

ROINN.....

Íó-Roinn

p.c. 1

ná cuirtear éantúairisc ar an sclúdóac so.

Tá annso, leis

An Uimír

An Snó

63430.

Hayes, Richard  
Woodlands,  
Kill o' the Grange,  
Blackrock,  
Co. Dublin.

An Uimír as Roinn  
Eile

49SP/ 6747.

Do cuireadh cun

Dáta

Do cuireadh cun

Dáta

Do cuireadh cun

Dáta



49 Sp. 6747.



M.S.P./34/1.

## Military Service Pensions Act, 1934.

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

This form must be filled in by every person who seeks a Service Certificate, and must be signed by him and his signature witnessed. The completed form must reach the Minister for Defence on or before the 15 MARCH 1954. In the event of an applicant being unable to write, he should affix his mark, such act being witnessed.

NAME (to be written in HAYES RICHARD  
block capitals). SURNAME CHRISTIAN NAMES.  
PRESENT ADDRESS WOODLANDS, KILL O' THE GRANGE, BLACKROCK, CO DUBLIN  
(to be written in block capitals)

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



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

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

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

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

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

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

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

#### PART I.

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

- (a) who served in the Forces at any time during the week commencing on the 23rd day of April, 1916,
- or
- (b) who served in the Forces continuously during either of the following periods, the period commencing on the 1st day of April, 1920, and ending on the 31st day of March, 1921,
- or
- (c) the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921,
- and in addition*
- who served in the Forces at any time during the period commencing on the 1st day of July, 1922, and ending on the 30th day of September, 1923.

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

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



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

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

(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.....

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

NAME.

ADDRESS.

(2). CONTINUOUS ACTIVE SERVICE DURING PERIOD COMPRISING—

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

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

(a) Unit or Units.....

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

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

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

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

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

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



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

NAME.

ADDRESS.

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

(a) Unit or Units.....

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

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

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

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

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

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

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

NAME.

ADDRESS.

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

(a) Unit or Units.....

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

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

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

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



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

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

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

NAME.

ADDRESS.

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

(a) Unit or Units.....

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

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

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

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

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

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

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

NAME.

ADDRESS.

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

(a) Unit or Units.....

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



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

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

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

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

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

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

NAME.

ADDRESS.

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

(a) Unit or Units.....

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

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

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

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

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

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



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

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

(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.

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

(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.

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

(a) Unit or Units.....

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

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

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

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

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

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

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

NAME.

ADDRESS.



## PART II.

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

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

or

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

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

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

(b) Unit or Units... *5<sup>th</sup> (Fingal) Battalion, Dublin Brigade I-V*

(c) Duration (giving dates) of service... *From Sunday 23 April 1916 to Surrender on 30 April 1916*

(d) District or Districts in which active service was rendered... *North County Dublin and County Meath*

(e) Officer Commanding in each instance... *The late Thomas Ashe, but see Statement attached.*

(f) In what way do you claim that your service was active service?... *I took an active part in attacks and capture of 3 Police Barracks + in engagement at Ashbourne.*

(g) Particulars of any military operations or engagements or services rendered during the week... *See (f) above — and in addition I acted as Medical Officer — The 3 Police Barracks captured were those of Donabate, Swords + Sanistown. I was in command at Sanistown.*

(h) Absence from duty and cause... *Trial by Courtmartial 4 days after Surrender. Sentenced to 20 years imprisonment — released June 1917. At my Courtmartial it was sworn that it was I who ordered fire to be opened on the Police force on their sudden appearance at Ashbourne on 28 April 1916.*

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

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



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

NAME.	ADDRESS.
General Richard Mulcahy T.D.	Lissonfield House Rathmines.
Colonel Joseph V. Lawless	Portobello Barracks Dublin
Bernard McAllister (Ex-Capt. Nav Army)	Main Street Swords

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

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

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

(a) Unit or Units..... 5<sup>th</sup> Battalion, Dublin Brigade, I.V.

(b) Duration (giving dates) of service..... 1<sup>st</sup> April 1916 to 22 April 1916, but  
..... Service Since 1915.

(c) District or Districts in which active service was rendered..... Practically all  
the towns & villages of North Co Dublin

(d) Officer Commanding in each instance..... Myself as Commandant of Battalion

(e) In what way do you claim that your service was active service?..... Propaganda  
and Recruiting - Drill - Route Marches - Manoeuvres - Rifle Practice - First Aid Lectures.

(f) Particulars of any military operations or engagements or services rendered  
during the period..... None, on account of imprisonment from 30 April 1916  
up to June 1917.

(g) Absence from duty and cause..... See (f.) preceding

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

NAME.	ADDRESS.
General R. Mulcahy T.D.	Lissonfield House Rathmines
Colonel Jos. V. Lawless	Portobello Barracks Dublin
Bernard McAllister (Ex-Capt. Nav Army)	Main Street Swords

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

(a) Unit or Units..... See attached Supplementary

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

(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?.....

*See attached Supplementary Statement*

(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.

*In view of nature of claimed  
Services, none are available.*

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

(a) Unit or Units.....

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

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

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

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

*See attached Supplementary Statement*

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

*See attached Supplementary Statement*

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

*During the greater part of this period I  
was interned in Reading Prison (May 1918 to March 1919) in  
connection with what was called the German Plot.*



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

NAME.

ADDRESS.

Mr W.T. Cosgrave

Beechpark Loughlinstown Co Dublin

Mr Frank Thornton

40 New Ireland Assurance Co.  
12 Dawson Street Dublin

(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.....

See attached Supplementary Statement (Paragraphs III, IV + V.) re services attached

(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?.....

*See attached Supplementary Statements*

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

during the period..... *During the greater part of this period I was interned in Ballykinlar Camp (Nov. 1920 to July 1921).*

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

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

NAME.

ADDRESS.

*Mr Joseph Mc Grath*

*Cabinteely Ho, Cabinteely, Co Dublin*

*Dr T. F. O'Higgins T.D*

*Dail Eireann*

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

(a) Unit or Units.....

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

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

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

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

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

during the period.....

(g) Absence from duty and cause..... *During this entire period I was*

*interned in Ballykinlar Camp (Nov 1920 to July 1921).*

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

NAME.

ADDRESS.

*Mr Joseph Mc Grath*

*Cabinteely Ho, Cabinteely Co Dublin*

*Dr T. F. O'Higgins*

*Dail Eireann*



## PART III.

## GENERAL.

## TO BE COMPLETED BY ALL APPLICANTS.

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

(a) On first critical date.

*Commandant of 5th Bn. Dublin Bde.*

(b) On second critical date.

References who can testify as to your statements :—

NAME.

ADDRESS.

*The nature of services makes it impossible to give references, but see Supplementary Statement attached.*

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

*I did not serve in National Army or in Forces on dates mentioned.*

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

*No.*



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

Army Pensions Act, 1923.

Army Pensions Act, 1927.

Army Pensions Act, 1932.

If so, with what result.

*Did not apply. My financial circumstances at the time or later did not necessitate application. They do so now in view of my retirement from the Office of Film Censor which is not pensionable.*

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

(6). Were you a member of the Irish Volunteer Executive, or of the Headquarters Staff of Óglaigh na hEireann, or a member of the Intelligence Branch of any of the bodies which constitute the Forces? If so, give the dates between which you served.

*No*

(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.....

*Yes... After my release from prison on General amnesty in June 1917. I resumed my occupation of Dispensary M.O. until my internment a year later (June 1918).*

*On release I again resumed my occupation as Disp. M.O. till my <sup>2nd</sup> internment in Ballykinlar. The British D.S.B. refused to sanction payment of my salary; then*

*eventually the Board of Guardians paid my net salary, but I lost the various perquisites*

(8). Are you in receipt of any pension in respect of service :— *attached to the Office of M.O.*

(a) As a member of the Civil Service.

(b) As a member of the Garda Síochána.

(c) As a member of any other Police Force.

(d) As a member of the Prisons Service.

(e) As a National School Teacher.

(f) As a Secondary School Teacher.



(g) As an Officer of any Local Authority.

(h) In any other employment.

If so, give details.....

*Yes - as retired Dispensary mo.*

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 Acts, 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 shall 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.

*See attached Supplementary Statement and copy of my appointment by Volunteers H.Q. (date of appointment 15 June 1915) as Commandant of 5th Battalion, Dublin Brigade IV. (Original in Bureau of Military History, 26 Westland Row Dublin)*

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

*Richard Hayes*

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

*Edward J. Kenny*

Address of Witness.....

*Paice na Cille, Rochestown Avenue  
Rd. off Sraige Dumborough*

Qualification.....

*Solicitor*

Date.....

\* 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 a Secondary or National Schools.
- A Secretary of a Registered Friendly Society.
- A Notary Public.
- A Consul-General.
- A Consul.
- A Vice-Consul.



## APPENDIX.

## FIRST SCHEDULE.

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

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

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

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

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

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

- (a) a Brigade Officer Commanding whose brigade at that date was less than one thousand in strength, or
- (b) a Divisional Vice Officer Commanding, or
- (c) a Divisional Adjutant, or
- (d) a Divisional Quartermaster, or
- (e) a Battalion Commandant whose battalion was at that date not less than three hundred in strength, or
- (f) a Brigade Vice Officer Commanding whose brigade was at that date not less than one thousand in strength, or
- (g) a Brigade Adjutant whose brigade was at that date not less than one thousand in strength, or
- (h) a Brigade Quartermaster whose brigade was at that date not less than one thousand in strength, or
- (i) a Column Commander whose column was at that date not less than thirty in strength, or
- (j) a General Headquarters Officer who at that date was acting as Director of Medical Services, or
- (k) a General Headquarters Officer who at that date was acting as Director of any Service, other than that of Medical Services, or one of the Services mentioned in subparagraph (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 or third in command, or
- (e) was, in the case of a company which at that date was less than one hundred and twenty in strength but not less than one hundred in strength, where such company had at that date one Lieutenant only, such Lieutenant or where such company had at that date two or more Lieutenants, the Lieutenant who was at that date second in command, or
- (f) was a Brigade Officer, other than a Brigade Officer who is deemed by virtue of paragraph (2) or (3) of this Rule to have held at that date either Rank B or Rank C, or
- (g) was a Battalion Vice Officer Commanding whose battalion at that date was not less than one hundred in strength, or
- (h) was a Battalion Adjutant whose battalion was at that date not less than one hundred in strength, or
- (i) was a Battalion Quartermaster whose battalion was at that date not less than one hundred in strength, or
- (j) was a General Headquarters Officer other than a General Headquarters Officer who was at that date acting as a Director of any Service, or
- (k) was a Divisional Officer other than a Divisional Officer Commanding, a Divisional Vice Officer Commanding, a Divisional Adjutant or a Divisional Quartermaster, or
- (l) was a Column Commander whose column at that date was less than thirty in strength, or



(m) was a Medical Officer other than a General Headquarters Officer who at that date was acting as Director of Medical Services,  
shall be deemed to have held at that date Rank D.

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

(a) was at any date an officer, and

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

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

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

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

(a) any person who at any date:—

(i) was a member of the headquarters staff or executive of Fianna Eireann or Cumann na mBan, or

(ii) was an officer of Fianna Eireann or Cumann na mBan commanding one hundred members or more of either of those bodies, or

(iii) was an officer of Fianna Eireann or Cumann na mBan senior to an officer of either of those bodies commanding one hundred members or more of either of those bodies,

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

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

2. Where an officer whose grade of rank at any date is, under Rule 1 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 imprisonment on account of his activities as a member of the Forces, the following provisions shall, for the purposes of the said Rule I, have effect in relation to such officer, that is to say:—

(a) such officer shall be deemed to have held at that date the actual rank in the Forces which he held at the date of his arrest, and

(b) such unit shall be deemed to be at that date at the same strength as it was at the time of his arrest.

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

(a) the appointment held by such person,

(b) the services performed by such person,

(c) the principles of grading set forth in the said Rule I.

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

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

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



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

(a) in the case of a person who served in the Forces on the 1st day of July, 1922, the 1st day of July, 1922, and

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

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

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

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

the expression "the first critical date" shall be construed as meaning the date during the said week, or if he did not serve during the said week, during the said period, on which he first served in the Forces in such week or such period (as the case may be), and the expression "the second critical date" shall be construed as meaning the earliest date in the period between the first critical date in respect of such person, and the 12th day of July, 1921, on which such person held his highest rank in such last-mentioned period in the Forces.

**Military Service  
Pensions Collection**



COPY.

ÓGLAICH NA h-ÉIREANN  
(THE IRISH VOLUNTEERS),

Longphort: 2 Sráid Dásúin,  
Headquarters: 2 Dawson Street,

Áth Cliath.  
(Dublin).

14th June, 1915.

'BUREAU OF MILITARY HISTORY 1913-21'  
'BURO STAIRÉ MILEATA 1913-21.'  
'C.D. 46.'

Mr. Thomas Ash,  
Corduff,  
Lusk.

A Chara,

In reply to your letter sending forward the names of Officers for the Fingal Battalion for ratification by the Headquarters' Staff I have to inform you that the name of Dr. Hayes of Lusk has been ratified as Commandant of the Battalion. The approval of the other Officers will be held over for a short time.

Yours faithfully,

(Signed) Bulmer Hobson.  
Hon. Sec.



# Military Archives

Ref. No. 63430

Having examined the application beneath  
we, the members of the Advisory Committee/Board  
of Assessors, grade it as indicated below:-

E.W. Austin Breunan

E.W. Consohm

Military Service  
Pensions Collection



# SUPPLEMENTARY STATEMENT

- (I). Regarding my replies in Part II. to queries e(1) and d(2) I wish to make it clear that I acted as Commandant of the 5th. Battalion, Dublin Brigade, I.V. from 15 June 1915 up to and including the week of the Rising. (See attached copy of my official appointment by G.H.Q., the original of which is in the Bureau of Military History, 26 Westland Row, Dublin). Some time before the Rising the late Thomas Ashe and myself learned of the date fixed for the outbreak. In the week preceding it he and I agreed that he should take over the direction of operations during the Rising. I did not resign the rank of Commandant as a result of this mutual arrangement, and had indeed no power to do so without the authority of G.H.Q. During the week of hostilities I was in constant consultation with Thomas Ashe and Richard Mulcahy and took part in its various activities. For example, on 26 April I commanded independently a detachment which attacked and captured at midnight the police barracks at Garristown, the remainder of the Battalion being a mile away when the attack and capture were carried out. Again on the 28 April (the day of the engagement at Ashbourne) while part of the Battalion was attacking the police barracks at that place, I was in command of a detachment at Rath Cross, two hundred yards from the barracks. While there a fleet of police cars appeared unexpectedly from the north bearing down on the Cross. I at once ordered rapid fire to be opened on the cars, sending at the same time a messenger towards the barracks to Ashe telling him to come at once to the Cross. On the fire I ordered to be opened taking effect, the police ran for shelter to the hedges on the roadsides &c. If this initial operation of the day had not been carried out by me, I think it possible if not probable that the final result of the subsequent engagement might have been different.
- I may add that during the week I also acted as medical officer and attended wounded Volunteers as well as wounded policemen.
- (II). The numerical strength of the 5th. Battalion, Dublin Brigade, was 120 men and comprised 4 Companies viz. those of Lusk, Swords, Skerries and Saint Margarets.
- (III). As stated in my replies to queries 4, 6 and 7 in Part II. I was interned for two lengthened periods during the War of Independence. In the intervals while at liberty I gave medical attendance to ~~the~~ disabled Volunteers at the request of the late General Collins. For obvious reasons I kept no record of these and now after nearly forty years find it difficult to remember them. The late Dr John Ryan of Gardiner St. Dublin, ~~generally~~ and myself generally attended these cases for the Dublin area. I have a ~~very~~ *fairly* distinct recollection of attending the following, remembering them because of their ~~distinct~~ individuality probably:
- Daniel Breen T.D. probably early in 1920 at Republican Outfitters, Talbot St
  - Austin Stack ~~in~~ in Oct 1920(?) at O'Connor's Brendan Road Donnybrook.
  - Seumas Derham (Balbriggan) at house in South Circ. Road. Forget date.
  - Ernest Blythe at a house in Stephens Green. Forget date.
- Bearing on this --if it does bear on it -- I may mention that during my interment in Ballykinlar Camp I acted as M.O. of the Dispensary and Hospital provided by the British Camp authorities.
- (IV) There is one matter which I wish to mention, in connection with my claim, and which I mention with some ~~some~~ hesitation. It bears on the period April 1920 to March 1921. I fear it may be indiscrete to give names or anything beyond the barest outline of what was a delicate and dangerous operation. On 15 November 1920 I was consulted by a senior officer of G.H.Q. regarding the practicability and effectiveness of using certain powerful methods of destruction against an irresponsible section of the British military forces whose headquarters were in a camp near Dublin. We agreed on the scheme, and I accordingly began preparations



in co-operation with an expert friend of mine. While preparations were being made, the accidental discovery in a Dublin house by a British raiding party of a document bearing on it necessitated the abandonment of the project.

(V). Regarding this same period --April 1920 to March 1921 -- I should state that on the 22 November 1920, at the request of the late General Collins, I examined and furnished a report on the partially mutilated bodies of Brigadier Dick McKee and of Peadar Clancy when these were delivered up by the Dublin Castle authorities.

(VI). Finally I wish to state that I hold medals for service in Easter Week and in the War of Independence.

Signed,

*Richard Hayes*

N.B. If the Board of Assessors may wish to have further details regarding my statement marked (IV). above, I shall be pleased to appear in person before it. I should like to add that I would be obliged for the deletion of this statement after consideration of my application -- if it is within the jurisdiction of the Board to do so.

**Military Service  
Pensions Collection**





DÁIL ÉIREANN  
BAILE ÁTHA CLIATH  
(Dublin)

10th November, 1953.

The Secretary,  
Military Service Pensions Board,  
Colaiste Caoimhin,  
Glasnevin.

A Chara,

I understand that Doctor Richard Hayes, who served during The Rising and who was afterwards a member of the Dail, is an applicant for a Military Service Certificate and Pension.

I desire to state that following the special circumstances in which I was associated with him during the week of The Rising, he was subsequently continuously closely associated with me, and in my capacity as Chief of Staff of the Volunteers I made use of his services in a confidential and intimate way.

Particularly from the time the armed conflict was becoming more serious I made use of his services to gather information and to secure direction as to the manner in which particular medical methods might be used to combat the British Forces.

Beir beannacht.

*Riocardha Mac Dara*

Military Service  
Pensions Collection



REFEREE R. 3.

MILITARY SERVICE PENSIONS ACTS, 1934 - 1949.

Ref. No. 63430

Applicant's Name Wayne Richards

Address \_\_\_\_\_

Unit \_\_\_\_\_

(a) PERIOD.	(b) Service claimed.	(c) Active Service allowed.	(d) Equivalent for Pension Purposes.	REMARKS.
(1) 23/4/16 - 29/4/16		4 <i>La</i>	4 <i>para</i>	
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17		1 <i>La</i>	1	
(3) 1/4/17 - 31/3/18		1 <i>La</i>	1/2	
(4) 1/4/18 - 31/3/19		<i>La</i>	1/2	
(5) 1/4/19 - 31/3/20		1/4 <i>para</i>	1/4	
(6) 1/4/20 - 31/3/21		<i>La</i>	2	
(7) 1/4/21 - 11/7/21		<i>La</i>	1	
(8) 12/7/21 - 30/6/22		<i>Continued</i> <i>Wet</i> <i>4. XI. 53</i>		
(9) 1/7/22 - 31/3/23				
(10) 1/4/23 - 30/9/23				

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

*Adm. Cont.*

Rank claimed on

*C Lt. Col. 1st D.*

*C 2nd Cd.*

Rank allowed

Total of Column (d). *9 1/2*

*W. H. B. B. B.*

SIGNED

*W. H. B. B.*



# SCHEDULE U.I.E.

M.S.P. 34/2A

## **Military Service Pensions Act, 1934.**

Reference No. **63130**

Applicant's Name **Steph Richard**

Address

**Woodlands, Kesh, Co. the Lincs. Leinster**

PERIOD	Particular military body or bodies in which active service was rendered.	Duration of active service established to the satisfaction of the Referee.	Equivalent for pension purposes as defined in the Second, Schedule of the Act.
(1) 23/4/16 - 29/4/16	<b>IRISH VOLUNTEERS</b>	<b>4</b> period	<b>4</b> year(s)
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17	"	<b>1 1/2</b> period	<b>1 1/2</b> year
(3) 1/4/17 - 31/3/18	"	<b>1 1/2</b> period	<b>1 1/2</b> year
(4) 1/4/18 - 31/3/19	"	<b>1 1/2</b> period	<b>1 1/2</b> year
(5) 1/4/19 - 31/3/20	<b>Oglaigh na h-Eirann</b>	<b>1</b> period	<b>1</b> year
(6) 1/4/20 - 31/3/21	"	<b>2</b> period	<b>2</b> year(s)
(7) 1/4/21 - 11/7/21	"	<b>1</b> period	<b>1</b> year
(8) 12/7/21 - 30/6/22	<del>.....</del>	<del>.....</del> period	<del>.....</del> year
(9) 1/7/22 - 31/3/23	<del>.....</del>	<del>.....</del> period	<del>.....</del> year(s)
(10) 1/4/23 - 30/9/23	<del>.....</del>	<del>.....</del> period	<del>.....</del> year
TOTAL			<b>9 1/2</b> year(s)

TO THE MINISTER FOR DEFENCE.

I submit hereon my report in this case.

Date **13. 11. 53**

**T. Wilson F.** Referee.

Is the applicant a person to whom the Act applies ?

Rank or Grade allowed.

Relevant paragraph of First Schedule.

1st critical date.....

.....

2nd critical date.....

.....

Was the applicant a member of the Irish Volunteer Executive

at any time prior to 11th July, 1921 ?

**No**

Does applicant's case fall under—

(a) sub-para. (j) of para. 3 of Rule 1 of the First Schedule ?

**No**

(b) sub-para. (m) of para. 4 of Rule 1 of the First Schedule ?

**No**

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**

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**



63430.

Hayes, Richard.

	DATE	INITIALS.
Application received.		
Registered.		
Index Searched.		
Entered in Index.		
File to Secretary		

Action Required:-


File to Referee and  
Advisory Committee

Action required by Referee and Advisory Committee:-


Date of Decision

Decision Recorded.

Report to Minister.

Military Service  
Pensions Collection