

ROINN _____

Fó-Roinn _____

F.C.1

ná cuirtear éantúairisc ar an sclúdác so.

Tá annpo, leir

An Uimhir

An Snó

M.S.P./34/Referee

17897

An Uimhir as Roinn Eile.

26/195

Byrne, John
31 Upper Wellington St
Dublin

Do cuirtear cun	Dáta	Do cuirtear cun	Dáta	Do cuirtear cun	Dáta
Rúnaí	28/3/36				
call	17/9/36				
Rúnaí	25/10/36				
B. F.	21/11/36				
Rúnaí	29/11/36				
J. J. H.	1/12/36				
P.A.	5/12/36				
PA	11/12/36				

19461

28 JAN 1935



M.S.P./34/1.

DEPT. OF DEFENCE
RECEIVED
20 DEC 1935

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). ~~JOHN~~ BYRNE. JOHN
SURNAME. CHRISTIAN NAMES.

PRESENT ADDRESS. 31, UPPER, WELLINGTON, STREET
(to be written in block capitals). DUBLIN

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? *23rd April*
- (b) Unit or Units *Irish Citizen Army*
- (c) Duration (giving dates) of service *23rd to 28th*
- (d) District or Districts in which active service was rendered *Dublin Castle and O'Connell St. area*
- (e) Officer Commanding in each instance *Capt. Sean Connolly and Thornton*
- (f) In what way do you claim that your service was active service *Armed attack on British forces*
- (g) Particulars of any military operations or engagements or services rendered during the week *Occupied Henry James + Imperial Hotel*
- (h) Absence from duty and cause *Captured by British forces 28th April*
- (i) References who can testify as to your statements above:—

NAME.	ADDRESS.
<i>Elliot</i>	<i>Elms 23 St. Carlath Rd.</i>
<i>James McGowan</i>	<i>31 Eden Quay</i>
<i>Thomas Nelson</i>	<i>35 Nth. George St.</i>

(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 *Irish Citizen Army*
- (b) Duration (giving dates) of service *Joined I.C.A. 1914*
- (c) District or Districts in which active service was rendered *Dublin area*
- (d) Officer Commanding in each instance *Capt. De. Coer*
- (e) In what way do you claim that your service was active service? *Helping to re-organise units after release*
- (f) Particulars of any military operations or engagements or services rendered during the period *Making arrangements for places for training*
- (g) Absence from duty and cause *Was in Kintford Jail and Frongoch till Sept 1916*

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

NAME.	ADDRESS.
Lieut Kelly	Liberty Hall
M. Donnelly	6 Hanover St (west)
J. O Shea	15 Joyce Rd, Drumcondra

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

(a) Unit or Units..... Irish Citizen Army

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

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

..... Dublin Area

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

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

..... Obedied all orders issued by Army Council

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

the period..... Attended all parades, Field Training and arms training

(g) Absence from duty and cause..... Not absent.

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

NAME.	ADDRESS.
James O Shea	15 Joyce Rd, Drumcondra
M. Kelly	Liberty Hall
M. Donnelly	6 Hanover St, west.

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

(a) Unit or Units..... Irish Citizen Army

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

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

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

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

..... Obedied all orders issued by Army Council

(f) Particulars of any military operations or engagements or services rendered during the period... *Engaged in collecting small arms*

(g) Absence from duty and cause... *Not absent*

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

NAME.	ADDRESS.
<i>M. Kelly</i>	<i>Liberty Hall</i>
<i>J. O'Shea</i>	<i>15 Joyce Rd</i>
<i>M. Donnelly</i>	<i>6 Hanover St. West</i>

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

(a) Unit or Units... *Irish Citizen Army*

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

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

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

(e) In what way do you claim that your service was active service? ... *Obedied all orders issued by Army Council*

(f) Particulars of any military operations or engagements or services rendered during the period... *Resisting attack by Police in St. Stephens Green*

(g) Absence from duty and cause... *not absent*

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

NAME.	ADDRESS.
<i>Frank Robbins</i>	<i>5, Fairview Terrace</i>
<i>M. Kelly</i>	<i>Liberty Hall</i>
<i>J. O'Shea</i>	<i>15 Joyce Rd.</i>

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

(a) Unit or Units... *Irish Citizen Army*

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

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

Dublin Area

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

Capt Kelly

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

Obedied all orders issued by Army Council

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

Carried out raids Belfast Boycott. went to Belfast to link up unit with I. R. A. there.

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

Not absent.

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

NAME.

ADDRESS.

Michael Donnelly

6 Fenover St. west.

Michael Kelly

Liberty Hall

Frank Robbins

5 Fairview Terrace.

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

(a) Unit or Units.....

Irish Citizen Army.

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

Continuous Service

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

Dublin Area

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

Capt Kelly

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

Active membership

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

Assisting J. M. distributing arms and transport of arms + ammunition

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

Not absent.

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

NAME.	ADDRESS.
Micheal Kelly	Liberty Hall
F. Robbins	5 Fairview Terrace
Mr. Donnelly	6 Hanover St. West

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

(a) Unit or Units..... Irish Citizen Army

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

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

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

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

(f) Particulars of any military operations or engagements or services rendered during the period..... Fought in civil war. Parnell Square
Down in Longford area and Mullingar. Reorganising men who was leaving over treaty

(g) Absence from duty and cause..... Not absent

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

NAME.	ADDRESS.
M. Kelly	Liberty Hall
F. Robbins	5 Fairview Terrace
James McGowan	31 Golden Quay

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

(a) Unit or Units..... Irish Citizen Army

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

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

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

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

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

Obedied all order issued

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

Not absent

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

NAME.

ADDRESS.

M. Kelly Liberty Hall,

J. McGowan 31 Upper Eden Quay

M. Donnelly 6 Hanover St. West.

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

(a) Unit or Units.....

Irish Citizen Army.

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

Continuous service

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

Dublin area

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

Capt. Kelly.

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

Active membership

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

Obedied all orders issued

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

Not absent.

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

NAME.

ADDRESS.

M. Kelly

Liberty Hall,

M. Donnelly

6 Hanover St. West.

F. Robbins

5 Fairview Terrace

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.

Private John Byrne
Irish Citizen Army
1st April 1921

(b) On second critical date.

Adjutant John Byrne
Irish Citizen Army
1st April 1921

References who can testify as to your statements:—

NAME.	ADDRESS.
William O'Brien	35 Parnell square
Senator Thomas Foran	35 do
James Smith	31 Eden Quay
John O'Neill	66 Ballybough Rd.

(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.

No.

(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

No.

(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.....

*Was a member of Irish Citizen Army Council
1919, 1920, 1921, 1922*

(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.

(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.

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

John Byrne.
31 Upper Wellington St.

* Witness to signature or (where applicant is unable to write) to mark of applicant. } *Francis E. Connaughtan*

Address of Witness..... *143 Donnet St (Upper), Dublin*

Qualification..... *2nd Lieutenant Artillery Corps, I.V.F.*

Date..... *19th 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

Leahy to send

originals to.

John Byrns.

31. Ws. Wellington St.

Dublin

**Military Service
Pensions Collection**

ÓΣΤΛΑΙΣ̄ ΝΑ Η-ΕΙΡΕΔΗΝ.

ΆΓΟ ΟΪΡΙΣ, ΔΤ ΟΛΙΑΤ.

General Headquarters,
Dublin.

Department.....

Reference No 2.873.....

14/1/22.

To Adjutant,

Irish Citizen Army.

A Chara,

I send you herewith statement re purchase of
materials from Seumas O'Neill as requested.

do Chara,

Sean MacMahon

Quartermaster General.

Military Service
Pensions Collection

STATEMENT OF PURCHASE OF MATERIALS FROM SEUMAS O'NEILL.

+++++++-----

Owing to the scarcity of Rifles and Rifle Ammunition and the growing demands which were being made for same from the country at the beginning of 1921, I decided to approach Seumas O'Neill who was O/C I.C.A. at the time, to come to my assistance in the matter. He agreed to assist, and arranged to hand over some Rifles and ammunition. I instructed one of my purchasers to take the matter up and arrange all the necessary details for the transfer. On the 23rd February 1921 the Officer in charge of Stores notified me that he had received the following:-

10	Lee Enfield Rifles	
3	Ross	"
13	Lee Enfield	" (in bad condition)
2	Howth	"
1	Shot Gun	
24	Bayonets	
50	Shot Gun Cartridges	
2093	rds .303 ammunition	
130	" Howth	"
1	.22 Rifle	(in bad condition)
1	.38 Rifle	(in bad condition)

I instructed purchaser to arrange payment for same. He paid Seumas O'Neill £70 by cheque. This cheque has already been produced and examined.

Signed

Sean Mac Melon

Quartermaster General.

14/1/22

Military Service
Pensions Collection

14/1/22.

To:-

Adjutant,

Irish Citizen Army,

Dublin.

I, acting as buyer for the Q.M.G., bought the undermentioned articles from Seamus O'Neill for the sum of £70 (cheque). This cheque was examined by the Countess Markievicz.

I took delivery of this stuff from a dump in Leixlip, Seamus O'Neill being present at the handing over.

LIST:-

10 Lee Enfield Rifles.

3 Ross Rifles.

13 Lee Enfield, (in bad condition)

2 Howth Rifles.

1 Shot Gun.

50 Shot Gun Cartridges.

2093 rds. .303 Ammunition.

130 " Howth "

1 .22 Rifle (in bad condition)

1 .38 Rifle. (do.)

James Fitzgerald
(Purchaser)

Military Service
Pensions Collection

(COPY)

Military Archives

OGLAIGH NA h-EIREANN.

Árd Oifig, Áth Cliath.

General Headquarters,
Dublin.

Department Q.

Reference No. Q.873.

To:
Adjutant,
Irish Citizen Army.

A Chara,

I send you herewith statement re purchase of materials
from Seamus O'Neill as requested.

Do chara,

(Signed) Sean MacMahon

QUARTERMASTER GENERAL.

Military Service
Pensions Collection

(COPY)

Military Archives

14.1.22.

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Dublin.

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- 130 " Howth "
- 1 .22 Rifle (in bad condition)
- 1 .38 Rifle (do)

(Signed) James Fitzgerald,
(Purchaser).

Military Service
Pensions Collection

Military Archives

(COPY)

STATEMENT OF PURCHASE OF MATERIALS FROM SEAMUS O'NEILL.

Owing to the scarcity of Rifles and Rifle Ammunition and the growing demands which were being made for same from the country at the beginning of 1921, I decided to approach Seamus O'Neill who was O.C., M.C.A., at the time, to come to my assistance in the matter. He agreed to assist, and arranged to hand over some Rifles and ammunition. I instructed one of my purchasers to take the matter up and arrange all the necessary details for the transfer. On the 23rd February 1921, the Officer in charge of Stores notified me that he had received the following:-

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1 .22 Rifle (in bad condition)
1 .38 Rifle (in bad condition)

I instructed purchaser to arrange payment for same. He paid Seamus O'Neill £70 by cheque. This cheque has already been produced and examined.

(Signed)

Sean MacMahon

Quartermaster General.

14.1.22.

Military Service
Pensions Collection

Military Archives

R. FREE 6
21 SEP 1936
17/9



Military Service
Pensions Collection

15 Joyce Rd^d
20th Sept 36

Mr E Burke
Sec

Pension Board

Sir

I beg to state that John Byrne was a member of Irish Citizen Army from its inception & I have known from that time.

He was always a most active member & took ^{an} active ^{part} in planning on Army Council & carrying out raids.

He fought in 1916 at City Hall & G.P.O Area. He surrendered at G.P.O & was interned in Frongoch until Oct 1916

He held rank of Adj on Army Council from 1920 to 1922

He done duty in Liberty Hall from Raid in March to Easter Monday 1916

I am prepared to testify for all activities on his form

Sincerely yours
James O'Shea

Military Service
Pensions Collection

20 Sept 1936

Military Archives

Dear Sir

I have seen the form of application for Military Service Pension submitted to you by John Byrne and I am prepared to testify to the statements made therein being true and correct. I served in the Irish Citizen Army from 1914 to 1921 part of the time being adjutant and I am prepared to testify that John Byrne was always an active member. He served during Easter Week and was deported as stated in form and at all other times was at the Service of the Army whenever needed.

Yours Truly

Ch. Donnelly ex-Adjutant Gen.
6 Hanover St West

Military Service
Pensions Collection

Military Archives

20th September 1936.

To whom it may concern.

This is to certify that Sean Byrne was a member of the Irish Citizen Army from 1914 until 1922. He served with the I.C.A., in the City Hall and Post Office areas, 1916, was interned in Knutsford and Fromgock.

Signed

Michael Kelly

Captain.

Military Service
Pensions Collection

23 St Jerlath Road
Cabra Dublin

Dear Sir

Johan Byrne was with
me in the attack of city Hall and
he came to the Post office under
orders and was there till the
surrender. He was also in
frongoch Camp

Signed

Elliott Elmes

Military Service
Pensions Collection

Referee R.15.

Organisation Records supplied by _____

show that applicant was

(a) _____ 11.7.'21.

Strength _____

(b) _____ 1.7.'22.

Strength _____

no rank shown on Records.

Signed: _____

D 18/9/22

Military Service
Pensions Collection

SWORN STATEMENT BY JOHN BYRNE (17897) BEFORE

ADVISORY COMMITTEE ON 21st SEPTEMBER, 1936.

Military Archives

1st Period:

Q. You were mobilised on Easter Sunday?

A. I was mobilised for the three weeks before the Rising when I left my job.

Q. You were standing to on Sunday?

A. Yes. I was in Liberty Hall for three weeks before the Rising

Q. What were you doing on Monday?

A. I went with the party to the City Hall. I took up position in Henry & James there. We were there until Monday night, at about 8 o'clock we retreated from there.

Q. Where did you go there?

A. Part of us went back to Liberty Hall and remained there until Tuesday morning.

Q. On Tuesday then?

A. We went into the Post Office on Tuesday morning.

Q. When did you leave the Post Office?

A. I was sent with a party over to the Imperial Hotel on Tuesday evening, Captain Drennan wanted reinforcements for the Imperial Hotel. Captain Drennan was otherwise known as Frank Thornton. He went under the name of Captain Drennan then.

Q. That is Frank Thornton?

A. Yes.

Q. How long were you there?

A. There until Tuesday night and retreated from the Imperial Hotel into Gloucester Street.

Q. What happened there?

A. We were captured then in Gloucester Street in a house on Friday morning.

Q. When were you released?

A. October.

Q. What date in October?

A. I could not tell the date now.

Q. Was it early or late?

A. It was early in October.

Q. Where were you interned?

A. In Knutsford Jail and then Frongoch.

2nd Period:

Q. In the three weeks before the Rebellion, that is from 1st April 1916 to 22nd April 1916, what were you doing?

A. The papers were suppressed. There was a printing plant in Liberty Hall and Comdt. Connolly succeeded in holding it. He ordered a mobilisation as many as we could get. We succeeded in holding the plant and guarding that for three weeks.

Military Service Pensions Collection

Q. Were you guarding that full time?

A. Full time. I left my job completely.

Q. What were you doing? Guarding?

A. Doing guard all the time under arms keeping one press, they were suppressed and we could keep the papers going.

3rd Period:

Q. You were attending all parades, field training, arms training?

A. Yes.

4th Period:

Q. You were collecting small arms?

A. Yes.

Q. Where were you collecting small arms?

A. We had a sailor chap, I forget his name, he used to bring them through, we used to get them from him.

Q. What boats were those?

A. Cross channel boats, the Ulster Steam Shipping Company, used to trade to Germany, and Palgrave Murphy boats.

Q. Were you working on the boats yourself at the time?

A. No. I was not on the boats.

5th Period:

Q. Resisting attack by police in St. Stephens Green. What was that now?

A. That was a demonstration they were holding in the Mansion House. They suppressed it. There was a clash of arms on the Green ~~with~~ the police intervened, they had got one of two chaps in custody, and one lad opened fire. I am sure it was Jim Shea who opened fire.

Q. Were you armed on that occasion?

A. I was. Yes.

Q. Was there many of your men armed?

A. On that particular night?

Q. Yes.

A. There was about 42 because we had some men with arms where we transferred the demonstration to the Trades Hall in Capel Street, we had men there.

Q. Were you armed?

A. Yes. I was.

Q. Were the police armed?

A. Detectives produced arms. I think that is what made Shea fire

Q. Were there just shots fired in the air?

A. One of the detectives was wounded.

6th Period:

A. I want to state at this period I was elected adjutant in January 1920.

Q. Company adjutant were you?

A. Adjutant of the Army.

Q. The Citizen Army?

A. Yes. I was acting in that capacity then up to 1922.

Q. I thought they had no adjutant on the staff, I thought it was staff captain they had. We heard here that it was staff captains formed headquarters staff. There was the O.C., Q.M., and four staff captains?

A. That is quite correct up to a point. There was a Council do you see elected by the members. I am not exactly making any claim as adjutant, I mean to say my work as adjutant ~~xx~~ I was on that staff with the Officers, as a matter of fact from that period down to 1922 all orders came through me to the men.

Q. When were you appointed adjutant?

A. In January 1920.

Q. Your activity in this period was you carried out raids on Belfast Boycott?

A. Yes.

Q. How many boycott raids had you?

A. It was I that would send parties on them.

Q. You did not go on them yourself?

A. I only took part personally in two.

Q. Where were they?

A. That was the Dock Milling Company.

Q. Two raids in it. How were they trafficking in Belfast Goods, at the milling company. I thought they were millars?

A. They had some brass affairs for engines, they persisted in getting in, they would not stop.

Q. From Belfast?

A. Yes.

Q. You went to Belfast during this time to link up with the I.R.A. You had a unit?

A. It was a party of men up there who were going loose who were not rightly attached.

Q. You wanted to get them transferred to the Volunteers?

A. They asked us to see if they could have themselves attached to the I.R.A., up there, I spent a week there.

Q. How long up there?

A. 8 days to be precise.

Q. Did you get them linked up?

A. I did. I was put in touch with the comdt. there.

Q. Sean O'Neill was it?

A. I could not tell you. It was Miss Winifred Kearney she was in the Transport Union up there, she was well know up there. She was a 1916 person, she was the link to get me in touch.

Q. With the I.R.A.?

A. With the I.R.A., up there.

7th Period:

- Q. You were ~~assisting~~ ^{assisting} the Q.M., that was Sean Harty?
 A. Sean Hanratty not Harty.
- Q. What was the nature of the work you were doing in this transporting of arms in 1920-1921. You say you transported arms?
 A. Yes.
- Q. What do you mean by that?
 A. We had the distribution of arms to men.
- Q. Were they Citizen Army?
 A. Yes.
- Q. They were used in the fighting at that time. The Citizen Army did not take an active part in the Tan War did they? They had no fighting service?
 A. The only thing there was a lot of them in the Tan period was in the boycott raids.
- Q. They did not go out on ambushes and things?
 A. No. Only certain Tans that they wanted to get after. They were appointed for that job in Sydney Parade.
- Q. Getting intelligence?
 A. It was arranged, that was one particular job we got. I was in charge of a party at the date. There were certain Tans to be shot the information was that they would be at this particular house at a certain time on Sunday. It was a sort of garden party or something. Whatever happened I was there in Sandymount at that particular time and no Tans turned up.
- Q. How much activity had you in distribution ^{of} arms in the 7th Period for the Q.M? Give us an idea of the amount of work. How many jobs in a month. You are making a general statement about a certain thing, you did not give any idea of what you were doing it could be a lot or very little?
 A. I understand that. It is very hard now, it might as a matter of fact where we would be dumping the stuff, take us 2 nights to dump the stuff.
- Q. Had you dumps of your own?
 A. We had. Yes.
- Q. If you distributed arms you would I take it go from dump to another?
 A. We were getting them out of the dump where the factory was in Parnell Street, Whatever gelignite or stuff we had in the dump there we had to get it out for them. At the time I worked a lot. The Dublin Brigade was short of stuff ~~stuff~~ we had gelignite in the dump in Malahide Road, that was a question of digging up to about 6 feet of ground.
- Q. That factory in Parnell Square was the I.R.A.?
 A. That was the I.R.A. I am only giving an idea, if we had stuff we would supply it to them.

8th Period:

- Q. Had you any training camps during the Truce period?
 A. We were training in Raheny.

- Q. Had the Citizen Army a training camp out there?
 A. Yes.
- Q. How long did you spend in the camp?
 A. At that particular time I was there the whole time. Just a couple of weeks before the Truce, I forget the period, I was receiving £2.10.0., a week from the Army because I had to give up the job I was in.
- Q. How long did that Citizen Army Camp last at Raheny? How long in occupation of the camp during the Truce?
 A. It lasted until October. The end of September or October.
- Q. When did it start?
 A. Shortly after the Truce.
- Q. How long? The end of July or beginning of August?
 A. About the beginning of August.
- Q. Would you be two months there?
 A. You would.
- Q. Would you be two months there?
 A. I was. Yes.
- Q. You had no other activity except routine work up to the time the Civil War started, is that right?
 A. Yes.
- Q. When the fighting started in Dublin what did you do?
 A. I would like to explain at this point (applicant hands in some papers) I happened to find it at home to prove I was still in the army.
- Q. We want to know what you were doing? The fighting started on 28th June. Tell us what you were doing on 28th June?
 A. I went into Parnell Square, that is what I want to tell you. ~~xxx~~ Actually there was an enquiry going on which was leading to the courtmartial of our commandant, that was going on at that particular period, and I was placed in an awkward position afterwards over the whole affair. Comdt. O'Neill he went to jail shortly after that period before the Civil War.
- Q. What about you?
 A. At that time there was disagreement in the army over O'Neill's case. There were five of us took part in the Parnell Square fighting.
- Q. You were in Parnell Square?
 A. Yes.
- Q. Who was in charge?
 A. The commandant was Paddy Houlihan.
- Q. When did you go into the post in Parnell Square?
 A. On the Wednesday.
- Q. The day the Courts was attacked?
 A. Yes.
- Q. That would be the 28th June you went into the post in Parnell Sq?
 A. Yes.

- Q. Can you leave us this for an hour or we could get them copied and send them on to you?
- A. Can you send them on? I want to get away as quickly as I can.
- Q. How long were you in Parnell Square?
- A. To the end of the week when Comdt. Houlihan gave the order for dispersal.
- Q. Had you any fighting there?
- A. No. I was engaged in the breaking of walls from wall to wall and room to room. There was no actual firing, we fired on a ~~military~~ British military lorry that came down Parnell Square.
- Q. At the end of the week what did you do after the evacuation of Parnell Square?
- A. Went home.
- Q. Had you any other activity after that?
- A. No. That is what I want to explain I was prepared to turn out I was never called.
- Q. Do you know what day you left Parnell Square? Was it Saturday?
- A. To tell the truth four of us did not leave we were in the Irish Transport Union Offices, we did not leave until Saturday. The post was practically evacuated on Saturday.
- Q. You had no fighting while there?
- A. No fighting.
- Q. You fired on a lorry?
- A. Yes. There was no actual engagement.
- Q. You had no fighting after that?
- A. No.
- Q. What rank are you claiming? You say you were private on 1st April 1921. When did you cease to be adjutant of the Citizen Army? You claim that you were adjutant you were acting as private?
- A. I was adjutant from January 1920.
- Q. You are not claiming you held any officers rank in connection with that?
- A. No. I was designated as captain.
- Q. You were not one of the staff captains of the army?
- A. No. All the orders of the council came through me.
- Q. On the records they furnished by the Committee that is dealing with pensions down there they put your name down as captain?
- A. I did not take part with that committee because I was in an unfortunate position over the case of Comdt. O'Neill. As a matter of fact I only made that application last November. I ~~xxxxxxxxxxxx~~ did not touch the Army Pensions Committee at all because as we were blamed for getting Comdt. O'Neill three years. I was in communication with those people. I was in communication ~~xxxxxxxx~~ at the time with Madame Markievicz and Gearoid O'Sullivan over that case. We were in this position the charge that had been brought against O'Neill by the civilian police was for a question of a commandeered motor bicycle from Keatings. I think from certain ~~xxxxxxxx~~ things that happened that Gearoid O'Sullivan seemingly did not want to take any action on the matter, it was believed it was better to put the man away at the time, they were afraid, both over

A. the charge the army had against him and other things, it was the safest thing to let things go. While the adjutant gen. Gearoid O'Sullivan could have made it alright at the time. I should not have called Madame as a witness she is dead, I should not have mentioned her name. It was herself brought me in touch with Gearoid Sullivan over that case.

MC.

Military Service
Pensions Collection

SWORN STATEMENT OF JOHN HANRATTY on behalf of
JOHN BYRNE (File No. 7897) MADE BEFORE ADVISORY COMMITTEE
on the 22nd OCTOBER, 1936.

- Q. He was in the City Hall on Monday. He went into the Liberty Hall and remained there until Tuesday, he went into the Post Office on Tuesday morning, and went to the Imperial Hotel on Tuesday evening, and went from the Imperial Hotel to Gloucester Street and was captured there?
- A. That is correct.
- Q. He was full time for the whole three weeks?
- A. He was a full time man.
- Q. He would not be the same as fellows who were getting a week?
- A. No.
- Q. He was released in early October, 1916?
- A. Yes.
- Q. In the 5th period he says he had a fight with police. Was there a policeman shot that day?
- A. He was not in that. I am thinking of Oman who was not in it. What you have said about John Byrne is correct.
- Q. In the 6th period he is claiming for boycott raids.
- (activities read)
- A. I do not know about the Belfast business.
- Q. In the 7th period he is claiming for the transporting and distribution of arms. We found it very difficult to get the idea of how much he did. Has this man any service that you know of between Easter Week and the Truce?
- A. He had the service that he states with the exception of the Belfast boycott.
- Q. He had a few Belfast boycott raids. He does not seem to have anything in 7. He said he had two raids. Would he be in the position of organising the raids, so to speak?
- A. The corps had more to do than he had.
- Q. Is he not better in the 6th and 7th periods than McGowan was?
- A. He had more service than McGowan in these periods. He had the raiding parties.
- Q. McGowan was not in that?
- A. No.
- Q. A 12th of 6.
- In the Truce period he said he spent two months full time in Raheny camp. Was it a case of week-ends?
- A. He was full time.
- Q. If it is true it is the first case in Dublin where two months were spent in a camp. Was he with you in the civil war. He said he was in Parnell Square but that

(2)

there was no actual firing where he was.

Q. (activities read)

Q. Was this man connected with O'Neill, that is the thing he got courtmartialled for?

A. No. He was not implicated.

Q. I thought he might have been on account of all the transporting and distribution of arms at that time?

A. He was not implicated.

Q. Had he civil war service?

A. He occupied 25, Parnell Square. He had more to do with protecting Transport Union property than actual participation in the civil war.

(activities read).

Q. He has no civil war at all. Will we give him 21 days' notice and if he can make a stronger case for the civil war?

A. That would be the best way of dealing with it.

Q. He claimed the distinction of Captain, but he said he would not press for rank?

A. No.

KMF

Military Service
Pensions Collection

Ref. No. 17897

Applicant's name Byrne John

Address 31 Upper Wellington St. Dublin

REFEREE R. 5

UNIT: I. C. Army.

(a) PERIOD	(b) Service claimed	(c) Active Service allowed	(d) Equivalent for Pension purposes	REMARKS
(1) 23/4/16 - 30/4/16.	$\frac{23}{4}$ to $\frac{28}{4}$	Full.	4 yrs.	✓ New. for I. C. Army. $\frac{21}{36}$ (7)
(2) (a) 1/4/16 - 22/4/16 (b) 30/4/16 - 31/3/17	full period	$\frac{88}{179}$	$\frac{88}{179}$	✓ (8)
(3) 1/4/17 - 31/3/18.	- do -	/	/	Finished (9)
(4) 1/4/18 - 31/3/19	- do -	/	/	(10)
(5) 1/4/19 - 31/3/20.	- do -	/	/	Don't allow Civil War until a man (11)
(6) 1/4/20 - 31/3/21	- do -	$\frac{1}{12}$	$\frac{1}{6}$? definite claim is made $\frac{22}{36}$ (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)

Rank claimed on - (a) 1st Lt first critical date (b) Adj Second critical date
 Rank allowed - E

Total of Column (d) 4 100 years

SIGNED: Seamus Robinson John McBry John Jordan

66 ✓
1/11/23

Referee R.17.

OIFIG AN RĒITEÓRA,
(OFFICE OF THE REFEREE),
BEAIRICÍ UÍ GRÍOBHTHA,
(GRIFFITH BARRACKS),
CUAR-BHÓTHAR THEAS,
(SOUTH CIRCULAR ROAD),
BAILE ÁTHA CLIATH.
(DUBLIN).

Ref. No. 14894

20th Oct 1936.

A CHARA,

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

Service Period.	Duration of Active Service during each period, as established to the satisfaction of the Referee.	Appropriate pensionable service.
(1) Week commencing 23/4/16	ENTIRE PERIOD	4 years
(2) (a) 1/4/16 - 22/4/16 } (b) 30/4/16 - 31/3/17 }	$\frac{88}{179}$ of ENTIRE PERIOD	$\frac{88}{179}$ of 1 year
(3) 1/4/17 - 31/3/18	Nil	Nil
(4) 1/4/18 - 31/3/19	Nil	Nil
(5) 1/4/19 - 31/3/20	Nil	Nil
(6) 1/4/20 - 31/3/21	$\frac{1}{2}$ of ENTIRE PERIOD	$\frac{1}{6}$ of 1 year
(7) 1/4/21 - 11/7/21	Nil	Nil
(8) 12/7/21 - 30/6/22	Nil	Nil
(9) 1/7/22 - 31/3/23	Nil	Nil
(10) 1/4/23 - 30/9/23	Nil	Nil

Grade of rank on 1st critical date..... E

TOTAL—4⁶⁶/₁₀₀ years.

” ” ” ” 2nd ” ”..... E

I am also to inform you that if you desire to submit any additional evidence or to make any representations with a view to the revision of these findings, such evidence or representations must be submitted in writing to the Referee and must reach this office not later than 21st Nov 1936.

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

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

Mise, le meas,

E. Bureau

Rúnái.

459

1/26

Military Archives

Mr. Robinson

Amend the
summarized total of
qualifying cases "finished"
when recommendation is
confirmed by Referee.

UB
7/21/36

Military Service
Pensions Collection

9999
82684
8444
84740
28
95500

FOR

Military Archives

PT

PIA

00248
88

02224

2224

Military Service
Pensions Collection

24464

16666

h. 41130

24464

h. 65594

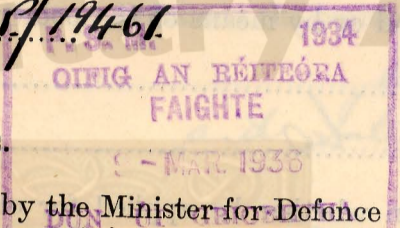
Military Service Pensions Act, 1934.

Ref. No. 34.S.P./19461 1934

Ref. No. M.S.P./34/Referee - 17897

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

I submit hereunder my report in this case.

Byrne John
31 Upper Wellington St., Dublin.
for a Service Certificate.

J. J. HA John
1/12/36

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

(SIGNED) J. K. O'CONNOR

J. J. Morgan

Date 7/3/36

Referee.
Date.....

1. Is the Applicant a person to whom the Act applies? Yes
2. If so, total actual service in the different service periods, as established:

<u>88</u>	<u>ENTIRE PERIOD</u>	<u>3</u> <u>nil</u>	<u>4</u> <u>nil</u>
<u>2</u> <u>179</u>	<u>of ENTIRE PERIOD</u>	<u>6</u> <u>1/12</u>	<u>7</u> <u>of ENTIRE PERIOD</u>
<u>5</u> <u>nil</u>		<u>9</u> <u>nil</u>	<u>10</u> <u>nil</u>
<u>8</u> <u>nil</u>			

3. Total service for pension purposes as defined by Second Schedule of the Act. 4 66/100 years

4. Grade or rank, quoting relevant paragraph of First Schedule under which allowed: —
(a) On first critical date. Grade E. Para. 1(6)
(b) On second critical date. Grade E. Para. 1(6)

(c) Was applicant a member of the Irish Volunteer Executive at any time prior to the 11th July, 1921. no

(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 no

or under sub-paragraph (m) of paragraph 4 of Rule I. of First Schedule, as a Medical Officer. no

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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 ?.....

no

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.....

no

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

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

ENTIRE PERIOD

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

4 years

(3) State—

CITIZEN ARMY

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

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

Dublin

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

88
179 of ENTIRE PERIOD

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

88
179 of 1 year

(3) State—

CITIZEN ARMY

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

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

Dublin,
and Internment.

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

nil

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

Schedule of the Act. nil

(3) State—

CITIZEN ARMY

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

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

Dublin

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

nil

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

Schedule of the Act. nil

(3) State—

CITIZEN ARMY

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

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

Dublin

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

Nil

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

(3) State—

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

CITIZEN ARMY

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

Dublin

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

1/12 of ENTIRE PERIOD

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

1/6 of 1 year

(3) State—

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

CITIZEN ARMY

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

Dublin

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

Nil

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

(3) State—

(a) The particular military body of the Forces..... **CITIZEN ARMY**

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

..... *Dublin*

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

..... *nil*

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

.....

(3) State—

(a) The particular military body of the Forces..... **CITIZEN ARMY**

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

..... *Dublin*

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

..... *nil*

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

.....

(3) State—

(a) The particular military body of the Forces..... **CITIZEN ARMY**

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

..... *Dublin*

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

Nil
.....
.....

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

.....
.....

(3) State—

CITIZEN ARMY

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

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

Dublin
.....
.....

Military Service Pensions Collection