

SCHOLARSHIPS

Circular To County Councils

POINTS ABOUT FUTURE SCHEMES

A circular from the Sub-Committee on Scholarships attached to University College, Dublin, calling for collaboration between County Councils and U.C.D. in the matter of Council University Scholarships was submitted to the last meeting of Limerick County Council, at which Mr. Martin O'Dwyer, Chairman, presided.

The principal point in the circular was an advice to local authorities to award University Scholarships on a high standard, since the present conditions for gaining scholarships were easier than those of retaining them. The Academic Council of U.C.D. felt that the present method of selecting what was called "County Scholars" was imperfect on the grounds that (1) the list of subjects on which a candidate was at present examined contained a number of subjects carrying high marks, but which were of no value towards assessing the quality of a candidate with a view precisely towards a successful academic career; and (2) the marks at present allotted to subjects were, presumably, determined by the Department of Education with regard to their importance as secondary school subjects in general, but not with a view to University education.

INCREASE IN VALUE URGED

The circular recommended that County Councils should adopt a University Scholarship Scheme in which the value of the individual scholarships would be increased to meet the increased cost of living; and in which the subjects to be considered for the award of a scholarship would be—Irish, English, Latin, Greek, French, German, Italian, Spanish, History, Geography, Mathematics, Applied Mathematics, Physics, and Chemistry, Agricultural Science, General Science, and Botany. No candidate taking General Science should take as a separate subject, Physics, Chemistry, Agricultural Science, or Botany.

It was further recommended that Modern Languages and History should be raised to a total of 400 marks; or, alternatively, that any five of the above subjects might be presented, each carrying equal marks. The award of Honours should be gained in three subjects. The total score in the five subjects should not be allowed to fall below 1,400 marks.

If this standard were adopted, the circular submitted, almost all successful candidates would take Honours courses, where such exist, and would gain Honours in University examinations. The retention of a Scholarship by a successful candidate should depend on a satisfactory report, which would not be given unless satisfactory progress was being made. It was suggested, however, that where it appeared to the Faculty of a College that a "scholar" would benefit more by taking a Pass course, he should be permitted to do so.

The circular continues:—It will probably be found that, under present conditions, the full number of Scholarships could not be awarded in some counties if such a standard were required. On this we may observe:—

1. That the best candidates would still gain their scholarships, and that candidates of low standard may not suffer in the long run by missing a university education.

2. That, if the "means tests" imposed were altered to accord with present conditions, the number of eligible candidates would be greater.

This point requires a further statement of our views. THE POOR MAN'S SON. We think that it has become more difficult for a poor man's son of marked ability to gain a university education than it was in 1913, because the local Scholarships have in general remained close to the original amounts, while fees have increased considerably, and the cost of lodgings, clothing, books, instruments, etc., have risen very greatly. A student in arts must now spend at least £75 a year in lodgings and £23 on fees, or £98 for these two main items alone. We believe that he would need £140 to put him in the same position as his predecessor of 1913-1914 holding a scholarship of £50.

When Scholarships have ceased to be a maintenance, and become no more than a partial aid, the imposition of a "means test" seems to be unreasonable. It can only lead to great hardship for the parent and the student, and probably, in many cases, to a misstatement of the parent's true income.

If Scholarships are raised so as to give a real maintenance, the imposing of a "means test" becomes reasonable. But we suggest that, when it costs at least £140 to maintain a student at the University, no parent whose income is below £800 can be reckoned as capable of meeting the charge.

While we think it necessary to increase the value of Scholarships, even at the cost of lessening the number, we would point out that the number of Scholarships is now aided by local Scholarships, and about 3 per cent. from other public services; this is to be compared with about 44 per cent. in Britain before the late war. It is to be regretted that some local authorities do not offer Scholarships every year.

We recommend to other authorities the following rules made by some counties:—

1. Continuation of Scholarships for post-graduate course to be made only when the primary degree is gained with honours.

SOLICITOR SUES DOCTOR

Action For Alleged Slander

WHAT WAS SAID IN BUTCHER'S STALL

Circuit Judge Reserves His Decision

A claim for £100 damages for alleged slander was brought at Limerick Circuit Court yesterday, before Judge Barra O'Brian, S.C., by Mr. T. E. F. Bennett, solicitor, Lord Edward Street, Kilmallock, against Dr. Thomas Quane, Dispensary Residence, Bruree.

Mr. J. V. Nolan Whelan, S.C., with Mr. M. Danaher, B.L. (instructed by Messrs. Barry C. Galvin & Son, solicitors, Cork), appeared for the plaintiff, and Mr. W. Binchy, B.L. (instructed by Mr. R. Geary, solicitor), defended.

The statement of claim set out that words used by the defendant, of the plaintiff and of his way of business, had greatly injured the plaintiff in his credit and reputation and in his practice as a solicitor.

The summarised filed defence was a denial that the words complained of were spoken; a submission that the words did not bear the meaning alleged, and that they were incapable of any defamatory or actionable meaning; and a statement that the defendant would submit that the words complained of were not actionable without proof of special damage which was not pleaded by the plaintiff.

PLAINTIFF'S EVIDENCE.

Thomas E. Bennett, the plaintiff, said he practised mostly in Kilmallock, Hospital and Adare. Since 1942 he was in partnership with Mr. Walsh, under the name of Bennett and Walsh, solicitors. He knew the defendant, Dr. Quane, for the past four years, and had some business transactions with him. Witness had a client named James Gubbins Lynch, who, in April, 1946, instructed him to claim £30 trespass on his behalf from Dr. Quane. On April 30th last witness wrote a letter to the defendant, claiming the £30 damages for trespass. Dr. Quane later met witness and treated the matter jocularly. Witness impressed on him that Mr. Lynch was adamant about the proceedings, protesting that a number of cattle, the property of the defendant, had trespassed on his lands. As witness got no reply from Dr. Quane to his first letter, he issued a civil bill, on the instructions of Mr. Lynch. After some time there was an appearance entered on the defendant's behalf, but there was no defence entered and no particulars filed.

Witness had a client, James O'Rourke, junr., of Lord Edward Street, Kilmallock, and on September 27th last witness met the defendant in the business premises of this man. There were two employees of O'Rourke—Daniel Lordan and Daniel Carroll—in the shop also. Witness approached the defendant, put out his hand and said: "Hello, Doc. How are you?" The defendant did not respond to the offered handshake, but said: "Look at the man who is trying to shake hands with me. He brought a case in the Circuit Court which could have been brought in the District Court, against me in order to get higher fees for himself."

The defendant, said witness, spoke calmly and dispassionately. Witness turned around and the defendant added: "Those are the facts and you cannot deny facts." Witness replied: "Doctor, they are not the facts; they are merely assumptions of your own," after which the plaintiff walked away. That evening witness wrote the defendant a letter in connection with his statement and he received no explanation or apology in reply. At that time witness would have been satisfied with an apology.

BUYING MEAT.

Cross-examined by Mr. Binchy, witness reiterated that his recollection of the words used by the defendant was correct. When he came into Mr. O'Rourke's premises the doctor was buying meat. He did not then say: "How is the doctor to-day?" He denied that what the defendant said on the occasion was: "What did you mean by sending me that civil bill for the Circuit Court? Wouldn't the District Court do?" What he (witness) objected to was that the words complained of had been published to two employees of a client of his.

Mr. Binchy—Don't you think that it was perhaps unreasonable of you to demand an apology since it might be published in the Press? Witness—I didn't think it was unreasonable to demand an apology for an utterly absurd accusation which had no grounds and which was made in a cool, dispassionate manner.

Don't you think that an apology to you and to the two assistants would have been sufficient? Witness—I would have been satisfied with that.

Witness continued that in view of the publicity the matter might have received, he thought a public apology would have been necessary. He hoped that Mr. O'Rourke's opinion of him had not diminished because of the statement of the defendant, but he had no guarantee that it would not. He had discussed this case on innumerable occasions with the defendant's solicitor (Mr. Geary), but purely without prejudice.

Mr. Binchy—Did Mr. Geary say that his client was prepared to apologise to you, but not publicly?—He stipulated every time he spoke to me that it was without prejudice.

Witness added that he was aware that the trespass proceedings between the defendant and Mr. Lynch had been settled out of Court.

WHAT BUTCHER HEARD.

Daniel Lordan, butcher, an employee of Mr. O'Rourke, recalled the day on which the alleged defamatory statement was made. Dr. Quane was buying meat in the shop when the plaintiff came in and saluted the doctor. Witness corroborated the evidence of the plaintiff as to the defendant's alleged statement on the occasion.

Daniel Carroll, a book-keeper employed by Mr. O'Rourke, said he was in an office off the shop when the alleged accusation was made. He was just able to hear Dr. Quane say, "You took a case to the Circuit Court to get higher fees."

Mr. Nolan Whelan intimated that that was his case, and the defendant was called by Mr. Binchy.

Dr. Thomas Quane swore that on the relevant occasion he was buying meat in O'Rourke's shop. The plaintiff came in, put out his hand, and said, "How is the doctor to-day?" Witness shook hands with him and said: "What did you mean by sending me that civil bill for the Circuit Court; wouldn't the District Court do?" Plaintiff replied, "On my instructions," to which witness said, "Putting up the expenses." To that, plaintiff said, "You can take it that way if you like." Witness then said, "Imagine the so-and-so coming up to shake hands with me!" He never said the words complained of by the plaintiff. He was not willing to apologise for something he never said. He was at all times prepared to apologise to Mr. Bennett if he had said anything defamatory.

Regarding the proceedings for trespass, brought against him by James Gubbins Lynch, witness said that this case had been settled, in the presence of Mr. Bennett and witness's solicitor, for £10, which included costs.

Cross-examined by Mr. Nolan Whelan, Dr. Quane said it was not correct to say that he was annoyed by the fact that the civil bill was for the Circuit Court, "What did annoy me was that my solicitor told me that when the case was as good as settled, Mr. Bennett asked him to arrange the defence. The trespass action was settled some days after the alleged slander. What annoyed me was the fact that Mr. Bennett asked Mr. Geary to enter my defence, which would mean more costs."

LEGAL SUBMISSIONS.

Mr. Binchy submitted that his Lordship should accept the defendant's evidence as to the words published. He submitted, alternatively, that the words, as complained of, were not of their own ordinary meaning defamatory. The plaintiff, therefore, must prove innuendo, if he was to succeed in his claim. He submitted that the plaintiff had not proved the innuendo pleaded, although he had proved publication. The alleged innuendo that the plaintiff wrongfully instituted Circuit Court instead of District Court proceedings, so as to obtain undue profit and gain, to which he would not be entitled, had not been proved. Neither had it been proved that those who heard the words spoken believed that Mr. Bennett was dishonest because of the words complained of. If his Lordship held that innuendo was proved, he (Mr. Binchy) would submit that what the words meant was that Mr. Bennett was dishonest to Dr. Quane and not to any client. That, in his submission, was not enough, to sustain the claim. According to texts and orders (cited) the allegation must be that the dishonesty was towards the client of the plaintiff and not towards the defendant as had been proved.

Replying to Mr. Binchy's submission, Mr. Nolan Whelan said there was no necessity to prove innuendo, because, he submitted, the ordinary meaning of the words by themselves did cast an imputation of impropriety on the plaintiff, in relation to and in connection with his profession as a solicitor.

His Lordship pointed out that everybody was entitled to get higher remuneration if this was done by honest acts. Cases were very often taken in the higher courts, which could be taken in the District Court, but this did not mean that the solicitors were guilty of unprofessional misconduct. For instance, there was the very ordinary case where a claim was drawn up in terms of thousands of pounds, when there was every conception that the case would be settled by a decree for £300. Was there, he asked, anything wrong about counsel or a solicitor drawing up a pleading like that, on the grounds that, for instance, an insurance company would probably be more likely to settle the case, sooner than go into the High Court?

Mr. Nolan Whelan observed that if the words themselves, in their nature, were slanderous, there was no need to prove an innuendo.

After further legal argument the Judge said he would adjourn his decision until possibly the next sitting of the Court in Kerry, or until his return to Limerick.

HUNT MEET AT CROOM

For the second time since the 1946-47 hunting season opened (writes our Croom correspondent) the County Limerick Fox Hounds met at Croom on Monday last, the 3rd inst. The fact that the meet was held in Croom probably added to the large number of followers, who enjoyed a splendid day's hunting despite inclement weather conditions. At 11.30 hounds and followers made way to the nearby covert, which is known as Cloosh. This covert was drawn and after a short time reynard broke, and went towards the road, then wheeled left to Caherhury, through a good hunting country to Liskennett, where he finally went to ground. Another fox was soon found but after a short run he made his escape into a large sand burrow. It was difficult work negotiating the fences and not a few of the hunting folk failed to successfully tackle the obstacles. However, in spite of everything, those who stuck it for the day were loud in their praise of the sport provided.

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OBITUARY

MR. M. O'FARRELL, ADARE.

The death of Mr. Michael O'Farrell, which took place at his residence, Adare, on the 14th of January, is deeply and widely regretted. Deceased, who had reached an advanced age, was one of the oldest residents of the village, where himself and his family have been always highly esteemed and respected. The late Mr. O'Farrell had many admirable traits of character. He was a keen follower of outdoor sport, especially hurling, and when in reminiscent mood there was nothing he enjoyed better than discussing with other old-time Gaels contests which he witnessed in the early days of the G.A.A. A man with a sound national outlook, it is not to be wondered at that sons of his who were members of the I.R.A. took a very active part in the struggle for independence during the most critical and dangerous years of that campaign.

The remains were removed to Adare Church on Wednesday evening, 15th January, and the funeral which was the largest seen in Adare for many years, took place to the local cemetery on Thursday, 16th.

The following clergy officiated:—Very Rev. P. Canon Thornhill, P.P.; Rev. Dr. Cusey, C.C.; Rev. J. Cullane, C.C.; Rev. Father Moran, C.C., Ennistymon.

The chief mourners were: Mrs. E. O'Farrell (widow), Mrs. T. Harrington (daughter), Messrs. J. O'Farrell, B. O'Farrell and M. O'Farrell (sons), Mrs. James O'Dea (sister), Mr. James O'Farrell (brother).

Telegrams and messages of sympathy were received from the following:—Mick Blake, Drimoleague; Jim, Anna and family, Killelea; Jimmy Dundon, Puckane; Mr. and Mrs. O'Donnell, Ennistymon; Myrick and Hedwith Booth, Ennistymon; Joe O'Shaughnessy, Portarlington; M. J. Horgan, Cork; Charlie, Ennistymon; Brother O'Connell, Mullingar; Kitty and Michael Finnegan, Portarlington; Charlie Vaughan, Ennistymon; P. T. Fitzgerald, Limerick; Kevin and family, Ennistymon; M. Lane, Killybeg; Dronny family, Lisdoonvarna; Donnie, Ennistymon; Joe, Lucy and family, Glinscavin; Kitty Boylan, Celbridge; McNamara, Ballyhenry; Margaret Dronny, Knockderry; Mical Vaughan, Lahinch; May Geary, Rathkeale; Father Moran, Ennistymon; Conell, Limerick; John and Mrs. O'Connor, Killybeg; Annie Doyle, Dublin; E. L. Langan, Ennistymon; Gus Stradling, Ennistymon; E. and M. Lynch, Dublin; Michael Aberne, Ennistymon; Charlie Smyth, Limerick; E. and M. family, Patrickswell; Cusack, Lisdoonvarna; Terry and Lena, Celbridge; Molly and Jim Murphy, Ballybunion; Slattery, Ardahan; M. O'Doherty, Killybeg; Mical O'Connell, Rathkeale; Finn family, Rathkeale; Keating, Killybeg; Sexton, Drogheda; O'Connor, Ballylongford; Pat Kelly, Ballylongford; Hanrahan, Ballylongford; O'Hanlon, Dingle; J. Quinlan, Dublin; Paddy Collins, Killybeg; Ivan and Mrs. Farr, Ennistymon; Kattie, Annie and A. Brooklyn (cable); Tom, Julia and Billy, New York (cable); Walter Long, Mullingar; J. Curtin, Listowel; Mrs. Gaynor, Dublin; J. Harrington, Limerick; Cunningham's, Thomas Street, Limerick.

Mass cards were received from the following:—L. Dundon, Avenue; Denis Hogan, junr., Adare; David O'Shaughnessy and family, do.; McNamara family, Islandead; Butler and Mulqueen family, Limerick; Willie and Mrs. Clifford, Adare; Denis Hogan, senr., do.; Mary Hogan, do.; Annie Hogan, do.; John Hogan, do.; Pat Toomey, do.; Dundon family, Shanbally; Nora Collins, Curraghbeg; Shanahan family, Curraghbeg; G. O'Leary, Adare; Tom and Cuihbie, Killockan; Harry and Madge Griffin, do.; Jack and Bridie McNamara, Tuogh; Joseph McMahon and family, Curraghbeg; Mrs. McGrath and Ida, Adare; Paddy and Eily Hogan, do.; Tim and Eily Quide, Graigue; Mrs. Dundon and family, Bannalick; Mrs. Griffin and family, Killockan; P. Scanlan and family, Fedamore; Dick and Mrs. Kennedy, Rour; Mick and Nora O'Loughlin, Ennistymon; Wm. McNamara, Lahinch; John Clawley, Adare; John and Mrs. Bourke, Lahinch; Con Murphy and family, Tuogh; Cotter family, Mungret; J. and B. Curtin, Listowel; Sheila Mason, Lahinch; Kathleen and Maireadh, Ennistymon; M. Dronny, Scariff; Paddy and Irene Lynch, Ennistymon; Jerry Dolan, Limerick; Bill and Josie O'Sullivan, Crough; Teddy O'Connor, Clara; the O'Looney family, Lahinch; O'Loughlin family; Tim McNamara, Knockhane; the McCarrons, Ennistymon; Robert and Bridie Murphy, Limerick; Willie and Nan McGrotty, Ennistymon; Mary O'Callaghan; Mrs. Toomey, Granard; Bernard and Kathleen, Dublin; Maureen and Tom Clarke, Limerick; Tom Ahern and family, Ennistymon; K. Hehir and family, Adare; Paddy and Mrs. Mahoney, Ennistymon; Michael and K. Cronin, Adare; the Black Abbey Staff, do.; the Adare, Eganina Club Staff; the Old I.R.A., Adare; Mrs. B. O'Loughlin, Lisdoonvarna; C. Dore, Killybeg.

DEATH OF MR. "DICK" ENRIGHT

The death occurred recently of Mr. Richard Enright, the World's End, Castleconnell, who was one of the best known figures in County Limerick. The Enright family have been associated with Castleconnell for generations, and the passing away of "Dick," the last of the male line, has occasioned profound regret and sorrow. For many decades the Enrights owned the Shannon Hotel, which was, up to forty years ago or so, the rendezvous of noted amateur anglers from all parts of the world, for in those fat-off days the Shannon salmon fisheries were famous. In this connection it might be mentioned that during one particular fishing season no fewer than seven millionaires made the Shannon Hotel their headquarters. Mr. John Enright, who had predeceased his brother, held the fly-casting championship of the world, and, of course, the Enright fishing rods, which were manufactured in Castleconnell, were unrivalled the world over.

The late Mr. "Dick" Enright was a gentleman to his finger tips. Kind, unassuming, affable and hospitable, it was a joy to be in his company. By his death Castleconnell has lost a noble son and deep and heartfelt sympathy is felt for his widow and daughter and the other members of the family in their bereavement.

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