

SAORSTÁT ÉIREANN.

PENSIONS.

AIREACHT CHOSANTA
 (MINISTRY OF DEFENCE).

OIFIG AIRM AIRGID
 (ARMY FINANCE OFFICE).

Register Number P.B. 2/D/495	From whom, number, and date <i>Mrs. W. W. McCurtin, 69. Pearse Street, Kerry.</i>	Officer or Soldier Name McCurtin. Austin Rank <i>Colonel.</i> Unit Army No. Date of Death <i>July 1922.</i> Address <i>69. Pearse Street Kerry, Co. Kerry.</i> Date of Discharge
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Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<i>Regy</i>	<i>29/1/22</i>	<i>A. J. Murphy</i>	<i>6/1/22</i>						
<i>R</i>	<i>1/2/22</i>	<i>Regy</i>	<i>4/1/22</i>						
<i>Mr. Egan</i>		<i>B.F.</i>	<i>4/5/26</i>						
<i>Regy</i>	<i>1/2</i>	<i>A. J. Murphy</i>	<i>4/5/26</i>						
<i>B.F.</i>	<i>21/2</i>	<i>Regy</i>	<i>8/5</i>						
<i>A. J. Murphy</i>	<i>8/2</i>	<i>B.F.</i>	<i>21/5</i>						
<i>Regy</i>	<i>15/2</i>	<i>A. J. Murphy</i>	<i>21/5</i>						
<i>B.F.</i>	<i>1/3</i>	<i>Regy</i>	<i>21/5</i>						
<i>A. J. Murphy</i>	<i>2/3/26</i>	<i>M.</i>	<i>4/6</i>						
<i>Regy</i>	<i>3/3</i>	<i>A. J. Murphy</i>	<i>10/6</i>						
<i>B.F.</i>	<i>10/3</i>	<i>Regy</i>	<i>11/6</i>						
<i>A. J. Murphy</i>	<i>14/3/26</i>	<i>M.</i>	<i>1/8</i>						
<i>Regy</i>	<i>16/3</i>								
<i>B.F.</i>	<i>6/4</i>								

Military Service
 Pensions Collection

MINUTE SHEET.

M.S.B.
(Accountant).

Reference.....

Letter from President's office with enclosure
from Messrs Gleeson No. 26/1/26.

2.

Reply sent to Messrs. Gleeson 29/1.
Form enclosed.

3.

Reply sent to President's Private Secy 29/1

4

Letter from Messrs. Gleeson 7/2

5.

Reply sent 12/2

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2/D/495

Military Archives

13th February 6

A dhaoine uaisle,

With reference to your letter of the 6th instant relative to a claim under the Army Pensions Act by Mrs McCurtain in respect of her son, Colonel Austin McCurtain, I enclose herewith a form, A.P. 5. which is applicable to Mrs McCurtain's claim. If you will be good enough to have this form completed and returned to this Office, the matter will have attention.

Through an error which is regretted, an incorrect form would appear to have been enclosed with my letter of the 29thultimo.

A franked addressed envelope is enclosed for the return of the form.

Mise le meas,

for *Carl J. Horgan*
ARMY FINANCE OFFICER.

Messrs Michael Gleeson & Son,
Solicitors,
NENAGH.

FM 'CJ.

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MICHAEL GLEESON & SON,
SOLICITORS.

MICHAEL GLEESON,
SOLICITOR.

LEWY P. GLEESON,
Solicitor.

Nenagh 6th February 1926.

Mrs W. F. McCurtin, Nenagh - Ref.2/D/495.

Dear Sir,

With reference to your letter of the 29th the information conveyed to us as stated in our letter of the 23rd to Mr. Banim is that Colonel Austin McCurtin died in July 1922. Is this inaccurate or if not how do you suggest a claim lies under the Army Pensions Act of 1923 at all?

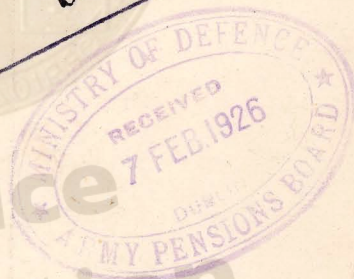
The only relative section we have been able to find is Section 8 which appears to deal only with cases where the death occurred before the 1st of April of that year. The form sent on which the claim is to be formulated appears to confirm this.

Your further observations would accordingly be appreciated.

Yours faithfully,

W. Mansfield

The Army Pensions Branch,
Army Finance Office,
Department of Defence,
Griffith Barracks,
Dublin.



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Mr Egan,

A form has
been sent to this
firm of Solicitors
Get minute sheet
written up + b.f.
for return of
Completed form

L.H.
1/2

Mr. Hogan

attended to
summary
1/2

Military Archives

2/D/495.

29th. January.

6.

Mr. Banim,

With reference to your minute of the 25th. instant, forwarding copy of a letter received from Messrs. Michael Gleeson & Son, Solicitors, Nenagh, on behalf of Mrs. McCurtin, in regard to her claim under the Army Pensions Act, 1923, I beg to inform you that a communication has been sent to Messrs. Gleeson & Son in the matter, and I enclose, as requested, a copy of same for the President's information.

J.J.H.

P.L. Banim Esq.,
President's Office,
DUBLIN.

JJH/UM.

Military Service Pensions Collection

Guthan, 3021.
(*Phone)

Uimhir Thagarta.....
(Reference No.)

OIFIG AIRGID AN AIRM
(Army Finance Office),

ROINN CHOSANTA
(Department of Defence),

BEAIRIC UÍ GHRÍOBHTHA
(Griffith Barracks),

BAILE ÁTHA CLIATH
(Dublin).

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Military Archives

Messrs. Michael Gleeson & Son,
Solicitors,
Henagh.

A Charge.

I am directed by the Minister for Defence to refer to your letter of the 23rd. instant, addressed to P.L. Banin Esq., President's Secretariat, in reference to Mrs. McCurtin's claim under the Army Pensions Act, in respect of her late son, Colonel Austin McCurtin, and to state that from the evidence available at the moment Mrs. McCurtin's claim would appear to be one for consideration under the Army Pensions Act, 1923. I am to enclose herewith accordingly, a form for completion by Mrs. McCurtin and to state that on its return, duly completed, investigations will be made into the matter and the Minister's decision in regard to an award communicated to her with as little delay as possible.

In regard to the second paragraph of your letter I am to inform you that no further legislation dealing with disability pensions has been enacted since the passing of the Army Pensions Act, 1923. A Military Service Pensions Act was passed in 1924, providing for the grant of service pensions to ex-members of the Forces who served in the Volunteers and also in the National Army, but claims such as McCurtin's do not come within the scope of this Act.

With regard to the concluding paragraph of your letter, I am to state that there are no special funds at the disposal of the Minister from which an additional ex-gratia payment of the nature suggested could be made, and any award which might be made to Mrs. McCurtin under the Army Pensions Act, 1923, would have to be regarded as in the nature of a final settlement of her claim.

Messrs. Gleeson & Son

Military Service Pensions Collection

for Army Finance Officer.

25/1/23

Military Archives

Lieutenant Tully in reply to 'phone enquiry stated that Colonel McCurtin was killed in action at Leix on the 28th July, 1922.

Mrs. McCurtin wrote to the Quartermaster General in May, 1924, and the latter passed the communication on to the Adjutant General. In his minute to the Quartermaster General the Adjutant General advised that Mrs. McCurtin should not apply for a time as further legislation was to be introduced, and it was possible that she would obtain a better award under the new legislation.

The Adjutant General's minute appears to have been incorporated in a letter by the Quartermaster General to Mrs. McCurtin and has, apparently, created the impression that by delaying her claim she would benefit to a greater extent than she could under the Army Pensions Act, 1923.

L.H.
29/1/26

JJH/EH.

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Pensions Collection

SAORSTÁT ÉIREANN.

(IRISH FREE STATE.)

PRESIDENT'S OFFICE.

Uimh. Tagartha
(Reference No.)

BAILE ÁTHA CLIATH
(Dublin.)

RA.

25th January, 1926.

Mr. Horgan,
Army Pensions Department.

The President recently asked me to make enquiries of your department with a view to ascertaining whether an application under the Army Pensions Act had been lodged by Mrs. W.F. McCurtin of 69, Pearse Street, Nenagh, in respect of the death in 1922 of Colonel Austin McCurtin. Last week I was informed by somebody acting on your behalf that there was no trace in the Army Pensions Department of an application from Mrs. McCurtin. On the President's instructions I communicated this information to Deputy Morrissey. The letter from Messrs. Michael Gleeson & Son, Solicitors, two copies of which are attached, appears to be the result of my letter to Deputy Morrissey.

Would you kindly study Messrs Gleeson's letter and have a detailed reply sent to it. I should be glad to receive a copy of same for the President's information.

W. J. Brennan

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Pensions Collection

COPY.

Military Archives

N E N A G H.

23rd January, 1926.

MRS. W. F. McCURTIN, NENAGH.

Dear Sir,

Mrs. McCurtin has consulted us with regard to your letter addressed to Mr. Daniel Morrissey, T.D. on the subject matter of her claim under the Army Pensions Act in respect of her late son Colonel Austin McCurtin who lost his life in July of 1922.

We have only access to the 1923 Statutes as this so far is the only volume which has been issued. We rather gather that since the Act of that year that at least one subsequent one has been passed and before advising our client any further we would like naturally therefore to have an opportunity of perusing its provisions. Perhaps in the special circumstances and as there are as you are aware special grounds for urgency you could obtain and send us in course of post a copy of the Statutes or Regulations under which the claim ought to be based.

Mrs. McCurtin informs us that a claim was submitted by her in 1922 through the Quartermaster General to the Adjutant General's Office. Is it to be understood that this cannot be traced? She appears to be under the impression that she was informed that she would come out more favourably if she postponed her application to the passing of some subsequent Legislation. Perhaps this therefore is the explanation.

In general would you please indicate if other than the Statutory provisions or Regulations thereunder it is to be taken that the Government have not at their disposal any special fund out of which an ex-gratia payment over and above or in addition to anything which the Act permits can be made.

Yours faithfully,

(SD) Michael Gleeson & Son.

P. L. Banim, Esq.,
President's Secretariat,
Government Buildings,
D u b l i n.