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Adrian J Kelly

REPORTED ON BY COMMITTEE.

15 OCT. 1916

Letter produced by Mr Wempe  
no 22519 Ch. Secy's office  
no objection to Secy's Practice Counsel  
showing Mr Wempe has <sup>to</sup> get. for counsel.  
made to the Counsel by Mr J. Kelly  
Adrian J. Kelly  
Adrian J. Kelly

Part of 2 items in cl. for False Imprisonment  
& Sol's costs given to Mr Wempe  
good

4/12/16

Mr Wempe called upon both & asked  
for two forms with <sup>the</sup> other many items  
in claim. has being required by counsel.

good  
6/12/16

Dear Mr Stead,

I return you  
your file with very  
many thanks. It  
enabled me  
dispose of my  
problems

Yours sincerely

J. J. Ball

28/2/17

All Communications and Documents to be addressed,  
The Treasury Solicitor (Law Courts Branch),  
276, Royal Courts of Justice,  
London, W.C.

Telegraphic Address:

"Hare, 276, Courts Justice."

Telephone No.: Holborn 6700.

Extension... 148.....

TREASURY SOLICITOR'S DEPARTMENT,

LAW COURTS BRANCH,

276, ROYAL COURTS OF JUSTICE,

LONDON, W.C. 28th February, 1917

Sir,

Kelly v. Bowen-Colthurst.

I am much obliged for your letter of yesterday  
enclosing the Terms of Reference of your Committee.

I am, Sir,

Your obedient Servant,

A. J. Hare

The Secretary,

Property Losses (Ireland) Committee,

51, St. Stephen's Green E.,

DUBLIN.

27th February, /7.

No. 4029.  
Kelly -v- Bowen-Colthurst.

Sir,

In reply to your letter of the 26th instant  
I beg to enclose a copy of the terms of reference under  
which the Property Losses (Ireland) Committee acts.

I am, Sir,  
Your obedient servant,

Secretary.

The Treasury Solicitor,  
(Law Courts Branch),  
276 Royal Courts of Justice,  
London, W.C.

4029

All Communications and Documents to be addressed,  
The Treasury Solicitor,  
(Law Courts Branch),  
276, Royal Courts of Justice,  
London, W.C.  
Telegraphic Address:  
"Hare, 276, Courts Justice."  
Telephone No. Holborn 6140.

Telephone: HOLBORN, 6700.  
Extension 148

TREASURY SOLICITOR'S DEPARTMENT,  
(LAW COURTS BRANCH),  
276, ROYAL COURTS OF JUSTICE,  
LONDON, W.C., 26th Feby. 1917.

Sir,

Kelly v. Bowen-Colthurst.

I duly received from you the Statements of Account in respect of Kelly's claim before the Property Losses (Ireland) Committee, for which I am much obliged.

Might I trouble you further to let me know whether the terms of reference under which the Committee acts are on record. If you have a print or a copy of them I should be very glad if you could send it to me.

svt

I am, Sir,

Your obedient servant,

A. J. Hare

The Secretary,  
Board of Trade,  
Stephen's Green,  
D U B L I N.

24th February, /7.

No. 4029 - Alderman J.J.Kelly.

Dear Captain Ball,

I am sending herewith as requested our file in the above case which you might let me have back when done with.

The papers accompanying your letter are also returned.

Yours sincerely,

*Noted in Register.*

*116.*

*24/2/17.*

HEADQUARTERS,  
IRISH COMMAND,  
PARKGATE,  
DUBLIN

Dear Mr Steady

In reference to attached  
papers which please return  
by bearer. I would be extremely  
grateful if you would lend  
me your file. I want  
particularly the claim of  
Alderman Kelly to the  
Property losses Commission  
Study the matter  
examined by a Valuer  
named in lend me  
his report. Of course



HEADQUARTERS  
IRISH COMMAND  
FARRAGATE  
DUBLIN

anything I report to you  
is "strictly confidential"  
and only for official use.

Yours truly  
G. J. Ball  
Capt

24/2/17

6th February, / 7.

Claim No. 4029 - James J. Kelly.

Sir,

In reply to your letter of the 5th instant in reference to this claim, I am directed by the Property Losses Committee to say that the procedure adopted by them in this and other similar cases was to refer the claim to their Assessors for investigation and report, and on this report the Committee made their recommendation to the Government.

I am sending herewith a copy of James J. Kelly's claim and also a copy of the report of the Assessors (W. Hume & Co). The Assessors' valuation of the full damage, viz., £1,450, is the amount that was recommended for payment by the Committee. It will be seen from the Assessors' report that no assessment was made in respect of the claim for loss of profits, false imprisonment, Solicitors costs and Auditors, Architects and Accountants Fees, all these being matters outside the Committee's terms of reference.

I am, Sir,  
Your obedient servant,

The Treasury Solicitor,  
(Law Courts Branch),  
276 Royal Courts of Justice,  
London, W.C.

Secretary.

4029.

All Communications and Documents to be addressed,

The Treasury Solicitor,  
(Law Courts Branch),  
276, Royal Courts of Justice,  
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Telegraphic Address:  
"Hare, 276, Courts Justice."  
Telephone No. Holborn 6140.

Telephone: **HOLBORN, 6700.**

Extension **148**

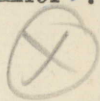
TREASURY SOLICITOR'S DEPARTMENT,

(LAW COURTS BRANCH),

276, ROYAL COURTS OF JUSTICE,

LONDON, W.C., 5th February, 1917.

*blain attached 6/26/17.*



Sir,

An action has been brought in the English Courts against Capt. Bowen Colthurst by James Kelly, a Tobacco Merchant, of 35, Upper Camden Street and 39, Dame Street, Dublin, for damages to his Camden Street shop and stock-in-trade, caused by an alleged entry of the shop by soldiers on April 25th 1916.

I understand that Kelly has already received from the Property Losses (Ireland) Committee, 1916, the sum of £1,350 in respect of stock and £100 in respect of repairs.

I shall be much obliged if you can let me have at your earliest convenience a transcript of the proceedings before this Committee, if one exists, and if not full particulars of the claim made by Kelly before it, so that I may see whether the damage which he claims in the English Courts has not already been assessed by the Committee and paid to him.

I am, Sir,

Your obedient Servant,

*A. J. Hare*

The Secretary,

Board of Trade,

Stephen's Green,

D U B L I N.

WALTER HUME & CO.

FIRE LOSS ASSESSORS.

TELEGRAMS: "CLAIMS, DUBLIN"  
TELEPHONE NO 275

BELFAST,

TELEGRAMS: "SETTLEMENT"  
TELEPHONE NO 2683.

16, College Green,

Dublin, 6th Feby 19 17

AND AT 2 DONEGAL SQUARE EAST, BELFAST.

J. J. Healy, Esqr,  
Secretary,  
Property Losses Committee, City.

Dear Sir:-

Claim No. 4029. James J. Kelly.,  
-----

As requested we have pleasure in enclosing  
herewith Duplicate of this claim.

Yours faithfully,

*Walter Hume & Co*

(X)

8th January, 7

re claim of Alderman J.J. Kelly, J.P.  
No. 4029.

---

Dear Sir,

In reply to your letter of the 6th instant I beg to state that the Committee's recommendation in this case did take into consideration the building claim, in respect of which £100 was awarded. The balance of £1,350 was for stock-in-trade and household goods and effects.

Yours faithfully,

Secretary.

Wm. P. Triston, Esq.,  
1 Dame Street,  
Dublin.

TELEPHONE N<sup>os</sup> { DUBLIN. 1207.  
ATHY 8.

WILLIAM P. TRISTON,  
SOLICITOR.

1, Dame Street,

4027  
6553  
6539

AND  
DUKE STREET,  
ATHY.

Dublin 6th Jany. 1917. (X)

Re - Claim of Alderman J. J. Kelly, J.P.

Dear Sir,

Referring to previous correspondence  
Will you kindly let me know by return of  
post if your Committee, when making their  
Award on my client's claim, took into  
consideration the claim in respect of the  
building. At the same time you might  
also let me know what items was the £1450  
awarded in respect of.

*the sum of*  
*£100*  
*was for stock in hand*  
*of £135*

Your obedient servant,

*Refer to the Committee  
into his case the boy - el. in view  
was wanted. The amount  
of his own goods & effects.*

*J.J. Kelly*  
*8/1/17*

J. J. Healy, Esq.  
Secretary,  
Property Losses Committee,  
St. Stephen's Green,  
Dublin.

4029

MR BYRNE'S QUESTION - No. 29.

- for -

TUESDAY - 31st OCTOBER.

REPORT for REPLY.

Alderman Kelly's claim for £6,185.12.7, subsequently increased by £400 in respect of damage to his building, included items amounting to £3,843, 17. 0 for loss of profits, false imprisonment, Solicitor's costs etc., which the Committee under their terms of reference (which debar them from dealing with consequential damages of any kind) were unable to consider. It included also items amounting to £27. 16. 8 in respect of the personal property of Miss Kelly, of a maid, and of a shop assistant, and as regards these items the Committee have asked that separate claims be made by the owners.

The Committee's recommendation for the payment of £1,450 in respect of the remainder of Alderman Kelly's claim, amounting to £2,713. 18. 11, in respect of building, stock, and household goods, was the result of full and careful investigation, which included the examination of all available books and documents.

*J.M.A.*

Secretary.

PROPERTY LOSSES (IRELAND) COMMITTEE,

51 St. Stephen's Green, E,

Dublin.

October, 1916.

4029

CHIEF SECRETARY'S OFFICE

DUBLIN CASTLE

27. X. 16

Dear Mr. Healy,

Will you kindly  
provide drawings for the information  
of the Chief Secretary for the  
purpose of a reply to Mr. Byrne's  
question enclosed.

Yrs. sincerely  
J. Deane



COPY.

From - HENRY,  
to - U.S.

NOTICE FOR TUESDAY, 31st October, No. 29.

MR BYRNE - To ask the Chief Secretary if his attention has been drawn to the amount of compensation which has been offered to Alderman James J. Kelly, J.P., ex-high Sheriff of Dublin. If he is aware that Alderman Kelly's losses have been estimated at £6,185. 12. 7. Whereas the Government have offered him the sum of £1,450 in full discharge of his claim. If he will say on what authority the Government have awarded this sum which means the ruin of Alderman Kelly, and if he will cause Alderman Kelly's claim to be reconsidered.

MR TAYLOR,

Will you kindly say how Ald. Kelly has been dealt with?

MR BRENNAN.

This question should be referred to the Committee. The payment from this office was made on the recommendation of the Committee.

J.J.T.

27/10/16.

25th October, X

No. 4029 - Alderman J.J. Kelly, J.P.

Dear Sir,

In reply to your letter of the 24th instant regarding the reductions made in dealing with the above claim, I am directed by the Committee to state that under the terms of reference they have no power in reporting on claims to take into account consequential damages of any kind. This ruled out the items for Loss of Profits, False Imprisonment, Solicitor's costs etc. Separate claims should be forwarded to the Committee in respect of the property lost by Miss Kelly, and the Servant and Shop Assistant.

The Committee's recommendation regarding the remaining items in the claim was made as the result of a full and careful investigation, including the examination of all available books and documents.

Yours faithfully,

Secretary.

Wm. P. Triston, Esq.,  
Solicitor,  
1 Dame Street.

TELEPHONE Nos ( DUBLIN. 1207. ATHY 8.

1, Dame Street, 4029

WILLIAM P. TRISTON,  
SOLICITOR.  
AND  
DUKE STREET,  
ATHY.

*On what grounds did your  
Assessor question the  
figures of Sir Roth Saunders!*

Dublin 24th October 1916.

(X)

*all over ce.*

Re - Alderman J. J. Kelly, J.P. No. 4029

Sir, *and 25/10/16* Recommended to not profit 2025 profit.

I, to-day, received from Mr J. J. Taylor of Dublin Castle, a Draft in favour of my client for £1,450 in respect of his Claim furnished to you in July last at the sum of £6,185. 12. 7, but which Claim was subsequently increased by the sum of £400 in respect of the building; both sums making together a total of £6,585. 12. 7.

I am instructed by my client, Alderman Kelly, to enquire from you the grounds on which his claim has been reduced by over £5,000. Will you kindly let me know what items of his Claim have been reduced and also if any of the items were struck out and if so for what reason? My client only accepts the payment made to him on account of his Claim and will press for the full amount thereof. I have already been in communication with the Prime Minister and other members of the Cabinet and by this post I am writing to them informing them of the amount received and stating that unless my client is adequately compensated I will have to bring the whole matter under the notice of the House of Commons.

I shall be glad to hear from you by return of post giving me the particulars required.

I am, Sir,

Your obedient servant,

*[Handwritten signature in red ink]*

The Secretary,  
Dublin Property Losses Committee,  
St. Stephen's Green,  
Dublin.

TELEPHONE N<sup>o</sup>s

DUBLIN. 1207.

ATHY 8.

4029

WILLIAM P. TRISTON,  
SOLICITOR.

1, Dame Street,

AND  
DUKE STREET,  
ATHY.

Dublin 4th Octr. 1916

re- Claim of Alderman James J. Kelly J.P.

Dear Sir,

My client is being pressed by his  
Creditors and unless I am in a position to pay  
them Bankruptcy proceedings will be instituted  
which will mean ruin to my client. Under the  
circumstances I will thank you to let me have  
a cheque for £2000 on account of the claim. I  
shall be obliged if you will send this cheque  
to me payable to Alderman Kelly by return of  
post, as the matter is very urgent.

Yours faithfully,

The Secretary  
Property & Losses Committee  
Stephens Green

Dublin.

Claim recd 25/9/16

*Reply that the Committee's recommendation has been sent  
to the Law for and some time has now commenced 5/10/16.  
above written, 6/10/16.*

# Assessors Report. 23rd Sepr 1916

Claim No. **4 0 2 9** Name of Claimant **Alderman James J. Kelly., J.P., Tobacconist**

Situation of Property **35/6 Upper Camden Street, Dublin.**

Description	Claim	Insurance (if any)	Commissioners Valuation of Buildings	Assessors Valuation of full Damage	Loss Payable on basis of Insurance	Excess of Loss over and above amount payable under the Policies
1. Stock in Trade	1983:13:4	2400		1,250	1,250	
2. Building	163:13:7	600				
-do- (Letter 11/9/16)	400: 0:0			100	100	
Household Goods &c	166:12:0	300		100	100	
-do- (Miss Kelly)	11:12:8					
-do- (Servant Maid)	8: 1:0					
-do- (Shop Assistant)	8: 3:0					
Profits	954: 0:0	Nil				
False Imprisonment	2500:0:0					
Solicitors Costs	350: 0:0					
Auditors Fee	12:12:0					
Architects Fee	10:10:0					
Assistant at Books	12: 0:0					
C a s h	4:15:0					
<i>563.137</i>	<i>3843</i>					
<i>6021.150</i> TOTALS, £	6585:12:7	3300		1,450	1,450	

Damage by Bombs, Rifle Fire, and Goods were looted.

~~Interests in the buildings.~~

Claimant was arrested and deported, but was subsequently released.

We understand separate claims will be made by Miss Kelly, the Servant Maid, and the Shop Assistant.

Claimant's Solicitor (Mr Wm.P. Triston, 1 Dame St, Dublin) requests that payment be made through him.

*Walter James Kelly*

Award of Committee: Contents

*£1450 subject to Police order*

do. Buildings

*W.P.T.*

TELEPHONE N<sup>os</sup>

DUBLIN. 1207.  
ATHY 8.

RECEIVED

13 SEP 1916

4029

WILLIAM P. TRISTON,  
SOLICITOR.

WALTER BONE & CO. SOLICITORS  
1, Dame Street.

(X)

AND  
DUKE STREET,  
ATHY.

Dublin 11th Sept. 1916

re- Alderman James J. Kelly J.P.  
Ex-High Sheriff of Dublin

Sir,

I send you herewith a letter which I received from Mr Thomas F. MacNamara C.E. from which you will see that the rapairs to Camden Street will cost an additional £400.

You will kindly add this amount to the sum mentioned in the claim herein.

cl. 4029 to Messrs (Home) 7/8/16

I am, Sir,

Your obedient servant

William P. Triston.

The Secretary

I keep the acct.

II Property Losses Committee for Ireland

Refer to Messrs (Home)

51 Stephens Green

W.P.T.  
12/9/16

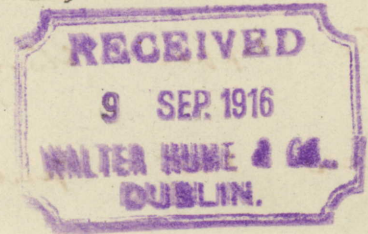
Dublin.

THOMAS M<sup>c</sup> NAMARA.  
ARCHITECT.  
TELEPHONE N<sup>o</sup>  
1051.

192, Gt. Brunswick St. (X)

Dublin 8<sup>th</sup> Sept. 1916 4029

R<sup>e</sup> Alderman Kelly's Premises  
Camden St.



W.P. Tristram Esq.  
Solicitor  
1 Dame St.

Dear Sir,

Alderman Kelly having reported to me that his house was showing further serious signs of structural failure I made an examination of the premises on yesterday and I found that there were many cracks on the walls, the parapets were defective and that the roof was in a worse condition than on my first inspection, permitting the rain to percolate very freely into the upper rooms -

The house is an old one and showed

cracks and failures previously but I consider that  
the bombing must have seriously accentuated these.

I think it will be necessary for you to have  
the upper story at least rebuilt and to have a  
new roof put on as soon as possible.

I estimate that the cost of this work would  
be about £400 -

Yours faithfully

Mr. Frankman



4029

Urgent

Cloudy eyes



Please call up, advise

papers & let me know

Done. WSP

WMA

570

TELEPHONE No<sup>s</sup>

DUBLIN-1207  
**RECEIVED**  
16 AUG. 1916  
WALTER HUME & CO  
DUBLIN.

4029

WILLIAM P. TRISTON,  
SOLICITOR.

*Dame Street,*

AND  
DUKE STREET,  
ATHY.

*Dublin* 11th August 19 16

*Walter Hume*  
4029

*sent to H. 7-8-16.  
not yet ret'd. 15787<sup>th</sup> rec'd*

*Where is cl.?*

re- Alderman James J. Kelly

Sir, *15787<sup>th</sup>*

Referring to the claim of Alderman James J. Kelly I would be very much obliged if you would have it attended to at your very earliest convenience. The stock belonging to my clients premises as you are aware was looted, and his creditors are pressing him for payment of their debts. Under the circumstances it is of the utmost importance to my client that he should receive his compensation with the least possible delay.

*Cashed.*

I am, Sir

*Refer to Messrs Hume  
15787<sup>th</sup>*

Your obedient servant

The Secretary,  
Dublin Property Losses Committee  
55 St. Stephen's Green  
DUBLIN

*[Large red signature]*

TELEPHONE NOS

{ DUBLIN. 1207.  
ATHY 8.

4029

WILLIAM P. TRISTON,  
SOLICITOR.

1, Dame Street,

AND  
DUKE STREET,  
ATHY.

Dublin 3<sup>rd</sup> August 1916.

Mr Alderman James J. Kelly.

acked.

8014 5787/16

Esq. High Sheriff

Leath.

I enclose claim herein  
in duplicate.

Yours truly  
William P. Triston

The Secretary.

Property Losses Committee

TELEPHONE NOS

{ DUBLIN. 1207.  
ATHY 8.

CHIEF SECRETARY'S  
12631 - 24 JUL 1916  
1, Dame Street,  
OFFICE

WILLIAM F. RISTON,  
SOLICITOR.

Dublin 22nd July 19 16

AND  
DUKE STREET,  
ATHY.

re- Alderman James J. Kelly J.P.

Sir,

I enclose you copy of claim herein together with copy letter which I have address ed to General Sir John Maxwell when forwarding the Claim.

I am, Sir,

Your obedient servant

~~The Under Secretary  
Dublin Castle  
Dublin.~~

*I. Ack.  
II. Re-submit.  
J.S.T. 24/7.*

REGISTERED  
25 JUL 1916  
done  
500  
despat  
25  
25  
7

*Place with the  
General file. J.S.T. 15/7*

TELEPHONE Nos

DUBLIN. 1207.  
ATHY 8.

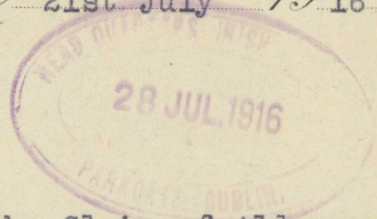
WILLIAM P. TRISTON,  
LICITOR.

AND  
DUKE STREET,  
ATHY.

*284/9.*  
*M.G.A. Camden Branch*

*1, Dame Street,*

*Dublin* 21st July 1916



re- Alderman James J. Kelly J.P.

Sir,

I now send you herewith particulars of the Claim of Alderman James J. Kelly J.P. of Camden Street ex High Sheriff of this City. The Stock as you will see has been taken by Messrs Craig Gardner & Co, and their report is annexed to the Claim.

The estimate for the work at Camden Street has been prepared by Mr T. F. McNamara, Architect. If there is any further information you require in reference to the claim I will be pleased to let you have same.

On the question of the amount of the compensation to which my client considers he is entitled the following considerations are relevant:-

1. In anticipation of a possible effect in prices as a result of the generally expected Budget Tax on Tobacco he had very materially increased his actual stock.
2. Besides the loss of valuable stock the goodwill of an established business yielding a nett average Income of £600 a year has been materially injured.
3. The present financial depression aggravated by the Rebellion together with the increasing cost of material for effects and equipment will make it extremely difficult to carry on his business in a small way much less to begin on the scale to which it had developed after years of hard work and serious thought.

WILLIAM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

1, Dame Street,

Dublin 21st July 19 16

Contd.

4. My client will submit the whole of his accounts and papers so far as they exist after the wrecking of his premises to any authority whom the Government may appoint and he is of course prepared to supplement the information contained in the claim, and in the papers which are now available, by any personal evidence which may be required.

5. My clients premises were in the occupation of 42 Soldiers for ten days and were used as a sort of Depot or Military clearing house.

The Bomb thrown into his factory by Captain Colthurst's party did considerable damage, and my client's wholesale trade has practically ceased to exist.

6. The sum set forth in the claim for false imprisonment etc., includes expenses in London & Brighton and Medical attendance, but ~~no~~ *no* account of the shameless treatment to which my client was subjected from the moment of his unwarrantable arrest until his release, or the impairment of his health from the hardships of his unforgettable prison experiences, nor can any conceivable sum possibly compensate him for the irreparable loss of his mother who succumbed to the effects of the shock caused by his sudden and unexplained disappearance from Dublin.

7. As indicating the pressing need for an early settlement of my clients case I may mention that he is now being pressed to settle accounts by traders who ordinarily allow three to four months credit and who have threaten~~d~~ proceedings in default of early clearance.

There are <sup>two</sup> other matters which I am instructed to put before you

WILLIAM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

1, Dame Street,

Dublin 21st July 1916

Contd.

and they are:- That during the Rebellion some of the Soldiers stationed at my clients premises sprinted up on the outside of the house the words " Kelly's Dug Out" I do not know exactly what was meant by these words but I am instructed that by doing so the soldiers held up my client to public odium and contempt and practically ruined his business in the District.

My client also instructs me to state that Captain McCutcheon and another Officer of the Royal Irish Rifles has sent to Mr Felix White, Chemist of No.11. Up. Camden Street. Two Certificates for " Voluntary attendance on all ~~our~~ his wounded at our Kelly's Corner Picket". My client says that Captain McCutcheon stated to White that " he was not to let Kelly know that he had received these two Certificates".

My client denies that he was "dug out of his premises" and he states that he did not resist the Military in any way. Futher he does *not* understand the meaning of the Certificates given to Mr White.

These are matters which should be put right at the earliest possible moment.

In conclusion my client wishes me to say that he very much appreciates all you have done for him from the time it was ascertained he was arrested and deported in error and the efforts you have made to relieve his position since then.

I am sending a copy of this letter and of the claim to :-

TELEPHONE Nos { DUBLIN. 1207.  
ATHY 8.

WILLIAM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

1, Dame Street,

Dublin 21st July 1916

contd.

The Rt. Hon. H.H. Asquith P.C. M.P.

" " " Andrew Bonar Law P.C. M.P.

† Under Secretary for Ireland &

Major Colby

I am, Sir,

Your obedient servant

*William P. Triston*

General Sir John Maxwell

K.C.B., K.C.M.G., C.V.O. D.S.O.,

Commanding in Chief

The Forces in Ireland

Parkgate

DUBLIN



CHIEF SECRETARY'S

12631 - 24 JUL 1916

1, Dame Street,

OFFICE Dublin

21st July

19

16

WILLIAM P. TRISTON,  
SOLICITOR.AND  
DUKE STREET,  
ATHY.re- Alderman James J. Kelly J.P.

Sir,

I now send you herewith particulars of the Claim of Alderman James J. Kelly J.P. of Camden Street Ex High Sheriff of this City. The Stock as you will see has been taken by Messrs Craig Gardner & Co, and their report is annexed to the Claim.

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1. In anticipation of a possible effect in prices as a result of the generally expected Budget Tax on Tobacco he had very materially increased his actual stock.
2. Besides the loss of valuable stock the goodwill of an established business yielding a nett average Income of £600 a year has been materially injured.
3. The present financial depression aggravated by the Rebellion together with the increasing cost of material for effects and equipment will make it extremely difficult to carry on his business in a small way much less to begin on the scale to which it had developed after years of hard work and serious thought.
4. My client will submit the whole of his accounts and papers

W. J. AM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

1, Dame Street,

Dublin 22<sup>nd</sup> July 1916

contd.

so far as they exist after the wrecking of his premises, to any authority whom the Government may appoint, and he is of course prepared to supplement the information contained in the claim, and in the papers which are now available, by any personal evidence which may be required.

5. My clients premises were in the occupation of 42 soldiers for ten days and were used as a sort of Depot or Military Clearing House.

The Bomb thrown into his factory by Captain Colthurst's party did considerable damage, and my client's wholesale trade has practically ceased to exist.

6. The sum set forth in the claim for false imprisonment etc., includes expenses in London & Brighton and Medical attendance, but <sup>takes</sup> no account of the shameless treatment to which my client was subjected from the moment of his unwarrantable arrest until his release, or the impairment of his health from the hardships of his unforgettable prison experiences, nor can any conceivable sum possibly compensate him for the irreparable loss of his Mother who succumbed to the effects of the shock caused by his sudden and unexplained disappearance from Dublin.

7. As indicating the pressing need for an early settlement of my clients case I may mention that he is now being pressed to settle accounts by traders who ordinarily allow three or four months credit and who have threatened proceedings in default of early clearance.

There are two other matters which I am instructed to put before you, and they are :- That during the Rebellion some of the Soldiers

WILLIAM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

*1, Dame Street,*

*Dublin* 21st July 1916

contd.

stationed at my clients premises printed up on the outside of the house the words " Kellys Dug Out" I do not exactly know what is meant by these words, but I am instructed that by doing so the soldiers held up my client to Public odium and contempt and practically ruined his business in the District.

My client also instructs me to state that Captain McCutcheon and another Officer of the Royal Irish Rifles has sent to Mr Felix White Chemist No. 11. Upper Camden Street two Certificates for " Voluntary attendance on all his wounded at our Kelly's Corner Picket". My client says that Captain McCutcheon stated to White that " he was not to let Kelly know that he had received these two Certificates".

My client denies that he was "dug out of his premises" and he states that he did not resist the Military in any way. Further he does not understand the meaning of the Certificates given to Mr White.

These are matters which should be put right at the earliest possible moment.

In conclusion my client wishes me to say that he very much appreciates all you have done for him from the time it was ascertained he was arrested and deported in error, and the efforts you have made to relieve his position since then.

I am sending a copy of this letter and of the claim to:-

The Rt. Hon. H.H. Asquith P.C. M.P.

TELEPHONE Nos { DUBLIN. 1207.  
ATHY 8.

WILLIAM P. TRISTON,  
SOLICITOR.

AND  
DUKE STREET,  
ATHY.

1, Dame Street,

Dublin 21st July 1916

contd.

The Rt. Hon. Andrew Bonar Law P.C. M.P.

The Under Secretary for Ireland &

Major Colby.

Your obedient servant

*William P. Triston*

General Sir John Maxwell

K.C.B., K.C.M. G., C. V.O., D.S.O.

Commanding-in-Chief the Forces in Ireland

Parkgate

DUBLIN

HQ955.

CHIEF SECRETARY'S  
13101 - 31 JUL 1916  
OFFICE

4029

The Under Secretary,  
Dublin Castle.

Sir,

*In the general file*

*J.P.T. 31/7.*

*13059 Herewith*

In continuation of previous memos, I have the honour to forward herewith claim of the following:-

Alderman J.J. Kelly, Camden Street, Dublin.

(per W.P. Triston, Solicitor, Dublin)

Claimant's solicitor has been informed that the Military Authorities cannot accept any responsibility for the claim, but I am referring the matter to you as the Civil Authority, and propose to adopt this procedure with respect to future claims in view of the possibility of a Board of Assessment being hereafter assembled under your Office.

I have the honour to be, Sir,

Your obedient Servant,

*T. C. R. Macaulay*

Colonel, A.D.S.T.,  
for Major-General i/c Administration,  
Irish Command.

Headquarters,  
Parkgate,  
Dublin.

30/7/1916.

*I. Refr. Note 12631 annexed.*

*II. Mr. Stealy.*

*I Done  
L.H. 31/7.*

*J.P.T.*

*31. VII. 16*

*Regr (if not already regd)*

*+ send forms. J.M.D.*

*2/8/16*

*Forms handed to Genl of as above*

*+ also copies of cc. from file J.M.D. 2/8/16*

# Property Losses (Ireland) Committee, 1916.

4029

51 ST. STEPHEN'S GREEN, EAST, DUBLIN.

## Claim for Damages caused during the Disturbances on the 24th April, 1916, and following days.

I James J. Kelly, Alderman, Justice of the Peace now residing

at 35 Up. Camden Street in the Dublin City of Dublin County

do hereby solemnly and sincerely declare that on or about the 26<sup>th</sup> day of April

1916, damage was done to the undermentioned Property, namely:—\* Property

\* State situation of property damaged.

set forth in the schedule hereto

and such damage was occasioned to the best of my belief by\*\* The military

\*\* Here state cause of damage.

And I further declare that the Property and Articles specified on the other side were so destroyed or damaged; that the Cost Price of same was as shown in each case;

that at the time of the destruction or damage they were respectively of the Values specified in the said schedule. ~~under the head "Value of Property at time of Destruction or Damage";~~

and that, in consequence of such destruction or damage, claim is hereby made for the sums specified in the said schedule ~~under the head "Amount Claimed";~~ that the Claim is made by me

as† owner; and that no person is interested in

† Insert "Owner," "Lessee," or "Mortgagee," as the case may be.

the said property except‡ myself

‡ Insert "myself," or "ourselves," and the names of Mortgagors, Mortgagees, Lessors, Lessees, or joint owners (if any).

and that it is not insured by me or any other person, § except as follows, namely:—

Swan Insurance Office Company, Policy No. 7340011, Amount £ 4000

§ Strike out the words following if the property is not insured.

..... " " " " £

..... " " " " £

And I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Made and subscribed the third day of

August 1916, at 40

Dame St in the said Dublin City, Dublin County,

before me, a Justice of the Peace for the said

City Dublin County

Signature of Claimant of Claimants

James J. Kelly

R. Gardner

NOTE—This Claim is to be furnished in duplicate, and should be accompanied by the Policies of Fire Insurance and the last receipt, in each case, or certified copies of same. When completed it is to be forwarded to the Secretary of the Committee, 51 St. Stephen's Green, East, Dublin.

C L A I M

of

A L D E R M A N J. J. K E L L Y, J. P.

S U M M A R Y

1.	Stock looted or destroyed, per Messrs Craigm Gardner & Co's Report annexed	£1,944. 12. 0
8.9.	Loss of Profits per do. do.	954. 0. 0
2.	Damage to Building per Estimate of Mr T. F. M'Namara, Architect	163. 13. 7
3.	Clothing, Furniture, etc., looted or destroyed, Per schedule annexed hereto	238. 5. 0
10.	Claim for false imprisonment, and loss of credit including Medical expenses and expenses in London and Brighton	2,500. 0. 0
7.	Solicitors costs of preparation of statement of affairs to submit to creditors, who were pressing for payment of their accounts, defending proceedings instituted, arranging as to carrying on business fees to Counsel and preparation of Claim and all necessary attendances incident thereto	350. 0. 0
4.	Auditors fee for stock-taking &c.	12. 12. 0
5	Architects fee	10. 10. 0
6	Paid Assistant working at books &c. (Special)	12. 0. 0
	<b>Total</b>	<b>£6,185. 12. 7</b>

11/9/16

400

William H. Criston,  
Solicitor,  
1, Dame St., Dublin.

CRAIG, GARDNER & Co  
Auditors & Accountants,

SIR R. GARDNER.  
D. TELFORD F.C.A.  
J. GARDNER F.C.A.  
G.H. TULLOCH C.A.

Trinity Chambers,  
40, & 41, Dame Street,

Dublin 18th July 1916.  
BELFAST, 53, Donegall Place.

COPY/

W. P. TRISTON, ESQ.,  
1, DAME STREET.

Dear Sir,

Alderman J. J. Kelly, J.P. Ex. High Sheriff of  
the City of Dublin.

In accordance with your instructions we attended at Mr Kelly's Camden Street premises for the purpose of ascertaining the deficiency of the Stock-in-Trade caused through looting, etc., and we have to report thereon as follows:-

The last Stock-taking was made on the 4th August 1914 by Messrs Coleman & Co, Accountants, and amounted to £983. 10. 1

The purchases since said 4th August 1914 to 10th July 1916 amounted to

9,993. 0. 10  

---

10,976. 10. 11.

The cost price of the goods sold for the same period was

£6,525. 9. 11

The cost price of the goods transferred to the Dame Street premises was

2,029. 12. 8

The Value of the Stock-in-hand at 10th July 1916 was

476. 17. 2      

---

9,031. 18. 11

leaving a deficiency of - - - £1,944. 12. 0

The purchases were obtained by us from invoices which were kept on a file and you will readily understand that if any Invoices were lost or mislaid the Stock deficiency would be increased by the amount thereof.

A record of the sales were kept in books provided for the purpose and



(2).

we have reduced the amount thereof to cost price by deducting 17% which has been the average profit obtained for the preceding four years. The figure of sales so obtained agrees substantially with past accounts. The custom of the firm was to keep the Dame Street, Branch supplied from the Head Office in Camden Street, and a daily record was kept of the goods so transferred at cost prices.

We ascertained the Stock on the 10th July, and at cost prices it amounted to £476. 17. 2 as above stated.

The only figure estimated in the above figures is a sum of £40 for Cash purchases during a short period since the Rebellion, during which records were not kept.

The figures indicate that there was a very much larger Stock-in-hand at the date of the revolt than there was in August 1914 and Mr Kelly informed us that this increased Stock was part of a deliberate policy in anticipation of an addition to the Tax on Tobacco.

#### GOODWILL OF BUSINESS

The Goodwill of the business has been materially injured. The turnover previous to the Rebellion averaged £83 per week, whilst since the Rebellion it has fallen to £47 per week, being equal to £1,872 per annum. The Standing Charges remain the same, and the Loss of Profit therefore is 17% on £1,872, equal to £318 per annum. Mr Kelly estimates that it will take at least three years to get the business back to normal, and if this estimate proves to be correct his loss of trade through his arrest and through the Rebellion would amount to £954.

We are,

Yours faithfully,

(Signed) Craig Gardner & Co.

CLOTHING, FURNITURE, ETC.,

Looted or destroyed.

MR. KELLY'S BEDROOM

1 Gold 18c. Ring, Bloodstone	£3. 0. 0
1 single Stone Diamond	15. 0. 0
1 pair 18c. Gold Links	1. 10. 0
1 pair 18c. stones 4. Links	3. 10. 0
1 18c. Gold Shirt Stud	1. 0. 0
1 " Ruby Stud	13. 0. 0
1 " Gold Horse Shoe Pin } 12 Diamonds }	15. 0. 0
1 Cigar Case Crocodile	1. 10. 0
1 silver hall marked Case	3. 0. 0
1 Gold Lever Watch	10. 0. 0
2 Pairs Shoes @ 30/-	3. 0. 0
3 " Boots @ 50/-	7. 10. 0
3 suits Clothes @ £5. 10. 0	16. 10. 0
6 Poplin Ties @ 2/6	15. 0
8 Linen Shirts " 6/6	2. 12. 0
3 Doz. Collars @ 8½	1. 5. 6
1 Gillette Safety Razor	1. 2. 6
3 Duplex do. @ 5/6	16. 6
2 Hollow Ground @ 4/6	9. 0
2 pairs 18c. Gold mounted spectacles @ 30/-	3. 0. 0
2 " Pinc-nez @ 25/-	2. 10. 0
1 " Shooting Leggings by Watkins	1. 10. 0
2 Fancy Waistcoats (O'Connor)	2. 2. 0

MISS KELLY'S ROOM

1 Hat	1. 5. 0
1 Donegan Watch (Fathers)	10. 0. 0
Purse and contents - Cash 2/8., purse value 5/-	7. 8

Forward £121. 5. 2

(2).

CLOTHING, FURNITURE, ETC. Contd.

£. s. d.  
Forward 121. 5. 2

SERVANT'S ROOM

Watch	1. 5. 0
Purse and contents	
Blouse	
Ring, receipt attached	3. 3. 0
4 Brooches	10. 0
1 Bangle	7. 6
1 Scissors	2. 6
1 Hair Brush & Comb	5. 0
4 Blouses (cut up for Bandages)	1. 5. 0
1 pair Boots	10. 0
1 Hat	8. 0
Stockings	5. 0

ASSISTANTS BEDROOM

1 Pair Boots	18. 0
1 Silver Watch	1. 5. 0
1 antique Painting, shot through	6. 0. 0

STOCK ROOM

Advertising Frames, Show Cards, as a/c received annexed by Potter	20. 19. 4
1 Mahogany Table	1. 10. 0
1 Roll Top Desk (Climax) smashed by bomb	27. 10. 0
1 Clock in shop " "	5. 10. 0
1 Exhibition Diploma	5. 0. 0
1 Regulation Clock in <del>the</del> Diningroom	3. 10. 0
China Centre Piece } " cups, jugs, &c. } (only 2 cups left in all)	5. 0. 0
3 sets Brass Weights	1. 2. 0

---

Forward £207. 10. 0

(2).

CLOTHING, FURNITURE, ETC. contd.

STOCK ROOM, contd.

	Forward	£207. 10. 0
2 Brass Scales pilfered 50/-		5. 0. 0
2 " " Broken (to repair)		2. 0. 0
4 doz. Brass Cigarette Makers rods.		2. 10. 0
5 sets complete Packersfor Ciragettes and Tobacco utensils, Leads 30/-		7. 10. 0
Cash taken from Register in shop		4. 15. 0
(Slip annexed)		
3 doz. each Forks & Knives, Spoons stolen		
Spoons 18/- doz. "		2. 14. 0
Forks 18/- doz.		2. 14. 0
Knives 24/- doz. "		3. 12. 0
Total		<hr/> £238. 5. 0 <hr/>

DAMAGE TO BUILDING.

		£.	s.	d.
Sup. Ft. 68	Polished plate glass in one sheet	4/-	13.	12. 0
Sup. yds. 34	Strip papers off factory ceiling repair plastering and re-sheet and whiten	10d.	1.	8. 4
Sup. Ft. 18	Cut out and repair wood floor in Factory	1/2	1.	1. 0
Item	Repair Hall door and frame and paint same 2 coats, 1 inside	12/-		12. 0
Sup. Ft. 18	Plate glass in panels in doors and Hall. Paint 3 doors after glazing	3/6 21/-	3. 1.	3. 0 1. 0
Item	Paint 3 doors after glazing	2/1		12. 0
Sup. Ft. 19½	26 oz. sheet glass in 2 squares	1/6	1.	9. 3
Item	Paint 2 windows when glazed	12/-		12. 0
"	Repair plastering on walls back room 1st floor, strip old papers off walls and provide and hang new papers at 1/6 per piece			2. 14. 0
"	Repair window in roof	11/10		11. 10
Item	Repair roof, including replacing 6 hip tiles and chimney can	38/-	1.	18. 0
"	New door for range in Kitchen	15/-		15. 0
Item	Take down and refix fixture on par- tition at back of counter and touch up Polishing	66/-	3.	6. 0
"	Reglaze loose glass in shop front and polish woodwork including repairs to damaged woodwork	£6	6.	0. 0

Forward

£38. 14. 7.

DAMAGE TO BUILDING Contd.

	Foward	£38. 14. 7
Item Taking down and refixing signboard, cornice consoles, pilasters, revolving shutters and grounds refixing same as before	£26	26. 0. 0
" Refixing metal cresting and replacing missing part with new	22/-	1. 2. 0
" Prepare and paint, regild the entire woodwork of fronts	£18	18. 0. 0
Yds.S 108. Erect scaffolding and wig the entire brickwork of fronts	5/-	27. 0. 0
Item Cut out defective brickwork and bond new and old in a proper manner	46/-	2. 6. 0
Haywards Pavement Light 3' 6" x 8' 5" (broken glass only)		14. 0
Make good three patent ventilators in upper room windows	5/-	15. 0
Plate Glass in soffits of windows fixture 8' 6" x 2' 0"	3/6	2. 19. 6
Item 6 new revolving shutters   Estimates given by 3 Sunblinds   Messrs O'Hara for   these items		28. 10. 0 17. 12. 6
		£163. 13. 7

A/CS. ACCIDENT DEPARTMENT.

TELEPHONE No. 700.

TELEGRAPHIC ADDRESS: "SUFFICE, DUBLIN."

19th July. 19 16

From

THE SUN INSURANCE OFFICE,

9, COLLEGE GREEN,

DUBLIN.

WILLIAM COOTE,  
BRANCH MANAGER.



GHJ

To James J. Kelly, Esq.

35, Upper Camden Street.

DUBLIN

Fire Pol. 7340011 - J.J. Kelly. £4000 pm. 56

This is to certify that the premium under the above Policy  
has been paid to 25th December 1916.

*James J. Kelly*

*W. Coote*  
Branch Manager.

# SUN FIRE OFFICE.

Copy of Policy No. 7340011

dated Xmas 1902

Annual Premium £ 6 , 0 , 0 paid to Xmas

19 18

JAMES J. KELLY of No. 35, Upper Camden Street. Dublin. Wholesale & Retail Tobacconist.

£

On his Household Goods, Furniture, Fixtures; Linen; Wearing Apparel; Clocks; Watches; Jewellery; Trinkets; Printed Books; Plate; Wine and other Liquors in private use; China, Earthenware, Glass and Looking Glasses; Musical Instruments, Printed Music; Prints, Paintings, Drawings, Engravings and Sculptures (in case of loss, no one Print, Painting, Drawing, Engraving, or Article of Sculpture to be deemed of greater value than £ 6. 0. 0 ), Mathematical and Philosophical Instruments and Apparatus.

300

On stock and utensils in trade.....

1500

On business fixtures and fittings (pl. glass and plate glass fronts excepted).....

450

On plate glass and plate glass fronts.....

150

The above are in the Insured's dwellinghouse and shop communicating situate No. 35, Upper Camden St. & corner of Harcourt Road, Dublin aforesaid. ....

On the building of said dwellinghouse and shop.....

600

On stock and utensils in trade in the Insured's shop situate No. 36, Upper Camden St. Dublin, aforesaid adjoining and communicating with last named and forming portion of a building otherwise occupied as tenement dwellinghouse...

900

On business fixtures and fittings (plate glass and plate glass fronts excepted) office furniture, unused stationery and safes therein.....

100

£ 4000

Said buildings are brick or stone built and slated or tiled  
 A lathe is allowed to be occasionally used in the aforesaid for preparing pipes



SUN FIRE OFFICE

Copy of Policy No. 7340011.

Dated Xmas 1902.

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Annual Premium £6. 0. 0. paid to Xmas 1916.

---

JAMES J. KELLY of No. 35 Upper Camden Street, Dublin, Wholesale  
& Retail Tobacconist. £.

On his Household Goods, Furniture, Fixtures; Linen; Wearing apparel; Clocks; Watches; Jewellery; Trinkets; Printed Books; Plate; Wine and other Liquors in private use; China, Earthenware, Glass and Looking Glasses; Musical Instruments, Printed Music; Prints, Paintings, Drawings, Engravings and Sculptures (in case of loss, no one Print, Painting, Drawing, Engraving, or Article of Sculpture to be deemed of greater value than £6. 0. 0.), Mathematical and Philosophical Instruments and Apparatus.	300
On stock and utensils in trade	1500
On business Fixtures and fittings (pl. glass and plate glass fronts excepted )	450
On plate glass and plate glass fronts	150
The above are in the insured's dwellinghouse and shop communicating situate No. 35 Upper Camden St. & corner of Harcourt Road, Dublin, aforesaid	
On the building of said dwellinghouse and shop	600
On stock and utensils in trade in the Insured's shop situate No. 36 Upper Camden St. Dublin, aforesaid, adjoining and communicating with last named and forming portion of a building otherwise occupied as tenement dwellinghouse	900
On business fixtures and fittings (Plate glass and plate glass fronts excepted) office furniture, unused stationery and safes therein	100

---

£4000.

---

Said buildings are brick or stone built and slated or tiled

<sup>A</sup> Lathe is allowed to be occasionally used in the aforesaid for pipes.

From

9, College Green,  
Dublin.

To

James J. Kelly, Esq.  
35 Upper Camden Street,  
Dublin.

---

Fire Pol. 7340011 - J.J. Kelly, £4000 pm. £6.

This is to certify that the premium under the above Policy has been paid to 25th December 1916.

W. Coote.

Branch Manager.