

MANSLAUGHTER CHARGE AT RATHKEALE.

Cork Motorist Returned For Trial.

EVIDENCE OF DOCTOR AND GARDAL.

Injuries To Girl's Face Described.

(From Our Reporter).

Sitting at a Special Court at Rathkeale on Monday, Mr. C. J. Kenny, B.L., D.J., concluded the taking of depositions in the case in which Quaker, Hibernian House, Cork, Greager, Hibernian House, Quaker Road, Cork, was charged with the manslaughter of Ed. Enright by knocking him down with a motor car at Rockfield, Rathkeale, on the night of the 5th March last. There was a further charge against the accused of causing grievous bodily harm to Margt. Tierney, who was with the deceased at the time of the fatal accident.

Supt. Cooney, Adare, prosecuted, and the accused was represented by Mr. J. S. McNeice, solr., Limerick. Mr. M. F. Noonan (Messrs. P. T. Liston and Co., Solicitors, Rathkeale) held a watching brief on behalf of the next of kin of the deceased and the injured girl. Previous sittings of the Court were held at Rathkeale and Adare, when evidence was given by the injured girl and a number of other civilian witnesses.

DOCTOR'S EVIDENCE.

Dr. M. Breen, Acting Dispensary doctor, Rathkeale, said that on the night of the 5th March he was called to attend two injured persons at Rockfield. He first examined Miss Tierney who was suffering from shock and had a wound on the left side of her face about five inches long, which was bleeding freely. He put six stitches in the wound. At this time no other injuries were apparent in the case of Miss Tierney. He was still attending her up to the present. She still had a seat on her face and complained of feeling very nervous. Owing to injuries of small branches of the facial nerves she had got slight paralysis of the left upper eye-lid and of the left temple muscles.

Proceeding, witness said he also examined the deceased on the same night. He was unconscious. There were no marks or no injuries on his body. Witness ordered the ambulance and had him removed to Croom. He was suffering from shock.

"CALLED TO BARRACKS."

Guard O'Brien, Rathkeale, deposed that at 8.45 p.m. on the night of the alleged offence, accused called to the barracks and stated that he was after meeting with an accident, and had knocked down a boy and girl on the road. When asked for his name and driver's licence, the accused requested that the Guards should immediately proceed to the scene of the accident as he believed the boy was seriously injured. He also stated that when he spoke to the girl she tried to run away from him. At this time accused was in a very excited condition and he spoke very quickly. His face was very pale, and he appeared to be suffering from severe shock. On the instructions of the Sergeant witness accompanied the accused to the scene of the accident. Accused got into the car and started it, and witness sat in long-side him. About a quarter of a mile outside the town witness got a strong smell of intoxicating liquor from the accused. That was the only thing unusual he noticed on the way out. When they got to a bend on the road about a mile out witness saw two bicycles on the right hand side. There was nobody on the road at the time. He then requested the accused to drive about a mile further on the road, and seeing nothing unusual he asked him to turn back. On the way back the accused said it would be a good thing if the Sergeant would test his brakes. On the way witness asked the accused to pull up and he pulled up in about the length of the car. The car was going about 20 miles an hour at the time. Witness went back to where the bicycles were on the road. On examining the road near the two bicycles he found an impression of a motor tyre about 9 inches in length and about 15 inches from the grass margin on the left hand side. Accused said it was the mark of his car which was fitted with new Dunlop tyres.

"FEW SLIGHT STAGGERS."

Proceeding, witness said he then requested the defendant to come to M. Tierney's house which was about 100 yards off the public road. On the way, as they got out of the car, accused offered witness a cigarette and while doing so made one or two slight staggers, and he also staggered on three or four occasions as they were walking but the boreen was very rough and they had no light. When they got to Tierney's house witness saw Margt. Tierney standing in the kitchen. She had a large gaping wound on the left side of the face. He also saw the deceased boy who was lying back in the chair. Witness assisted in putting him to bed, and soon afterwards left the house with John Tierney and Timothy Ferris. He then examined the scene of the accident, and found a circular mark which was pointed out by Ferris about 9 inches from the grass margin on the left hand side of the road, and about two feet in front of deceased's bike. Ferris also pointed out a lamp on the girl's cycle where Tierney had placed it. The glass of the lamp was broken and on testing the lamp witness found that it fitted the mark perfectly. The lamp was not in working order at the time. He also found a large bloodstain about 8 inches in diameter on a broken biscuit about 18 inches from the grass margin. He meter on the grass margin, and also found pieces of the broken glass which, when fitted together, fitted into the broken portion of deceased's cycle lamp. There were marks on the other side of the road which showed that the accused's car entered and emerged from the grass margin.

INJURIES TO CAR.

Continuing, witness said when they returned to Rathkeale he examined the car. He found the front left portion of the windscreen badly splintered for a breadth of about 15 inches. The licence disc was on the seat next to the driver. The extreme left of the front bumper was scratched and bore the impression of a cycle tyre. The cap of the left front wheel was dented in two places, and there was also a dent on the rear left mudguard. The marks on the bumper and on the cap of the wheel appeared to be fairly new, but he could not say if the mark on the mudguard was new. The road was 16 feet at the point, and there was a bend at the point where the accident took place. The road coming to the bend was straight, and there was a view of the corner for 140 yards back of the road in the direction of Askeaton. The road was dry on this night, and the night was dark, but it was very calm and visibility was good. The bicycles were badly damaged.

When Guard O'Brien had completed his evidence, Mr. McNeice said he would like to compliment him on the manner in which he had given his evidence and on the very fine sketches he had produced.

Justice—Yes, the sketches are very good.

STATEMENT TO SERGEANT.

Sergt. Keegan, Rathkeale, deposed that on the 5th March about 3.45 p.m. he saw the accused in the day-room of the barracks. Accused reported that he had been involved in an accident about a mile from the town and had knocked down two cyclists. Accused was very pale and excited, and he appeared to be suffering from shock. He spoke very quickly. Witness sent Guard O'Brien with accused to the scene of the accident, and he returned at 5.35 p.m. in company with Guard Duffy. Guard Duffy informed witness that he was after arresting the accused on a charge of driving a motor car while drunk. At the request of the accused, Dr. M. Breen attended at the barracks with witness. When the accused was sent for. When the accused came to the barracks with Guard Duffy witness noticed a strong smell of liquor from his breath and he was in a very excited condition. Dr. Breen attended at a special court held at 11.50 p.m. in the day-room of the barracks at which if he so desired he could make a statement, but that he was under no obligation to make it, and that he might like to see a solicitor before doing so. Accused made a statement which witness now produced.

STATEMENT BY ACCUSED.

In the course of the statement, the accused said he had three stouts and two small whiskeys during the day and left Askeaton after 8 p.m. He was travelling at between 20 and 25 miles an hour, and at the scene of the accident he felt something strike the windscreen. He got out and saw the injured couple on the road. The girl was excited and wanted to cycle away, and the man was lying unconscious on the road. He tried to get the man into the car, but could not do so, and he decided to go for the Guards. Sergt. Keegan added that while making the statement accused mentioned that he had an appointment in Cork that night at 9.30 p.m. with a member of his firm, but he said he did not wish to put that in his statement. Witness also produced a number of photographs of the scene of the accident, which were put in evidence.

RETURNED FOR TRIAL.

Mr. McNeice said that they had now heard the evidence of all the witnesses for the prosecution, and he submitted there was no evidence to show that there had been criminal negligence on the part of the accused. Such evidence, he continued, was necessary before a person could be returned for trial on a charge of manslaughter. In the circumstances he (Mr. McNeice) asked that informations be refused against the accused. The Justice said he would return the accused for trial to the next Circuit Criminal Court in Limerick on his own continuing bail of £500 and one surety of £500. Bails were forthcoming, and after the bonds had been signed, accused was remanded to Limerick Circuit Criminal Court on the 1st June.

You can have that **Printing Job** done

Faster Better Cheaper

If you send it to

The Kerryman, Ltd.

Printers, Publishers, Bookbinders,

Rulers, and Wholesale Stationers,

Russell Street, Tralee

ALLEGED HOUSEBREAKING.

Two Newcastle West Men Remanded At Rathkeale.

(From Our Reporter.)

At a special court in Rathkeale, on Monday, before Mr. C. S. Kenny, B.L., D.J., John and William Sullivan, of South Quay, Newcastle West, were put forward in custody and charged with breaking into the premises of Messrs J. Leonard, Bridge House, Newcastle West, on the 16th March, and stealing the value of £2 11s. 1d.

They were also charged with breaking into the same premises on the 26th March and stealing similar goods to the value of £5 12s. 7d. The accused of breaking into the premises of Mr. J. J. Lacey, North Quay, Newcastle West, on the 9th April, and stealing four ladies' wrist watches, one gent's watch and a leather pocket-book, value £2 13s. 6d.

Inspector Brazil, Newcastle West, appeared for the accused. The Inspector said there were in all six charges against the accused.

Sergt. J. Daly, Newcastle West, deposed to having received a report that Messrs Leonard's house had been broken into and entered both the accused on the 16th April last and cautioned them and charged them with the offences set out in the indictment. Enquiries into the affair were not yet completed, and witness asked for a further remand in custody.

In reply to the Justice, witness said one of the accused was 22½ years and the other 18 years.

The Justice remanded the accused to a special court at Rathkeale on Monday. Mr. Lavan asked that the accused be allowed out on bail. Their father was in court and he would be in a position to produce bails in a few days. Justice—I won't give bails at this stage. There are three different charges in respect of three different charges—a series of housebreaking charges. The accused were accordingly remanded in custody to a special court at Rathkeale on Monday.

CAHERCIVEEN NOTES

AMATEUR THEATRICALS. A number of young men have formed an Amateur Dramatic Society to stage some plays during the coming year. Most of them have already given a good account of themselves in this respect. There is plenty of talent available, the venture should be a decided success and the means of providing the people of Iveragh with many pleasant evenings during the year.

Athea Notes.

Prices must be ruling pretty high just now despite the efforts alleged to be making in high places to depress them. At Athea on last Sunday, it was publicly announced that all available finished baconers would be purchased at next Friday's market at a minimum figure of 45s. (N.W.). Unfortunately for the farming community, however, but very few are likely to benefit by the present demand, for, owing to a multiplicity of causes, the number of pigs in the district was never so low. All engaged in the industry must be aware of the difficulty that exists of finishing these animals during the winter and early Spring months, and when the prevailing prohibitive price of feeding stuffs is taken into account, as well as its wretched quality, the reason for the present paucity of fat pigs will be easily understood.

For some years past, the desirability of developing existing industries and creating new ones, in the Free State, has been constantly reiterated, both in the Press and on platforms. Those who read the newspapers—and, of course, those who listen to the speakers at their name is legion—must have been impressed from time to time by illustrations in the magazine page depicting these new industries and other opening a new industry in the presence of a select and admiring assembly. This ceremony is invariably followed by a dingy, somewhat usual laudatory, somewhat flamboyant, speech or speeches, no doubt to the satisfaction of the great man himself, and to the other guests. The reasons assigned for all this activity are stated to be to render this country as self-sufficing as possible and to provide remunerative employment for the workless.

Taken at their face value, these motives are praiseworthy in the extreme, even if we admit that many of these new undertakings have been very disappointing and costly affairs, in the functioning of which practice by no means worked out according to theory. Be that as it may, however, one would have thought that every honest effort to develop the resources of the country would have been welcomed and independent initiative encouraged—but our Jacks in office are not built that way. For instance, Athea can furnish a striking example of official turpitude and high-handedness, which has resulted in the strangling of an important and rapidly-developing industry at its birth and in the enforced idleness of quite a number of wage-earners.

It would be well to understand that this is a matter altogether divorced from politics, for the matter is too decidedly serious for that. So far as Athea is concerned, people of all shades of political thought are co-equal sufferers from the specimen of official in-fidelity mentioned and it may be added that the flippancy of Ministers, and the callousness of their underlings is as repugnant to one party as the other. As a result of local enterprise and initiative, an important industry was established at Athea, and it may be estimated that one half-penny. At its opening a Minister or frothy politician was present, and there were neither dinner, luncheon nor fulsome speeches. But work was started with such vim and vigour that the success of the undertaking exceeded the most sanguine expectations. Then, when it reached a point when it was developing into something really big, some interested party became alarmed lest there should be a diminution in their already good profits and the local enterprise was brought to an end.

WATERVILLE NEWS.

ANGLING NOTES.

Weather conditions were most disagreeable this week, (very cold with heavy falls of rain). As a result angling in the Lake was carried out only for short periods on a few days, only for the following results:—Visitors Butler Arms Hotel—Messrs. Gibbs and Mallen 20 trout; Mr. J. E. H. Mason 18 do. (one 2½ lbs.); Mr. Kerry 11 do.; Dr. Speedy 8 do.; Master Pat Speedy 2 do.; Mr. Duff 8 do.

On the Cummagher River (which was in nice fishing order) Mr. J. Bradley (local) had hard luck in losing two salmon after some play. The Waterville Anglers' Association received the following reply from Col. Brody, Garda Commissioner, in reply to their request for the permanent retention of Det.-Officers J. Healy and McGrath, who were specially detailed for fishery protection duty during the past close season:—

"I thank you for your letter conveying a resolution passed by your Association in reference to the protection afforded to the fisheries by armed Gardaí, and I am grateful for the tribute paid to the efficiency of the two members concerned. The question of the extension of their services will receive attention."

LOCAL VOLUNTEERS IN SPAIN.

Letters were received last week from Legionnaires John F. Casey and Tommie Fenton, Beenbane, Waterville, who are in Spain with the Irish Brigade since last December. They were with the Brigade when it was at the Madrid Front since February, and had gone through some heavy fighting with the loss of a number killed and wounded. Both men had so far escaped injury. As all letters are strictly censored, very little information was to be remembered to them by their friends as they had very little opportunity for writing.

Death of Well-known West Limerick Chemist.

MR. R. B. WOLFFE, M.P.S.I., ABBEYFEALE.

Abbeyfeale, Monday. This morning the death of Mr. R. B. Wolffe, M.P.S.I., took place in his 50th year at New St., Abbeyfeale, and after a tedious illness, borne with exemplary patience. Deceased, whose death is very widely regretted by a large circle of friends and relatives in Limerick and only was Mr. Linehan the best candidate for the farmers and shopkeepers, but also the labourers, and he was sure if Mr. Linehan was elected he would do all he could in the Dail to help the labourers of the Dail to help the party. Mr. Murphy said that besides the two Fine Gael candidates, Messrs. Linehan and Daly, there was another anti-Fine Gael candidate going forward, Comdt. Cronin, and he asked all members to give him their support after the Fine Gael candidates. There then followed a long discussion on election matters, after which the meeting adjourned until Tuesday night, 27th April, at 9 p.m. (new time).

Drunk and Disorderly.

"LOTS OF THESE CASES IN LISTOWEL."

MAN WHO KICKED WRONG DOOR.

"We have a lot of these cases in Listowel and the traders are complaining of these people," said Supt. McKenna at the Listowel District Court on Saturday during the hearing of a number of charges of being drunk, incapable and disorderly. Patk. Doyle, a native of Kilkenny, was sentenced to fourteen days' imprisonment for being guilty while drunk of disorderly behaviour on April 14th.

A summons for indecency against the defendant, who was charged in custody, was struck out.

Guard Maher, the complainant, said that on the date mentioned he found Boyle drunk and disorderly and shouting on the street. He also saw him commit an act of indecency.

Defendant—I don't know what I was arrested for at all, and I was very drunk that night. Many happy days to your Worship.

Supt. McKenna—Oh, wait a minute. That is a bit premature. Boyle—I promise I will take the pledge to-day. I don't remember anything.

Justice—There were four convictions against you last year for being drunk, disorderly and begging. I saw you before me in 1933 at Adare and I gave you fourteen days.

Defendant—You might dismiss me this time.

Justice—I will send you to Limerick.

Boyle—What about my wife and children?

Justice—What good are you to your wife?

Boyle—I am, because I am what is known as a smart man. Your Worship.

Supt. McKenna—We have a lot of these cases in Listowel, and the traders are complaining of these people.

Justice—There are seven previous convictions against this man. I sentence him to fourteen days' imprisonment on the first count and strike out the other.

Boyle (sobbing and leaving the witness box)—Many happy days to you.

John Quilligan and Chas. O'Brien, both of no fixed abode, were, at the suit of Guard Maher, Listowel, fined 5/- and 7/- respectively for being drunk and incapable.

Guard Breslin only using obscene language, and he was accompanied by another man named Tim Halpin. Both were drunk.

Mr. O'Connell, solr., said he appeared for the defendant, who was named White of Dundalk. Defendant was a cattle drover and had to attend a fair to-day at Droichead.

Guard Ruane—He was kicking doors and shouting.

Justice—What door?

Guard Ruane—My door (laughter).

Mr. O'Connell, solr.—His explanation is that he was looking for a car to go to Abbeyfeale and actually kicked the wrong door.

Supt. McKenna—He is bound by a surety to appear here.

Justice—I did not know that. I thought he was on his way to pay £5 recognisances. If he doesn't come here the next day he will be taken to Limerick. He had better come the next day. I will have him arrested if he doesn't. That practice of kicking doors is most annoying and irritating. I had one of these cases at Newcastlewest, where I fined a man £5.

Guard O'Sullivan, Listowel, summoned Timothy Halpin, of Lybess, Duagh, for being guilty while drunk of disorderly behaviour on the 14th April.

Complainant stated Halpin was with the defendant in the last case, and he was kicking at Guard Ruane. A fine of 7/- was imposed.

A WRONG ADDRESS.

Guard O'Brien, Listowel, summoned Michael Enright, of Ballyhoran, Lixnaw, for using an unlighted bicycle on the 14th April.

The complainant having stated that the defendant gave a wrong address when challenged, the Justice imposed a fine of 20/-.

LEAGUE OF YOUTH.

Kanturk Unit.

The monthly meeting of the above was held in the Strand Hall, Kanturk, on Tuesday night last. There was a full attendance of members present. The Captain, Mr. John McSweeney, presided.

Addressing the meeting, Mr. McSweeney gave an account of the Convention held in Mallow last Sunday and asked every member to do all in his power to help return Mr. Ted Linehan at the head of the poll.

Mr. Burton, also speaking about the Convention, said it is a great honour to have Mr. Linehan, who is an officer of this division, selected to represent North Cork in the coming General Election.

Mr. Ed. Murphy, speaking on Mr. Linehan's selection, said not only was Mr. Linehan the best candidate for the farmers and shopkeepers, but also the labourers, and he was sure if Mr. Linehan was elected he would do all he could in the Dail to help the labourers of the Dail to help the party.

Mr. Murphy said that besides the two Fine Gael candidates, Messrs. Linehan and Daly, there was another anti-Fine Gael candidate going forward, Comdt. Cronin, and he asked all members to give him their support after the Fine Gael candidates.

There then followed a long discussion on election matters, after which the meeting adjourned until Tuesday night, 27th April, at 9 p.m. (new time).

Glantane Cow-Testing Association.

METHODS TO IMPROVE DAIRY HERDS.

BREED FROM THE BEST.

There was a fine attendance of members at the annual general meeting of the Glantane Cow-Testing Association. In this district the Cow-Testing Association was formed very early in the start of the movement, and some of the Glantane farmers were pioneers of the movement who helped to found Cow-Testing Associations in other districts.

Mr. T. Coleman presided at the meeting.

Mr. D. Cummins, County Cow-Testing Instructor, attended and gave a short talk on up-to-date methods of breeding. A hearty vote of thanks was passed to Mr. Cummins for his attendance and lecture.

In his review of the work of the past year, the District Supervisor, Mr. William Forde, stated that during the year 1936 there were in the Association 25 members, having on test a total of 373 cows. Of this number 301 completed their lactation periods with an average yield of 5,827 lbs. of milk, and an average test of 3.98 per cent. At the present value of milk and butter fat, the average earnings of each cow was 12 guineas.

TESTS MADE. During the year 223 double visits were paid to members for the purpose of checking the byre records and sampling the milk from each cow. The weekly weighings were found to be satisfactory. In the course of those visits 2,275 samples were tested for butter fat. These tests varied from 3 per cent. to 4.5 per cent.

The Supervisor went on to state that he would like in reference to tests to bring to the notice of the Association that there are a few cows which have given consistent low butter fat tests for the past three years. Experiments had proved that low butter fat in milk is hereditary in a cow. Anybody in possession of such animals should not be anxious to retain their progeny, as it is for pounds of butter fat rather than for gallons of milk that the farmer is paid.

MEMBERS' DISTINCTIONS. Forty calves, the progeny of registered cows, recognised progeny heifers and dairy shorthorn bulls, were fattened during the year. One of those was awarded a premium at the Cork Show and fetched a fancy price at the subsequent sale. Five cows were entered in the Department register of dairy Shorthorn cattle.

One of these, "Beauty," the property of Mr. Eugene O'Sullivan, Currawbarrow, was awarded the prize presented by the Cork County Committee of Agriculture for the best registered cow shown at one centre. The progeny of a better prize was won by Mr. Patrick O'Callaghan, of Abbeystwell, with a fine deep-set, nicely-shaped yearling heifer, "Abbeystwell Lass."

THE BEST COW. The best cow in the Association gave a yield of 8,673 lbs. of milk, 352.12 lbs. of butter fat, and an average test of 4.06 per cent. Valuing butter fat at 1/- per lb. and skim milk at 1d. per gallon, total earnings of this cow amounted to £20 10s. or 64 per cent. greater than the average for the whole Association.

The average return for the best five cows was £10 11s. 2d., while the return for the five worst cows was £7. This shows a difference of about 12 guineas between the average for the five worst and that for the five best. From the records it was seen that 30 per cent. of the cows with complete records gave under 400 gallons and were therefore a dead loss to their owners.

REDUCTION IN CATTLE NUMBERS. Having concluded his review, Mr. Forde went on: "Although the scheme for the elimination of old or uneconomic cows is absorbing a large number of our profitable or profitable cows, there is still room for improvement in our dairy herds. From figures issued recently by the Department of Agriculture, upwards of 70,000 calves and 22,500 old cows were slaughtered during the period from April, 1935, to April, 1936. This continued slaughter of the old both the young calves and the old cows will bring about a drastic reduction in our future cattle population, and favour the possession of useful Shorthorn heifers would be well advised to retain them to build up their herds."

IMPROVED BREEDING. The practice of selling off the young and more saleable type of heifers and retaining those of inferior quality was much adhered to by Irish farmers, and is largely the reason that so often there can be seen on Irish farms the old and un-desirable type of animal. The ambitious and practical farmer will always retain for breeding purposes the best animals. It is also desirable to breed from the animals reared on the land, as they are not so subject to such diseases as contagious abortion or bovine tuberculosis.

HOPEFUL FUTURE FOR DAIRY FARMERS. "On the whole, our livestock industry is fast improving. There is a hopeful future for our dairy farmers and there will be an increasing demand in Great Britain for our dairy products, which, in supply to our soil fertility, we can supply at a lower cost and of better quality than any other country. By increasing our milk yield, improving our marketing, and cultivating better relations with Great Britain, we can have a reliable and remunerative market for both our surplus dairy products and our livestock."

The report was unanimously adopted and tributes were paid to Mr. Forde for his capable work.

TRALEE, IRELAND. Printed and Published by The Kerryman and Liberator Works, Russell St. and The Market.