

Chairman—This looks like a vote of censure on me (laughter). I only wish I had the fortnightly return of the Limerick County Council about me and I could enlighten you. Mitchelstown got a supplementary grant of £800 to work their roads. They had exceeded their limit of expenditure by that amount. We want to give them an opportunity of maintaining their roads by enabling the county surveyors to go there. The Mitchelstown people don't dispute that the surveyors should get some increase, but they say that the time is inopportune in giving it to them. These men have to buy a motor car for £300, as they could do as much in one day by motor car as they would in three days on a side car or bicycle. Limerick is one of the heaviest counties in Ireland, and its surveyors have the smallest salaries.

Mr. Duggan—That was their own business when they took the appointments.

Mr. Ryan—The County Council had a right to give them adequate salaries the first day. So far as I recollect, the County Council gave an understanding that the salaries would not be increased after the appointments were made. Considering the way everything has gone up, it is very hard to be increasing salaries at the present time. Direct labour isn't worth a button the way it is worked by the Limerick Co. Council.

The Chairman said he would mark the resolution "read." The whole motive of it was in order to be criticising the actions of public men.

Mr. Ryan—Don't mark it "read." Everyone is entitled to their opinion. Look at the host of assistant surveyors that have been appointed, and one man always did it before. I propose you mark it "read and approved."

Chairman—Very well; take a poll.

Mr. Duggan—They had a right to wait for a couple of years before giving those increases. The Surveyors were quite satisfied with the salaries when they got the job. I say it was a wrong time to grant the increases, and they had a right to wait for a year or three years.

Mr. M'Carthy—We are all down on extra taxation.

Mr. M. Ryan—The Limerick County Council is not infallible, and every man has a right to his opinion.

Chairman—It is only a case of looking for an opportunity to criticise public men.

Ultimately, the matter was not pressed to a division, and the resolution was marked read, Mr. Ryan remarking that it was only in compliment to the Chairman that this was done.

Chairman—There were others in it as well as I.

and other officials as a man of experience? He was.

To Mr. Butler—There is a slight curve at that end. The engine driver could not possibly have seen the deceased from his position on the engine; it would not be possible for the van to pass him if he was standing against the platform, but the waggons might.

This closed the evidence, and Mr. Hunt said he would ask the jury to kindly add a rider to their verdict that the driver and the fireman were in no way to blame. The driver and the fireman had conducted their business properly, and were in no way to blame, and they regretted the sad occurrence very much. It was perfectly evident that the poor man had a great deal of experience at his work, but he must have lost his head, for his helper said that he turned round and got excited, and probably that was the cause of the accident. If he had kept leaning towards the platform he would have been all right, but probably when he saw the van coming towards him he lost his head. He thought the evidence went to show that it was not from the injuries actually received the man died, but from the shock resulting from them. He was a very old man. They all regretted the sad accident, and he was sure that the jury would be able to add to their verdict that the driver and the fireman were not to blame.

After considerable discussion the jury found the following verdict:—"That the deceased, William Condon, of Nenagh, died at Ennis on 22nd December from shock, the result of injuries received the same day while working for the Great Southern and Western Railway Company at Ennis platform, in consequence of being crushed against the side of the platform by a train consisting of five waggons, a passenger van, and engine, which were being shunted at the side of the station. While not attributing any blame to the driver or the fireman, the jury consider that the authorities should have taken more care to warn the deceased while at work of so much danger, and recommended his dependants to the favourable consideration

awaiting orders at Foynes, when on August 5th the Acting Collector of Customs at Limerick sent a Customs official to the ship and detained her. Two armed policemen were left on board, and the ship's documents were removed. On the same day a writ of summons was issued against the owner of the vessel, on behalf of Edmund Ludlow, shipping agent, Limerick, in respect of a sum of £492 15s 7d, stated to be due by them to the plaintiff. On the 6th August two shipkeepers were placed in charge of the ship, which continued to be under the joint control of the Acting Collector of Customs at Limerick and the shipkeepers of the Dublin Admiralty Marshal. The Captain and crew were removed by the police. On the 31st August a prize suit was instituted in England, the claim being for a decree that the ship and cargo belonged at the time of the seizure to enemies of the Crown, and as such was subject and liable to confiscation as good and lawful prize. An order was made pronouncing the ship to have been lawfully seized, and ordering the vessel to be detained by the Marshal until further order. On the application of counsel for Mr. Ludlow claiming for necessaries, the President further ordered the vessel to be kept in an Irish port. It was submitted that the right of the Crown to seize the ship was higher than that of a necessaries man, and that the sale of the ship at the suit of the plaintiff and the payment of his necessaries could not be effected without prejudicing the right of the Crown to detain or confiscate the ship. Counsel explained that the order of the Prize Court meant that when the war is over, if the Court decided to give the vessel back to the German owner, the plaintiff would be able to re-arrest her and to go on with the action. Beyond that it was impossible to go. There was no reason why the plaintiff should not proceed with the action to ascertain the amount of his debt. Everything possible was being done to preserve the rights of Parliament. A somewhat similar case was before the English court recently, during the hearing of which the Attorney-General announced that a prize claim committee had been constituted for the consideration of claims by third parties interested in ships or cargoes condemned by the Prize Court in order that the law laid down by the Court as to charges over ships or cargoes might not lead to hardship in cases when it was right that British, allied or neutral subjects, should receive consideration. The object of that step was to consider all honest claims by British subjects and others. It would be open to plaintiff, in the present case, to go before that body and prove his claim. Having instituted an action in this country, he ought to be allowed to prove the extent of his claim here.

Sergeant Sullivan, who, with Mr. Holmes (instructed by Mr. P. E. O'Donnell) appeared for the plaintiff, said he did not intend to resist the motion, because they had every confidence in the assurance of Sir John Simon that honest claims would be considered by a committee which was sure to be fair and impartial. Mr. Justice Boyd granted the application.

VOTE OF CONDOLENCE

At a meeting of the Ballybricken Protest Committee held on Sunday, 20th inst, Mr. John Barry presided. There was a large attendance.

Mr. John O'Grady proposed, and Mr. James Kelly seconded, the following resolution, which was unanimously adopted:—"That we, the Ballybricken Protest Committee, tender to the widow and family of our esteemed fellow-member, the late Mr. Thomas Hartigan, our sincere sympathy in their sad bereavement, and wish to join with them in regretting the grievous loss they have sustained."

The meeting then adjourned.

TIPPERARY FARMER'S DEBTS

In the case of the Provincial Bank v. Delaney, Mr. J. Phelps (instructed by Mr. J. Tweedy) applied to the King's Bench, on Monday, on behalf of the plaintiffs for an order (which was granted) for final judgment for £2,709 6s. There was no opposition on the part of the defendant, a farmer in Tipperary. Mr. Justice Gibson said there never appeared to be any opposition to applications of the kind where the debts were large.

KICKED BY A HORSE

A young man named Michael O'Neill, Nenagh, a horse trainer, while engaged clipping an animal, received a severe kick in the abdomen, which rendered him unconscious. He was at once conveyed to the hospital, where

possession of the cottages, which they proceeded to let. They counterclaimed in the sum of £400 for damages for breach of contract, as they alleged, and for the supply of stones and water.

The case was heard in June last, before Mr. Justice Madden and a special jury of the city of Dublin, and at the hearing Mr. Justice Madden ruled that the question as to whether the plaintiff had completed his contract was not one for the jury, but was a question of law as to the meaning of the contract upon the construction of the documents, and he also ruled that the building of the boreen wall was not part of the plaintiff's contract. He further refused to permit to go to the jury any question of extras which were admitted to be done, but which were done without an order in writing from the architect. With regard to those extras for which there was an order in writing, Mr. Justice Madden permitted plaintiff and defendants to give evidence as to value, and he submitted such evidence for the jury for their findings. The result of that trial was that judgment was entered for the plaintiff, on the claim for £331 7s 2d over and above a sum of money lodged in court, with costs, and also on counterclaim, with costs. Defendants moved for a new trial, which took three days of last week and the Court decided to deliver considered judgment.

The Court was unanimous in the opinion that the plaintiff had completed his contract; that he was not entitled in respect of any extras for which there was no order in writing, and with regard to those for which there were orders in writing he was bound by the architect's valuation. The Court accordingly reduced the verdict by £75 19s, and entered judgment for the plaintiff for £255 8s 2d over and above the sum lodged in court, with costs, and also on the counter-claim, with costs, and gave plaintiff the costs of the new trial motion. The final judgment motion in respect of the £300 retention money was decided in favour of the plaintiff, for whom judgment was entered for the amount with costs.

The Court refused Mr. Carrigan's application for a stay of execution.

Counsel for the plaintiff—Mr. Powell, K C; Mr. Hanna, K C; and Mr. J. A. Roane (instructed by Mr. C. P. O'Neill). For the defendants—Mr. S. Ronan, K C; Mr. Carrigan, K C, and Mr. Hugh Kennedy (instructed by Mr. Jas. Lynch).

Kilrush Union Election Petition

APPLICATION IN KING'S BENCH

PETITIONER ORDERED PAYMENT OF COSTS

In the King's Bench Division, Dublin, before the Lord Chief Justice, Mr. Justice Kenny, and Mr. Justice Molony, in the matter of the Local Government election petition, Clooncoorha (Co. Clare) election division, Mr. James Comyn (instructed by Messrs Thomas Kelly and Co, Kilrush), applied on behalf of Thomas Collins, the petitioner in the matter for liberty to draw out of court the sum of £50 lodged by the petitioner as security for the costs of the petition.

The money was lodged on the 25th June to the credit of the Local Government Board Election Petition (Security Fund) in the Bank of Ireland, and the petition was heard on the 19th August at Kilrush, before Mr. De Renzy, K C, Election Commissioner. The result of the petition was that the Commission allowed the petition, and declared that Patrick Burke, the candidate returned at the election on the 2nd June last for said district electoral division was not elected by a majority of lawful votes, and that the petitioner (Thomas Collins) was duly elected by a majority of lawful votes. All the costs and expenses of said election petition were duly paid, and no claim of any kind had been made against the petitioner except those already paid.

On reading the affidavit of Mr. Thomas Kelly, agent for the petitioner, testifying the facts, the Court ordered that the said sum of £50 lodged as security for the costs of the election petition, be paid out to the petitioner.

West Limerick Soldier

DIES FROM WOUNDS

Mrs. Michael Lenthian, Newcastle West, has been officially informed from the War Office that her husband has died in France as the result of wounds received at the memorable battle of Mons. The sad news came as a shock to his family, and the deepest regret is felt by