

M. WYLIE, LL.D.



SOLICITOR, CO. DOWN.

TELEPHONE NO. 2180.

11 CHICHESTER STREET,

Belfast 25th Nov. 1915

AND COURT HOUSE, DOWNPATRICK.

War Department v Mrs Jane Costley,
Marelin Co. Down

Dear Sir

I attended at Moira Petty Sessions yesterday when this Case against Mrs Jane Costley for unlawfully attempting by false representations to obtain Separation Allowance as a dependent of her Son Edmund Costley at a higher rate than she is legally entitled to was fully heard. There were 5 Magistrates on the Bench, and the Summons was dismissed on the merits, but without Costs. We proved clearly enough that Edmund Costley's wages with the Jory Weaving Company Limited prior to enlistment were only 11/- per week, and also proved the signature

CSO/RP/16986/2

of Jane Costley to her Declaration, in which she stated that her Son paid her 15/- per week towards Household Expenses. Mr. Hayes, Solicitor, who appeared for the defence called a witness named a neighbouring farmer, Martin, who swore that Edmund Costley worked for him every evening from 7 till near 10 o'clock, and most of the day on Saturdays. He milked the Cows and did other work for him, as he has no woman in his house, and that he paid him 4/- per week, and had done so for many months, and as this sum with the 11/- from the Weaving Company exactly made up the 15/-, which the mother stated she received from him, the Court unanimously held that there was no false representation in her Declaration. I was unable to put in evidence against her the Declaration by her Son, but I managed to get in the fact that he gave his

Wages as 28/- a week, and his payment to his mother as 20/- per week, and it was mainly owing to these facts that the Court refused to give Costs to the Defendant, which were strongly pressed for by her Solicitor.

I return file of papers in the Case as requested. I have not seen any Report of the Case in the News. papers.

Your Obedt Servant
M. Wylie

The Chief Crown Solicitor

Dublin Castle

Dublin

CSO/RP/16986/4

CHIEF SECRETARY'S
16810 -- 9 OCT. 1915
OFFICE

Any further communication on this subject should be addressed to—
The Secretary,
War Office,
London, S.W.,
and the following number quoted.

46 (Accounts 3.)
c
560

CHIEF CROWN SOLICITOR
9-OCT-1915
DUBLIN CASTLE
F.S.3.

War Office,
London, S.W.

7th October 1915

Sir,

With reference to War Office letter of the 20th July 1915, No. 46/690 (Accounts 3.) I am directed to transmit the enclosed documents which have been forwarded to this Department by the Board of Customs and Excise in connection with a claim for a dependants allowance for the mother of the soldier named in the margin, and to request that you will be so good as to take the necessary action with a view to the prosecution of the dependant in accordance with instructions contained in the letter quoted.

It has been ascertained that the soldier is serving at Baterham.

I am,

Sir,

Your obedient Servant,

C. C. Phelps

for the Assistant Financial Secretary.

Regimental No. 8594
Name Pte E. Costley
Unit Irish Guards

The Chief Crown Solicitor,
Dublin Castle.

Solicitor General
Phelan
m. Kelly
9.10.15

CHIEF CROWN SOLICITOR
DUBLIN CASTLE
11 OCT 1915

Prosecute dependant

Job,
11/10/15

Chief Secretary's Office, Ireland.**CHIEF CROWN SOLICITOR'S DEPARTMENT.**

CHIEF SECRETARY'S
16986 - 13 OCT. 1915
OFFICE

SUBJECT.

War Department

re

Separation Allowance Claim

Re

Jane Costley

Maralin

Co. Down

Dr. Wylie.

*Please take
charge of the prosecution
in this case, and
report result as
requested by the Chief
Crown Solicitor*

ED

13-10-15

Assistant Under Secretary.

*I have reported result of the
Case to War Office and returned
the papers.*

*M. Kelly
26.11.15*

MINUTE.

Under Secretary,

I beg to submit papers received from the War Office herein with Solicitor General's directions thereon and request that they be sent to the Local Crown Solicitor, Dr. Wylie to take charge and prosecute.

The prosecution should be brought under 47 & 48 Vic. C. 55 s. 3 and the case dealt with summarily.

War Office requests that I should report the result of the proceedings in due course and at the same time return the documents in connection with the case.

In the event of the prosecution being successful War Office wishes to have any reports which may appear in the Local Press in regard to the case or else a short summary of the proceedings and I request that the local Crown Solicitor be asked to obtain a few papers containing the reports or supply a short summary of the proceedings to enable me to comply with said request.

M. Kelly

Chief Crown Solicitor

12. 10. 1915.

*✓ ED
27-11-15*