

Witness went to his wrong side when the car was three lengths away. The only explanation he could give as to why the car finished up at right angles to the van was that it was possible that the brakes were applied and it swerved around. The application of the brakes on a greasy surface could have that effect.

"DIVED INTO VAN."

Timothy McMahon, salesman in the van in question, said before they came to the bend the car was on its wrong side. Immediately before the collision the lights of the car were still on. The car dived straight into the "dash-board" of the van. If the car had remained on its correct side, there would have been no accident. As it happened, if his driver had remained on his correct side, he would not be there to tell the tale.

Cross-examined—When the van stopped, the car was 10 or 15 yards away and the car came straight for him sitting in the right of the cab.

Jeremiah Murphy said that he was with the witness, Mr. Quane, at the time, and they were the two men standing near the scene. When the van passed it was on its correct side, and when he turned around he saw it pulled up, and then he thought he saw the lights of the other car flash. This was after the impact.

Recalled by the Judge—The plaintiff said that he did not see the van until it was about 10 yards away, and it was on its wrong side at that stage and it travelled for about 10 yards in that position.

ACTION DISMISSED.

The Judge said it was a difficult case to decide, as the evidence of both sides was flatly contradictory. He would accept the evidence for the defence, as evidence had been given by two independent witnesses that the van was travelling on its correct side of the road when it passed them. He would dismiss the action with costs.

ASS MUINTIR NA TIRE

BALLINGARRY GUILD

Very Rev. T. Canon Wall, P.P., presided at a meeting of the committee of above (writes our Ballingarry correspondent).

The secretary (Mr. H. O'Brien) was directed to communicate with the County Manager, Mr. P. J. Meghen, B.E., and to request that he receive a deputation in connection with the water and sewerage schemes for Ballingarry, and also a public lamp at the southern end of the town.

The Very Rev. Chairman said conditions in the town and parish were in an exceedingly bad way. Our present condition, he stated, was only a small advance on the Stone Age. The roads in the parish and in the sister parish of Granagh were in a shockingly bad state. They are the worst in Ireland.

rick, was passed unanimously.

POPULAR OFFICIAL

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DIES AT NEWCASTLE WEST

Newcastle West has lost one of its most esteemed and respected residents by the death of Mr. Maurice J. Musgrave, Upper Maiden Street, who passed away suddenly on Sun., 22nd ult. (writes our Newcastle West correspondent). Member of a well-known and respected family, deceased was son of the late Mr. J. D. Musgrave, Principal, Courtney National Schools, and was at the time of his widely lamented passing on the staff of the County Council as Assistant Town Clerk, administering the municipal affairs of the former Town Commissioners. In that capacity he proved a most popular and capable official, and the outstanding efficiency with which he discharged his duties was reflected in the very sound state of the town finances and the success of the allotment scheme, for which he was largely responsible.

A comparatively young man of wide and varying interests, the late Mr. Musgrave was keenly interested in the welfare of the town, and his organising abilities were mainly responsible for the development of a number of progressive movements for the advancement of the commercial, social and sporting interests of the parish. These included the Town Traders' Association, Deel Anglers' Association, Gun Club and Coursing Club, to all of which he acted as hon. secretary from time to time. At the start of the emergency he was one of the founder members and District Staff Officers of the L.D.F. His passing in the prime of manhood, and under such tragic circumstances, has occasioned profound regret amongst all sections, and deep sympathy will be tendered to the sorrowing widow, young family and relatives, including Mr. James Musgrave, County Council staff, Public Health Offices; Mr. Joseph and Miss K. Musgrave, Bishop Street; Messrs. Michael and Patrick Musgrave, Dublin, and Mr. Wm. Musgrave, Caherciveen, etc. The funeral to Churchtown Cemetery on Tuesday was one of the largest ever seen in the town, and was representative of all classes of public, professional and private life. Mr. P. J. Meghen, B.E., Co. Manager, and Mr. J. J. King, Chief Officer, Public Health Department, represented the Co. Council, and the F.C.A. was represented by Mr. M. Burke, N.T.; Mr. E. White and Mr. W. Flanagan.

SHANAGOLDEN WHIST DRIVE

A whist drive held at Shanagolden on Sunday night under the auspices of the local Guild of the Irish Countrywomen's Association was a pronounced success. Win-

means to be regarded as ideal or even moderately satisfactory. Indeed so much was admitted many months ago by Mr. Sean MacEntee, who plainly suggested that it was more or less an experiment and was not to be taken as the last word on the subject. The scheme is combersome in the way it works and it is more than doubtful that it is capable of bringing the best and most suitable material to the Upper House of the Oireachtas. In this latter respect, indeed, it has a very obvious flaw.

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The generally accepted idea in regard to a Second Chamber is that its composition should not be to any extent a replica of the Lower House. This wise and healthy condition could hardly be fulfilled to a true and adequate extent either under the system of election responsible for the outgoing Senate or that on which the new one is to be chosen. The County and Borough Councils are for the most part elected on a Party basis, and it almost necessarily follows that the Chamber they and the members of the Oireachtas jointly elect will be very largely, if not mainly, of the political complexion of the Dail.

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This is not a desirable result, for it cuts right across what has always been understood to be the basic principle of a Second Chamber. The ideal Senate would be one completely divorced from any tendency to merely say an unthinking "yes" to the decisions and proposals of the Dail and equally free from any prejudiced desire or inclination to thwart anything and everything done or attempted by the popularly-elected legislative body. A Second Chamber chosen more or less from a political angle cannot be as useful as one set up on more independent and impartial lines.

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It ought to be quite feasible to adopt a much simpler and more effective method of electing a Senate than that