

Roinn

2nd C3. 18

Ró-Roinn

F.C.1

ná cuirtear éantúairisc ar an sclúdaic so.

1917

An Uimhir

An Snó

8A/171

Tá annro, leir

2nd Battn.

West Mayo

Valmeena bay

Barr

26

35665

An Uimhir as Roinn
Eile.

List 10
P/24/6063

Keely, John

Gortnaclasser

Clogher
Westport

Co Mayo

Do cuirtear éun

Dáta

Do cuirtear éun

Dáta

Do cuirtear éun

Dáta

S/S.

6/11/37

N/A (4)

11/1/38

D/S

28/2/38

N/A (6)

8/2/40

HARPER

Keyman?

Chelishelly

2/1/41

No charge

27/1/44

Chelishelly

16/7/44

Secy 19/7/52

FEB. ANSLY
reid

37938



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 signature witnessed, on or before the 31st day of December, 1935. In the event of an applicant being unable to write he should affix his mark, such act being witnessed.

NAME (to be written in
block capitals).

KELLY

SURNAME.

JOHN

CHRISTIAN NAMES.

PRESENT ADDRESS.

(to be written in
block capitals).

GORTNAGLASSE

WESTPORT CO MAYO

NOTE.—Before answering the questions below, the applicant is requested to note that :

- (a) This form is divided into three parts. Part I. is to be completed where the applicant had, in addition to the required pre-Truce Service, Service in the Forces in the period commencing the 1st July, 1922. Part II. is to be completed where the applicant's qualifying service in the Forces was pre-Truce only. Only one of those two parts is to be completed by any one applicant. Part III. is of general application and should be completed by all applicants.
- (b) Before completing particulars as to rank the applicant should read carefully the First Schedule to the Act and also the definitions of the expressions "first critical date" and "second critical date" which are appended to this form for the information of applicants. He should then complete his replies to the questions in the terms of Rules 1 and 2 of the First Schedule which are applicable to his case, e.g. :—

was "a Divisional Adjutant" or

was "a Battalion Quartermaster whose Battalion was (at the critical date) not less than one hundred in strength," or

was "an officer of Fianna Eireann commanding one hundred members or more."

If applicant's case falls within either Rule 3 or Rule 4 of the First Schedule full particulars of the claim as required by those Rules should be given, if necessary, in a separate statement.

- (c) All statements made in this application will be carefully investigated, and satisfactory evidence must be forthcoming on request to substantiate each and every statement made.
- (d) "If any person with a view to obtaining either for himself or any other person a grant or payment of a pension under this Act, makes, signs, or uses any declaration, application or other written statement knowing the same to be false, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £25 (twenty-five pounds) or to imprisonment for a period not exceeding six months or at the discretion of the Court to both such fine and imprisonment." (Sec. 19 (1) of the Military Service Pensions Act, 1934).

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

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

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

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

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

- (a) Absence from duty following arrest, imprisonment, 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..... *Brockagh Company*

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

Whole period

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

Brockagh Company area

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

Willie O'Malley

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

Drilling & manouvers

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

Drilling & manouvers

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

None

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

NAME.

ADDRESS.

Willie O'Malley Main St Westport

Domnick Melchroone Chughagwala Westport

John Gallagher Fahy Westport

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

(a) Unit or Units..... *Brockagh Company*

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

Whole period

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

Brockagh Company Area

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

Patrick Kelly

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

*Drilling
& Despatch Runner for Brockagh*

(f) Particulars of any military operations or engagements or services rendered during the period..... *Drilling + dispatch runner*

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

none

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

NAME.

ADDRESS.

Dominick Mulchrone Bughagowla Westport
Michael Gallagher 21 Mc Brides Tce Westport
John Gallagher Fahy Westport

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

(a) Unit or Units..... *Brochagh company*

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

Whole period

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

Brochagh com Area

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

Patrick Kelly

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

Drilling + Dispatch running

(f) Particulars of any military operations or engagements or services rendered during the period..... *Drilling + Dispatch running*

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

none

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

NAME.

ADDRESS.

Dominick Mulchrone Bughagowla Westport
Michael Gallagher 21 Mc Brides Tce Westport
John Gallagher Fahy Westport

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

(a) Unit or Units..... *Brochagh com*

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

Whole period

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

..... *Brockagh Com Area*

(d) Officer Commanding in each instance... *Michael Gallagher*

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

..... *& Dispatch running*

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

..... *Refer (E)*

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

..... *None*

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

NAME.

ADDRESS.

Michael Gallagher 21 M^c Brides Tce Westport

Domnick Mulchrone Aughagowla Westport

John Gallagher Fahy Westport

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

(a) Unit or Units..... *Brockagh Company*

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

..... *Whole period*

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

..... *Brockagh Com area*

(d) Officer Commanding in each instance... *Willie Bryce*

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

..... *& Dispatch running*

(f) Particulars of any military operations or engagements or services rendered during the period... *Knocked Bridges at Bailmore &*

..... *Gurteen & other places in the area*

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

..... *None*

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

NAME.	ADDRESS.
Michael Gallagher	21 Mc Brides Ter Westport
Dominick Mulchrone	Aughagowla Westport
John Gallagher	Fahy Westport

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

(a) Unit or Units..... *B Comy*

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

..... *Whole period*

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

..... *Brockagh Kilmeena & Newport*

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

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

..... *Attending Comps & keeping Comy going*

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

..... *Refer (E)*

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

..... *None*

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

NAME.	ADDRESS.
Dominick Mulchrone	Aughagowla Westport
Anthony Gallagher	Aughagowla Westport
John Gallagher	Fahy Westport

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

(a) Unit or Units..... *B Comy*

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

..... *Whole period*

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

..... *Brockagh Kilmeena & Newport*

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

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

..... *Kipt Comy going & blew up Bridges*

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

Refer (E)

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

None

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

NAME.

ADDRESS.

Dominick Mulchrone Aughagowla Westport

Anthony Gallagher Aughagowla Westport

Michael Gallagher 21 Mc Brides Ice Westport

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

(a) Unit or Units.....

B Comy

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

Whole period

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

Brockagh Kilmeena & Newport

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

John Kelly

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

Continued keeping the Comy going as Captain

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

Refer (E)

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

None

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

NAME.

ADDRESS.

Dominick Mulchrone Aughagowla Westport

Anthony Gallagher Aughagowla Westport

Larry Mc Govern Newfield Rostark Westport

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.....

(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.:—

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.

(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.....

(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.

.....

.....

.....

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.

..... *Dispatch Runner*

.....

.....

(b) On second critical date.

..... *Company Captain*

.....

.....

References who can testify as to your statements:—

NAME.

ADDRESS.

..... *Larry McGovern Newfield Rostock Westport*

..... *Michael Gallagher 21 Mc Brides Tee Westport*

..... *Michael Kilroy T. D. Newport*

..... *Wille Malone Bruffy 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.

..... *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.

.....

(5). Have you applied for, or are you in receipt of Unemployment Assistance under the Unemployment Assistance Act, 1933 ? If so, quote the number of your qualification certificate

.....

(6). Were you a member of the Irish Volunteer Executive at any time prior to the 11th July, 1921 ? If so, give the dates between which you served.....

.....

(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.....

.....

(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

NOTE.—You will subsequently have to furnish any further particulars and to submit any evidence which the Minister for Defence, or the Referee appointed under the Military Service Pensions Act, or any person or persons duly authorised by them may require in connection with this application for a Service certificate. In this connection attention is directed to the fact that Section 8 (4) of the Act prescribes that the onus of proof shall rest on the applicant.

Careful consideration will be given to any documentary evidence which you may wish to submit herewith. You may also at your discretion write hereunder a statement of any additional information which you consider may be of assistance in determining your application.

*I was attached to the Volunteers in B. Comy
 Broekagh and carried out all my duties
 allotted to me by my Commanders
 Officers at all times*

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

John Kelly

Portnaclasser bogher

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

Westport

Address of Witness.....

Michael Kennedy

Lahy, Westport.

Qualification.....

Principal Teacher

Date.....

27th December 1935

* Witness must be one of the following :—

- A Commissioned Officer serving in the Defence Forces.
- A Permanent Civil Servant (active or retired) whose salary is or was not less than £200 and on a scale rising to not less than £300.
- A District Justice.
- A Peace Commissioner.
- A Barrister-at-Law, a Solicitor, or a Commissioner for Oaths.
- A Minister of Religion (denomination to be stated).
- A Registered Physician or Surgeon.
- Managers, Secretaries, Chief Cashiers and Accountants of Banks, and Officials in charge of Branch Banks.
- A Member of the Garda Síochána.
- A Postmaster or Postmistress in actual charge of a Post Office.
- Head Teachers of Secondary or National Schools.
- A Secretary of a 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 was either—

- (a) a Brigade Officer Commanding whose brigade at that date was less than one thousand in strength, or
- (b) a Divisional Vice Officer Commanding, or
- (c) a Divisional Adjutant, or
- (d) a Divisional Quartermaster, or
- (e) a Battalion Commandant whose battalion was at that date not less than three hundred in strength, or
- (f) a Brigade Vice Officer Commanding whose brigade was at that date not less than one thousand in strength, or
- (g) a Brigade Adjutant whose brigade was at that date not less than one thousand in strength, or
- (h) a Brigade Quartermaster whose brigade was at that date not less than one thousand in strength, or
- (i) a Column Commander whose column was at that date not less than thirty in strength, or
- (j) a General Headquarters Officer who at that date was acting as Director of Medical Services, 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 sub-paragraph (a) of the immediately preceding paragraph,

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

(4) A person who at any date—

- (a) was a Battalion Commandant whose battalion at that date was less than three hundred in strength, or
- (b) was a Company Captain whose company at that date was not less than sixty in strength, or
- (c) was, at that date, a Captain on the General Headquarters Staff or on a Divisional Staff, or
- (d) was, in the case of a company which at that date was not less than one hundred and twenty in strength, where the company had at that date one Lieutenant only, such Lieutenant or, where the company had at that date two Lieutenants only, one or other of such Lieutenants, or, where the company had at that date three or more Lieutenants, one or other of the two Lieutenants who were at that date respectively second and third in command, or
- (e) was, in the case of a company which at that date was less than one hundred and twenty in strength but not less than one hundred in strength, where such company had at that date one Lieutenant only, such Lieutenant or where such company had at that date two or more Lieutenants, the Lieutenant who was at that date second in command, or
- (f) was a Brigade Officer, other than a Brigade Officer who is deemed by virtue of paragraph (2) or (3) of this Rule to have held at that date either Rank B or Rank C, or
- (g) was a Battalion Vice Officer Commanding whose battalion at that date was not less than one hundred in strength, or
- (h) was a Battalion Adjutant whose battalion was at that date not less than one hundred in strength, or
- (i) was a Battalion 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 I of this Schedule, to be determined both by his actual rank in the Forces and the strength of the unit to which he belonged at that date, and such officer is, at that date, absent from duty by reason of imprisonment on account of his activities as a member of the Forces, the following provisions shall, for the purposes of the said Rule I, have effect in relation to such officer, that is to say :—

- (a) such officer shall be deemed to have held at that date the actual rank in the Forces which he held at the date of his arrest, and
- (b) such unit shall be deemed to be at that date at the same strength as it was at the time of his arrest.

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

- (a) the appointment held by such person,
- (b) the services performed by such person,
- (c) the principles of grading set forth in the said Rule I.

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

DEFINITION OF THE FIRST AND SECOND CRITICAL DATES.

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

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

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

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

- (a) served in the Forces at any time during the week commencing on the 23rd day of April, 1916, or
- (b) served in the Forces continuously during the period commencing on the 1st day of April, 1921, and ending on the 11th day of July, 1921,

the expression "the first critical date" shall be construed as meaning the date during the said week, or if he did not serve during the said week, during the said period, on which he first served in the Forces in such week or such period (as the case may be), and

the expression "the second critical date" shall be construed as meaning the earliest date in the period between the first critical date in respect of such person, and the 12th day of July, 1921, on which such person held his highest rank in such last-mentioned period in the Forces.

Military Service
Pensions Collection

Military Archives

teatān miontuairise.

m.s.c.

TAIRTE...35665...

act does not appear to apply

Per 11.1.38

D/s B 45

Military Service
Pensions Collection

Military Archives

R. FEE R. b
14 Jan 1944
ISSUED

Wap

Referee R. *19*

Issued

24 MAY 1940

Expires

5 JUN 1940

Initials

not

Military Service Pensions Collection

MILITARY SERVICE PENSIONS ACT, 1934.

Form R. 18.

Ref. No. 35665

APPLICANT'S NAME

Kelly John

For Discussion with

Miss Kelly & Moane

Date 19 NOV 1940

PERIOD	OBSERVATIONS ON SERVICE	PROVISIONAL ASSESSMENT
(1)	Key man	
(2)		
(3)		
(4)		
(5)		
(6)	House used for sleep. 1 of boys used. Always at our elbow Arms stored, shifted, cared for	
(7)	Every day in 7 th period.	
(8)	Camp & Bn.	
(9)	he fight. Came on as before	
(10)		

OBSERVATIONS ON RANK—

(a) First Critical Date..... (b) Second Critical Date.....

RESULT OF DISCUSSION.

Date.....

Military Archives

35665

ethel M. Kelly. ~~for 14 Jan~~

List for Call A per

Rennidh's record d. 24/12/40

~~VB 3/1/41~~

Called

mag 4/1/41.

Military Service
Pensions Collection

35665

Referee R.15.

Organisation Records supplied by

Brigade committee

show that applicant was

(a) Captain B. Boy, _____ 11.7.1921.

Strength _____

(b) Captain B. Boy, West Mayo Lodge. 1.7.1922

Strength 56 members



Military Service
Pensions Collection

SIGNED

W. H. C. 12/1/21

Medlicott St.,
Newport, Mayo.

20th May, 1940

The Referee,
Military Pensions Board,
Griffith Barracks.
DUBLIN.

Dear Sir,

I certify that I have known John Kelly, Gortnaclassor Clogher, Westport, to be a member of the Irish Volunteers, B. Coy. Newport Batt. in 1918 and continued his services until long after the cease fire order in 1923.

He rendered most valuable service both with despatches and Billeting besides his general routine in the I.R.A. In fact his house was very rarely without a number of Brigade and Divisional Officers as well as members of the I.R.A. His was one of the houses of which I often felt ashamed to enter much less to sleep in (which we often did) as we literally had them eaten from house and home. Surely he at least ought to be considered as a key man of prominent merit.

His devotion to duty together with the care and attention by which they were carried out left nothing to be desired by the most exacting of Officers. Like Domnick Mulchrone he also came out to join the Active Service Unit but was returned owing to the need of their services by us in their native Half Parish of Brockagh or Fahey.

This Half Parish is situated almost in the centre of the triangle formed by Westport, Castlebar and Newport, and proved of vital importance to us particularly when its parishoners were so favourably disposed and trustworthy.

Signed.

Michael Kilroy

LATE O.C. WESTERN COMMAND

Edward Moane

Late O.C. West Mayo Brigade

Michael Gallagher,

Late Adj. 2nd Battalion.

West Mayo Bde.

TO
Reference.
Military Service Bde.
Dublin
BKO.

Lower Jas's St.,
Westport,

May 25 '40.

This is to certify that I have known John Kelly
Routnaclasses, beggar, Westport, to be a
member of the Irish Volunteers and I.R.A. from
1914 to 1924.

That I know of him to be a first line soldier
with a good shot, and that as an officer
he ranked as a',

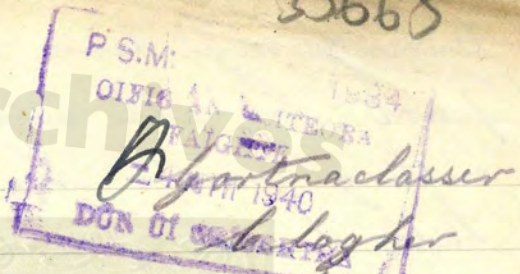
That I know of him to have taken part in
every raid for arms under arms, courtmara
and I personally saw him in action on
out post duty at Derrynaraw on the date
of the Kilmeena operation.

That he spent the greater part of his time away
from his home during the Tan period on Army
work.

That he was actively engaged in the State war
and arrested for a period.

W. Gallagher,
Late (Adj) 2nd Battalion.
West Mayo Bde.

Mr Quinn
4/6/40



Westport

2nd June 1940

To The Referee

Military Service Board

Griffith Barracks Dublin

A Cara

Further to my application for a
Service pension and yours of the 14th Inst
Ref No 35665/G.I.

I respectfully beg to appeal against
your decision and for the Purposes of
the act mentioned in yours at A. and B.
I joined the Volunteers in 1914 was then
appointed dispatch rider which I don for some
time

Later my house was raded and racked by
the Tans and the bet and abused me in
such a way that the thought I would
not come from it. I had to go from home
and spend a long time away as my house
was raded several times after

During my time away from home I took
part in all army services in my area
cutting roads knocking Bridges extra
Later I was apainted to Captain and
continued until after the cease fire order
And for further information see certificates
from my officers as additional evedence
Thanking you for a favourable reply
and acknowledgement

I Remain Yours
John Kelly
Cortnaclasser
Clogher Westport
Co Mayo

Military Service
Pensions Collection

Military Archives

Department of Defence

Sir

I wish to give you in detail further Particulars of my activities during the trouble period. About the year 1917 three deserted British Soldiers visited my house which I kept and got information regarding enemy forces, those men later joined the I R A and went on the run with the column proving themselves a wonderful help to our boys I was also dispatch rider in that period In 1919 I assisted in raids for armsⁱⁿ various houses and after obtaining same I kept them for about nine months in proper order after which time we handed them over to the column. I was also engaged in refilling cartridges during this period and until the truce was signed I may also add column continually stayed in my house and during ~~that~~ ^{that} stay I done outpost

Military Archives

duty under arms on many occasions while
the were resting I can give you a few off
the many Leaders who stayed Mr Hilroy
Mr Rutledge Thomas Derig Joe King
Mark Gillee Thomas Pettrick &
many others

early in 1921^{was} raided by the Black & Tans
and was badly beaten, that happened on
two occasions the placed a tin can on
my ~~head~~ and riddled it with bullets
I decide then to join the column but
the Leader refused me on the grounds
as he maintained it was of greater service to
them by staying in the district for such
reason as getting in contact with them &
despatches & looking after the comforts of
those on the run I prefer being with the
column as it was closely watched by the Tans
& had to sleep in a dugout untill the truce
was signed.

In March in the same period i took part at the ambush under arms at the Railway Tunnel Newport

In May 1921 we blew up Bridges at Balmore & Gorteen & others Next day Killeena Ambush took place i was on outpost duty at Derrynaraw & carried two wounded men to safety where Doctor Madden dressed them

In the second period i was Captain of the Boy our house was raided many times by Free State troops I again offered to join the Column & Mr Kilroy told me that without the likes of us fellows they couldnt get on. During this time I took part in some instances & was under arms during the ^{raid} on Gallaghers house of Dughaowla at which time Pats Mulchrone was shot John Connelley was officer in command and stayed in my the previous night.

Signed John Kelly Gortnaclasser Blogger

SUMMARY of SWORN EVIDENCE given before THE INTERVIEWING OFFICERS on 14: 1: 1941 by JOHN KELLY and AGREED TO BY HIM.

You joined the Volunteers in 1917.

3rd & 4th Periods:

In 1917 and 1918, you had the usual parades and drills and you helped three deserters.

5th Period:

You had the usual parades and drills. You carried dispatches now and again.

6th Period:

You blocked roads; helped to destroy three bridges. You took part in nine raids for arms. You refilled cartridges now and again.

Dispatches:- Your house was a dispatch centre until the end of 1920. Up to that time, they came there regularly and you carried them almost daily distances of three to nine miles. After the house was raided, dispatches did not come there but you carried them two or three times a week distances of three to nine miles.

Before the house was raided officers who called to the district stayed in the house a night at a time. They were there about once a week. You did guard duty for them and usually escorted them a distance of about three miles. After the house was raided, men called there now and again.

You helped to clean and oil arms which were stored in the Company district. You yourself had not a dump. You shifted arms with other Volunteers on about three occasions, distances of five, six and seven miles.

You volunteered for the column but you were not allowed to go on it. You lay in ambush at the railway tunnel on one occasion.

7th Period:

You were "on the run." You carried dispatches two or three times a week. You guarded men who came into the area. You did this work in your turn.

Killeena ambush:- You did outpost for Killeena ambush at Derrynaraw, about quarter-mile away from the scene of the ambush. You were unarmed. You helped to remove two wounded men a distance of three miles when their wounds were dressed. You then helped to bring them a distance of ten or eleven miles.

Q. Is that a fair summary of your activities up to the Truce?
A. Yes.

8th Period:

You were not in any camp or Barracks. You were appointed Company Captain when the Civil War broke out.

9th Period:

You were not allowed to join the column but remained in your own district. You guarded the column or men "on the run" when they came into the district. The night Gallaghers was attacked column men were staying in your house. You got a rifle for a short period but did not fire. You handed over the rifle to the owner and got away. You carried dispatches 3 or 4 times a week. You were active in this way up to the Cease Fire, and you were unable to stay at home.

Q. Is that a fair summary of your activities?
A. I think so - the principal things, as far as I can remember.
Q. Are you satisfied with that?
A. I am.

MILITARY SERVICE PENSIONS ACT, 1934.

Form R. 18.

Ref. No. 25665APPLICANT'S NAME Kelly JohnFor Discussion with McGovern Date 23/1/41

PERIOD	OBSERVATIONS ON SERVICE	PROVISIONAL ASSESSMENT
(1)		
(2)		
(3)		
(4)		
(5)		
(6)	Attempted ambush. Refused	
(7)	Outpost at Kilmara - kept under cover	
(8)	7/6. — Angharad Skirmish	
(9)		
(10)		

OBSERVATIONS ON RANK—

(a) First Critical Date..... (b) Second Critical Date.....

RESULT OF DISCUSSION.

Date.....

REF. No. **35665**

APPLICANT'S NAME

Kelby, John

ADDRESS

UNIT

W. Mayo Bde.

(a) PERIOD	(b) Service claimed	(c) Active service allowed	(d) Equivalent for Pension purposes	REMARKS
(1) 23/4/16 - 30/4/16				(7)
(2) (a) 1/4/16 - 22/4/16 } (b) 30/4/16 - 31/3/17 }	<i>Conf</i>			(8)
(3) 1/4/17 - 31/3/18	<i>11-3-40</i>			(9)
(4) 1/4/18 - 31/3/19				(10)
(5) 1/4/19 - 31/3/20				(11)
(6) 1/4/20 - 31/3/21				(12)
(7) 1/4/21 - 11/7/21				(13)
(8) 12/7/21 - 30/6/22				(14)
(9) 1/7/22 - 31/3/23				(15)
(10) 1/4/23 - 30/9/23				(16)

ACT DOES NOT
APPEAR TO APPLY

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

Rank claimed on

Rank allowed

Total of Column (d)

SIGNED—

*John Kelby**[Signature]*

REF. No. 35665 APPLICANT'S NAME Kelly John

ADDRESS Gortnaclassa, Westport, Mayo. REFEREE R.3.

UNIT Kilmecra Coy. 2nd Bn. West Mayo.

(a) PERIOD	(b) Service claimed	(c) Active service allowed	(d) Equivalent for Pension purposes	REMARKS
(1) 23/4/16 — 30/4/16	—			(7)
(2) (a) 1/4/16 — 22/4/16 } (b) 30/4/16 — 31/3/17 }	—			(8)
(3) 1/4/17 — 31/3/18	Full term			(9)
(4) 1/4/18 — 31/3/19	— do —			(10)
(5) 1/4/19 — 31/3/20	— do —			(11)
(6) 1/4/20 — 31/3/21	— do —			(12)
(7) 1/4/21 — 11/7/21	— do —			(13)
(8) 12/7/21 — 30/6/22	— do —			(14)
(9) 1/7/22 — 31/3/23	— do —			(15)
(10) 1/4/23 — 30/9/23	— do —			(16)

NO CHANGE RECOMMENDED

25/1/41

(a) First critical date.

(b) Second critical date.

Rank claimed on E

Rank allowed

Total of Column (d)

SIGNED John Moran

James

Military Service Pensions Act, 1934.

Ref. No. 34SP/34938

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

35665

To:

THE REFEREE.

To:

THE MINISTER FOR DEFENCE.

I am directed by the Minister for Defence to transmit for report in accordance with Section 8 and the Regulations made under the Act the accompanying application of

Kelly, John
Gortnaclasser Westport.
for a Service Certificate. So. Mayo.

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

J. J. Morgan

Date. 27 NOV 1936

(SIGNED) T. UA. DÓMHNAILL

REJECTION Referee.

10 FEB 1941

Date.

1. Is the Applicant a person to whom the Act applies ?..... No
2. If so, total actual service in the different service periods, as established.....
.....
.....
.....
3. Total service for pension purposes as defined by Second Schedule of the Act.....
4. Grade or rank, quoting relevant paragraph of First Schedule under which allowed : —
 - (a) On first critical date.....
 - (b) On second critical date.....
 - (c) Was applicant a member of the Irish Volunteer Executive at any time prior to the 11th July, 1921.....
 - (d) Does applicant's case fall under either of the following sub-paragraphs, and, if so, which, viz., sub-paragraph (j) of paragraph 3 of Rule I. of First Schedule
.....
or under sub-paragraph (m) of paragraph 4 of Rule I. of First Schedule, as a Medical Officer.....

5. Does the applicant state in his application whether he is at present in receipt of any remuneration, pension or allowance payable out of public moneys whether provided by the Oireachtas or out of the Central Fund or by means of the poor rate or any other rate imposed by a local authority ?.....
.....

6. Does the applicant state in his application whether he applied for or is in receipt of unemployment assistance under the Unemployment Assistance Act, 1933 ? If so, quote the number of his qualification certificate if given by him.....
.....

7. THE WEEK COMMENCING ON THE 23RD DAY OF APRIL, 1916.

(1) Duration of active service during the period as established to your satisfaction
.....
.....

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

(3) State—

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

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

8. THE PERIOD COMPRISING :—

(a) THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1916, AND ENDING ON THE 22ND DAY OF APRIL, 1916, and

(b) THE PERIOD COMMENCING ON THE 30TH DAY OF APRIL, 1916, AND ENDING ON THE 31ST DAY OF MARCH, 1917.

(1) Duration of active service during the period as established to your satisfaction
.....
.....

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

(3) State—

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

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

9. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1917, AND ENDING ON THE 31ST DAY OF MARCH, 1918.

(1) Duration of active service during the period as established to your satisfaction

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

(3) State—

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

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

10. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1918, AND ENDING ON THE 31ST DAY OF MARCH, 1919.

(1) Duration of active service during the period as established to your satisfaction

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

(3) State—

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

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

11. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1919, AND ENDING ON THE 31ST DAY OF MARCH, 1920.

(1) Duration of active service during the period as established to your satisfaction

.....

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

.....

(3) State—

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

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

.....

12. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1920, AND ENDING ON THE 31ST DAY OF MARCH, 1921.

(1) Duration of active service during the period as established to your satisfaction

.....

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

.....

(3) State—

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

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

.....

13. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1921, AND ENDING ON THE 11TH DAY OF JULY, 1921.

(1) Duration of active service during the period as established to your satisfaction

.....

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

.....

(3) State—

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

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

.....

.....

14. THE PERIOD COMMENCING ON THE 12TH DAY OF JULY, 1921, AND ENDING ON THE 30TH DAY OF JUNE, 1922.

(1) Duration of active service during the period as established to your satisfaction

.....

.....

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

.....

(3) State—

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

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

.....

.....

15. THE PERIOD COMMENCING ON THE 1ST DAY OF JULY, 1922, AND ENDING ON THE 31ST DAY OF MARCH, 1923.

(1) Duration of active service during the period as established to your satisfaction

.....

.....

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

.....

(3) State—

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

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

.....

.....

16. THE PERIOD COMMENCING ON THE 1ST DAY OF APRIL, 1923, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 1923.

(1) Duration of active service during the period as established to your satisfaction

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

(3) State—

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

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

NSP/34/REF:

35665

(COPY)

OFFICE OF THE REFEREE,
COLAISTE CAOIMHIN.

7th Jan 1943

RE: APPLICATION

John Kelly

A Chara:

With reference to your letter ~~and enclosures thereto~~ dated 29th Dec., relative to above application under the Military Service Pensions Act 1934, I am to state that the Referee has completed his Report to the Minister for Defence, and has now no further functions relative thereto.

Your letter has been transmitted to the Secretary, Department of Defence (Pensions), address as above, to whom any further correspondence in this respect should be addressed.

Mr. M. Kilroy.

Runai, Roinn Cosanta.

Guirtheach Chugat.

RÚNAIDHE

Rise, le meas,

RÚNAIDHE

X. { also
35675
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35178

Military Service
Pensions Collection

34/SP/37938.
MSP/34/
Ref: 35665.

Roinn Cosanta,
Brainnse Airgeadais,
Coláiste Caoimhín,
Glasnaoidhean,
Baile Átha Cliath.

6 July 1945.

John Kelly

John A. Kelly, Esq., Westport.

MR. CREMEN. Egan.

The above-named has appealed against the findings of the Referee in respect of his/~~her~~ application under the Military Service Pensions Act, 1934, and in support of his/~~her~~ appeal has forwarded the enclosed documents purporting to contain additional evidence not previously available.

Will you please state for the Minister's information whether the evidence now produced is, in your opinion, additional evidence as defined by the Attorney General. Please return evidence with your reply.

No 7
8/11

S. A. W. MacDonnell
a/s RÚNAIDHE.

Military Archives
S.R./34/Referee - Ref.

35665

CIFIG AN RÉITEÓRA.

S.R./ 37938

9 Nov

1945.

ACHT NA bPINSEAN SLIRBHÍSE MÍLEATA, 1934.

Rúnaidhe,
Roinn Cosanta.

With reference to your minute of the 6th July last
and enclosure thereto (returned herewith) regarding the appeal
made to the Minister by John Kelly
Westport. Co Mayo the evidence now produced is not,
in my opinion, additional evidence as defined by the Attorney
General.

Military Service
Pensions Collection

RÚNAIDHE.

U. AIR THAGARTHA
(Reference No.)



Roinn Cosanta,

Brainnse Airgeadais,

Colaiste Caoimhin,

Glasnaoidhean,

Baile Atha Cliath.

34/SP/37938

MSP/34/

Ref: 35665

29 April 1946

John Kelly

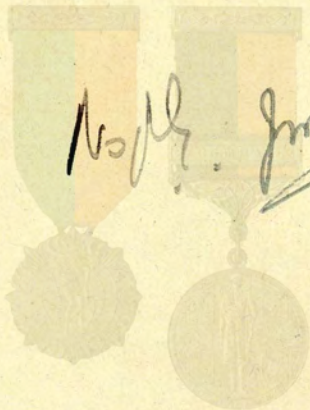
MR. EGAN,

The above-named has appealed against the findings of the Referee in respect of his/her application under the Military Service Pensions Act, 1934, and in support of his/her appeal has forwarded the enclosed documents purporting to contain additional evidence not previously available.

Will you please state for the Minister's information whether the evidence now produced is, in your opinion, additional evidence as defined by the Attorney General. Please return evidence with your reply.

S. J. O'Mahoney
Rúnaí.

Military Archives



Military Service
Pensions Collection

Military Archives
OFFICE OF THE REFEREE, MILITARY SERVICE PENSIONS ACT, 1934.

M.S.P/34/Ref. 35665

34/S.F/ 37938

21 May

1946.

Rúnaí, Roinn Cosanta, (F.3 A).

With reference to your minute of the 29/4/46
and enclosure thereto (returned herewith) regarding the appeal
made to the Minister by John Kelly
the evidence now produced is not, in my opinion, additional
evidence as defined by the Attorney General.

L

RÚNAÍ.

Military Service
Pensions Collection

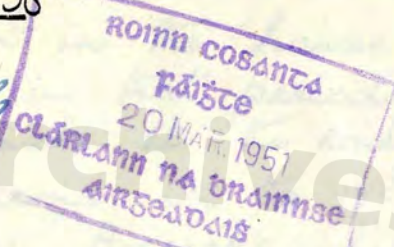
Military Service Pensions Acts, 1924 to 1949.

PETITION UNDER SECTION 6 (I) OR UNDER SECTION II (I) OF THE
MILITARY SERVICE PENSIONS ACT, 1949.

34/SP/37938.

Minister for Defence,
Coláiste Caoimhín,
Glasnevin,
Dublin.

P/34/6053



I made application for a Certificate under the Military Service Pensions Acts but my application was refused.

My application was made from the following address :—

John Kelly

Gortnaclasser

beggar, Westport, CO, Mayo,

I now request that you will forward this, my petition, to the Board of Assessors or to the Referee, as the case may be, for a re-investigation of my application, on the ground that I am in a position to prove facts sufficient to establish that I am a person to whom the Acts apply.

The following is a statement of the said facts :—

I joined the I. R. A.
in 1914 and was dispatch rider. We sheltered three
deserted soldiers of the English army for a year.
Those were an advantage by teaching us rifle drill.
From 1919 to 1921 I was first lieutenant. We raided
for arms under arms several times. Continually the
Boys on the run visited the area and on each visit we
did our utmost to cater and secure sleeping accommodation
for them. While in the area also I did post duty for
them. Amongst the groups were Michael Killeavy, Thomas
Deerig, Thomas Ketterick, Sean Mc Bride the present Minister
of External Affairs, (During that same period) P. Rutledge,
Dick Walsh, Joseph Ring, Mark Gillee, Dr. Wadden.
During the same period I made shot & reloaded
cartridges. I raided ^{for} arms under arms several times
and looked after them for one year. I offered to
join the column in 1921 but Michael Killeavy told
me that I was of far better service to them at home
being that I lived in the centre of the triangle
formed by Westport, Castlebar and Newport and

proved of vital importance to them.

In the early part of 1921 our house was visited by Black & Tans who gave me a terrible beating up, and two nights later they came again. This time they put an eight quart can on my head and riddled it with bullets. They did terrible destruction in the house and only Providence saved our lives. Later in that period I slept in a dug out. I took part in the ambush at the railway tunnel Newport on 14th March 1921. under arms. On the 14th May 1921. I took part in the attack on Newport Barracks where Butler R. J. C. was shot. Afterwards we blocked the Baskinbar - Newport road and the Brockagh road under arms.

Later that May I blew up bridges at Cullinane, Guheen and Derry-na-ran and other places. On the 21st May 1921. Kilmeena ambush. I was on post duty 1/4 mile from the ambush and carried the two wounded men: Swift and Hughes 9 miles to safety after they were attended and dressed by Dr. Wadden.

In the second period I was captain and offered to join the column again I was told that I was of better service at home and besides the enemy were on my track. Under arms I also took part in the fight at Gallagher's where Pat Wulchone was shot. I blocked roads and knocked bridges several times in that period too.

I was before the Board in 1940 or 1941 and filled a form containing other information and references.

Signed John Kelly

Military Service
Pensions Collection

Military Archives



Military Service
Pensions Collection

Signature John Kelly

Present Address Gortnaclasser

begher Westport

60 Mayo

Date 17 March 1951

NOTE :— Should the space allotted in this form be insufficient for the purpose, the statement of facts may be continued on a separate sheet which should, however, be attached to this form.

P/34/6053.

Kelly. John

msp/35665.

DATE

INITIALS

Petition received

Registered.

Index Searched and
Petition No. inserted.

File Drawn.

File to Committee.

Action required by Committee:

File to Referee

Action required by Referee:

Date of Decision.

Decision Recorded.

Report to Minister (Reject)

Petition Accepted.

Action Required:

Ref. P/34/6053.

Petition submitted by..... John Keely.....
Portneuer classer, Westport, Co. Oregon
 under Section 11 of the Military Service Pensions Act, 1949.

REFeree.

I, the undersigned, being a member of the Advisory Committee duly appointed under Section 6 of the Military Service Pensions Act, 1934, as amended and extended by the Military Service Pensions Act, 1945 (11 of 1945) and Military Service Pensions Act, 1949 (29 of 1949) having been requested by the Referee to assist him in forming an opinion as to whether there is a *prima facie* case that the applicant (petitioner) is a person to whom the Act of 1934 applies, report to the Referee as follows :—

That there is a *prima facie* case that the petitioner is a person to whom the Act of 1934 applies.

Bozato III
Marchion

That there is not a *prima facie* case that the petitioner is a person to whom the Act of 1934 applies.

P./50^A.

Menu

The H.L. Kilroy called re this claim. He stated that applicant had service similar to that of 35194 Dominick Mulchrone who is in receipt of a pension & asked that this case be listed for hearing at the next session in Co Mayo.

6.6.52

Ref. No.

P/34/6053.

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

2 JUL 1952

19

ACHTA NA BPINSEAN SEIRBHÍSE MÍLEATA -
1934 - 1949.

A Chara,

With reference to the petition submitted by you under the Military Service Pensions Act, 1949, I am directed by the Referee to state that he has decided to re-investigate your application. I am, accordingly, to request your attendance

at the Courthouse, Castlebar, at 10.30 a.m.
on Tuesday the 15th day of July, 19 52,

for examination on oath in connection therewith.

I am also to request you to arrange for the attendance on the date mentioned of any witnesses whose evidence you consider will support your application so that all the evidence relevant thereto will be available to the Referee and Advisory Committee at the examination. If you fail to attend as requested the Referee will proceed with the investigation of your application and make his report to the Minister on the evidence available to him.

I am to point out that a claim in respect of travelling or other expenses incurred by you or by any witnesses who are produced by you cannot be entertained.

For your information, I am to add that Section 8(4) of the Military Service Pensions Act, 1934, as amended by the Military Service Pensions Act of 1945, prescribes that "the onus of proving any matters of fact alleged in an application for a service certificate shall rest on the applicant and he shall be at liberty to offer such evidence as he may consider necessary to discharge such onus."

Mise, le meas,

Jobonno
Attn.

Mr. John Kelly,
Gortnaclasser,
Westport,
Co. Mayo.

*See
H. attach brother's
file - has pension -
in U.S.A. 19/7/52*

Ref. No. P/34/6053 MILITARY SERVICE PENSIONS ACTS, 1934 - 1949.

REFEREE R.3.

Applicant's Name

Address

Unit

Kelly, John
Gortina Larner, Westport, Co Mayo
Brookagh Coy, 2nd Bn
W. Mayo Bde

(a) PERIOD.	(b) Service claimed.	(c) Active Service allowed.	(d) Equivalent for Pension Purposes.	REMARKS.
(1) 23/4/16 - 29/4/16				
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17				
(3) 1/4/17 - 31/3/18				
(4) 1/4/18 - 31/3/19				
(5) 1/4/19 - 31/3/20				
(6) 1/4/20 - 31/3/21		$\frac{1}{2}$ termie	$\frac{1}{6}$ Rleana	
(7) 1/4/21 - 11/7/21		1/2 ..	1 ..	
(8) 12/7/21 - 30/6/22		$\frac{1}{2}$..	$\frac{1}{2}$..	
(9) 1/7/22 - 31/3/23				
(10) 1/4/23 - 30/9/23				

(a) First critical date.

(b) Second critical date.

Rank claimed on E

Rank allowed E

COE

E

SIGNED Adac Enell

Total of Column (d). 15/4
Donashmiller Austin Brennan

SCHEDULE

M.S.P. 34/

Military Service Pensions Act, 1934.

Reference No. 35005 P34/6053

Applicant's Name

Kelly

John

Address

Gastnaclasser

Higher Westport

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 ? Rank or Grade allowed.	Relevant paragraph of First Schedule.
(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	IRISH VOLUNTEERS	nil	nil	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		nil	nil	Does applicant's case fall under—	.....
(5) 1/4/19 – 31/3/20	Boilaigh na h-Eireann.	nil	nil	(a) sub-para. (j) of para. 3 of Rule I of the First Schedule ?	.....
(6) 1/4/20 – 31/3/21		to	to	(b) sub-para. (m) of para. 4 of Rule I of the First Schedule ?	.....
(7) 1/4/21 – 11/7/21		Cent	1	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		24	24	.....	.....
(9) 1/7/22 – 31/3/23		nil	nil	.....	.....
(10) 1/4/23 – 30/9/23		nil	nil	.....	.....
TOTAL ...			1 5/24 year(s)	.....	

TO THE MINISTER FOR DEFENCE.

I submit hereon my report in this case.

31 JUL 1952

Date.....

Referee.

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