

# The Red

## POSER THAT CALLS FOR CAREFUL CONSIDERATION

It is a landlord entitled, under the Rent Acts, to possession of a private dwellinghouse, and have his tenant vacate while repairs are being carried out to it? This is the poser that Justice D. F. Gleeson was faced with in to-day's Limerick Civil Bill Court, when Mary M. Gough, c/o 86 O'Connell Street, Limerick, brought criminal proceedings against an old age pensioner, James O'Mara in respect of a house, 1 Spellacy Square, Wolfe Tone Street, Limerick.

Mr. N. S. Gaffney, sol., was for the plaintiff, while Mr. W. Dunton, sol., Messrs. J. J. Dunton and Son, defended.

It-going child is desirous of the right to quickly extend even the educational strength of the primary school, and I am inclined to believe that the defendant was covered under Section 37. The terms of the Act were wide enough to give plaintiff permission to put the defendant out while the repairs were being carried out.

Asked by the Justice if there were any portion of the Act helpful to Mr. Gaffney, Mr. Dunton said he was of the opinion that there wasn't.

### SANITARY AUTHORITIES

Mr. Gaffney said he was informed that the tenant reported to the Sanitary Authority that the premises needed repairs. The Sanitary Authority of the Corporation inspected the premises and reported that the repairs required were of such a serious nature that they could not be carried out while the tenant was in possession as the roof was gone. Under the section he wrote to the tenant and told him that his client wanted to do the repairs, pointing out that they had got possession of the house next door to do repairs. Mr. Thompson, his client's Engineer, said that it would be necessary for the tenant to vacate the premises in order to have the repairs carried out.

Replies to the Justice, Mr. Gaffney said that if a landlord carried out extensive repairs he was entitled to increase the rent, and in the present case the increase would be very high having regard to the nature of the repairs. They got possession of the house next door and a tenant had come in as the old tenant had got a Corporation house. In the present case the powers that be came down on them because they had not the repairs done.

### THE DIFFERENCE

Taking into consideration that the premises were a private dwellinghouse, the Justice said that there was a sub-section. He knew that covered business premises.

The Justice wondered if there were a comparable Section relating to private premises.

Mr. Gaffney said he agreed that there was a sub-section in the Rent Acts covering business premises, but there was no comparable Section relating to private premises.

The Justice said he would have to reserve judgment and look into the matter, by which time the roof might have fallen down.

Mr. Gaffney — A lot of rain will certainly have come down.

Mr. Dunton said that his client was an old age pensioner and if he were to go out of the house and the repairs were done and the rent increased he might not be able to pay.

Justice — But he goes to the Corporation and now he does not want the repairs to be done.

Mr. Dunton — Mr. Gaffney is looking for possession but he is not entitled under the Act to get possession.

Justice — Mr. Gaffney you will have to show me that you are entitled to possession though the rent is paid, as it must be, in the meantime.

Mr. Gaffney — I am not able to show you anything in the Act.

The Justice then said that he would have to adjourn the case until next Friday week in order to look into the matter at issue.

### American Liner Completely Overshadows British Sea Record

London, Monday. The liner "United States," America's new 53,000 ton luxury ship, passed Bishop Rock at 6.15 this morning, cutting the Trans-Atlantic crossing time by 10 hours, 2 minutes, and winning the Blue Riband of the sea from Britain. With an average speed for the 2,942 miles from Ambrose Light to Bishop Rock of 35.59 knots she pushed through a roaring gale, which was so fierce that observers watching from open decks of ships and boats were almost swept off them.

Commodore Harry Manning, Master of the "United States," had with him on the bridge Miss Margaret Truman, daughter of President Truman, when passing Bishop Rock.

Passing the Rock, the weather was the worst the ship experienced and nothing could be seen from the shore as the ship drove through driving rain.

Passengers danced all night and waited up to see the liner capture the Blue Riband for the United States for the first time in seventy years, beating "Queen Mary's" 1938 record of an average speed of 31.69 knots. (INA).

### YOUNG GOLFER'S FINE PERFORMANCE

Sixteen-year-old Noel Hayes held his own against all opposition in the President's Prize Competition played at Castletroy Golf Club yesterday. Competing in the morning against two other competitors, Jimmy Dolan and Billy Burke, he scored 43 and tied with these two players. In the afternoon the competition was resumed, and Noel again tied with the same two competitors, this time with a score of 20.

Three young children, that's what they had been doing, were playing golf. One was seen rocking down the other was not seen. Both of them, seen seen hitting their heads with a slab.

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other brother, who was partially built over.

Court last st of them — two before Justice

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prosecutions could last six of them.

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accept responsibility. It is a tribute to those concerned on the Irish side, its modesty has now reached a national strength. Cross in 1943 eve, formed the development of significance.

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THE AMENITIES DID NOT COUNT IN TENANCY

A DECREE for possession of a forge at the rate of 7 Lower Gerald Griffin Street, Limerick — not to issue if the defendant paid the amount of arrears of rent together with the accruing rent and costs within two months to the landlord, Bridget M. Clancy, 7 Lower Gerald Griffin Street — was made against Thomas Crowe, farrier, in the Limerick Civil Bill Court to-day.

The defendant contested the issue on the grounds that his weekly tenancy at the rate of 10/- covered the use of a shed and a water tap in the yard but in his evidence he said he was given the use of these amenities by the former landlord as a matter of goodwill that the practice was in existence since 1910.

The Justice in giving his decision, said that the defendant got the use of the amenities from the former landlord as a matter of convenience, but this did not create a tenancy covering these particular things. The forge was the only thing that the defendant had a tenancy of.

When two witnesses in the case for the plaintiff said that they were not claiming any expenses for the day, the Justice said: "They belong to the old generation nowadays they want £5 each. They belong to the old times when there were decent people around."

Mr. N. S. Gaffney, sol., was for the plaintiff, and Mr. T. E. O'Donnell, solicitor, defended.

### LOST HIS LIFE IN GALLANT RESCUE BID

A DROWNING accident, under particularly distressing circumstances, took place in the Shannon at Limerick on Saturday evening, when a youth named Joseph Moore (15), 23 St. Columcille St. St. Mary's Park, lost his life.

With others, young Moore, when bathing in the Shannon, went to the aid of three girls named Creamer, Murphy and Lyons, who had got into difficulties. It would appear that while engaged in assisting one of the girls, young Moore himself got into difficulties. Two companions — Thomas O'Carroll and Thomas Hanley — went to his assistance. Moore broke loose from them, and a third youth, John Sheahan, jumped in to render what help he could. In the meantime, Moore disappeared, and though Sheahan dived several times he failed to locate the body. It was recovered later.

The three girls were brought ashore in an exhausted condition.

Those who took part in the rescue — all from St. Mary's Park — were Michael O'Donnell, Thomas O'Carroll, Thomas Hanley, Patrick Ryan, Patrick Byrne and John Sheahan.

The body of young Moore, a member of a large family, was removed to the morgue at Barrington's Hospital pending the holding of an inquest this evening.

A very promising boy, young Moore was a pupil of St. Mary's Christian Brothers School. He was captain of the school hurling team.

Very deep sympathy is tendered to the parents in the tragedy that has come upon them.

### Heroic Rescue By Limerick Carpenter

Mr. Francis Mulcahy, a 24 years old carpenter, of 1 Caledonian Place, Limerick, effected a heroic rescue from the Shannon at Sarsfield Bridge at 7.30 o'clock on Friday evening. Fully clothed, he jumped into the river to rescue a woman struggling in the water. The woman was Mrs. Liebherr, of German origin, living in Ballysimon Road and whose husband is a sailor.

Mr. Mulcahy dived into the river and, at great risk to his own life, came to the rescue of Mrs. Liebherr, who was taken safely ashore in a boat which put out from the Limerick Boat Club. The woman was taken to Barrington's Hospital for treatment. Mr. Mulcahy's pluck certainly deserved recognition.

### GOVERNMENT TO RAISE BIG LOAN

The Minister for Industry and Commerce, Mr. Sean Lemass, announced to a meeting of the Dublin Society of Chartered Accountants yesterday, competing in the morning against two other competitors, Jimmy Dolan and Billy Burke, he scored 43 and tied with these two players. In the afternoon the competition was resumed, and Noel again tied with the same two competitors, this time with a score of 20.

The decider will be played during the week.

Young Golfer's Fine Performance

Sixteen-year-old Noel Hayes held his own against all opposition in the President's Prize Competition played at Castletroy Golf Club yesterday. Competing in the morning against two other competitors, Jimmy Dolan and Billy Burke, he scored 43 and tied with these two players. In the afternoon the competition was resumed, and Noel again tied with the same two competitors, this time with a score of 20.

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