

ROINN.....

Fó-Roinn

F.C. 1

nÁ CUIRTEAR ÉANТУAIRISC AR AN TSLÚDÁC SO.

Tá annro, leir

An Uimhir

An Snó

61176

John Marian Mrs

An Uimhir as Roinn
Eile

19, Lansdowne Park

Limerick

Do cuirtear cun

Dáta

Do cuirtear cun

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Do cuirtear cun

Dáta

Col Brennan
B.F. 15.10.51.
Rinn

15/10/51

49/SP/1129



M.S.P./34/1.

Military Service Pensions Act, 1934.

APPLICATION TO THE MINISTER FOR DEFENCE FOR A SERVICE CERTIFICATE.

This form must be filled in by every person who seeks a Service Certificate, and must be signed by him and his signature witnessed. The completed form must reach the Minister for Defence on or before the 31st December 1945. 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).

TOBIN
SURNAME.

MARIAN
CHRISTIAN NAMES.

PRESENT ADDRESS (to be written in block capitals).

19 LANSLOWNE PARK
LIMERICK.

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.....

(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. *Order not to join any Unit by Seamus Robinson*

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

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

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

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

my home was used for Brigade & B.A.T.T. meetings

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

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

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

NAME.

ADDRESS.

Don Breen Warrington Rd Dublin

Sean Hogan Dublin

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

(a) Unit or Units..... *As 1st April 1918 to 31st March 1919*

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

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

Harbouring Sean Treacy, Don Breen, Sean Hogan

(d) Officer Commanding in each instance..... *Details given in references*

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

Carrying dispatches for above as well as harbouring

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

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

disposal of wanted men

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

NAME.

ADDRESS.

Seamus Robinson Dublin

Ned McGrath Caher Abbey Caher

Sean Prendergast Ballylooby Caher

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

(a) Unit or Units..... *As above*

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

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

Lepp 3rd Brigade

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

Sean Treacy

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

Carrying despatches Ammunition and guns

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

Kept and cleaned guns as well as those who used them. Carried despatches for Comdt Robinson Treacy and Breen. Treated O. Malley Robinson for burns after attack on Barracks at Hollyford

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

Not absent

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

NAME.

ADDRESS.

*Ernie O. Malley, Seamus Robinson, Dan Breen
Sean Hogan.*

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

(a) Unit or Units.....

As above

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

Continuous

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

As in other periods

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

Seamus Robinson

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

Carrying despatches for (H above) Ammunition

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

Explained in References from Comdts Robinson O. Malley Dan Breen

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

Not absent

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

NAME.

ADDRESS.

As already mentioned

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

(a) Unit or Units.

As in 1919 period

(b) Duration (giving dates) of service.

Continuous

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

Comdt Robinson's Area

(d) Officer Commanding in each instance.

Comdt Robinson

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

*Already explained and vouched for by
References*

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

*Explained by Comdt Robinson & Valley
Breen and Hogan*

(g) Absence from duty and cause.

Not absent

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

NAME.

ADDRESS.

As in other periods

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

(a) Unit or Units.

Repetition of periods already given

(b) Duration (giving dates) of service.

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

(d) Officer Commanding in each instance.

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

"

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

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

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

NAME.

ADDRESS.

"

"

"

"

"

"

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

(a) Unit or Units....."

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

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

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

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

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

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

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

NAME.

ADDRESS.

*In simple matters I have repeated answers
as my service was similar through the war*

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.

No Rank

(b) On second critical date.

Ditto

References who can testify as to your statements:—

NAME.

ADDRESS.

Given in other Section

- (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.

Did not apply

(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, or of the Headquarters Staff of Óglaigh na hÉireann, or a member of the Intelligence Branch of any of the bodies which constitute the Forces? If so, give the dates between which you served.

No

(7). Are you now, or were you at any time during the period for which you claim service, in receipt of any remuneration, or allowance payable out of public moneys, whether provided by the Oireachtas or out of the Central Fund, or by means of the poor rate or any other rate imposed by a local authority, state details.

No

(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.

During the entire period of war I was on the alert and ready to harbour Comd Robinson, Breen & Hogan, as well as late Comd O. Malley and the many I.R.A men sent to my home. I carried despatches kept Rifles Revolvers Ammunition and explosives

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

Wm Marrian John

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

Thomas Power P.P.

Address of Witness.....

Ballylooby, Cahin, Co. Tipperary.

Qualification.....

Catholic & Bergman

Date.....

June 29th 1950

* 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

- (f) 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

Barnshirke Lodge.

Went
to his age

14/3/50



So when it may concern.

I first met Mrs Maria John, in May I think, of 1920.

Sean Brady, Seamus Robinson and I cycled to her house in Tinnerly, after an attack on the barracks of Hollygreen. Seamus was hurt and so I went. He has been refused a shelter by a senior officer in the Celtic Battalion, but Mrs John took us in willingly, for she had previously sheltered Bob, Robinson and Brady. From that time onwards I used her house as a headquarters for the Celtic and later on after the Rorygan Battalion. She carried my despatches to the local Battalion, and 5 times to Mitchelstown. As Leah. She drove myself and nurse who was working with me to East Limerick, to West Cork and Boned's Rorygan; or she met me 5 times of appointment.

as times Robinson. Mary, Bob and I used her

house when we were experimenting with incendiary mid times and into explosions. It was from her house we set off the night in which we were Robinson after Ranga; and it was there later when we have avoided the British rooms as, that Sean Brady and I came back, through at different times.

Here, in Tinnerly I remained a summer year

of officers and me something in August of 1920. Sean

Military Service Pensions Collection

I was then with the 15 in the
 are you flying, when for South Ypsilandy. I have come back
 from East Limerick to train this nucleus. In weeks there will
 day for nearly a week.

Mrs. John has arms to dress from time to
 time, and is laid after. Whenever, I or anyone who need to
 fight is summoned, I go in her house, she knows of our
 proceedings to fight, and she assists us.

When I was appointed O/C, the 15th
 Southern Division, I stayed there also, and in spite of numerous
 runs on the house for me personally, I was always welcome;
 and I stayed in the remains of the house after the British
 had blown it up.

During the time a Divisional Council was held
 there I think Eoin O'Duffy was present. The house was frequently
 used by officers when I was in training in the camp at
 Limerick Castle; and then I held local Battalion Councils.

In the time when I came to the house to get news of
 the working of the Executive Meeting. The O'Connor of Dublin was
 not one of them. Mrs. John was able to direct me to the place
 of the Executive Meeting. As usual, she had special information interesting
 to her and she was always able to direct our affairs and men to
 the Sinn Féin office. I have good reason in giving this
 information. I would be very pleased to appear before the
 British to give evidence for Mrs. John.
 Eoin O'Duffy.

Burrishoola Lodge,
Newport,
Co. Mayo.
14/5/'50.

To all whom it may concern.

I first met Mrs. Marion Tobin in May, I think, of 1920. Sean Treacy, Seamus Robinson and I cycled to her house in Tincurry, after an attack on the barracks of Hollyford. Seamus was burned and so was I. We had been refused shelter by a senior officer of the Cahir Battalion, but Mrs. Tobin took us in willingly, for she had previously sheltered Breen, Robinson and Treacy. From that time onward I used her house as a headquarters for the Cahir and Clonmel, and afterwards the Rosegreen, Battalions. She carried my dispatches to the local Battalion, and at times to Mitchelstown, Co. Cork. She drove myself, and people who were working with me, to East Limerick, to North Cork, and towards Rosegreen. She met me at times by appointment.

At times Robinson, Treacy, Breen and I used her house when we were experimenting with incendiary mixtures and with explosives. It was from her house we set off the night in which we were to burn Rehill Rifle Range, and it was there later, when we had avoided the British round-up, that Sean Treacy and I came back, though at different times.

Here, in Tincurry, I trained a second group of officers and men, some time in August of 1920. Sean Treacy was there with them. I had intended them to be the core of a Flying Column for South Tipperary. I had come back from East Limerick to train this nucleus. We trained there all day for nearly a week.

Mrs. Tobin had arms to dump from time to time, and to look after. Whenever I, or anyone who meant to fight if surrounded, stayed in her house, she knew of our preparedness to fight, and she assisted us.

When I was appointed O/C. Second Southern Division I stayed there also, and in spite of numerous raids on the house for me personally, I was always welcome, and I stayed in the remains of the house after the British had blown it up.

During the Truce a Divisional Council was held there at which Eoin O'Duffy was present. The house was frequently used by officers whom I had in training in the Camp at Galtee Castle, and there I held local Battalion Councils.

In the Civil War I came to the house to get news of the holding of an Executive meeting. Joe O'Connor of Dublin was with me, and Mrs. Tobin was able to direct me to the place appointed. As usual, she had special information entrusted to her and she was always able to direct our officers and men to where senior officers were.

I have great pleasure in giving this testimonial. I would be very pleased to appear before the Board to give evidence for Mrs. Tobin.

Sincerely yours,

(Signed), Ernie O'Malley.

Military Service
Pensions Collection



To all whom it may concern.

26.3.50.

Mrs Tobin in 1917 or 1918 or may be before 1916 she was our most trusted person in Tipperary. Sen. Macey, Sen. Hogan & myself went to her home after soloheadbeg incident and it was Mrs Tobin who made contact for us and housed us for several days when the area was very hot. Mrs Tobin was well known to G. V. Mallory, Denis Lacey, S. Robinson and her pet was Sen. Macey. It would be impossible for me to give in detail even part of the work & help given & done by Mrs Tobin. She was one of the best workers we had from 1917 to 1923. I can ~~say~~ safely state that there are few women and not many men who gave more help than Mrs Tobin. I felt she was in our Pension list long years ago.

Dunbar (T.D.)

Mr. M. Tobin
14 Sanddown Rd.
Limerick

16, Highfield Rd.
Rathgor
Dublin

Dear Mrs. Tobin,

If your case for a Military Service Pension does not come under the existing acts it will be a great pity indeed.

From my experience in these matters I feel that the only possible "way" in your case will be "membership of the Forces."

If you had been officially a member of Cumann na mBan there would be no difficulty. I do not recollect you as a member of Cumann B.

However, I personally have no hesitation in stating, that, whether or not you were officially a member of Cumann B, you were de facto and de jure a member of the IRA. I base that conclusion on the fact that any person who put himself or herself under the orders & directions of IRA officers and was used continuously by them, as you undoubtedly were, was ipso facto a member of the IRA. Your claim for membership in the "Forces" comes, in my opinion, under the heading of the IRA.

Your home was of such vital importance to us that all unnecessary ostentation such as joining Cumann B would have entailed, had to be avoided at all costs, and, had you been to my knowledge, a member of Cumann B I would have immediately requested G. H. Q. to have you recorded back to the IRA. To that it another way: you would not have been allowed to join or remain in the Cumann B officially, and, therefore, you were accepted as a member of the IRA from Jan. 1919. There are many precedents for this.

As to evidence of service. My evidence goes back to Soloheadbeg amb. on Jan. 19th 1919 when you were the first person to receive (& receive with open arms & encouragement) Sean Treacy, Sean Hogan & Dan Breen. The day the ambush came off, as Brigade O.C. I was naturally made aware of that information.

From that day in 1919 until 1923 I am aware that your home was continually used by numbers of officers and men. I should have said "numberless" because I have no doubt that neither you nor anyone else could now estimate the numbers of officers and men who called officially & unofficially to your home.

So much was your house, and you, used by Sean Treacy and particularly by G. HQ Organizer Capt. E. O. Malley that I deliberately avoided going to your place as much as possible. Nevertheless, your house was the only one I knew and visited when I crossed the Galtes during the whole of the Tan War.

Catering alone must have cost you a fortune.

As for the time element: You could not be away for any length of time as callers were expected at any time of the day & night.

It is a pity that my evidence has to be so general, but Earnie O. Malley, who used your place so much & so often as a headquarters for his organization, training & experimental purposes, will be able to prove continuity of service in your care.

That there was a continuous danger element, too, in your service is self-evident: with the five Officers each with a price on his head each determined not to be taken alive if caught in your house - Treacy, Hyman, O. Malley, Brown & I. - constantly in your house either singly or in groups, working, recuperating or experimenting. We wonder your beautiful home was burned over your heads!

I will be very pleased to give my evidence to the Pensions Board if called upon.

With grateful remembrance of your many personal kindnesses, I wish you complete success.

Yours faithfully

Samuel Robinson

Rec. O. C.

(Oct. 1918 - Apr. 1922)

Military Service
Pensions Collection



SEANAD ÉIREANN

TIGH LAIGHEAN
(Leinster House)

BAILE ÁTHA CLIATH
(Dublin)

21st March, 1950.

TO WHOM IT MAY CONCERN.

I wish to state that, to my personal knowledge, Mrs. Marion Tobin rendered outstanding service to the I.R.A. Tipp. 3 Brigade and Headquarter's Staff in the Pre-Truce and Post-Truce periods.

Apart from the ordinary services such as laundry, cooking, etc. she actually did Guard herself on numerous occasions.

.....
Wm. Quirke.

Military Service
Pensions Collection

Military Archives

Ref. No.

61176

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

II *8*
A.M.

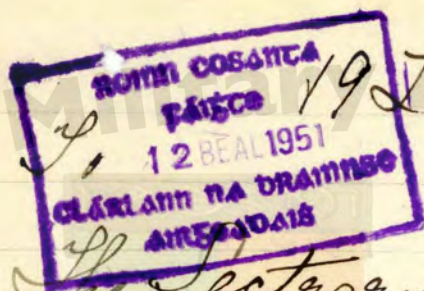
Military Service
Pensions Collection

Mrs Tobin

12 o'clock (noon)

Wed 17th Dec - 1951

61176



19 Lonsdowne Park
Limerick

8.5.51

The Secretary

Sorry to trouble
you. Can you tell me
when the Pension Board
is coming to Limerick?
Or is it at a Stand Still
until after the Election.

It is now 1 year & 7 months
since I applied.

I shall be very grateful
if you can give me any
information when my Case
is likely to be heard.

Sincerely Yrs

Marian John

ACK'd
26/5/51

TELEGRAM.

Mrs. Marion Tobin,
19, Lansdowne Park,
Limerick.

You may attend before the Referee for oral
examination at 12 noon on Wednesday, the 17th October,
1951.

J. O'Connor.

Secretary.

MSP34 Ref 61176

Marion Tobin

Military Archives

6 10 22.

Mr. Tobin

A line to say that
I & my friends safely reached
our destination. We wish to
thank you for your kind
hospitality on the 29th Oct. & ask you to
thank our friends there
for their help & to send
you all our best wishes

C. & R.

Military Service
Pensions Collection

Military Archives

Copy.

6. 10. 22.

Mrs. Tobin.

A line to say that I & my friend safely reached our destination. We wish to thank you for your kind hospitality on the 29th Oct. & ask you to thank our friends there for their help, & to send you all our best wishes.

(Initialled) C. & R.

Military Service
Pensions Collection

C. or B.	Táille le	19 12 17 1951	poist.	Uim. an Telegrama	187 18.
Faicta AR } M.	S. +		e n-aon fiafraí	Seolta.....M.	Scampa Oirise
0			a déanpar mar geall ar an telegram so.	So.....	
			(This form must accompany any enquiry respecting this telegram.)	As.....	
Réamráo	Sinead	Oiríis Tosnuithe agus Treoraíochta Seirbhíse	Focal.		
89	++	289 2.59	SAOR DUBLIN T 27		

MRS MARION TOBIN 19 LANSDOWNE PARK LIMERICK =

YOU MAY ATTEND BEFORE THE REFEREE FOR ALL EXAMINATIONS
AT 12 NOON ON WEDNESDAY 17TH OCTOBER 1951

= J OCONNOR SECRETARY+

SOME DAY

you may get a telegram to
say that you have won a

£50,000
SWEEP PRIZE

Get your tickets NOW!

IRISH SWEEPS BALLSBRIDGE, DUBLIN

Military Archives

Guthán 75641.
(Telephone)

Uimhir Thagartha,
(Reference No.)

50291

AN ROINN COSANTA,
BRAINSE AIRGEADAIS,
COLAISTE CAOIMHIN,
GLASNAOIDHEAN,
BAILE ATHA CLIATH.

20 FEB 1950

195 .

A Chara,

I am directed by the Minister for Defence to refer to your application for the award of Service (1917-1921) Medal and to state that your application has been registered.

You should complete the form which is enclosed herewith and return it to the above address without delay.

Mise, le meas,

Seán An Mháirtín

RÚNAÍ. *Seán*

John M. Tobin.

c/o Mr J. J. Tobin

Military Service
Pensions Collection

SCHEDULE

M.S.P. 34/2A.

Military Service Pensions Act, 1934.Reference No. 61176Applicant's Name Tobias MaresAddress 19 Lansdowne Park, Hendrick

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		period	year	Was the applicant a member of the Irish Volunteer Executive at any time prior to 11th July, 1921?
(4) 1/4/18 – 31/3/19	GUMANN NA MBAN	period	year	Does applicant's case fall under—
(5) 1/4/19 – 31/3/20		period	year	(a) sub-para. (j) of para. 3 of Rule I of the First Schedule?
(6) 1/4/20 – 31/3/21		period	year(s)	(b) sub-para. (m) of para. 4 of Rule I of the First Schedule?
(7) 1/4/21 – 11/7/21		period	year	Does the applicant state in his application whether he is at present in receipt of any remuneration, pension or allowance payable out of public moneys whether provided by the Oireachtas or out of the Central Fund or by means of the Poor Rate or any other rate imposed by a Local Authority
(8) 12/7/21 – 30/6/22		period	year	
(9) 1/7/22 – 31/3/23		period	year(s)	
(10) 1/4/23 – 30/9/23		period	year	
TOTAL ... 3 1/2 year(s)				

TO THE MINISTER FOR DEFENCE.

I submit hereon my report in this case.

Date 31 OCT 1931sgd Mac 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

Ref.No. 6 1176

MILITARY SERVICE PENSIONS ACTS, 1924 - 1949.

REFEREE R.3.

Applicant's Name

Tobin Marian

Address:-

19, Landonowne Park, Limerick

UNIT:-

Tipperary III 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	✓ $\frac{1}{4}$	✓ $\frac{1}{4}$ Treimse	✓ $\frac{1}{8}$ Bhiana	✓
(5) 1/4/19 - 31/3/20	✓ $\frac{1}{4}$	✓ " "	✓ $\frac{1}{4}$ "	✓
(6) 1/4/20 - 31/3/21	✓ $\frac{1}{4}$	✓ " "	✓ 2 "	✓
(7) 1/4/21 - 11/7/21	✓ $\frac{1}{4}$	✓ " "	✓ 1 "	✓
(8) 12/7/21 - 30/6/22	✓ $\frac{1}{4}$	✓ " "	✓ $\frac{1}{4}$ "	✓
(9) 1/7/22 - 31/3/23	✓ $\frac{1}{12}$	✓ " "	✓ $\frac{1}{6}$ "	✓
(10) 1/4/23 - 30/9/23				✓

Rank claimed on

E (a) First critical date.

(b) Second critical date.

Rank allowed

E ✓

E ✓

Total of Column (d)

3 $\frac{19}{24}$ Bhiana

SIGNED

[Signature]Marjorie Austin BrennanMilitary Service
Pensions Collection

49/SP/1129

John merian m

61176

	DATE	INITIALS.
Application Received		
Registered		
Index Searched	20/7/50	Must
Entered in Index		
File to Secretary		

Action required:

File to Referee and
Advisory Committee.

Action required by Referee and Advisory Committee:

Date of Decision

Decision Recorded

Report to Minister

Military Service
Pensions Collection