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# Military Service Pensions Act, 1934.

Ref. No. 3.4.58/21006	Ref. No. M. S. P. 34/ Referee - 20549
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.
O'Byrne, Hugh,	J.J. of - 6/2/9/10
30, Killeen Rd., Rathmin for a Service Certificate. Dublin	
The report should take the form of replies to the questions set out herewith.	A CORNE CHE ZO DEL PRESENTA CALIBRA CA
J. Morgan	(SIGNED) T. UA. DOMHNAILI
9 APR 1936	Referee.
Date	Date(2)
The second secon	The state of the state of the state of
1. Is the Applicant a person to whom the Ac	t applies ?
2. If so, total actual service in the different se	ervice periods, as established.
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D. 12 & ENTIRE PERIOD O 2 4  S 3 4 ENTIRE PERIOD O 9 9 4	ENTIRE PERIOD (9) 3 % ENTIRE PERIOD
3 3 9 ENTIRE PERIOD ( G) 9 9	ENTIRETPERIOD (6) ML
3. Total service for pension purposes as defined	1 743
4 Crade or mark queting relevant name	ah of First Schodule under which allowed .
(a) On first critical date. Inde 2	9. Para. 1 (4)(d)
(b) On second critical date Trade	Para. 1 (4+)(A)
(c) Was applicant a member of the Ir	ish Volunteer Executive at any time prior to
the 11th July, 1921	No 1
(d) Does applicant's case fall under ei	ther of the following sub-paragraphs, and, if
so, which, $viz$ ., sub-paragraph ( $j$	) of paragraph 3 of Rule I. of First Schedule
or under sub-paragraph (m) of p	paragraph 4 of Rule I. of First Schedule, as a
Medical Officer	No V

10V

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? Employed by Dubler Corporation 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..... THE WEEK COMMENCING ON THE 23RD DAY OF APRIL, 1916. (1) Duration of active service during the period as established to your satisfaction (2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act..... Hyeas 1 (3) State— (a) The particular military body of the Forces. Irish Voluntiers (b) Unit or Units and the position held by applicant..... C bry, Str. 10, Dublin Bde. 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 <u>y</u> y 179 % ENTIRE PERIOD (2) Equivalent of active service for pension purposes as defined in the Second Schedule of the Act...... - 179 of year

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Tokkyn F/E Killeen Road. Rathmines. DUBLIN. 18th October, 1938. Griffith Barracks. South Circular Road, Ref. No. 20549. DUBLIN. Dear Sir. I am in receipt of your communication of the 27th ult. giving me details of the Findings in connection with my application for a Military Service Pension under the 1934 Act. I respectfully beg to appeal against your decision, and wish to inform you that I propose to submit further evidence on my behalf in due course. Yours faithfully, AufhDByrner. ensions Collection

OIFIG AN RÉITEÓRA, (OFFICE OF THE REFEREE),

## BEAIRICÍ UÍ GRÍOBHTHA, (GRIFFITH BARRACKS),

CUAR-BHÓTHAR THEAS, (SOUTH CIRCULAR ROAD),

BAILE ÁTHA CLIATH.

Ref. No. 193

A CHARA,

I am directed by the Referee to refer to your application under the terms of the Military Service Pensions Act, 1934, and in accordance with the provisions of Statutory Rules and Orders 1936, No. 61, I am to notify you that on the evidence submitted, the findings of the Referee in respect of your application are as follows:—

Service Period	Duration of Active Service during each period, as established to the satisfaction of the Referee.	Appropriate pensionable service Years.
(1) Week commencing 23/4/16	ENTIRE PERIOD	
(2) (a) $1/4/16 - 22/4/16$ (b) $30/4/16 - 31/3/17$	ENTIRE PERIOD	7/9
(3) 1/4/17 - 31/3/18	Ait "	All
(4) 1/4/18 - 31/3/19	Add	B Mil
(5) 1/4/19 - 31/3/20	ENTIRE PERIOD	72
(6) 1/4/20 - 31/3/21	ENTIRE PERIOD	\$
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(9) 1/7/22 - 31/3/23	ENTIRE PERIOD	=======================================
(10) 1/4/23 - 30/9/23		
	TOTAL—.	years.

								TOTAL
Grade	of	rank	on	1st	critical	dat	e	
				0.1	-			
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I am also to inform you that if you desire to submit any additional evidence or to make any representations with a view to the revision of these findings, such evidence or representations must be submitted in writing to the

Referee and must reach this office not later than

The Referee will give full consideration to any evidence or representations so submitted, and after such consideration will make his report to the Minister for Defence. If no additional evidence or representation is furnished before the date indicated, the Referee will thereupon make his report to the Minister.

I am to add that the report of the Referee, when made, will, subject as mentioned in Section 9 of the Act, become final and conclusive and binding on all persons and tribunals whatsoever.

Mise, le meas,

Rúnaidhe SP 4408 5000 4-38 BC 2/40321

A Riller Hord

### SUMMARY

HUGH O'BYRNE (No. 20549). Heard on 21/7/1938.

### GRADE I

RANK: Applicant claims that he was 2nd Lieut. of "C" Coy., 4th Batt. Dublin Bde. on 1st Critical Date and that he was appointed about the end of Nov. '20. On 2nd Critical Date he was Capt. of "A" Coy. of the 4th Battn.

Joined Nov. '13.

- (1) On Easter Sun. he paraded at Dolphinsbarn. Stood-to, armed, during the day. Spent the night at home. On Mon. he paraded at Larkfield, went to Marrowbone Lane Distillery and took part in the defence of that post during the whole week.
- (2a) Usual.
- (2b) Was in the surrender on Sun. 30th April. Released from Frongoch about the first week in Aug. '16.
  Re-joined his Coy. soon after his release. He had been working in Guinness's before his arrest and lost his job as a result of his Vol. activities.
- Usual. Took part in the Ashe funeral. South Armagh election. Was on duty on one occasion to attack British forces at Cork Hill.
- (4) Usual activities. For a period of about 3 months he was in a special Coy. under Capt. Archer. He was in charge of a raid for 6 rifles at Mount Jerome cemetery.
- (5) Usual activities. Guarded members of the Dail.
- In the summer of '20 he took part in an attempt to disarm the guard (6) at the Custom House. He was armed with a revolver and was inside the building.

Was active on armed patrol duty from about Sept. '20, did one or two patrols a week at first and later on was engaged on this work nearly every night.

He was on the run from Sept. '20.

Nov. '20, Bloody Sun. He was one of a party which raided a house in Ailesbury Rd. for Col. Brown. He was armed with a Peter the Painter. He helped to burst in the door but Brown was not at home. Soon after this he was appointed 2nd Lieut.

Jan. '21 Terenure ambush - was posted at the corner of Eaton Rd. armed with a bomb and a revolver. The pin did not draw from the bomb so he

fired a few shots from his revolver at the lorry.

In Feb. '21 he was appointed Rate Collector to the Dublin Co. Council.

Although he held this permanent post he claims that he was free for I.R.A. duty practically all the time.

Was in charge of a raid for arms on a vault in Mount Jerome and

secured a large quantity of arms and ammunition.
Guarded Ernie O'Malley in Killeen Rd., Rathmines, after his escape

from Kilmainham.

Was on armed patrol duty nearly every night. Raided the Dartry Laundry and burned British uniforms. Was in charge of a raid on O'Neill's works in Pleasants St. for shell cases.

Lay in ambush for 3 mornings for a military fatigue party at the brickworks in Crumlin Rd.

### Summary Contd.

Claims that he was continuously active up to the truce.

- (8) On the re-organisation of "A" Coy. he was appointed 1st Lieut.
  Usual activities.
  Took part in occupation of the Four Courts and spent a night there.
  Did relief duty for the O.C. of Lever's post on 3 or 4 occasions for 2 or 3 days at a time.
  When the Four Courts was attacked he was in the Harold's Cross area.
  He went to Marrowbone Lane and later to Mount Brown and Harold's Cross
- (9) Took part in an attack on F.S. post at Vaughan's, Terenure. He was armed with a Peter the Painter.

  Aug. '22, took part in the bridges operation at Glendhu.

  He was appointed Battn. Q.M. and purchased some rifles and revolvers.

  He succeeded in obtaining some dispatches from prisoners in Griffith bks.

  Continued active until Jan. '23 when he was arrested. He was released from Mountjoy about the middle of Feb. '23 after signing the from form. Spent about 3 weeks in jail.

  No further activities after this.

BM/AMCD

Military Service
Pensions Collection

SWORN STATEMENT MADE BEFORE ADVISORY COMMITTEE BY HUGH O'BYRNE ON 21st JULY, 1938, (REF.NO. 20549). Did you bring any references?
I brought one with me but I mentioned it to Comdt. Dowling and he said he would vouch my case. Were you 2nd Lieut. of "G" Coy., 4th Battn.? When did you get that rank? Just a few weeks after Bloody Sun. About the end of Nov. '20? About that. Did you hold that right up to the truce? Yes. You say you were Capt. of "A" Coy. of the 4th Battn.? Yes, afterwards there was a re-organisation of the Battn. When was that?
About Sept. '21. About Sept. 21. Sept. or Oct., I was not Capt. at that time, Tracey was Capt. then but he retired, he went into the Protection Corps of the Army and I was appointed in his place. Was it a small Coy .? In the beginning about 90 or 100 men but a lot fell off. How many were in it on 1st July '22? The actual number on parade would be about 45, there was anumber of them not regular in attendance. When did you join the Vols.?
I joined the I.R.B. in '12 and the Vols. the night they were formed in the Rotunda. Nov. '13?

Yes.

#### 1st Period

Were you mobilised on Easter Sun.? Yes, I attended at Dolphinsbarn.

It was called off?

Yes, We were told to keep ourselves ready.

You paraded at Dolphinsbarn? A. Yes.

- You stood to for the rest of the day? Yes. We were told to go home and not to stir from the district.
- You wpent the night at home? Yes.
- Were you mobilised again on Mon.? Yes, I was mobilised early on Mon. morning, we paraded at Larkfield.
- Q. Where did you go from that?
- To Dolphinsbsrn and then to Marrowbone Lane distillery.

## 2nd Period (a)

- Q. For the 3 weeks before the Rising did you take part in all the parades and drills?

  A. Yes.
- Q. During those 3 weeks were you called on to do anything special?
  A. I was called on by Comdt. Kent some weeks beforehand. I was working in Guinness's brewery at the time and he examined me about what I knew about the buildings there. He informed me that I was to obey the orders of Capt. Seamus Murphy when called on. Murphy called for me on the Mon. morning, I was under the impression that we were going to Guinness's grewery. That accounts for the fact that I was not with my own Coy. which was "C" Coy., and actually I operated with "A" Coy.
- You were not called on to do any special work during Holy Week?
  You were not shifting arms?
  A. Only just the local Coys.

#### 2nd Period (b)

- Q. On the Sun. after Easter Week the surrender took place? A. Yes.
- Q. You were in the surrender? A. Yes.
- Q. You were deported?
- A. Yes. .
- Q. When did you get out of Frongoch?
- A. I think about the first week in Aug.

When things got going again did you rejoin? Yes, I reported back immediately. ₹. Helped to re-organise the Vols.? Q. Yes. We started drilling again in Weaver Hall. Did you do some protection duty at the Roscommon election? Yes, I was up there at the elections. 3rd Period In '17 you took part in the Lying-in-State of Thomas Ashe? Yes. I was one of the party that took over the City Hall that Armed duty at the funeral? On duty for the attack on British Forces at Cork Hill? Yes. Protection duty at the Armagh election? How long were you waiting to attack the British forces at Cork Altogether we would be under orders for about 3 hours. Were you armed at that time? ₽. Yes, all the time. We were not actually on the spot but from the time we mobilised until we finished up. It was called off in a hurry. You were back at your work at this time? I was only a casual worker at the time. I lost my job in Guinness's over the Rising. You had a good deal of free time to give to Vol. work? Yes. I had a lot of free time. Were you helping to organise the Coy. then? Yes. 4th Period Q. Regular attention to duty. Part of the period you were attached to a special Coy. under Capt. Archer?
Yes, there were about 4 or 5 of us transferred from "C" Coy. temporarily to a demolition Coy. Our duties were to find out the particulars of telephone and telegraph arrangements in the area. I was away from the Coy. for 3 months. 4. Were you 3 months on that special work? A. Yes, about that. Did you do that work during the day time? A. Day and night time. You were free in that period? Yes. I was not free for the whole period. A. It was special work? A. I was working now and again. Generally speaking you were free? Q. Yes. Almost all that work was done after tea.

-4-

Q. Armed parade at Coleman's funeral?

## 5th Period

Protection duty for Dail Eireann - was that for meetings?
Yes, and guarding some of the members as they left by the back way and going a certain distance with they until they got away safely.

Q. '19 drilling and training still?
A. Yes, I never lost touch, I was active the whole period.
6th Period

when had you this raid on the Custom House in an attempt to capture arms?

- A. I think in the summer of '20. It was an attempt to collect the mark arms and it was a failure. We were actually on the premises, the telephone had been cut and the guards and attendants held up.
- Were you armed on that occasion?
- A. A .45. McCurtin and myself were to carry out the holding up of the soldiers.
- Q. Was the attendant disarmed?
  A. Yes. Myself and another man were to go to the guard room and collect but there was some change in the lay-out and Capt. Joyce called it off.
- Q. Armed patrols what time in '20 did you start armed patrols? A. Late into the winter, before Bloody Sun.
- Q. Long before that?
  A. Yes, some time before that.
- A. Yes, about Sept.
- A. In that particular Coy. about once ar twice a week but later on it was oftener, practically every night except Sun. night.

  At least 3 times a week.
- Q. When were you appointed Rate Collector? A. Feb. '20, I was sent by the Coy.
- Rate Collector for the Dublin Co. Council?

  Yes, that brought special attention from the military.
- Q. Was it Feb. '20 or Feb. '212

A. It was Feb. 1921.

Were you out on Bloddy Sun.?

Yes. We were not successful that morning.

- Where did you go to? We went to Col. Brown's house in Ailesbury Rd. McCurtin was with me that time.
- Did you actually go to the house?
  Yes, we burst in the door, there was a chain on it.
- What were you armed with? I had a Peter the Painter.
- You could not get in?
- The girl opened the door and it was on a chain and we threw outselves against it and the lot of us fellin and the door fell back. We had to open the door then to let the other men in. We spent about half an hour there and retired.
- He was not there? No, there was not a man in the building that we could see, although one of the men states he saw a man.
- After Bloody Sun. the armed patrols were more frequent?
- You were appointed 2nd Lieut.?
  Yes. "G" Coy. was formed at that time and we got active all around with armed patrols and that in our area.
- Attack on British forces in Terenure? We attacked a lorry of British soldiers.
- When was that? In Jan.
- Where abouts in Terenure?
- We were standing at the corner of Eaton Road and the lorry was there and the bks. was nearly opposite and when it moved off we attacked it, it went down a few hundred yds. and was attacked by a second party of us.
- Q. What were you armed with? A bomb and a .45.
- Q. A. Did you use the bomb?
- How many shots did you fire?
- The pin had been tampered with and it would not draw.
- Did you use the .45? 4. Yes.
- How many shots did you fire?
- One or two. It happened in a flash, the lorry put on speed.
- It was attacked further down? · Yes, about 150 yds. down the line gy another part of our party.
- What distance were you posted from the lorry? Close. Up against them.
- Capture in raid of arms and ammunition at Harold's Cross?
- Yes, another raid on a vault. We got a large quantity of shot gunx ammunition, we had about 12 shotguns, numbers of small arms

-6and several old weapons. You were in that? Yes, I was in charge of that. In charge of the squad for a short period? Yes. Guarded Ernie O'Malley after his escape from Kilmainham? Q. How long did you guard him? It was only an evening and a morning. About 8 o'clock until 12 next day. Where did you guard him? In Killeen Rd. Rathmines. We had a house. You were guarding him all night? We were on armed patrol and called off from about it 8 o'clock until 12 Mass the next morning. Evening, night and morning? Yes. That is the type of activity you were at until March '21?from A. Yes, there is something else. From about Feb. '21 you were Rate Collector? Yes. Q. Were you on the run at this period? A. I was on the run the whole time. From when? A. I went at the formation of "G" Coy. When was that? About Sept. 20. I was not stopping at home prior to Bloody Sun. I had gone away at that time. 7th Period You were on armed patrols still during the last  $3\frac{1}{2}$  months of the Black and Tan war? A. Yes. Were you on armed patrols every night? Yes, practically every night except Sun. nights and an odd night you might get relief. Burned British equipment on raid on laundry in Dartry? Yes. This was British laundry stuff? They had uniforms and we were going to dye them green. Where did you hold up the stuff? In the laundry premises. You went to the Dartry dye works? Yes. We removed them to the yard and to the back of the Dodder and we burned them. You went inside? Yes and helped them to carry it out to the yard. We were there

for hours.

In charge of raid for shell cases at O'Neill's works in Pleasants St.?

- Yes, I had a few shell cases, about 6 or 8 of them. They were put into motor bicycles and side cars and went on to the country I believe they were used as land mines afterwards.
- Armed attempt to capture rifles from British party at Crumlin Road?

Yes. A.

- This was an attempted capture? Yes, on the wix brickworks itself. A fatigue party attended there a few times during the week and we had to lie there for 3 mornings.
- This is the brickworks in Crumlin? Yes, we were just inside the hedge on the main road.
- You lay in wait for 3 mornings? Yes, and they did not come. They came the next morning but we were not there. It was not a very happy position on that road.
- Were you active like that up to the truce? Yes.
- Still on the run? A. Yes.
- As a Rate Collector were you tied down to hours during the day? No, I was free. I only had to report once a fortnight. We attended a couple of times a week or oftener to collect any letters that might be there just.
- You had no other work to do? No. I was free to do Vol. work.
- You were busy all that time? Q. A. Yes.
- And free and available all the time? Yes.

## 8th Period

- During the truce you were appointed 1st Lieut.? Yes, it was re-organised and I was appointed 1st Lieut. of a new Coy., "A" Coy.
- Did you keep on drilling and training? Yes, all the time, and then Capt. Sean Treacy went into Oriel House and I was appointed in his place.
- Did you go into any training camps during the summer of '21?
- Just at your ordinary job in the day time and doing Vol. work at Q. night?

Yes. I was pretty free that time.

- Mainly drilling and draining?
- A. Yes and training men in the use of various weapons.
- Q. When the Four Courts was attacked did you take any part?

Q. You did not stay in it afterwards?

A. No, the Tipperary Col. came and relieved us.

Q. O.C. of Lever's post on relief duty?

A. Yes.

- How often did you do relief duty?

  It might be 3 or 4 times for 2 or 3 days at a time. The officer in charge there would want to get away for something.
- Q. You say that when the Capt. went to Oriel House you succeeded him as Capt.?

A. Yes.

- Q. At the time of the Four Courts attack were you Capt. of "A" Coy.?
- Q. When the Four Courts was attacked where did you report to?

  We had our men mobilised that night for other wlrk and they were under arms in Harold's Cross. We kept them there until about 12 or 1 o'clock and let them go home then to wait for further orders. We all reported early in the morning and stayed round Harold's Cross for a long time. We did not get the orders we expected. Eventually we got an order to report to Marrowbone Lane and we went there under arms. Then we took up position under arms in Mount Brown and spent the whole morning and day there and some time in the evening we were ordered to take the men back to Harold's Cross.
- Q. You were out in that area while the fighting was on in the Four Courts?
- A. Yes, the big guns were going.

#### 9th Period

- Q. Had you any attacks against the F.S.? Yes, in Terenure on a military post.
- Q. When was that?
- A. During those days.
- Q. Was that at Flood's?
- A. At Vaughan's.
- Q. What were you armed with?
  A. I had a Peter the Painter.
- Q. Were you far from the place?
- A. I would say about a few hundred yds., about 200 yds. We had a big number of men that night.
- Were you in charge of your Coy.?

  Yes, and Kenny was in charge of his Coy. The two Coys. operated together at the time.
- Q. After that did you go home for a while?
- A. No, I did not go home off the run.

- Your next operation was the bridges? Yes.
- What bridge were you at?

A. Glendhu.

Were you surprised?

- I was not actually at the bridge, we did not get that far, we were surprised on the way. We met two of the men coming back about half a mile from it and we were held up then by a party but I knew the man and we got through.
- Purchase and care of arms?
- I was appointed Q.M. at the time and went around with the idea of buying arms.
- Was this pattn. or Coy. Q.M.?

A. Battn. Q.M.

- Did you buy much arms?
  Not a lot. About a dozen revolvers and two rifles.
- Did you get those from friendly F.S. soldiers? Q. No. I got a rifle from a house in Clontarf.

You got them privately?

- A. Yes. They were not from soldiers.
- Collecting and forwarding of dispatches from O.C. prisoners, Q. Griffith bks.?
- I made contact with that bks. and I got out information. There A. was a man employed here every day, coming in and out, and I got in touch with him. He brought the dispatches out.
- Carried out duties of Coy. O.C. and Battn. Q.M.?

Yes.

Captured and escaped from F.S. forces in Terenure?

- Yes. I ran into a patrol and I knew the officer who captured me He went to telephone to notify Portobello and when he came back I was gone.
- All during that period you were on the run, evading arrest? Yes. I did not stop in the house at all.

Battn. Q.M. in charge of the stuff?
Yes. Then I went on the run and I lost contact. I was not Battm Q.M. for the whole time.

Where were you cap tured in Jan .?

- In the Yellow House in Rathfarnham. I was there collecting rates.
- Q. Had you been doing a bit of work as Rate Collector?
  A. Yes, we were doing it, we got time for it and my sister was doing a lot of work.

You were released from Mountjoy?

I was arrested on 28th or 29th Jan. and released about the middle of Feb. I was only in about 3 weeks.

How did you get out? Did you sign a form?

My brother-in-law's friend was on the intelligence staff of the F.S. working for McGrath and he arranged it.

- Q. You had not x to sign a form?
  A. They invited me to sign the form.
- Q. That was the finish of it?
  A. Yes, that finished my career.
- Q. Is there anything else?
  A. No, except that on one occasion we we had occasion to investigate a robbery. We arrested a prisoner and spend some time on that. I don't think there is anything else.
- Q. We have got everything of importance?

AMcD

Military Service Pensions Collection

Organisation Records supplied	l by	Batta Commettee.
show that applicant was		(Coextified chart)

(a) 2nd Lt. C. boy. 4th Balto 11.7.1921.

Strength 190

(b) bast A long. 4th bath Dublin Bd. 1.7. 1922.

Strength 16 per leag. roll (leth. per chart not when )

Signed:  $\sqrt{\frac{2}{3}} \frac{18}{2}$ 

Military Service
Pensions Collection

/KR.

Brainnse an Ard-Chongantóra,

Bus

21, Meitheamh, 1938.

Secretary, Pensions Board.

HUGH O'BYRNE - 30, Killeen Road, Rathmines, Dublin.

Joined the Irish Volunteers at their inception and served in "C" Company, 4th Battalion, DUBLIN BRIGADE. In addition to some special duties he carried out on the first day of the Rising of 1916, he fought for the entire week in MARROWBONE LANE DISTILLERY and was afterwards interned at Knutsford and Frongoch. He held the rank of Squad Leader at this time.

He assisted in the reorganisation of the Company in the Autumn of 1916 and was made a Section Commander. He took part in all Company activities and rendered excellent service in the training, arming and equipping of his Unit in 1917, 1918 and 1919, the years which made subsequent events possible.

He carried out a raid for arms at Harolds Cross about 1918 and secured five rifles and took part in a raid on the Custom House (armed) in 1920, which proved abortive, needless to say, through no fault of his.

He took charge of several armed patrols in his area in 1920 and towards the end of that year went to "G" Company when that Unit was formed.

Hugh O'Byrne was an outstanding Volunteer who rendered meritorious service to the nation in the Volunteer movement.

1. V. Totce. MAJOR

(J. V. JOYCE).

DEPUTY ADJUTANT GENERAL. LATE O.C. "C" COMPANY, 4TH BATTALION.

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Office of the Referre.
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DEPT. OF DEFENCE,

RECEIVED

31 DEC1935

## Military Service Pensions News 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).

SURNAME.

CHRISTIAN NAMES.

Present Address......
(to be written in block capitals). ....

30 RILLEEN ROAD RATHMINES Dubling

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, interment, 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,
- (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,
- (c) the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921,

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? 23°d
(b) Unit or Units & Coy 4th Batt Outlin Red personal order from Count Ceasunt to
(c) Duration (giving dates) of service. While period
(d) District or Districts in which active service was rendered. Lark fuld  Marrow one Lane Distillery
7
(e) Officer Commanding in each instance loy of Thomas McCarthy Capt Seamur Murphy in charge of Port
(j) in what way do you claim that your service was active service
as Member of L.P. B. Trish Volunteen I obeyed all orders of officer in charge
(g) Particulars of any military operations or engagements or services rendered during
the week. Transport of War Material from Lark field a Assisting in defence of
(h) Absence from duty and cause. None
(i) References who can testify as to your statements above:—-
Murphy Deamus & Cont Ocht Custon II
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1 with the william
(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. 6 Coy 4th Bath
(b) Duration (giving dates) of service. Whole period
(c) District or Districts in which active service was rendered. Con area Outline
Anutsford Vrison + Frongock Interment Camp
(d) Officer Commanding in each instance Capt M Carthy 1st h 22 Capt Garry Byrns (e) In what way do you claim that your service was active service? Training in use of
(e) In what way do you claim that your service was active service? Transmer in use of
ms, Coy parades imprisonment Internment
(f) Particulars of any military operations or engagements or sorvices rendered a
the period reparation for Kaster Week imprisonment outerument
the period Reparation for Master Week imprisonment outernment helped to reorganize JRB. Noting tiers on return from internment, Protection duty Roscommon Elections
(g) Absence from duty and cause. None
В

(n)	References who can testify as to you	r statements above :—	的 在 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
h	NAME.	ADDRESS.	
//!	hulthy Deamas	2. G. Oept lus	low House
J	lue/the Seamus' Toyce Major J.V.	National arm	W
	Towling Lean		
	ow wig saw	In Baget It	(/llblin
(3). Conti	INUOUS ACTIVE SERVICE DURING PERIO	OD FROM 1ST APRIL, 19	17, TO 31ST MARCH.
	Unit or Units. C Coy 4th Ba		
(b)	Duration (giving dates) of serviceM.	hole period	•••••
(a)	District or District : 1:1		Dulli a Console
(6)	District or Districts in which active se	ervice was rendered	2utun 4 umagu
(d)	Officer Commanding in each instance	aft Garry Byrne Sel	Tue Ra Outlin
	In what way do you claim that your		се ?
	Regular attention to duty as	mem ver of 10	
(f)	Particulars of any military operations	or engagements or servi	ces rendered during
	the period one of armed parte	i to occupy leter Hall	Of for Lynne in State
19	house as dutient lessed as	and by d. T. l.	He le Rote France
at Cork Hed &	homas ashe a duty at funeral as with Protection duty larmagh	Election	nach ou Dunsh Jours
(g)	Absence from duty and cause	¢.,	
<i>(b)</i>	References who can testify and	TOTAL AND AND SERVE	
(10)	References who can testify as to your	AND THE RESERVENCE	
( )	NAME.  NAME.  TIL	ADDRESS.	
	oyce Major IV.	rangual m	ng
	owling Lean	21. Dagot Si	reel
10	Byrne Garrej	Petru Rd O.	yblin
			***************************************
	NUOUS ACTIVE SERVICE DURING PERIO 1919.	D FROM 1ST APRIL, 1918	8, to 31st March,
(a)	Unit or Units. Clay		
(1)		hole havid	
(0) J	Duration (giving dates) of service.	mu penoa	
			hate of the
(c) I	District or Districts in which active ser	cvice was rendered. Du	thi
		°1+0B 21	THE
(d)	Officer Commanding in each instance.	M. 4 Syrue + Caple	D' Joyce Tapt archer
(e) I	In what way do you claim that your se	rvice was active service ?	Regular attention to
du	ty for part bered I was allas	ched to Show is Co	y was dec
C 1	It archer 1st Batt Dubles	Januar &	1 access
Cap	Archer. 13 Ball Bublio		

(f) Particulars of any military operations or engagements or services rendered during
the period on thange of successful raid for b Rifles at Handar X
Protection duty sail Exchus auticonscription activity, armed parade Coleman
(g) Absence from duty and cause Nove
(h) References who can testify as to your statements above:—
Joyce TV. Capt National army.
Doyce J.V. Capt National army.
Dowling Frank Dartmouth Road Oather or Theatic Ray,
Theridan Lames 6 Mountain View ave Hardes *
(5). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1919, TO 31ST MARCH,
1920. (a) Unit or Units. Coy
(b) Duration (giving dates) of service. Whole period
(c) District or Districts in which active service was rendered. Dublin
Maria III Jane National a
(d) Officer Commanding in each instance. Major JN. Joyce Natural Army
(e) In what way do you claim that your service was active service? Active member
of loy
(f) Particulars of any military operations or engagements or services rendered during
the period Paid on Custom House (allember to capture anns
the period. Particulars of any military operations or engagements or services rendered during the period. Part on Custom House (allempt to capture and services)
(g) Absence from duty and cause home.
(h) References who can testify as to your statements above:—
NAME. ADDRESS.
Joyce IV. Major Rational army
Dowling Lean Le Bagot Street Author
Mc Curtur Dean Solicitor Renagh
(6). Continuous Active Service during period from 1st April, 1920, to 31st March, 1921.
(a) Unit or Units. 6 4 G. Com. 4th Batt Outland
(b) Duration (giving dates) of service. Whole period
who of feel or

	(c) District or Districts in which active service was rendered. Dublic
N	(d) Officer Commanding in each instance Major VV. Joyce + Capp Sean McCurtus (e) In what way do you claim that your service was active service?
Dail Eikeam	Regular attention to duly homoted to rank of 2nd fleut rearned out dulies of Stank (f) Particulars of any military operations or engagements or services rendered during the period armed patiols. Appointed Rate Collector to Sublini Co Council under Raid on home of British 2 0 21 Nov 1920 (Bloody Sunday)
at Harolds X	Attack on British Forces at Terenure, Capture in raid of arms & ammunition In charge of squad guarding Erni omalley after his escape form Kilmanham gart (g) Absence from duty and cause.
	(h) References who can testify as to your statements above:—
	McCurtin Lean Solveiter Nevagh Dowling Lean L. Bagot Street
(7). (	Sheridan James 6 Mountain View Ave Hards & Continuous Active Service during period from 1st April, 1921, to 11th July, 1921  (a) Unit or Units. G. Coy 4th Balt  (b) Duration (giving dates) of service. Whole period
	(c) District or Districts in which active service was rendered. Dublin'
	(d) Officer Commanding in each instance. Slaw Mc Curtur  (e) In what way, do you claim that your service was active service?  Active themself of Con
on Laundry Pleasants Stan	(f) Particulars of any military operations or engagements or services rendered during the period. A med patrols, Burned British equipment in raid at Vantry Vuthin. In charge of raid for Shell cases at Meills Works  Thell care later used as land mines. Armed attempt to capture rifles from British Party at Crumlin Road.  (g) Absence from duty and cause.
in which is a second	British Party at Crumber Road.  (g) Absence from duty and cause.  (g)

(h) References who can testify as to your statements above:—
Me Curlin Lean Newagh 6 Tepp
Mc Curten Sean In Bagot St
Thereday Lames & Mountain View ave HX
(8). Continuous Active Service during period from 12th July, 1921, to 30th June, 1922.
(a) Unit or Units. G & A Coys. 4 Half
(b) Duration (giving dates) of service
(c) District or Districts in which active service was rendered. Dublin
(d) Officer Commanding in each instance Cafe Ploughlow (Short perud) Sean Tracey &
(e) In what way do you claim that your service was active service?
appointed 18t Lieut + Later Capt of Roy + Carned out the du ling
(f) Particulars of any military operations or engagements or services rendered during
the period re organization of loy on promotion to Capti
Occupation of Four Courts fortification of part of building also OC.
(g) Absence from duty and cause
(h) References who can testify as to your statements above:— NAME. / ADDRESS.
Traces Dean Shelbourne Rel Ballsbudge
Sheridan Lames 6 Mountain View ave HX
(9). CONTINUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST JULY, 1922, TO 31ST MARCH, 1923.
(a) Unit or Units. A Coy of Staff A Island
1923.  (a) Unit or Units. A Coy + Staff. 4 Ball  (b) Duration (giving dates) of service. 1st hely to date of release from Mountyoy near and of Jebruary 1923
Nountjoy Mear Live d. Lebruary 1923
(c) District or Districts in which active service was rendered.
Lett in an a Bu Bades
Patt. (d) Officer Commanding in each instance Lean Towling Christe Byne Bu Brady
as of long directed operations later of kointed Batt & M.

(f) Particulars of any military operations or engagements or services rendered during
the period Couped porten with Coy under arms at het Brown
altack on Free Hate Vort Terenene, on attempt to destroy Bridges
Rathlanker District Purchase scare of arms tollecting forwarding of Airpateles
(g) Absence from duty and cause from OC Presoner Wellington Guffills, Bask
Carried out Calie of wy OC + Dalt 4th Captured rescaped
from F.S. Forces Terenove, wading arrest, Captured in January + released from het jay near cult if person Lebulary  (h) References who can testify as to your statements above:
(h) References who can testify as to your statements above:
NAME. ( ADDRESS.
Dowling Lean In Bagof that
Thendan Tames 6 Mountages View the th
Byrne Christic Get Mangan Road
THE PROPERTY APPLY 1923 TO 30TH
(10). Continuous Active Service during period from 1st April, 1923, to 30th September, 1923.
(a) Unit or Units
(b) Duration (giving dates) of service. A ac live service
10 ac une 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
(g) Absence from duty and cause
Military carrying
(h) References who can testify as to your statements above:  ADDRESS.
THOUS COME

### PART II.

TO	BE	COMPLETED	BY	APPLICA	NTS	WHOSE	QUALIF	YING	SERVICE	IN	THE
		FC	RCES	S* WAS	PRI	E-TRUCE	ONLY,	i.e.:-	No.		

FORCES WAS THE TRUCK ORDER, C.C.
(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
Military Service
* 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) 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.	
(o) period from 50th April, 1910, 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	o
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	ſ,
1918. MILITARY CARVICE	
(a) Unit or Units	
(b) Duration (giving dates) of service.	
1310IIS COLES	
(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 se	ervice was active service?
	(f)	Particulars of any military operations	or engagements or services rendered during
	(1)		
		the period	
	•••		
	(g)	Absence from duty and cause	
	•••		
	(h)	References who can testify as to you	r statements above:
	(,,,		The state of the s
		NAME.	ADDRESS.
		and the state of t	THE RESERVE TO THE PARTY OF THE
	•••		
4	7	A CHANGE CONTROL DATE OF THE CONTROL DEPT.	OD WDOM 10M ADDIT 1018 MO 21SM MADON
4). (		1919.	OD FROM 1ST APRIL, 1918, TO 31ST MARCH,
	(a	Unit or Units	
	(h)	Duration (giving dates) of service	
	(0,	A SOCIAL STATE OF A SOCIAL STA	There is a vet should be the
	•••		
	(c)	District or Districts in which active se	ervice was rendered
	(1	Officer Commanding in each instance	
	(e	In what way do you claim that your s	service was active service?
	(f)	Particulars of any military operations	or engagements or services rendered during
		the period	
	•••		Carvice
	•••		
			9011889
	(9		
	•••		
	•••		

	(h) References who can testify as to your statements above:—
	NAME. ADDRESS.
V	
(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?
M	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.
(a)	NUOUS ACTIVE SERVICE DURING PERIOD FROM 1ST APRIL, 1921, TO 11TH JULY, 1921.  Unit or Units
(c)	District or Districts in which active service was rendered
(d)	Officer Commanding in each instance
(f)	Particulars of any military operations or engagements or services rendered during the period
	Absence from duty and cause
	References who can testify as to your statements above:—  NAME. ADDRESS.

## PART III.

# GENERAL.

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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.  2 nd Leuf G Coy 4 Ball Vullen  Coy Roll about 160
(b) On second critical date.  Capt A Coy 4th Balt Outline
References who can testify as to your statements:—
Doubling Han Langer Hay Saget Hugh  Source Ma for Th. Matural Army  Mendan Laner Moneton Menagh to the  Mendan Hay 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.
(3) If you did not serve in both the National Arms 141 To
(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.
•

(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
$\frac{1}{\sqrt{C}}$
(6) Were you a member of the Irigh Volunteer E-centing of the Irig
(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
$\mathcal{I}_{V}$
(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
fles appointed Rate Collector to Unther Coloured Feb: 1921 Transferred to Bublis Corporations april 1931
The companied that to come to come
All 1921 Manfaned 10 Oubline Confrong line 1931
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The state of the s
(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.

<ul> <li>(g) As an Officer of any Local Authority.</li> <li>(h) In any other employment.</li> </ul>
If so, give details
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Milliaga- V Arthaga
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. Hu for Byrne. 30 Killeen Road Pathrone
Signature (or Mark) of Applicant.
*Witness to signature or (where applicant is unable to write) to mark of applicant.
Address of Witness 141 Harvelds Cron Kg
Quelli
Qualification Peace Commissions
Date 30/12/35
*Witness must be one of the following:—
A Commissioned Officer serving in the Defence Forces.  A Permanent Civil Servant (active or retired) whose salary is or was not less than £200 and on a scale rising to not less than £300.
A District Justice. A Peace Commissioner.
A Barrister-at-Law, a Solicitor, or a Commissioner for Oaths.  A Minister of Religion (denomination to be stated).  A Registered Physician or Surgeon.
Managers, Secretaries, Chief Cashiers and Accountants of Banks, and Officials in charge of Branch Banks.  A Member of the Garda Síochána.
A Postmaster or Postmistress in actual charge of a Post Office.  Head Teachers of Secondary or National Schools.  A Secretary of a Positored Friendly Society.
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—

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- (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,
  - (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 Quarter master 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 Oglaigh 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.

