

THE STORY OF PRIVATE JOHN JOSEPH SWEENEY'S EXECUTION

by

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(C)

Introduction:

"Private John Joseph Sweeney's war service and execution is reasonably well documented. His story is familiar to military historians. To the general public at large, their fellow Tasmanian, it is not - and it is now time for it to be widely told - and for him to be exonerated." - Reg. A. Watson.
(See Postscript)

On the 2nd October 1916, at 5:44 am, Private John Joseph Sweeney was taken before a firing squad in France and shot. Thus he was one only of two Australian soldiers to be executed in World War I. He was the first and only Tasmanian ever to be executed by allied forces. The reason given? Desertion.

Sweeney's death was a multiple tragedy. Firstly he could have been suffering from, what was afterwards recognised as, battle fatigue. Secondly he, a Tasmanian, was serving with the New Zealand Force (as was the other Australian to be shot). If he had been part of the Australian AIF he certainly would NOT have been executed. The Australian Defence Act of 1903 contained a clause, which prohibited the application of the death penalty by courts-martial. Whereas while the British, New Zealanders and Canadians executed their own kind, Australia did not.

Thirdly it has been asserted that John Joseph's 68 year old father, Bernard (Barny) committed suicide in February 1925 shortly before the first public announcement of the executions.

The New Zealanders executed five men who served with their forces in World War I. Two, as stated, were Australians. John Joseph was born in the north eastern part of Tasmania in 1879 and we find him in 1912 living at Lietinna and working as a miner. He played football for the local Club.

He must have travelled to New Zealand 1913 to be with his brother, Bernard, working with the Public Works Department. During that year he enlisted in the Wellington Mounted Rifles before transferring to the Otago Infantry Regiment sent overseas with the 2nd Reinforcements. He also worked as a bush contractor in the Turanganui area of the Haurangis and was the head man or 'ganger' of the bush felling contractors. It was known as the 'Tasmanian gang'. A creek in the Haaurangi Forest Park is called Sweeney's Creek, named after him. Sweeney was a volunteer described as a "Tasmanian Bushman" and answered the call to arms that went out across the Empire, enlisting October 15th 1914 at Trentham. At the time he was 35 years of age and was 5ft 10 inches tall.

He was sent to Gallipoli and was there on the historical day of April 25th 1915. Entries on his record service show that he was admitted to No.2 hospital, Cairo, suffering from colitis, on August 30, 1915 and spent early September in a convalescent depot at Helwon (Egypt) before joining a training battalion and re-embarking for the Dardanelles from Alexandria on October 19, 1915. He was recruited as a "tunneller" because of his previous mining experience with knowledge of explosives. The job of a tunneller was very exacting and one had to be brave to endure the cramp,

sweaty, dangerous and nerve-racking conditions in which they laboured. Sweeney's job was to counter Turkish mining under the Second Ridge, drive 12 ft in an eight hour shift, four men to a gang, each taking the pick for an hour, a hour filling sand bags and two hours carrying the bags out and emptying them. It was the hardest labour on the peninsular.

Sweeney had come foul of the military authorities before this and eventually these infringements would play a significant part in the future proceedings. Offences recorded in Egypt in March 1915 were absent without leave, refusing to obey an order, using obscene language and leaving a hospital without permission. These offences were repeated a second time, which resulted him losing five day's pay.

Does this behaviour typify the reckless, independent spirit and character for which Australians become famous? Or does it indicate a problem soldier? It's hard to say, but what is certain Sweeney's execution, in the light of history, was not warranted.

His work in the tunnels was indeed gruelling. Humphrey Kempe in the book, "Participation" states of the job: "To listen in one of those claustrophobic tunnels to the steady pick, pick of enemy tunnellers about to break through or to blow a charge has a most demoralising effect on nerves. Tension rises until the strain is unbearable and one feels that to burst would bring sweet relief. It is in this battle against remorseless, intolerable fear to preserve ones self-respect that the beginnings of future breakdown or mental lesions may be born. Some time or other you have to break and it's sometimes the bravest who, in some period in their life, have to suffer the most."

This was Sweeney's lot.

On May 27 1916 he was sent to France.

At his age, late 30s, and a veteran of Gallipoli he was looked upon as a seasoned soldier, especially by younger ones, mostly in their early 20s. Perhaps they saw him as a bit of an old man. There is no doubt because of his experience much would be expected of him and it would also be expected that he set an example to the new arrivals.

As part of the 1st Otago he was to serve in the trenches at Armentieres, but before doing do, he was given an eight day pass. Upon return he was ordered to stand guard in the billets. It was then Sweeney went AWOL (absent without leave). After nearly six weeks, September 3, 1916, he was arrested by Lieutenant Finch of the Fourth Seaforth Highlanders and Sergeant J. Skene of the Royal Field Artillery, who passed him on to two New Zealand Military Police, Second-Lieutenant W. Bain and Corporal Simon.

The house, in which Sweeney was found, according to Sergeant Skene, had been used as a cookshop and food was lying about. Sweeney had no army kit with him and when asked for further identification, referred them to a Sergeant Major Stevens, at a dump some distance away. Nobody apparently contacted Sergeant Major Stevens and he gave no evidence at the trial.

Sweeney, upon being apprehended, told the police that he was an Australian attached to the 2nd Tunnelling Company and not a New Zealander, but to no avail. However, the two arresting personnel supplied different testimonies of Sweeney's response when arrested.

The Court-Martial would be considered today as somewhat a farce. Before Major Brereton, Captain Knight of 1st Auckland and Captain E.S. Harston of 1st Wellington, the entire documents

of his case amounted to but five hand-written pages. The evidence brought forward was incomplete, but this was never questioned, even though Harston was, professionally, a lawyer. There is no evidence that Sweeney was represented by anyone at his trial and there is no record of anything said in Sweeney's defence.

Sweeney's past record including two drinking offences was brought before the court and it did not show him in a good light. His meritorious service on the Peninsular was not considered, nor was anything said of his recent hospitalisation.

In his self defence, Sweeney said: "I had not intended to desert and on finding my battalion gone I intended to join up with the 2nd Tunnelling Company and by travelling with them endeavour to rejoin my unit."

In evidence, a Sgt. J. Skene No. 2066 C Battery Bde., R FA duly sworn said that having been informed that a man had been seen loitering about one of their unoccupied gun positions he reported the matter to Lt Finch who was attached to his battery and proceeded with him to look into the matter. After some difficulty the accused opened the door of the house in which he was and they entered. Accused was asked his name and replied 1384 Pvt. Sweeney South Australian and Tasmanian Contingent attached to 2nd Tunnelling Co. He had no kit with him and on being asked for further identification referred us to Sgt. Major Stevens at ... dump. As this was some distance away we handed him over to No. 19 Examining Post, Houplines. Questioned by accused, "Did I say I belonged to 12th Battalion," Witness replied that he did not remember the 12th Battalion being mentioned.

Finch AMC 4th Seafort Highlanders said he was attached to Brigade at Armentieres. "Hearing that a man had been seen loitering about an unoccupied battery position I went to investigate on September 3. There I found the accused who gave his name as Pvt. Sweeney 1384 12th Battalion South Australian and Tasmanian Contingent attached 2nd Tunnelling Co. On asking if there was anyone near who could identify him as such he referred me to a man at ... dump about an hour and half's walk away. So I handed him over to the military police No. 14 Examining Post, Houplines. He had no badges or titles and said he had permission to remain there and could go for rations when he needed them or buy food in the town. The accused stated that he had never had any badges issued to him."

No one spoke on his behalf. The result was guilty for desertion for 42 days with the prisoner, "To suffer death by being shot."

All papers pertaining to executions had to be sent 'up line' to ensure that proper military procedures had been adhered to. Eventually the case came before Major General Russell the Commander of the New Zealand Division who actually wrote: "I consider that more definite evidence should have been given that the accused was actually absent from his Battalion during the whole period in question. The statements of the two witnesses for the prosecution that the accused was not seen by them from the time he absented himself until the day before the trial is not sufficiently conclusive."

Lt General F.T. Horne of XV Corps wrote, with the heading of "URGENT" that, "The record of evidence is unsatisfactory but there is no doubt in my mind that it was the intention of the prisoner to evade service in the field. I therefore recommend that the sentence be carried out provided that the legal authorities are satisfied that the evidence as recorded is sufficient to justify conviction." (September 27 1916)

However, Lieutenant Colonel A.B. Charters stated: "I regret that I am unable to say anything in favour of No. 8/1384 Pte J.J. Sweeney. This man came from New Zealand with the 2nd reinforcements Infantry Draft. of which I was in charge. His conduct until joining the main body in Zeitourn in Jan 1915 was bad. We have no record of his conduct on Gallipoli as conduct sheets were lost, and in any case Pvt. Sweeney was for most of the time with a tunnelling section. He was not with the unit again until 2 or 3 days previous to his absenting himself from the trenches. I am of the opinion that he deliberately absented himself to evade service. When we came out of the trenches on the night of 6th, 7th August, pickets were out by day and night to try to arrest Pvt. Sweeney as we had a good idea that he was hiding at Houplines. We were unable to find him although we have since ascertained from APM 51st Div., which relieved us at Armentieres, that Pvt. Sweeney was in Houplines on or about August 19 as he went into a cafe for a meal but having no money left his pay book with the proprietress. The above, coupled with his absence of 42 days, is, in my opinion evidence that he was endeavouring to evade service." That sealed his fate. Russell wrote: "I recommend that the sentence be enforced." General Johnston, the Commander 1 New Zealand Brigade endorsed Russell's decision: "Leaving the trenches and remaining absent for 42 days is an offence which cannot be passed over and I regret to have to recommend that the sentence be carried out.

"In addition to punishing the offender, the seriousness of the offence will be then be brought home to the men of the Brigade."

General Rawlinson, the General Commanding 4th Army said that, "I recommend that the sentence be carried out as crimes of this nature have been prevalent in this Div. and I can see no extenuating circumstance" why the sentence should not be carried out."

Sweeney took the news manfully and up until his execution he displayed himself with full self control.

In essence his execution was an act of warning to others, as Johnston in particular was concerned about discipline in the 1st Otago and told Charters, "there was scope for improvement."

On September 29, 1916 the Supreme Commander of British Forces, General Haig, confirmed Sweeney's death sentence. The blame, however, cannot be levelled at Haig as he made his decision purely on recommendations coming up through the line; the blame lies entirely at the feet of the New Zealand High Command.

The order was given: "Sweeney to be executed at divisional headquarters, Meaulte, on Monday 2 October 1916 at 6 am."

A Chaplain of the prisoner's denomination (Catholic) was to be present as was a medical officer.

On 2nd October 1916 at 5:44 am Sweeney, a Tasmanian, was executed by Allied Forces, which consisted of one officer, two non-commissioned officers and 12 men from Sweeney's First Otago regiment assembled at 6pm on October 1 at Meaulte.

Sergeant Rhaid witnessed the event; he wrote: "In the afternoon they read the death sentence over Sweeney who had been here for two or three days and a firing party arrived last night and he was shot this morning in front of a dug-out opposite our mess. A deserter twice over and yet he went out to be shot without showing any fear.

Death, it was reported by Captain Norman Prior who also witnessed the event, "was instantaneous".

Sweeney was buried and still lies in the Dartmoor Cemetery, northern France, Plot II, Row B, Grave Number 1.

A month later an explanation was issued to the troops. (November 16th). "Private J.J. Sweeney, 1st Otago Btn. was tried by Field General Court Martial 13th Sept. 1916 on the following charge: When on active service deserted from H.H. Services - the sentence of the court martial was sentenced to death by being shot. The sentence has been carried out at 5:44 am, 2nd October 1916. Brig. Gen. Commanding N.Z. Forces.

A cable was also sent to the N.Z. Minister of Defence: "Forwarded for your information. It would be a pity to see this published in press in full for sake of relatives, but for discipline and example it must be intimated to the troops in training, either promulgating above divisional order in its entirety. Some newspapers would doubtless publish ... or second, promulgate with the words name and number left out ... kindly inform office at camps confidentially with instructions to warn their men that such incidents happen. A.W. Robin. 26.10.16."

On November 8 1916 a letter had been sent to Sweeney's father, Bernard, (John was the eldest of nine children) in Tasmania. It stressed: "It is with regret that I have to advise you of the death of your son J.J. Sweeney, No 8.1384 of 1st Otago battalion, under circumstances that can only be conveyed to you by letter. On the 13th September, last your son was tried by a field general court martial somewhere in France, on the charge of whilst on active service, deserting his Imperial Majesty's force. He was found guilty and sentence of the court was death by being shot. The sentence was carried out at 5:44 am on October 2, 1916. I have no particulars other than these above stated. There has been no public announcement and so far as I am able you may rest assured that none will be made and I shall take all the steps I am able to prevent anything of this nature. Yours faithfully, A.W. Robin, Brig. General, commanding N.Z. Military Forces."

Bernard replied: (December 28 1916) "I must say it is a great blow to me to hear of my son's death in that way. He was the last I would of thought would do such a thing. Would you kindly let me know if there is any chance of ever hearing any more particulars of the case as if he left anything to me or his mother. The smallest article would be a comfort to us. Thanking you for your letter, I am yours truly, Bernard Sweeney, Rheims, Tamarama Street, Bondi, Sydney." Notice that the Sweeney's had moved to New South Wales, only to move back later to north-eastern Tasmania.

The policy of not announcing publicly the true reason for Sweeney's death was implemented out of consideration to relatives. Eventually, however, in 1925 the way Sweeney met his death was to be formally announced.

Beside Sweeney's parents, John Joseph did have a wife who was now living with the Sweeney family in north east Tasmania. She was with child when he left for the war and eventually a girl was born. His daughter in time married and had a son, thus John's descendants still survive in Tasmania and elsewhere.

Bernard, his father, corresponded with the military authorities and arranged, after some haggling, for his son's pay and pension to be sent to his cousin, Maria Wilson. Interesting enough not to his wife, although there is speculation that they were not actually married. The pension ceased, however, when Maria died, August 12, 1919.

The tragedy does not end here. On the 10th February 1925, it would appear, father Barny after being notified that the true nature of his son's death would be made public, journeyed to Scottsdale and purchased some strychnine to "poison the rabbits". He then went into the bush and poisoned himself. A search was organized when he did not arrive at his daughter's home and he was eventually found face down the next day (Sunday), with his head resting on his arm. The post mortem was inconclusive, however. The final verdict was that he came to his death "from strychnine self-administered while temporarily insane." Son-in-law Jack Adams would give no reason why, although it was reported that he told his nephew Alick Wilson, the last person he spoke to, that he was "a heart broken man".

Some family members believe there was no connection between Barny's suicide and John's execution, but do agree that he suicided while "depressed". The question must be asked; what caused the depression?

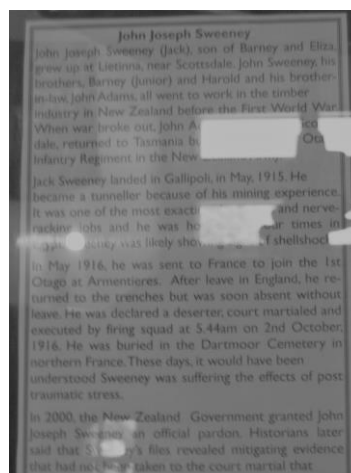
There is a hint that he was murdered, the reason given was for the possession of his house at Lietinna. Upon finding the body his pension was missing (he had it on him beforehand) as were his boots. Prior to this Barny (Bernard) had spent some time in Sydney with another son while his wife was having medical treatment. After his wife died he returned.

The boots, however, were passed on to his nephew's son by Barny as they were pinching him, hence the reason why he was found bare-footed.

The police stated at the time that Barny had a habit of getting on the beer, which he did on the day when he went missing.*

His son, John Joseph Sweeney, is still remembered as a war hero in Scottsdale. His name appears on the Honour Roll hanging in the Scottsdale Municipality with the dedication: "These have paid the Supreme Sacrifice". He does, however, have another memorial, in New Zealand. In the Turanganui area of Haurangi Forest Park, a creek, Sweeney Creek, is named after him, where prior to World War I, he worked with a bush felling gang. It is on the west coast of the southern Island inland from the town of Ross.

No direct family member survives in the district, but descendants do through the maternal line with various surnames.



A brief story on Sweeney is found in the Scottsdale Military Museum. Unfortunately the glass is reflected in this pic.

POSTSCRIPT: In September 2000, the New Zealand Parliament passed a law granting pardons to five New Zealand soldiers who were executed during World War I. Among them was John Sweeney.



Memorial to Sweeney and other New Zealanders who were executed, at Mamau Taurua in Otago Harbour.

END.

ACKNOWLEDGEMENTS:

Northern Tasmanian historian and author, the late Mr Bill Holmes, his son Terry Holmes, The New Zealand Defence Force, North-Eastern Advertiser and staff, Mr R. Wheatley, Springfield (north Tas), Military Historian Peter Woolley from Toowoomba Queensland, Parliamentary Library for use of old newspapers, Office of Australian War Graves, British High Commission Office (Canberra). The Wairarapa Times-Age (New Zealand) 1988.

SOURCES.

Trials transcripts, report in the North-Eastern Advertiser, various sections from books listed below, personal and written communication with a number of individuals, New Zealand Military Records, Inquest papers as held by the Tasmanian Archives.

Further Reading:

"On the Fringe of Fear" - Christopher Pugsley; "Behind the Lines" - Nicholas Poyack; "Participation" - Humphrey Kempe. "Shot at Dawn" - Julian Putkowski and Julian Sykes.

* While some of these details may appear sensitive they are on public record and can be accounted for. Consequently little is being said that has not been said or documented before. All I have done is to collate it.

CONDUCT SHEET.

Heliopolis 5.5.16 drunkenness when on active service, fined 2 days pay.

13.5.16 being in the canteen during prohibited hours. 10 days CB

2.12.14 absent without leave from troopship at Hobart. Forfeit six days pay.

Zeitourn 6.2.15 absent from camp without leave and drunk 168 hours detention. Details certified by C.B. Brereton Major present of Court Martial 15.9.

Sentence was promulgated by me at E II central at 5 pm Oct 1, 11916 duly carried out 5:44 am Oct. 2, 1916. D. Kettle Capt. A PM N.Z. Div.

Sept. 30 ... sentence of death passed has been confirmed by GOC in chief, BEF and will be carried out under direction of APM as under ... place of execution, Meaulte ...Oct. 2, 1916 6 am.

GOC 1st N.Z. Div will detail firing party of 1 officer, 2 NCO'S and 12 men from 1st Otago Reg. to report to Assist. Provost Marshall at Div. H.Q. 6 pm on Oct 1, party will be accommodated div H.Q. on night of 1, 2nd Oct. detail a chaplain of prisoner's denomination to report to APM at div. H.Q. 6pm 1/10. Medical officer to report 6 pm ... will be required to be present at the execution of prisoner, to pronounce life extinct and give certificate to this effect. Detail officer of prisoner's batt. to identify prisoner, necessary arrangements for burial, watches to be synchronised 6pm. 1/10th signed H.G. Reid. Lt Coln. AA and QMG N.Z. Div.

DESCRIPTION OF SWEENEY. JOHN JOSPEH on ENLISTMENT.

Age: 35 yrs 6 mths.

Height: 5ft 10 in.

Weight: 132 lbs.

Chest measurements: Minimum 32 1/2. Maximum 35 in.

Complexion: Dark.

Colour of eyes: Brown.

Colour of hair: Black.

Religion: Roman Catholic.

No. 8/1384 Pte. Sweeney John Joseph- Australian.

Born 2.4.1879. Roman Catholic.

Born at: Sprent. (north west coast of Tasmania).

Grew up: Lietinna (near Scottsdale - north east coast of Tasmania).

Family: eight brothers and sister. Twin brother Barny (Bernard) Junior.

Occupation: Bushman, Pirinoa, Featherston, N.Z.

Last Employer: Payne and Sutherland, Pirinoa.

Father: Bernard Sweeney, Lietinna, Scottsdale line, Tasmania.

Father's address on 25.1.17 given as: Rheims, Tamarana St, Bondi NSW

21.10.14 Enlisted at Trentham as a Trooper (11/528?) in Wellington

21.10.14 to 13.12.14 Served in NZ

11.12.14 Posted to Otago Infty
14.12.14 to 28.1.15 at sea.
29.1.15 Landed at Egypt.
17.7.16 Sweeney makes his will when at Etaples. (At present illegible:27.1.88) Was then part of
6th Company, 2nd reinforcement NZEF.
18.7.16 4th Coy CIR joined unit and posted to 1st Bn.
25.7.16 Deserted at Armentieres.
26.7.16 Declared a deserter by Court of Enquiry.
3.9.16 Apprehended.
11.9.16 Previously reported as a deserter now rejoined Bn.
19.9.16 FGCM. When on active service deserting His Majesty's Service in that he in the field on
25.7.16 absented himself from his unit without leave until apprehended on 3.9.16. Sentenced to
suffer death by being shot.
2.10.16 Sentenced to be shot by FGCM for deserting H.M.S. and sentence duly executed. Buried
at Dartmoor Cem, Becordel one and Half miles south of Albert.