



APPEAL

Ref. No. 4284 Applicant's Name O'Connell, Michael Address Dalogue, Ballyisland, Co. Kerry

UNIT: \_\_\_\_\_

(a) PERIOD	(b) Service claimed	(c) Active Service Allowed	(d) Equivalent for Pension purposes.	REMARKS
(1) 23/4/16 - 30/4/16.	<u>24th &amp; 25th</u> <u>16</u>			(7)
(2) (a) 1/4/16-22/4/16 (b) 30/4/16-31/3/17	<u>Full Period</u>			<u>No change recommended.</u> (8) <u>21/38</u>
(3) 1/4/17 - 31/3/18	<u>do.</u>			(9)
(4) 1/4/18 - 31/3/19	<u>do.</u>			(10)
(5) 1/4/19 - 31/3/20	<u>do.</u>			(11)
(6) 1/4/20 - 31/3/21	<u>1/30 - 17/3/21</u>			(12)
(7) 1/4/21 - 11/7/21	<u>15/4/21 - 11/7/21</u>			(13)
(8) 12/7/21 - 30/6/22	<u>Full Period</u>			(14)
(9) 1/7/22 - 31/3/23	<u>do.</u>			(15)
(10) 1/4/23 - 30/9/23	<u>do.</u>			(16)

(a) First critical date (b) Second critical date

Rank claimed or - Sol. Rank allowed - Sol.

Total of Column (d) \_\_\_\_\_

SIGNED: James Robinson John Mc Coy S. J. J. J. John Jordan

# Military Archives

Ref. No. 4284 Applicant's Name Donnell, Michael Address Dunlague, Castletown, Co. Kerry. Unit (1) Castletown Coy. (2) B Coy. Baltn J, Kerry II Bde.

(a) Period	(b) Service claimed	(c) Active Service allowed	(d) Equivalent for pension purposes.	Remarks
(1) 23/4/1916-30/4/1916	<u>26th &amp; 25th</u> <u>4</u> <u>1916</u>	/	/	
(2) (a) 1/4/'16-22/4/'16 (b) 30/4/16-31/3/17.	<u>Full Period</u>	/	/	
(3) 1/4/'17 - 31/3/'18	<u>Full Period</u>	/	/	
(4) 1/4/'18 - 31/3/'19	<u>Full Period</u>	/	/	
(5) 1/4/'19 - 31/3/'20	<u>Full Period</u>	/	/	
(6) 1/4/'20 - 31/3/'21	$\frac{1}{4} - \frac{17}{3}$ $\frac{20}{21}$	$\frac{1}{2}$	1 w	-
(7) 1/4/'21 - 11/7/'22	$\frac{15}{4} - \frac{11}{21}$	Full	1 w	- <u>Finished</u>
(8) 12/7/'22 - 30/3/'23	<u>Full Period</u>	$\frac{1}{3}$	$\frac{1}{3}$ w	- <u>Completed</u>
(9) 1/7/'22 - 31/3/'23	<u>Full Period</u>	Full	2 w	- <u>12/6/35</u>
(10) 1/4/'23 - 30/9/'23	<u>Full Period</u>	-	-	

Rank claimed on (a) First critical date; (b) Second critical date.  
 Rank allowed:- Vol. Vol.  
E E

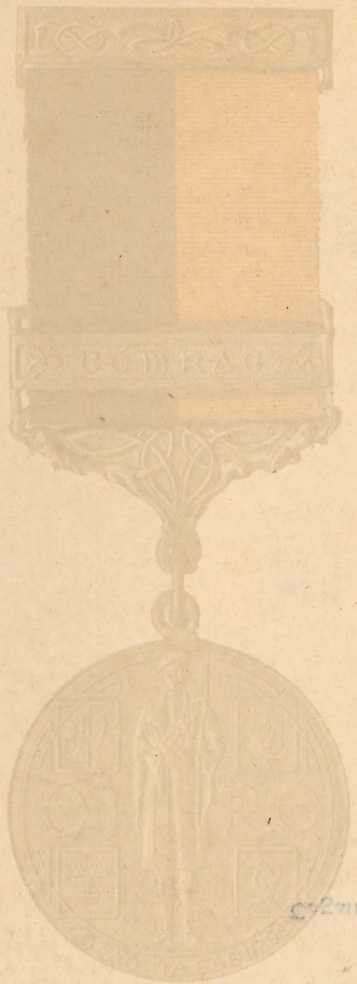
Total of column (d) 4 1/3 years ✓

Signed:- Donnell John McCoy J. Fahy [Signature]

# Military Archives

UNITED STATES GOVERNMENT PRINTING OFFICE: 1935

REFEREE R. 6  
21 MAY 1935 10:30  
ISSUED  $\frac{14}{5}$  35



Military Service  
Pensions Collection

1120

# Military Archives

4284

8 December, 1936

Secretary,  
Department of Defence,  
(Pensions).

I am directed by the Referee to refer to Mr. Horgan's  
minute 34.3P/4405 \_\_\_\_\_ of the 17th September, 1936  
relative to the appeal of Michael O'Connell, Dulague,  
Castleisland, Co. Kerry against the findings of the Referee  
in his case, and I am to state that the Referee has reviewed  
his Report in the light of the additional evidence, and has  
confirmed his findings as set out in his report of the

19. 6. 1935.

*SB*  
1001

Military Service  
Pensions Collection

File No. 4284

Name of applicant O'Connell - Michael

Discussed with Mr. D. O'Connell on \_\_\_\_\_

Military Archives

REMARKS



Military Service  
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# Military Archives

GUTHAN 21681  
(Telephone)

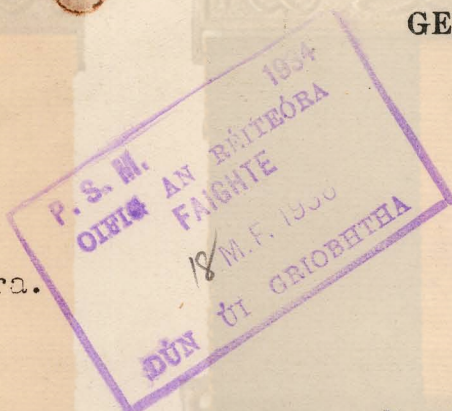
UIMHIR THAGARHA.  
(Reference No.)

ROINN COSANTA,  
(DEPT. OF DEFENCE),

GEATA NA PAIRCE,  
(PARKGATE),

BAILE ÁTHA CLIATH.  
(DUBLIN).

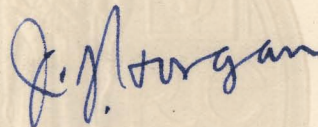
348P/4405.  
UAP/34/Ref-4284.



17 SEP 1936

Rúnaí,  
Oifig an Réiteóra.

I am directed by the Minister for Defence to state that Mr. Michael O'Connell,  
Deputy, Castle Island, Co. Kerry.  
has appealed against the findings of the Referee in his case. He has submitted the attached evidence, which purports to be additional to that already tendered. The Minister directs that the Referee will be good enough to review his report in the light of this new evidence.



t/c. Rúnaí.

MD.

Military Service  
Pensions Collection

E/133

STATEMENT IN SUPPORT OF APPEAL OF MICHAEL O'CONNELL

DULAIGUE, CASTLEISLAND NO. 34/S.P./4405.

Period 5.

Was one of the Section who destroyed telegraph wires between Castleisland & Gortatlea R.I.C. Barracks on the night of the attack and capture of Gortatlea Barracks, also making ammunition and collecting funds for arms.

As already stated in my form, I took part in the attack on the Scartaglin and Gortatlea R.I.C. Barracks.

I wish to draw the attention of the Board to the fact that I got no service in this period.

16 SEP 1936  
PENSIONS

6.

Took instructions in Bomb throwing and hand grenades and revolver practice from the Battalion O/C for a period of two or three weeks.

I was specially picked by the Brigade O/C to convey safely to Brosna previous to the attack the following War material.

Bombs, Mines, Tar and Petrol. I also received from the Brigade O/M. about half a dozen Rifles, half a dozen Shot Guns and three revolvers. One revolver given to myself as I was in charge of the escort conveying the stuff to the O/C Brosna Coy. I also took part in the planned attack and in the attack of Brosna Barracks in June 1920 being armed with a rifle and revolver.

On both occasions I was within 5 yards of the Barrack and took part in the main attack as already explained in my form.

In covering the retreat of the men from their positions on the morning of the attack on Brosna Barracks, some members of the Tans left the Barrack and were coming out to the road. We immediately opened fire on them and after an exchange of shots they retreated into the Barracks.

Took part in the capture of two British Soldiers in July 1920. Raided mails about August 1920, Took part in the making of Land Mines in Sept 1920 under orders of the Battalion Engineer. Took part in the planned attack at Headleys Bridge Oct 4th 1920 being armed with a rifle and bombs. Took part in the capture of a Transport Car at Knockeen 9/11/1920.

Took part in ambush laid for Tans on Oct 31st 1920 at Castleisland, also took part in ambush laid for Tans at Cahernard 13/11/1920. Took part in the attack of Castleisland Barracks on Feb 14th 1921, being armed with a rifle and revolver which I used in the attack.

Took part in the capture of Military stores including 32 tins of Petrol at Castleisland.

Spent three days at Buser Ambush March 4th 1921 as already stated and also Dysert ambush March 17th 1921.

I wish to draw the attention of the Board to the fact that I received only half of this period considering I was continually engaged in active service during the whole period,

Period 8.

During this period apart from my time in Camps I was continually carrying dispatches from Castleisland to Lyre-compaine and Knocknagoshel Coys, and acting as a connecting link between those two Companies and Battalion H. Quarters. Sent into Tralee by Battalion O/C with a party of men in connection with the arrest of John Cronin Ballymacelligott by Tans about Febr'y 1922, as the town of Tralee was surrounded by I.R.A. Forces, we took up a position about 200 yards from the Staff Barracks Tralee, we remained in this position about two days - John Cronin being unconditionally released. I was also engaged in the transportation of material for the manufacture of black powder under the instructions of the Battalion Engineer.

I was in charge of twelve men on the morning of the capture of Castleisland R.I.C. Barracks Febr'y 1922.

As already stated in my form, I attended three Camps which in all included a period of about three weeks, I was continually on ~~sentry~~ duty in connection with dispatch carrying and manufacture of powder as stated above.

I wish to point out to the Board I received only one-third of this period.

Period 10.

During April I sniped F.S. Barracks and outposts on three or four occasions. I was also engaged in carrying dispatches and taking charge of arms and ammunition of men who were arrested. About the end of June my house was raided on two occasions by F.S. Soldiers and in consequence I had to go on the run and was unable to remain at home until after Xmas 1923.

I wish to draw the attention of the Board that I received no service for this period.

Signed: - *Michael O'Connell*

Dulaigue

To: -

The Secretary

Department of Defence

Parkgate Street, Dublin.

Military Service Pensions Collection

# Military Service Pensions Act, 1934.

Ref. No. 34 S.P./4405

Ref. No. M.S.P./34/Referee - 4284

To:

To:

THE REFEREE.

THE MINISTER FOR DEFENCE.

I am directed by the Minister for Defence to transmit for report in accordance with Section 8 and the Regulations made under the Act the accompanying application of

I submit hereunder my report in this case.

*Report transmitted to GMR 21 18/35*

*O'Connell, Michael,  
Duloque, Castleisland, Co. Kerry.*  
for a Service Certificate.

*Recorded 19/5/35  
Registered 2/35*

The report should take the form of replies to the questions set out herewith.

(SIGNED) J. K. O'CONNOR

*bn. hnd*

*J. J. Morgan*

Referee.

Date..... 7 MAY 1935

Date.....

- Is the Applicant a person to whom the Act applies? *Yes*
- If so, total actual service in the different service periods, as established:
  - (1) Nil (2) Nil
  - (3) Nil (4) Nil (5) Nil (6)  $\frac{1}{2}$  of Entire Period (7) Entire Period
  - (8)  $\frac{1}{3}$  of Entire Period (9) Entire Period (10) Nil. *-*
- Total service for pension purposes as defined by Second Schedule of the Act.....  *$\frac{1}{3}$  years*
- Grade or rank, quoting relevant paragraph of First Schedule under which allowed:—
  - (a) On first critical date..... *Grade E. Para. 1(6). -*
  - (b) On second critical date..... *Grade E. Para. 1(6). -*
  - (c) Was applicant a member of the Irish Volunteer Executive at any time prior to the 11th July, 1921..... *No -*
  - (d) Does applicant's case fall under either of the following sub-paragraphs, and, if so, which, viz., sub-paragraph (j) of paragraph 3 of Rule I. of First Schedule..... *No -*
  - or under sub-paragraph (m) of paragraph 4 of Rule I. of First Schedule, as a Medical Officer..... *No -*

*8*  
*Quack*

5. Does the applicant state in his application whether he is at present in receipt of any remuneration, pension or allowance payable out of public moneys whether provided by the Oireachtas or out of the Central Fund or by means of the poor rate or any other rate imposed by a local authority ?.....

*no*

6. Does the applicant state in his application whether he applied for or is in receipt of unemployment assistance under the Unemployment Assistance Act, 1933? If so, quote the number of his qualification certificate if given by him.....

*no*

7. THE WEEK COMMENCING ON THE 23RD DAY OF APRIL, 1916.

(1) Duration of active service during the period as established to your satisfaction

*nil*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.....

*nil*

(3) State—

(a) The particular military body of the Forces.....

*Irish Volunteers*

(b) Unit or Units and the position held by applicant.....

*Bastle Island Coy.*

8. THE PERIOD COMPRISING :—

(a) THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1916, AND ENDING ON THE 22ND DAY OF APRIL, 1916, and

(b) THE PERIOD COMMENCING ON THE 30TH DAY OF APRIL, 1916, AND ENDING ON THE 31ST DAY OF MARCH, 1917.

(1) Duration of active service during the period as established to your satisfaction

*nil*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.....

*nil*

(3) State—

(a) The particular military body of the Forces. *Irish Volunteers*

(b) Unit or Units and the position held by applicant.....

*Bastleisland boy.* —

9. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1917, AND ENDING ON THE 31ST DAY OF MARCH, 1918.

(1) Duration of active service during the period as established to your satisfaction

*nil*

(2) Equivalent of active service for pension purposes as defined in the Second

Schedule of the Act. *nil*

(3) State—

(a) The particular military body of the Forces. *Irish Volunteers*

(b) Unit or Units and the position held by applicant.....

*Bastleisland boy.* —

10. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1918, AND ENDING ON THE 31ST DAY OF MARCH, 1919.

(1) Duration of active service during the period as established to your satisfaction

*nil*

(2) Equivalent of active service for pension purposes as defined in the Second

Schedule of the Act. *nil*

(3) State—

(a) The particular military body of the Forces. *Irish Volunteers*

(b) Unit or Units and the position held by applicant.....

*Bastleisland boy. Kerry II Brigade.* —

11. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1919, AND ENDING ON THE 31ST DAY OF MARCH, 1920.

(1) Duration of active service during the period as established to your satisfaction

*nil*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act. *nil*

(3) State—

(a) The particular military body of the Forces. *Oglaigh na h-Eireann*

(b) Unit or Units and the position held by applicant.....

*Bastleisland Coy. Battrn. I, Kerry II Brigade —*

12. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1920, AND ENDING ON THE 31ST DAY OF MARCH, 1921.

(1) Duration of active service during the period as established to your satisfaction

*2 of entire Period*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.....

*1 year*

(3) State—

(a) The particular military body of the Forces. *Oglaigh na h-Eireann*

(b) Unit or Units and the position held by applicant.....

*Bastleisland Coy. Battrn. I, Kerry II Brigade —*

13. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1921, AND ENDING ON THE 11TH DAY OF JULY, 1921.

(1) Duration of active service during the period as established to your satisfaction

*entire Period*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.....

*1 year*

(3) State—

(a) The particular military body of the Forces. *Oglais na h-Éireann*

(b) Unit or Units and the position held by applicant.  
*"B" Coy. Battr. I, Kerry II Brigade —*  
*and Battr. I A.S.U. —*

14. THE PERIOD COMMENCING ON THE 12TH DAY OF JULY, 1921, AND ENDING ON THE 30TH DAY OF JUNE, 1922.

(1) Duration of active service during the period as established to your satisfaction  
*3 of entire Period*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.  
*1/3 of 1 year*

(3) State—

(a) The particular military body of the Forces. *Oglais na h-Éireann*

(b) Unit or Units and the position held by applicant.  
*"B" Coy. Battr. I, Kerry II Brigade —*  
*and "C" Coy. Battr. VII, Kerry I Brigade —*

15. THE PERIOD COMMENCING ON THE 1ST DAY OF JULY, 1922, AND ENDING ON THE 31ST DAY OF MARCH, 1923.

(1) Duration of active service during the period as established to your satisfaction  
*entire Period*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.  
*2 years*

3) State—

(a) The particular military body of the Forces. *Oglais na h-Éireann*

(b) Unit or Units and the position held by applicant.  
*"C" Coy. Battr. VII, Kerry I Brigade —*

16. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1923, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 1923.

(1) Duration of active service during the period as established to your satisfaction  
..... *nil* .....


(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act. .... *nil* .....

(3) State—

(a) The particular military body of the Forces. .... *Oglaigh na h-Ireann* .....

(b) Unit or Units and the position held by applicant. ....  
*"C" Coy. Battr. VII, Kerry I Brigade* .....

**Military Service Pensions Collection**

  
SWORN STATEMENT MADE BEFORE THE ADVISORY COMMITTEE BY  
MICHAEL O'CONNELL - File No. 4284 - 21st MAY, 1935.

1st Period.

- Q. Had you any fighting in Easter Week?  
A. No, we stood to arms.

2nd & 3rd Periods.

- Q. Drilling and parades, collecting funds and material for making spears, usual routine work?  
A. Yes.

4th Period.

- Q. You were drilling, collection for anti-conscription funds, raiding for arms, etc. - you were manufacturing powder.  
A. I was collecting stuff for them.
- Q. How much of your time went on that?  
A. Myself and a couple of others were supplying it all the time.
- Q. Had you much raiding for arms?  
A. Yes.
- Q. Were they friendly houses?  
A. No.
- Q. Did you meet with opposition?  
A. No, they protested and handed them over. We had to break into one house and we got a revolver and stuff.
- Q. Did they fire on you?  
A. No.

5th Period.

- Q. Had you any other military operations except Gurtatlea and Scartaglen?  
A. No.
- Q. Had you much blocking of roads in this period?  
A. I was doing armed guard while they were blocking all the roads for the attack.
- Q. How far were these places from the place of the attack?  
A. About  $1\frac{1}{2}$  miles in both cases.
- Q. The road blocking was in connection with the attacks?  
A. Yes.
- Q. You were repairing arms?  
A. Yes, cleaning and repairing them.

6th Period.

- Q. The attack on Brosna did not come off?  
A. No, the first one did not.

Q. Knocknagoshel was evacuated?

A. Yes.

Q. You were near the Barracks during the Brosna attack?

A. Yes, in the next house.

Q. Cleaning and repairing big guns?

A. Yes, cannons. We had them for about three weeks. We got a soldier to get a projector repaired. We never made much use of them and they were removed to Listowel after.

Q. Where did you get the big guns?

A. Ballymacelligott Company brought them on to us, they took them from Kilarney.

Q. How long were you guarding the prisoners?

A. One for two weeks and one for three weeks.

Q. How many times did you snipe Castleisland Barracks.

A. Once.

Q. Were you on the run during this period?

A. I was all the time on the run since Gurtatlea.

Q. You were not sleeping at home?

A. No.

Q. You were in hospital?

A. Yes, I was wounded in Lisard on the 17th March 1921. I was wounded in the leg. I was 2 weeks and 3 days in hospital. I had to get out through the window as we were raided for.

#### 7th Period.

Q. There was an ambush in Glounsherown?

A. Yes, I took part in that.

Q. What about Knockeenahone?

A. There were 2 prepared ambushes there.

Q. Did Castleisland ambush come off?

A. Yes, that was Head Constable Storey. Our scout failed us and I had to ask another man to point him out to us. He was going out of Mass. We followed him and I fired four bullets into him. Sergeant Butler was shot too.

Q. Were you able to get away?

A. Yes. It was less than 100 yards from the Barracks. There were four of us on that job. Tim Leahy, Castleisland and Tim Reidy, Castleisland were on the shooting of Sergeant Butler; and John Mahoney and myself on the shooting of Head Constable Storey. I was in charge of both, the Battalion Commandant told me to take charge.

*By part. b'island.*

I took up action a week or so after getting out of hospital and the wound was still discharging.

#### 8th Period.

Q. You received threatening notice - what was that?

A. It read - "Mickeen O'Connell you cowardly murderer, king you shall remain and you will be branded murderer for life and have the curse of the widows and orphans - prepare for death".

Q. When the Truce came along what part did you play?  
 A. I was in charge of the taking of the Barracks in Castleisland.

Q. Did you take it over from the British?  
 A. Yes, we rushed them and got in. There were two sentries. I was in charge of it while the lads were searching and getting out the stuff.

Q. How many rifles did you capture?  
 A. About 30.

Q. Were you in Camps?  
 A. Yes for about 2 weeks

I was in Tralee. I took in a despatch to Humphrey Murphy. We thought the Free State were going to Ballybunion. I had to do guard during the night.

Q. What date was that?  
 A. Just before the 1st August.

Q. Did you go into Barracks?  
 A. No.

Q. Did you go home at all?  
 A. No.

Q. Were you full time on military work during the truce?  
 A. Yes.

Q. Were you training men?  
 A. No, I was being trained.

#### 9th Period.

Q. You were not with a column?  
 A. No.

Q. Were you living at home?  
 A. No, but I used call home.

Q. Were you on the run?  
 A. Yes.

I used to get despatches for Humphrey Murphy and any information we could find out.

#### 10th Period.

Q. You sniped enemy forces, was that sniping the Barracks?  
 A. Yes.

Q. After the Dump Arms were you working at home?  
 A. Yes.

Q. You were a volunteer on both critical dates?  
 A. Yes.

Sworn before me on

21/5/35

R.C. & Innes  
14/3/35



## Military Service Pensions Act, 1934.

### APPLICATION TO THE MINISTER FOR DEFENCE FOR A SERVICE CERTIFICATE.

This form must be filled in by every person who seeks a Service Certificate, and must be signed by him, and signature witnessed, on or before the 31st day of December, 1935. In the event of an applicant being unable to write he should affix his mark, such act being witnessed.

NAME (to be written in block capitals). O'CONNELL MICHEAL  
SURNAME. CHRISTIAN NAMES.

PRESENT ADDRESS (to be written in block capitals). DULAGUE CASTLE ISLAND  
CO. KERRY

NOTE.—Before answering the questions below, the applicant is requested to note that :

(a) This form is divided into three parts. Part I. is to be completed where the applicant had, in addition to the required pre-Truce Service, Service in the Forces in the period commencing the 1st July, 1922. Part II. is to be completed where the applicant's qualifying service in the Forces was pre-Truce only. Only one of those two parts is to be completed by any one applicant. Part III. is of general application and should be completed by all applicants.

(b) Before completing particulars as to rank the applicant should read carefully the First Schedule to the Act and also the definitions of the expressions "first critical date" and "second critical date" which are appended to this form for the information of applicants. He should then complete his replies to the questions in the terms of Rules 1 and 2 of the First Schedule which are applicable to his case, e.g. :—

was "a Divisional Adjutant" or

was "a Battalion Quartermaster whose Battalion was (at the critical date) not less than one hundred in strength," or

was "an officer of Fianna Eireann commanding one hundred members or more."

If applicant's case falls within either Rule 3 or Rule 4 of the First Schedule full particulars of the claim as required by those Rules should be given, if necessary, in a separate statement.

(c) All statements made in this application will be carefully investigated, and satisfactory evidence must be forthcoming on request to substantiate each and every statement made.

(d) "If any person with a view to obtaining either for himself or any other person a grant or payment of a pension under this Act, makes, signs, or uses any declaration, application or other written statement knowing the same to be false, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £25 (twenty-five pounds) or to imprisonment for a period not exceeding six months or at the discretion of the Court to both such fine and imprisonment."  
(Sec. 19 (1) of the Military Service Pensions Act, 1934).

- (e) "If any person so convicted as aforesaid is in receipt of a pension obtained by reason of such false declaration, application, or other written statement he shall forfeit such pension as from the date of such conviction." (Sec. 19 (2) of the Military Service Pensions Act, 1934).

If the applicant is unable to read, the above note should be read to him by the witness.

SERVICE IN THE FORCES, THAT IS IN THE FOLLOWING MILITARY BODIES, OGLAIGH NA h-EIREANN (IRISH REPUBLICAN ARMY) OR IN THE IRISH VOLUNTEERS OR IN THE IRISH CITIZEN ARMY OR IN FIANNA EIREANN OR IN THE HIBERNIAN RIFLES OR IN CUMANN NA mBAN.

For each of the periods set out in Parts I. and II. in which you claim to have rendered active service, state the name of the unit or units, name and address of the O/C., the names and addresses of three reputable references who can verify your service.

The following circumstances shall not be deemed to constitute a breach in the continuity of service:—

- (a) Absence from duty following arrest, imprisonment, internment, or deportation under the Defence of the Realm Act, 1914, the Restoration of Order in Ireland Act, 1920, or any regulations made thereunder;
- (b) Absence from duty following arrest, imprisonment, or penal servitude in respect of sedition, treason or treason felony prior to 11th July, 1921;
- (c) Absence from duty by reason of duties necessitating such absence undertaken at the instance of or on behalf of the Cabinet of the First Dail Eireann or of the Second Dail Eireann;
- (d) Absence from duty while under arrest, as a result of activities as a member of the Forces.

If you claim to have been absent from duty under these conditions, give particulars of the circumstances with respect to each such period of absence, and state its duration.

#### PART I.

TO BE COMPLETED BY APPLICANTS WHO HAD PRE AND POST TRUCE SERVICE IN THE FORCES\* AS FOLLOWS:—

- (a) who served in the Forces at any time during the week commencing on the 23rd day of April, 1916,
- or
- (b) who served in the Forces continuously during either of the following periods, the period commencing on the 1st day of April, 1920, and ending on the 31st day of March, 1921,
- or
- (c) the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921,

*and in addition*

who served in the Forces at any time during the period commencing on the 1st day of July, 1922, and ending on the 30th day of September, 1923.

\* The following Military Bodies, and those only, are included in the term "the Forces," viz. :—

Oglaigh na h-Eireann (Irish Republican Army) or  
the Irish Volunteers, or  
the Irish Citizen Army, or  
Fianna Eireann, or  
the Hibernian Rifles, or  
Cumann na mBan.

## (1). ACTIVE SERVICE AT ANY TIME DURING THE WEEK COMMENCING ON THE 23RD DAY OF APRIL, 1916.

(a) Did you render active service in the week commencing 23rd April, 1916. If so, from what date in that week? *Yes 24<sup>th</sup> & 25<sup>th</sup>*

(b) Unit or Units..... *Castleisland Coy*

(c) Duration (giving dates) of service..... *24<sup>th</sup> & 25<sup>th</sup>*

(d) District or Districts in which active service was rendered..... *boy area*

(e) Officer Commanding in each instance..... *D. O'Mahony Bgde. Ofc*

(f) In what way do you claim that your service was active service? .....

*To the extent that I stood to arms*

(g) Particulars of any military operations or engagements or services rendered during the week..... *see F*

(h) Absence from duty and cause..... *None*

(i) References who can testify as to your statements above:—

NAME.

ADDRESS.

*J. M. O'Connell Bawnaskeha, Castleisland*  
*James B. O'Mahony Glounacung " "*  
*Maurice Sullivan Dysart " "*

## (2). CONTINUOUS ACTIVE SERVICE DURING PERIOD COMPRISING—

(a) period from 1st April, 1916, to 22nd April, 1916, and

(b) period from 30th April, 1916, to 31st March, 1917.

(a) Unit or Units..... *Castleisland Coy*

(b) Duration (giving dates) of service..... *continuously active*

(c) District or Districts in which active service was rendered..... *Castleisland Coy area*

(d) Officer Commanding in each instance..... *J. M. O'Connell*

(e) In what way do you claim that your service was active service? .....

*To the extent that I carried out all orders of superior officer*

(f) Particulars of any military operations or engagements or services rendered during the period..... *stood to arms 24<sup>th</sup> & 25<sup>th</sup> Apr*

*Drilling Making munitions Collecting funds Target practice*

(g) Absence from duty and cause..... *None*

(h) References who can testify as to your statements above :—

NAME.	ADDRESS.
James B. O'Mahony	Clounacumig Castleisland
Timothy M. O'Tomot	Bawnasteha " "
Maurice Sullivan	Dyrast " "

(3). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1917, TO 31ST MARCH, 1918.

(a) Unit or Units... *Castleisland Coy*

(b) Duration (giving dates) of service... *Continuous service*

(c) District or Districts in which active service was rendered... *Boy area*

*Tralee & Ardara*

(d) Officer Commanding in each instance... *J.M. O'Tomot & D.O. Mahony*

(e) In what way do you claim that your service was active service ?.....

*To the extent that I carried out all orders from superior officers*

(f) Particulars of any military operations or engagements or services rendered during

the period... *Drilling & public parading collecting funds & material for making spears*

(g) Absence from duty and cause... *None*

(h) References who can testify as to your statements above :—

NAME.	ADDRESS.
James B. O'Mahony	Clounacumig Castleisland
Timothy M. O'Tomot	Bawnasteha " "
Maurice Sullivan	Dyrast " "

(4). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1918, TO 31ST MARCH, 1919.

(a) Unit or Units... *Castleisland Coy*

(b) Duration (giving dates) of service... *Continuous service*

(c) District or Districts in which active service was rendered... *Boy area*

(d) Officer Commanding in each instance... *J.M. O'Tomot D.O. Mahony*

(e) In what way do you claim that your service was active service ?.....

*To the extent that I carried out all orders from superior officers  
raiding for arms. collecting anti conscription funds  
Dail Eirann loan - manufacturing powder.  
repairing & cleaning arms. organized race meeting for company funds. made collection for arms.*

(f) Particulars of any military operations or engagements or services rendered during the period..... *See E.*.....

(g) Absence from duty and cause..... *None*.....

(h) References who can testify as to your statements above:—

NAME.	ADDRESS.
<i>James B. O'Mahony</i>	<i>Glounacumig, Castleisland</i>
<i>J. M. O'Tormot</i>	<i>Bawnasteeha</i>
<i>Maurice Sullivan</i>	<i>Dysart</i>

(5). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1919, TO 31ST MARCH, 1920.

(a) Unit or Units..... *Castleisland Coy. 1<sup>st</sup> Batt. Kerry Regt*

(b) Duration (giving dates) of service..... *Continuous*.....

(c) District or Districts in which active service was rendered..... *Coy area: Gortalea & Kartaglen.*

(d) Officer Commanding in each instance..... *J. M. O'Tormot, D.D. Mahony*

(e) In what way do you claim that your service was active service?.....

*To the extent that I took part in the attacks of Gortalea & Kartaglen R.I.C. Barracks*

(f) Particulars of any military operations or engagements or services rendered during the period..... *See E. also blocking roads, manufacturing powder, repairing arms.*

(g) Absence from duty and cause..... *None*.....

(h) References who can testify as to your statements above:—

NAME.	ADDRESS.
<i>James B. O'Mahony</i>	<i>Glounacumig, Castleisland</i>
<i>J. M. O'Tormot</i>	<i>Bawnasteeha</i>
<i>Maurice Sullivan</i>	<i>Dysart</i>

(6). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1920, TO 31ST MARCH, 1921.

(a) Unit or Units..... *Castleisland Coy. 1<sup>st</sup> Batt. Kerry No 2 Bde*

(b) Duration (giving dates) of service..... *Continuous service until wounded on 17/3/21.*

(c) District or Districts in which active service was rendered... *Boy area*  
*Broma, Hedges, Bodge, The Bows, Rathmore*  
(d) Officer Commanding in each instance... *James B. O'Mahony*  
*Humphrey Murphy, Sean Moylan*  
(e) In what way do you claim that your service was active service?

*To the extent that I took part in the attack on Broma R.I.C. Bks 20*  
*laid in ambush at Hedges, Bodge & The Bows. Also took part in*  
*preparing attack in Broma on June 6th, 1920. Took part in burning*  
*of Hedges R.I.C. Bks 11 & 20*

(f) Particulars of any military operations or engagements or services rendered during  
the period... *(See E) I also removed barrels of fat*  
*and box of bombs from Castleisland town*  
*Broma. Did arm guard out prisoners sentenced by court-*  
*martial. Sniped Castleisland R.I.C. Blainey & opening*  
*Big Sum. and properties for same.*  
(g) Absence from duty and cause... *None, except period in*  
*Hospital*

(h) References who can testify as to your statements above:—  
NAME. ADDRESS.  
*James B. O'Mahony Clounacung Castleisland*  
*J. M. O'Connor Bawnaskeha*  
*Humphrey Murphy Dublin*

(7). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1921, TO 11TH JULY, 1921.  
(a) Unit or Units... *B. Coy 1st Batt. Kerry No 2 Bgde.*  
*also Battalion A.S.U.*  
(b) Duration (giving dates) of service... *Continuous from 1/5/21*

(c) District or Districts in which active service was rendered... *Boy area.*  
*Clounacung, Tralee, Glounasherrin, Castleisland from 8/5/21*  
*Knockree, Kesh, Knockamerican, Castleisland 7/21*  
(d) Officer Commanding in each instance... *Humphrey Murphy, James B. O'Mahony*  
*J. M. O'Connor, Bawnaskeha, Humphrey Murphy*

(e) In what way do you claim that your service was active service?  
*To the extent that I was a member of the Battalion & I*  
*took part in ambush in Castleisland on 11/7/21*

(f) Particulars of any military operations or engagements or services rendered during  
the period... *Castleisland Ambush 8/5/21*  
*Prepared ambush for murder gang 11/5/21. 21/5/21*  
*Knockree Ambush 30/6/21 and 1/7/21. Knockree Ambush 3/7/21*  
*Did arm guard for men wounded in Glounasherrin*  
*Knockree Ambush. James*

(g) Absence from duty and cause... *was absent for about 15 days*  
*while in Tralee Infirmary suffering from*  
*wounds.*

(h) References who can testify as to your statements above:—  
NAME. ADDRESS.  
*Denis McCarthy Knockree Castleisland*  
*David McCarthy Bawnaskeha Castleisland*  
*Humphrey Murphy Dublin*

(8). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 12TH JULY, 1921, TO 30TH JUNE, 1922.  
(a) Unit or Units... *B. Coy 1st Batt. Kerry No 2 Bgde*  
*C. " 7th " " " " " " " " " " " "*  
(b) Duration (giving dates) of service... *Continuous*

(c) District or Districts in which active service was rendered... *Boy area*  
*& Battalion area.*  
(d) Officer Commanding in each instance... *James B. O'Mahony*

(e) In what way do you claim that your service was active service?  
*To the extent that I attended all camps in*  
*Boy & Battalion areas.*

(f) Particulars of any military operations or engagements or services rendered during  
the period... *Castleisland R.I.C. Barracks*  
*Feb 1922. taken. Received threatening letters from enemy forced*  
*24/8/21*

(g) Absence from duty and cause... *None.*  
(h) References who can testify as to your statements above:—

NAME. ADDRESS.  
*James B. O'Mahony Clounacung Castleisland*  
*Maurice Sullivan Dyrart " "*  
*Denis McCarthy Knockree " "*

(9). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST JULY, 1922, TO 31ST MARCH, 1923.  
(a) Unit or Units... *B. Coy*  
(b) Duration (giving dates) of service... *Continuous*

(c) District or Districts in which active service was rendered... *Boy area*  
*and Tralee and Ferris*  
(d) Officer Commanding in each instance... *James O'Mahony*  
*Humphrey Murphy*

(e) In what way do you claim that your service was active service?  
*To the extent that I was an active member*  
*of the Company. Sniped enemy posts*  
*several times. Also went to Castleisland*  
*town for ammunition and information*

(f) Particulars of any military operations or engagements or services rendered during the period. *(See E)*

(g) Absence from duty and cause. *None*

*111a*

(h) References who can testify as to your statements above:—

NAME.

ADDRESS.

*Maurice C. Graney, Castleisland.*  
*Patrick Fitzgerald, Tulligabran.*  
*Humpton Murphy, Dublin.*

(10). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1923, TO 30TH SEPTEMBER, 1923.

(a) Unit or Units. *C. Coy*

(b) Duration (giving dates) of service. *Continuous.*

(c) District or Districts in which active service was rendered. *Coy Area.*

(d) Officer Commanding in each instance. *James B O'Mahony*

(e) In what way do you claim that your service was active service?

*To the extent that I scouted the enemy forces on several occasions.*

(f) Particulars of any military operations or engagements or services rendered during the period. *See E.*

(g) Absence from duty and cause. *None.*

(h) References who can testify as to your statements above:—

NAME.

ADDRESS.

*Patrick Fitzgerald, Tulligabran, Castleisland*  
*James B O'Mahony, Clonmacnoy*  
*H. Murphy, Dublin.*

PART II.

TO BE COMPLETED BY APPLICANTS WHOSE QUALIFYING SERVICE IN THE FORCES\* WAS PRE-TRUCE ONLY, i.e.:—

(a) who served in the Forces at any time during the week commencing on the 23rd day of April, 1916,

or

(b) who served in the Forces continuously during the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921.

.....  
.....

(1). ACTIVE SERVICE AT ANY TIME DURING WEEK COMMENCING ON 23RD APRIL, 1916.

(a) Did you render active service in the week commencing 23rd April, 1916? If so, from what date in that week.....

(b) Unit or Units.....

(c) Duration (giving dates) of service.....

.....

(d) District or Districts in which active service was rendered.....

.....

(e) Officer Commanding in each instance.....

(f) In what way do you claim that your service was active service?.....

.....

(g) Particulars of any military operations or engagements or services rendered during the week.....

.....

.....

(h) Absence from duty and cause.....

.....

.....

\* The following Military Bodies, and those only, are included in the term "the Forces," viz.:—

- Oglaigh na h-Eireann (Irish Republican Army), or
- the Irish Volunteers, or
- the Irish Citizen Army, or
- Fianna Eireann, or
- the Hibernian Rifles, or
- Cumann na mBan.

(i) References who can testify as to your statements above:—

NAME.

ADDRESS.

Military Archives

(2). CONTINUOUS ACTIVE SERVICE DURING PERIOD COMPRISING:—

- (a) period from 1st April, 1916, to 22nd April, 1916;
- (b) period from 30th April, 1916, to 31st March, 1917.

- (a) Unit or Units.....
- (b) Duration (giving dates) of service.....
- (c) District or Districts in which active service was rendered.....
- (d) Officer Commanding in each instance.....
- (e) In what way do you claim that your service was active service?.....
- (f) Particulars of any military operations or engagements or services rendered during the period.....
- (g) Absence from duty and cause.....
- (h) References who can testify as to your statements above:—

NAME.

ADDRESS.

(3). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1917, TO 31ST MARCH, 1918.

- (a) Unit or Units.....
- (b) Duration (giving dates) of service.....
- (c) District or Districts in which active service was rendered.....

Military Service Pensions Collection

(d) Officer Commanding in each instance.....

(e) In what way do you claim that your service was active service ?.....

(f) Particulars of any military operations or engagements or services rendered during the period.....

(g) Absence from duty and cause.....

(h) References who can testify as to your statements above:—

NAME.

ADDRESS.

(4). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1918, TO 31ST MARCH, 1919.

(a) Unit or Units.....

(b) Duration (giving dates) of service.....

(c) District or Districts in which active service was rendered.....

(d) Officer Commanding in each instance.....

(e) In what way do you claim that your service was active service ?.....

(f) Particulars of any military operations or engagements or services rendered during the period.....

(g) Absence from duty and cause.....

Military Archives

Military Service Pensions Collection

(h) References who can testify as to your statements above:—

NAME. ADDRESS.

Military Archives

(5). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1919, TO 31ST MARCH, 1920.

(a) Unit or Units.....

(b) Duration (giving dates) of service.....

(c) District or Districts in which active service was rendered.....

(d) Officer Commanding in each instance.....

(e) In what way do you claim that your service was active service?.....

(f) Particulars of any military operations or engagements or services rendered during the period.....

(g) Absence from duty and cause.....

(h) References who can testify as to your statements above:—

NAME. ADDRESS.

(6). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1920, TO 31ST MARCH, 1921.

(a) Unit or Units.....

(b) Duration (giving dates) of service.....

(c) District or Districts in which active service was rendered.....

(d) Officer Commanding in each instance.....

Military Service Pensions Collection

(e) In what way do you claim that your service was active service ?.....

.....

(f) Particulars of any military operations or engagements or services rendered during the period.....

.....

.....

(g) Absence from duty and cause.....

.....

(h) References who can testify as to your statements above:—

NAME.

ADDRESS.

.....

.....

.....

(7). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1921, TO 11TH JULY, 1921.

(a) Unit or Units.....

(b) Duration (giving dates) of service.....

.....

(c) District or Districts in which active service was rendered.....

.....

(d) Officer Commanding in each instance.....

(e) In what way do you claim that your service was active service ?.....

.....

(f) Particulars of any military operations or engagements or services rendered during the period.....

.....

.....

(g) Absence from duty and cause.....

.....

(h) References who can testify as to your statements above:—

NAME.

ADDRESS.

.....

.....

.....

PART III.

GENERAL.

TO BE COMPLETED BY ALL APPLICANTS.

(1). State in terms of the First Schedule to the Act the rank and nature of appointment held on the first and second critical dates, respectively:—

(a) On first critical date.

N.C.O

(b) On second critical date.

Volunteers.

References who can testify as to your statements:—

NAME.

ADDRESS.

James B. O'Mahony	Clounacurry	Castlerand
John J. Walsh	Fyve	Currow, Co. Kerry
David McCarthy	Brachig	Cordale, Castlerand
Humphrey Murphy		Dublin.

X (2). Did you serve in the National Army as well as in the Forces on the 1st July, 1922, or on any subsequent date. If so, did you apply for a certificate of military service under the Military Service Pensions Act, 1924, and, if so, with what result. If you did not so apply, give your reasons for not doing so.

No.

X (3). If you did not serve in both the National Army and the Forces on the 1st July, 1922, or on any subsequent date—state whether you applied for a Certificate of Military Service under the Military Service Pensions Act, 1924, and, if so, with what result.

No.

(4). Did you apply for a wound or disability pension under any of the following Acts ? :—

- Army Pensions Act, 1923.
- Army Pensions Act, 1927.
- Army Pensions Act, 1932.

If so, with what result. *Yes.*

*I applied for a disability pension under the 1923 act. I received a gratuity of £60*

*I have applied for a disability pension under the 1932 act. my case has not so far been investigated.*

X (5). Have you applied for, or are you in receipt of Unemployment Assistance under the Unemployment Assistance Act, 1933? X If so, quote the number of your qualification certificate *No*

X (6). Were you a member of the Irish Volunteer Executive at any time prior to the 11th July, 1921? If so, give the dates between which you served. *No*

X (7). Are you now, or were you at any time during the period for which you claim service, in receipt of any remuneration, or allowance payable out of public moneys, whether provided by the Oireachtas or out of the Central Fund, or by means of the poor rate or any other rate imposed by a local authority, state details. *No*

X (8). Are you in receipt of any pension in respect of service :—

- (a) As a member of the Civil Service.
- (b) As a member of the Garda Síochána.
- (c) As a member of any other Police Force.
- (d) As a member of the Prisons Service.
- (e) As a National School Teacher.
- (f) As a Secondary School Teacher.

- (g) As an Officer of any Local Authority.
- (h) In any other employment.

If so, give details.....

*No*

NOTE.—You will subsequently have to furnish any further particulars and to submit any evidence which the Minister for Defence, or the Referee appointed under the Military Service Pensions Act, or any person or persons duly authorised by them may require in connection with this application for a Service certificate. In this connection attention is directed to the fact that Section 8 (4) of the Act prescribes that the onus of proof shall rest on the applicant.

Careful consideration will be given to any documentary evidence which you may wish to submit herewith. You may also at your discretion write hereunder a statement of any additional information which you consider may be of assistance in determining your application.

*I was an active member of the Easterland Coy from 1916 on. was on the run since the attack on Gortalla R.I.C. Bks 24/3/20. was in charge of party who shot Head Constable Storey and Sgt Butler R.I.C. on 18/5/21. was a member of the Battalion A.S.W. was wounded 17/3/21. rescued by Fr. P. O. from Infirmary before wounds were healed. I received a letter written with red ink on 24/12/21 threatening to take my life and be prepared.*

Signature (or Mark) of Applicant.....

*Michael O'Connell*

*Dulague Castle Island*

\* Witness to signature or (where applicant is unable to write) to mark of applicant. }

*Timothy Fleming P.C.*

Address of Witness.....

*Renalough*

*Yarranmore*

Qualification.....

*P.C.*

Date.....

*March 8th 35*

\* Witness must be one of the following :—

- A Commissioned Officer serving in the Defence Forces.
- A Permanent Civil Servant (active or retired) whose salary is or was not less than £200 and on a scale rising to not less than £300.
- A District Justice.
- A Peace Commissioner.
- A Barrister-at-Law, a Solicitor, or a Commissioner for Oaths.
- A Minister of Religion (denomination to be stated).
- A Registered Physician or Surgeon.
- Managers, Secretaries, Chief Cashiers and Accountants of Banks, and Officials in charge of Branch Banks.
- A Member of the Garda Síochána.
- A Postmaster or Postmistress in actual charge of a Post Office.
- Head Teachers of Secondary or National Schools.
- A Secretary of a Registered Friendly Society.
- A Notary Public.
- A Consul-General.
- A Consul.
- A Vice-Consul.

## APPENDIX.

## FIRST SCHEDULE.

## RULES FOR DETERMINING NOTIONAL GRADES OF RANK IN THE FORCES HELD BY PERSONS SERVING IN THE FORCES.

1.—(1) Any person who at any date was either Chief of Staff, Deputy Chief of Staff, Adjutant General, a Divisional Officer Commanding, or Quartermaster General shall be deemed to have held at that date Rank A.

(2) Any person who at any date was either—

- (a) a General Headquarters Officer acting as Director of any one of the following services, namely Organisation, Intelligence, Engineering and Munitions, or
- (b) a Brigade Officer Commanding whose brigade was at that date not less than one thousand in strength,

shall be deemed to have held at that date Rank B.

(3) Any person who at any date was either—

- (a) a Brigade Officer Commanding whose brigade at that date was less than one thousand in strength, or
- (b) a Divisional Vice Officer Commanding, or
- (c) a Divisional Adjutant, or
- (d) a Divisional Quartermaster, or
- (e) a Battalion Commandant whose battalion was at that date not less than three hundred in strength, or
- (f) a Brigade Vice Officer Commanding whose brigade was at that date not less than one thousand in strength, or
- (g) a Brigade Adjutant whose brigade was at that date not less than one thousand in strength, or
- (h) a Brigade Quartermaster whose brigade was at that date not less than one thousand in strength, or
- (i) a Column Commander whose column was at that date not less than thirty in strength, or
- (j) a General Headquarters Officer who at that date was acting as Director of Medical Services, or
- (k) a General Headquarters Officer who at that date was acting as Director of any Service, other than that of Medical Services, or one of the Services mentioned in sub-paragraph (a) of the immediately preceding paragraph,

shall be deemed to have held at that date Rank C.

(4) A person who at any date—

- (a) was a Battalion Commandant whose battalion at that date was less than three hundred in strength, or
- (b) was a Company Captain whose company at that date was not less than sixty in strength, or
- (c) was, at that date, a Captain on the General Headquarters Staff or on a Divisional Staff, or
- (d) was, in the case of a company which at that date was not less than one hundred and twenty in strength, where the company had at that date one Lieutenant only, such Lieutenant or, where the company had at that date two Lieutenants only, one or other of such Lieutenants, or, where the company had at that date three or more Lieutenants, one or other of the two Lieutenants who were at that date respectively second and third in command, or
- (e) was, in the case of a company which at that date was less than one hundred and twenty in strength but not less than one hundred in strength, where such company had at that date one Lieutenant only, such Lieutenant or where such company had at that date two or more Lieutenants, the Lieutenant who was at that date second in command, or
- (f) was a Brigade Officer, other than a Brigade Officer who is deemed by virtue of paragraph (2) or (3) of this Rule to have held at that date either Rank B or Rank C, or
- (g) was a Battalion Vice Officer Commanding whose battalion at that date was not less than one hundred in strength, or
- (h) was a Battalion Adjutant whose battalion was at that date not less than one hundred in strength, or
- (i) was a Battalion Quartermaster whose battalion was at that date not less than one hundred in strength, or

- (j) was a General Headquarters Officer other than a General Headquarters Officer who was at that date acting as a Director of any Service, or
- (k) was a Divisional Officer other than a Divisional Officer Commanding, a Divisional Vice Officer Commanding, a Divisional Adjutant or a Divisional Quartermaster, or
- (l) was a Column Commander whose column at that date was less than thirty in strength, or
- (m) was a Medical Officer other than a General Headquarters Officer who at that date was acting as Director of Medical Services,

shall be deemed to have held at that date Rank D.

(5) Any person who complies with the following conditions, namely :—

- (a) was at any date an officer, and
- (b) is not deemed by virtue of any of the preceding paragraphs of this Rule to have held at that date any grade of rank,

shall be deemed for the purposes of this Act to have held at that date Rank E.

(6) Any person who at any date held the rank of non-commissioned officer or private shall be deemed to have held at that date Rank E.

(7) None of the foregoing provisions of this Rule shall apply to any person who at any date was a member of Fianna Eireann or of Cumann na mBan and was not at any date a member of Oglagh na hEireann (Irish Republican Army) or of the Irish Volunteers, and in lieu thereof the following provisions shall have effect in relation to any such person, that is to say :—

(a) any person who at any date :—

- (i) was a member of the headquarters staff or executive of Fianna Eireann or Cumann na mBan, or
- (ii) was an officer of Fianna Eireann or Cumann na mBan commanding one hundred members or more of either of those bodies, or
- (iii) was an officer of Fianna Eireann or Cumann na mBan senior to an officer of either of those bodies commanding one hundred members or more of either of those bodies,

shall be deemed to have held at that date Rank D, and

- (b) any person who at any date was a member of Fianna Eireann or Cumann na mBan and who is not deemed by virtue of the foregoing sub-paragraph (a) of this paragraph to have held Rank D, shall be deemed to have held at that date Rank E.

2. Where an officer whose grade of rank at any date is, under Rule I of this Schedule, to be determined both by his actual rank in the Forces and the strength of the unit to which he belonged at that date, and such officer is, at that date, absent from duty by reason of imprisonment on account of his activities as a member of the Forces, the following provisions shall, for the purposes of the said Rule I, have effect in relation to such officer, that is to say :—

- (a) such officer shall be deemed to have held at that date the actual rank in the Forces which he held at the date of his arrest, and
- (b) such unit shall be deemed to be at that date at the same strength as it was at the time of his arrest.

3. Where the case of any person does not fall within the provisions of Rule I of this Schedule, the Referee may determine the particular grade of rank which such person is to be deemed to have held on any date, and in so determining the Referee shall have regard to the following matters, that is to say :—

- (a) the appointment held by such person,
- (b) the services performed by such person,
- (c) the principles of grading set forth in the said Rule I.

4. Where any person, whose case at a particular date falls within the provisions of Rule I of this Schedule, was, at that date, engaged in service of a special character, the Referee may, in making his report under this Act in relation to the grade of rank held by such person on such date, report that the grade of rank held by him on such date is a grade of rank higher than the grade which, but for this Rule, would be the grade of rank held by him on that date.

#### DEFINITION OF THE FIRST AND SECOND CRITICAL DATES.

1. In the case of a person who served in the Forces during the period commencing on the 1st day of July, 1922, and ending on the 30th day of September, 1923,

The expression "the first critical date" means the 11th day of July, 1921; and the expression "the second critical date" means:—

- (a) in the case of a person who served in the Forces on the 1st day of July, 1922, the 1st day of July, 1922 and
- (b) in the case of a person who did not serve in the Forces on the 1st day of July, 1922, but who served in the Forces at any time during the period commencing on the 2nd day of July, 1922, and ending on the 30th day of September, 1923, the date during that period on which such person first served in the Forces.

2. In the case of a person who did not serve in the Forces during the period commencing on the 1st day of July, 1922, and ending on the 30th day of September, 1923, but who has either:—

- (a) served in the Forces at any time during the week commencing on the 23rd day of April, 1916,  
or
- (b) served in the Forces continuously during the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921,

the expression "the first critical date" shall be construed as meaning the date during the said week, or if he did not serve during the said week, during the said period, on which he first served in the Forces in such week or such period (as the case may be), and

the expression "the second critical date" shall be construed as meaning the earliest date in the period between the first critical date in respect of such person, and the 12th day of July, 1921, on which such person held his highest rank in such last-mentioned period in the Forces.

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