

The Murder of John Charles Milling Resident Magistrate

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Introduction

The murder of John Charles Milling, Resident Magistrate, at his home on the Newport Road, Westport, in March 1919 has remained a matter of controversy. The implications for the town of Westport and its environs at the time were considerable. This is not the first retrospective look at the case. It has already been dealt with summarily by Ó Flanagan in the context of the life of Brigadier-General Joe Ring.¹ There is a comprehensive account of Milling's life and the circumstances surrounding his death by Bonsall.² More recently, the event has been reviewed by Ó Cionnaith.³ This article does not attempt to replicate the information by Bonsall and Ó Cionnaith but to provide a fresh summary of the main events, sometimes from a different perspective and with different emphases. Some aspects of the event remain and will continue to remain open to interpretation.

Following his appointment as Resident Magistrate for Mayo in December 1914, John Charles came to live in Westport with his wife and children. In a sense he was returning home for he had spent his early youth in Westport, at Barleyhill, just outside the town. Born in 1873 in Glasson, near Athlone in County Westmeath, his father was an officer in the Royal Irish Constabulary (RIC) and was stationed at Westport for several years.

His return to Westport was welcomed by Lord Sligo and Myles Staunton at the Westport Petty Sessions on Thursday 7 January 1915.⁴ They asserted that the people of Westport knew his family well and they were glad he was being sent back to them as their resident magistrate. Members of the legal profession also welcomed him. In thanking them, Milling remarked:

I was brought up a boy in Westport; I spent my young days here, and coming back this morning, after so long an absence, I found Westport as familiar as ever. I am very glad to be back and I hope the friendliest relations will exist between all.⁵

Milling's career as Resident Magistrate was to be relatively short-lived as he was to meet a tragic death just over four years later. His death sparked off an unprecedented wave of police and military activity in Westport and its hinterland, and it also had repercussions on the conduct of local government in the town.

A member of the small religious group, the Plymouth Brethren, John Charles Milling spent twenty years as an officer of the RIC which he joined in April 1895. He was stationed in different towns in the northern part of the country and had a distinguished career, rising to the rank of District Inspector before being appointed Resident Magistrate for Mayo. Milling was a man of fine physique and was six foot three inches tall.

Initially, Milling and his family lived at Rossmalley, Rosbeg, on the shores of Clew Bay on the outskirts of Westport but on 19 October 1918 he moved into town to a substantial street house on the Newport Road. This was a quiet part of the town, just round the corner from the Mall. Five months after moving to his new residence, Milling met his untimely death at the age of forty-six.

This was not the first tragic death in the Milling family. John Charles's sister Emma died of a brain tumour at the age of twenty in 1897; his brother, Henry Desmond, a dentist, had been killed in a train crash on the Ballymoe-Castlerea line on 11 April 1903 – he was the only passenger killed while fifteen others were injured.⁶

The murder of John Charles Milling is now generally viewed in the context of the War of Independence. It is set against the backdrop of increasing unrest in the aftermath of the Easter Rising of 1916, the increase in membership of, and support for, the Irish Volunteers and subsequently the Irish Republican Army (IRA), and the War of Independence which officially commenced in January 1919 when two RIC officers were shot dead at Soloheadbeg in Tipperary. The early part of 1919 could be described as a period of relatively low-key martial activity, during which momentum gathered for guerrilla warfare although mainly concentrated in Dublin and the province of Munster. At the beginning IRA activity in Mayo was more low-key than in many other counties.

Following the Easter Rising of 1916 in Dublin, a number of arrests of leading nationalists were made in the Westport area along with hundreds of others in various parts of the country. Though none of those arrested and deported to Britain for various terms of imprisonment were directly involved in the Rising they were considered to be very sympathetic to the ideals of the insurrectionists. The execution of Major John MacBride, a native of Westport and one of the leaders of the Easter Rising, boosted support in the area for the Irish Volunteers.

Dispensing Justice

Assigned to the Castlebar District, Milling chose to live in Westport which then became headquarters for the district. He was one of three Resident Magistrates



The house on Newport Street, now occupied by the State Solicitor for Mayo, where the assassination took place. Four bullets were fired through the centre of the bay window on right of front door and a final shot was discharged through the narrow window second from left at hall door.

Photo: Cormac Ó Cionnaith

for Mayo, and presided over cases at Petty Sessions Courts not only in towns throughout west Mayo such as Westport, Castlebar and Newport, but also in other parts of the county when colleagues were unavoidably absent. The vast majority of these cases were routine ones involving minor infringements of the law – disputes between neighbours often over trespassing, cases of drunkenness and assault, larceny and a plethora of other petty offences. There was no indication that Milling acted other than with the utmost integrity in meting out justice as he saw fit. The evidence suggests that he was a fairminded man who did his duty and was held in high regard by Justices of the Peace who sat with on the bench with him and by members of the legal profession.

Milling also displayed a sense of humour in many of the hearings. In one of his first cases in Westport he fined a man 1s. [6 cent] with costs for being drunk and disorderly. He then said to the defendant ‘Leave that bad whiskey alone any more. The man who gave it to you should pay the fine for you.’⁷

Within a few years, however, Milling also had to deal with cases of a far more political nature. Under the Defence of the Realm Act various cases increasingly came before him, especially during 1918, involving the illegal assembly and drilling by Irish Volunteers and opposition to conscription. Milling had little choice but to impose jail sentences on young men from Westport and the surrounding areas. Some of these cases attracted considerable attention and gave rise to protests and disturbances both inside and outside the courthouse. One of those prominently involved in cases before Milling was Joe Ring, leader of the Volunteers in the Westport area. Ring and others were sentenced to six months imprisonment in Sligo jail in March 1918 and received a rapturous reception on their release the following September. Cases of this type would hardly have endeared Milling and other Justices of the Peace to a certain section of the local community.

Not surprisingly, Milling received threatening letters and had to receive police protection. He moved house from Rosbeg into Westport town in order to avail himself of greater police surveillance. He also sought a transfer out of Mayo and a move to Ballymeena, Co. Antrim, was being considered in the early part of 1919.

The Shooting

The account of the shooting is taken from a report in the weekly Westport-based *Mayo News* in the issue of Saturday 5 April 1919.⁸ On Saturday 29th March, Milling had been in Ballina and returned to his home on the Newport Road around 5 o'clock. The house had two bay windows, one each side of the hall. The account continued:

At about 11 o'clock he was sitting with his wife in the dining room to the left of the hall. The blinds were drawn. He left the dining room and went into the drawing room on the right, or opposite side, to put on the clock there to the new summer time. He had a light in his hand when four shots were fired at him through the centre of the bay window. Two of the bullets took effect, one entering the abdomen on the left side, low down, and the other, the right shoulder behind. He struggled from the drawing room after being hit and apparently was making his way into the dining room previously occupied by him. He had only reached the door of that room when another shot was fired through the side light of the dining room window and Mrs Milling narrowly escaped being hit though it was apparently intended for her husband on entering the room.

Mr Milling then collapsed and Mrs Milling fainted. When Mrs Milling recovered she raised the alarm, going into Mrs Sheridan's next door, where Captain Scott, D.I., R.I.C., resides. Dr O'Rorke, Mr Milling's medical attendant was sent for, but before his arrival Dr M. Moran, who was in the club close by, was called in. Later Dr O'Rorke arrived and after a consultation, it was decided to send for a specialist. Dublin Castle was wired to and they sent down Dr Gordon who arrived by motor on Sunday between 3 and 4

o'clock with some nurses. Dr Gordon considered Mr Milling's condition hopeless. His condition was such that an operation could not be successfully carried out. Dr Gordon remained in attendance until Mr Milling expired at 10 o'clock on Sunday night.

The *Mayo News* account went on to state that after the 'occurrence' nobody was seen near the house. James Sheridan, who lived next door, thought he heard footsteps further up the Newport Road and Captain Scott went some distance up the road but failed to find anybody. According to the *Mayo News*, 'The whole occurrence is wrapped in mystery.'

The inquest

An inquest into the death of John Charles Milling was held in the Courthouse, Castlebar Street, Westport, on Tuesday 1 April. It had been delayed by one day owing to the illness of the County Coroner, John Kelly. Captain Scott, District Inspector, RIC, conducted the proceedings for the police.

Five people gave evidence at the inquest. They were Milling's brother-in-law, Charles Walsh, County Inspector, RIC, Ballinasloe; James Sheridan, painting contractor, living next door to the Millings; Dr Martin Moran; Dr O'Rourke; Captain Scott, District Inspector, RIC (a lodger with the Sheridans).

Charles Walsh, whose wife's sister was married to Milling, stated that on Sunday morning, having received a wire [telegram], he motored from Ballinasloe to Westport. From his bed Milling said to him, 'They have got me at last.' Walsh went upstairs to the bedroom at 10 p.m. and Milling was then dead.

James Sheridan stated that at ten minutes to 11 o'clock [on Saturday night] he was sitting in his kitchen when he heard some reports. He did not know whether they were revolver shots or stones being thrown on the corrugated iron roof. He went to the front door but could not see any person on the street. He then walked to Milling's house where he saw four round holes in the window pane. Having knocked on the door, Milling opened it and told Sheridan he had been shot. Milling was bleeding. Sheridan moved upstairs with him and helped him to undress. In reply to the foreman, Sheridan said there were two or three seconds between the first and second shots and the whole five shots took only about five seconds. He also said that when he was at his front door he thought he heard a footstep go down the Newport Road about one hundred yards away. To the Coroner he stated that it was a footstep and that 'there was no rushing or anything like that about it.'

Dr Martin Moran, Medical Officer, Islandeady Dispensary District, was leaving the Club Room on the Mall, a short distance from the Milling residence,

at 11.20 p.m. when he was informed that Milling had been wounded. Having gone to the residence he found Milling upstairs lying on his back suffering from shock. On a superficial examination he found a perforating wound in the lower third of his abdominal wall. Dr Moran remained with Milling until the arrival of Milling's own physician, Dr O'Rorke.

A messenger arrived at Dr O'Rorke's house sometime after 11 p.m. to inform him of the shooting. He went without delay and met Dr Moran in Milling's hall. The two doctors then examined Milling. According to Dr O'Rorke, Milling's condition continued to grow steadily worse and everything pointed to great internal haemorrhage and also the presence of peritonitis. In Dr O'Rorke's opinion, Milling had died from internal haemorrhage. When asked by Captain Scott whether the abdominal wound had caused his death he replied in the affirmative.

The jury was asked whether they thought a post-mortem was necessary in order to establish the cause of death but the foreman, William H. Good, indicated that they had sufficient evidence before them.

The last person to give evidence at the inquest was Captain Scott, District Inspector, RIC. He said that he was lodging in Sheridan's and that he heard revolver shots at 11 o'clock. He then went downstairs and up to Milling's house. There he saw the blinds were up and a small lamp was near the clock on the table. There were four bullet holes in the glass. Captain Scott continued:

I went inside to the drawing room and after some time examined the room and found two bullet holes near the clock in the wall. Going to the far side of the room I found the bullets the other side of the room. In the other room I found one bullet. I found two of the bullets in the room behind the drawing room; they had penetrated the wall.

The jury went to Milling's house to formally view the body. Following the submission of evidence, the jury of fourteen men were out for a quarter of an hour and the foreman then informed the Coroner that they were not unanimous in the wording of the verdict. Nine members agreed with the wording drawn up by the foreman and five disagreed:

We find that the said John C. Milling was murdered by bullets fired at him by some person or persons unknown, on the night of Saturday, 29 March at about 11 o'clock p.m.

The foreman went on to say that some members wanted to put pious verbiage into the statement, 'too much of which we had both in administration of justice in the courts and everywhere else'. He protested against any lesser word than 'murder' and he himself would say 'foul murder'. The coroner insisted that

he get a verdict from the jury; if not, 'they will remain there for a week.' The foreman consulted with the jury for another quarter of an hour and came in with a verdict which was similar to the original one except that the word 'foully' was inserted before the word 'murdered'. In a rider the jurors added:

We, the jurors at the inquest of J.C. Milling, hereby express our deepest sympathy with Mrs Milling, her children and members of Mrs Milling's family, and we express our strongest condemnation of the murder of an upright, honest, and just public servant.

The coroner said that he concurred with the jury in their verdict.

Reaction

The first to condemn the shooting publicly was Fr Richard Canavan, Administrator, Westport Parish. At last mass in St. Mary's church on Sunday morning 30 March, while Milling was receiving medical attention, he told his parishioners that it was his painful duty to denounce the dastardly attack:

It was a crime that must bring down the vengeance of High Heaven upon the town, against which the voice of every honest man and woman should be raised in denunciation and as to which nothing should be left undone to discover and punish the criminal.

Many people had not heard of the shooting until they attended the mass at which Fr Canavan spoke.

On the evening of Monday 31 March a special public meeting was convened in the Town Hall, Castlebar, at which the parish priest, Canon Fallon, presided. He said it was not an occasion for making speeches but one in which they should show that they had no sympathy with an outrage of this kind, no matter what their politics were. A resolution was passed expressing 'the utter abhorrence of the people of Castlebar and district at the dastardly outrage which occurred in Westport'.

Dr Thomas Gilmartin, Archbishop of Tuam, also condemned the murder. In a letter to Fr Canavan he stated:

I hasten to send the priests and people of Westport my heartfelt sympathy in the horror and indignation you must all feel in the presence of this dastardly crime. If the perpetrator is not insane, he is a criminal of the first order, and it is the duty of all good citizens to do all in their power to bring to justice one who is an enemy of God, an enemy of society, and an enemy of Ireland.

The Chief Secretary for Ireland, the Lord Lieutenant and the Inspector General of the RIC sent messages of sympathy to Mrs Milling.

A specially convened meeting of Westport Urban Council was held at 4.30 p.m. in the Courthouse on Wednesday 2 April, immediately following the burial of Milling at the Church of Ireland cemetery on the Newport Road. Five out of the nine members, just sufficient for a quorum, were present. The embarrassment of members of the Council at this murder within the town they represented could hardly have been more acute. This was evident by their attempts to almost distance the town of Westport from the incident. The chairman, Myles Hawkshaw, declared:

They are trying to put us under military law, and in my opinion and in the opinion of the town, it was never a Westport man did the deed. I don't think there is anybody inside the walls of Westport who would be guilty of committing such a cool outrageous murder as happened on Saturday night.

The meeting passed a resolution condemning

the horrible outrage committed in the town . . . We feel that we are but expressing the feelings of the whole people of the district in condemning this foul outrage, and we are satisfied that it was not the act of any Westport man.

At Westport Petty Sessions on Thursday 3 April, the Marquess of Sligo presided. He and the other magistrates placed on record their abhorrence of 'the brutal and deliberate murder of our respected Resident Magistrate'; he also expressed concern for the unfavourable image which the murder would have on Westport. Resolutions condemning Milling's murder were also passed at the Petty Sessions in Castlebar, Newport, Kiltimagh, Ballina and other towns throughout Mayo.

The Aftermath

One of the immediate effects of the murder was to draw down reinforcements of military and police to the town. Searches were conducted in houses not only in the town but also in the surrounding countryside. On Tuesday 1 April martial law was declared in the district of Westport.

The following account from the *Mayo News* of 5 April gives an indication of the level of police and military activity:

Immediately after the occurrence some people found on the streets of Westport were taken to the police barrack by policemen, but on giving a satisfactory account of their movements were released. Early on Sunday morning the police visited the residences of several young men in Westport and its surroundings and took statements from them as to their whereabouts at the time of the occurrence on Saturday night. On Monday [31st March] a body of military visited Westport in motor vans having with them two armoured cars. They spent the day searching several houses in the town. On Tuesday the military visited the country districts making similar searches. On Wednesday four

aeroplanes circled over Westport for over an hour, firing machine guns and dropping star shells at intervals.

Martial law applied to the Urban District of Westport and the District Electoral Divisions of Westport and Kilmeena; the population of these areas amounted to 6,684.⁸ The measure had a very disruptive effect on business in the town and its hinterland. The principal casualties were the fairs and weekly markets which had to be abandoned and this caused hardship to the small farmers of the area. Martial law was finally lifted on 25 June 1919, due largely to the intervention of Dr Thomas Gilmartin, Archbishop of Tuam.⁹

The 'Milling Tax'

At another level the murder had implications for all the citizens of Westport. Mrs Lilla Milling submitted a malicious injury claim for £5,000 (later revised upwards to £6,000) to Westport Urban District Council for the death of her husband. Malicious injury claims were normally met out of local taxation which meant an increase in the rates for every householder, business owner and landowner. A successful claim implied a substantial increase in the rates for every ratepayer. Mrs Milling's case for compensation was heard over two days before County Judge Doyle at the Westport Quarter Sessions on 24 and 25 June 1919.¹⁰ During the hearing several pieces of information concerning Milling's murder emerged – information which was not referred to at the inquest or in the initial newspaper reports.

Counsel for different administrative districts within Mayo sought to exempt their clients from liability. Westport Urban Council wished to extend the blame on the basis that Milling had presided over cases throughout the county and therefore his murder could have been carried out by someone outside Westport. Mayo County Council and Castlebar District Council argued that liability should be confined to the town of Westport. Following representation, the judge ruled that three-fifths of the £6,000 claim be levied on the urban district of Westport and the balance on the rest of the county. The levy was dubbed the 'Milling Tax' by the *Mayo News*.

The levy of an additional £6,000 was to prove a stumbling block for Westport Urban Council whose members balked at the idea of striking a rate necessary to raise this amount in addition to ongoing expenditure commitments. They consequently tried to circumvent their obligations in a most unusual and unprecedented manner. Very simply, in order to avoid striking a rate there were not sufficient candidates to contest the elections for the Westport Urban Council in January 1920. Throughout 1920 there was no Urban Council in Westport and

no rates were collected. The repercussions of the Milling claim for the conduct of urban affairs in Westport continued for several years.¹¹ The claim was eventually paid but it was not levied solely on Westport ratepayers.

Inconsistencies and Discrepancies

In the absence of primary archival material, information on the shooting and the immediate sequence of events is derived from three separate sources. These are the account of the shooting, the report of the inquest and the report of the compensation claim as contained in the *Mayo News* and the *Connaught Telegraph*. From the three sources there are a number of minor but somewhat puzzling inconsistencies or discrepancies. In addition, there are some differences in the information reported between the two newspapers. The discrepancies include the following:

i. According to the account in the *Mayo News* it was Mrs Milling who went next door to Sheridan's to raise the alarm whereas at the inquest James Sheridan said he had knocked on Milling's door and he made no reference to Mrs Milling.

ii. James Sheridan did not give evidence at the compensation hearing but his wife did. Her version of the sequence of events differs somewhat from that of her husband.

iii. It is not clear whether Captain Scott went to Milling's before or after James Sheridan. It seems strange that Sheridan would not have called Captain Scott, a lodger in his house, straight away. The evidence at the inquest would suggest that they went separately and independently to Milling's house.

iv. At the inquest it was stated that five shots were fired but at the compensation hearing it was stated that six shots were fired.

Motive for the Murder

To judge by statements and resolutions issued by various organisations following his death, Milling was highly regarded, certainly within legal and judicial circles. Yet some of the praise was qualified. While his death was regretted and abhorred in Westport this reaction was by no means widespread. Respected and occasionally feared he may have been in Westport, the town in which he spent his youth, but not sufficiently to be mourned and remembered as a native son.

One of the features of the compensation hearing in June 1919 was that a number of prominent large ratepayers from Westport such as Lord Sligo and Dr

O'Rourke, describing themselves as friends of Milling, sought an exemption from the increase in rates in the event of the levy being imposed. Judge Doyle dismissed their appeal.

Questions must be raised about the reaction to Milling's murder in the town of Westport. As already noted, the jury at the inquest was not at first unanimous in its wording as to the cause of death and only after a rebuke from the coroner did they return with a verdict of 'foully murdered'.

Perhaps the most unusual meeting of those held in the aftermath of Milling's murder was that of the Westport Urban Council on Wednesday 2 April. This was an emergency meeting and notices were hand-delivered by the town clerk, Mr Francis Egan. Of the nine members only five attended, just sufficient for a quorum. In view of the circumstances, it would have been reasonable to expect a fuller attendance and the Chairman, Myles Hawkshaw, drew attention to this. How does one account for the low turnout at this important meeting? It is reasonable to conclude that some members either did not wish to be associated with a resolution condemning the murder or else they were in some way intimidated from attending.

One of the most damning criticisms of Westport's reaction is that within a day of Milling's death a public meeting was held in Castlebar to express outrage at the event. No such meeting was held in Westport and the Castlebar-based *Connaught Telegraph* pointedly referred to this in its editorial of 5 April.

The *Mayo News* had been critical of some of Milling's judgements and sentences. This is understandable given the editor's background. P.J. Doris was one of those arrested in Westport following the 1916 Easter Rising and had spent a term of imprisonment in England. He remained implacably opposed to English rule. Following Milling's death, the tone of the *Mayo News* editorial was conciliatory; the murder was condemned though euphemistically referred to as the 'occurrence'.

One event which might have had a bearing on Milling's subsequent death occurred in 1918. On the night of the 13th or the morning of the 14th May, Milling's cedar-built racing yacht was burned at Westport Quay. A malicious injury claim for £160 was submitted to Westport District Council on Thursday 23 May.¹² The incident indicated that at least someone in the Westport area bore a grudge against the Millings. From the foregoing there is little doubt that Milling was not a popular figure in the town of Westport.

There were three possible motives for the murder of John Charles Milling:

Firstly, as a representative of the government and a former RIC officer, Milling could well have been regarded as a legitimate target. If this was the motive, then he was most unfortunate to have been the first casualty in West Mayo of the War of Independence.

Secondly, he was shot because of some judgement delivered at Petty Sessions.

Thirdly, but most improbably, he was shot because of a personal grudge which had nothing to do with Petty Session cases or the unfolding political situation.

Who Killed J. C. Milling?

Despite intense police and military activity, the searching of houses and the questioning of many suspects, no one was ever charged with the murder of John Charles Milling.

Documents and correspondence related to the event are listed in the 1919 annual index of the Chief Secretary's Office, Registered Papers, Dublin Castle in the National Archives in Dublin. These are not now available; they were either destroyed before the British left in 1921 or are held but unavailable to public scrutiny, in the Public Records Office in London. It is most unlikely, however, that even if these documents were available they would shed any further light on the murder.

There was only one arrest in connection with the murder, that of a young man, John McLoughlin, from Westport, who was alleged to have seen some men near Milling's house on the night of the crime. McLoughlin was not charged with the murder but was held for questioning, first in Westport barracks and was then transferred to Castlebar barracks, where he was held for a period of six weeks. His detention gave rise to controversy and his father, Michael McLoughlin, applied to have him released. Captain Scott, who had made the arrest, maintained that it was for McLoughlin's safety that he was held for so long and that he was transferred to Castlebar. As a result, Michael McLoughlin was awarded £25 damages for the unlawful detention of his son and Captain Scott (who came in for criticism during the trial) was transferred to a post in northern Ireland.

Seventy years following Milling's death, Joe Baker, a former member of the IRA, gave details of the event in his autobiography. This was the first and only published account, as distinct from hearsay, from a republican source. Joe Baker, from Omagh in County Tyrone, was not living in Westport at the time of

the murder but first came to the town to take up a job in the summer of 1920, over a year following Milling's murder, and subsequently settled there. He was engaged in various IRA activities in the area during the War of Independence and was Commander of the West Mayo Brigade. He was also on the anti-Treaty side in the ensuing Civil War.

In his autobiography, *My Stand for Freedom* (1988), Baker indicates that there were three men involved in the murder of Milling and that two of them subsequently served in his column. One of them described the entire happenings of that Saturday night in March 1919 to Baker:

The three men set out that night to shoot a member of the RIC whose name was Allen. There was one rifle among the three and this was being carried in a concealed position on one of the group. The intended victim passed them and said good night, but they did not recognise him at once as it was snowing and he had his coat collar turned up. By the time they realised who he was, they probably thought he had got too far away. He had passed them on the Mall Bridge so they continued on their way down the Newport Road, and when passing the Resident Magistrate's house saw him changing the time as the blind had not been drawn and so he was shot there and then, the bullet passing through the window-pane.

My informant described how, after the shooting, the three men climbed over the Demesne Gate and through the Demesne road to the Quay, running most of the way and he himself had to travel a circuitous route to the back of his home. He had only just time to clean the snow off his shoes, undress and get into bed, when the knocking came to the front door and the RIC came in questioning him. The police were not apparently able to pin anything on him.

A few other houses were raided during the next few days and conflicting statements were made but no arrests took place. The other participant who served and fought alongside me in the column never intimated to me in any way that he took part in that particular action. All three are now dead.¹³

In some respects this account helps to explain the circumstances behind, and the reason for, the murder but it is deeply flawed:

i. In Baker's account only one shot was fired yet the evidence at the time indicates that five or six shots were fired, two of which fatally wounded Milling.

ii. According to the Baker account, a rifle was used whereas the reports of the time indicate clearly that it was a revolver or revolvers.

iii. A minor but intriguing detail is that no reference was made to a fall of snow in contemporary reports. Snow would inevitably have muffled the sound of footsteps which Milling's neighbour, James Sheridan, thought he had heard further down the Newport Road.

iv. There is but a short distance between the Mall Bridge (assuming the reference was to the bridge at the junction of James Street lower and the Newport Road) where the three men are alleged to have encountered Head Constable Allen, and Milling's house. Unless Allen had gone indoors very shortly after passing the men he would almost certainly have heard the shot or shots. Furthermore it is extremely doubtful that the men would have risked shooting within earshot of an RIC Head Constable.

v. If the intended victim was Head Constable Allen, whom the assailants had unsuspectingly passed by, then it seems to have been the most extraordinary coincidence that literally within a minute of walking past Allen they chanced to see Milling in his drawing-room and decided on the spur of the moment to shoot him.

On the basis of the above, the account as allegedly given to Baker, does not stand up to scrutiny.

Rightly or wrongly, the murder has become associated with republicans. It subsequently became part of the republican folklore of west Mayo with various boastful claims and counter-claims being made as to who was responsible. If anything, these claims intensified with the passage of time. One of the popular constructions has been that the 'three Joes' were involved in the murder.¹⁴ At this stage there is even some confusion as to who the three Joes were. According to Jarlath Duffy (Chairman of the Westport Historical Society) the three were Joe Ring, Joe Walsh and Joe Gill; of these, the first two were killed during the Civil War while Joe Gill joined the French Foreign Legion and was never heard of again.¹⁵ The fact that two of them were dead within a relatively short time of the murder and that the third, Joe Gill, was effectively out of the picture could have allowed unchallenged speculation on their involvement to grow in subsequent years.

A remarkable feature of Mrs Milling's compensation claim hearing on 24th and 25th June 1919 was the absence of Captain Scott. It is not clear whether he had been transferred out of Westport before the hearing. Even if he had, it should still have been possible for him to attend. Others had travelled long distances to be in attendance. Captain Scott would have been a key witness since he lived in Sheridan's next door to Milling and was one of the first on the scene following the shooting.

At the hearing, a number of pointed questions were asked about Captain Scott by Mr Fitzgerald-Kenney, counsel for Westport District Council, and his absence was referred to as 'a strange and remarkable circumstance'. There was

almost a veiled suggestion that Captain Scott was somehow implicated in the murder.

Conclusion

The murder of John Charles Milling is now regarded as one of the many incidents of the War of Independence and is referred to as such in the important published sources on the casualties and on the principal personae of this period.¹⁶ The passage of time has served to place Milling's death even more firmly in the context of the War of Independence. His death occurred two months after the commencement of that War and was the result of the first shots fired in Mayo, but this does not necessarily mean that his death was an integral part of that conflict.

There is no evidence to suggest that his murder was the result of a planned operation. Furthermore, there was a long delay before shots were again fired in any part of Mayo. It was a year later before members of the RIC were shot at in Mayo and it was only in the last few months of the War of Independence that planned ambushes of the type prevalent in some southern counties took place.¹⁷ It should also be noted that in 1919 Resident Magistrates were not targets for assassination as were members of the RIC and the military. Apart from Milling only one other Resident Magistrate, Alan Bell, was murdered during the War of Independence and that happened a year after Milling's murder. Bell was engaged in special duties in Dublin Castle, a position which inevitably attracted hostile attention.¹⁸ In the absence of any evidence to the contrary it seems more than likely that Milling's death was the result of 'a personal vendetta'.¹⁹

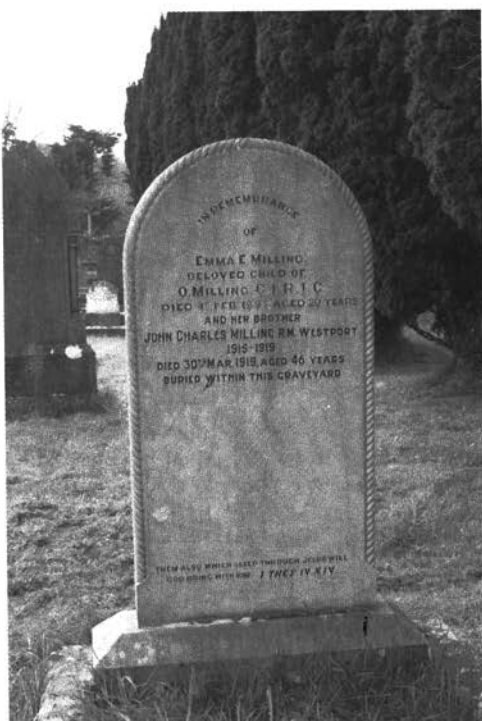
Wherever the truth lies, the fact is that John Charles Milling, Resident Magistrate, was shot in his home on the Newport Road, Westport, on the night of Saturday 29 March 1919 and as a result died the following night. His murder cast a long shadow on the town. The event, in the words of the *Mayo News*, remains 'wrapped in mystery'.

References

1. P. Ó Flanagan, 'Brigadier-General Joe Ring', *Cathair na Mart*, Journal of the Westport Historical Society, Vol. 7, No. 1, p 10.
2. P. Bonsall, *The Irish RMs: Resident Magistrates in the British Administration in Ireland* (Four Courts Press, Dublin, 1998), Chapter 8.
3. C. Ó Cionnaith, 'Shooting of J.C. Milling', *Mayo News*, 27 March, 2002.
4. *Mayo News*, 9 January, 1915, p 5.
5. *Ibid.*
6. Bonsall, op.cit., p 135; E. Shepherd, *The Midland Great Western Railway of Ireland* (Midland Publishing Ltd, Leicester, 1994), p 81.
7. *Mayo News*, 9 January 1915. For other instances of Milling's court humour see Bonsall, op.

- cit., pp 138-9.
8. 5 April 1919, p 3.
9. *Connaught Telegraph*, 12 April 1919.
10. *Ibid.*, 28 June 1919.
11. It is not possible to provide a comprehensive assessment of the impact of the Milling compensation claim on the affairs of the Westport Urban Council in this article. This will be covered in a separate article in a further issue of *Cathair na Mart*.
12. *Mayo News*, 25 May 1918.
13. J. Baker (ed. J. Duffy), *My Stand for Freedom: Autobiography of an Irish Republican Soldier* (Westport Historical Society, 1988), pp 15-16.
14. Ó Flanagan, op. cit., p 10.
15. Author's communication with Jarlath Duffy, 28 June 2000.
16. See Buckley, D., 'War of Independence: Diary of Mayo Events', *Cathair na Mart*, Journal of the Westport Historical Society, No. 19, 1999, p 5; P. O'Farrell, *Who's Who in the Irish War of Independence and Civil War, 1916-23* (Lilliput Press, 1996).
17. Buckley, *ibid.*, p 5.
18. Bonsall, op.cit., pp 109-11
19. Ó Flanagan, op.cit., p 10.

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*Headstone of
John Charles Milling in
Church of Ireland Graveyard,
Newport Road, Westport.*

Photo: Cormac Ó Cionnaith