**LETTER AND EMAILS TO SENATOR MICHAEL McDOWELL ON JACK LANE’S CASEMENT DIARIES ARTICLE IN CHURCH AND STATE ON SERJEANT SULLIVAN AND WHETHER THE TYPESCRIPTS PRECEDED THE CASEMENT DIARIES**

[Michael McDowell rang me on 12 October and we had a long conversation. He has been written to also by Frank MacGabhann. He is convinced by the Irish language aspect to the typescripts that they could not have come first i.e. the typescripts render Irish phrases in gibberish but the diaries have correct Irish Gaelic (old) script, as O Síocháin points out in his appendix, a book he has read.

Spoke of Gavan Duffy papers donated to BMH that were 1914 Casement to MacNeill letters. This suggests they came from the three Casement suitcases of papers Gavan Duffy wrote of going through in 1915 with Art O’Brien (BMH WS 381). This is an important new lead suggesting Gavan Duffy did not destroy everything in the cases. Hard to work out what he did not destroy and why. Promised to send Michael my book copies. He did not know of Jack Lane and BICO etc. Jack had a follow-up article about Artemus Jones in October’s Irish Political Review. He emailed after receiving the books to say he was working on a reply.]

Michael McDowell S.C <mmcdowell@lawlibrary.ie>

Thu 05/11/2020 12:33

Dear Jeffrey

Please excuse my tardiness in thanking you for the Casement volumes.

I am preparing a piece in reply

Michael McDowell

From: Jeffrey Dudgeon <jeffreydudgeon@hotmail.com>

Sent: 05 October 2020 14:45

To: michael.mcdowell@oireachtas.ie <michael.mcdowell@oireachtas.ie>

Subject: Letter on Jack Lane article about Casement diaries and Serjeant Sullivan etc

Dear Senator,

Please find attached a letter on Roger Casement's diaries that relates to a Jack Lane article in the Church and State magazine in controversy with yourself.

Also attached is the article, over three pages, and an earlier response of mine in the Irish Political Review on Serjeant Sullivan, over two pages, with an 'editorial response', plus a detail on my Casement books.

Best wishes

Jeffrey Dudgeon

5 October 2020

Dear Michael,

Having read Jack Lane’s article on Casement’s diaries responding to you in the September 2020 issue of *Church and State*, I thought I might suggest a few assisting points should you wish to reply. I would write to *Church and State* but don’t think they take letters although I have had some published in other Athol Street journals.

I recognise diary forgery theorists will throw up an unending series of assertions to sew doubt and can never be convinced otherwise.

In case you haven’t seen it, I am attaching his article (3 pages). Also attached is my September 2016 response in the Irish Political Review to an item by Tim O’Sullivan on barrister Alexander Sullivan. It led to a wide-ranging discussion on Irish homosexual history by Brendan Clifford in the December 2016 issue.

On Serjeant Sullivan, it is hard to know, since he changed his accounts, whether or not he ever discussed the diaries with Casement and his homosexuality. In his 1949 Bureau of Military History (BMH) letter, Sullivan does write Casement “intruded the observation that the matters recorded in the Diary were inseparable from the manifestation of distinguished genius” (WS 253). I rather doubt that, as George Gavan Duffy was desperate to prevent or stop such conversations, although some mention may have been made.

Jack makes heavy weather around the BMH writing to a London address for Sullivan, him not signing his reply and its ‘delay’. Actually it was dated only a fortnight after the BMH request. Jack also asserts the letter, being unsigned and not typed personally “cannot be accepted as genuine” which is just silly.

The question of whether the typescripts came before the diaries is only significant because there is no definitive description outside government papers of what they consisted of, and of their extent. To Paul Hyde and Athol Street, that is a *Gotcha* moment proving British forgery. Otherwise, it is ludicrous to imagine a team of forgers researching and typing up pages and pages of diary entries and then someone handwriting them into journals - all leaving no trace in official documents.

However Jack is contradictory in that he states he accepts other facts found within government files as does Hyde, but not the frequent mention of the diaries’ existence before the execution, especially those repeated in police and Home Office papers.

My argument remains, there is not a single scrap of evidence to even suggest the diaries and their entries were forged, let alone that the typescripts predated them.

Some non-government people certainly saw the diaries or passages from them in photographic or transcript form, including US Ambassador Walter Page, John Quinn (who saw photographs of manuscript material in America), Sir John Harris (for the Archbishop of Canterbury), Ben Allen (a “rabid nationalist” as the AP journalist described himself), and the editor of *The Nation*, Hugh Massingham (as evidenced by Mrs George Bernard Shaw).

They and others were usually imprecise about what they saw and when, but it is plain that the authorities, rather than risking handing round and displaying the five diary items, or hundreds of photographed pages, with, at times, difficult to read handwriting, decided instead to get them typed up.

Jack Lane quotes a letter from a six-volume TNA DPP file (1/46) whose contents I had not been aware of. Dated 5 May 1916, it speaks of diary extracts being typed up and sent to the DPP by Inspector Edward Parker of Scotland Yard. He provides 24 such pages from “the diaries and a ledger” [just obtained] that told of Casement’s “sexual habits with male persons both in England and abroad”. Parker also mentions that the originals came into police hands when Casement’s former landlord, a Mr Germain of 50 Ebury Street, brought diaries into Scotland Yard on 25 April 1916.

I have seen two other Inspector Parker letters (dated 23 and 24 June 1916) which detail later submissions to the DPP, in those cases the typed 1911 ledger and 1911 diary. Plainly the process took some time. However the key aspect in May is the mention of Mr Germain bringing in the diaries two days after Casement’s arrest which was on 23 April. Forgery theorists normally severely resist this fact and Jack has not noticed his effective admission. It also means that, if forged, the 24-pages of “extracts” had to have been researched and written in the ten days following Mr Germain’s handover.

Jack says that the draft of the Home Secretary’s 13 March 1959 memorandum to Cabinet (TNA CAB 129/97/3) relates that the US Ambassador Walter Page “was given photographs of two passages from the typescripts” but that, in the memorandum itself, the final three underlined words were omitted, and that this was “deliberately misleading”. However he fails to provide the sentence in the actual memorandum immediately before which reads: “Either copies or the diaries themselves were also shown by Mr (later Sir Basil) Thomson, Assistant Commissioner, Scotland Yard to the United States Ambassador, apparently at the Ambassador’s request.”

In 1959, officials were unclear as to what precisely was given or shown to Ambassador Page. Presumably they had read the Basil Thomson description of the 26 July 1916 meeting in TNA HO 144/1637/311643/140 which talks of the Ambassador being shown “the diary”. Thomson “pointed out the innocuous passages that identified the writer as well as the filthy part” and then added, “I left photographs of two pages with him”. He did not specify whether they were typescripts or photographed manuscript pages, so the 1959 draft was adjusted to avoid saying anything misleading.

When W.J. Maloney was researching his book in 1933 he turned to Michael Francis Doyle, Casement’s American lawyer, who was near at hand in Philadelphia. Doyle told him that Casement had emphatically repudiated the diary story and had “requested us to obtain quotations of it.” When told no access to it was permitted, Casement apparently explained that they were notes of official investigations.

George Gavan Duffy responded privately and firmly to this particular aspect of the story. He wrote to say firstly he had never seen such a diary or a copy. Secondly in relation to Doyle’s version of events, including the statement that the two men had together with Casement conversed about the diary issue, he emphasised, “I am wholly unable to corroborate it.” (NLI 17601/4 & 5) Gavan Duffy had been given three suitcases of Casement letters in 1915 according to his BMH statement and presumably destroyed them **[not all I now believe after talking to the Senator who drew my attention to the BMH Gavan Duffy Casement papers donation that includes 1913/14 and 1916 material]** so he knew more about him than most.

It is true that Casement’s defence team was provided with diary transcripts in a crude attempt by F.E. Smith to induce an insanity plea or just to demoralise them. They were never offered in evidence by the Crown and only read by junior counsel, Thomas Artemus Jones, who as Gavan Duffy wrote on 2 January 1933, returned the package, saying the defence “would have nothing to do with it”. He added “the attitude of Roger’s defenders throughout was to treat the whole thing as an invention”. It was inadmissible anyway, he said, designed “to induce counsel to plead insanity (NLI 17601/5/1 and 2). As the diaries were written at least three years before Casement went to Germany and before the outbreak of war they were not going to contain “invaluable evidence for the prosecution” as Jack claims.

The only detail I have seen that London knew of Casement being homosexual before he went to Germany came literally two days prior to him reaching Berlin. That was courtesy of his companion Adler Christiansen when (first) betraying him at the British Legation in Norway on 29 October 1914 (something of course heavily disputed by Paul Hyde).

I could send you an electronic version of my *Authenticity Controversies* and *Casement’s Homosexuality* chapters if you wished, or a copy of the 3rd edition of the book.

Best wishes

Jeff Dudgeon

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**From:** Barrister McGuiggan <johnthebarrister@gmail.com>  
**Sent:** 01 November 2020 13:58  
**To:** Jeffrey Dudgeon <jeffreydudgeon@hotmail.com>  
**Subject:**  Jack Lane article about Casement diaries and Serjeant Sullivan in Church and State and in IPR on Artemus Jones

Dear Jeffrey,

Finally got round to reading Lane's piece in the Church and State. Thank you for taking the trouble to copy, scan, and send them o me.

What a thoroughly depressing read it was and how much better it would have been if he had written to someone who really knows the diaries and who could have broadened the debate. I suspect he deliberately avoided such a course of action!

Some years ago the Irish Bar entertained a group of American lawyers from Ohio. Much of their visit was concerned with Casement.   I gave them a lecture on the painting which, at the time was on exhibition in the Hugh Lane gallery.   We then held, up at the King's Inns, a re-trial of Roger Casement with the Irish Bar appearing as Defence Counsel and the Americans as prosecutors.

Both sides did an enormous amount of detailed research into the issues of the trial.  Members of our Supreme Court and the Ohio Supreme Court sat in judgement.

Michael McDowell led for the Defence and produced a quite excellent argument based on the interpretation of the Statute of Treasons.  It was not the old argument about a comma, more an interpretation of the legislative intent of the framers of the statute at the time it was enacted.

I doubt that there is a transcript of the trial but I would not be surprised if Michael kept a copy of his arguments for Casement.   I really should write and ask him if he did so.

Anyway, many thanks for going to the trouble.

John

John McGuiggan  
Barrister at Law

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