

LIMERICK LEADER

WEDNESDAY, JULY 22, 1942.

Things That Matter

Polling for election to the local authorities will take place on Wednesday, 19th August. An official announcement to this effect was made last evening. Later an important statement bearing on the matter was issued by An Taoiseach.

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Mr. de Valera rightly declares that "in circumstances like the present the people need the best representatives they can get." He urges that only men and women of proved character and ability should be put forward. This is surely sound and badly-needed advice.

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Every thoughtful person will agree that "no effort should be spared which would raise the prestige or strengthen the authority or effectiveness of the local governing bodies at the present time." An unrepresentative poll, as An Taoiseach adds, may have serious consequences. It is the duty of all electors, therefore, to register their votes on polling day.

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For some years back there has been a rather widespread tendency in this country to abstain from voting at elections. Such neglect of an obvious duty is anything but a sign of good and healthy citizenship. The excuse usually given for it is general poorness in the quality of candidates going forward.

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Even if the candidates at a particular election are not of a very high standard some of them are, at any rate, less undesirable than others. The thing to aim at is to have the best of those going forward returned. A heavy poll is for this reason of particular importance.

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Light polls almost always give an opportunity to self-seekers and "chancers" to slip in. Those who would make good candidates know this and the likelihood of large-scale abstentions keeps them from going forward. From this it is clear that if the electors want the personnel of local authorities improved they must make it a practice to go to the polling booths in full numbers at election times.

FATAL CRASH

That Killed a Soldier

CIRCUIT COURT CHARGE

ARMY SERGEANT SENTENCED

Army-Sergeant M. Cunningham was charged at Limerick Circuit Court yesterday, before Judge T. O'Donnell, S.C., with the manslaughter of Private John Healy, a passenger on an Army lorry, at Crabbeg, Clarina, on 15th April.

Mr. T. Donovan, B.L. (instructed by Mr. J. J. Power, State Solicitor), prosecuted, and Mr. G. Kenny, B.L. (instructed by Mr. D. G. O'Donovan, solicitor), defended.

In opening the case for the State, Mr. Donovan said that accused was charged with the killing of Private Healy through reckless negligence in the driving of a military lorry. "I have only one word to describe the crash," continued Mr. Donovan, "and that word is appalling, and that you may consider inadequate when you hear this case. The result was appalling: an unsuspecting life was crushed without warning before its maker. Accused had a wide, clear road on which to manoeuvre, varying in width from 21 feet to 25 1/2 feet, and yet he couldn't keep his lorry on it. The overall width of the lorry was not 7 feet. The road was empty at the time there was no vehicle or pedestrian. Not only could he not keep on the road, but he must go in on the grass margin for 1 1/2 feet, and that on his wrong side. The tyres were practically new and the brakes were efficient; the steering was in perfect order. The very point that he must choose to go in on his wrong side on the grass margin was at the junction of a side passage which came down towards the accused's right hand side, as he careered along. You may well tremble to think what might have happened to anyone coming out from this side passage at the very moment at which accused chose to go in on the wrong side. This all happened between 8.30 p.m. and 9.30 p.m. It was clear daylight and the road surface was dry. Accused was driving from Limerick to Foynes in a V8 30 h.p. lorry. You will get a full account of this lorry from the time it reached Mungret village. You will hear how it sped from Mungret village and swept down to the place known as Clarina cross roads, which it passed by at a minimum speed of 45 m.p.h."

DASHED INTO PARAPET OF BRIDGE. Mr. Donovan described the finding of brake and skid marks at Massey's Bridge, the first of which, he said, started 132 feet on the Limerick side of the bridge, and added that the lorry dashed into the parapet of the bridge, tore along for a further 16 feet, came off the bridge and crossed to the opposite side of the road. In all the lorry travelled over 114 yards from the point where the first skid or break-marks were found. When it came to rest the lorry was at right angles to the road. "Thus," said Mr. Donovan, "at the end of this death-dealing trip accused was on his wrong side of the road. Somewhere along that passage Private Healy was catapulted to his death. You might consider the accused might star in any Panzer division, but on our peaceful roads he is a public nuisance."

Evidence for the State (already reported in the District Court proceedings) was then called. Michael Cunningham, the accused, stated in evidence that on the evening in question he left Limerick at 8.25 p.m. with Sergeant Hazel riding with him in the cab. Corporal Smith and Trooper Healy, the deceased, were in the back. Between Limerick and Clarina witness was driving at about 40 miles per hour on the straight. After he left Clarina he was travelling at the same rate up to the point where the accident occurred. This was the first time he had been over the road in a lorry. When he approached the bridge where the accident occurred he pulled out on to the crown of the road. As he tried to straighten up, the rear of the lorry bumped. The lorry then continued to the right of the bridge and in order to avoid an impact he accelerated. He was almost clear when his head struck the side of the cab and he was knocked unconscious. He did not know what happened after the impact. From the time he felt the bump to the impact it was only a split second. He was eight weeks in hospital as a result of his injuries.

SPEED APPROACHING THE BRIDGE. Answering Mr. Donovan, witness said that he was travelling at about 35 miles per hour approaching the bridge. He was 150 feet from the bridge when he got the bump. To a further question, he said that the lorry was under control up to the time he got the bump. He felt the lorry going to the right and gave a tap to the brake, but

CEMENT SUPPLY

Shortage Effects In Limerick

SERIOUS SITUATION

The shortage in cement supply will have serious effects in Limerick. The matter was referred to at a meeting of the Corporation held last night, the Mayor (Mr. D. J. O'Malley, solr.) presiding.

Ald. Bourke, T.D., inquired if the Manager had sufficient cement on hand for the carrying out of the air raid shelters.

VERY SERIOUS.

Manager—The position with regard to cement is very serious. I understand that the allocation for all local authorities in the country is only 2,000 tons and we will get our share of that, which will be very small.

Ald. Bourke—Will these works be carried out by the Department of Defence?

Manager—Yes and I'm sure there will be sufficient cement for this purpose. The Department of Defence has first call on the cement, the Board of Works comes second, the Land Commission third, and the local authorities fourth.

WOULD BE DEPLORABLE.

Mr. Keyes, T.D., said it would be a deplorable condition of things if the Corporation's housing scheme had to be abandoned for want of cement. He understood that there was ample raw material for the manufacture of cement at Mungret, but for some reason or other operations had been practically suspended and a number of men let go.

Mr. Hartney—Do I understand that sufficient cement will be made available for the completion of the housing scheme?

City Surveyor—No. The contractors have small cement stocks and if they are to get further supplies permits must be obtained.

WORK ON SHELBOURNE PARK. Mr. Casey—Is the work on the Shelbourne Park held up?

City Surveyor—Not at present, but I'm afraid it will be very soon. We cannot get cement.

Mr. Casey—There are 40 or 50 men working on this job and it will be very serious if they have to be discharged.

The matter was not further discussed.

finding that the lorry was still continuing to the right he accelerated in an endeavour to clear the bridge. Repeating to the Judge, accused said that he did not know what caused the bump.

Lieut. M. Graham stated that there was no fixed time at which accused was to be back.

This concluded the evidence. After a retirement of about ten minutes the jury returned a verdict of guilty.

Lieut. Graham, called by Mr. Kenny, said that the character of accused was very good. Accused was a married man.

Following a plea for leniency by Mr. Kenny, the Judge intimated that he would give his judgment on Wednesday morning.

This morning Mr. G. Kenny, B.L., mentioned that accused was an only son and his mother was entirely dependent on him. Her health was, unfortunately, very bad. There had been nothing against his character in the Army, and he (Mr. Kenny) pleaded with his Lordship to take a lenient course. If accused were not sent to jail he would probably be kept on in the Army.

HIS LORDSHIP'S REMARKS.

The Judge said that counsel had said everything that it was possible to say on behalf of accused and had made a case for exceptional treatment.

"You have got a very excellent character from your superior officers," the Judge continued. "They tell me one thing which weighs with me, and that is that you were a very kind son to your mother."

"That is a very strong test of character. I appreciate that. But taking all these things into account there is action which I am painfully compelled to exercise. You were in charge of a V8 motor lorry—a very powerful and a very dangerous machine on the public road. We know the danger of these huge, powerful lorries driven on the public roads. The public are entitled to protection, and I would expect, and I am sure the public would expect, that these very powerful and very dangerous lorries are being driven by members of the army who are disciplined men—men with a sense of responsibility, men with possibly a higher knowledge of their duty towards the public whom they are out and engaged to protect and guard. The public would expect that they would exercise a greater care and caution than possibly some of the ordinary untrained civilians. I have taken everything into account and were it not for the excellent character you got and the plea made by counsel, I would sentence you to very considerably more than I now intend to do. I will reduce the

ROSTOV BATTLE

Fall Of City Expected

IMPORTANT GERMAN CLAIMS

According to messages received to-day from Berlin, Stockholm and other sources the fall of Rostov, the gateway to the Caucasus is expected hourly.

Reports indicate that German forces are converging on the city and that its capitulation is only a matter of time.

To-day's German communique states that organised Russian resistance in the Rostov area has collapsed. Axis forces, the communique adds, are now in front of the bridgeheads surrounding the city.

Other messages state that German troops, moving from Taganrog, are making a determined drive against Rostov.

A Stockholm despatch says that German pressure against Rostov is increasing hourly. It is reported that Marshal Voroshilov has been called from North Russia to defend the railway system in the South leading to Stalingrad.

The Soviet communique states that during the night the Soviet Army fought the enemy in the Voronezh Sector and South East of Voroshilovgrad. No material change had taken place in other parts of the front.

The British despatch from Cairo states that during the night there was heavy artillery fire and the enemy was forced to retire. The R.A.F. bombed Suda Bay (Crete), doing considerable damage to wharfs and quays. Tobruk was also bombed. Five planes failed to return.

The Italian and German communique states that lively artillery duels are taking place in Egypt.

The R.A.F. bombed several places in the Ruhr during the night.

Single German raiders dropped bombs on the East Coast of England during the night. There were no casualties.

SEVERE BURNS

DOMESTIC SERVANT GETS COMPENSATION

At Limerick Circuit Court to-day, before Judge O'Donnell,

Bridget Sammon, domestic servant, Scariff, Co. Clare, sought compensation for injuries received while in the employment of Patrick Vaughan, Corbally, Limerick.

Mr. G. Kenny, B.L. (instructed by Mr. P. F. Moloney, solr.), was for applicant, and Mr. J. McMahon, B.L. (instructed by Messrs. Leahy and Son, solrs.), for defendant.

Bridget Sammon said that on the 14th of October last her clothes caught fire and she received burns. She was taken to hospital, where she remained six months. She was now able to do light work.

Dr. A. Humphreys, who attended the applicant in the City Home, said that she suffered from severe burns and shock.

For the defence, Dr. T. O'Connor said that he had recently examined applicant, who should be all right in a few weeks time.

The Judge said that the girl got a tremendously severe burning. He fixed compensation at 18/9 per week.

CLAIM FOR £200

CIRCUIT COURT ACTION

The question of dependency was raised to-day at the Limerick Circuit Court, before Judge O'Donnell, in a claim for £200 by Daniel Sullivan and Ellen Sullivan, Carrickerry, Ardagh, against Daniel Sheehan, Glenville, Ardagh, for the loss of Patrick Sullivan.

Mr. G. Kenny, B.L. (instructed by Messrs. R. Cussen and Son), was for the applicants, and Mr. J. McMahon, B.L. (instructed by Messrs. Leahy and Son), was for the defendant.

Mr. Kenny said that Patrick Sullivan was killed at Newcastle West when he was taking in grain for his employer to the mills. There was no dispute as to the cause of death.

Daniel Sullivan, aged 90 years, father of deceased, said that his son used bring home the money he earned.

Ellen Sullivan, sister of deceased, also gave evidence.

Daniel Sheehan said that the deceased had worked 46 years for his family, and witness used give him certain perquisites.

The Judge said that he would allow £150.

sentence which I regard as commensurate with the gravity of the crime to six months, without hard labour."

CITY COUNCIL

Outgoing Committees Re-Elected

RENTS AND CLEANSING QUESTIONS

The Mayor (Mr. D. J. O'Malley, solr.) presided at the meeting of Limerick Corporation last night. The other members present were: Ald. D. Bourke, T.D.; Ald. J. McQuane, Councillors M. J. Keyes, T.D.; M. Hartney, J. M. Casey, P. J. Donnellan, P. F. Shanny, C. V. O'Malley.

Mr. J. J. Berkery, City Manager; Mr. G. J. Killeen, Assistant Town Clerk, and Mr. C. Stenson, B.E., City Surveyor, were the officials in attendance.

THE COMMITTEES.

The Mayor said that the meeting was a statutory one, held specially to dispose of certain business. Though the life of the Council would be short it was necessary to appoint special committees.

Mr. Casey—it appears to be a little absurd.

Mayor—We must keep within the law.

On the proposition of Mr. Hartney, seconded by Ald. McQuane, it was unanimously decided to re-appoint all the outgoing committees.

FINANCIAL STATEMENT.

The Manager submitted his monthly financial statement, which showed that expenditure from the 1st April, 1942, to 30th June, totalled £60,810. The total receipts for the same period were £54,233.

Mr. Hartney said that in the case of Corporation houses built for many years steps should be taken to adjust the rents, having regard to the rating position. When the rates advanced the rents were increased, but when the position was reversed there was no corresponding decrease. In any case, these old rentals should be revised with a view to a reduction.

Mr. Keyes said he understood that the Manager was preparing a purchase scheme for the older Corporation houses.

Manager—I am giving this matter consideration and I hope to be in a position to submit a report in the near future.

BOOKING ON 'BUS SERVICES.

In reply to a suggestion made by the Council that booking be allowed on the bus services, the Company wrote stating that such a system would lead to many abuses. The purchase of tickets by speculators, with a view to re-sale, and the booking out of accommodation by holiday travellers, to the detriment of essential travel by business people, were features that had to be kept in mind. The queuing system, despite the inconvenience, allowed a certain measure of supervision by the Traffic Inspectors. It was the best system that could be devised in the present emergency.

Mayor—I think we had better leave this matter alone. There is a good deal of sense in what the Company says. If booking was allowed there would be wholesale juggling.

CAREY'S ROAD TENANTS WARNED.

The Manager said he had been informed that many tenants in Carey's Road had refused to pay their rents. He wanted to warn those people that they were acting very foolishly, because if they were ejected they could not be appointed tenants of the new houses at Prospect, for the simple reason that they would be no longer tenants of condemned houses. In order to get a tenancy of a house in Prospect the applicant must be living in a slum area. People ejected because of their failure to pay rents could not get Prospect houses. He wanted all concerned to understand the position clearly.

CLEANSING OF CITY.

The Mayor referred to the cleansing of the city and said that at present it appeared to be very bad. The new Corporation should give this question very careful consideration. The system, in his opinion, was at fault and it would be very desirable if the new Council held consultations with the cleansing staff. The footpaths were also in a deplorable state and although he had frequently referred to the question no improvement took place. It would seem that the personnel of the cleansing department were not able to cope with all the work.

MEMBER'S THANKS.

Mr. Shanny thanked the Council for his unanimous co-option and said that his disqualification was due entirely to carelessness.

In reply to Mr. Donnellan, the Manager said that a meeting of the Council would be held on 11th August.

COURT SYMPATHY.

Judge T. O'Donnell, S.C., at Limerick Circuit Court to-day expressed deep sympathy with Mr. A. Blood-Smyth, solr., on the very sad bereavement he had suffered recently by the death of his wife.

Mr. G. Kenny, B.L.; Mr. N. Gaffney, solr., and Mr. H. O'Brien-Moran, Court Registrar, joined in the expression of condolence.

THORN IN

Circuit Court

SETTLEMENT

To-day at Limerick Circuit Court, before Judge S.C.,

Thomas Davern sought compensation for injuries received by Messrs. Fox and B.L. (instructed by O'Donovan, solr.) w. ant.

Thomas Davern stated that he was working for his employer when he got a thorn in his hand. He was subsequently taken to a doctor and sent to hospital, where his finger was treated. At present it was weak and he could not do his work.

Replying to Mr. Davern, the Judge said that he was not for himself at the time he was working for the plaintiff.

Dr. J. Cleary stated that he had examined the plaintiff's finger. The injury was a thorn-prick.

THE DEFENCE.

For the defence, the Judge stated that on the evidence he was not satisfied that the plaintiff was entitled to compensation. He had entered his findings in the morning and had given a bandage on his finger. He had not had a thorn in his hand.

Miss N. Daly said she did not tell her father that she had a thorn in her finger, nor did she need a bandage. She recalled a morning when she had received when he was working for her.

The Judge said he was not satisfied that the plaintiff was entitled to compensation on the evidence.

Following a cost order, Binchy announced that he had reached a settlement of £120, with costs of £10.

The Judge said that he was not satisfied that the plaintiff was entitled to compensation.

GETTING LOCAL ELECTIONS

The City of Limerick will hold a meeting to-day evening next for selecting candidates for the Corporation. A panel of ten will be put forward for the outgoing six members of the Corporation.

In that connection it is noted that all are welcome to attend the meeting.

The Citizens' Society will meet to-day evening next to discuss the election of candidates. It is expected that three representatives on the Council will be elected, while a fourth will be an Independent.

The Labour Party will meet for the purpose of selecting candidates. In the afternoon two elected members will be put forward.

According to the number of independent candidates who will seek municipal office.

The West Limerick branch of the Irish Labour Party, at Newcastle West, Mr. P. F. Costelloe, led the following candidates for the County Council: Michael D. Aherne, Patrick Buckley, and Michael Mangin.

SUMMONSES

At Bruff Court, Limerick, Pauline Flynn, of Bruff, was summoned for, as and threatening to apply to have the peace. From the peace she feared that the peace would be broken.

Some time ago on the peace of goats placed their relations. Evidently action was taken, but in the independent witness Conner dismissed without cost.

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