

SAORSTAT EIREANN.

"C."

AIREACTH CHOSANTA

(MINISTRY OF DEFENCE).

ROINN NA bPINSEAN AIRM

(ARMY PENSIONS DEPARTMENT).

Register Number

From whom, number, and date

Officer or Soldier

Name FITZPATRICK MATTHEWRank COMMANDANT Unit _____Army No. _____ Date of Death 11-2-1922Address KILGARROW. Discharge _____NEWTOWN BUTLER.
Co. FERMANAGH

Referred to

Date

Referred to

Date

Referred to

Date

Referred to

Date

Referred to

Date

Referred to

Date

27/1/24 Mr Russell 24 6/24 Regy 27 To
 28/1/24 B.F. 1/7
 7/2/24 20 2
 24/3/24 Mr Russell 20 6/24
 Mr. Cleary 10 3/24 Regy 21 6/24
 P.A. etc 20 3/24
 Regy 20 2/24 Mr Cotton 21 6/24
 Section 20 2/24 Regy 16 7/24
 Regy 22 3/24 B.F. 20 2/24
 B.F. 10/4/24
 Section 24 2/24 Mr Greene 18 2/24
 Regy 24 2/24 Regy 21 7/24
 B.F. 31 7/24
 Section 29 4/24 Mr Murphy 21/4
 Reg 30 4/24 Regy 23 2/24
 B.L. 14 5/24 Mr Murphy 26 2/24
 Mr Russell 14 5/24 Regy 15 8/24
 Regy 14 5/24 B.A. 16/9
 B.L. 28 5/24
 Regy 16 2/24
 Stry 15 2/24 Mr. Murphy 10/27

MINUTE SHEET.

M.S.B.
(Argunist).

Reference... 2/2888.

1

A.Y. File.

A.Y. File 1st/1914.

I.A.

Military Archives

2

A.P. 5: sent Claimant 10/24.

3

Letter.

Letter from Commissioner, Civil
Guards, stating circumstances
of case.

3.A.

4

A.P. 5.

A.P. 5 received 25/2/24.

H.A.

5

Letter on behalf of applicant d/1.3.24

6

A.P. 14. to M. of. Finance 6/3/24.

7

Copy of claim on A.P. 5. and also file to AG. 6/3/24.

8

A.Y. report.

A.Y. report received 20/3/24.

P.A.

9

Enquiry form to Army Pay Office 20/3/24

10

A.P. Report.

Army Pay Books report recd.
28/3/24.

10.A.

Pensions Collection

11

A.P. 13 sent M. of. Finance 12/24.

12

A.P. 16 to Secy St Vincent de Paul Society 30/4/24

[Signature]

[OVER]

MINUTE SHEET.

M.S.B.
(Argument)

Reference..... 2. D. 288.

13.
Letter from A.G. 6. 6. 24. D.D. 13a.

14.
Letter from Messrs Hardner & Co. 18. 6. 24. D.D. 14a.

15.
Letter to A.G. dated 9. 7. 24. D.D. 15a.

16.
Reply to 14. dated 12. 7. 24. D.D. 16a.

17
File & Finance Report recd 26⁶/₂₁ 24 17a

18
Reply from A.G. 12⁷/₂₄ 24.

a.p. 14.

11824

Military Service
Pensions Collection

2/D/288.

26th October, 7.

A Chairde,

With reference to your letter of the 28th ultimo, relative to a claim by Mrs. Jane Fitzpatrick for Dependant's Allowance or Gratuity under the Army Pensions Act, in respect of the death of her son, the late Commandant Matthew Fitzpatrick, I am directed by the Minister for Defence to inform you that a gratuity of £150 was awarded to her husband as a final settlement of the claim in accordance with the terms of the Army Pensions Act, 1927.

For your information I desire to add that payment of a weekly or monthly allowance under the Act is only admissible in cases where it has been clearly shown that the claimant was totally dependent on the deceased soldier or Volunteer.

Payment of a Gratuity under the Act is made in cases where it has been shown that the Claimant was partially dependent on the deceased soldier or Volunteer, but then only in necessitous or special circumstances.

I am to add that the Army Pensions Act, 1927, makes no provision for the further consideration of this or other similar cases, and, in the circumstances, it is regretted that no further action can be taken in the matter.

Mise, le meas,

Issued 26/10/27
Initials Jm.

(Sgd) J. J. H.

for ARMY FINANCE OFFICER

Messrs. Henry Murphy & Son,
Solicitors,
Diamond, Clones.

Saorstát Éireann



The Ministry of Defence,

Government Bldgs.,

DUBLIN.

Military Service
Pensions Collection

TELEGRAMS: "MURPHY, SOLR., CLONES."

2/D/288. Sent to the Sug (M)
TELEPHONE No. 11, CLONES.

HENRY MURPHY & SON,
SOLICITORS.

J. BALDWIN MURPHY.

DUBLIN OFFICE: 25 SUFFOLK STREET.
BELFAST OFFICE: 71 DONEGALL STREET.

LISNASKEA:
SATURDAYS, 12 TO 3.

Please quote in reply
Reference No.

JBM/MM

Re:

COMMANDANT MATTHEW FITZPATRICK

Dear Sir,

A/1541
S2.

We are instructed by Mrs. Mary Jane Fitzpatrick of Kilgarrow County Fermanagh the mother of Commandant Matthew Fitzpatrick who was killed at Clones Railway Station on the 11th February 1922 in Action with the Ulster Specials. Mrs. Fitzpatrick has never received any pension or allowance as Dependent of the deceased. The last time he was in the family house before his death the deceased gave £10 : 0 : 0 to his mother. This was out of the pay he was receiving from his Military Office. Up to the year 1917 the deceased worked at Road Contracts as a Road Contractor and while he was at this form of work he lived at home and regularly gave the entire profits therefrom, apart from what it would take to clothe him, to his mother our client. In some years, we are instructed, these profits amounted to up to £50. From 1917 up to the date he was appointed Commandant in the Free State Army he served as a Volunteer and during the entire period he was almost entirely engaged on active service and was unable to do any work of a civil character. Under these circumstances our client would appear to be entitled under Section 8 of the Army Pensions Act 1923. There may be other

HENRY MURPHY & SON,
SOLICITORS.

J. BALDWIN MURPHY.

DUBLIN OFFICE: 25 SUFFOLK STREET.
BELFAST OFFICE: 71 DONEGALL STREET.

LISNASKEA:
SATURDAYS, 12 TO 3.

Please quote in reply
Reference No.

Contd.

DIAMOND,

CLONES, 19

regulations under which she would be entitled and if so we know
you will do everything possible for her as her case is deserving
of the greatest sympathy. Please let us hear from you
at the earliest opportunity. Any further information you
require we will be only too pleased to furnish when requested.

Yours faithfully,

Defence
The Ministry of ~~Defence~~,
Government Bldgs.,
DUBLIN.

H. Murphy & Son

Military Service
Pensions Collection

Military Archives

TELEPHONE No.16.

LARDNER & Co.

MATTHEW G.R. LARDNER B.A., N.U.I.

SOLICITORS.

DUBLIN OFFICE

116 GRAFTON ST.

BALLYBAY

SATURDAYS, 11 A.M. TO 5 P.M.



CHURCH SQUARE,

MONAGHAN.

24th July, 1924.

The Secretary,
Army Pensions Department,
Ministry of Defence,
34, Molesworth St.,
Dublin.

Reference No. 2/D/288. Commandant M. Fitzpatrick.

Dear Sir,

In reply to your letter of the 12th inst. the address of Claimant Edward Fitzpatrick is Kilgarrow, Newtownbutler, Co. Fermanagh. Please note that any communications for him are to be through us.

Yours faithfully,

Lardner & Co

Military Service
Pensions Collection

Military Archive

ARMY	PENSIONS	D. 10. 1924
	A.P. A/c. 6.	
	24 JUN. 1924	
	Section	
44 MESSWORTH		

To/
Secretary.

Re your file number 2/4/288 in the case of

Mr. Edward Fitzpatrick, Kilgarra

Co. Fermanagh, kindly note that, I have extracted,

and am retaining Form No. 81 and have on this date

opened an Account under Ref. No. 7/154, in this

Claimant's name. The Claimant was notified to-day of

the award made to him.

Your file is returned herewith.

Gratuity

P150

4824

£150

Atty. Gen.

EK.

Military Service
Pensions Collection

A

Place in file +
pass to Section

Military Archives

✓

17/7



Military Service
Pensions Collection

Guthan 38.
(Phone)

Uimhir Thagarta.....2/D/288.
(Reference No.)

ROINN NA BPINSEAN AIRM
(Army Pensions Department),

AIREACHT CHOSANTA
(Ministry of Defence),

34 MOLESWORTH STREET,
BAILE ÁTHA CLIATH
(Dublin),

July 9th 1924.

Adjutant General,
G. H. Q.
PARKGATE.



Fitzgerald
At a Meeting of the Army Pensions Board on the 16th ultimo, when a claim by Mr Edward Fitzgerald, of Kilgarrow, Newtownbutler, Co. Fermanagh, in respect of the death of his son, Matthew, was under consideration, it transpired that applicant had left his old address and crossed the Border into Monaghan. You promised at the time to obtain the new address of Mr Fitzgerald, and forward same to this Department.

Fitzgerald
I would be obliged, therefore, if you will please obtain and forward same as soon as possible.

m. J. J. J.
Deputy RUNA IDHE.

DO'S./MH.

*Present address
Kilgarrow Newtownbutler
M. Kennedy Comdr
a/p 10 Sept
14/7/24*
Military Service
Pensions Collection

McClon 2/24

Ref. No. *2/10/288*



A.P. 14.

See 573/500 Fitzpatrick

Ref. no. a

MINISTRY OF DEFENCE,

ARMY PENSIONS DEPARTMENT,

34 MOLESWORTH STREET, DUBLIN.

5th March 192*4*.

To

SECRETARY,

MINISTRY OF FINANCE.

An application for *Dependant allowance* under the Army Pensions Act, 1923, has been received in respect of the following:—

Name *Matthew Fitzgerald* Address *Kilgarrow*

Army No. *Newtownbutler*

Rank *Commandant* *C. Fermanagh*

Date of Wound, Injury or Death. *11 February 22*

Circumstances, &c. *Shot dead in conflict with Ulster Specials at Glenties Railway Station*

wgr Will you please state below whether any award in respect of malicious injury has been made or is being considered by you in this case.

L. J. Horgan

for Minister of Defence.

REPLY.

Department of Finance.

Finance file 573/500 is forwarded herewith.
No action has been taken by this Dept.
in regard to this case

C. S. Almond

25th June 1924

Military Archives

E/D/288.

169

July 12th

4.

Messrs Lardner & Co.,
Solicitors,
Church Square,
MONAGHAN.

A Chairde,

With reference to your letter of the 18th ultimo, relative to the claim under the Army Pensions Act, by Mr Edward Fitzpatrick, in respect of the death of his son, Matthew, it is understood that the Claimant has changed his address. We are now awaiting particulars of the Claimant's present address with a view to communicating with him.

Mise, le meas,

RUNAIDHE.

DO'S./MH.

Military Service Pensions Collection

Military Archives

2/D/288.

15-a.

July 9th

4.

Adjutant General,
G. H. Q.
PARKGATE.

At a Meeting of the Army Pensions Board on the 16th ultimo, when a claim by Mr Edward Fitzgerald, of Kilgarrow, Newtownbutler, Co. Fermanagh, in respect of the death of his son, Matthew, was under consideration, it transpired that applicant had left his old address and crossed the Border into Monaghan. You promised at the time to obtain the new address of Mr Fitzgerald, and forward same to this Department.

I would be obliged, therefore, if you will please obtain and forward same as soon as possible.

RUNA IDHE.

DO'S./MH.

Military Service
Pensions Collection

2/D/287

Military Archives

TELEPHONE No.16.

LARDNER & Co.

MATTHEW G.R. LARDNER B.A., N.U.I.

SOLICITORS.

DUBLIN OFFICE

116 GRAFTON ST.

BALLYBAY

SATURDAYS, 11 A.M. TO 5 P.M.



CHURCH SQUARE,

MONAGHAN.

18th June, 1924.

The Secretary,
Army Pensions Department,
Ministry of Defence,
34, Molesworth Street,
Dublin.

Re Commandant Matthew Fitzpatrick.

Dear Sir,

We should be obliged if you would let us have a reply to our inquiry of the 31st May.

Yours faithfully,

Has reply issued yet?

Military Service
Pensions Collection
Lardner

Mr & Mrs Fitzpatrick have left
the old address in Co. Fermanagh
and crossed the border into
Monaghan.

A. G. will obtain the new
address and forward it in
the course of a few days.

L. J. Hogan

17-6-'24

Military Service
Pensions Collection

CERTIFICATE OF ASSESSMENT.

Reference

P.B. 32

A claim made by

Edward Fitzpatrick

of

for

allowance or gratuity

in respect of

Son Matthew

was considered by the Army Pensions Board at a meeting held

on

16.6.'24

The recommendation of the Board is as follows:-

Gratuity of £150

Reference

P.B.

L. J. Hogan

A claim made by

Runaidhe.

of

for

EK.

In respect of

Military Service
Pensions Collection

my PR
2/6/24

13a

Military Archives

Office of Adjutant General,
General Headquarters,
PARKGATE,
5th June, 1924.

My Ref. A/6009.

Secretary,
Army Pensions Department,
34, Molesworth St.



Matthew Fitzpatrick (Deceased).

On 12th March I forward you certificate in the case of the above-named. Will you please see your 2/D/288 in this case, and let me know what is the position at the present time.

M. S. Cuneo Commandant

For ACTING ADJUTANT GENERAL.

K/B.

Military Service Pensions Collection

Ref. NO 2/D/288.

/O.A.

MINISTRY OF DEFENCE.

ARMY PENSIONS DEPARTMENT,

34, Molesworth Street,

DUBLIN.

Single



20 March 1924.

Officer Paying Dependants' Allowances,
Army Pay Office,
Portobello Barracks,
DUBLIN.

A chara,

Will you please state whether Dependants'

Allowance was issued to Mr. Edward & Mrs Mary J.

Fitzpatrick. Helgarrow, Newtownbutler.
Fermanagh

in respect of the late Commandant.

Matthew Fitzpatrick



If so, for what period and at what rate.

Mise le meas,

J. J. Horgan

REPLY.

No application received.
Hannon

Military Archives

S.A.

Office of Adjutant General,
General Headquarters,
PARKGATE,
12th March, 1924.

My Ref. A/6009.

Ministry of Defence,
Army Pensions Department,
34, Molesworth St.



Matthew Fitzpatrick (Deceased).

With reference to your circular (2/D/288) of 5th inst. in the case of the above-named, from reports received I can certify as follows:-

1. Deceased was killed on 11/2/22.
2. He was not a member of the Regular Army, but was a member of the Forces under the control of the Minister for Defence at the time.
3. He was killed in the course of his duty whilst on active service, and his death was not due to any negligence or misconduct on his part.

I enclose for your information my complete file in this case.

George de Sullivan
Lieut-General.

ADJUTANT GENERAL.

K/B.

Military Service
Pensions Collection

Ref. No 2. D. 288.

A.P. 3A/5A.

MINISTRY OF DEFENCE,

ARMY PENSIONS DEPARTMENT,

34, Molesworth Street,

DUBLIN.

5th March 1924

ADJUTANT GENERAL.

An Application for an Allowance has been received in respect of which details are given on the attached Form.

In order to enable the Minister of Defence to decide whether the claim is sustainable under the Army Pensions Act, 1923; will you kindly certify:-

- (1) Date on which the deceased was killed (or wounded).
- (2) Rank in the Forces.
- (3) That he was killed in the course of his duty while on Active Service, and that death was not due to any serious negligence or misconduct by deceased.

or

~~That he was wounded in the course of his duty while on Active Service and that the wound was not due to any serious negligence or misconduct by deceased.~~

J. J. Hogan

366 - 34 366
 332 x 146.10.0

$$\begin{array}{r}
 146.5 \\
 \underline{366} \\
 879.0 \\
 8790 \\
 4395 \\
 \hline
 332 \overline{) 53619} (161.407 \\
 \underline{332} \\
 2041 \\
 \underline{1992} \\
 490 \\
 \underline{332} \\
 1580 \\
 \underline{1328} \\
 2520
 \end{array}$$

$$\begin{array}{r}
 L 161.8.2 \\
 \underline{85} \\
 L \underline{246.8.2} \quad 2\%
 \end{array}$$

$$\text{nett } 1931/32 \quad L 123.13.4$$

$$\frac{62}{92} \times 112 = 9.7$$

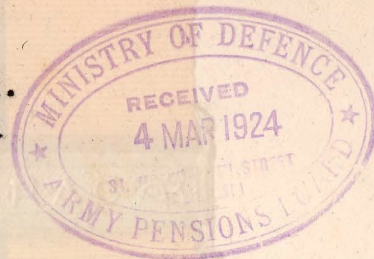
Military Service
 Pensions Collection

Handwritten: Please see name p. 10

1st March, 1924.

Confidential.

General Eoin O'Duffy,
Chief Commissioner,
CIVIC GUARD,
The Depot, Phoenix Park.



Eoin a chara,

NOTE:

Is not this
a case in which
an allowance of
£1. per week may
be made to one of
the parents?

I got your M/4665 with regard
to Commandant FitzPatrick's parents.
I'll see what can be done.

Beir beannacht,

AIRE CHOSANTA.

Handwritten: 1/3

AL.

*Handwritten: Mr Powell
Please say*

Handwritten: 1/3

Military Service
Pensions Collection

Military Archives

Some time in
March

DMS to speak to
me

Military Service
Pensions Collection

10/1936

1/1938

1/1935

SAODA SIOTCHANA.

Any reply to this communication should be addressed to

The Commissioner,
Civic Guard,
Dublin,

and the following number quoted:—

M. 5090-4665

Different matters should be made to form the subject of separate communications.

OIRIS AN COIMISINEARA,

baile áta cliat.

27th February, 1924.

CONFIDENTIAL.

Minister for Defence,
Portobello Barracks,
DUBLIN.

A Chara,

The parents of Comdt. Fitzpatrick who was killed by Ulster Specials at Clones Railway Station in February '22, have lodged a claim for compensation. Under the Army Pensions Act 1923 (Clause 9 of the 2nd Schedule to the Act) it would appear that the gratuity to the parents cannot exceed £150. and my object in writing is to bring under your notice the exceptional circumstances of the case. [There were 4 brothers in the family - Matt who was killed, John James recently released from the "Argenta" broken down in health, Frank who also did a term of imprisonment and is now I believe a Military, or an Acting Military Governor of one of the Prisons, and Patrick presently a Lieutenant in the Intelligence Department stationed at Clones. The four brothers were the backbone of the Wattlebridge Coy., Monaghan Brigade - 3 took part in the taking of Shantonagh Barracks and all four had to fly from home afterwards. Their home was burned down by the Specials, and a claim for compensation was refused by the Judges of the Northern Government. The aged parents rented a cottage in Co. Monaghan and are now pretty destitute. Owing to the part the family took in pre-Truce days, and owing to their loyalty to the present Government, it is pitiful to see them in their present humiliation.] It may be that, in addition to the £150 allowable under the Act, a further grant could be made from some other fund.

I am satisfied to leave the matter in your hands, and, if nothing can be done, I can understand it is that all the little resources are exhausted.

Beir beannacht,

Louisa Dubois

TAOISEACH.

COIMISINEIR.

TELEGRAMS: "MURPHY, SOLR., CLONES"

Encl.

TELEPHONE No. 11 CLONES

HENRY MURPHY,
COUNTY SOLICITOR.

DUBLIN OFFICE:
5 NORTH GREAT GEORGE'S ST.

LISNASKEA:
SATURDAYS, 12 TO 4-30



DIAMOND,

CLONES, 23rd Feb. 19 24.

Matthew Fitzpatrick decd.

A Chara,

I enclose Statement of Claim of the Father and Mother of above
deceased.

Mise le meas,

The Secretary,
Ministry of Defence,
Army Pensions Depart.
34 Molesworth St.
DUBLIN.

Military Service
Pensions Collection

22/288



ackd

26/2/24

A.P. 5.

H.A.

ARMY PENSIONS ACT, 1923.

DEPENDANT'S ALLOWANCE OR GRATUITY.

STATEMENT OF CLAIM FOR AN ALLOWANCE OR GRATUITY BY
A DEPENDANT OR PARTIAL DEPENDANT OF AN OFFICER OR
SOLDIER OF THE FORCES WHO WAS KILLED OR WHO DIED
SOLELY AS THE RESULT OF A WOUND OR INJURY RECEIVED
ON OR AFTER 1st APRIL, 1922, IN THE COURSE OF DUTY WHILE
ON ACTIVE SERVICE.

NOTE.—This form is to be filled in by the Applicant in person in his
(or her) own words, and the form is to be signed by him (or her) and the
signature witnessed. In the event of the applicant being unable to write,
he (or she) should affix his (or her) mark, such act being witnessed.

107
109
107
NAME of APPLICANT (TO BE WRITTEN IN BLOCK CAPITALS) ~~EDWARD~~ EDWARD FITZPATRICK
(Surname) Mr., Mrs., or Miss (Christian Names) MRS. MARY JANE FITZPATRICK
→ Edward Fitzpatrick and Mary Jane Fitzpatrick
Address Kilgarrow Newtownbutter Co Fermanagh
→ Kilgarrow Newtownbutter C L O N E S.
Nearest Police of Civic Guard Station.....

Name of deceased Officer or Soldier..... MATTHEW FITZPATRICK

Army Number None

Rank Commandant (acting O.C. of 5th Northern)

Unit and Corps 5th Northern Division

Name and Rank of Commanding Officer Major Gen. D. Hogan (Dublin Command)

Note.—Before answering any of the questions below, the applicant is to
note that the statements made will be checked by official records.

Section 12 (1) of the Act imposes a summary penalty for a false declaration.
“ If any person, with a view to obtaining a grant or payment of a pension, allow-
ance or gratuity 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, and shall be liable, on conviction under the Summary Juris-
diction Acts, to a fine not exceeding five pounds.”

If the applicant is unable to read, the above notes should be read to him
(or her) by the witness.

- 2
1. State your relationship to the deceased. 1 Father & mother
 2. State the date of your birth.
(If you are the father of the deceased and claim to be over 60 years of age, your Birth Certificate must be forwarded.) 2 Father 72 mother 69.
Certificates can be produced
at Clones Railway Station
11th February 1922 Certificate
of ~~Coroner~~ Inquest already
forwarded.
 3. When and where was the deceased killed?
(Certificate of death to be attached.)
 4. If the deceased, whilst on active service, received in the course of duty a wound or injury which was the sole cause of his death subsequently, state—
(a) the nature of the wound or injury;
(b) the date upon which the wound or injury was received;
(c) the district in which it was received; and
(d) any other circumstances within your knowledge. 4 No
 5. State whether the deceased was married. 5 No
 6. Give the names and addresses of any hospitals the deceased was in, or doctors who attended him since the receipt of the wound or injury mentioned in your reply to above question 4. 6. Death was instantaneous
 7. State whether you were at the date of the death of the deceased, wholly dependent on him. If not wholly dependent, state the extent to which you were dependent. 7. Partially. at least 50 per cent
 8. (If the applicant is the brother or sister of the deceased, or the father of the deceased, and under 60 years of age) state whether and, if so, how far you are incapacitated by ill-health. (Certificate from your doctor must be attached.)
 9. State whether any claim has been made, or is being made by you, in respect of any other member of the Forces. 9 No.
 10. State whether any decree for compensation under the Criminal Injuries (Ireland) Acts, 1919 or 1920, has been made in respect of the death or the wound or injury mentioned in reply to above questions 3. or 4. If so, give full particulars. 10 No
 11. State whether any compensation has been paid from or on behalf of any person alleged to be responsible for the act which caused the death wound or injury referred to in your reply to above questions 3 or 4. If so, give full particulars. 11 None

12. State whether deceased was at any time in receipt of a pension, allowance or gratuity in respect of injuries received or disability incurred in the course of service with any of the following Military or Police Forces:—

- (a) British.
- (b) Australian.
- (c) New Zealand.
- (d) South African.
- (e) Canadian.
- (f) American (U.S.A.)
- (g) Royal Irish Constabulary.

no

13. Give particulars of any payments you have received from Army Funds since the death of deceased.

None

14. If you are supporting any children of the deceased give particulars as follows:—

Deceased not married

(a) Where the deceased was an Officer:

Full name of each son under 18.	Date of Birth.
/	
/	
Full name of each daughter under 21.	Date of Birth.
/	
/	

(Birth Certificates must be attached.)

(b) Where the deceased was a soldier:

Full name of each son under 16.	Date of Birth.
/	
/	

Full name of each daughter under 18.

Date of Birth.

Military Archives

(Birth Certificates must be attached.)

15. State amount expended within the past 12 months in educational fees on each of the children over 12 years and under 18 years mentioned in your reply to question 14:—

Name of Child.

£ s. d.

(Receipts for school fees should be attached.)

The above statement has been read over to me: I agree to it, and have nothing further to add.

Signed

Edward J. McCarthy

Address

Kilgarrow Newtownbutler

Signed

(Applicant)

Edward J. McCarthy

Address

Kilgarrow Newtownbutler

Signed*

by the said Edward J. McCarthy

Address

Newtownbutler

in presence of

Edward J. McCarthy

Qualification of Witness

Magistrate

Date

22 Feb 1924

Signed by the said
Mary Jane McCarthy
in presence of:—

* To be signed by one of the following:—

- A Commissioned Officer serving in the Free State Army.
- 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 or a Divisional Magistrate.
- 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.
- An Officer of the Civic Guard or Dublin Metropolitan Police not below the rank of Inspector or Station Sergeant.
- A Postmaster or Postmistress in actual charge of a Post Office.
- Head Teachers of Secondary or National Schools.
- A Secretary of a registered Friendly Society.

ARMY PENSIONS ACT, 1923.

DEPENDANT'S ALLOWANCE OR GRATUITY.

STATEMENT OF CLAIM FOR AN ALLOWANCE OR GRATUITY BY
A DEPENDANT OR PARTIAL DEPENDANT OF AN OFFICER OR
SOLDIER OF THE FORCES WHO WAS KILLED OR WHO DIED
SOLELY AS THE RESULT OF A WOUND OR INJURY RECEIVED
ON OR AFTER 1st APRIL, 1922, IN THE COURSE OF DUTY WHILE
ON ACTIVE SERVICE.

NOTE.—This form is to be filled in by the Applicant in person in his
(or her) own words, and the form is to be signed by him (or her) and the
signature witnessed. In the event of the applicant being unable to write,
he (or she) should affix his (or her) mark, such act being witnessed.

NAME of APPLICANT (TO BE WRITTEN IN BLOCK CAPITALS.) **FITZPATRICK, EDWARD, and**
(Surname) (Mr., Mrs., or Miss) (Christian Names)
FITZPATRICK, MARY, JANE.

Address **Kilgarrow, Newtownbutler, Co. Fermanagh.**

Nearest Police or Civic Guard Station..... **Clones.**

Name of deceased Officer or Soldier..... **Matthew Fitzpatrick**

Army Number **None.**

Rank **Commandant (acting O/c of 5th Northern)**

Unit and Corps **5th Northern Division.**

Name and Rank of Commanding Officer .. **Major Gen. D. Hogan, (Dublin Command)**

Note.—Before answering any of the questions below, the applicant is to
note that the statements made will be checked by official records.

Section 12 (1) of the Act imposes a summary penalty for a false declaration.
“If any person, with a view to obtaining a grant or payment of a pension, allow-
ance or gratuity 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, and shall be liable, on conviction under the Summary Juris-
diction Acts, to a fine not exceeding five pounds.”

If the applicant is unable to read, the above notes should be read to him
(or her) by the witness.

1. State your relationship to the deceased. Father and mother.
2. State the date of your birth.
(If you are the father of the deceased and claim to be over 60 years of age, your Birth Certificate must be forwarded.) Father 72, Mother 69.
Certificate can be produced
3. When and where was the deceased killed?
(Certificate of death to be attached.) At Clones Railway Station, 11/2/1922
Certificate of Coroner's Inquest
already forwarded
4. If the deceased, whilst on active service, received in the course of duty a wound or injury which was the sole cause of his death subsequently, state—
(a) the nature of the wound or injury;
(b) the date upon which the wound or injury was received;
(c) the district in which it was received; and
(d) any other circumstances within your knowledge. No.
5. State whether the deceased was married. No.
6. Give the names and addresses of any hospitals the deceased was in, or doctors who attended him *since* the receipt of the wound or injury mentioned in your reply to above question 4. Death was instantaneous.
7. State whether you were at the date of the death of the deceased, wholly dependent on him. If not wholly dependent, state the extent to which you were dependent. Partially. At least 50%.
8. (If the applicant is the brother or sister of the deceased, or the father of the deceased, and under 60 years of age) state whether and, if so, how far you are incapacitated by ill-health. (Certificate from your doctor must be attached.)
9. State whether any claim has been made, or is being made by you, in respect of any other member of the Forces. No.
10. State whether any decree for compensation under the Criminal Injuries (Ireland) Acts, 1919 or 1920, has been made in respect of the death or the wound or injury mentioned in reply to above questions 3. or 4. If so, give full particulars. No.
11. State whether any compensation has been paid from or on behalf of any person alleged to be responsible for the act which caused the death wound or injury referred to in your reply to above questions 3 or 4. If so, give full particulars. None.

12. State whether deceased was at any time in receipt of a pension, allowance or gratuity in respect of injuries received or disability incurred in the course of service with any of the following Military or Police Forces:—

No.

- (a) British.
 (b) Australian.
 (c) New Zealand.
 (d) South African.
 (e) Canadian.
 (f) American (U.S.A.)
 (g) Royal Irish Constabulary.

13. Give particulars of any payments you have received from Army Funds since the death of deceased.

None.

14. If you are supporting any children of the deceased give particulars as follows:—

Deceased was Deceased.

- (a) Where the deceased was an Officer:

Full name of each son under 18.	Date of Birth.
Full name of each daughter under 21.	Date of Birth.

(Birth Certificates must be attached.)

- (b) Where the deceased was a soldier:

Full name of each son under 16.	Date of Birth.

Full name of each daughter under 18.	Date of Birth.
<div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; background-color: #f0f0f0; border: 1px solid #ccc; border-radius: 10px; opacity: 0.5; pointer-events: none;"> <div style="position: absolute; top: 10px; left: 10px; font-size: 40px; font-weight: bold; color: #ccc;">Military Archives</div> </div>	

(Birth Certificates must be attached.)

15. State amount expended within the past 12 months in educational fees on each of the children over 12 years and under 18 years mentioned in your reply to question 14:—

Name of Child.	£ s. d.

(Receipts for school fees should be attached.)

The above statement has been read over to me. I agree to it, and have nothing further to add.

Mary Jane Fitzpatrick

Signed **Edward Fitzpatrick,** Address **Kilgarrow, Newtownbutler,**
(Applicant)

Signed* **J. W. Johnston, J. P.** Address **Newtownbutler, Co. Fermanagh.**
(Witness)

Qualification of Witness **Magistrate,** Date **22/2/1924.**

* To be signed by one of the following:—

- A Commissioned Officer serving in the Free State Army.
- 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 or a Divisional Magistrate.
- 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.
- An Officer of the Civic Guard or Dublin Metropolitan Police not below the rank of Inspector or Station Sergeant.
- A Postmaster or Postmistress in actual charge of a Post Office.
- Head Teachers of Secondary or National Schools.
- A Secretary of a registered Friendly Society.

3ÁRDA SÍOČÁNA.

J.H.

Any reply to this communication should be addressed to

The Commissioner

Garda Síochána,
Dublin.

and the following number quoted:—

M. 4665

Different matters should be made to form the subject of separate communications.

3/5/288
OIRIS AN COIMISIÓNAIR,
BAILE ÁTA CLIAIT.

21st January, 1924.

Secretary,
Army Pensions Department,
34 Molesworth St.,
DUBLIN.

A Chara,



Shooting of Comdt. Matt Fitzpatrick at Clones.

You will probably have a claim for compensation from the parents of Commandant Fitzpatrick, who was killed at Clones Railway Station on 11th February, 1922.

A number of Ulster Specials were travelling from Belfast to Omagh, I understand, on the date in question. There was an understanding that Ulster Special Constabulary should not enter the Free State area in uniform and carrying rifles. This was disregarded by the Specials and when they arrived at Clones, the usual Station patrol of Volunteers was on the platform also carrying arms. The fight began - several Ulster Specials were killed and the Commandant also met his death. At the time he was acting O/C of the 5th Northern Division, owing to the arrest by the Ulster Special Constabulary of General Dan Hogan, and his Officers who were travelling through the Six Counties to Derry City to play a Football match.

The Fitzpatricks, who were residents of Co. Fermanagh, had their house burned, and two other members of the family were in gaol until quite recently. Neither the parents or other members of the family are allowed to go near their old home, and are presently resident in Co. Monaghan.

The late Comdt. Fitzpatrick was regarded by G.H.Q. as one of the best Volunteers in the country, and it was very much to the advantage of us all that the family took the side of the/
the/

Military Archives

the Government at the "split".

I trust, therefore, that the claim will be considered in order and that the parents will be compensated to the fullest possible extent for the loss of their son.

Mise le meas,

L. Mullarkey
TAOISEACH.
COIMISINEIR.

Military Service Pensions Collection

CL/1914.

OFFICE OF ADJUTANT GENERAL,

General Headquarters,

PARKGATE,

DUBLIN. 13th September, 1923.

TO ... Messrs. Lardner & Co.,
Solicitors,
Church Street,
Monaghan.

Subject:- Commdt. Matthew Fitzpatrick, deceased.

A Chairde,

In reply to yours dated the 21st ultimo and further to mine dated the 14th ultimo, I now beg to inform you that this case shall be presented to the Pensions Board, when that body functions, - which, I believe shall be soon now.

Mise le meas,

Lieutenant

for: ADJUTANT GENERAL.

Military Service
Pensions Collection

Uimh. Thag. 3999/B.
(Ref. No.)

Guthán 3789. Ex. 10.
(Telephone 3789. Ex. 10).

COISTE UM CHÚITEAMH (DÍOGHBHÁIL PHEARSANTA)
(Compensation (Personal Injuries) Committee),

125 SRÁID BHAGÓID ÍOCH.
(125 Lower Baggot Street),

BAILE ÁTHA CLIATH.
September 8th 1923.

Military Archives

A Chara,

I am directed by the Compensation (Personal Injuries) Committee to acknowledge receipt of Lieutenant A. Rasdale's letter of the 24th ultimo, regarding the application of Mr. and Mrs. Fitzpatrick, for compensation in respect of the death of their son, Commandant Matthew Fitzpatrick, from injuries sustained by him at Clones on the 11th February 1922; and I am to inform you that this matter would appear to be one which should be dealt with under the Army Pensions Act. I am forwarding my papers to the Secretary, Ministry of Finance.

Mise, le meas,

D. Shanagh
Runaidhe.

The Adjutant General,
General Headquarters,
Parkgate, Dublin.

Military Service Pensions Collection



Our Ref.CL/1914.

Office of Adjutant General
General Headquarters
Parkgate,
DUBLIN. 24th August, 1923.

To/-

D.P. Shanagher Esq.,
Secretary,
Personal Injuries Compensation Committee,
125. Lower Baggot Street,
D U B L I N.

Subject:- Comdt. Matthew Fitzpatrick. - Deceased.

A Chara,

I have received a "B. Dependents Form" and a
statement by Major-General Hogan, from Messrs.
Lardiner & Co., Solicitors, Monaghan.

Kindly say are you dealing with this matter.

Is mise,

Comdt.

For Adjutant General.

O'B/LS.

Military Service
Pensions Collection

Military Archives

TELEPHONE No.16.

LARDNER & Co.

MATTHEW G.R. LARDNER B.A., N.U.I.

SOLICITORS.

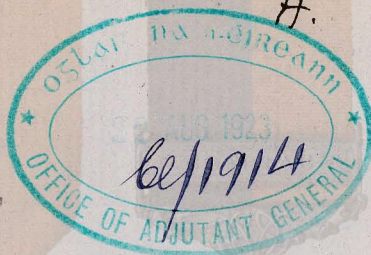
DUBLIN OFFICE

116 GRAFTON ST.

BALLYBAY

SATURDAYS, 11 A.M. TO 5 P.M.

The Adjutant General,
General Headquarters,
Parkgate,
Dublin.



CHURCH SQUARE,

MONAGHAN.

21st August, 1923.

Dear Sir,

Re Commandant Matthew Fitzpatrick Deceased.
Ref. CI/1914.

We are obliged for your letter of the 14th inst. We sent this claim to you and also the Secretary Personal Injuries Committee 125 Lower Baggot Street as we did not know which body should deal with it. We should be obliged if you would refer us to some regulation or authority indicating which is the proper body to investigate and decide this claim.

Yours faithfully,

Military Service
Pensions Collection

Lardner & Co

Military Archives

Office of Adjutant General,
General Headquarters,
PARKGATE,
14adh Mí Lughnasa, 1923.

My Ref. C1/1914.

Messrs. Dardiner & Co.,
Solicitors,
Church Square,
MONAGHAN.

A Chairde,

Commandant Matthew Fitzpatrick - Deceased.

I beg to acknowledge receipt of your communication dated
10/8/23, with enclosures re above.

I presume these have been forwarded me, and not the Secretary,
Personal Injuries Committee, because deceased had been a participant
in past and recent struggles. If this be so, I shall be pleased to
prepare the case for presentation to the Pensions Board, when that body
functions.

Kindly let me hear from you.

Mise, le meas,

Commandant.

For ADJUTANT GENERAL.

Military Service
Pensions Collection

O'B/B.

TELEPHONE No.16.

LARDNER & Co.
MATTHEW G.R. LARDNER B.A., N.U.I.
SOLICITORS.
DUBLIN OFFICE
116 GRAFTON ST.
BALLYBAY
SATURDAYS, 11 A.M. TO 5 P.M.

CHURCH SQUARE,

MONAGHAN.

10th August, 1923.

Regd.

The Adjutant General,
General Headquarters,
Parkgate,
Dublin.

Re Commandant Matthew Fitzpatrick.

Sir,

We enclose herewith Copy Dependents' Form and Copy Certificate of Major General D. Hogan. Please acknowledge.

Re Captain Edward Slevin.

We enclose herewith Copy Dependent's Form and Copy Certificate of F. C. Ward Esq., M.B. who attended Deceased. Please acknowledge.

We have, the honour to be,

Your obedient servants,

Lardner & Co
lm



**Military Service
Pensions Collection**

110 (Previous reference)
b.l. 1914

B. DEPENDENT'S FORM.

FOR USE BY THE DEPENDENTS OF PERSONS WHO DIED AS THE
RESULT OF INJURIES SUSTAINED.

Éin-fhreagra ar an litir
seo, is mar seo ba chóir
é stiúradh :

(Any reply to this com-
munication should be
addressed to) :

An Rúnaidhe,

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

COISTE UM CHÚITEAMH (DÍOGHBHÁIL PHEARSANTA)
(Compensation (Personal Injuries) Committee),

125 Sráid Bhagóid Íoch
(125 Lower Baggot Street),

Baile Átha Cliath.

.....

.....19.....

A CHARA,

I am directed by the Compensation (Personal Injuries) Committee to forward
herewith a Form of Application for Compensation ; and to request you to return
this form, by post, with your replies as soon as possible to this Office.

I am to inform you that answers to the queries on the Form will constitute
the basis of your application and if, on investigation, any of the statements
the applicant's
are ascertained to have been falsely made within your knowledge,
the applicant's
the Committee may recommend that no compensation shall be awarded.

On receipt of this Form, with particulars of the claim set out therein, the
Committee, if it is considered necessary, will inform you of the time and place fixed
for the hearing of the case.

Extracts from the terms of reference to the Committee, showing the classes
of cases with which it will deal, are enclosed.

Mise, le meas,

D. P. SHANAGHER,

Rúnaidhe.

To/

.....

.....

1. Name of Applicant in full *Edward Fitzpatrick & Mary Jane Fitzpatrick*
 2. Present postal address of applicant *Kilgarrou Newtownbutler Co. Limerick*
 3. If a woman, whether married woman, widow or spinster *Mrs. Fitzpatrick wife of Edward*
 4. Name of the deceased in full *Matthew Fitzpatrick*
 5. Address of the deceased at time of injury *Clones*
 6. Full particulars of the injury sustained by the deceased, setting out clearly :

- (a) The date of the injury *11th February 1922*
 (b) The place where the injury was received *Clones Railway Station Co. Monaghan*
 (c) The person or persons who caused the injury *Believed to be a Sergeant of Ulster Special Constabulary fully armed who was subsequently shot*
 (d) The circumstances in detail under which the injury was received :

Deceased was in Commandant in the Irish Army in Command of Clones Barracks. It was reported at the Barracks that a number of fully armed uniformed Special Constables from Belfast had passed into the free State & were on the platform of Clones Station. Deceased in charge of a number of a number of Soldiers of the Irish Army proceeded to the Station. He found the Constables had boarded the Train for Ennistullen. He called upon them to surrender & was immediately shot dead by one of the armed Constables.

7. The date of the death (attaching herewith a certified copy of the registration of the death).....

Yes 11th February, 1922

8. Was the injury the immediate cause of the death? If not, what other causes supervened?.....

Yes

9. Give full particulars :

- (a) Of the nature and extent of the injury *See Answer to 6*

- (b) And of the medical and/or hospital treatment received *none*

10. Has the applicant certificates of medical gentlemen showing the nature of the injury and the cause of death? If so, please attach the certificates *no*

11. Under which sub-paragraph (1, 2 or 3) of paragraph 1 of the Terms of Reference does the applicant ask to be paid compensation? Give particulars of the circumstances which bring the applicant within the particular sub-paragraph.....

12. Give the following particulars as to the deceased :

- (a) Age of deceased? *25*

- (b) Was he (or she) married or single? *Single*

- (c) Names, present addresses and ages of any children who now survive :

Crd
by
us

Dublin Command,
Headquarters,
Collins Barracks,
May 30th, 1923.

To:

All concerned.

This is to certify that the late Commandant Fitzpatrick was killed in the execution of his duty when holding up a party of armed Ulster "Special" Constabulary at Clones Railway Station on Feby. 11th 1922. He was at the time acting Commandant General, in my stead of the 5th Northern Division I.R.A. and was carrying out the instructions of the Provisional Government as issued by Army G.H.Q.

I am perfectly satisfied that had the Commandant been alive to-day he would hold a high rank in the Army of the Saorstát.

In consequence of his untimely death particularly, and also by the continued detention of his brother, a pre-truce prisoner, by the six county Government, and the fact that another brother now in our Army cannot return home, Comdt. Fitzpatrick's parents have suffered very severely financially and must now be in urgent need of substantial compensation.

I strongly recommend the deceased's parents' application to the favourable consideration of the Government of the State.

D. Hogan . Major General.
G.O .C. DUBLIN COMMAND.

Military Service
Pensions Collection

13. State the relationship of the applicant to the deceased *Father Mother*

Deceased before the Anglo Irish was worked on the farm of his

14. Give particulars of the way in which and the extent to which the applicant was dependent on deceased.

Deceased before the Anglo Irish was worked on the farm of his father. He became a member of the I.R.A. after 1916 held the position of Commandant therein at the time of the Treaty. He retained the rank in the new Army after the Treaty sent monies home from time to time to both his father & mother. The deceased was one of four children of applicant's mother. His brother John James is under sentence of 25 years in Derry Jail for his activities

15. Names, addresses, relationship and ages of any other dependents of the deceased:

(a) *(none other)* in the I.R.A. another

(b) *Brother Francis Hugh is a Capt. in the*

(c) *Free State Army & Poth is also a*

(d) *Captain in the Free State Army*

These boys dare not return to the Co. Fermanagh & Applicants

(e) *are left without any assistance and have to employ labour*

(f) *to work the lands. In the circumstances the Applicants have to*

16. Give particulars of the dependency of the above persons to the deceased:

Furthermore valuable out offices on the farm were destroyed by British Military & a Refusal for their sons activities in the national cause & Application for compensation was refused by judge of assize

17. Give particulars of the occupations at the time of the injury and at the present time of the applicant and of the above dependents:

*Commandant in Free State Army at time of Death
Dependant Edward Fitzpatrick Farmer and
Dependant Mary Jane (his wife)*

18. Name and address of the deceased's employer at the time of the injury:

Irish Army Authorities

19. Wages or salary of the deceased at the time of the injury. *not known but it is*

believed had he lived he would now hold the Rank of Major General at least commanding a salary of £155.00 per day and rations and Uniform

20. Amount and nature of deceased's income from other sources at the time of the injury:

none except from Army

21. Give particulars of the compensation or other monies paid to the deceased after the injury and before the death, or to any other person in consequence of the injury:

(a) By the employer or anyone on his behalf under the Workmen's Compensation Act:

nil

(b) By any Society under the National Insurance Act or by any Club or Society otherwise
..... *nil*

(c) By the White Cross or other relief organisation.....
..... *nil*

(d) By any other person or body..... *nil*

22. (a) Was the deceased person insured?..... *nil*

(b) If so, give particulars of the name or names of the company or companies and amount paid by same in respect of the death.....
..... ~~.....~~

23. Is the applicant or any of the above dependents eligible for any award under any law making provision for army pensions.....
..... *not known*

24. Did the deceased or the applicant or any other person obtain a decree under the Criminal Injuries Acts in respect of the injury? If so, give date and other particulars of the decree.....
..... *no*..... *Application served but not heard*

25. Has the British Government undertaken liability in respect of the injury and death?

..... *no*

26. Amount of compensation applied for, with particulars of how the total is made up.....
.....
.....

27. Names and addresses of the witnesses (if any) whom the applicant desires to be called to bear out the above statement. (The Committee reserves to itself the right of determining whether the applicant or any of the witnesses shall be called or not.)

Col. Commandant James McDonoghue, Clones

Commandant John McDonnell, Clones, Capt. B.

McCauley, Dundalk. Applicant Edward Fitzpatrick

Signature of Applicant *Edward Fitzpatrick on behalf of self and my wife*

Dated this *24th* day of *May* 1923.

Cna 03
Wt

**Military Service
Pensions Collection**