

Fatal Accident Recalled

CHARGE OF BEING DRUNK DISMISSED

Before Mr. D. F. Johnson, B.L.M. Shanagolden Court on Wednesday.

Michael James O'Leary, Leahies, Foyines, was charged with driving a motor car while drunk on 2nd January, 1940.

The Superintendent explained that defendant had been remanded from a special Court on the first charge. The case arose out of a rather tragic accident near Foyines, as a result of which Mr. Purtil, who was out walking with his wife, lost his life.

COST OF HEARINGS.

In reply to the Justice, the Superintendent said the case had been before the higher Courts a number of times, and the summonses now before the Court had been adjourned from time to time.

Mr. Liston said the manslaughter charge against defendant was before two juries and there was a disagreement on each occasion. The Attorney General then directed that a nolle prosequere be entered and in all the circumstances he (Mr. Liston) thought that the summonses now before the Court should be withdrawn.

Mr. Liston said there was no evidence to prove that he was drunk while in charge of a car. Superintendent I definitely don't agree on that point, and I would suggest that your Worship hear the summonses here to-day.

NO EVIDENCE SUBMISSION.

Mr. Liston said that the manslaughter case had been investigated from every angle, and he submitted that there had been no evidence of drunkenness against the defendant. In view of all the circumstances and the colossal expenses incurred by the State as well as the defendant it must have cost the State about £500 he would suggest that the summonses before the court that day be struck out.

The Superintendent said the manslaughter charge had gone out, but the summonses before them that day were never before any previous court. A man could be negligent in the driving of a car without being guilty of manslaughter. There would be eight witnesses in the case.

The Justice said that in view of the way the manslaughter case had been hammered out the other summonses might now be disposed of by a plea of guilty to one of the three charges. He suggested that Mr. Liston and the Superintendent consult on the point, and they both agreed to this course.

After consultation, Mr. Liston said defendant was prepared to plead guilty to the charge of driving in a manner dangerous to the public. The Superintendent, however, was not prepared to accept responsibility for withdrawing the charge of drunkenness while in charge of the car.

The Superintendent concurred, and said the plea of guilty on this charge would be accepted. The summons for dangerous driving could now proceed with the charge of drunkenness while in charge. Justice I will hear evidence on that charge then.

EXAMINED BY DOCTOR.

The first witness called was Inspector W. Brazill, who stated he was in charge of the Newcastle West district in January, 1939. On 2nd January, as a result of a report, he went to Foyines Station, where he saw defendant. He came to the conclusion that the defendant was very much under the influence of drink. When asked if he had been involved in an accident defendant said yes, and that he had reported it. Witness then told defendant that he would be charged with being under the influence of drink while in charge of a motor car and explained his position. Defendant made no statement in reply. When told that he could have a doctor he wished to examine him defendant refused to have a doctor. About three-quarters of an hour later defendant was examined by Dr. Nolan, the Guards doctor. Witness added that he had no doubt defendant was under the influence of drink.

Mr. Liston: That was only your opinion? That is right.

Answering the Justice, witness said: the accident occurred about 5.20 p.m. and witness saw defendant about 6.15 p.m.

Guard Hanley said defendant came into the barracks about 5.40 and reported that he was after knocking down two tinkers on the road. He was very excited at the time and smelt heavily of drink. When asked where the accident occurred he said there was a caravan at Longwood and that two children ran across the road. Witness was of opinion that defendant was under the influence of drink.

Mr. Liston: But he said everything a man with his senses would do, he drove back the car to the barracks and reported the accident? He did.

NOT A GOOD EVENING.

Guard McDonough said when he took over duty from the previous witness at 6.25 p.m. defendant was sitting in a chair. When witness remarked that it was a good evening defendant replied that it was not a good evening for him (defendant). He said that when going out the road from Foyines he met tinkers. He also said he blew the horn and applied his brakes, but the car swerved and the accident occurred. Witness concluded that defendant was under the influence of intoxicating liquor.

Sergeant Deasy said when he visited the scene of the accident there was no caravan or sign of tinkers on the road.

Dr. A. Nolan, Shanagolden, said she was called to the barracks to examine the defendant about 7.30 p.m. She came to the conclusion that while he had drunk taken he was capable of driving a car at the time. On a previous occasion when he was in a more excited condition he had driven her in the car on a sick call.

CHARGE OF BEING DRUNK DISMISSED.

The Justice said there was no evidence in regard to the condition of the defendant at the particular time of the accident. It was quite

MR. PATRICK SHANAHAN.

Deep and widespread regret has been occasioned in St. Mary's Parish through the death of Mr. Patrick Shanahan, 49 Athlunkard Street, who passed away on Tuesday in Barnington's Hospital after a brief illness. His wife, the late Mrs. Mary Shanahan, pre-deceased him some five months ago. The late Mr. Shanahan was of a very quiet and gentle disposition and the deepest sympathy is extended to his sons and relatives in their bereavement.

The remains were removed from Barnington's Hospital on Wednesday evening to St. Mary's Church. The funeral, which took place yesterday to Mount St. Lawrence Cemetery, was followed by a large and representative gathering, testifying to the esteem in which the deceased and his family are held.

The chief mourners were—Paddy, William and Michael (sons); John (brother); Joseph Lahiffe (brothers-in-law); James and Michael Quilligan (uncles) and family; Joseph Shanahan (nephew); Denis and James Shanahan, John and Nellie Vaughan, Michael, Willie, Paddy and Thomas Vaughan, Augustine and Joseph O'Shaughnessy, James, Gerard, Frank and Mary Gleeson, James and Willie Lahiffe, Mrs. Nora Fennell and family, Mrs. C. O'Donovan and family, Stephen and Hannah Dinneen, Jack Gleeson, Mrs. J. Shanahan, James and Gerard O'Donovan, etc. etc.

Mass cards—Beloved sons; John and Mary Shanahan, Stephen and Hannah; Bessie and Joe; John, Nellie and family; Mary Gleeson; Augustine O'Shaughnessy; Joe and Joan O'Shaughnessy; Lahiffe family; Mr. and Mrs. P. Griffin and family; Mrs. Dinneen and family; P. Dinneen; Mrs. M. E. Crowe and family; May Long, Birdie and family; Mr. and Mrs. M. J. Broderick; Mr. and Mrs. A. J. Egan; Eddie and Maisie Teacy; Jack and Nancy Sweeney; A. O'Dea, Ennis; Shannon R.F.C.; Millbrook Hockey Club; Shelbourne L.T.C.; W. W. and Riddie.

Telegrams—Mary and Jack Vaughan; Kit and Tom Quinn; Browne family, Galway; Paddy Conway; Joan.

The priests in attendance were—Rev. Father Moloney, P.P.; St. Patrick's; Rev. Father Costelloe, C.C. St. Mary's; and Rev. Father Kennedy, C.C. do. Rev. Father Costelloe officiated at the graveside.

Mrs. P. O'CONNOR, CORRIGG, FOYNES.

We regret to announce the death of Mr. Patrick O'Connor, Corrigger, Foynes, which took place at his residence on Thursday, September 13th. Deceased was a well-known figure in Foynes, having spent a long life in the midst of neighbours with whom he was always the best of friends. He was a sterling character—ever ready to do a man's share. His death was not altogether unexpected as he had been laid up for some time. The funeral was a great tribute of respect to the deceased. On Thursday night the remains were brought to Foyines Church, where the Rosary was recited by Rev. Father Quinlan, C.C. At noon the following day the funeral took place to the family burial ground at Knockpatrick. The officiating clergy were—Very Rev. Canon Rea, P.P., V.F., and Rev. Father Quinlan, C.C.

The chief mourners were: Mrs. O'Connor (widow); James, Willie, Eddie, Thomas and Pete O'Connor (sons); Mrs. Kirwan (daughter); William Kirwan (son-in-law); Mrs. James O'Connor and Mrs. P. O'Connor (daughters-in-law); Michael and Mary O'Connor, Mary and Rita O'Connor, Pat and James Moloney, Michael and Frances Kirwan (grandchildren); John and James O'Connor (nephews); Mrs. O'Connor (sister-in-law); James Harte, Ballyshahill; James Ginnane, Ballynaas; Phil Donovan, Kilsheelan; Michael Guane, Tiersmore; James Cribbin, Shamal, cousins; Mr. and Mrs. J. Hennessy, Mrs. Ellen O'Flaherty, Hanly family (Ballynacragga); Mrs. P. Cusack, Corrigger; Mrs. M. Cusack, Foynes; Denis and James Mearney.

Mass cards: Mother and family; Kit, Bill and children; Jim, Lu and family; Queen and Paddy; Dodge, Jim and family; Mary and Rita; Michael Cusack and family; Pat and Bridget Cusack; John O'Connor, wife and family; Mick and Catherine Sheehan; the King family; D. Naughton and family; P. Jackson and family; John Walsh, senr., and family; Jack and Catherine O'Connell; B. Danaher; M. A. Guerin; Willie and Hanna Guerin; C. Leahy; James Finucane and family; Nurse Alice O'Dowd; John and Nora Walsh; Johnny and Mrs. Jackson; Michael and Bridget O'Connor; John Madigan, wife and family; John and Margaret Knight; Jack Hughes and Paddy; E. O'Flaherty and family; the Hanly family; Patrick Stephenson; the Cuffane family.

CIRCUIT JUDGE

CHAMBER OF COMMERCE

RESOLUTION

At the monthly general meeting of the members of the Limerick Chamber of Commerce the following resolution was proposed by the Vice-President, Mr. Morgan McMahon, and unanimously adopted:—The Chamber of Commerce, Limerick, has learned with regret that our city will be deprived of the learned and able services of Justice McElduff in his judicial capacity, and they take this opportunity of wishing him many years of health and happiness in his retirement.

A very courteous and kind reply was received from the Judge.

It is possible that a man might have a certain amount of drink taken and be quite capable of driving a car and yet go completely to pieces after a collision. It was within the limits of reasonable probability that the defendant had become adversely affected by the shock of the accident and that it helped the liquor that was in him to incapacitate him or give him the appearance of being more affected than he actually was. In view of all the circumstances he would give the defendant the benefit of the doubt and dismiss the charge of being drunk while in charge of a car. On the charge of driving without due consideration for the public, to which he had pleaded guilty, he would fine defendant 20/- with 13/- expenses.

When the Superintendent asked that defendant's driving licence be suspended the Justice said he would not like to do so, as he thought the defendant had had quite enough. It was common knowledge that the hearing of this manslaughter charge had been very costly and that the expenses ran into something like four figures.

Fertiliser From The Roadside

A CHEAP RELIEF SCHEME

(BY "RAMBLING THADY")

"Throwing stones against the wind" was the old people's way of describing an unproductive occupation. Where public funds are concerned nobody seems to mind how they are spent. Nevertheless, public funds are the property of the general public, subscribed through the various channels of direct and indirect taxation. The staffs of the governmental institutions appointed to collect and administer the funds are the servants of the people and should be prepared to give an account of their stewardship to their employers through the parliamentary representatives selected for that purpose. In other words, the Dail and Senate representatives are the overseers or gaugers appointed by the people to superintend the work of governmental departments. In a country such as ours, supposed to have a democratic government, this, in brief, embodies the fundamental rules of government.

PEOPLE ORDERED BY THEIR OWN SERVANTS?

In practice, however, as every man in the street knows, the reverse rule operates. The people who supply the funds have little or no say in their administration, but are actually ordered by their own servants how they should be spent, and the people's overseers, the Dail representatives, appear powerless to intervene. A parallel example of what actually occurs would be that of the poor widow, old and decrepit, being ordered by her servant man how she should dispose of her monthly creature cheque.

What has induced me to write the above paragraph is the proposal, emanating from a Dublin department, to spend huge sums of money to relieve unemployment in Limerick City during the coming winter on work which our grandfathers would aptly describe as "throwing stones against the wind." The tearing up of thoroughly sound roads and the substitution in their stead of concrete roads cannot by any stretch of the imagination be termed unproductive work. Yet this is the proposal which the people's servants are insisting shall be carried out. Concrete roads, it is asserted, would add dignity to our city as well as effect an annual saving in the cost of maintenance. No other relief scheme, it is further asserted, would be capable of absorbing the large number of unemployed anticipated in the coming winter.

REPRODUCTIVE SCHEMES.

These arguments may be legitimate at another time—when all other available reproductive schemes have been disposed of. But, as has been pointed out several times in the editorials of the Limerick Leader, there are works of a reproductive nature all over the country demanding immediate attention. And in the present emergency the proper background for all relief schemes should be the conservation of the food supply for man and beast. Everything which tends in any way to increase the produce of the land should have prior claim to the use of public funds.

Road work, of any kind, though a necessity, is not necessarily unproductive. In times of an emergency people have to submit to discomforts of many kinds and bad or indifferent roads are not the worst of them.

But there is one form of road work which is definitely unproductive as well as unnecessary, and that is the clearing away of the accumulation of road stuff lining the roads all over the country. Mixed with forward manure no better fertilizer can be produced for grass and even crops. Used alone, no better top-dress can be got for the sweetening of sour lands, or the production of early grass which will be so necessary next spring. In my student days at the Royal College of Science I made a close study of the analysis of soils and later as a hobby I studied many books on the subject, and I am fully prepared to back my views against all comers. The reader will pardon my burst of temper, but I have frequently been charged for writing on subjects of which I have no intimate knowledge.

OPEN TO THE WHOLE COUNTRY.

Here, then, is one form of relief scheme, open to the whole country, easily administered, which in one year alone would reproduce double the initial cost. And it is a scheme which would not only absorb the county and city labourer, but would give employment during the slack season to farmers' sons and their homes. The piling of earth are a definite danger to traffic; their removal would make the roads safe and release huge quantities of manure so necessary if the soil has to maintain its fertility against the abnormal demands made on it during the present crisis.

DIED IN SCOTLAND

LIMERICK SOLICITOR PASSES AWAY

The death occurred at Greenock, Scotland, on Saturday, of Mr. Michael Goodbody, solicitor, third son of the late Mr. Gerald E. Goodbody, Woodstown, Limerick.

The deceased, who was only 26 years of age, met with an accident some time ago while travelling to Canada, and never recovered from his injury. He was admitted a solicitor at the Hilary Term in 1938, and subsequently entered the firm of Messrs. Pitt and Co., Limerick, where he practised his profession until the outbreak of war. He was a well-known practitioner in the Limerick Courts, and his early death will be learned with genuine regret by his colleagues in Limerick City and County. The deepest sympathy will be extended to his bereaved mother, Mrs. Hilda Goodbody, and to his brother, Mr. G. M. Goodbody, who succeeded his father only a short time ago as a director of Messrs. Ranks (Ireland), Ltd.

FATAL ACCIDENT

Daniel Ryan, farmer, Ballygibbon, Nenagh, died in Nenagh General Hospital on Friday evening following serious injuries sustained in a motor accident near his own home on Tuesday night. The driver of the car was also injured when the car crashed into a wall. He is detained in hospital.

FOR "In Memoriam." Acknowledgment cards and all classes of small card printing apply to the "Limerick Leader," Ltd. Quick service. Large range of latest designs. Mr. J. J. O'Connell.

THE COLISEUM

The thrilling adventures of a clerk when he becomes involved with a gang of racketeers provide excitement and fun in M.G.M.'s "The Golden Pheasant," which opens on Monday. The big list of players includes Lew Ayres, Rita Johnson, Leon Errol, Lloyd Nolan and Nat Pendleton.

On Wednesday the programme is R.K.O.'s "That's Right, You're Wrong," the big musical with America's Kay Kyser and his band. A galaxy of comedians appear in support, including Edward Everett Horton, Adolphe Menjou and May Robson, with Lucille Ball. "Tower of London," the sensational epic of the Black Century in England, comes on Friday. On its initial premiere here this picture received a tremendous reception. With Basil Rathbone and Boris Karloff in the lead this film is one succession of events after another. See vast armies clashing, public executions, prisoners being drowned in casks of wine, torture chambers, etc. Never before has such terrifying drama reached the screen. In support, Nan Grey, Vincent Price, Barbara O'Neil and Ronald Rathbone (Paul's son) appear.

THE THOMOND

The week will open with an attractive programme. "Days of Yesteryear" will be screened on Monday and Tuesday. Other roles are held by Roy Rogers, George Hayes, Donald Barry and Pauline Moore. It is a story of outlaws in the bad, bad days of the Wild West. "The Pluck of the Irish," starring James Cagney and Max Clarke, will also be shown. This film has plenty of romance, action and moments of great suspense. Jack Holt in "Alien Saboteur" will fill the mid-week berth. See the crack investigator of the New York police track down enemy aliens who dynamited a Nation munitions plant. The week-end attraction will be that masterpiece of the screen—"Derek Command," starring John Wayne, Claire Trevor and Walter Pidgeon. What rousing adventure in a film, unsurpassed for its glorious spectacle.

THE CARLTON

Brimming with laughter and fun, "George and Margaret," Warner Bros. delicious adaptation of the successful stage play, opens a three-day engagement at the Carlton on Monday next. The story revolves around the confusion created in a household by the expectation of two detested and boring guests. The worried helpless mistress of the house, the mild father, the headstrong daughter, the accumulator son, the cynical younger son, all their affairs are affected by the anticipated luncheon. How the parlourmaid turns heroine and rights everything provides a delightful climax to a film which is one long laugh from beginning to end. The big cast includes Marie Lohr, Judy Kelly, Noel Howlett, Gus McNaughton and Oliver Wakefield. The famous "Voice of Inexperience" of radio, stage and screen fame, that most popular of comedians Ken Maynard, will be seen in the outstanding supporting feature "Whirlwind Horsemanship."

On Thursday the programme changes to a powerful murder mystery, "House of the Arrow." Kenneth Kent appears as Inspector Howard, who is called in to investigate the mysterious death of a wealthy widow. Abounding with thrilling and eerie scenes the film builds to a suspenseful climax.

The supporting feature, "The Two-Gun Man," is a blazing story of the one man fight for law and order on the range. In this epic Western, Ken Maynard makes a welcome appearance after a long absence. Lucille Brower and Nita Martin are seen in important roles in the film.

THE GRAND CENTRAL

On Monday the Grand Central presents "Angels Over Broadway," a wistful, tender, all too human romance. A one-on picture which ends breath-taking beauty in the sunnier and milder of a romance, which finds excitement and adventure in a wistful little man's effort to end his troubles by suicide, which finds heart-dilating romance in the strange and wonderful meeting between a boy who thinks he's tough and a girl who is afraid of the future, fearful of the past, "Angels Over Broadway" mixes with its poetic beauty all the bruenes turmoil of a turbulent, ever-moving city. Douglas Fairbanks, junr., is brilliantly starred in the new film, which he produces with Ben Hecht. As the Broadway "wise guy" young Fairbanks brings to the screen a characterisation completely new and strange. His Heyworth is equally appealing in her role. A conjuring and delightful study of a girl out of awareness, Thomas Mitchell, that master of human characterisations, adds another feather to his already over-burdened cap with his performance as the drunken playwright. In bringing these characters to the screen the splendid cast supplies performances as fascinating and as human as the basic narrative itself, performances both moving and memorable.

THE SAVOY

One of the most important films ever made, Paramount's epic story of the air, "I Wanted Wings," comes to the Savoy on Monday next for one week. The stars of the picture, Ray Milland, William Holden, Brian Donlevy and Wayne Morris, are all theirs in private life, and so they were able to give many realistic touches to their roles. For the first time in motion picture history the interior sounds of a huge United States Army Air Corps "Flying Fortress," four-engined bomber, while in flight, have been incorporated into a film. Not only does the public have its first intimate view of the inside of the great fuselage, but included in the picture are sounds of the four motors, the resultant fuselage noises, the opening and closing of the bomb bay, and the roar of the propellers. Until the making of "I Wanted Wings," the "Flying Fortresses" have been glimpsed only now and again, and at great distances, in news reels. No attempt has been made before to get a record of sounds, owing to the secrecy which has surrounded the operation of the planes. While civilians are not ordinarily permitted to photograph or fly in such military equipment, special permission was granted to Paramount in connection with the filming of the picture. The film introduces beautiful Veronica Lake, the twenty-one year-old newcomer, who zooms towards stardom as a result of her important role. Completing the cast are Constance Moore and Harry Davenport.

MEMBER

RESUL

The following draw horses

Ticket No. 1

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8

The following draw horses

967, 573, 466

537, 268, 806

883, 189, 114

185, 721, 606

670, 966, 687

63, 855, 66, 8