

Summary of Evidence in the case of Denis Tracey of Ballyhorgan, Co. Kerry, charged with having a gun without a permit.

Constable James Regan, R.I.C., stationed at Ballyduff, Co. Kerry, states:—

On the 20th March 1919, at about 8.30 a.m. I entered the house of Denis Tracey with a view of searching for arms. There were two other constables with me, but they remained outside the door. I met his wife in the kitchen, and asked her certain questions. Being dissatisfied with her replies, I entered the room off the kitchen where Tracey was in bed. I asked him had he a gun or ammunition in the house. He said he had no gun or ammunition. I then informed him that I had come to search his house, to which he offered no objection.

On the top of a press in the room in which he was sleeping, I found a single barrel shot gun, and seven live cartridges with three spent ones. I asked him to account for the possession of them. He replied that he had the cartridges in his possession for over 12 months, and had the gun for the purpose of shooting crows.

The gun was in two pieces: it was rusty, and only fit for shooting crows. The fore end or piece which fits on under the barrel, was missing.

Accused declines to cross-examine.

Jas Regan, Const.

Rules of procedure 4 (c) (d) (e) have been complied with.
Taken by me at Cork Male Prison this 27th day of March 1919.

J.P.C. Mannell Capt.

att^d Head Quarters, Southern District.



COUNTY OF KERRY
ROYAL IRISH CONSTABULARY

County Inspector's Office

Seizure of a gun and ammunition
Denis Tracey

Traces. 23rd day of March 1919

This man is suspected to be one of a gang who raided Ballyhugh house last week and fired through windows very nearly striking the caretaker.

When I learned that the police had found gun and ammunition in house I directed the arrest of the owner. I strongly advise that this man be further treated by Court Martial, and that he be conveyed to Cork or Tralee. If my suggestion is approved I request that the D. S. (18 on telephone) be informed at once.

S. M. Heaney,

The C. I. A.

Cork.

Co of Kerry
Ballyduff 20: 3: 19.

Seizure of a Gun and ammunition

I beg to report that while on duty on this date making inquiries re the shooting into Ballyhorqan House on night of 19th Inst. I entered the house of Denis Tracey of Ballyhorqan. I met his wife in the Kitchen I asked her if her husband was in. she replied that he was in bed. I asked her if there was a gun in the house & she replied that they had no gun. I began then to search the house, and on entering the room where Tracey was in bed, I spoke to him and asked him if he had a gun he denied it. I told him that I would search his house, to this he did not reply. On searching the top of a press in the bed room I found a single Barrel shot gun, and ~~six~~^{seven} line cartridges and and three spent ones. I took possession of them and I asked Tracey to account for them, he stated that they were in the house for over 12 months, and that the gun was only used for shooting crows.

J Regan 60529
For Sgt at assizes

Xe A.

Immediate

Listowel 22 March 1919.

Submitted and recommended that the offender be tried by Court Martial.

A daring outrage was committed on 19th. inst. when masked men raided the house of Mrs. Staughton at Ballyhorgan and a shot was fired into the house which narrowly missed the caretaker Walter S. Martin.

Creacy is a Sinn Féiner and it is not unlikely that he was a member of the gang of raiders. He owns a large farm.

Creacy is now in custody in Listowel R. C. Barrack and I beg to ask for orders to remove him to Cork for trial.

The Co. Inq.

W. J. Molloy