...DES
...ILE
...RO'
remarkable
a gargle to
...argling the
...sists. Test
...combe.
...ORO
...ght I was
...ritter cold
...and-alone
...with
...ASPRO
...Southall.
...and for me.
...ght. I was
...d my throat
...put myself
...ASPRO and
...in some I got
...better next
...in "ASPRO"
...EY (Mrs.).
...N.22 :—" On
...after a week's
...roat. At 6 p.m.
...I lay in bed in
...Wednesday
...ASPROS'. I did
...m back at work.
...marvellous. No
...S" are worth a
...Mansion.
...HE HOME
...CLEAN &
...HEALTHY
Use
Sparingly
There is a
world
shortage
of tinplate.
...ION
...POLISH
...ITURE & LINOLEUM
...ld., 8d. and 1/3.
McConnell
...xache
...Pains
...ar you out
...T until you become
...pressed, but avoid
...eumatic'ky days by
...Backache Kidney
...ou suspect sluggish
...of this special
...cleanse the kidney
...they are able to
...blood any excess
...other harmful
...s may be upsetting
...testify that Doan's
...ackache, lumbago,
...ladder disorders,
...ic pains and stiff
...or joints.
...AN'S 1/9
...resh as
...daisy!
...how you'll feel
...ten taking Kest
...Salts. It's the sure
...constipation and
...at spring from it.
...EST
...H SALTS TABLETS

FATAL LIMERICK CRASH

Sequel Before The Circuit Judge

CHARGE OF MANSLAUGHTER

Jury Fail To Agree

At yesterday's sitting of Limerick Circuit Criminal Court, before Judge Barra O Briain, K.C.,

William A. Lynch, Ardhu House Hotel, Limerick, was charged with the manslaughter at Farranshoneymore, Ennis Road, Limerick, on the night of January 18th last, of Patrick Considine, Coonagh.

Mr. T. J. Donovan, B.L., (instructed by Mr. J. J. Power, State Solicitor), prosecuted, and Mr. W. O'F. Fitzgerald, S.C. (instructed by Mr. D. G. O'Donovan, solr.), defended.

The accused pleaded not guilty to the charge.

Garda Wm. J. Quinlan, of the Technical Section of Garda Síochána Headquarters, produced copies of maps made by him at the scene of the accident which resulted in the charge against the accused. His map showed the section of the Limerick-Ennis road-way near the Union Cross, where the accident occurred. At this point here was an average of 33 feet in width, with a footpath of 9 ft. Beyond the Shelbourne Garage the wall on the left road margin, going out from Limerick, was broken for about twelve feet.

Cross-examined by Mr. Fitzgerald, witness agreed that there was a rise on the road approaching the scene of the accident from Limerick, but the road was level on the actual point of impact as pointed out to him. He agreed that the wall, where broken, was weak and would be easily knocked down.

WAS WITH DECEASED.

Joseph Davis, builder's labourer, swore that on the night of January 18th last he left Limerick with the deceased, Patrick Considine, in the direction of Ennis Road. They were pushing two bicycles. As they walked past the Union Cross Considine was on the inside, with witness outside. When they came to the Shelbourne Garage he was about 9 feet out on the road. The next thing he saw was a van passing on the left, striking the footpath, then the wall, and breaking off the footpath on to the road. The vehicle then went some distance and pulled up. "I looked to my left and there was nobody there," said witness. "I saw a shadow in front of me on the other side of the road, went across, and saw him lying there, four feet from the footpath, with his feet into the kerb and his head out on the road. There was blood coming from his mouth and ears and he was unable to speak to me."

Witness said he went up to the van and asked the two men there if they knew what they had done. Accused, who was one of the men, replied he didn't know what he had done. The other man said nothing. Before the accident, witness saw no lights and did not hear any horn blown.

Cross-examined by Mr. Fitzgerald Witness said he and Considine were in no hurry on the occasion. There was a drunken gentleman before them, whom they wanted to avoid. That was the reason for not been on their bicycles. He had no reflector on his bicycle and he could not say whether or not Considine had. He had no particular reason for being nine feet out from the kerb on the night of the accident. The accident happened opposite a light standard, where there was a lamp lighting. He agreed that there wasn't much light where Considine was lying, but there was good light where he was struck. Considine could have been thrown over his head by the impact. He didn't see Considine being actually struck, nor did he hear his bicycle being hit when the van struck him. In fact, he didn't see the deceased being struck until he saw him lying on the road.

SIGNED STATEMENT BY ACCUSED.

Inspector Wm. Byrnes, Limerick, said that following a report on the night of the accident, he went to the Ennis Road, where he saw a bicycle lying about ten feet out on the left hand side of the road. Replying to witness, accused, who was also there with another man and a number of Gardaí, said he was the driver of the van. Witness got a faint smell of drink from accused and said the two men appeared to have had a considerable amount of drink. Accused replied that they had had a few drinks all right. An hour later Dr Holmes and another doctor certified the accused as being capable of driving a car. Later that night accused, after caution, made and signed the following statement to witness:

"I was coming back from Limerick driving a station wagon, with Mr. Paul Fowler, who was sitting in the back seat. As I approached the Cross in the Ennis Road a car came the other way. It dimmed its lights, then dimmed again. I did the same. As I put my lights on again the first thing I saw were two cyclists riding on the middle of the road. When I turned on my bright lights again the first thing I saw were two cyclists riding on the middle of the road. As soon as I saw them I tried to get between them and the footpath on my own side, due to the fact that it was almost impossible to go to the right of them. As I swerved to avoid them I hit one of the cyclists. The car went over the footpath; the side of the car swiped the wall, at which point I stopped. I got out of the car and went to the accident. I couldn't say how fast I was travelling, not to exceed ....

"I have driven all types of motor vehicles and trucks for the past seven years and have never met with an accident. I am not a regular driver of Pan American Airways, but I had authority to drive the car on this occasion. The vehicle was a 1946 Ford station wagon. I tried to avoid the accident to the best of my ability."

Cross-examined by Mr. Fitzgerald, witness said that he believed the accused had drink taken on the occasion from his observation of the saw accused and another man. While getting their names he got a faint smell of drink off Lynch, who later admitted that he had. The other man was very quiet. Lynch appeared sober.

Sergeant Patrick Connolly, Public Service Vehicles Inspector, gave evidence of having examined the utility van involved in the accident. The vehicle was a 32 h.p. 1936 Ford Utility Van. It's footbrake and handbrake were in good order. The headlamps were sealed beam lights and were much better than the ordinary lighting sets. The right hand lamp was working but the other was broken.

At this stage, the Court adjourned until this (Wednesday) morning.

HEARING RESUMED.

When the hearing was resumed on this (Wednesday) morning, Sergt. Connolly gave evidence as to external damage to the body of the station wagon as a result of the accident. There were blood marks on the right rear door in the vicinity of the handle and small pieces of what he took to be brain matter on the right rear wing. The car itself was practically new and would have been capable, without trouble, of doing a speed of seventy miles an hour.

Replying to Mr. O'F. Fitzgerald, witness said the damages to the left side of the car would be consistent with the vehicle having scraped along the wall. The lights dim-switch was worked by the foot. He based his opinion of the capacity speed of the station wagon on his experience of pre-war V8 engines. There was no doubt that the big station wagon travelling round a corner at sixty or seventy miles per hour would turn over on its side. He further agreed, that if this wagon, travelling at seventy miles an hour, swerved suddenly to the left and hit a kerb it would turn over on its right side.

Sergeant John Hanrahan gave evidence of observations made by him at the scene of the accident on the night of the accident. He saw a motor van on the left of the road, facing towards Ennis, and a pool of blood on the right. Subsequent measurements revealed that the width of the road at the point of impact was 33 ft. 6 ins. The width of the footpath on the left was 9 ft. 7 ins., and on the right, 7 ft. 6 ins. From the point of impact to where the car entered the footpath was 38 ft. 6 ins., and from that to the breach in the wall was 54 ft. 10 ins. The pool of blood was 24 ft. from the left kerb, and from the point of impact to the pool of blood was 59 ft., diagonally. The left pedal and crank of the deceased's bicycle were bent inwards and backwards.

This closed the State case.

ACCUSED GIVES EVIDENCE.

The accused, William A. Lynch, in evidence, said he was an American citizen of Irish parents. He was aged 24 years and came to this country last October as a member of the staff of P.A.A. operations office at Shannon Airport. He had been driving cars since he was 17 years of age. On the date of the accident he had been on duty up to 4 o'clock in the afternoon, when he came into North Circular Road, driving the car himself. He changed his uniform and took a man out to the Airport where he arrived at about 5.30. Witness had something to eat but nothing to drink at the Airport. He then brought a number of passengers into Limerick. He stayed in the Ardhu House, where he had a Martini and some sandwiches. He ordered another Martini but didn't finish it. He left the Ardhu between 9 and 9.30 with a man named Fowler who had had some drinks; in fact he would say a few too many. He drove Fowler to his home in Lansdowne Park, where Fowler changed his car and got into the front seat. Witness next drove to the Dublin road to pick up another man to take to the Ardhu. This man did not come in the car and witness drove through the city, over the Sarsfield Bridge and on out the Ennis Road. After Sarsfield Bridge he was travelling at about thirty miles an hour. He didn't increase his speed to any great extent after that, and was travelling on his correct side. He remembered passing a vehicle at the Union Cross and other vehicles in Limerick. He dimmed his lights always on meeting other vehicles. After he had passed the Union Cross he reached down to make sure that his lights were on. It was then he noticed two objects on the road ahead, well out from the left, while he was travelling well in on the left. He jammed on the brakes and swerved to the left. The rear end of the car skidded around, the car mounted the kerb, side-swiped the wall and went back on to the road. He brought the car to a stop, facing the road at a 45 degree angle. A man called O'Sullivan then came up to him and told him to reverse back his car but witness refused, saying there was a man lying on the road who should be first attended to. He didn't see the cyclists until they were upon me. It was a dark night, the road was wet and visibility poor. I may have taken my eyes off the road when reaching down to see if my lights were on," he said.

WHAT HE SAW PRIOR TO ACCIDENT.

Replying to Mr. Donovan, accused said he had never driven this particular car before the day of the accident, but was familiar with its mechanism. All he saw, immediately prior to the accident, were two objects in the middle of the road. At the time he thought the only way he could avoid the cyclists was by going to the left; he believed he would have possibly hit both cyclists had he gone to the right. Before the car mounted the kerb he knew that he had struck something. He had heard a banging kind of noise as of something striking something. "It all happened so fast," witness said.

Mr. Donovan—Isn't that because you were travelling so fast?

Accused—No.

Mr. Donovan—Was it your right door handle or your right mudguard which caught deceased and landed him on the bonnet of the car?

Accused—I don't know.

Accused said he saw nothing through the windscreen landing on the bonnet, but something could have landed on the bonnet. Possibly his eyes had swung away to the left.

Referred by Mr. Donovan to the evidence of Daniel O'Sullivan, that the station wagon passed dangerously close to his parked car at the Union Cross, accused said he saw this car and observed "an object outside it."

Asked if he appreciated that this "object" was a human being, accused said he "could have." There was a party in the Ardhu that night but he had had only one drink at this party. Fowler was also in the party.

Replying to the Judge, the accused said that nothing came on the bonnet, after the impact. When he first swerved he saw the man being struck by the front fender of the car. He saw the two cyclists for ten yards in his full lights, before the impact. They were "just objects" and the impression he got was that they were riding their bicycles.

This concluded the evidence. Mr. O'F. Fitzgerald addressed the jury, after which the Court adjourned for luncheon.

ADDRESS TO JURY.

In his address to the jury, the Judge gave the usual general directions in the law relating to manslaughter. Dealing with the evidence, he said that it had been proved during the trial that Lynch was an American citizen. Really, he didn't think that any Irish jury would be biased against a foreigner of any kind, but especially against an American, having regard to the histories of the two countries, and to the event in Irish history the centenary of which was being celebrated this year.

"I don't think," continued his Lordship, "that an Irish jury would be likely to be biased against an American or any foreigner. A foreigner in this country, apart from the rights of the franchise, has all the other legal rights of an Irish citizen—no less and, may I add, no more. Mr. Lynch is entitled to the same consideration here as a Co. Limerick man or a Co. Clare man, driving that car out that road, and killing an American citizen.

"This country need not make an apology to any country in that respect. This law seems to be eminently fair and it might be very well if it existed in other countries in Europe. Mr. Lynch has here all the rights and privileges of a fully established Irish citizen, and he has no more."

His Lordship then reviewed the evidence in detail. Referring to the evidence of Davis he commented: "Whatever view we take of the case, Mr. Davis is very fortunate to be in this Court to-day." It was very difficult for motorists at night in this country to avoid knocking down people who didn't take even the most elementary care, his Lordship said.

After retiring at 3.10, the jury were recalled to hear objections by Mr. Fitzgerald to his Lordship's charge to them.

JURY DISAGREE.

After nearly an hour's deliberation, the jury returned and intimated that they could not agree to a verdict.

His Lordship accordingly adjourned the charge against Lynch.

Mr. O'F. Fitzgerald asked that the case be heard again during the present sittings. He would mention the matter again in the morning.

His Lordship allowed Lynch out on continuing bail, pending a decision as to the time of his re-trial.

MARKET PRICES

Breadstuffs—Flour (bakers), 64/6 per sack; retail, 64/6 per sack; wholemeal, 62/- per sack; oatmeal, 5/- per stone; fleke oatmeal, 6/6 per stone.

LIMERICK MARKETS—Saturday.

Butter—2/4 per lb.
Hen Eggs—2/4 to 2/9 per doz.
Duck Eggs—2/4 to 2/9 per doz.
Chickens—13/- to 18/- per pair.
Ducks—8/- to 11/-.
Old Fowl—7/- to 10/6.
Turkeys—2/- to 2/2 per lb.
Eating Apples—5/- to 7/- per basket.
Potatoes—1/2 to 1/9 per stone.
Turnips—100/- to 110/- per ton.
Mangolds—90/- to 100/- per ton.
Rye Hay 310/- per ton.
Upland Hay 260/- to 280/- per ton.
Corcass Hay 220/- per ton.
Oaten Straw 130/- per ton.
Wheaten Straw 90/- per ton.
Weekly Cattle Market—There were 492 calves in market; they sold at from 10/- to 100/- each.

LIMERICK STOCK LIST

TO-DAY'S PRICES.
Government Funds.

5 p.c. Second Loan	
4½ p.c. Third Loan	
3½ p.c. Fourth Loan	105
4 p.c. Conversion Loan	
3½ p.c. Financial Agreement Loan	110
3½ p.c. National Security	
4½ p.c. Land Bonds	
3½ p.c. War Loan	106½

Banks.

Bank of Ireland	
Munster & Leinster Bank	
National	56/6

Transport

Coras Iompair Eireann Con. Units	15/9
Coras Iompair Eireann Pref. 6 N.C. Ord.	

Miscellaneous.

Guinness	164/3
Imperial Tobacco	137/6
Courtaulds	55/-
Dunlops	74/6
Imperial Chemical	47/3 xd
Cons.	69/-
Cannock & Co.	... bid
Irish Wallboard, 10/- paid	
Albion Def. New	
Gypsums New	

FANCY DRESS

RATHKEALE PARADE

A fancy dress parade held under the auspices of the Irish Country women's Association brought a large attendance to the Library, Rathkeale, on Sunday last.

Prizes were awarded as follows:—

For the Most Original Costume—1st, Master Bowen, Croom, as "Out Man Out"; 2nd, Miss B. Bowen, Croom, as "Air Hostess"; 3rd, Misses L. and A. Thompson, Rathkeale, as "Before and After Sweep"; 4th, Miss A. O'Connell, Croom, as "Great Expectations."

Most Picturesque Costume—1st, Miss E. Guiney, Rathkeale, as "Marie Antoinette"; 2nd, Master R. Graham, Rathkeale, as "Pedro the Fisherman"; 3rd, Master E. Funcher as "An American Indian"; 4th, Miss C. Byrnes as "A Gipsy"; 5th, Miss M. O'Donovan as "A Hungarian Girl."

Misses Spratt and Fitzgerald, Limerick, were the adjudicators.

CONCERT ITEMS.

The following contributed concert items: Master Francis Conway, selections on the piano; Miss I. Thompson, step dance; Miss C. Byrnes, song; Miss E. O'Shaughnessy, song.

Musical selections were played by the orchestra of the Rathkeale branch of the I.C.A. Miss W. Graham (piano); Misses P. Frawley and P. Byrnes (violin); Miss A. Roche (drums).

Miss C. Roche and Mrs. J. McEnery were M.C.s.

BE WELL SUPPORTED by wearing Cooper's Underpants with the "JOCKEY Y" front, for men, only 4/- each. Vests to match at TODD'S (Limerick).

LIMERICK LEADER

WEDNESDAY, APRIL 16, 1947.

Things That Matter

Speaking at a function in Limerick last year, Mr. Lemass, Minister for Industry and Commerce, said that this City would become virtually the shop window of Ireland. He was referring to our proximity to the Shannon Airport and the developments likely to come here as a result thereof. He went so far as to promise Government help for any movement or enterprise likely to advance the interests of this important centre. He has now, it would appear, an opportunity of translating his own words into practice.

* * *

At the meeting of the Harbour Board on Monday, emphasis was again laid on the backwardness of Limerick shipping and the urgent need for doing something to stimulate and extend the trade of the port. Mr. P. Whelan, B.C., mentioned that there has been for some time back a glut of shipping in Dublin and he stated that "it was extraordinary that part of this shipping could not be diverted to Limerick." This useful and pertinent point was raised at previous meetings and it is all to the good to have it brought forward again.

* * *

Some of the vessels calling at Dublin are, of course, too large for Limerick, as Mr. James O'Keeffe pointed out, but a number of them could quite satisfactorily be accommodated here. There is, therefore, ample room for a diversion to this city of a proportion of the shipping now cluttering up the port of Dublin. This decentralisation would benefit more than Limerick, for the present congestion in the Capital appears to be hampering the merchants there. Mr. G. E. Russell, B.C., stated at the meeting of the Harbour Board on Monday that at the last meeting of the Council of the Federation of Irish manufacturers the view was expressed that "merchants were suffering acutely in consequence of the way the delivery of goods was delayed."

* * *

It is thus obvious that a very strong case can be made for having some of the ships causing congestion in the port of Dublin directed to Limerick. The Harbour Board took a sensible step when it decided at its meeting on Monday, on the motion of Mr. Whelan, seconded by Mr. G. B. Dillon, B.C., to send a deputation to the Minister to discuss the question of the decentralisation of shipping. Mr. Lemass can hardly be unsympathetic in this matter in view of his own words in Limerick last year. Besides, as Deputy Keyes quite properly mentioned, since the Minister took sufficient interest in the ports to pass a special Act to govern their administration, "he might do something to keep the provincial ports alive."

* * *

Limerick itself, of course, has a great deal to do towards putting its port facilities into a condition that will make them much more attractive and agreeable to shipowners than they are at present. Towards this end, indeed, the new Harbour Board has been showing a very commendable spirit of activity and initiative. It has under consideration a number of improvements that would be very beneficial, and there is every prospect that these will be carried out without any avoidable delay. The Limerick Dockers' Section of the Irish Transport and General Workers' Union, too, has made it clear that it will play its part in bringing increased trade to the port. Its chairman, Mr. P. Keane, has promised this in no uncertain way and has intimated, in effect, that if any existing rules stand in the way of progress they will be amended or altogether abrogated.

* * *

With joint action and a spirit of mutual helpfulness and reasonableness on the part of the Harbour Board and the dock workers, a great deal can be done to attract additional shipping to Limerick. Nothing that is possible to do in this connection should be left undone, for involved in the whole question is the future welfare of this great distributing centre and the increase of local employment. In the meantime it is all to the good to make a special effort to have some of the ships generally held up in Dublin diverted to this city and we wish every possible success to the deputation appointed to see the Minister on that particular matter.

IN MEMORIAM.

CORBOY (Tenth Anniversary).—In ever loving memory of Mrs. Helena Corboy, who died at her residence, The Crossways, Limerick, on April 16th, 1937. On whose soul, Sweet Jesus, have mercy. Prayer requested. (199)