



### Justice W.E.Wylie



William Evelyn Wylie was born in Dublin in 1881, the son of Rev Robert Beatty Wylie DD minister of Terrace Row Presbyterian Church, Coleraine, Co Londonderry. He was educated at Coleraine Academical Institution and Trinity College Dublin, being called to the Irish Bar in 1905.

In his youth he was a competitive sportsman. Whilst at Trinity he was noted as a racing cyclist, but he also had an interest in rowing and above all a life long love of horses, the Royal Dublin Society (RDS), and the Ward Union Staghounds. He was a steward of the Irish Turf Club 1951-54 and 1957-60. Wylie was the first president of the Irish Amateur Rowing Union as a member of Bann Rowing Club, 1921-5, and he presented the Wylie Cup to the IARU for inter-varsity rowing in 1922. He died on 12 October 1961.

Wylie's legal career is of particular interest in this 'decade of commemorations' for in 1916 he was involved in the prosecution of the leaders of the 1916 rebellion, and was subsequently an adviser to the Irish administration (although at the same time he was able to continue his career at the Bar!). He was a shrewd observer of events, he met almost all the chief players of that time, he was unafraid to form an opinion and his advice was often trenchant.

Wylie had joined the Territorial Army in 1915, and had been posted to Dublin University Officers Training Corps as a second lieutenant. When the rebellion broke out on Easter Monday 24 April 1916, he was on holiday in Kerry. He returned to Dublin on 26 April, and the following day he reported for duty to Major Jimmy Armstrong of the Royal Inniskilling Fusiliers who promptly made him Assistant Provost Marshall since he was a King's Counsel (KC)! His first duty was to release about 200 prisoners incarcerated at the RDS because they were all innocent.

At the same time Wylie was asked by General Byrne to prosecute the rebel prisoners. General Blackadder was to be president of the Field General Courts Martial. The first to be prosecuted was P.H. Pearse who expected to be executed but who asked for clemency for his men as many did not know the 'route march' they expected to be on was actually a rebellion. Wylie knew this to be true. He regarded Pearse as a mystic but admired his calmness.

The next was Thomas MacDonagh, and according to Wylie he was a dreamer and an idealist. He had been a signatory of the Proclamation but the prosecution did not have the original copy of this document so it could not be used in evidence against him. He was executed on 3 May along with Thomas J Clarke the oldest rebel and a long time member of the Irish Republican Brotherhood (IRB).

Although Wylie was the prosecuting counsel, he gave each of the accused an opportunity to make a statement if they wished. He did not agree with the policy of shooting the leaders of the rebellion, nor with Field General Courts Martial with no defence counsel, no judge advocate, and too much speed and secrecy. He discussed these matters with the Irish attorney general (James Campbell) who did not agree with him.

Wylie could remember little of Eamonn Ceannt, he thought John McBride a brave man but he never forgot the performance of Countess Markieicz who is well known for saying 'You must not shoot a woman'. 'I think we all felt slightly disgusted', Wylie declared, 'She had been preaching to a lot of silly boys death and glory, die for your country etc., and yet she was literally crawling. I won't say any more, it revolts me still.'

He prosecuted W.T. Cosgrave who thought he was going on a route march that Easter Monday but who ended up in a battle at the South Dublin Union. Cosgrave was given the opportunity to make a statement, but he asked Wylie to do it for him. '...and so I launched into a speech for the defence,' he said. Blackadder recommended a reprieve which was granted.

Wylie did not prosecute Connolly but the executions stopped after this. Leon O' Broin in *W.E. Wylie and the Irish revolution 1916-1921*, on which much of this account is based, expressed the next incident very well. General Maxwell, who Wylie knew well and thought a most able administrator, clever, broad minded, and open to argument, asked who was next on the list for court martial:

'Someone called deValera, Sir'

'Who is he?, said Maxwell, 'I haven't heard of him before.'

'He was in command of Boland's Bakery in the Ringsend area'

'I wonder if he would be likely to make trouble in the future,' Maxwell went on.

'I wouldn't think so, Sir, I don't think he is important enough. From all I can hear he is not one of the leaders.'

'All right then,' said the commander-in-chief.

De Valera's American connections were never mentioned and Wylie thought that if he had been important he would have been executed. He said later, 'I told the truth what I knew it to be. But, my God, I was far off the mark. But for de Valera there would have been no split at the time of the treaty, no documents 1, 2 and 3, no civil war, none of the burning of houses and the destruction of property and life that took place in 1922 and 1923, and none of the bitterness and personal hatred which exists between the two parties in the country now, not to speak of the destruction of our relations with Britain.' The story of de Valera's American citizenship saving his life was quite untrue.

Wylie's next task was to interview 82 girls and he released 78 of them. They were followed by the prosecution of Eoin MacNeill, leader of the National Volunteers. He did not like him which is obvious from this comment, 'I felt that MacNeill, while avoiding the result of his teaching, has done more than anyone else to mislead the youth of the country and had made the rebellion possible.' Although MacNeill had defence counsel, Wylie obtained a conviction though not a capital one. It should be said though that MacNeill was not a member of the IRB, and had been kept in the dark about the true purpose of the 'route march' on Easter Monday. Wylie thought that afterwards he retired to comparative obscurity 'for which he was admirably suited!' Actually to his chair of history at University College Dublin where he could conduct a vituperative correspondence with GH Orpen on the state of Ireland before the Norman invasion.

After the courts martial, Wylie became an adviser to the Irish administration and had dealings with all the government figures of the day whilst being able to continue his practice at the Bar. He expressed his opinion of the future of Ireland to Lloyd George, the prime minister who headed a coalition with Bonar Law's Conservatives.

'A settlement *must* be made...a measure of complete Dominion Home Rule for Ireland patterned on Canada, but not a republic. Ulster should be allowed to opt out if it so desires but there should be a federal link with southern Ireland and a plebiscite in, say, ten years as to whether Ulster would opt out.'

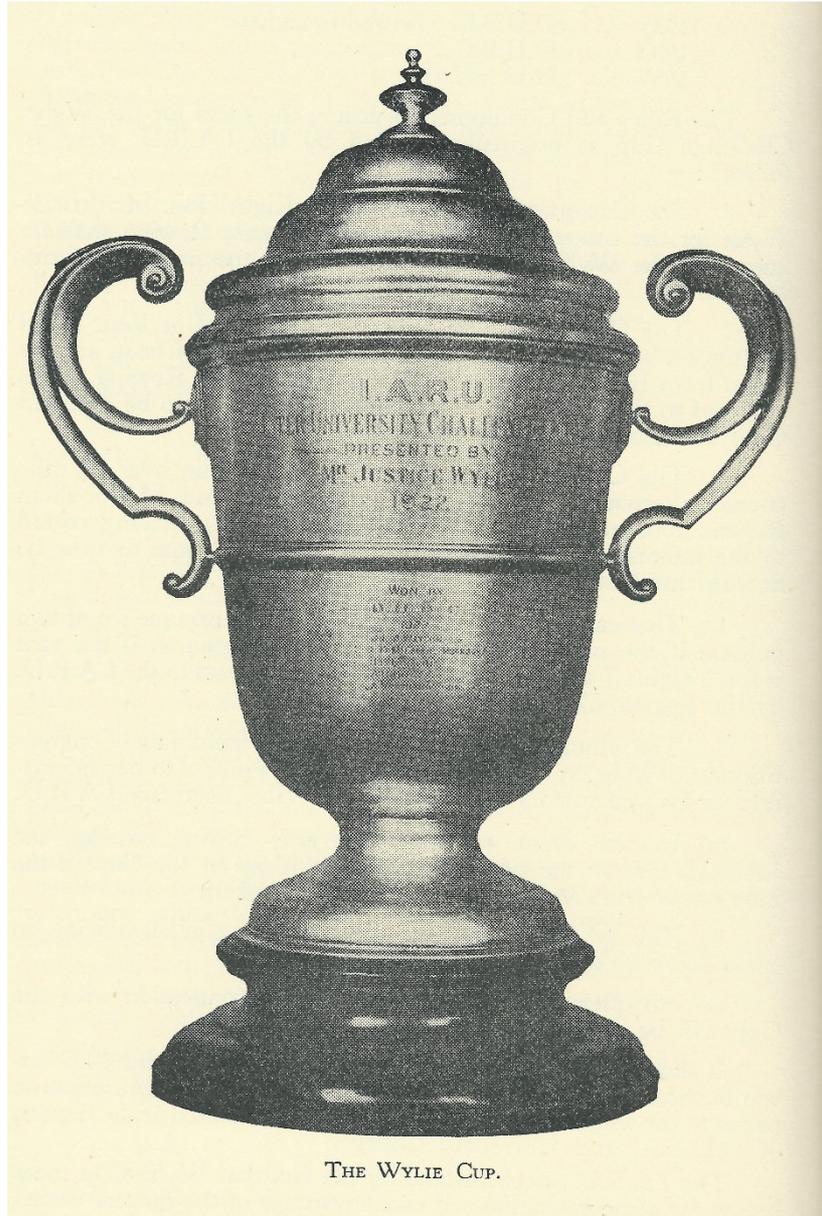
Lloyd George agreed with this but pointed out that he was in a coalition and that his partners would have to agree as well. Bonar Law refused and a coercive policy was introduced. The first contingent of 'Black and Tans' arrived on 25 March 1920. Wylie profoundly disagreed with this policy and believed that it marked the beginning of the defeat of the British administration in Ireland.

He resigned from his advisory role. He had been appointed to the Bench of the High Court on 11 November 1920 and he continued as Judicial Commissioner of the Irish Land Commission until 1936. He believed that settlement of land issues was central to the prosperity of the country.

In the event, Wylie and deValera respected one other and he thought deValera was flexible on many issues but that he had a fixed immutable opinion on others

There is no evidence that W.E. Wylie ever rowed for Bann Rowing Club, or for Trinity but something may come to light in the future! His papers are in the National Archives, Kew.

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THE WYLIE CUP.