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1815

John McDonnell

Declined by Committee

12th Octr.,

Re Claim 1815.

Dear Sir,

In reply to your letter received on the 7th instant, I beg to state that the Committee are not in a position to give you any information regarding the Military evidence beyond that already conveyed to you. The Committee in arriving at their decision on the case, gave full consideration to the statements made by you, by Mr John Byrne who was driving the horse, and by the Military.

Yours faithfully,

Secretary.

Mr John McDonnell,
10 Bath Street,
Irishtown.

*Received
9th
12/10/16*

1815
Mr. Blain 18.15-

Yours of 29th Sept
1916 to Land: Am

I to take it you
refuse to furnish
me with the evidence

the Military supplies

you with? It may

be - and probably

a tissue of lies.

A reply by return

will oblige.

John McDon
10 Bath St. Irish Town

Claim 1815

In reply to your letter recd
on the 7th inst I beg to
state that the committee
are not in a position to give
you any information regarding
the military evidence beyond
that already conveyed to
you. The committee in arriving
at their decision on the case
gave full consideration to
the statements made by you,
by Nat. John Byrne who was
driving the horse, and by
the military.

WM

re horse destroyed
by Military

claim "declined"

4/9/16.

cancel ed
9/10/10

256

7/15/16

29th Sept,

re Claim No. 1815.

Dear Sir,

In reply to your letter of the 18th instant I am directed by the Property Losses (Ireland) Committee to state that in arriving at a decision in this case they had before them the information furnished to the military authorities, including the statement of Mr John Byrne, who was driving at the time the horse, (the subject of the claim,) was shot.

Yours faithfully,

Secretary.

Mr John McDonnell,
10 Bath Street,
Irishtown.

*Received
9/29
399*

Property Losses (Ireland) Committee, 1916.

CHIEF SECRETARY'S
16803 - 26 SEP. 1916
OFFICE

51 St. Stephen's Green,
Dublin, 23rd September 1916.

No. 1815.
John McDonnell.

CHIEF CROWN SOLICITOR
25 SEP 1916
DUBLIN CASTLE.

Chief Crown Solicitor.

The papers in this case are attached, and the Committee will be obliged if you will advise them regarding it. The Committee have accepted the statement of the military as to the circumstances under which the horse claimed for was shot, (See Lieut. Gribben's report of 24th May 1916), and decided not to admit the claim. McDonnell however persists in his denial of the accuracy of the military reports, and as there is a direct conflict of testimony, the Committee, before definitely deciding to adhere to the position they have already taken up, would be glad to have your views on the case.

Mr Healy
The question involved is entirely one of fact.
If Mr Gribben be telling the truth I think your committee ought to reject the claim.
It is true that McDonnell denies the truthfulness of Mr Gribben's report but having read the file my view is that Mr Gribben's report is true & that McDonnell's account is not.

H. A. W.
25.9.16.

Admission to decision
WJ

J. Healy
Secretary.

23rd September, 1916.

1875

2 notes in large choir

ce. low gone to ch. choir

Also. 2 notes low

MM
~3/9

Done F.O.B.
26.9.16

also to be paid 5/10/16

No. 1815.
John McDonnell.

23rd September

Chief Crown Solicitor.

The papers in this case are attached, and the Committee will be obliged if you will advise them regarding it. The Committee have accepted the statement of the military as to the circumstances under which the horse claimed for was shot. (See Lieut. Gribben's report of 24th May 1916), and decided not to admit the claim. McDonnell however persists in his denial of the accuracy of the military reports, and as ^{the} this is a direct conflict of testimony, the Committee, before definitely deciding to adhere to the position they have already taken up, would be glad to have your views on the case.

Secretary.

23rd September, 1916.

Claims No 1815

Dear Sir Receipt added
27/9/16

I am in receipt of yours of the 15th Sept and will
feel obliged if you will let me have particulars of the evidence
furnished which goes to show the horse was shot by the military
because the driver deliberately entered the danger zone & more
that once demanded to pull up when called on to do so" as a
matter of fact as my report in writing to the Post Marshall
made at the time when I was returning by the route the
military directed me take, & that I had ordered my horse
to submit in regard of the "officer" who shot the horse & that
it was by their direction I was proceeding along the canal.

Sept 18th 1916

Yours truly
John M. Donnell

15th Septr.

Claim No.1815.

Dear Sir,

In reply to your letter received on the 9th instant, I beg to say that the evidence furnished to the Committee goes to show that the horse, the subject of the claim, was shot by the military because the driver deliberately entered the danger zone, and more than once declined to pull up when called on to do so.

Yours faithfully,



Secretary.

Mr John McDonnell,
10 Bath Street,
Irishtown.

Dear Sir

Claim No: 1815

Recd 9/9

I am in receipt of yours of the 7th inst
and will feel obliged if you will let
me know on what grounds my claim is
refused. An early reply will oblige as
I intend having this matter ventilated in
Parliament and if necessary the young
blackguard who killed the horse persisted

Received
JMS
12/9/16

Yours truly
John M. Donnell

7th Sept.

Claim No. 1815.

Dear Sir,

I am directed by the Property Losses (Ireland) Committee to state that having carefully considered all the circumstances they are unable to make any recommendation to the Government in this case.

Yours faithfully,

Secretary.

Mr John McDonnell,
10 Bath Street,
Irishtown.

PROPERTY LOSSES (IRELAND) COMMITTEE, 1916.

Inspector's Report.

Claim No. 1815.

Name of Claimant John McDonnell. Occupation Dairy Proprietor.

Situation of Property Grand Canal, outside Wellington Barracks, Dublin.

Description	Claim	Insurance (if any)	Valuation of Buildings (Commissioner of Valuation)	Inspector's Valuation of full Damage	Loss Payable on basis of Insurance	Excess of Loss over and above amount payable under the Policies of Insurance
Horse.	£60.	£45.	-	£35. <i>See note at foot.</i>	£35.	-
Milk.	4.	-	-	-	-	-
TOTALS, £	£64.	£45.	-	£35.	£35.	-

no claim
WM
WBO
MP

Conflicting evidence - no fault to be believed making accident - if military auto the man deserves

This horse was shot while under the milk car coming from Mulhuddart where Claimant keeps 18 milch cows. The horse was driven by John Byrne who keeps 33 milch cows at the same place. The Claimant and the driver oblige one another by bringing in the milk one in the morning and the other in the evening, and the day in question it was John McDonnell's turn. His men, however, refused to come through the military cordon, and John Byrne, having a signed pass, volunteered to do so. I have gone through the papers attached with both McDonnell and Byrne. The latter says he pulled up each time he was challenged by the sentry. The horse is the sole property of John McDonnell, who is a struggling dairy proprietor, and the Committee might deem it desirable to consider his claim notwithstanding the fact that the military stated the driver deliberately entered the danger zone and refused to pull up when called on. The amount claimed for milk is exorbitant. The present price is 9½d. per gallon to Institutions, and works out at about 8½ net cost to the producer. In any case I ruled it out as it was the joint property of McDonnell and Byrne, the greater portion belonging to Byrne.

Award of Committee: Contents

Do. Buildings

I write I am to state that having fully considered all the circumstances and unable to make any recommendation to the Gov. in this case

Policy of Insur. & last receipt - Recd of Macdonald with Irish Vehicle Owners' Accident Co. Ltd. returned to claimant. 12th Aug. 1916.
886.
5/12/16.

Done. F.D.B. 7.9.16

J.M.D. 7/9/16

1815

10 Bath Street,

■ Irishtown.

REGISTERED.

Dublin. 27th July. 1916.

J.J.Healy Esq.,

Secretary.

Property Losses (Ireland) Committee, 1916.

51 Stephens Green.

Dublin.

Dear Sir,

No 1815. J McDonnell.

I duly received yours of 24th inst and as requested therein I enclose certified copy of my Policy of Insurance, together with certified copy of last Renewal Receipt.

I shall be glad if you will kindly return the documents when you are finished with them.

Yours Respectfully,

John McDonnell

10 Bath Street.

1815

Irishtown.

DUBLIN. 13th July. 1916

The Secretary,

Property Losses (Ireland) Committee 1916.

51 St Stephens Green.

*ack
31/7/16*

Sir,

Yours of 6th inst duly received with Application Forms re the loss of my Horse, for which I thank you and herewith return the two forms duly filled in and Sworn before a Justice of the Peace.

I would explain that the claim was put forward in the first instance by Mr John Byrne as he was in charge of and driving my Horse when it was shot; the reason is that John Byrne and myself both have our Cattle out in the same field at Mulhurddert and arranged that our horses should be used to bring in the Milk alternately and further the Pass was made out in his name.

Trusting that you will give the matter your kind consideration and let me have a reply in course,

Yours Respectfully,

John McDonnell

ask for policy & last recd

acted on

24/7/16

A noted in Register & Indes.

24/7

1815

1815

Property Losses (Ireland) Committee, 1916.

51 ST. STEPHEN'S GREEN, EAST, DUBLIN.

Claim for Damages caused during the Disturbances on the 24th April, 1916, and following days.

I ~~We~~ John McDonnell now residing at 10 Bath St. Inchtown in the City of Dublin. Dairy Proprietor do hereby solemnly and sincerely declare that on or about the 27th day of April

1916, damage was done to the undermentioned Property, namely:—* a bay 6 year horse * State situation of property damaged.
was shot at the back of the Wellington Barracks on the Canal path and 60 Gallons of Milk taken. An Officer of the Royal Irish Rifles fired the shot
and such damage was occasioned to the best of ~~our~~ ^{my} belief by** an Officer of the ** Here state cause of damage.
Royal Irish Rifles. Wellington Barracks Dublin

And ~~We~~ ^I further declare that the Property and Articles specified on the other side were so destroyed or damaged; that the Cost Price of same was as shown in each case; that at the time of the destruction or damage they were respectively of the Values specified under the head "Value of Property at time of Destruction or Damage"; and that, in consequence of such destruction or damage, claim is hereby made for the sums specified under the head "Amount Claimed"; that the Claim is made by me as sole owner of said horse & milk; and that no person is interested in the said property except † _____

and that it is not insured by me or any other person, § except as follows, namely:—
Irish Vehicle Owners Accident Co Company, Policy No. 1784, Amount £45-0-0
Against Accidental Death up to 2/3 Value Insured
" " " " £ _____
" " " " £ _____

And ~~We~~ ^I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Made and subscribed the 19th day of July 1916, at Washington Hall, Merrion in the said City, Dublin before me, a Justice of the Peace for the said City Dublin. John A. James J.P.

Signature of Claimant of Claimants John McDonnell

NOTE—This Claim is to be furnished in duplicate, and should be accompanied by the Policies of Fire Insurance and the last receipt, in each case, or certified copies of same. When completed it is to be forwarded to the Secretary of the Committee, 51 St. Stephen's Green, East, Dublin.

PARTICULARS OF THE CLAIM.

(TO BE GIVEN IN DETAIL.)

DESCRIPTION OF PROPERTY DESTROYED OR DAMAGED.	Cost Price.			Value of Property at time of Destruction or Damage.			Value of Salvage.			Amount Claimed		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<p>1 Bay Gelding Aged 6 Years old</p>	<p>Given by the Applicant's mother who made a present of him to the Applicant when starting in business on his own account</p>			60	0	0	<p>nil</p>			60	0	0
<p>60 Gall fresh Milk at $\frac{1}{4}$⁰ per Gall</p>				4	0	0				4	0	0
<p>Carried forward,</p>												

1815.

1815

Property Losses (Ireland) Committee, 1916.

51 ST. STEPHEN'S GREEN, EAST, DUBLIN.

Claim for Damages caused during the Disturbances on the 24th April, 1916, and following days.

I ~~We~~ John M^c Donnell now residing at 10 Bath St. Irishtown. ~~at #7 Fitz William St, Rensgarth~~ in the ~~City~~ of Dublin, Dairy Proprietor do hereby solemnly and sincerely declare that on or about the 27 day of April

1916, damage was done to the undermentioned Property, namely: a bay 6 year horse * State situation of property damaged.
was shot at the back of the Wellington Barracks on the Canal path and 60 gallons of milk taken. An officer of the Royal Irish Rifles fired the shot. and such damage was occasioned to the best of ~~our~~ ^{my} belief by ** an officer of the ** Here state cause of damage.
Royal Irish Rifles Wellington Barracks Dublin.

And ~~We~~ ^I further declare that the Property and Articles specified on the other side were so destroyed or damaged; that the Cost Price of same was as shown in each case; that at the time of the destruction or damage they were respectively of the Values specified under the head "Value of Property at time of Destruction or Damage"; and that, in consequence of such destruction or damage, claim is hereby made for the sums specified under the head "Amount Claimed"; that the Claim is made by ~~us~~ ^{me} as the owner of said horse & milk; and that no person is interested in the said property except †

* State situation of property damaged.
** Here state cause of damage.

† Insert "Owner," "Lessee," or "Mortgagee," as the case may be.

‡ Insert "myself," or "ourselves," and the names of Mortgagees, Lessors, Lessees, or joint owners (if any).

§ Strike out the words following if the property is not insured.

and that it is not insured by ~~us~~ ^{me} or any other person, § except as follows, namely:—
Irish Vehicle Owners Accident Co Company, Policy No. 1784, Amount £ 45: 0: 0
Yokohama Insurance Against Accidental Death up to 2/3rd value insured
" " " " " £
" " " " " £

And ~~We~~ ^I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Made and subscribed the 19th day of July 1916, at Washington
Hall, Merrion in the said ~~City~~ County, of Dublin

before me, a Justice of the Peace for the said ~~City~~ County. Dublin Wm. A. James J.P.

Signature of Claimant } John M^c Donnell
of Claimants }

NOTE—This Claim is to be furnished in duplicate, and should be accompanied by the Policies of Fire Insurance and the last receipt, in each case, or certified copies of same. When completed it is to be forwarded to the Secretary of the Committee, 51 St. Stephen's Green, East, Dublin.

PARTICULARS OF THE CLAIM.

(TO BE GIVEN IN DETAIL.)

DESCRIPTION OF PROPERTY DESTROYED OR DAMAGED.	Cost Price.			Value of Property at time of Destruction or Damage.			Value of Salvage.			Amount Claimed		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1 Bay gelding aged 6 years old.				Bred by the applicant's mother who made a present of him to the applicant who started in business on his own account.	60	:	:	nil		60	0	0
60 gall ^s fresh milk at 1/4 per gall.	—	—	—		4	0	0			4	0	0
Carried forward,												

1815

11, Fitzwilliam Street,
Ringsend,
Co. Dublin.
15th May 1916.

J. Byrne

To the
Provost Marshall,
The Castle, DUBLIN.

*Mily. admit no
responsibility
C.S.O 9709*

Sir,

I desire to bring under your notice the following facts to see that justice is done and that I am compensated for the unnecessary damage I have sustained by reason of the action of Military officer :-

I am a dairyman carrying on business at the above address for about ten years, and am well known to the Police as a steady and law abiding citizen. I have my cows grazing at Mulhuddart about 7 miles from my residence. On the 27th April I got a military pass at the Pigeon House Fort from 2nd Lieut. Moorehead, 5th Royal Munster Fusiliers, to enable two of my men and myself pass daily to Mulhuddart and back. I accordingly on same date with my man Patrick McDonnell, proceeded to Mulhuddart and had the cows milked, on returning at 1.40 p.m. having previously passed two sentries - some distance apart, and who were inside the railings of Wellington Barracks, and who had directed me proceed and take the first turn on the right, an Officer appeared and without any warning fired two shots, the first killing my horse dead, the second bullet going into the shaft of the milk car. A voice called on the Officer to cease fire. In addition to the loss of my horse which was valued at £60, being six years old (and passed by an Insurance Company when four years old as value for £45) I lost 60 gals. of milk valued 1/4 per gal. Two days after the occurrence I went to get my milk car, which had been taken into the Barracks, I spoke to a Corporal whom I can

The horse was owned by McDonnell

*£60
£4
£54*

identify, who told me he was beside the Officer when the latter shot my horse, I told the Corporal I was going to write to the Colonel about the matter, and the Corporal asked me not to write in for a week or so as they were very busy with prisoners. I accordingly in about a week's time wrote to the "Commanding Officer", Wellington Barracks, complaining and setting out the facts. I have not even received an acknowledgment from this gentleman.

Awaiting the favour of your reply.

I am, dear Sir,

Your obedient servant,

John Byrne

HEADQUARTERS,
DUBLIN GARRISON

17 MAY. 1916

No. 499/13

The,

Officer Commanding.

2nd Gn. Bn., Royal Irish Fusiliers.

Curragh Camp.

I have been directed to obtain a report on
this matter for the information of the Court of Enquiry
dealing with such cases.

J. M. Moul

Major.

Assistant Provost Marshal, Dublin.

Lr. Castle Yard.

D U B L I N.

17th May, 1916.

RECEIVED
DUBLIN GARRISON
MAY 20 1916

MEMORANDUM.

From *The Adjutant*
2nd Gn. Bn. R. Ir. Fus.

From

To *The*
A.P.M.
Li. Castle Yard.
Dublin

To

ANSWER.

Templemore May 26th 1916

_____ 191

Enclosed with report as requested
in your memo No 499/13

C. Herion, Captain
Adjt. 2nd Gn. Bn. Roy. Ir. Fus.

MEMORANDUM.

From Adj. 2nd Gn. Bn
R. I. Fus.

To Lt. E. Gribben
of R. I. Rifles.
Military Hd. Qrs Arklow.

Templemore 23/5/1916.

Kindly expedite your report re the shooting of the horse from Wellington Bks during rebellion, as the report is required in Dublin at a court of inquiry which considers such matters.

C. Heron Captain

Adj. 2nd Gn. Bn. Roy. Ir. Fusr's.

From Lt. E. Gribben
R. I. Rifles

To Adj. 2nd Gn. Bn. R. I. Fus.

ANSWER.

Arklow 24-5-1916.

The horse in question belonged to a milkman.
The man who drove the cart was halted by one of the Sentries, he paid no attention to the challenge, instead he whipped his horse into a gallop and passed the Sentry.
The N.C.O. in charge of guard in Sergeant Mess halted him as he came forward, again he paid no attention.

I then fired a shot ~~at~~ in front of him, telling him at the same time to get back as the road was closed for traffic.

[P.T.O.]

He then said he was going
down to the bridge.
He was again told to get back,
instead of ~~do~~ going back he
started to gallop down towards
the bridge. I then fired a second
time, the horse dropped.

E. Gibben. Lt.

R.I. Rifles.