

ROINN

F.C. 1.

Fó-Roinn.

NÁ CUIRTEAR EANTUAIRISC AR AN GCLÚDACH SO.

Tá annso, leis,

**C/47.**

An Uimhir.

An Gnó.

3450/

849

Flanagan Patrick.  
"Sunnyside,"

DECEASED

Oakley Road,

Ranelagh.

Dublin

An Uimhir ag Roinn Eile.

SP/34/Ref. 455.

Do cuireadh chun

Dáta.

Do cuireadh chun

Dáta.

Do cuireadh chun

Dáta.

Mr Bolger

18/11/34

Castman

9/1

P.A. soc-

12/1/35

Mr Bruntz

16/2/35

A. 70.

26/2

Mr Bolger

15/4/35

Mr Horgan

21/5/35

Mr Bruntz

29/8

P.S.M.

16/9/35

Mr Bruntz

9/10/35

F-3.

25/10

W Bruntz

26/10

P.A. soc

29/10

P.A. soc.

3/2/36

P.A. soc

2/3/36

Mr Egan

16/11/36

P.A.

16/11/36

F5

29/4/37

P.D.

14/9



32 O'Donovan Road, S.C.R.,

Dublin, 4th October 1934.

The Minister for Defence,  
PARKGATE STREET.

Sir,

The Officers of the Third Battalion, Old Dublin Brigade, have under consideration the matter of applying for the ~~service~~ service pension for our comrade Patrick Flanagan who is at present grievously indisposed.

The urgency of the case impels us to ask for information as to the most expeditious manner of having his case investigated

The favour of an early reply will oblige

Yours faithfully,

*Joseph Flanagan*

Military Service  
Pensions Collection



# Military Archives

9 October, 1934.

A Chara,

I am directed by the Acting Minister for Defence to acknowledge the receipt of your letter of the 4th instant in regard to the claim of Patrick Flanagan under the Military Service Pensions Act, 1934, and to state that the forms of application are not yet available. If you will please furnish his address, a form, when available, will be sent to him.

Mise, le meas,



a.s. Rúnaí.

Mr. Joseph O'Connor,  
32, O'Donovan Road,  
South Circular Road,  
Dublin.

Military Service  
Pensions Collection



F3 into specially

32 O'Donovan Road  
S.B.H. 13.10.34

DEPT. OF DEFENCE

RECEIVED

16. OCT. 1934

ARMY PENSIONS BRANCH

Sir,

In reply to your promise to send a form of application for a pension under the Military Service Pension Act to Patrick Flanagan (mentally indisposed), I beg to give you his home address, viz "Sunnyside" Oakley Road, Kanelagh.

Faithfully yours

Joseph O'Connor  
per L.T.

The Minister for Defence,  
Parkgate Street.

Military Service  
Pensions Collection



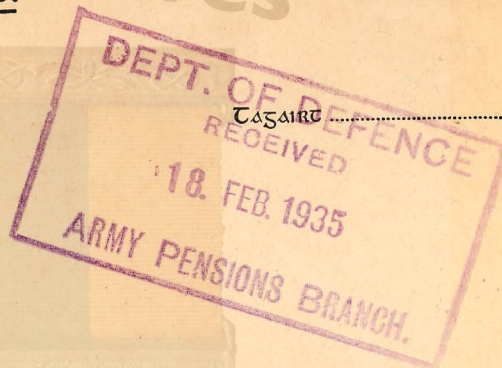
Tagairt .....

Mr Bolger,  
 Watch for the return of  
 this form, which is to be  
 referred to the Referee at once  
 as he wishes to deal with it  
 (vide phone message from Mr Burke)

J. G. H.

17/12/34





Private Sec./mun.

Enclosed herewith is Referee's Report  
in the Patrick Shanahan Case.

Secretary  
to the Referee

E. 2-6

14/2/35.

As attached report will require to be sent to  
D.F. if + when asking for sanction, the alteration  
thereon must be initialled by the Referee. You  
know the Auditors will question it if they see it  
as it is when they come to examine & number of  
years & rank against actual payments.

So do please bear this in mind.

P/S/my

The alterations have now  
been initialled by Referee.

E. 2-6  
15/2.

M  
14/2



fhreagra ar an litir seo, ba chóir é stiúradh  
an:—

(Any reply to this communication should be  
addressed to the:—)

Rúnaidhe  
(Secretary),

fé'n uimhir seo:—

(and the following number quoted:—)



ROINN DLÍ AGUS CIRT  
(Department of Justice),

SRÁID MHUIRBHTHEANN UACHT.,  
(Upper Merrion Street),

BAILE ÁTHA CLIATH  
(Dublin).

SAORSTÁT ÉIREANN

23rd February 1935.

Dear Mr Horgan,

In confirmation of my telephone message  
of yesterday respecting the late Patrick Flanagan  
who at the time of his death resided at "Sunnyside",  
Oakley Road, Ranelagh, Dublin, I wish to inform you  
that search has been made in the prison records, and  
no sentence of imprisonment in this case can be  
traced.

Faithfully yours,

J. J. Horgan, Esq.

Military Service  
Pensions Collection



CAGAIRC 34.S.P./849.

MILITARY SERVICE PENSIONS ACT, 1934.

Patrick Flanagan, 'Sunnyside', Oakley Road,  
Ranelagh, Dublin.

The Referee has reported on the application of the above-named for a service certificate. The report includes the following findings:-

1. Applicant is a person to whom the Act applies.
2. Total service for pension purposes is 11  $\frac{973}{1000}$  years.
3. Grade of rank on the critical dates is as follows:-
  - (a) On first critical date - Grade C.
  - (b) On second critical date - Grade D.

On the basis of these findings, the applicant is entitled to a Military Service Pension of £179. 11. 11. (One hundred and seventy nine pounds, eleven shillings and eleven pence), per annum.

The Department of Justice state there is no record of a sentence of imprisonment.

The applicant died on the 10th instant.

Aire Cosanta.

Submitted for your approval of the issue of a service certificate in accordance with the Referee's report and Section 10 (2) of the Act.

*R. H. Henry*  
Rúnaí.

27 February, 1935.



TaSAIRT .....

(1) Discussed with Minister who

(i) approves issue of certificate in this case.

(ii) does not require each individual case in  
future to be submitted for his specific approval.

(2) Finance office

To note. The procedure will need to be worked  
out as regards the forms to be used.

R/S  
27/2/51.



Military Archives <sup>6<sup>th</sup></sup> March, 1935.

Rúnaí,  
Roinn Airgid.

Military Service Pensions Act, 1934.

I am directed by the Minister for Defence to attach for your information the report of the Referee on the application of Patrick Flanagan, "Sunnyside", Oakley Road, Ranelagh, Dublin, for a service certificate, on the basis of which a service certificate has been granted.

It will be seen that the total service for pension purposes is 11  $\frac{973}{1000}$  years, and the rank Grade 'C'. The appropriate pension is, therefore, £179.11.11. per annum.

The applicant died on or about the 10th ultimo, and the Minister proposes, subject to the consent of the Minister for Finance, to grant a pension under the terms of Section 10(1) of the Act at the rate mentioned above, and to pay the legal personal representative of the late Mr. Flanagan the accumulated arrears of pension for the period from the 1st October, 1934 to the date of death.

I am to request, accordingly, the consent of your Minister to this proposal.

*sg. p. 849 maonac Samna.*  
Military Service  
Pensions Collection  
Rúnaí.



Military Service Pensions Act, 1934.

SERVICE CERTIFICATE.

In the matter of the application of.....Patrick Flanagan, Sunnyside, Oakley Road, Banelagh, Dublin.....  
for a Service Certificate in accordance with the terms of the Military Service Pensions Act, 1934, and the Regulations made thereunder,

WHEREAS the Minister for Defence has taken into consideration the report of the Referee appointed under the Act on the application.

THIS IS TO CERTIFY that the said.....Patrick Flanagan.....  
has rendered Service in the Forces and during the periods as set out as follows :—

Service period prescribed in the Act.	Forces in which Active Service was rendered.	Duration of Active Service during each of the prescribed periods as established to the satisfaction of the Referee.
1. The week commencing on the 23rd day of April, 1916 ... ..	Irish Volunteers.	Full Period.
2. 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 ... ..	Irish Volunteers.	47/179 of Full Period.
3. The period commencing on the 1st day of April, 1917, and ending on the 31st day of March, 1918 ...	" "	$\frac{1}{2}$ of Full Period.
4. The period commencing on the 1st day of April, 1918, and ending on the 31st day of March, 1919 ...	" "	Full Period.
5. The period commencing on the 1st day of April, 1919, and ending on the 31st day of March, 1920 ...	Oglaigh na h-Eireann.	Full Period.
6. The period commencing on the 1st day of April, 1920, and ending on the 31st day of March, 1921 ...	" " "	Full Period.
7. The period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921 ...	" " "	Full Period.
8. The period commencing on the 12th day of July, 1921, and ending on the 30th day of June, 1922 ...	" " "	170/177 of Full Period.
9. The period commencing on the 1st day of July, 1922, and ending on the 31st day of March, 1923 ...	" " "	Full Period.
10. The period commencing on the 1st day of April, 1923, and ending on the 30th day of September, 1923 ...		

AND THAT for the purpose of the Act the grade of rank of the said applicant is Grade....."C".....

Dated this.....6th.....day of.....March.....1935.....



FORM ISSUED

DATE 5/3/38

# INITIALS



Ein-fhreagra ar an litir seo la chóir é  
stiúradh chun an :-

My reply to this communication  
should be addressed to the :-

Rúnaí  
(Secretary)

fé'n uimhir seo :-  
(and the following number quoted :-)



SAORSTÁC ÉIREANN

ROINN AIRGID  
(Department of Finance),

SRÁID MHUIRBHTEANN UACHT.,  
(Upper Merrion Street),

BAILE ÁTHA GLIATH,  
(Dublin).

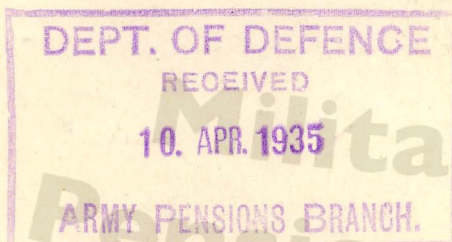
P.20/1/35.

An Rúnaí,  
Roinn Cosanta,

I am directed by the Minister for Finance to refer to your minute and enclosure of the 6th ultimo (No. 34.S.P./849) regarding a proposal to grant a pension under the Military Service Pensions Act, 1934, in respect of the late Mr. Patrick Flanagan and to pay his legal personal representatives the arrears of pension in respect of the period from the 1st October, 1934, to the date of his death.

In reply, I am to say that the Minister considers that the terms of the Act are not sufficiently explicit to warrant him in consenting to an award of pension in respect of a dead person; he desires me to refer, in this connection, to the enclosure to this Department's minute P.19/20/29 of the 7th March, 1929 (Your Ref. No. 4/P/769). In the circumstances, I am to <sup>request</sup> ~~advise~~ that the Attorney-General may be asked to advise whether the grant of a Military Service Pension in respect of a person who has died after the Referee has reported favourably on his application is authorised by the Military Service Pensions Act, 1934.

The enclosure to your minute is returned herewith.



*C.S. Almond*

9. Abrán, 1935.



R.I.M. 1934  
OIRIA AN RÉTORA  
DÉBITE  
12-4-35  
DÓN UÍ GRIOBHITHA

Sunnyside,

27a Oakley Road,

Ranelagh, Dublin.

12-4-35

DEAR

I have received certificate  
of service concerning my late  
husband Patrick Flanagan  
I shall be glad if you be  
good enough to forward me  
cheque for Pension due  
from Oct-1st 1934 up to date  
of his death Feb 10th 1935.

PT. OF DEFENCE  
RECEIVED  
13. APR. 1935  
PENSIONS BRANCH

Faithfully.

The Secretary  
Military Service  
Pension Board.  
Griffith B.Rs.

Erleen Flanagan

Military Service  
Pensions Collection



1 copy

Sunnyside,

27a Oakley Road,

Ranelagh, Dublin.

15-4-35

DEPT. OF DEFENCE  
RECEIVED

29 APR 1935

DEARS

In answer to your letter of  
13<sup>th</sup> I have received Certificate  
of Service covering my late  
husband Patrick Flanagan.  
I shall be glad if you be good  
enough to forward me cheque  
for Pension due from 1<sup>st</sup> Oct 1934  
up to date of his death Feb 10<sup>th</sup> 1935

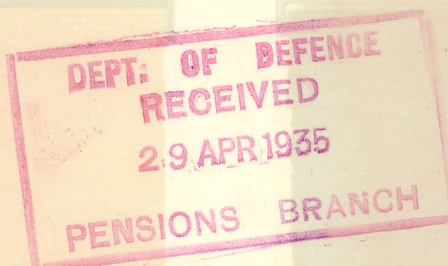
Yours faithfully

The Secretary  
Military Service  
Pension Board  
Griffiths Bks.

Evelyn Flanagan



# Military Archives



26th April 1935

A Chara,

I am directed by the Referee to refer to your letter of 15th instant and to state that the payment of pensions under the above Act is a matter which primarily concerns the Department of Defence. Your letter has been brought to the attention of the Secretary, Department of Defence (Pensions Section), Parkgate Street, Dublin, to whom any further correspondence on the matter should be addressed.

Mise, le meas,

*E. S. Burke*  
RÚNAÍ.

Mrs. E. Flanagan,  
Sunnyside,  
Oakley Road,  
Ranelagh,  
DUBLIN.

Mr. Horgan:

For your attention, please.

*E. S. Burke*  
RÚNAÍ.

NMcG.

Military Service  
Pensions Collection



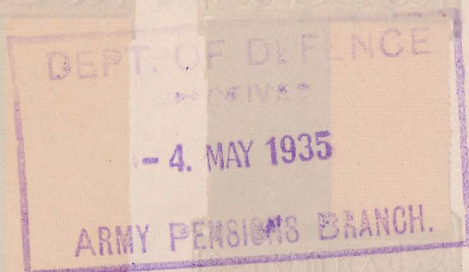
34 Act

Sunnyside,

27a Oakley Road,

Ranelagh, Dublin.

3-5-35



SCARS

I have received  
Certificate of Service  
covering my late Husband  
Patrick Flanagan I shall be  
glad if you be good enough  
to forward me Cheque for  
Pensions due from 1st Oct.  
1934 up to date of his



# Military Archives

Death Feb 10<sup>th</sup> 1938

Yours faithfully  
Evelin Hanagan

Department.  
of Defence Pensions Section  
Bookgat. St.  
Dublin

Military Service  
Pensions Collection



# Military Archives

34 SP./849.

15 May, 1935.

A Bhean Uasal,

I am directed by the Minister for Defence to refer to your letter of the 3rd instant in connection with the payment of a pension on the basis of a service certificate awarded to your late husband under the Military Service Pensions Act, 1934 and to state that the question of pension is under consideration and immediately a decision has been reached you will be notified without delay.

Mise, le meas,

a.s.Rúnaí.

Mrs. E. Flanagan,  
Sunnyside,  
27a, Oakley Road,  
Ranelagh,  
Dublin.

/KR.

## Military Service Pensions Collection



Sunnyside,

DEPT. OF DEFENCE 27a Oakley Road,

RECEIVED

16 MAY 1935

Ranelagh, Dublin.

15-5-35

PENSIONS BRANCH

A CARA

Thank you for writing  
again. I would feel obliged if  
you could see your way in  
answering my letter dated  
3-5-35 as I have explained in  
same. I have received Certificate  
of Service covering my late  
husband Patrick Flanagan.  
I shall be glad if you be



Good enough to forward  
me Cheque for Pension due  
from Oct 1<sup>st</sup> 1934 up to date  
of his death 10<sup>th</sup> Feb 1935.

Yours faithfully  
Evelin Haugan

Department  
of Defence  
Pension Section  
Parkgate St.  
Dublin



*341 Oct*  
*W Bunt*  
**Military Archives**



**Military Service  
Pensions Collection**



Military Archives 13 April, 1935.

Ard Aturnae Stáit.

I am directed by the Minister for Defence to state that Mr. Patrick Flanagan applied for a service certificate under the terms of Section 7 of the Military Service Pensions Act, 1934, and his application was referred for report to the Referee appointed under Section 5 of that Act. The Referee reported on the application on the 31st January, and his report contains the following findings:-

1. The applicant was a person to whom the Act applied.
2. His total service for pension purposes was 11<sup>973</sup>/<sub>1000</sub> years.
3. His grade of rank for pension purposes was Grade 'C'.

On or about the 10th February, the applicant died, and on the 6th March, a service certificate was granted, based on the above findings. Had he lived, the applicant would have been qualified to receive a pension at the rate of £179.11.11. per annum.

On the 6th March, the Minister for Finance was asked to sanction a pension under the terms of Section 11 of the Act at the rate mentioned, and to consent to the payment to Mr. Flanagan's legal personal representative of the accumulated arrears for the period from the 1st October, 1934, the date of commencement of pension under Sub-Section (2) of Section 11 of the Act, to the date of death.

In requesting the sanction of the Minister for Finance to this proposal, the Minister was acting in accordance with an established precedent, as a number of cases of an exactly similar nature arose under the Military Service Pensions Act, 1924, and the Minister for Finance sanctioned payment to the legal personal representative, in each case, of the accumulated arrears to the date of death.

This precedent is unsupported, however, by legal opinion or decision.

In this present case the Minister for Finance considers that the terms of the Act are not sufficiently explicit to warrant him in consenting to an award of pension in respect of a dead person, and he requests that the Attorney General be asked to advise whether the grant of a Military Service Pension in respect of a person who has died after the Referee has reported favourably on his application is authorised by the Military Service Pensions Act, 1934.

In withholding his sanction to the proposal submitted to him in this case, the Minister for Finance appears to rely on an opinion expressed by the Attorney General on the 5th March, 1929, in a similar case which arose, however, under the Army Pensions

Act.....



# Military Archives

Act, 1927, viz. the case of Patrick Dawson. A statement of this case will be found in the enclosed file 4/P/769, Tabbed 'A'. The opinion of the Attorney General on the legal point involved will be found Tabbed 'B' in file.

Patrick Dawson's application for a disability pension was made under the terms of Section 9 of the Army Pensions Act, 1927 (No.12 of 1927).

In the case of Conroy V. the Minister for Finance and Minister for Defence, the Chief Justice, when delivering judgment in the Supreme Court on the 31st July, 1934, referring to the Military Service Pensions Act, 1924-~~1924~~, said "It is not a general Army Pensions Act. It does not provide pensions in respect of future military services. It provides for the payment of pensions in the nature of compensation for military services actually already rendered in the past".

Referring to the Army Pensions Acts (under which Dawson's case fell for consideration), the Chief Justice said "they are concerned with a different and distinct subject matter treated as such by the legislature".

The question arises, therefore, in the present instance whether, if a Military Service Pension is to be regarded as in the nature of compensation for military services rendered, the Minister has power to grant a pension for the period from the 1st October, 1934, to the date of death.

Perhaps you would be good enough to submit the matter to the Attorney General for the favour of his opinion.

Rúnaí.

Issued.....

15/4/35

RS.

Initials.....

## Military Service Pensions Collection



SAORSTÁT ÉIREANN

Chief State Solicitor's Department,

DUBLIN CASTLE

Please quote following ref. :—

MAC/MK



Subject

Minute

Army Pension Act -

Patrick Dawson.

P.B. 4/P/769

ATTORNEY GENERAL

I enclose minute and file of papers therein referred to received by me from the Department of Defence relative to the case of Patrick Flanagan who applied for and was awarded a certificate under Section 7 of the Military Service Pensions Act 1934. This certificate was dated the 6th March. The aforesaid Patrick Flanagan died on the 10th February. Several questions as a result thereof have arisen upon which the Minister desires the opinion of the Attorney General.

*I agree with the opinion  
of Mr James Keogh  
S.C. copy of which  
may be sent to the  
Chief Secretary -  
C. Keogh, Attorney General  
26.5.35*

*Mac*  
ARD ATURNAE STAIT  
16th April, 1935.

Military Service  
Pensions Collection



## Army Pensions Act - Patrick Flanagan

Mr Joseph

P.P.B.  
10. 5. 35.Patrick Flanagan Esq

In my opinion the late Patrick Flanagan had a statutory right to a Service Certificate if he brought himself within the terms of the Statute 6<sup>o</sup> 43 of 1934. The Referee has reported that he came within the act; this report in Flanagan's case is final as it is not suggested he came under Sec 10(3)

The Minister has power to grant a pension for the period from 1 Oct 1934 to date of death. The date on which the Certificate was

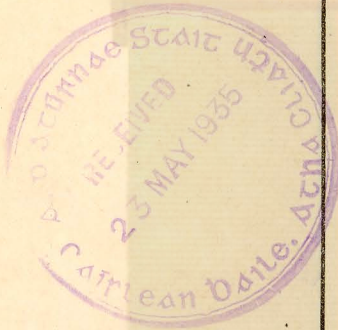


actually pointed seems to me  
quite immaterial -

The legal considerations  
arising in this case are different  
from those in Path Dawson's case

The principles laid  
down in *Conroy v. Defence*  
apply to *Flanagan's case*

JH 19 May 38



Military Service  
Pensions Collection



SAORSTÁT ÉIREANN

Chief State Solicitor's Department,

DUBLIN CASTLE

Please quote following ref.:—

MAC/MK

Subject

Minute

Army Pensions Act -

Patrick Flanagan

File 4/P/769

THE SECRETARY,

DEPARTMENT OF DEFENCE.

I return the file of papers  
in this matter, please see the Attorney  
General's minute thereon, also Mr.  
Geoghegan's opinion.

*M. A. Flanagan*

ARD ATURNAB STAIT.  
24th May, 1935.

Military Service  
Pensions Collection



29<sup>th</sup> May, 1935.

Rúnaí,  
Roinn Airgid.

I am directed by the Minister for Defence to refer to previous correspondence (P.20/1/35), relative to the proposal to grant a pension under the Military Service Pensions Act, 1934, in the case of the late Patrick Flanagan, and to pay to his legal personal representative the arrears from the 1st October, 1934, to the date of death, and to state that the question as to whether pension can be granted in such a case, under the terms of the Act, was referred through the Chief State Solicitor for the advice of the Attorney General.

Mr. Geoghegan, S.C., to whom the question was referred by the Attorney General, has now expressed the following opinion, in which the Attorney General has concurred:-

"In my opinion the late Patrick Flanagan had a statutory right to a service certificate if he brought himself within the terms of the Statute No.43 of 1934. The Referee has reported that he came within the Act; this report in Flanagan's case is final, as it is not suggested he came under Sec.10(3).

The Minister has power to grant a pension for the period from 1st October, 1934 to date of death. The date on which the certificate was actually granted seems to me quite immaterial.

The legal considerations arising in this case are different from those in Patk. Dawson's case.

The principles laid down in Conroy v Minister for Defence apply to Flanagan's case".

The case of Dawson referred to in Mr. Geoghegan's

opinion.....



# Military Archives

opinion is one which arose under the Army Pensions Acts.  
(P.19/19/27 and P.19/78/28).

In view of the legal opinion received, I am to request  
the sanction of the Minister for Finance to the proposal  
submitted in my minute of the 6th March last.

The Referee's report is returned herewith.

Sgd. Peadar MacMathúna

Rúnaí.

## Military Service Pensions Collection



34SP/849.



29<sup>th</sup> May, 1935.

# Military Archives

Rúnaí,  
Roinn Airgid.

I am directed by the Minister for Defence to refer to previous correspondence (P.20/1/35), relative to the proposal to grant a pension under the Military Service Pensions Act, 1934, in the case of the late Patrick Flanagan, and to pay to his legal personal representative the arrears from the 1st October, 1934, to the date of death, and to state that the question as to whether pension can be granted in such a case, under the terms of the Act, was referred through the Chief State Solicitor for the advice of the Attorney General.

Mr. Geoghegan, S.C., to whom the question was referred by the Attorney General, has now expressed the following opinion, in which the Attorney General has concurred:-

"In my opinion the late Patrick Flanagan had a statutory right to a service certificate if he brought himself within the terms of the Statute No.43 of 1934. The Referee has reported that he came within the Act; this report in Flanagan's case is final, as it is not suggested he came under Sec.10(3).

The Minister has power to grant a pension for the period from 1st October, 1934 to date of death. The date on which the certificate was actually granted seems to me quite immaterial.

The legal considerations arising in this case are different from those in Patk. Dawson's case.

The principles laid down in Conroy v Minister for Defence apply to Flanagan's case".

The case of Dawson referred to in Mr. Geoghegan's

opinion.....



# Military Archives

opinion is one which arose under the Army Pensions Acts.  
(P.19/19/27 and P.19/78/28).

In view of the legal opinion received, I am to request  
the sanction of the Minister for Finance to the proposal  
submitted in my minute of the 6th March last.

The Referee's report is returned herewith.

Sgd. Deardar macmaicshinn

Rúnaí.

## Military Service Pensions Collection



# Military Archives

34SP/849.

3 July, 1935.

Rúnaí,  
Roinn Airgid.

I am directed by the Minister for Defence to refer to previous correspondence (P.20/1/35), relative to the proposal to grant a pension under the Military Service Pensions Act, 1934, in respect of the late Patrick Planagan, "Sunnyside", Oakley Road, Ranelagh, and to pay his legal personal representative the arrears of pension in respect of the period from the 1st October, 1934 to the date of death, and to enquire if the necessary sanction of the Minister for Finance can now be forwarded.

Red. Doardán macmatgáin.

Rúnaí.

Military Service  
Pensions Collection

LK.



# Military Archives

34/SP/849.

30 July, 1935.

Dear Jordan,

I understand you asked for a copy of our submission to the Attorney-General, together with his opinion in the case of the late Patrick Flanagan, an applicant under the Military Service Pensions Act, 1934. I enclose a copy of each.

Yours sincerely,

*J. J. Jordan*

J. J. Jordan, Esq.,  
Department of Finance,  
Upper Merrion Street,  
Dublin.

LK. Military Service  
Pensions Collection



Copy/.

Army Pensions Act - Patrick Flanagan.Patrick Flanagan (Decd).

In my opinion the late Patrick Flanagan had a statutory right to a service certificate if he brought himself within the terms of the Statute No.43 of 1934. The Referee has reported that he came within the Act; this report in Flanagan's case is final as it is not suggested he came under Sec. 10(3).

The Minister has power to grant a pension for the period from 1st October, 1934 to date of death. The date on which the certificate was actually granted seems to me quite immaterial.

The legal considerations arising in this case are different from those in Patk. Dawson's case.

The principles laid down in Conroy v. M/Defence apply to Flanagan's case.

(Intd.) J.G.

19 May, '35.

I agree with the opinion of Mr. James Geoghegan, S.C. copy of which may be sent to the Secretary.

(Sd.) Conchubhar A. Maghuidhir.

26/5/'35.

LK.



Copy/.

Army Pensions Act - Patrick Flanagan.Patrick Flanagan (Decd).

In my opinion the late Patrick Flanagan had a statutory right to a service certificate if he brought himself within the terms of the Statute No.43 of 1934. The Referee has reported that he came within the Act; this report in Flanagan's case is final as it is not suggested he came under Sec. 10(3).

The Minister has power to grant a pension for the period from 1st October, 1934 to date of death. The date on which the certificate was actually granted seems to me quite immaterial.

The legal considerations arising in this case are different from those in Patk. Dawson's case.

The principles laid down in Conroy v. M/Defence apply to Flanagan's case.

(Intd.) J.G.

19 May, '35.

I agree with the opinion of Mr. James Geoghegan, S.C. copy of which may be sent to the Secretary.

(Sd.) Conchubhar A. Maghuidhir.

26/5/'35.

LK.



# Military Archives

leacáin miontuairisce.

m.s.c

Taobairt .....

Verbal reminder to  
Mr Jordan, who undertook to  
try and deal with matter early

Jf/s

28/8/35

Military Service  
Pensions Collection

(4102).M1173.Wt.340—2320.150,000.5/35.A.T.&Co.,Ltd. (Sch.27). G.37.\*



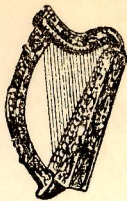
Ein-fhreagra ar an litir seo ba chóir é  
stiúradh chun an:-

(Any reply to this communication  
should be addressed to the:-)

**Rúnaí**  
(Secretary).

Is é uimhir seo:-

(and the following number quoted:-)



SAORSTÁT ÉIREANN

**ROINN AIRGID**  
(Department of Finance),

**SRÁID MHUIRBHTHEANN UACHT.,**  
(Upper Merrion Street),

**BAILE ÁTHA CLIATH,**  
(Dublin).

P.20/1/35.

Rúnaí,  
Roinn Cosanta,

I am directed by the Minister for Finance to refer to your minutes of the 6th March and 29th May last (No. 34SP/849) intimating that a certificate of Military Service has been granted, pursuant to Section 10(2) of the Military Service Pensions Act, 1934, to Mr. Patrick Flanagan of Sunnyside, Oakley Road, Ranelagh, Dublin, and I am to say that the Minister sanctions the grant under Section 11 of the Act of a pension at the rate of One Hundred and Seventy-nine Pounds, Eleven Shillings and Eleven Pence a year in this case, with effect as from the 1st October, 1934, inclusive.

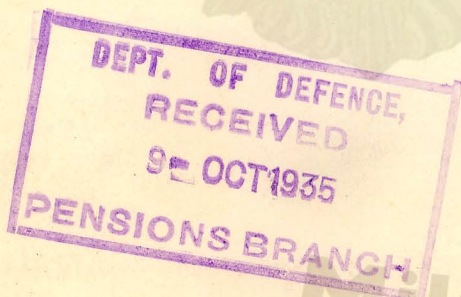
£179.11.11

The Minister notes that Mr. Flanagan died in February last, and, accordingly he sanctions payment of the amount of pension accrued from the 1st October, 1934, to the date of death, to Mr. Flanagan's legal personal representatives.

The Report of the Referee is returned herewith.

*C. S. Arnold*

9 Deire Fomhair, 1935.



Military Service  
Pensions Collection





M.S.P./34/2.

# Military Service Pensions Act, 1934.

Ref. No. 345 01849

Ref. No. M.S.P./34/Referee - 455.

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.

Patrick Flanagan  
"Lunyside", Oakley Rd., Lanelagh  
for a Service Certificate. Dublin.

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

J. J. Morgan

Joseph X O'Connor  
Referee.

Date 10 JAN 1935

Date 31<sup>st</sup> January 1935

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) ~~1/2~~ Full Period (2)  $\frac{47}{100}$  of Full Period (3)  $\frac{1}{2}$  of Full Period (4) Full Period  
(5) Full Period (6) Full Period (7) Full Period (8)  $\frac{120}{177}$  of Full Period  
(9) Full Period (10) nil
3. Total service for pension purposes as defined by Second Schedule of the Act.....
- $11 \frac{973}{1000}$  years. 319
4. Grade or rank, quoting relevant paragraph of First Schedule under which allowed:—
- (a) On first critical date..... Grade E - Para. (5)(4) not
- (b) On second critical date..... Grade D - Para. (4)(9) not
- (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.



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

*Full 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..... *16<sup>th</sup> Coy. 3<sup>rd</sup> Batta. Dublin Bde.*

*Volunteers*

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

*47/79 of Full Period*

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act..... *47/79 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..... *Vol. 'C' Coy. 3rd Bde.* ✓*Dublin Bde.*

## 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

*1/2 of Full 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..... *Irish Volunteers*(b) Unit or Units and the position held by applicant..... *'C' Coy. 3rd Bde.**Dublin Bde. Volunteer.* ✓

## 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

*Full 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..... *Irish Volunteers*(b) Unit or Units and the position held by applicant..... *Captain. 'B' Coy.* ✓*3rd Bde. 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

*Full Period*

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

*one 1/2 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..... *Capt. "C" Coy.*

*3rd Bn. 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

*Full Period*

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

*Two 1/2 years*

(3) State—

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

*Oglaigh na h-Eireann.*

(b) Unit or Units and the position held by applicant..... *Capt. C' Coy. 3rd Bn.*

*Dublin Bde. & Capt. Column Commander - 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

*Full Period*

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

*One 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. Column Commander - S. I. U.  
Dublin Bde. & Coy. Captain (unattached 3rd Bn. 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  
 $\frac{170}{177}$  of full period

(2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act.  $\frac{170}{177}$  of 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. Vice Commandant - 3rd  
Bn. Dublin No. 1 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  
Full Period

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

3) State—

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

(b) Unit or Units and the position held by applicant. Vice Officer Commanding  
3rd Bn. Dublin No. 1 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.....

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



34 SP/849.

19<sup>L</sup> October, 1935.

A Bhean Uasal,

I am directed by the Minister for Defence to refer to previous correspondence in connection with the application of your late husband under the Military Service Pensions Act, 1934, and to state that the Minister has sanctioned the award of a pension of One hundred and seventy-nine £179.11.11. pounds, eleven shillings and eleven pence per annum which is payable as from the 1st October, 1934. I am to state that the balance of the pension due to the estate of your late husband will be paid to his legal personal representatives upon production at this Office of Probate of Will or Letters of Administration, together with the Registrar's Certificate of Death.

If, however, from needy circumstances, the relatives of the deceased are desirous of avoiding the expense of taking out Probate of Will or Letters of Administration, the enclosed Form of Declaration should be properly executed and returned to this Office, together with (1) receipted bills for the Funeral expenses; and (2) a Registrar's "Certificate of Death", in order that the Minister for Defence may determine whether he would be justified in dispensing with the Probate of Will or Letters of Administration.

Mise, le meas,

Sd. J. O'Connell  
af Rinal.

Mrs. P. Flanagan,  
"Sunnyside",  
27A, Oakley Road,  
Ranelagh,  
Dublin.

MD.



# Military Archives

34 SP/849.

19<sup>H</sup> October, 1935.

A Bhean Uasal,

I am directed by the Minister for Defence to refer to previous correspondence in connection with the application of your late husband under the Military Service Pensions Act, 1934, and to state that the Minister has sanctioned the award of a pension of One hundred and seventy-nine £179.11.11. pounds, eleven shillings and eleven pence per annum which is payable as from the 1st October, 1934. I am to state that the balance of the pension due to the estate of your late husband will be paid to his legal personal representatives upon production at this Office of Probate of Will or Letters of Administration, together with the Registrar's Certificate of Death.

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Mise, le meas,

Sd. J. O'Connell  
a/s. Rinal.

Mrs. P. Flanagan,  
"Sunnyside",  
27A, Oakley Road,  
Ranelagh,  
Dublin.

MD.



849 B.  $\frac{9}{10}$

73

# Military Archives

23 October, 1935.

Would you be good enough to inform me if the funeral expenses of your deceased husband have been paid. If so, will you please give the receipted bills to the bearer of this note.

I am sorry I omitted to mention this matter to you when you called to-day. As you will see from attached printed letter, they are always called for before the balance of pension is paid.

They will be returned to you without delay.

Mrs. E. Flanagan,  
"Sunnyside",  
27A, Oakley Road,  
Ranelagh,  
Dublin.

J.G.A.

M.D. Military Service  
Pensions Collection



Ref. No.

Roinn Cosanta,

Geata na Pairce,

Baile Atha Cliath.

28<sup>th</sup> Oct. 1935

The Registrar General,  
Custom House,  
Dublin.

Verification of Death.

I am directed by the Minister for Defence to state that verification of the following death is required in connection with a claim under the Army Pensions Acts / ~~Defence Forces (Temporary Provisions) Acts.~~

The Minister would, accordingly, be glad if you would complete the Certificate hereunder and return it to this Office at your earliest convenience.

*J. Morgan*

a.s. Rúnaí.

Name Patrick Shanahan  
Address Sunny Side, 71 Oakley Rd. Ranelagh  
Approximate date of Death 15<sup>th</sup> Dec 1935  
Place of Death Darnham House, Finglas

Name.	Address.	Place of Death.	Date of Death.	Cause of Death.

Certified that the above particulars are correct according to the Official Records.

Registrar General.

Date: \_\_\_\_\_

NR.



Tagairt.....

A.F.O. says  
widow may  
be paid

gfh  
23/x/35

Verified by phone  
from the G.R.O.  
Deed described as  
Carpenter

24/7/35

Gore & Gormes  
Solicitors  
6, Cavendish Row  
Dublin

Probate of the will of  
Patrick Flanagan, late of  
'Sunnyside' Oakley Rd  
Randagh  
who died on or about the  
10<sup>th</sup> Feby. 1935 at Tarnham  
House, Funglas, intestate  
Letters of Administration  
were granted on the 21<sup>st</sup> Aug.  
1935 to Eveline Flanagan  
of same address, <sup>the</sup> widow  
gross estate £255.14.3  
for purposes of Estate duty

Mrs Flanagan called to-day & produced  
Letters of Administration. The only item  
involved is house, which they were buying  
out under some scheme.

2/11/35  
23/x/35



Mrs Hanagan called again  
to-day and produced the  
receipted bills for the funeral  
expenses, including a receipted  
bill for £34. 18. 6 from Massey's  
Thomas St., and receipts from  
the Dublin Cemeteries Co.

ggh.  
24/7/35

Military Service  
Pensions Collection



34 SP/849.  
TAGAIRT

2.1.  
/

Please issue a payable order for £64:17:1  
S. ~~EVELINE~~  
to Mrs. P. Flanagan, "Sunnyside", Oakley Road,  
Ranelagh, Dublin being balance of Military  
Service Pension due to the estate of her  
late husband Patrick Flanagan of the same  
address.



Charge to sub-head "K", Army Pensions

V.O.

J. Morgan



a492  
12

Ref. No.

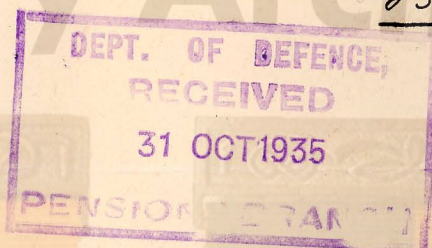
Roinn Cosanta,

Geata na Pairce,

Baile Atha Cliath.

23<sup>rd</sup> October 1935

The Registrar General,  
Custom House,  
Dublin.



Verification of Death.

I am directed by the Minister for Defence to state that verification of the following death is required in connection with a claim under the Army Pensions Acts / ~~Defence Forces (Temporary Provisions) Acts.~~

The Minister would, accordingly, be glad if you would complete the Certificate hereunder and return it to this Office at your earliest convenience.

J. J. Morgan  
a.s. Rúnaí.

Name Patrick Flanagan  
Address "Sunnyside" 24A Oakley Rd., Ranelagh, Dublin  
Approximate date of Death 10<sup>th</sup> February 1935  
Place of Death Farnham House, Finglas, Dublin

Name.	Address.	Place of Death.	Date of Death.	Cause of Death.
Patrick Flanagan	"Sunnyside" Oakley Road Ranelagh Dublin	Farnham House Finglas N. Dublin R.D.	10th February 1935	Cerebral Haemorrhage 1 day cardiac Failure Certified.

Certified that the above particulars are correct according to the Official Records.

F. P. McCARDON  
Registrar General.

Date: \_\_\_\_\_

NR.

2.226. Mar '35 L 298  
Dkt 23/29

20 26/10/35





MSP/34/11.

GUTHAN 21681  
(TELEPHONE)  
UIMHIR THAGARTHA  
(REFERENCE NO.)

ROINN COSANTA,  
(DEPT. OF DEFENCE),  
GEATA NA PAIRCE,  
(PARKGATE),

BAILE ÁTHA CLIATH.  
(DUBLIN).

31 October 1935

34C/47.

THE INSPECTOR OF TAXES FOR  
PUBLIC DEPARTMENTS,  
REVENUE COMMISSIONERS,  
THE CASTLE, DUBLIN.

MILITARY SERVICE PENSIONS.

I am directed by the Minister for Defence to inform you  
that he has granted a pension under the Military Service Pensions Act, 1934, to  
*Patrick Flanagan (Deceased)* particulars of which are  
subjoined.

(1) Surname and Christian Name *Flanagan, Patrick*

(2) Private Address *"Sunningdale", Oakley Road,  
Ranelagh, Dublin.*

~~Formerly of~~ *Lived at Harnham House, Finglas,  
on 10th February, 1935.*

(3) Business Address .....

(4) Gross Pension per annum .... £ 179 : 11 : 11

(5) Nett Pension per annum .... £ 179 : 11 : 11

(6) Date from which payable—1st October, 1934 to date of death.

*Payment of amount due made to widow, Mrs Evelyn Flanagan  
of same address*

*J. J. Morgan*



# Military Archives

Ref. A3W 37/47

An Roinn Cosanta  
Brainse Airgeadais  
Coláiste Caoimhín  
Baile Atha Cliath 9

21 Mithemh 1972

A Bhean Uasail

I am directed by An tAire Cosanta to refer to the Army Pensions Act, 1971, under which provision is made for the grant of an allowance to the widow of a person who had been awarded a pension under the Military Service Pensions Act, 1924 or 1934.

Your late husband was in receipt of such a pension and I am to enclose herewith a form to enable you to submit an application for the allowance referred to above.

An addressed envelope, which does not need a stamp, is enclosed for the return of the completed form to this Department.

Mise le meas

*E. J. O'Sullivan*  
a/s RUNAÍ

Mrs.

E. Flanagan

"Lunyside"

27a Oakley Rd.,

Ranelagh, Dublin 6.

## Military Service Pensions Collection



34SP/849.

Patrick Flanagan

Gross Pension  
Nett "

£179:11:11 pa.  
£179:11:11 pa.

Entitlement from 1/1/34 to 2/12/34 is £44:17:11 1/2.  
" " 1/1/35 to 9/2/35 is £19:19:19 1/2.

Total Entitlement £64:17:1

Jan. 31.  
Feb. 9.

$$\frac{4p.}{96} \times \frac{44:17:11\frac{1}{2}}{1} = £ \frac{179:11:10}{9}$$

$$= £19:19:19\frac{1}{2}.$$

24/10/35.

Military Service  
Pensions Collection



	Ref.	Date	Signature
(1) Previous papers under—			
(a) Army Pensions Act, 1923 .....	✓	19/4/35	J. G. Comaughton
(b) " " " 1927 .....	✓	8/1/35	J. G. Comaughton
(c) " " " 1932 .....	✓		J. G. Comaughton
(d) Military Service Pensions Act, 1924 .....	✓		J. G. Comaughton
(e) Military Tribunal .....	✓		J. G. Comaughton
(2) M.S.P./34/1 issued to applicant .....		22/11/34	J. E. Walsh.
(3) " returned by " .....		30/11/34	J. G. Comaughton
(4) " " to " for further particulars or completion .....			
(5) M.S.P./34/1 returned by applicant .....		8/1/35	J. G. Comaughton
R.C. 8/34/S.P.			
(6) M.S.P./34/1 and M.S.P./34/2 to Referee .....		10/1/35	Mr. McBurnett
(7) M.S.P./34/2 returned by Referee .....		18/2/35	Holger.