

CRIMINAL COURT

County Manslaughter Charge

Death of Young Girl

THE VERDICT

His Lordship Judge E. J. McElligott, K.C., opened Limerick Circuit Court today with the hearing of county criminal indictments.

James Darcy, Boherbee, Newcastle West was charged with the manslaughter of a girl named Ellen Moroney, Clashgariff, Shanagolden, by striking her with a lorry on the 7th July, 1939, and occasioning injuries from which she died on July 18th.

Mr. T. Donovan, B.L. (instructed by Mr. J. J. Power, State Solicitor), prosecuted.

Mr. M. Binchy, B.L. (instructed by Mr. R. Cussen, solicitor), appeared for the defendant.

Mr. Donovan said that the defendant had given a powerful lorry at a place called Burke's Cross, and had struck a girl named Moroney, who was eighteen years of age. Evidence would be given that the defendant, in driving up to the cross, did not sound a horn, and that the girl was cycling along the Ballyhahill road towards the cross prior to the accident.

Guard Wm. J. Quinlan, Garda Headquarters, produced maps of the scene of the accident, and in evidence stated there was nothing at Burke's Cross to obstruct the view of a vehicle coming along from the direction of Foynes for a considerable distance. Coming from Foynes a person driving a lorry should see a cyclist coming down the Ballyhahill road from a distance of one hundred yards before reaching the cross.

Dr. J. F. O'Connor, County Hospital, Croom, gave evidence regarding the injuries to Ellen Moroney when she was admitted to the hospital on July 8th, the evening following the accident. She died ten days later from toxemia caused by broken ribs and shock.

John Moroney, father of the deceased girl, said his daughter usually went to Nolan's, of Waterpark, for milk in the evening, and would bring it back in a bag on the bicycle. On the 7th July she went for the milk as usual. Her hearing was perfect, and the bicycle she used was in good condition.

Judge—It has been said that the brake blocks of the bicycle were worn and that they were not good.

Witness—I rode it three weeks before the accident and found them all right.

Bridget McCarthy, an itinerant, stated that she was driving a side-car along the road from Foynes to Newcastle West on July 7th. She came near Burke's Cross at 5 o'clock, and a lorry passed out. Witness was well into the left-hand side, and the lorry had room to pass out without going to its wrong side of the road.

Mr. Donovan—Did you see anybody else on the road?—I saw a girl cycling from the right-hand side.

Where was the lorry?—It was almost on the cross.

Did you hear any horn blown by the lorry?—I did not hear any.

Was there a horn blown by the lorry before it passed your side-car?—Yes, sir.

Continuing, the witness said the girl came out from the road on the right-hand side, and the impact occurred. The lorry at that time was in the middle of the cross.

COMING VERY FAST.

Mary Ellen Leahy, Brosna, stated she was cycling towards Foynes on the evening in question. Before approaching Burke's Cross she saw a lorry coming along very fast, and she came off her machine. She then heard a crash right on the cross. The lorry was travelling on its wrong side, because it was after passing out Mrs. McCarthy's side-car. After the crash witness saw a girl lying

on the grass margin on the Newcastle West side of the cross.

Patrick Nolan, Waterpark House, stated that on the evening in question he was cycling to his home from Shanagolden. As he approached Burke's Cross a lorry overtook him and passed out. Witness was about 200 yards from the cross at the time and had the lorry in view until it reached the crossing. When it was passing the side-car it went over to the right-hand side of the road. Witness then heard a crash and the sound of brakes being applied. He heard no horn being sounded.

Patrick McMahon, a passenger in the lorry with the accused, stated that when they were approaching Burke's Cross he could not remember that Darcy sounded a horn. Witness did not see the deceased at any time, but heard a crash when the lorry was in the centre of the cross. The lorry pulled up, and witness then saw a girl lying on the grass margin.

Michael Power stated he was working in his garden about 40 yards from Burke's Cross on the evening in question. He saw the lorry passing, but heard no horn sounded. He then heard the crash. Judge—Could a horn have sounded without you noticing it?—It could, my lord.

Mr. Donovan—What kind of hearing have you?—It is good.

Patrick Kennelly said he saw the lorry approaching Burke's Cross, travelling at between 25 and 30 miles an hour. He heard no horn sounded, but he heard the crash at the cross when the lorry had passed on.

Guard P. Connolly, William Street, Limerick, inspector of public service vehicles, gave evidence of examining the lorry driven by Darcy on the 7th July. The horn was in working order and could be heard over a distance of a couple of hundred yards. The footbrake was efficient excepting a slight deficiency on the right front wheel. There was nothing seriously wrong with the brakes. He tested the lorry over the ground and found he could see a cyclist coming along the Ballyhahill road for a distance of 30 yards back from the cross. He lost sight of the cyclist for a few feet just on the cross.

Other evidence having been given, the evidence for the prosecution concluded.

James Darcy, the defendant, in evidence, said that when approaching the cross he saw a horse and car, and when passing them changed down to third gear. He continued on to the cross, and as he was just going over he heard an impact. As he did not know what exactly happened, he delayed a moment before applying his brakes fully. He pulled up the lorry when he went over to his own side of the road. Up to that time he was on the crown and travelling between 15 and 20 miles an hour. He did not see the cyclist at all before the crash. If he had seen the girl he could have avoided her.

Cross-examined, the defendant denied he was going fast at the time, but agreed he was on the wrong side for a short time prior to the collision when passing the car. After passing the car he did not sound the horn, and he did not look to the right or left as he came up to the cross.

Mr. Donovan—Don't you know it was not a reasonable thing to pass out a car when only fourteen yards from the cross?—Yes.

Was it not your speed that prevented you getting back on your own side—and did it prevent you from blowing your horn?—No, that is not so.

A verdict of not guilty was returned.

BIG BATTLE

Conditions in Finland

Russia's Determined Effort

Throughout yesterday and to-day there has been heavy fighting in Finland.

The Russian troops have engaged the Finns in a big battle around the Karelian Isthmus, and according to meagre details released so far, pressure on the defenders is said to be severe. Over ten thousand Russian troops are engaged in what is believed will prove one of the most decisive struggles in the war.

The Finns are outnumbered and are forced to rely mainly on patrol tactics. They have gained some successes in surprise attacks, but it is feared that they would not be able to withstand a prolonged onslaught.

Fighting is also severe in the Petsamo region, where the Red troops have once more taken the offensive.

Many thousands have been killed during land engagements within the past few days, and it is reported that the Soviet soldiers have suffered very severely.

There is no news from the Western front beyond reports of renewed artillery activity.

COMMITTAL ORDER WITH STAY

£296 Must be Lodged in Court

(Before Judge Davitt.)

For failure to comply with a Court order of October 25th last, an order of attachment and committal to prison, with a stay of a fortnight, was made against Laurence Meany, Seapoint, Co. Dublin.

It was stated that Meany had failed to comply with an order of the Court to lodge in Court £296 16s. 8d., alleged to be portion of the estate of Ellen Moloney, deceased, whose assets were said to amount to £1,000.

Meany had been personal administrator of the estate, and the plaintiffs in the case were Bridget Moloney, Longford Terrace, Monkstown, Co. Dublin, and James Meany, at present residing in America.

It was stated by Mr. J. J. C. Devlin (instructed by Messrs. D. D. MacDonald and Co.), for the defendant, that Meany had house property in Dublin, Limerick, and Clare, and was endeavouring to realise some of it. He had been under a misapprehension in that he believed he had been entitled to certain allowances for his services.

Mr. P. J. McEnery, K.C. (instructed by Messrs. E. M. Lloyd and Co.) appeared for the plaintiffs.

NEW ANGLO-IRISH AGREEMENT

Dead Meat Prices Fixed

A new agreement was concluded on Wednesday between the British Ministry of Food and the Irish Ministry of Agriculture. The arrangements relate to the dead meat trade, and prices have been fixed as follows:—For Irish exports of light porkers of the Londoner type, 11½d. per lb., and for dressed mutton 10d. per lb., and dressed lamb 11½d. per lb. In all cases the prices are for the best quality, and represent substantial increases over pre-war rates. Prices have also been fixed for less important types of fresh meats exports.

From Monday next the new price of 133s. 6d. per cwt., f.o.b., arranged on Wednesday will take effect for Irish bacon exports to Britain. It has been fixed on the same basis as for the English curers.

Prices have also been fixed for exports to Northern Ireland of fat cattle, sheep and pigs. Owing to the lower cost of putting live stock across the border as compared with shipping, the prices are somewhat lower than if the stock were sent to Harkenhead. Irish stock will still be bought alive in the North.

GOOD COMEDY

L.P.Y.M.A. Entertainment

Creditable Acting

The L.P.Y.M.A. Dramatic Class made another of their all too rare appearances on the stage last night with the presentation of two lively sketches, entitled "The Matchmakers," by Seamus O'Sullivan, and "Cough Water," by J. Bernard McCarthy. The players as a whole are to be complimented on the manner in which they caught the broad humour of Irish country life.

Lionel Watts, who had one of the title-roles in "The Matchmakers," was well cast as Larry Dolan, who showed no scruples in hiding the fact that his niece, Mary, had only one arm, "and that a d'togue," in order to get her married. As his wife, Mary Ellen, Miss Eileen Black made full use of her limited opportunities.

Edward Walsh as Tom O'Connor, the second matchmaker, who also had something to hide in the fact that his brother, Sean, had bandy legs, was quietly effective. Mrs. V. Watts, who had the part of Kate Mulvaney, a neighbour, gave a really splendid interpretation of a difficult role, and her exposure of the matchmakers was a really splendid piece of acting.

The "match," Miss Mary Burnley (Mary) and Robert Walsh (Sean), did all that was expected of them.

The acting generally was good, but the piece itself was a little inclined to drag at times.

"Cough Water," the second presentation, was not as humorous as its forerunner, but what is lacked in this respect was compensated for by the smooth and efficient manner in which it was played.

The plot hinges on the working of a country dispensary, with Dr. Cronin (Rev. J. Benson) as temporary M.O., and Stewart Lilburn as Mike, his assistant.

When Mike sets about mixing "cough water" for the patients things begin to happen. Bridget Kelleher, one of the patients, discovers that he has mixed the contents of a bottle labeled "Poison" with the "Cough Water." There is consternation in the dispensary when one of the patients, who has taken a dose from the bottle falls down "deadly poisoned." "All's well that ends well," however, and Mike's mistake leads to a reconciliation between Tom Connors and his wife, Nora; the settling of Dr. Cronin's love affair and his appointment as permanent M.O. to the dispensary.

"Cough Water," with which Mike inadvertently mixed a bottle of "uisge beatha" becomes a very popular cure in the neighbourhood.

Stewart Lilburn as "Mike," stole the honours from Dr. Cronin who, however, had few faults.

The rest of the cast showed no lack of ability and assurance in their respective parts as follows: Bridget Kelleher (Miss J. Lilburn); Strolling Moll (Miss J. Woods); Peter Driscoll (Robert Walsh); Tom Connors (Robert Smyth); his wife Nora (Edith Cox); Mr. Carey (Douglas Brisbane); Eily, his niece (Kathleen Marsden).

MARRIAGE

Dr. M. J. Roberts and Miss. E. C. E. Pentony

At Clontarf Church yesterday Dr. Michael J. Roberts, only son of Dr. and Mrs. James Roberts, of Limerick, was married to Eleanora Catherine Ethne Pentony, daughter of Mr. and Mrs. P. J. Pentony, of Clontarf.

The ceremony, with Nuptial Mass and Papal Blessing, was performed by the Very Rev. Joseph Pentony, Adm., Armagh (uncle of the bride), assisted by the Very Rev. Canon McMahon, P.P., Clontarf; the Very Rev. Dr. E. J. Kissane, Maynooth College, and the Rev. Aiden Roberts, O.F.M., Clonmel (uncle of the bridegroom).

The bride, who was given away by her father, wore a prunis blue two-piece ensemble, trimmed with clipped seal, and a nigger-brown hat.

After a reception in the Shelbourne Hotel, Dublin, Mr. and Mrs. Roberts left for the South of Ireland.

LIMERICK FISHERY DISTRICT

Anglers' Association

Satisfactory Year's Work

The Annual General Meeting of the above association was held at Crusade Hotel on Saturday last.

The Chairman, Mr. J. Hayes, presided and Mr. G. H. Ryan Hon. Sec., with the members of the committee and association were also present.

In declaring the meeting open, the Chairman welcomed all anglers, whether members of the Association or not, and was very glad to see such a large number present that evening.

He outlined the various activities of the Association during the last season and informed the members of certain privileges and concessions secured by their Committee, which will be available to all members of the Association for the coming season.

The balance sheet was read by Mr. H. Ryan, hon. sec., and showed a credit balance of over £17.

After a general discussion on several matters concerning both salmon and trout anglers, Mr. Hayes (Chairman) told the meeting it was the intention of their Committee to hold two prize angling competitions during the 1940 season, and also competitions for trout anglers.

The fee for admission was fixed at 10s. for each entrant to the Association, the same as last year as it was felt, owing to present conditions, and to secure a large and representative body as possible, that the fee would not be raised.

Mr. G. H. Ryan, the present hon. sec., signified his intention of resigning from the position, as he could not give it the time and attention now necessary.

His resignation was accepted with regret, the Chairman proposing a vote of thanks to him for his excellent work during the last season.

This was passed unaniously, and Mr. Ryan was then proposed for the Committee. His selection was acclaimed by members present.

The new Committee were then elected for the new season, and, with the exception of one new member, Mr. S. McCavitt, all the old Committee were re-elected to office for 1940. Mr. Ford was also elected to the President.

The membership of this Association now over 100, and all lovers of the rod would be well advised to secure their cards for this coming season from hon. sec., Mr. H. Nestor, of O'Connell Street, Limerick.

COUNTY ROADS

A Visitor's Experience

To the Editor "Limerick Chronicle" Killough, Co. Down, 27th January, 1940

Dear Sir,—During December, 1939 was having a holiday in Co. Limerick which I enjoyed very much, and I was greatly struck with the beautiful appearance of the city, particularly the concrete streets, and houses and shops so neatly painted; everything seemed so prosperous. But the country roads gave a shock; two punctures within a couple of hours of a Sunday afternoon, and advocating in your paper for tourists to come and see the beautiful country, doubt about the country.

It would do you good sometime to take a tour in a nice car out the Ross road, beyond the Golf Course, onto peacon, Crecora, Croom, and around by Kipeacor, and see the men shovelling on the beautiful diamonds as big as your fist. It would do your heart good when you are run over them, and the rattle of the mud against the mud guards. You would fancy it was a hold-up, and these hefty roadmen getting ready a couple of big shovelfuls to put down before you pass, with a grin on their faces, as if as to say, "Rowl out the barrel, and have a barrel of fun." Ah, will the men have their fun too?

Have a bit of pity, dear District Commissioners, and put a roller over the mounds, or crack them a bit smaller, the next time I take a tour over that I will be able to say "Bit of a ch here." not like what it was 40 years when I came along in the auld days

SECONDARY TEACHERS

Limerick Branch Meeting

CITY SCHEMES

Many Men Employed