

## Claim Against Committee

### QUESTION OF PONY'S HEIGHT

#### IMPORTANT APPEAL AT THE ASSIZES

At the Limerick Summer Assizes to-day, before Mr. Justice Kenny, Harold G. P. Armitage, Kilcomin, King's County, was respondent in a case in which the Herbertstown Point-to-Point Race Committee appealed from the decision of the County Court Judge at the Limerick Quarter Sessions in giving the respondent, who claimed £15, value of a race won by his pony, a decree for £12 and expenses. Mr D T Sherlock (instructed by Mr Blood-Smith, solicitor), appeared for the respondent. Mr L O'B Kelly (instructed by Mr J J Power) appeared for the appellants.

Mr. Sherlock said the respondent had entered a pony in the fourth race at the Herbertstown Point-to-Point Meeting on the 19th February, 1914. The race was confined to ponies of fifteen hands and under, and previous to the meeting Mr Armitage had a pony measured by Mr. Freeman, from whom he had received a certificate that it was under fifteen hands. At the Herbertstown meeting the pony won the race for which she was entered. After the race Mr J O'G Delmege measured the animal outside the police barrack by means of a lath of wood made by a local carpenter, and he said she was over fifteen hands. The pony subsequently won a race under similar conditions.

The respondent gave evidence of entering the pony "Sunbeam" for a race at the Herbertstown meeting, which she won; he also deposed how she was disqualified after having been measured by Mr. Delmege.

His Lordship asked witness if it was a universal condition at such meetings that the decision of the committee was final.

Witness—I don't think so; I did not see it in the advertisement.

Mr. Corbett Craddock gave evidence to the effect that Mr. Delmege measured the pony by putting a lath of wood up her withers and then patting a foot rule on top; the pony was restless at the time, and it was usual that a mare should be quiet to be measured; witness said he did not think it tended to accuracy to have a pony measured with a lath and rule on the roadside.

In reply to Mr. Kelly, witness said the pony while being measured was put on a level flag, and the measuring stick had a square bottom.

Mr. J. Nolan, V.S., Birr, said he measured the pony two days after the race and it measured 14-hands 3 $\frac{1}{2}$ , and a month before the race it measured the same height.

Mr. Joseph Carroll, Chairman Herbertstown Race Committee, said the Stewards at a meeting, at which about twelve of them attended, disqualified Mr. Armitage's pony in consequence of Mr. Delmege's report that the animal was over fifteen hands.

In reply to Mr. Sherlock, witness said Mr. Parkinson's pony, which got the race, was not measured because the owner of the animal which came third did not object; he did not know who lodged the objection against Mr. Armitage's pony, but it was lodged.

Mr. J. O'G. Delmege was examined, and said he was standing at the door of the weighing room speaking to Mr. Blennerhassett when he saw Mr. Armitage's pony after winning, and he remarked that there was no need to measure the animal as it looked about 14 hands. Witness, continuing, said Mr. Nugent, of Dublin, subsequently said the pony was over the height, and that it should be measured; witness measured the pony on a perfectly level place, as was proved by the fact that it measured the same height on both sides; the measuring stick was as accurate as any stick could be, and if the witness had to measure a horse worth £10,000, that was the stick he would use; the animal stood perfectly quiet while being measured; it stood like a cow.

That concluded the evidence.

Mr Kelly said he relied on the condition that the decision of the stewards was final, and cited the case of Newcamp and Lynch.

His Lordship said he would reserve his decision in the case until to-morrow (Thursday) morning.

SPRING SUITINGS IN VARIETY,  
Newest Shades, Hand-made,  
At O'CALLAGHAN'S, THOMAS ST.

man called Michael O'Sullivan. He was in the course of the same expedition, a considerable number of them, but not the entire body, repaired to the place of Mrs Alice Kelly, and broke down the piers of a gate.—Well, of course, if a crowd of a hundred people go forth in that tumultuous manner which had been deposed to, accompanied by revolver shots and considerable stone-throwing, the Grand Jury would have no difficulty in finding a true bill. There was another case, one of unlawful assembly, and which was very much of the same character, but rather of less importance, because they did not seem to use or even threaten an actual physical violence. But it was a case in which a crowd went to a man who was laying down fences for the Estates Commissioners with regard to the division of the lands which they had allotted, and with the object of preventing him continuing the duty he was engaged to do by the Estates Commissioners. They went with the object of preventing him doing what he had a legal right to do, and their proceeding was a gross and unlawful assembly in the eyes of the law. These were all the observations he had to address to the Grand Jury, except once more to congratulate them on the general state of the county, and to express the hope that they were entering on an era of peace and prosperity which would add greater blessings to their county.

The Grand Jury then retired.

## PRISONER'S APPEAL

### To Mr. Justice Moloney

#### SENTENCE AT THE ASSIZES

John Lacey, who pleaded guilty at the Limerick Assizes last evening of the larceny of an ass, was put forward before Mr. Justice Moloney this morning for sentence.

His Lordship (to prisoner)—What have you to say to me?

Prisoner—I am guilty and I throw myself on your mercy. Although I have several convictions against me, I will make amends.

His Lordship—Don't you see you are getting very short terms of imprisonment.

Prisoner—Yes, but it is never too late to mend.

His Lordship said he was afraid there was no hope for the prisoner. Lacey was taken when he was very young to a Reformatory. There was no use in giving him short sentences. It was mean enough to steal an ass but it was meaner still to kill the ass and skin it and sell the skin. His Lordship would give the prisoner 9 months imprisonment with hard labour to date from his committal on the 11th June.

## County Murder Charge

### Bail Bonds Signed To-Day

At the Assizes this morning, before Mr Justice Moloney, Mr Joseph K O'Connor, B L, mentioned that in the case of Mary M'Cann, charged with the murder of her husband, those giving bails, which his lordship had measured yesterday, were in attendance and willing to sign the necessary bond.

His Lordship inquired if the police authorities were satisfied with the bails.

Mr O'Regan, D I—Yes, my lord.

Mr. O'Sullivan, Governor Limerick Prison, said, in reply to a query by his lordship, that the prisoner would be in court in half an hour.

His Lordship—I will adjourn the case until two o'clock.

Mr. Beauchamp—And let Mr. Ryan furnish me with the names and addresses of his sureties.

His Lordship—Very well.

On resumption after the luncheon interval, bails were measured in the sums of £500 each.

David O'Connell and Timothy O'Connell, and for the accused in the sum of £1,000.

## THE LIGHTEST LADY BICYCLE

the 1914 sheet-steel "Shannon," built by COLE, NELSON & CO., Ltd., Limerick, at £6 5s. cash, or from 6/8 per month, Gent's from £5 17s. 6d.

and he was discharged.

His Lordship (to prisoner)—Don't get into trouble any more.

## Alleged Forgery

### LIMERICK MAN CHARGED

At the Limerick Summer Assizes for the County yesterday, Michael O'Sullivan, who stood out on bail, the jury having disagreed on the last hearing of the case, was indicted for having on the 23rd May, 1912, forged a promissory note purporting to be for the sum of £97. The allegation for the Crown was that the figures were altered, the bill being originally for £7, and the figure 9 prefixed to it. For the defence it was held that no alteration whatever had been made with regard to the figures in the note, and that the full amount was due by Patrick O'Brien, whose name was one of the two names on the note, and who disclaimed his responsibility. Mr. J. O'Connor (instructed by Mr. J. Power, solr., Kilmallock), defended the accused. Evidence similar to that tendered at the previous trial, and which appeared in our columns, was given, and the jury disagreed and were discharged.

## Limerick Asylum Board

The annual statutory meeting of the Limerick Asylum Board was held to-day. A letter was read from Rev M Murphy, P P, St Patrick's and Monaleen, resigning the position of chaplain owing to his appointment as pastor of St. Patrick's. Letters were read from Timothy Cahill, attendant, and Thomas Ward, gatekeeper, resigning their positions. The Limerick Steamship Co. were declared contractors for 240 tons of coals at 24s 3d per ton. Miss Ryan, assistant landress, was granted £9 10s for extra work. Mr. O'Shaughnessy and the Mayor were unanimously re-elected chairman and vice-chairman respectively, and on the motion of the former, seconded by the latter, a resolution of sympathy in the death of Canon Murphy was passed in silence, and the meeting adjourned. A full report of the proceedings, though in print, is unavoidably held over to our next issue.

## County Criminal Cases

In the County Crown Court to-day, before Mr. Justice Moloney, Denis Kiely and Matthew Keane were sentenced to two months' imprisonment with hard labour, to date from their committal, on a charge of assaulting James Bourke at Mountpelier, near O'Brien's Bridge, on the 26th of May.

On a charge of inflicting grievous bodily harm on William Whelan at Oldpallas, Daniel O'Connell was found guilty and put back for sentence.

Thomas Mulqueén, charged with wounding Jeremiah Cahill at Rathjordan, was found not guilty, and Patrick Hogan, who pleaded guilty to shooting at Michael O'Grady, near Rathkeale, was put back for sentence.

## MARKET INTELLIGENCE

### LIMERICK MARKETS—JULY 8.

**HAY AND STRAW**—There were 19 loads of hay and 5 loads of oaten straw in market. New rye hay, 50s 0d to 60s 0d per ton; new upland, 48s 0d to 52s 6d per ton; oaten straw, 47s to 55s per ton.

**TUESDAY'S PIG MARKET**—There were 881 bonhams in market; they sold at from 18s to 35s 0d each.

**WOOL**—A fair supply. 12d per lb.

**AMERICAN BACON**—Short rib middles, 71s to 75s per cwt; short rib backs, 72s to 74s per cwt; long clear middles, 70s per cwt; clear backs, 65s to 68s per cwt.

**THE PIG MARKET**—This day's prices—Suitable pigs, 1cwt 1qr 0lb to 1cwt 2qrs 7lb, 52s per cwt; stout, 1cwt 2qrs 8lb to 1cwt 3qrs 0lb, 50s per cwt; overweight, 1cwt 3qrs 1lb to 1cwt 3qrs 14lb, 47s per cwt; heavy overweight, 1cwt 3qrs 14lb, 38s per cwt; Berwicks (about 8st), 54s per cwt; "sixes" (bacon pigs under 10 stone), 52s per cwt.