

April 15 1904
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CITY PROSECUTION

BOY SENT TO JAIL

Scene in Court

At the City Petty Sessions to-day, before Mr E F Hickson, R M (presiding), and Mr S Lee, a young lad named John Rahilly, who is not quite fifteen, years, was charged with throwing a stone at and striking the Mr Levin, Chief Rabbi of the Jewish Community in Limerick. District Inspector O'Hara prosecuted, and Mr R Nash, solicitor, appeared for the defendant.

Mr Levin in reply to Mr O'Hara, deposed that on the 4th of April, when passing by Carey's Row with two companions, he saw a crowd of boys there, who threw stones at them; the defendant struck witness with a stone on the ankle of the right foot; he was helped home by his companions.

Cross examined by Mr Nash—He was not attended by a doctor; he doctored himself.

To the Bench—He had been assaulted by the same boy on St Patrick's day.

Mr Nash—Then why did you not prosecute him for the assault on St Patrick's Day?

Witness—I did not like to go into that. But if I prosecuted for all the stone throwing I can assure you that my wages would not be sufficient to pay for summonses and solicitors.

Isaac Vinegrand gave corroborative evidence.

Cross-examined by Mr Nash—He saw the defendant before in different places. He remembered the assault by the defendant on Mr Levin on St Patrick's day.

Mr Nash—Did you report it to the police? I did not.

Why did not you? I cannot report every case.

Mr Nash—There is a bit of row going on, and people say that the Jews are assaulted in Limerick.

Mr Levin—And so they are.

The Chairman asked Mr Levin to sit down.

Mr Levin, who remained standing said if he thought that Mr Nash was going to scandalise the Jewish community in Limerick that he would have employed counsel. He could prove forty assault cases within a fortnight.

Mr Counihan—Behave yourself. You are making a good profit out of it.

Mr Levin—I am not.

Mr Counihan—You ought to behave yourself in court, and sit down.

Mr Nash (to witness)—How many assaults do you know of?

Witness—I don't know—too many to remember.

Abraham Vinigrand gave corroborative evidence.

Martin Kennedy, for the defence, stated he was with Rahilly on the night in question at the Trades Exhibition, and saw him to Mrs Holmes's house, Carey's-road, where they remained until 10 o'clock; he saw accused afterwards going into his own house; there was no crowd at Carey's-road corner at that time.

Mrs Bridget Holmes gave corroborative evidence.

Sergeant Murray said he took Rev Mr Levin to defendant's house, where he identified John Rahilly as the boy who threw the stone at him.

This closed the evidence.

Mr Nash said the case was a very shady one, the evidence proving that the defendant was not there at the particular time mentioned. That was the evidence of two respectable witnesses. There was a lot of talk about rows or assaults on the Jews, and some London papers stated that the Jews and Jewesses were not able to walk the streets. He (Mr Nash) was walking the streets of every part of the city day and night, and he saw a great many Jews and Jewesses there, and no one to lay a wet finger on them. These statements as to the assaults were merely fabrications. In all probability these rows were being got up that money may flow into the coffers of the community in Limerick. On the evidence of the prosecution the magistrates could not convict.

Mr Levin—May I be permitted to say a few words on behalf of the Limerick Community in the city as to the very strong insinuations made by Mr Nash.

Mr Hickson—I think you had better sit down, Mr Levin.

Mr Levin—All right, your worship. Thank you.

Mr Hickson said there was no doubt from the evidence brought before the court that this boy was guilty of the assault. The attempt at an alibi made it clearer on the evidence of the other boy that he was there, and it brought him a few yards nearer to the place. He thought the evidence of the Vinegrand could not be stronger, fairer, or more moderate, and they identified the defendant as one who had given them constant annoyance by throwing stones and insulting them on the public streets on several occasions.

It was a very sad thing that young boys should be guilty of this. Of course they were not responsible—of course other parties were responsible for this crusade against the Jews. He did not know who these parties were, no evidence with regard to that had been produced. But these boys perpetrated the assaults and should be punished. It was well known that he (Mr Hickson) had a great objection to send young boys to jail, as there by association they got a knowledge of crime they otherwise would not obtain, but the magistrates had an unpleasant duty to perform—that was to protect every person, no matter who he was, in the city from any interference with his lawful rights. They had had a case of this kind up before the court previously, they had left them off with fines, and he had given as good advice as he could, but still the assaults were continued, and the magistrates would have to put down their foot. The defendant would have to go to jail for one month without hard labour (sensation in court).

Defendant (who was crying)—Your worships—
Defendant's mother—Oh, Lord! Let my boy speak himself.

Mr Hickson—One month without hard labour.

Defendant's brother (from the body of the court)—I am the boy's brother. It is a very hard case to send him to jail.

Mr Hickson—Sit down.

Defendant—I was never in court before. It is my first offence. I never went near them.

Mr Nash asked to have the penalty increased to allow of an appeal. The application was reasonable having regard to the evidence, and he did not think the magistrates could legally object.

Mr Hickson—There is nothing in the case that we can give a heavier sentence—a month's imprisonment.

Defendant—I beg your pardon, I was never in the court before. I deny the charge against me.

The defendant, who cried bitterly, was then taken into custody, his mother also weeping loudly.

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