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Capuchin Franciscan Monastery,
Rochestown, Co.Cork. Ireland.
12. VIII. 1923.

Most Rev. and dear Father General,

I have learned that my Provincial- V.R. Fr. Peter - and definitors have decided to sent me to America. This decision would seem to be part of the penalisation which has been meted out to me, probably because of my activities during the period of hostilities in Dublin, last summer.

Before leaving for America, I consider it my duty to place before your Paternity the real facts of my priestly labours during that crisis, confident that you will feel satisfied that I acted entirely in the interests of the salvation of souls, the welfare and peace of the Community. There would probably be no necessity for my writing at all, had our Fr. Provincial granted the Right Rev. Mgr. Luzzio his wish to see me. But I regret exceedingly he did not see his way to grant the Delegate's request.

I should like to have the attached statement fuller on certain points, documented and supported by better evidence, but as I shall explain later, this was not in my power as Fr. Provincial refused me the facilities I required for the proper presentation of my case.

In placing it now before your Paternity, I wish to assure you that I do so, simply in the interests of Justice and Truth, and I feel confident that it will have your kind and careful consideration.

Asking your Paternity's blessing,

I remain,

Most Rev. and dear Father General,

Your obedient and devoted son in St. Francis,

Father Albert.

THE CASE

of

FATHER ALBERT, O.S.F.C.

FRANCISCAN CAPUCHIN FRIARY, DUBLIN.

I wish to preface the following statement of my case with a brief reference to my work as a priest in Dublin before the outbreak of hostilities there in June, 1922.

MY WORK IN DUBLIN PREVIOUS TO JUNE 27th.1922.

In 1913, I was sent to Dublin and from that time until I was changed November, 1922, I exercised all the usual Diocesan faculties, and discharged all the duties that fall to a priest in a very busy locality.

After the outbreak of the late European War I volunteered my services as a Chaplain for the Front, but our Fr. Provincial did not think my health would be equal to the strain.

During the period of hostilities which followed the Proclamation of the Irish Republic, Easter Week 1916, I was engaged in work of a most arduous character: I heard confessions of Combatants and non-Combatants alike, I attended the wounded, some of whom I carried under fire into hospital, I provided and distributed food to the hungry and destitute.

When the English decided to execute the Republican leaders, they came to our Friary, Church Street, morning after morning, usually about 2.a.m. for Priests to attend the condemned men. I was one of those who went to the Prisons on these occasions, and I was with eight of the Leaders before their death.

I also received from the English Military Authorities "every facility" to visit the Republican Prisoners "at any of the places of detention or internment at all times, to hear Confessions, and to administer the rites of the Church". I gladly availed of the facilities. How highly our Services for the Prisoners were appreciated, even by non-Catholic English officers, was shown by a remark made by one of them at Richmond Barracks to another Priest from Church Street and myself who had gone there to hear confessions: "We regard you as Brothers", he said, "who have come here to do your duty, 'tis our duty to assist you".

The medical authorities in the Richmond Hospital - one of the largest in the City - paid a notable tribute to my work for the wounded in that area, but the most valuable testimony came from the late Archbishop of Dublin, the

Rev Dr Walshe, who in a public letter spoke in the highest terms of the work of the Capuchin Fathers.

The war of repression which England waged on Ireland since 1916, did not narrow my vision of duty. My mission as a priest was not to any one section or party, it was to "embrace all in one sentiment of charity". Hence while not neglecting our own people, I ceased not to take an interest in the British soldiers at the front and in their dependents at home. I urged their claims on the War Office, signed thousands of their pension papers for them, and pleaded for them in the Courts when they had got into difficulties. Once I appeared before the Judge on behalf of a non-Catholic lady attached to the Army, who had got into trouble over money matters, and obtained her acquittal. On that occasion the Judge - the present Recorder of the City of Dublin - publicly thanked me for my kindness to one who was not a member of the Catholic Church.

When feeling was bitterest against the "G-men" - the secret Police - I saved one of them from death, and also facilitated the marriage of a member of the British Auxiliaries, who had ~~one~~ for themselves as hated a reputation as had the notorious "Black and Tans".

These are but a few of the many things I might mention which go to prove how strictly I adhered to my principle of absolute impartiality. Where I could do good I tried to do it, irrespective of creed or politics. I acted exactly in the same manner during the period of hostilities last year in Dublin, and from which my present case probably arose. I shall now deal with that.

SUMMARY OF CASE.

1. During the period of hostilities, June and July 1922, between the Free State and Republican Forces, in the City of Dublin, I discharged what ~~I discharged what~~ I considered my duty as a Priest impartially to all sections of the Community, Combatants and non-Combatants alike.
2. I everything I did I followed the dictates of my conscience, the practice and teaching of the Holy See, as set forth by His Holiness, Pope Benedict XV.
3. Almost nine months have elapsed since then, yet, up to the present moment, neither my conscience nor any of my Superiors, Ecclesiastical or Religious, have reproached me with the violation of any rule or Law, or for having acted in a manner unworthy of my position as a priest and a member of a Religious Order.
4. Though no charge has been brought against me, my Superiors, Ecclesiastical and Religious, have imposed upon me the most severe penalties, penalties, too, of a public and humiliating character.
5. Trusting to the Goodness of God and the intercession of His Holy Mother, I look forward with confidence to the day of my vindication.

FULLER TREATMENT OF THE ABOVE PROPOSITIONS.

1. During the period of hostilities, June and July 1922, between the Free State and Irish Republican Forces, in the City of Dublin, I discharged what I considered my duty as a priest impartially to all sections of the Community, Combatants and non-Combatants alike.
 - 1) A MIDNIGHT CALL - I TAKE UP DUTY. At about midnight of June 27 1922, I was awakened from sleep by loud knocking at the outer gates of our Friary Church St. Dublin. I leapt out of bed at once, and going to my window asked: "Who is there?" A voice shouted back: "We want Father Albert". I went down immediately. Outside the gates there was a motor car and some Irish Republican Officers. They said they had called for me as they learned

the Free Staters intended to attack them in the Four Courts. Hearing this I felt my place was with the garrison there, to do all in my power for their spiritual welfare. I should no more think of hesitating to go, than I would of refusing to attend an urgent sick-call. I fully realised the danger to which I might be exposed, but must not we Priests be prepared to make any sacrifice for the spiritual welfare of our neighbour, as Our Divine Lord so beautifully taught us, by work and example.

When the British Military called for Priests at this same gate, in the early hours of the morning in 1916, I did not shirk, neither did I shirk now. In each case it was a call to one of the highest duties of the Priesthood - to prepare human souls for their going forth to meet their Heavenly Father. With this thought in my mind I set out for the Four Courts. On my arrival there I was cordially received by the officers and men. They were overjoyed to have with them an "anam-chara", a "soul-friend" as we call a confessor in our own language. Nothing could equal their kindness to me, and their anxiety for my comfort and safety.

I began to hear confessions at once, and continued to hear, day and night, with only short breaks, until the place was destroyed by fire. At times the roar of the guns and the bursting of the shells was so terrific, that it was with the greatest difficulty I could hear the confessions.

We said the Rosary in Irish, publicly every night, at this and at every other Republican centre, and never shall I forget the magnificent spirit of Faith, fervour and confidence with which these men-under-arms, the medical and nursing staffs and ladies of Cumann-na -mBam prayed to the Holy Mother of God, and to her Divine Son during these awful days. Every one wished to go to confession - it might be their last in this world - to make their peace with God, and to ^{be} well prepared to give an account of their stewardship - should God will it so.

At the Gresham hotel, O'Connell St. I had a beautiful statue of our Lady Of Lourdes erected in the General Headquarters' apartment there. Before this statue we kept a lamp burning continually, and at my request Mr. Art O'Connor, Minister of Agriculture under the Republic, designed a very artistic scroll, bearing the words: A MHUIRE MHATHAIR, GUIDH ORAINN (Holy Mary, Mother of God, pray for us) which was to be placed above it.

On Sunday, July 2nd, when owing to the heavy firing, and the closing of the Churches in the district, the men could not go to Mass, I arranged with Comdt. R. Barton - a non-Catholic, on whose coat I had pinned a badge of the Sacred Heart - and Comdt. O. Trainor that we would have the Rosary in the Head Quarters' room. I drafted a notice to that effect, exhorting all who possibly could, to be present. Cathal Brugha, Republican Minister

of Defence, during the whole "Black-and-Tan" reign of Terror, wrote it out in large letters, and Sean T.O'Kelly, late Republican Representative in Paris, posted it up in a conspicuous place so as to be seen by all. The response was splendid. At the appointed time the spacious hall was filled, the Rosary of Mary recited with a faith and fervour which brought tears to many an eye.

I should like to mention here that Cathal Brugha was at home with his family when the attack on the Four Courts took place; on hearing it, his first act was to go the Church and make his Holy Hour, - a devotion to which he was tenderly attached. On July 6th he fell mortally wounded, and died a most happy death, fortified by all the Sacraments of the Church. During the fighting in this area I spent one night with the Free State medical staff, and shared my bed on the floor with one of their Red Cross men. On another occasion I gave absolution to a firing party of their men who were passing through a dangerous quarter.

I regretted very much that I was not in Dublin, when my dear friend, Staff Captain Erskine Childers was executed. Had I been there, he would in all probability have died a Catholic. Before his death he asked several times to be allowed to see me, but this request was refused. but he sent me the following beautiful letter:-

" The Revd. Father Albert.

A chara,

I thank you lovingly for your letter and the beautiful crucifix and medals and the exquisite little "Imitatio Christi".

You must know how deeply I was touched at the tenderness and affection witnessed to by your gifts.

I have as you can guess made application to receive a visit from you but it has not been permitted and I am deeply sorry.

This then is not only to thank you but to say farewell on this earth. I am to die tomorrow at 7, and I die happy and undefeated and at peace with God and men.

God bless you and your great work.

Erskine Childers. "

The crucifix to which he refers he wore at his execution.

On the day of his death a Dublin friend sent me a note, in which he said: "Our friend 'Bushy' (E.Childers) gone to heaven this morning, - C. said he died smiling. Two of the boys called last night at Church St. for you, saying he(Bushy) was crying out for you day and night, for the past three

days, and asked in the presence of the Dean (Protestant) for you. So at 9.30 p.m. the boys turned up for you, having obtained permission from the Commandant in charge who knew you, and said you would be the only priest allowed to see him. They were much upset when they found you had left."

From the friends and relatives of those who had suffered, and those who had been executed, I received many expressions of their appreciation for my efforts on behalf of their dear ones. Thus Mrs Childers, widow of Erskine, writing to me a few days after his death, addressed me as: "Dear Friend of those who suffer" and continues: "I have been feeling your prayers for us and the strength they have brought to me has been great".

Mrs McKelvey, the widowed mother of Commandant Joseph McKelvey, - executed December 8th. writing to me from Belfast says: "I was very glad to receive your note. It gives me great consolation to learn how highly you thought of Joe. Indeed he wasthe best son a mother could wish for. His death was a fearful shock. He was all I had to love in this world. However, my only consolation is that he died so bravely and so well prepared. I went to Dublin the 9th. Dec. There was a little note for me in case anything happened him in the Four Courts. He said he been to Confession with you and was quite happy. You will be glad to know that he was in the Third Order of St. Francis."

2. I SAVE MANY LIVES.

When the building of the Four Courts were in flames on June 30th everyone realised that the only hope of saving the lives of the men there, was surrender. The leaders however were divided on the question, and could not get into communication with their higher Command. Fortunately I was there and able to act as intermediary between them, the Free State Officer in the district and their Head Quarter Staff. The latter on learning the desperate state of affairs gave me a written order for a surrender at the Courts. Scarcely had I delivered it and got the men out of the buildings, then the small department in which we were caught fire and was destroyed. Had I not been there, these men, numbering about 130, would all probably have perished in the flames.

At the Y.M.C.A. centre, O'Connell Street, I was instrumental in preventing a similar catastrophe.

3. I prevent the break-up of thousands of homes in one of the most congested and poorest districts of the city.

On Sunday night, July 2nd, an attempt was made to get the women and

children in Malbone' Street to leave their homes because of the firing, and to go to one of the Hospitals. The men and boys were to remain behind. It was a pitiful sight to see these poor heartbroken people leaving their homes, and bidding farewell to those whom they were leaving behind. In an adjoining street there were thousands of poor people in the same terrified condition awaiting the order to leave. I saw the tragedy that was being perpetrated, and resolved to end it. I felt that nothing would justify this break-up of these homes, and the infliction of so much suffering on these poor people. So, going amongst them I urged them to return to their homes and assured them that we would allow no Party to interfere with them. They took me at my word, became re-assured, and returned to their homes with many expressions of profound gratitude.

4. PEACE EFFORTS.

At the first available opportunity, I did all in my power to bring about a cessation of hostilities, and to restore the peace we all so anxiously desired. For that purpose I w ited on the Republican and Free State leaders, on July 3rd, to see if it were possible to bring about an understanding between them; both declared they wished for peace but could not see their way to accept the conditions laid down by the other side.

Then I sought out the Leaders of the Labour Party, and with their co-operation succeeded in bringing together a most representative conference. Five different interest were represented at this conference. His Grace, the Most Rev. Dr. Byrne, Archbishop of Dublin, was invited to take part in the conference, he was not however able to be present, but he gave it his "cordial blessing".

We sent the following circular to those whom we had decided to invite to the deliberations.

Mansion House, Dublin,
6th. July, 1922.

A chara,

The undersigned were brought together informally to discuss and if possible to devise means of bringing the present unhappy events in the country to an end, and to endeavour to restore peace to its people. Towards this end we have determined to invite twelve members of DAIL EIREANN to meet us in the Mansion House today, Thursday 6th. inst. at five o'clock p.m.

The members of the Dail invited to attend, will represent the various sections, viz.:— Pre-Treaty, Anti-Treaty, Labour, Farmers and Independents. We earnestly hope that you will find it convenient to be present. His Grace, the Most Rev. the Archbishop, who is unable to take part in the suggested Conference has authorised us to include in this letter the

following: "his Grace gave his cordial blessing to this or any other scheme which gave promise to end the un-natural hostilities which are going on at present and are causing so much grief to all friends of Ireland"

SINN-NE le meas mer,
Fr. Albert, O.S.F.C.
Henry Dixon, etc.

But my efforts for peace extend back as far as December 1921, when the "Treaty" was under discussion in DAIL EIREANN. I then sought to prevent the split which has unfortunately torn our country to pieces.

5. VALUABLE TESTIMONY TO MY ABSOLUTE IMPARTIALITY. At one of the meetings to which I have referred, it was decided to select a Sub-Committee to deal with the whole affair. On that occasion one of the members of the Conference, an Independent Deputy, propose my name for the Sub-Committee, adding amongst other reasons that "Father Albert is the only neutral person here, he belongs to no party" and therefore would be perfectly impartial. That was true. I never stood on any political platform, and when harsh and bitter things were said in our Churches, I never allowed any political reference or word of bitterness towards individuals or parties to pass my lips from altar or pulpit.

Perhaps the most striking evidence of my impartiality is the fact that I received the most devoted co-operation and the greatest personal kindness from the St. John Ambulance Brigade. The members of this splendid body of Dublin citizens devoted themselves to the most heroic and unselfish work during the period of the trouble. They helped everyone requiring their assistance, irrespective of creed or politics. These "Knights of Mercy" as they have been justly styled, recognising the importance and high character of the work in which I was engaged, co-operated with me in the most wholehearted manner, they placed their ambulances and a special motor car with officer at my service, and on my round of duty I was frequently accompanied by the Commissioner of the Brigade, Sir. J. Lumsden, and members of his staff. When tired, hungry, and exhausted, as I was at times, I received from them every care, on one occasion they insisted on my taking a rest in bed, at one of their centres, where I was looked after by Sir. J. Lumsden and another medical gentleman.

These men - the majority of whom were non-Catholics - ^{would} ~~were~~ not have anything to do with me or my work, were I not as impartial in the discharge of my Priestly duties, as the were in their humanitarian ones.

II. IN EVERYTHING I DID, I FOLLOWED THE DICTATES OF MY CONSCIENCE, THE PRACTICE AND THE TEACHING OF THE HOLY SEE, AS SET FORTH BY HIS HOLINESS POPE BENEDICT XV.

That illustrious Pontiff clearly set forth the mind of the Holy See in 1915, towards all the Belligerents in the late war. He declared that

the Apostolic See "must remain perfectly impartial" towards them all. "The Roman Pontiff", he said "must embrace all the combatants in one sentiment of charity....he must consider not the special interests which divide them, but the common bond of faith which makes them brothers".

These have ever been my guiding principles. Hence at every crisis that arose, whether the European War or the "Rising" in 1916, or the hostilities last year, I made it my aim to be "perfectly impartial" to all combatants, not to consider "the special interests" that divided them, but to minister to all in virtue of the "common bond of faith which makes them brothers". I think it was the saintly Pope Pius X who said to a body of French pilgrims that "a priest should not fall out with any Catholic because of that Catholic's political views". Now, although political opinion has run very high in Ireland, and political differences have destroyed many a friendship, yet I have retained loyal and devoted friends in every party. Last summer when tired and worn out from the strain of work during the hostilities, I took a few days' rest with each of two friends of mine - at their urgent invitation - yet one supports the Republic, the other the Free State. All this goes to show how closely I adhered to the teaching of the Holy See.

III. ALMOST NINE MONTHS HAVE ELAPSED SINCE THE PERIOD OF HOSTILITIES, YET UP TO THE PRESENT MOMENT, NEITHER MY CONSCIENCE NOR ANY OF MY SUPERIORS, ECCLESIASTICAL OR RELIGIOUS, HAVE REPROACHED ME WITH THE VIOLATION OF ANY RULE OR LAW, OR ^{FOR} HAVING ACTED IN A MANNER UNWORTHY OF MY POSITION AS A PRIEST AND MEMBER OF A RELIGIOUS ORDER.

AS TO MY CONSCIENCE. It has its approval for everything I did. It was my rule and guide and in following it, I felt I was obeying the voice of God. Hence it was that though frequently under fire, and at times, it seemed that the buildings where I was might collapse at any moment and bury me in the ruins, still I was not terrified at the thought of death, as I felt I was engaged in Apostolic work, work pleasing to our Divine Lord and His Holy Mother, and should death take me away in the midst of it, I trusted it was before a very kind and merciful Redeemer I should appear to give an account of my stewardship.

Not only did I experience great peace and happiness of conscience, but the thought often struck me how pleased our Holy Father the Pope would be were he aware of the work in which I was engaged. I felt then, and I feel still, that it would have his warmest approval, were he in possession of all the facts of the case.

AS TO MY SUPERIORS. Not a single one of them has brought any charge whatever against me, or reproached me with the violation of any law or regulation. Quite the contrary; when leaving Dublin last November, I received from the Guardian of the Friary the highest testimony as to character and conduct. Speaking before the community assembled in the public refectory, he stated that I carried with me his best wishes and those of the Community; he thanked me in words of high praise for the way in which I had always discharged my duties; for the edification I had ever given by my example; and especially for my devotion to the poor.

I received from the Secretary of His Grace, the Archbishop, a letter stating I had not incurred any censure or irregularity, and some months previously His Grace gave his "cordial blessing" to the Conference which I was instrumental in convening, and to which reference has already been made. Such commendations scarcely seem in harmony with the penalties to which I shall refer in the next proposition.

IV. THOUGH NO CHARGE HAS BEEN BROUGHT AGAINST ME, MY SUPERIORS, ECCLESIASTICAL AND RELIGIOUS, HAVE IMPOSED UPON ME THE MOST SEVERE PENALTIES, PENALTIES, TOO, OF A PUBLIC AND HUMILIATING CHARACTER.

For instance:-

1. Last November I was removed from Dublin where I had exercised the Diocesan Faculties, for over nine years, to a Diocese in which my superiors knew I would not be allowed to exercise them.
2. I am still deprived of these faculties, although I had them here before, and when asked by the faithful to hear Confessions, as I have been, I have to explain I can no longer do so. From this the Community and Faithful will naturally infer that I must have been guilty of misdemeanours of the gravest kind.
3. When our Fr. Provincial, - V.Rev. Fr. Peter - was making his annual Visitation here last April he informed me officially that no bishop in Ireland would give me faculties in their diocese, but he assigned no reason for this decision.
4. I have recently learned that I am to be sent to America; this I can only regard under present circumstances, as equivalent to a decree of banishment into exile.
5. When His Excellency, R.Rev. Mgr. Luzzio, was recently in Dublin as Delegate of the Holy See, on an important mission, I understand that he notified our Fr. Provincial that he wished to see me. I was in a position to place before His Excellency many facts which had an intimate bearing on the object of his mission, and also the particulars of my

own case. All this he was entitled to know, in virtue of his position as Delegate. I was very grieved subsequently to learn that his request had been refused. Father Provincial did not permit me to see the Delegate, nor has he yet notified me of the Delegate's desire to see me. This is, I suppose, part of the penalisation under which I have been placed.

Why those pains and penalties have been inflicted upon me I know not. No reason whatever has been assigned for them. The whole affair is a mystery which I cannot solve, neither can I reconcile the procedure which has been taken against me with those principles of justice which even secular tribunals regard as sacred.

In these countries the civil law regards every man as innocent until he is proved guilty in a properly constituted court.

He is entitled to know the nature of the offence with which he is charged; to see his accusers and to hear their evidence; he is given every opportunity to examine that evidence, to refute it, and to prove his innocence if he can do so.

That is the minimum to which everyone - even the greatest criminal - is entitled.

But in my case I have been deprived of every ^{single one} of these requirements of justice.

I have not been brought before any court whatever.

I have not been charged with any offence.

I have not been told who adjudicated in my case.

I have not been confronted with my accusers, not given any opportunity to hear and examine their evidence.

Not only that, but when I recently asked my Father Provincial for the facilities I needed for the presentation of my case to Rome, I was refused. I made a second application stating "I cannot put these Authorities (in Rome) in possession of all the facts of the case unless I can consult the sources to which I have referred". "The Authorities in Rome", I wrote, "were entitled to know the truth". To this second request I received a second refusal.

About the time I made this application, an important case came before the High Courts in Dublin, in which the defendant petitioned for certain facilities for the presentation of his case. The judge willingly assented, declaring that he would give him "ample opportunities" for presenting his case.

The contrast between these two cases - a secular judge granting the ~~defe~~ defendant "ample opportunities", and a Religious superior refusing one of his priests all opportunities - needs no comment.

If I have incurred this penalisation because of my activities during the

trouble in Dublin last summer, then I am penalised for doing the same things as I did in 1916, when my work won the highest praise from the then Archbishop of Dublin, one of the most distinguished Churchmen of his day.

How long this penalisation is to last, or whether it is to be intensified or modified or ended, I know not, but, and this is my last proposition, -

V. TRUSTING IN THE INFINITE GOODNESS OF GOD, AND THE POWERFUL INTERCESSION OF HIS HOLY MOTHER, I LOOK FORWARD WITH UNSHAKEN CONFIDENCE TO THE DAY OF MY VINDICATION.

Father Albert, O.S.F.C.
12. VIII. 1923.

The above is a copy of a letter kept in the Archives of Curia Generalis OFM Cap., Rome. (Annus: 1923; Prov.: Hiberniae; Sectio:4.)

This copy has been made, for the convenience of the Archives of the Irish Province, with the permission of the Most Rev. Fr. General, Fr. Benignus of S. Ilario Milanese, OFM Cap.

Concordat eum originali :

*fr. Conrad of Leah
Def. Gen. O.F.M. Cap.*

Rome, July 28 1955.