

ROINN.....

Íó-Roinn

f.c. 1

ná cuirtear éantúairisc ar an gcúlúad so.

Tá annso, leis

An Uimhir

An Snó

*westport*

*6.3598*

*Kelly Mary,*

An Uimhir de Roinn  
Eile

*20, Pearse Terrace,*

*westport.*

*49SP/7298*

*Co. Mayo.*

To cuirtear éun

Dáta

To cuirtear éun

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To cuirtear éun

Dáta

Military Service Pensions Collection

495P/4298.

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 7th June, 1951. In the event of an applicant being unable to write, he should affix his mark, such act being witnessed.

NAME (to be written in..... KELLY ..... MARY .....  
 block capitals). SURNAME CHRISTIAN NAMES.

PRESENT ADDRESS..... 20 Feanor Terrace, .....  
 (to be written in..... WEST PORT, Co. Mayo. .....  
 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 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 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.

Cumann na mBan.

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

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

(b) Unit or Units.....

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

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

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

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

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

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

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

- 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.
.....	.....
.....	.....
.....	.....

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

- (a) period from 1st April, 1916, to 22nd April, 1916;
- (b) Period from 30th April, 1916, to 31st March, 1917.

(a) Unit or Units.....

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

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

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

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

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

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

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

NAME.	ADDRESS.
.....	.....
.....	.....
.....	.....

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

(a) Unit or Units..... *Westport,*

(b) Duration (giving dates) of service..... *Free period.*

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

*Westport.*

(d) Officer Commanding in each instance..... *Mary Kelly.*

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

*organisation work.*

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

*As ab. (e)*

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

*None.*

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

NAME.

ADDRESS.

*Miss Gibbons, Bridge St, Westport.*

*Miss Conroy James St. do.*

*B. Moane Dublin*

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

(a) Unit or Units..... *Westport.*

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

*Free period.*

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

*Westport.*

(d) Officer Commanding in each instance..... *Mary Kelly.*

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

*Completing organisation of Unit.*

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

*Making provision for Emergency in view of threat of "Conscription", i.e.; Food, clothing, First aid, Dispatch Depts. etc;*

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

*None.*

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

NAME.	ADDRESS.
James Malone,	Castlebar,
Miss Gibbons,	Westport,
Miss Conway,	Do.

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

(a) Unit or Units..... *Westport,*

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

*Full period*

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

*Westport,*

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

*Mary Kelly*

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

*Unit Mobilisation, and training,*

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

*as at (e)*

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

*None*

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

NAME.	ADDRESS.
Miss Gibbons,	Westport.
Miss Conway	Do
Miss Quinns	Peter St. Do.

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

(a) Unit or Units..... *Westport*

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

*Full period,*

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

*Westport,*

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

*Mary Kelly.*

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

*Securing Funds to provide, First aid outfits.*

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

*Training First aid sections,  
Providing Bandoliers, Haversacks, Clothing,  
for Active Service Unit.*

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

*None.*

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

NAME.	ADDRESS.
<i>Miss K. Quinn,</i>	<i>Westport,</i>
<i>Miss Gibbons</i>	<i>do</i>
<i>E. Moane,</i>	<i>Dublin.</i>

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

(a) Unit or Units.....

*Westport,*

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

*Full period,*

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

*Westport,*

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

*Mary Seely,*

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

*Generally Dispatch work, also at (f)*

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

*Provision of Renewals to A. S. Unit, Intelligence  
of enemy movements and numbers, Buying ammunition  
where possible*

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

*None*

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

NAME.	ADDRESS.
<i>E. Moane,</i>	<i>Dublin,</i>
<i>Miss K. Quinn,</i>	<i>Westport,</i>
<i>Miss Gibbons,</i>	<i>do.</i>

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.

ofc of unit, or Captain.

(b) On second critical date.

~~\_\_\_\_\_~~

References who can testify as to your statements :—

NAME.

ADDRESS.

Miss K. Quinn	Westport,
Miss Gibbons	do,
James Malone	Castlebar,

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

No

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

~~\_\_\_\_\_~~

(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.

Military Archives

No.

(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 Oglaiġ 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.....

No.

Military Service Pensions Collection

(8). Are you in receipt of any pension in respect of service :—

- (a) As a member of the Civil Service.
- (b) As a member of the Garda Síochána.
- (c) As a member of any other Police Force.
- (d) As a member of the Prisons Service.
- (e) As a National School Teacher.
- (f) As a Secondary School Teacher.



- (g) As an Officer of any Local Authority.  
 (h) In any other employment.

If so, give details.....

.....  
 No. *No.*  
 .....  
 Military Archives

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.

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

*Mary Kelly*

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

*Michael McGeal*

Address of Witness.....

*Newport Rd  
 Newry Co Down*

Qualification.....

*h. H. R. C. P. S. T.*

Date.....

*22/12/53*

\* 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  
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# Military Archives

Ref.No. \_\_\_\_\_

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

III *Reddy* 25.1.54

III *Dorling* 24/2/54

III *com* 96/2/54

III *Austin* 1.3.54

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Index  
2-3-54*



Military Service  
Pensions Collection

Uimh. Thag.  
R. 30. 63598.

OIFIG AN RÉITEÓRA,  
COLÁISTE CAOIMHÍN,  
GLASNAOIDHEAN,  
BAILE ÁTHA CLIATH.

10 MAR 1954

Any reply should  
state Ref. No. and  
former Unit.

A Chara,

With further reference to your application under the provisions of the Military Service Pensions Act, 1934, I am directed by the Referee to state that, on the evidence before him, he finds that you are not a person to whom the Act applies.

I am also to state that you may, within twenty-eight days from the date of this notice, furnish in writing to the Referee, any additional evidence or representations which you may wish to submit. Any such additional evidence or representations, furnished within the specified number of days, will be considered by the Referee, who after such consideration will make his report forthwith to the Minister for Defence. If such additional evidence or representations is or are not furnished within the specified number of days, the Referee will, upon the expiration thereof, make his report to the Minister.

I am to add that the report of the Referee, when made, will be final and conclusive and binding on all persons and tribunals whatsoever.

Mise, le meas,

*R. Naí*  
RÚNAÍ.

Miss Mary Kelly,  
20, Pearse Terrace,  
Westport, Co. Mayo.

Military Service  
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*23*

# SCHEDULE

## Military Service Pensions Act, 1934.

4989/1298

Reference No. 63598

Applicant's Name Kelly Mary

Address 20 Pearse Terrace, Westport, Co. Mayo

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.	Is the applicant a person to whom the Act applies? <span style="float: right;">No.....</span>
(1) 23/4/16 - 29/4/16		period	year(s)	1st critical date.....
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17		period	year	2nd critical date.....
(3) 1/4/17 - 31/3/18		period	year	Was the applicant a member of the Irish Volunteer Executive at any time prior to 11th July, 1921? .....
(4) 1/4/18 - 31/3/19		period	year	Does applicant's case fall under—
(5) 1/4/19 - 31/3/20		period	year	(a) sub-para. (j) of para. 3 of Rule I of the First Schedule? .....
(6) 1/4/20 - 31/3/21		period	year(s)	(b) sub-para. (m) of para. 4 of Rule I of the First Schedule? .....
(7) 1/4/21 - 11/7/21		period	year	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 .....
(8) 12/7/21 - 30/6/22		period	year	
(9) 1/7/22 - 31/3/23		period	year(s)	
(10) 1/4/23 - 30/9/23			year	

TOTAL ... year(s)

TO THE MINISTER FOR DEFENCE.

I submit hereon my report in this case.

*Sadhb Mace Finlay*  
Referee.

Date 17 BLT 1954

Does the applicant state in his application whether he applied for or is in receipt of unemployment assistance under the Unemployment Assistance Act, 1923? if so, quote the number of his qualification certificate if given by him .....