

Roinn

fó-Roinn

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105.

Tá annro, leir

An Uimhir

An Snó

nsp/34/Reference

2282

An Uimhir as Roinn
Eile.

15779

Byrne Michael

47 Dolphin's Barn St,
Dublin

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B. J.

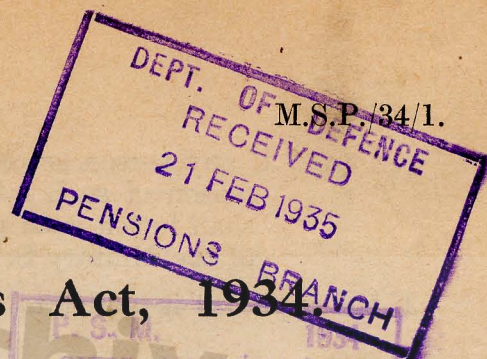
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21 FEB 1936



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).

BYRNE MICHAEL

SURNAME.

CHRISTIAN NAMES.

PRESENT ADDRESS (to be written in
block capitals).

47 DOLPHIN'S BARN STREET,
DUBLIN

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? *23rd April 1916*

(b) Unit or Units *C. Coy 4th Batt Dublin Brigade*

(c) Duration (giving dates) of service *23rd April 1916 to 30th April 1916*

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

Lane District Dublin

(e) Officer Commanding in each instance *James Murphy 20 Roush Ave*

(f) In what way do you claim that your service was active service *Dunlaoghaire Garrison*

all orders issued to me by my superior officers

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

the week *Took over & defended District under arms*

(h) Absence from duty and cause *not absent*

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

NAME.	ADDRESS.
<i>Martin Mullen</i>	<i>9 Emerald Yce. Dock St.</i>
<i>Patrick Byrne</i>	<i>3 Dolphin's Barn St.</i>
<i>Patrick Mullen</i>	<i>9 Emerald Yce. Dock St.</i>

(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 *C. Coy 4th Batt Dublin Brigade*

(b) Duration (giving dates) of service *1st April 1916 to 22nd April 1916*

was interned from 30th April 1916 to Sept. 1916 rejoined my Coy and served up to Feb 1917

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

4th Batt Dublin Brigade

(d) Officer Commanding in each instance *Thomas McCarthy 23 Eweagh Gt. Dublin*

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

parades & obeyed all orders issued to me by my superior officers

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

the period *In arms preparation for Easter week was interned*

after & released in Sept 1916 Reported to my Coy and

had service up to Feb 1917 Absent from Feb 1917 to March 1917

Dismissed from my employment in Sept 1916 went away in Feb. 1917 to England for employment

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

NAME.	ADDRESS.
Martin Mullins	9 Emerald Tr. Cork St.
Patrick Byrne	3 Dolphins Barn St.
Patrick Mullen	9 Emerald Tr. Cork St.

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

(a) Unit or Units... C. Coy 4th Batt. Dublin Brigade

(b) Duration (giving dates) of service... From June 1917 to Feb. 1918

(c) District or Districts in which active service was rendered... C. Coy area
4th Batt Dublin Brigade area

(d) Officer Commanding in each instance... Gerald Byrne 5 Petrie Rd. Fintona

(e) In what way do you claim that your service was active service?... attended all Coy parades & obeyed all orders issued to me by my superior officers

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

(g) Absence from duty and cause... Absent from 1st April 1917 to June 1917
Absent from Feb. 1918 to 31st March 1918. Employed in England up to Oct 1918

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

NAME.	ADDRESS.
Martin Mullen	9 Emerald Tr. Cork St.
James Butler	St. Kevin's Parade S.C.R.
James M'Veigh	30 Cork St.

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

(a) Unit or Units... C. Coy 4th Batt. Dublin Brigade

(b) Duration (giving dates) of service... From Oct. 1918 to 31st March 1919

(c) District or Districts in which active service was rendered... C. Coy area
4th Batt. Dublin Brigade

(d) Officer Commanding in each instance... J. V. Joyce J. H. O. Parkgate St.

(e) In what way do you claim that your service was active service?... Attended all Coy Brigade & obeyed all orders issued to me by my superior officers

(f) Particulars of any military operations or engagements or services rendered during the period... *General Election, General raid*

for arms

(g) Absence from duty and cause... *From 1st April 1918 to Oct. 1918*
Employed in England

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

NAME.	ADDRESS.
<i>Martin Mullen</i>	<i>9 Emerald St. Cork</i>
<i>James McVeagh</i>	<i>30 Cork St.</i>
<i>James Butler</i>	<i>St. Kevin's Parade</i>

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

(a) Unit or Units... *C. Coy 4th Batt Dublin Brigade*

(b) Duration (giving dates) of service... *April 1st 1919*
to 31st March 1920

(c) District or Districts in which active service was rendered... *C. Coy & 4th Batt area*

(d) Officer Commanding in each instance... *J. V. Joyce, L. H. D. Parkgate St*

(e) In what way do you claim that your service was active service? *Attended Coy parades*

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

parade & obeyed all orders issued to me by my superior officers

(g) Absence from duty and cause... *No Absence*

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

NAME.	ADDRESS.
<i>Martin Mullen</i>	<i>9 Emerald St. Cork St.</i>
<i>James McVeagh</i>	<i>30 Cork St.</i>
<i>James Butler</i>	<i>St. Kevin's Parade S.C.B.</i>

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

(a) Unit or Units... *C. Coy 4th Batt Dublin Brigade*

(b) Duration (giving dates) of service... *1st April 1920*
to 31st March 1921

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

..... *4th Ball area Dublin Brigade*

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

..... *J. V. Joyce J. H. G. Parkes H. Patrick*

..... *O'Brien*

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

Boy parades carried out all orders issued to me by my superior officers

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

the period.....

Feelings escape Attack on Enemy troops on
Usihers Quay road on G.S.R. Cloakroom
+ stones

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

No Absence

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

NAME.

ADDRESS.

Martin Mullen

9 Emerald Yce Cork St.

Patrick Mullen

9 Emerald Yce Cork St.

Henry Pender

94 Harold's R

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

(a) Unit or Units.....

C. Coy 4th Ball Dublin Brigade

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

1st April 1921

to 11 July 1921

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

4th Ball area

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

P. O'Brien (Deed) Killed in action

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

Attended Boy
parades + carried out all orders issued to me by my
superior officers

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

the period.....

Attempted armed rescue of I.R.A. prisoners
from Abous Hill military Prison
Armed Raid on telephone Coy Flat St.

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

No Absence

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

NAME.

ADDRESS.

P. Laid
D. O'Brien

21 Ellimere Avenue N. B. R.
24 N. Endas R. Teranure

(8). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 12TH JULY, 1921, TO 30TH JUNE, 1922.

(a) Unit or Units... C Coy 4th Batt Dublin Brigade

(b) Duration (giving dates) of service... 12 July 1921 to Nov 1921
28th June 1922 to 30th June 1922

(c) District or Districts in which active service was rendered... C Coy
4th Batt area

(d) Officer Commanding in each instance... Thomas Long 9 Arran Rd

(e) In what way do you claim that your service was active service? ... ~~Drummond~~ ^{Attending} ~~booy~~
parades carrying out all orders issued to me by my superior officers

(f) Particulars of any military operations or engagements or services rendered during the period... Taking over No. 1 Crumlin Rd
with armed party

(g) Absence from duty and cause... From Nov 1921 to 27th June 1922
met with accident at work was in hospital and
attended by doctor

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

NAME.

ADDRESS.

Nicolas Ryan

68 McCaffrey's Estate Mount Brown

Jeremiah Dempsey

Derby's Le Honore Ave S. C. R.

James Butler

McKevin's Parade

(9). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST JULY, 1922, TO 31ST MARCH, 1923.

(a) Unit or Units... C Coy 4th Batt Dublin Brigade

(b) Duration (giving dates) of service... 1st July to August 1922
Jan 1923 to 31st March 1923

(c) District or Districts in which active service was rendered... C Coy
4th Batt area

(d) Officer Commanding in each instance... Peter Ward & O'Curry Rd

(e) In what way do you claim that your service was active service? ... ^{Harbours Bros Estate}

Carried out all orders given to me by my superior
officers

(f) Particulars of any military operations or engagements or services rendered during the period... *standing to awaiting orders...*

(g) Absence from duty and cause... *From Aug 1922 to Jan 23 sick*

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

NAME.	ADDRESS.
<i>J. Dempsey</i>	<i>26 Danleys Dr Donore Ave</i>
<i>N. Ryan</i>	<i>68 McCaffrey's estate Mount Brown</i>
<i>Leo Nolan</i>	<i>Danleys Dr Donore Ave</i>

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

(a) Unit or Units... *C Coy 1st Batt*

(b) Duration (giving dates) of service... *Whole period 1st April 1923 to 30th Sept 1923*

(c) District or Districts in which active service was rendered... *C Coy 1st Batt area*

(d) Officer Commanding in each instance... *J. Dempsey 26 Danleys Dr Donore Ave S.C.R.*

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

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

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

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

NAME.	ADDRESS.
<i>J. Dempsey</i>	<i>26 Danleys Dr Donore Ave S.C.R.</i>

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.

.....

(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.....

(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.....

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

NAME.

ADDRESS.

.....

(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.....

(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.

Volunteer

(b) On second critical date.

Volunteer

References who can testify as to your statements:—

NAME.

ADDRESS.

Dominus O'Brien	24, W. Endash Rd. Limerick
M. Mallin	9, Emerald Ls. Cork St.
P. Byrne	3 Dolphin's Quay N.

- (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

- (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.

(5). Have you applied for, or are you in receipt of Unemployment Assistance under the Unemployment Assistance Act, 1933 ? If so, quote the number of your qualification certificate

(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.....

(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.....

*At present receiving 7/6
No Poor Law Relief*

(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.....

.....

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.

.....

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

Michael Byrne
47 Dolphin's Barn St.

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

Address of Witness.....

109 m. bryone

Butterfield Ave.

Qualification.....

Head-man's Secretary

Rathfarnham

Date.....

20th to m. Feb. 1958

* 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.

Military Service
Pensions Collection

25/7/35

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25. 7. 35.

(1) Mob. on Sunday. Monday. 11:00
4 yrs. furnished on Sunday. Lamp. Murphy.
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2 a. *Paradis.*

B. Released end of Aug. 1916. (3rd Batch).

3 hours in England.

4. Raids for arms.

5. *Parades.*

5. Parade.
1/12. 6. Telesis escape. Guarding prison for 4 days. ^{July 1921} Under Guard & levelling. Paid on G.I. Railway. Unknown. buried under armed Patriots. Albany Hill prison near

1/12. 7. ^{G.S. Railway. cleared}
armed Patriots.
attacked on above Hill prison near
Prison. (abortion) Paid on Telephone box
West St.

8. ^{Corp} Sick from Nov 1921. to Jan 27. 1922.
occurred. No. 1. From lin Rd. exsiccatis.

9. No fights.

E.

No Rank.

Paddy Lamb. References. Early Wars. Irish Quers
ambush. Raid on Telegraph exchange. active as
first of Civil war.

SWORN STATEMENT MADE BEFORE ADVISORY COMMITTEE BY

MICHAEL BYRNE ON THE 25TH JULY, 1935 - NO. 2282.

- 1st Period. Q. Are all your statements in your form correct?
A. Yes.
- Q. You are claiming for Easter Week?
A. Yes.
- Q. Where were you during Easter Week?
A. I was in Jameson's Distillery, Marrowbone Lane.
- Q. Were you mobilised on the Sunday?
A. I was - Emerald Square.
- Q. You were mobilised again on the Monday. What time on Monday?
A. About 8 o'clock I was sent up with a message to Commdt. Ceannt.
- Q. You went into the Distillery?
A. On Monday evening we went in; we had to wait for the arms.
- Q. How long were you there?
A. Up to the surrender on Sunday.
- Q. Had you any fighting?
A. There was a big attack on Thursday and there were minor attacks on Wednesday.
- Q. What were you armed with?
A. A shot-gun.
- 2nd Period Q. What were you doing for the three weeks before the Rebellion?
A. I was training in Larkfield.
- Q. What date in September were you released?
A. I could not exactly say.
- Q. Would it be in August?
A. It might have been. The Corkmen were released first; then some Galway men; and I was on about the third batch that was released.
- Q. Who was in charge of you in Marrowbone Lane?
A. Capt. James Murphy and Colbert.
- Q. Would Murphy know you?
A. I am not sure whether he would know me or not. Paddy Lambe will verify for me.
- 3rd Period Q. In the third period you obeyed all orders?
A. Yes.
- 4th Period. Q. Raiding for arms. Were those raids on private houses?
A. They were.
- Q. No opposition?
A. No.
- 5th Period Q. Armed patrols. They did not start before March '20?
A. There were patrols but perhaps I have made a mistake.

6th Period.

Q. Teeling's Escape. What part did you play in that?

A. The first night the escape failed. Then I was guarding the prisoners - guards and two soldiers.

Q. Were you at the capture of the soldiers?

A. I was not; I kept them prisoner afterwards. They were detained for about 4 days.

Q. How many of you were guarding them?

A. About six of us.

Q. Attacked armed troops at Usher's Quay. What part did you take?

A. I was scouting at that time.

Q. Were you armed?

A. I was.

Q. You had no exchange of shots?

A. No.

Q. What was the Great Southern Rly. cloakroom raid?

A. It was a raid for bicycles, but they turned out to be scrap and we did not take them. We burned two military tenders that were there at the station.

Q. Were you armed on that occasion?

A. I was.

Q. What part did you take in the burning of the tenders?

A. I went in to take the bicycles - the whole company turned out to take a bicycle each. I did not exactly burn the lorries. I was there while they were being burned.

Q. Who was your Company O.C.?

A. Paddy O'Brien. Dinny O'Brien was acting in his place.

7th Period.

Q. Attempted armed rescue of I.R.A. prisoners from Arbour Hill?

A. We all surrounded Arbour Hill. The escape was to come off at 12 o'clock in the day. It did not come off and we waited till 3 o'clock. Then one of the men had a look over the wall and he discovered there was a double guard on. The game was given away, and the job was called off.

Q. Armed raid on Telephone Coy. What happened there?

A. We took some tappers off the men coming out of the Telephone Company.

Q. Is there anything else you want to mention in that period?

A. Nothing that I can remember.

8th Period.

Q. You were on the taking over of No. 1 Crumlin Road. That was at the start of the Civil War. Who was in charge?

A. Tom Lambe sent us.

Q. How did you meet with the accident?

A. While at work - I fell.

Q. How long were you in hospital?

A. From Nov. '21 till December '21 I was in Hospital and I was attended by the doctor up to June 1922.

- 9th Period. Q. You occupied No. 1 Crumlin Road. Had you any fighting?
 A. No. We were told to evacuate it on the same day. We went back to the Distillery and awaited further orders, but we got no further orders. We could not do anything then so we went home and were told to be ready.
- Q. You had no fighting during the Civil War?
 A. No.
- Q. You claim to have been doing intelligence work?
 A. Yes, after the Civil War.
- Q. Had you any rank at any time?
 A. No. I was a Volunteer all the time.

There is a note in my file about absence from duty in '17. I was an apprentice in Maguire and Gatchells. I was dismissed from my employment in '16; I could not get my employment back and I was sent to England as an improver.

Sworn before me on.....

.....
 REFEREE

TM.

Military Service
 Pensions Collection

SWORN STATEMENT MADE BEFORE ADVISORY COMMITTEE BY PATRICK
LAMBE, 21 ELLISMERE AVENUE, N.C. ROAD, DUBLIN, ON BEHALF OF
MICHAEL BYRNE - NO. 2282. (25th July, 1935).

- Q. Can you verify that Michael Byrne was out in '16?
A. Yes. He was in Marrowbone Lane Distillery and he was there till the surrender on the Sunday afternoon. He was deported to Frongoch and Knutsford.
- Q. When was he released?
A. At the end of '16 or early in '17. I could not be sure.
- Q. He was definitely there?
A. Yes.
- Q. You don't know of any activities he had after that?
A. He was back in the Company at the re-organisation and he was on the usual armed patrols and he was in one big ambush in Usher's Quay in February 1921.
- Q. What was he doing in that ambush?
A. We ambushed a car containing a number of Black and Tans.
- Q. What was he doing in it?
A. He was one of the ambushing party.
- Q. Was he in the fighting in it?
A. He was.
- Q. ~~Yes-say-he~~ How was he armed?
A. A number of them had grenades and some were armed with .45 Webley revolvers.
- Q. What had Byrne?
A. A .45 Webley Revolver.
- Q. You don't know whether he used it or not?
A. I think every gun was used.
- Q. You can't say definitely?
A. I broke all the guns when they went back to the dump in Port Mahon and each gun had been used at least once.
- He was on a raid in Crown Alley on the Telephone Exchange.
- In '22, when the Four Courts were attacked, we took over a Bank in the Barn and I sent him up with a couple of other men to take over an out-lying post on the Crumlin Road. They took over No. 1 Crumlin Road.
- Q. Was he in your Company?
A. Yes.
- Q. He was not in any fighting after that?
A. Not that I can remember.

Sworn before me on.....

.....
REFEREE.

REFEREE R. 6.
25. 4. 35. *28*
ISSUED *16*
7
35.

Military Archives



Military Service
Pensions Collection

Referee R.3.

Ref. No. 2282 Applicant's Name Byrne Michael Address 44 Dolphin Barn St. Unit 4 Bay 44 Bath. Dublin. Ire.
Dublin.

(a) Period	(b) Service claimed	(c) Active Service allowed	(d) Equivalent for pension purposes.	REMARKS
(1) 1/4/16 - 30/4/16.	Full Period	Full	4 mo	(7)
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17	$\frac{1}{4} - \frac{2}{16}$	$\frac{1}{3}$	$\frac{1}{3}$ mo	(8) Write application to send statement from Seamus Murphy and other references (Kanto has given evidence) for K. wak. also his references for 6.7 period.
(3) 1/4/17 - 31/3/18.	$\frac{6}{14} - \frac{2}{18}$			(9)
(4) 1/4/18 - 31/3/19.	$\frac{10}{18} - \frac{31}{3} \frac{3}{19}$			(10)
(5) 1/4/19 - 31/3/20.	Full Period			(11) Finished. 12/26
(6) 1/4/20 - 31/3/21.	Full Period	$\frac{1}{4}$	$\frac{1}{3}$ mo ($\frac{1}{2}$)	(12) fine
(7) 1/4/21 - 11/7/21.	Full Period	$\frac{1}{4}$	$\frac{1}{3}$ mo ($\frac{1}{2}$)	(13) fine
(8) 12/7/21 - 30/6/22.	$\frac{12}{21} \frac{11}{21} \frac{28}{21} \frac{30}{22}$			(14)
(9) 1/7/22 - 31/3/23	$\frac{1}{22} \frac{2}{22} \frac{1}{23} \frac{3}{23}$			(15)
(10) 1/4/23 - 30/9/23	Full Period			(16)

Ran claimed on Rank allowed:-
 (a) First critical date Vol. 5
 (b) Second critical date Vol. 5
 Total of column (a) 5 1/2 years

Signed: Seamus Robinson

John McGory

John J. L. L. L.

John J. L. L. L.

Military Service Pensions Act, 1934.

Ref. No. 34 SP/2169Ref. No. M.S.P./34/Referee - 2282

To:

THE REFEREE

To:

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.

P.O.C. Byrne Michael
41 Dolphin's Barn Street,
 for a Service Certificate. Dublin.

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

Recorded 11/2
34

(SIGNED) J. K. O'CONNOR

Referee.

Date.....

4 MAR 1935

Date.....

1. Is the Applicant a person to whom the Act applies? Yes
2. If so, total actual service in the different service periods, as established (1) Entire Period
 - (2) 3 of Entire Period (3) nil
 - (4) nil (5) nil
 - (6) 1/4 of Entire Period (7) 1/4 of Entire Period
 - (8) nil (9) nil (10) nil
3. Total service for pension purposes as defined by Second Schedule of the Act.....
5 1/2 years
4. 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

L. O'Connell

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? *In receipt of 4/6^d per week.*

Poor Law Relief

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

Entire Period

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

4 years

- (3) State—

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

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

Co. Coy., Battr. IV, Dublin Bde.

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

$\frac{1}{3}$ of Entire Period

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

$\frac{1}{3}$ of 1 year

(3) State—

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

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

*C. Coy., Battr. IV, Dublin Bde.,
and Internment.*

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.....

C. Coy., Battr. IV, Dublin Bde. ✓

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.....

C. Coy., Battr. IV, Dublin Bde. ✓

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-Irann*

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

C Coy, Batta IV, Dublin Bde.

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

1/4 of Entire Period

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

1/2 of 1 year ✓

(3) State—

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

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

C Coy, Batta IV, Dublin Bde.

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

1/4 of Entire Period

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

1/4 of 1 year ✓

(3) State—

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

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

C Coy, Battr. IV, Dublin Bde.

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

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-Irleann*

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

C Coy, Battr. IV, Dublin Bde.

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

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-Irleann*

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

C Coy, Battr. IV, Dublin Bde.

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. *Dúlaigh na h-Éireann*

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

C Coy, Batta. IV, Dublin Bde.

**Military Service
Pensions Collection**