

**Saorstát na hÉireann documents, 1920 – 1922**

**Repository Code:** IE LHA

**Collection Reference Code:** PP00117A/

**Title:** Saorstát na hÉireann documents

**Dates:** 1920 – 1922

**Level of Description:** Fonds

**Extent:** 60 items

**Name of Creator(s):** Saorstát na hÉireann

**Admin/Biographical History:** Saorstát na hÉireann was officially established in 1922 following the signing of the Anglo-Irish Agreement of December 1921. Its foundation ended the Irish War of Independence (21 Jan 1919-11 Jul 1921) fought between the Irish Republican Army (IRA), the military force of the self proclaimed Irish Republic; and the forces of the British Crown.

Saorstát na hÉireann represented a dominion of the British Commonwealth of Nations and as such, while it was self-governing, it was necessary for the members of the Dáil to swear an oath of allegiance to the king. This was a major point of objection for those that were anti-treaty and led to the Civil War fought between the newly formed National Army and the IRA. The National Army were victorious in this with the IRA surrendering their arms in May 1923.

The anti-treaty government party Sinn Féin refused to take up their seats in the Dáil and its leader Éamon de Valera left to set up Fianna Fáil, entering the Dáil after the election of 1927 and entering into government in the election of 1932 becoming the largest party. De Valera abolished the oath of allegiance and in 1937 created a new constitution which was passed by referendum. This signified the end of Saorstát na hÉireann.

**Archival History:** The collection was donated to Louth County Archives Service in 2004.

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- Scope and Content:** This collection comprises documents directly relating to and generated during the time of the formation of Saorstát na hÉireann. They include legal forms both used and blank example copies; a typed circular regarding court expenses and charges and a publication on judiciary rules from the Department of Home Affairs; papers of the Dundalk Parish Court clerk, Joseph Smyth showing the administrative side of the judicial system; part of an electoral register for Hackballscross, County Louth; a filing index card containing information about IRA member Patrick Trainor; and a small group of business cards and black and white photographs.
- Subject index:** County Louth; Dáil Courts; Dáil Éireann; Dundalk parish court; Irish Republican Army; Saorstát na hÉireann (Irish Free State)
- Appraisal and Destruction:** Retain permanently.
- Accruals:** No further accruals are currently expected.
- System of Arrangement:** This collection is divided into three series by theme followed by three single items.
- Conditions of Access:** Open Access, by appointment
- Conditions Governing**
- Reproduction:** Items may be subject to copyright. Contact Louth County Archives staff regarding copying; copying fees apply.
- Language/Script of Material:** English
- Physical Characteristics:** Paper. Fair condition.
- Technical Requirements:** Careful handling required
- Finding Aids:** Descriptive list can be found on on-line catalogue available at <http://www.louthcoco.ie>
- Existence & Location of Originals:** Louth County Archives Service; National Archives of Ireland; National Library of Ireland
- Existence & Location of Copies:** Some digitised documents may occasionally be found on <http://www.louthcoco.ie>

**Related Material:**

Louth County Archives Service: IE LHA LCC/ADM/008/ Louth County Council/Administration/Registers of Electors

**Publications:**

- Duggan, Mr Eamonn, Minister for Home Affairs, Department of Home Affairs report, 26 Apr 1922, Dáil Éireann Debate, Vol. S2 No. 4, p8, from: <http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail1922042600008?opendocument>
- O'Sullivan, Harold, *A History of Local Government in the County of Louth, From Earliest times to the Present*, (IPA 2000)
- 'The Republican Dáil Courts: A Revolutionary Irish Legal System' retrieved on 24 November 2017 from <https://theundisciplined.com/2014/02/19/the-republican-dail-courts-a-revolutionary-irish-legal-system/>

**Repository Home Page:** <http://www.louthcoco.ie>

**Source Material:** <http://www.louthcoco.ie>

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**Level Headings:**

**Fonds:** PP00117A/  
Saorstát na hÉireann documents, 1920 – 1922, 60 items

**Series 1:** PP00117A/001/  
Documents from the Department of Home Affairs, Jan 1921, Nov 1921 – ca 1922, 3 items

**Series 2:** PP00117A/002/  
Saorstát na hÉireann legal forms, 02 Nov 1921 – 02 Feb 1922, 29 items

**Series 3:** PP00117A/003/  
Documents relating to the Parish Court Dundalk, 27 Oct 1921 – 07 Dec 1922, 18 items

- Item:** PP00117A/004  
Business cards and photographs, ca 1920, 8 items
- Item:** PP00117A/005  
Index card containing details of IRA Lieutenant Patrick Trainor, ca 1920, 1 item
- Item:** PP00117A/006  
Electoral List, Hackballscross, 15 Oct 1921, 1 item

**Descriptive List**

**Saorstát na hÉireann documents, 1920 – 1922, 60 items**

- Reference Code:** PP00117A/001/
- Title:** Documents from the Department of Home Affairs, Dáil Éireann
- Dates:** Jan 1921, Nov 1921 – ca 1922
- Level of Description:** Series
- Extent:** 3 items
- Scope and Content:** Documents from the Department of Home Affairs, Dáil Éireann relating to the administration of court proceedings and associated charges in Parish and District courts. Produced during the period that Austin Stack was Minister for Home Affairs, the publication of the booklet 'Saorstát na hÉireann Judiciary Rules and Forms, Parish and District Courts' (PP00117/001/001) was an effort to standardise legal proceedings and to move away from the style of the less organised Dáil Courts. The new court system was designed to lead to the replacement of the British court system in Ireland.

PP00117A/001/001

Printed booklet 'Saorstát na hÉireann Judiciary Rules and Forms, Parish and District Courts' published by the Department of Home Affairs, Ireland (commonly referred to as the Judiciary). Includes provisional constitution of the Courts of Justice of the Irish Republic, District Court rules and forms (with samples of forms included), and Parish (minor) Court rules and forms (with samples of forms included).

Jan 1921

Level: Item

40pp

PP00117A/001/002

Typed circular from the Department of Home Affairs, Dáil Éireann outlining the operation of fines, collection of court revenue, expenses of justices and salaries of clerks, registrars and sub-registrars, trustees of court monies and monthly reports (2pp); and typed document outlining the sanctioned expenses and charges associated with court sittings (2pp).

Nov 1921 – ca 1922

Level: Item

2 items

4pp

**Reference Code:** PP00117A/002/

**Title:** Saorstát na hÉireann legal forms

**Dates:** 02 Nov 1921 – 02 Feb 1922

**Level of Description:** Series

**Extent:** 29 items

**Scope and Content:** Succeeding the subversive Dáil Courts that were in operation during the first few years of the self-declared Irish Republic (the first Dáil Éireann met in January 1919 and proclaimed a Republic), the Parish and District courts of Saorstát na hÉireann were formally established after the signing of the Anglo-Irish Treaty in 1921. The foundation of a legal system within the Republic is seen by many historians as the most effective blow struck against the British administration; more effective even than the military efforts. The structure of

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the legal system of Saorstát na hÉireann was Parish Court, District Court, Circuit Court and Supreme Court with parish and district dealing with more minor charges of a regional nature. This series comprises legal forms that, while used in parish and district courts in the period during the Treaty's negotiations prior to the Dáil debates and its subsequent acceptance, bear the name 'Saorstát na hÉireann'. Some have been filled out and distributed and some are blank examples.

PP00117A/002/001

Eight copies of Saorstát na hÉireann summons for defendant (or witness) forms (form no 1) filed by police officer Patrick Cunningham in the parish court of Dundalk in relation to breaches of licensing of a public house. Those who were required to attend as defendants included Michael Dardis, Park Street, Dundalk; Patrick Quigley, Barrack Street, Dundalk (should be Peter Quigley, St Alphonsus Road, Dundalk); Michael McGahon, Barrack Street, Dundalk; Hugh Byrne, Horse Shoe Bar, Barrack Street, Dundalk; Michael Donnelly, Ballybarrack, Dundalk; Matthew Carragher, Fair Hill, Dundalk; Michael Reid, Ballybarrack, Dundalk; and Thomas Carroll, Ballybarrack, Dundalk.

02 Nov 1921

Level: Item

8 items

16pp

PP00117A/002/002

Five copies of Saorstát na hÉireann summons for defendant forms in the parish court of Dundalk with Mary Anne Traynor as complainant in a public order offence.

02 Nov 1921

Level: Item

5 items

10pp

PP00117A/002/003

Two Saorstát na hÉireann process for civil claim forms (form no 2) in the parish court of Dundalk in the cases of:

- John Parks, Dromiskin vs John Drum, Hill Street, Dundalk in claim for arrears of rent;
- Bernard McNamee, Clanbrassil Street, Dundalk vs Michael McAlester, Castle Road, Dundalk in claim for outstanding bill for goods ordered and delivered.

02 Nov 1921

Level: Item

2 items

4pp

PP00117A/002/004

Four Saorstát na hÉireann recognisance forms (form no 10) filed by police officers Frank Sally and James McDonald in the parish court of Dundalk where the principal parties bind themselves to attend a circuit court sitting in relation to a case of stolen goods. Forms are marked 'bail sureties in connection with 'receiving' cases'.

12 Dec 1921

Level: Item

4 items

5pp

PP00117A/002/005

Saorstát na hÉireann decree in civil bill claim (form no 3) in the parish court of Dundalk in the case of Patrick Magill, tailor, Chapel Street, Dundalk vs James McAllester, farmer, Dowdallishill, Dundalk. Signed by Joseph Smyth, parish court clerk, Dundalk.

02 Feb 1922

Level: Item

3pp

PP00117A/002/006

Three blank copies of Saorstát na hÉireann process for civil claim form (form no 2).

Ca 1921

Level: Item

3 items

3pp

PP00117A/002/007

Six blank copies of Saorstát na hÉireann decree in civil claim in parish court form (form no 3).

Ca 1921

Level: Item

6 items

6pp

**Reference Code:** PP00117A/003/

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**Title:** Documents relating to the Parish Court of Dundalk

**Dates:** 27 Oct 1921 – 07 Dec 1922

**Level of Description:** Series

**Extent:** 18 items

**Scope and Content:** Documents relating to the Parish Court of Dundalk. Many signed by Joseph Smyth, clerk, Town Hall, Dundalk. These documents represent examples of the types of minor cases handled by the Parish Court around the time of the establishment of the Irish Free State.

PP00117A/003/001

Notebook with handwritten notes on court cases and law infringements; possibly used by court clerk Joseph Smyth. Includes many names and addresses. At back is a short list of cases titled 'decrees issued on 8/3/22'; several lists of between ten and twenty names under 'register given North Ward' and also separate lists for Dundalk Rural, Middle Ward, South Ward and Seatown Ward; handwritten notice regarding a Sinn Fein grand whist drive and ceilidh mor in February 1922; and a list of thirteen female names, possibly members of Cumann na mBan.

Ca Oct 1921 – 30 Jul 1922

Level: Item

1 item

60pp

PP00117A/003/002

Handwritten letter from Patrick Rankin, 24 Queen Street, Newry to the Registrar for Dundalk requesting a meeting in relation to a dispute between his aunt Mrs Parks, Dromiskin and a tenant residing at her property in Mary Street, Dundalk. He notes 'her tenant does not recognise the British court so she wishes to settle the case in our own court.'

27 Oct 1921

Level: Item

1p

PP00117A/003/003

Letter from James McCourt, solicitor for Dundalk Urban District Council to Joseph Smyth, clerk of Parish Court, Town Hall, Dundalk which accompanied a draft order (not available) relating to the case of Comerford v Clarke.

04 Feb 1922



Level: Item

1p

PP00117A/003/004

Receipts for payments received from Mr Joseph Smyth, parish court clerk, of Fair Green, Dundalk for:

- Copies of depositions relating to the Dunleer Bank Robbery case, signed by Elizabeth McGarvey, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp;
- A decree in Hamill vs Mrs Morgan case – a typed receipt from Saorstát Na hÉireann;
- A decree in McKeown vs McShane case, signed by PJ Callan, solicitor, Dundalk, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp;
- Decrees in the cases of McGeown vs Martin Connolly and Mitchell vs Martin Connolly, signed by Ward and Hamill, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp;
- A decree in Patrick Magill vs Watters case, signed by Daniel O'Connell, solicitor, Francis Street, Dundalk, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp;
- A decree, expenses and costs in the cases of J McLoughlin; rural district council vs Patrick Hoey; rural district council vs Breen, Upper Merches; rural district council vs Flynn, New Inn; and Laverty vs McGahon, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp.
- Fragment of receipt bearing signature of Mary Hoey, with a 'Rialtas Sealadach na hÉireann' (temporary government of Ireland) stamp.

23 Mar 1922 – 28 Nov 1922

Level: Item

7 items

7pp

PP00117A/003/005

Four receipts of payment to Joseph Smyth: three from John B Hamill in relation to Clanbrassil Street and Nicholas Street collections and subscriptions handed in; and one receipt for 'key for police door' from JM Grave.

09 May 1922 – 15 Jun 1922

Level: Item

4 items

4pp

PP00117A/003/006

Notes regarding the Parish Court of Dundalk including names, addresses and poor rate payments; and notes written on sealed envelope relating to John Murphy rate collector and the collection of rates from Thomas Clarke and Thomas Brennan.

1922; 28 Nov 1922

Level: Item

2 items

3pp

PP00117A/003/007

Letter from the Secretary, Ministry of Home Affairs, Upper Merrion Street, Dublin to Joseph Smyth, 3 Fair Green, Dundalk enclosing a receipt for the surplus money of the 'late Dundalk parish court' that was forwarded by Smyth. He requests Smyth to forward the court register and all documents including unexecuted decrees. He notes that the question of unexecuted decrees is currently the subject of a special committee and instructions will be issued shortly to have such decrees enforced.

06 Dec 1922 – 07 Dec 1922

Level: Item

2 items

3pp

PP00117A/004

Group of business cards and photographs including: business card of Frank Mulligan, Atlantic buildings, 28 Waring Street, Belfast, draper; Casson's Hotel, 19 Lord Nelson Street, Liverpool, with 'Mat O'Reilly, Lisgrey, Virginia, Co Cavan' handwritten on reverse; three small black and white photographs depicting a field scene with cows; a river scene with figure in foreground and background; and a portrait of male in regency costume, possibly fancy dress or theatre; and two large black and white photographs portraying a standing male and seated female portrait, blurred; and a picture of a church from rear looking toward steeple.

Ca 1920

Level: Item

8 items

PP00117A/005

Index card containing the details of Patrick Trainor, painter, Rose Cottage, Main Street, Smitsboro (County Monaghan). Described as 'Lt IRA Scotstown Bt'. A detailed description includes 'mole on left ear or lobe' and 'scar on 1<sup>st</sup> joint of thumb left hand'.

Ca 1920

Level: Item

1 item

2pp

PP00117A/006

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Extract of pages from the electoral register for 1921 for the polling district of Hackballscross containing the registration units of Barronstown, Creggan Upper and Faughart. Includes B – list of newly qualified electors and C – list of persons no longer qualified as electors

15 Oct 1921

Level: Item

1 item

4pp