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Does the work of two horses

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BRUFF G.A.A. CLUB
Brother Raymond presided at the annual meeting of the Bruff G.A.A. club...

KILMALOCK G.A.A.
The annual general meeting of the Kilmallock G.A.A. was held in the People's Hall on Saturday...

HURLING HOPES FOR 1946
Dear Sir—I appeal once again for a little space in your widely-read paper for hurling news...

GARRANBOY HURLING CLUB
The annual general meeting of the Garraunboy Hurling Club was held in the Band Hall, Killaloe...

BALLYBROWN HURLING CLUB
The annual general meeting of the Ballybrown Hurling Club took place on Wednesday, January 9th...

COFFEE
this year!

At the Limerick Circuit Court on Tuesday, before Judge Barra O'Brien, S.C.,...

Mr. T. Donovan, B.L. (instructed by Mr. J. J. Power, State Solicitor) prosecuted, and Mr. Nolan Whelan, S.C., and Mr. J. Fitzgerald, B.L. (instructed by Mr. M. J. K. Dore, solicitor), appeared for the accused, who pleaded not guilty.

In reply to Mr. Donovan, Technical Evidence Garda detachment, stated that he visited the scene of the accident on the 24th October, and as a result prepared maps. These showed that the road from Newcastle West to the bridge was 11 feet in width. It was in good condition when he visited it. He measured a mark of 45 inches on the grass margin, the imprint of a tyre.

Patrick Moore, Ballinakilbeg, Castlemahon, an employee of the Castlemahon Creamery, stated that he was cycling towards Newcastle West on the night in question. After passing Fitzgerald's bridge, he saw a trap, which was on its own side of the road. He could not say whether it was travelling on the tarred surface or not. He was 400 yards away from the bridge when he saw the trap, but did not identify the other man, who was sitting at the opposite side of the vehicle. There was no light on the trap. He met the lorry, which appeared to him to be loaded with turf. He met the lorry about 150 yards away from the trap. People were sitting on top of the lorry, which was on the same side as the trap. He was, in his opinion, travelling at about 15 to 20 miles an hour. It had two ordinary lights. After passing the lorry he heard what he took to be a tyre burst coming from the lorry. He was looking towards the noise and met a Maurice Guina. Subsequently he saw the deceased lying on the road, which was 150 yards from the spot where he heard the noise and met Maurice Guina.

TRAVELLING IN THE NORMAL WAY
Cross-examined by Mr. Fitzgerald, the witness said that he knew the deceased (Richard Roche). On that night as the moon was shining on his back, he was going to the carnival at Newcastle West. He was riding on the footpath of traffic. When he met the lorry it was travelling in the normal way, and he did not see anything peculiar about it.

Continuing, witness said that Mr. Roche's body was lying in a ditch. Mr. Donovan—Was the moon shining on the road?—I took it to be shining on my back. Maurice Guina, farm labourer, Ballinakilbeg, had a bad cold, and in reply to Mr. Donovan, that he was cycling along the road known as the Bruff line. After passing Deel Bridge he met a donkey and trap travelling on the rough surface of the road on the left-hand side. He was about 250 yards from the bridge at the time. After crossing over the bridge he met the lorry, which appeared to be travelling in the normal way. He saw light on the lorry, but none on the trap. He met the lorry about 30 yards away from the donkey and trap. He had gone another 20 yards when he heard the impact, and he went back to the scene of the accident before the previous witness (Patrick Moore) met him. He saw a man lying on the road. The lorry was stationary. He then saw a man come out of the lorry and go for the Guards. He now knew the man to be Patrick O'Sullivan.

Cross-examined by Mr. Nolan Whelan, the witness said that the body was close to the back of the lorry.

Patrick Sullivan, Kilmulbeg, Kilmulbeg, in reply to Mr. Donovan, said he was using a lorry (the property of Mr. Richard Roche) for driving turf on the 21st October. He was in the lorry when it left Newcastle West with the second load, and it was fully loaded. They left Newcastle West about 7.30 o'clock. A share of traffic was met on the road on the same night.

Mr. Donovan—How far away were you when you met this donkey and trap?—About a yard away.

MEN THROWN OUT OF THE TRAP
Continuing his evidence, the witness said he had no sooner spoken when the lorry crashed into a ditch. The lorry pushed it on a distance of about 100 yards. The donkey then either stumbled or fell. He saw the two men then after being thrown out of the trap. They were at either side. The lorry was brought to a standstill after travelling about 100 yards. The impact, and were "on" when the trap was at first hit. He (witness) was first out of the lorry and saw two bodies lying on the road, one two yards apart, one behind the other. The body was the one further away from the lorry. In the front of the lorry was the donkey and trap. The donkey's head was jammed in the engine, and the trap was turned sideways. The lorry had to be released. He could not be sure if the lights of the lorry were "on" at this stage.

Further replying to Mr. Donovan, witness said that the steam coming from the engine all day. Visibility was poor owing to this steam. He remembered the moon shining brightly across the road from the left as the lorry came out from Newcastle West.

Cross-examined by Mr. Fitzgerald, the witness said he travelled up to 40 miles with the accused in the lorry that day. He agreed that there was a "shadow" on the road as a result of the rising moon as he came from Newcastle West. He also agreed that accused and him were in the lorry about the same time. He did not observe at that moment the accused applying the brakes.

Mr. Fitzgerald—I suggest that you were difficult to see the dark trap with the light from the moon's shadow?—We did not see the trap until we were almost on top of it.

TRAVELLING AT MODERATE RATE
Witness, continuing, agreed that the lorry was travelling at a moderate rate. Notwithstanding the steam coming from the radiator, he agreed that the driver of the lorry had a good view of the road. On the driver's side there was a "wiper" to clear away the steam as it came back on to the windshield. The vision on his (witness's) side was not good.

Judge: Were the men dead or alive when you saw them on the road?—They were practically dead, sir.

Mr. Fitzgerald—You agreed that you helped in the lorry on the night in question, stated that on the night in question he was sitting on the hood of the lorry, and Michael O'Sullivan was sitting more or less back to back with him. He was sitting on the hood of the lorry when the lorry came to the Deel Bridge he saw that it was close to the grass margin a couple of yards ahead. When the lorry crashed about 7 or 8 yards, the men fell out of the trap at either side. The lorry continued moving on, but he did not say how far it went. The lorry stopped close to the place affected, and he continued a straight line. He did not feel the brakes being applied. Subsequently he observed both deceased lying on the road at the rear of the lorry. He (witness) was looking in the rear of the lorry, and the side of the Guards arrived. The bodies in the meantime were placed alongside the ditch. He did not notice any cyclist before the accident. He remembered the moon it was shining brightly, and the lights were on. There was plenty of traffic going into Newcastle West on the night in question. When he got off the lorry he saw the two bodies lying on the road. On going to the front of the lorry he saw the donkey's head on the road in the rear part of the engine. The donkey was then released.

Answering Mr. Fitzgerald, the witness said he did not take any notice of the shadow caused by the lorry when he was in the lorry. He agreed that the driver had proper control over the lorry during the night and day.

What distance was the nearer body to the back of the lorry?—It was not too far back.

Continuing, witness said he saw the accused take the donkey and trap back to the rear of the lorry. Mr. Roche was alive, anyway, sir.

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CONDITION OF LORRY
Replying to Mr. Donovan, Sergeant Patrick Conolly, Limerick, Public Service Vehicle Inspector, gave evidence of examining the lorry and trap, after the accident, at Newcastle West, and placed both vehicles in the corresponding position with that of the accident. The accused was present. The lorry was a 1937 model Ford V8, 38 h.p. Witness gave a detailed report on the condition of the lorry. The foot and hand brakes were defective. He carried out a driving test, accompanied by the accused, and he found that the hand brake was more effective than the other, which was unusual. The steering was badly worn as a result of which the lorry veered to the right when steering wheel. In his opinion these defects were of long standing and were not due to the accident. The reflectors in both lamps were badly discoloured and covered with dried mud. The windscreen was cracked. The headlights, in witness's opinion, were only half as good as they should be. The left front tyre of the lorry was badly worn and the right front tyre was in a poor state. The rear tyres were in good condition, and the "wiper" on the windscreen was in good order. The general condition of the lorry, in his (witness's) opinion, was satisfactory. He went on to say that he saw the lorry caused by the accident.

Continuing, witness gave a description of the trap, which he said, was a square one. He found the front portion of the body damaged. The rear portion of the body was in good condition, and he found the floor of the trap. He carried out two tests with the lorry and trap.

Answering Mr. Fitzgerald, witness agreed it was difficult to get steering gear during the war.

ACCUSED GIVES EVIDENCE
Accused, in reply to Mr. Fitzgerald, said he was 24 years of age, was a long driver, had been driving for 8 years, and passed a special driving test in London, where he was employed as a chauffeur. At the time of the accident he was employed by Mrs. Jordan, and he was driving her to the house. He carried out two tests with the lorry and trap.

Continuing, witness said he was quite accustomed to the lorry. He left Newcastle West some time before the accident, and he was driving in question drawing turf. Mr. O'Sullivan was sitting in front with two other men on top. As he approached the scene of the accident he met a lot of traffic, including trucks and buses. Near the scene of the collision he slowed down to pass an oncoming pony and trap, a few yards in front of him. He immediately applied the hand brake, but he did not see the back of the trap, and he pushed it on ahead. The lorry travelled about 40 feet before it struck the trap. He was not aware of the impact until he was about 100 yards from the scene. He was not aware of the impact until he was about 100 yards from the scene.

MEDICAL EVIDENCE
Dr. James O'Brien, the next witness, was called to the scene of the accident on the night in question, and found the men dead. Roche was lying with his head and shoulders on the grass margin. On the following day, as the result of a post-mortem, witness found multiple injuries on the body. He was assisted in the post-mortem by Dr. H. O'Connell. Having described the nature of the injuries in detail, witness said the immediate cause of death was sudden shock brought about by the fractured dislocation of the neck. There was scarcely any bleeding, and in his (witness's) opinion Roche died almost immediately. The injuries were consistent with having been struck down by a lorry. He formed the opinion that the lorry passed over the right side and chest of Roche's body. Death in the case of Cussen was also instantaneous.

Dr. Harold O'Connell, Newcastle West, corroborated the evidence of the previous witness. She agreed with the injuries as detailed by Dr. O'Brien.

Guard James Casey, Newcastle West, was called to give a report on the accident he proceeded to the scene with Dr. O'Brien, and there saw two bodies lying against the ditch. Garda Moriarty and Sergeant Daly later arrived. He allowed no one to touch the bodies until the arrival of the coroner and his men. Mr. Donovan—I put it to you that the bad condition of your steering was responsible for the lorry not being able to swerve in time to avoid the collision?—No, I used my judgment, and decided that the only brakes. I could do was to apply both brakes.

How do you account for the fact that you did not see the donkey and trap until you were within a few yards of it?—There were a lot of shadows on the left-hand side of the road.

Did you consider your lights were good on this night?—They could not be very effective on a night like this.

You think it reasonable, then, that with lights which were not very effective, you should drive a lorry laden with turf into shadows?

Continuing the cross-examination of the accused on Wednesday morning, the court resumed. The accused, in reply to Mr. Donovan, said he had a clear view through his side of the windscreen on the lorry. There was no cap on the bog road, and when driving on the bog road, he was not aware of the windscreen. Because of the windscreen, witness had a better view than Mr. O'Sullivan, who was sitting beside him.

What is your explanation, then, for not seeing the donkey and trap sooner than Mr. O'Sullivan, who had no clearer view than you had?

Further questioned, accused said his average speed on the journey was 20 miles per hour. He admitted he was not as good as they might be on the occasion. After the impact with the donkey trap he pulled up in about two lengths of the lorry.

Mr. Donovan—I put it to you that you did not see the trap until you were within a few feet of it?

It was practically impossible to see it when I saw it.

Re-examined by Mr. Fitzgerald, accused said the lorry pushed the donkey and trap about 100 yards. This concluded the evidence, and addressing the jury on behalf of the

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ADDRESS BY COUNSEL
Mr. Nolan Whelan pointed out that the whole case depended on the question of negligence. Accused was an experienced driver, a prudent driver and the evidence showed that on the day in question he was perfectly sober. The general description of the lorry as described by the prosecutor was in accordance with the evidence and the evidence showed that for driving at all, but actually the essential condition of the vehicle was not quite so bad. Furthermore, the accused knew and had experience of his particular lorry and in his hands it was under perfect control. Even if the steering had been perfect, accused, as any other driver in the same circumstances, could not have succeeded in averting the collision. He was not to be believed that the vehicle was not fit for driving at all, but actually the essential condition of the vehicle was not quite so bad. Furthermore, the accused knew and had experience of his particular lorry and in his hands it was under perfect control. Even if the steering had been perfect, accused, as any other driver in the same circumstances, could not have succeeded in averting the collision. He was not to be believed that the vehicle was not fit for driving at all, but actually the essential condition of the vehicle was not quite so bad.

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NEW RAILWAY WAGONS
The rolling stock of Coras Iompair Eireann will be augmented by 500 new wagons, which are to be constructed in the Inchicore Works. The wagons will be 12-ton open trucks and in course of construction.

The driver of a mechanically propelled omnibus, taking 140 passengers, was fined for driving on a public road without a licence. The driver was fined £10 and costs. The omnibus was found to be in a defective condition and the driver was fined for driving a defective vehicle on a public road.

After an absence of about half an hour, the jury returned a verdict of guilty on the accused. The jury should not be swayed by the fact that as a result of the accident two men, going about their daily duties, lost their lives under such deplorable circumstances. Nevertheless, should they be swayed by the fact that the relatives of the two men were entitled to compensation even if a verdict of not guilty was returned. After reviewing the evidence in detail, the Judge said it was the duty of the jury to find a verdict on the facts as submitted in evidence. The Judge's summing up lasted one hour and fifteen minutes.

Mr. Nolan Whelan, addressing the Judge on behalf of the accused, said he would like to point out that he was only employed as a driver by Mrs. Jordan. Up to this tragic occurrence, accused had an excellent driving record. Rightly or wrongly he satisfied himself on this occasion that he had proper control over the lorry. He was not aware of the impact until he was about 100 yards from the scene. He was not aware of the impact until he was about 100 yards from the scene.

Accused was put forward for sentence on Thursday morning. The Judge said that the accused had a long record of good service, and he was a man of good character and of good habits. He was a man of good character and of good habits. He was a man of good character and of good habits. He was a man of good character and of good habits.

The Judge added that in his opinion he would not consider it should be wise to enter a note of acquittal in this case, against the defendant concerning the death of Patrick Cussen.