

According to other messages the Italians have been pushed back to the north of Kalamas River and that the

on a Scottish town. Some tenem demolished and a small number casualties resulted.

REVERED SOLICITOR

Late Mr. R. Cussen

CIRCUIT JUDGE'S TRIBUTE

At the opening of the proceedings of Rathkeale Circuit Court to-day, his Lordship, Judge McElligott, K.C., said he thought it was only right that at this, the first occasion on which he sat in Rathkeale since the sad occasion he should call to the mind of the legal profession and the public the name of the late Mr. R. Cussen, solicitor and coroner for West Limerick. Mr. Cussen was one of the senior practitioners in County Limerick, and he was well known and very highly respected, as he ought to have been, because he was distinguished for a very extraordinary simplicity of character. He was at the same time possessed of very considerable ability in the conduct of his profession. "During all the time that I knew him," continued his Lordship, "and more years have elapsed than I care to recall now, he was practising at the Bar in County Limerick, and was looked up to and was an example to every other practitioner. He was a great favourite, as he deserved to be, with practitioners and with the public. He retired from practice a good many years ago, and we were all sorry at the time; and as he did so, of course, he was not known to many of the members of the profession nowadays, but we all wish him peace and happiness where he is gone, and we tender to the family the sympathy which they merit on such an occasion. His sons carry on his fine tradition, and please God they will do so for many years."

Mr. Geo. Kenny, B.L., on behalf of the Bar, said he would like to associate himself with his Lordship's remarks. He had known the late Mr. Cussen for many years, and he very sincerely regretted the passing of such a distinguished member of the profession. He tendered sincere sympathy to deceased's sons—Mr. R. J. Cussen, solicitor, and Mr. M. E. Cussen, on their loss.

Mr. D. J. O'Malley, solicitor; Mr. H. O'B. Moran, county registrar; Mr. W. Leahy, solicitor, and Sergeant Keegan, on behalf of the Garda authorities, associated themselves with the remarks of his Lordship.

Mr. R. J. Cussen, solr., suitably replied on behalf of the bereaved family.

VANMAN HELD UP

CEMENT DUST C

Judgment Delivered
To-day

DAMAGES ASSESSED AT AND COSTS

The hearing was concluded in Court, Dublin, to-day, before Mr. Gavan-Duffy, of the case in which O'Donnell, of Templemun Limerick, Secretary of the Limerick Council, is the plaintiff, and Cement the defendants.

The plaintiff sought damages for injuries done to his property at Mungret as a result of the operation of the cement factory at Mungret.

The claim was originally instituted in the year 1939, but on the 4th July of this year, Messrs. Cement, Ltd., admitted their liability and constituted a nominal defendant, the plaintiff, and agreed to contribute to the costs. Under the terms of the agreement then entered into, Messrs. Cement agreed to instal a precipitation tank for the abating of the nuisance and agreed that when the nuisance had been ended such claims as the plaintiff could then present would be invalid. In default of agreement between the parties as to the amount of compensation the matter would be left to the arbitration of the court.

His Lordship assessed damages for the nuisance at £315 in respect of compensation for interference with Mr. O'Donnell's enjoyment of his home, and £500 for injury caused to the house, outbuildings, furniture, garden and pleasure grounds.

Mr. O'Donnell is also to receive interest on the damages as agreed between the parties for the period in connection with the alternative proceedings, and for a caretaker at Mungret during his absence.

Mr. Costelloe, K.C.; Mr. Laverty, B.L. (instr.); and Mr. Liston, B.L. (instr.) were present. Messrs. P. J. O'Sullivan and S.