

"Too Awful, Too Tragic."

Recent County Road Fatality

Judge McElligott's Address to Limerick Jury

Michael McInerney, Garrydoolia, County Limerick, was on Wednesday at Limerick Circuit Court, before his Lordship Judge E J McElligott, K O, charged with the manslaughter of an old man, Timothy Harty, Corelish, by knocking him down with a motor car at Corelish Cross on October 20th last.

The evidence in the case was similar to that given in the civil proceedings reported in the civil action already published.

In charging the jury,

Judge McElligott said there was no evidence that the accused was drunk on the occasion, but there was no doubt but that he had imbibed a considerable quantity of drink. He was a young man of 21 years of age and what the State wished to be deduced from the evidence was that the accused, who was considerably inexperienced as a motor driver, had his judgment affected by the drink he had taken that day. Mr Downing had said that a motor driver had to buy his experience. But was the accused to buy his experience by slaughtering a poor feeble old man walking on the road as he was entitled to do? He banged right into the poor man without putting on a brake and after striking him left him dying on the road. It was a terrible state of affairs. "I think" said his Lordship, "that you will come to the conclusion that it is about the most inhuman thing that was ever heard of in a court of justice. Why did he drive away? I think you will agree that it was the guilty conscience that induced this awful outrage on humanity. If the juries do not do what they ought to do in cases of this kind, then God help the unfortunate people using the roads. Could there be any doubt that the accused was utterly oblivious to his duty? The faintest trace of humanity did not display itself in him. He drove home after striking the unfortunate man, leaving him without a priest, a doctor, or without informing the guards. It was too terrible, too awful, too tragic."

"I never seek to place my own personal views before a jury," added his Lordship, "but I do not think in this case that I have left you in any doubt as to what my own views are. I have always tried to be perfectly fair and just to an accused person, and if you have any reasonable doubt now, you must give the accused the benefit of it."

The jury returned after an absence of over an hour, and found the accused "guilty—not of gross negligence"

Judge—That is a verdict of not guilty. I cannot agree with your verdict. I am sorry for the road users of this county.

The accused was then discharged