for the prosecution, and, again, greatly assisted by us by his obvious partisanship. He omitted to tell the jury that if there was any doubt in their minds they were bound to give the boys the benefit of the doubt. Alec Lynn made him bring the jury back and tell them this.

By the time this second victory had been gained a wildly enthusiastic crowd had gathered in the pouring rain and ankle deep in mud outside. Nothing mattered, only this—the Fianna had scored a victory. Cries of 'Up the Republic!' and 'Up de Valera!' echoed from every side and followed us as we walked back to the hotel.

The boys told us that the best of the joke was that three loads of timber had been brought into Waterford Jail the day before, for them to work at, so sure had the enemy been of a conviction.