

Manslaughter Charge

A Soldier's Death

Sergeant's Trial at Limerick Circuit Court.

Before Judge T O'Donnell, s c., at the Limerick Circuit Court to day.

Army Sergeant M Cunningham was charged with the manslaughter of Private John Healy at Cragbeg, Clarina, on the 15th April.

Mr T O'Donovan, B L (instructed by Mr J J Power, State Solicitor), prosecuted.

Mr J Kenny, B L (instructed by Mr D G O'Donovan, solr), appeared for accused.

For the prosecution it was contended that the defendant drove an army lorry on which deceased was a passenger on the date in question in such a reckless and negligent manner that he collided with a bridge at Cragbeg, overturning the lorry, and killing, as alleged, Private John Healy, who was seated at the back of it.

Evidence was also submitted which went to show that brake marks at the scene of the accident were 132 feet long, showing that the lorry was travelling at its wrong side of the road. It crossed over to its correct side, struck the bridge, overturned and went over to its wrong side again, finally coming to a halt at right angles to the road on its wrong side. There were patches of blood near the bridge.

Evidence was also tendered that a military lorry had passed through the village of Mungret a short time before the accident travelling at about 45 miles an hour.

Further evidence was given to the effect that a military lorry passed Clarina travelling at about 50 miles per hour.

The accused stated he was travelling at about 40 m.p.h. on the straight between Limerick and Clarina. Approaching the bridge he pulled on to the crown of the road, and as he tried to straighten up the rear of the lorry bumped. It continued to the right of the bridge, and he accelerated in order to avoid the impact. He was almost clear when his head struck the side of the cab, and he was knocked unconscious, and he did not know what happened after that. He could not say what caused the bump. He was eight weeks in hospital as a result of the accident.

The evidence having been concluded, after an absence of about ten minutes, the jury found the accused guilty and his Lordship adjourned his decision until to morrow.

The hearing of the case was continued throughout the day.