

## MILITARY SERVICE PENSIONS ACT, 1924

### EASTER WEEK: THE STANDARD

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#### Introduction

In the case of the *Military Service Pensions Act, 1924*, Lieutenant General Gearoid O Suilleavain<sup>1</sup> who had been appointed Secretary to the Board of Assessors by the Government, pointed out that the two main questions which would face the Board were:

*"What constitutes active service? What persons (not in actual fighting) may be awarded Service for week commencing 23 April 1916?"*<sup>2</sup>

In the case of active service/military service, he then went on to set out that an *"....applicant for Certificate of Military Service under the Act will require to produce evidence to satisfy the Board that:*

1. He was a member of *Óglaigh na hÉireann*, or of the *Irish Volunteers*, or of the *Irish Citizen Army*, or of *Fianna Eireann*, or of the *Hibernian Rifles* during the period for which he claims service.
2. He took part in the work of that Organisation - and issued or carried out orders.
3. He took part in Acts of War as a member of that Organisation - an Act of War to cover one or more of the following:
  - a) Attack on enemy forces or position.
  - b) Destruction of enemy property.
  - c) Military, purchase or disposal of munitions.

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<sup>1</sup> Adjutant General (AG) IRA, 1920 to 1921. Appointed AG National Army November 1921. Resigned on 24 March 1924. JAG Defence Forces April 1927.

<sup>2</sup> SPG 6/13 Memo dated 16 October 1924 3pp.

- d) Collection of information for (a), (b) or (c).
- e) Organising or training for (a), (b), (c) or (d).

4. Carrying out 1, 2 and 3 involved grave risk and sacrifice to himself."

#### **Award of pensions to others not in fighting during Easter Week 1916**

In dealing with the second question, O'Suilleavain pointed out that there "are thousands who though not actually in the fighting will claim to have been "out" during Easter Week". Claims were to be expected from hundreds who when mobilised were ordered to:

*"Stand to, or*

*To disperse, or*

*Disperse and await further orders."*

He proposed that claims "for service" for those ordered to stand to, disperse or disperse and await further orders should be dealt with in a "Minute of Procedure"<sup>3</sup>, to be submitted to the Board.

He further stated that "The Board will not accept any service for the week commencing 23 April 1916, except service in action in Dublin City, County Wexford, County Galway, County Louth, County Dublin or County Meath."

#### **Minute of Procedure-Active service during week commencing 23 April 1916**

"Applicants who are able to sustain claim (for active service) in respect of periods (e)-continuous service from 1st April 1920 to 31st March 1921 - or (f)- continuous service from 1st April 1921 to 11th July 1921- of *First Schedule of the Act*<sup>4</sup> may claim for (a)-continuous service from 1 April 1916 to 31 March 1917, provided such service includes active service in the week commencing 23 April, 1916- even though they did not take part in actual fighting. In order to have service at (a) counted towards actual pension an applicant must:

1. Qualify under active service in respect of period (e) and (f) of *First Schedule of Act*.
2. Produce evidence to the satisfaction of the Board that:

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<sup>3</sup> SPG 6/15

<sup>4</sup> Military Service Pensions Act, 1924 First Schedule. Calculation of Military Service. Sections (a) to (i) covering military service during periods set out from 1 April 1916 (a) to 30 September, 1923 (i). (These were computed to a maximum of 14 years for pension purposes).

- a) He was a member of *Óglaigh na hÉireann* or of the *Irish Citizen Army* or of *Fianna Eireann* or of the *Hibernian Rifles* on or before the 23 April 1916.
- b) He was not in operations because of orders received to the contrary.
- c) That he carried out any orders issued him during week commencing 23 April 1916.
- d) That he did some specific act which would indicate his intention and desire to be on active service during the week commencing 23 April 1916, viz. mobilised at place ordered for 23 April 1916.
- e) That he continued to be a member of *Óglaigh na hÉireann* or of the *Irish Volunteers* or of the *Irish Citizen Army* or of *Fianna Eireann* or of the *Hibernian Rifles*.
- f) That he qualified under periods (a) (b) (c) (d) (e) or (f) of *First Schedule of Act* whichever was the earliest period possible for him.
- g) That he did not break the period of service except as covered by *First Schedule (4) to Act*<sup>5</sup> ."

#### A Statutory Requirement-some statistics

The 1924 Act applied only to applicants who, in addition to fulfilling the requirement for active service during the week commencing 23 April 1916; or throughout the period from 1st April 1920 to 31st March, 1921; or throughout the period from 1st April 1921 to the 11th July 1921; served in the National Forces or Defence Forces of Saorstát Eireann at any time subsequent to the 1st day of July 1922 and prior to the 1st day of October 1923<sup>6</sup>.

A total of 3,855 pensions were awarded by the Board of Assessors under the Act and some 9,500 applicants were refused; Section 4 (2) of the Act being cited for refusal.

Records here indicate that 431 persons were awarded pensions for active service in Easter Week<sup>7</sup>. And a listing of 104 applicants is found where active service was recognised by the Board for all or some of the three periods set out above, and pensions were not granted as the persons had "no service in the National Forces"<sup>8</sup>.

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<sup>5</sup> Absence from duty following arrest, imprisonment, internment or deportation under DORA, 1914 or ROI Act, 1920 etc

<sup>6</sup> SPG 14/4-A/12222 dated 6 September 1924

<sup>7</sup> SPG 97 and SPG 11

<sup>8</sup> SPG 83/2

### Other definitions of active service-1924

SPG/6/7: Active service means "service in an active service unit or flying column; or having actively conducted or administered a unit or column of this nature or any larger unit or Department of the Forces; or intelligence work carried out under direct authority of the Intelligence Department; or any other military or intelligence service or other service personally rendered which in the opinion of the Board involved corresponding risks and sacrifice, and was of an equally meritorious nature"<sup>9</sup>.

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"...Does not include mere joining of Volunteers, mere drilling and going on with ones occupation in the ordinary way without interruption. That particular definition will be described and I expect it will take a military description. Does not intend that there should be any soft pensions. The description "Active service" is put down (in the Bill) to be on the safe side". (W.T. Cosgrave)

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<sup>9</sup> SPG 6/7. Memo dated 23 September 1924 by M.P. Keane –successor to Gearoid O Suilleavain following his election as TD, Dublin County (By- Election) 14 August 1927.