

TIRE ASKEATON COURT

Guild Larceny Charges

TAKING OF FIREWOOD

At Askeaton Court on Monday, before District Justice, C.S. Kenny, B.L.

Cornelius McMahon, Church St., Askeaton, was charged with the larceny of a quantity of firewood, value for 1/-, the property of John O'Shaughnessy, Ballyengland.

Guard McKeon, replying to Supt. J. J. Cooney, Adare, who prosecuted, said that on the 10th of May he went to the accused's house following a complaint, which was made to him concerning the taking of firewood from the lands of John O'Shaughnessy. When asked to account for the firewood the accused admitted getting it at O'Shaughnessy's. It was a small quantity of hazel, worth about 1/-, and McMahon made no written statement.

Cornelius McMahon, in evidence, said that he did not want to ask any questions. He assumed that he could take the hazel.

Evidence having been given that the defendant had a previous good record, a fine of 5/- was imposed and 1/- compensation allowed.

Patrick Sheahan, 10, New Terrace, Askeaton, was charged with the larceny of a quantity of firewood, value for 2/-, the property of James Mulcair, Ballyclogh, Askeaton.

HEARD NOISE OF AN AXE.

Guard Kelly, in reply to Supt. J. J. Cooney, who prosecuted, said that on the 28th May he was on patrol duty near the complainant's lands, and was attracted by the noise of an axe. On investigation he saw the defendant there in a clump of bushes, and he had an axe and saw, and was cutting firewood, which was white and black-thorn. When witness went to the defendant's house a half an hour afterwards he saw there a load of this firewood, which was value for 2/-. No permission was given to the defendant to take it.

Jams Mulcair, complainant, said he did not give anyone permission to interfere with the timber on his lands. He had some trouble over people going in there and cutting down his property.

Patrick Sheahan, defendant, said that he had not anything to say.

Justice (to defendant)—You must remember that you cannot go into another man's property and cut down timber without his permission.

Hoving regard to the defendant's previous good record, the Justice imposed a fine of 10/- and allowed 2/- compensation.

LOAD OF SCALLOPS.

William O'Sullivan, Clounreask, Askeaton, was charged with the larceny of a quantity of firewood, value for 4/6, the property of James Mulcair, Ballyclogh.

Supt. J. J. Cooney prosecuted.

Guard Kelly said that while on duty near complainant's place on the 28th May, he saw a pony and cart in Mulcair's lands and knew who owned it. He entered the lands and searched around thinking that he might find the owner. He failed, however, but returned later to find that the pony and cart was gone. He went to Sullivan's house that evening, and saw a load of scallops there. Witness went into the kitchen of the defendant, and asked him where he had got the load of scallops, and O'Sullivan said that he had got it at Mulcair's lands that day. The load was worth 4/6.

William O'Sullivan, in evidence, said that he was thirty years cutting scallops and there was never a complaint made against him.

James Mulcair, complainant—But I never gave you permission to go to my lands that day.

Justice—Apparently he had been going there before, with the result he thought he could take possession of the man's place.

FARM PURCHASE

Leads To Court Case

INCIDENT ON WAY TO MASS

An incident on the way to Mass, arising out of the purchase of a farm, had a sequel at Charleville Court on Tuesday, before Mr. C. S. Kenny, B.L., D.J.

Timothy O'Callaghan, Garriencoonna, summoned John T. O'Donoghue, Main Street, for being guilty of conduct calculated to lead to a breach of the peace and also for abusive language on the 30th March.

Mr. J. T. Liston, solr., for complainant, and Mr. D. Fleming, solr., for defendant.

Complainant, in evidence, said he was a farmer living at Garriencoonna, Charleville. In March of the present year he purchased a farm from a neighbour of his, a Mrs. Jones, and on the 30th of March last as he was coming to Mass with his wife and child in a trap he saw O'Donoghue on the road at Lisnagree. As they were passing him out O'Donoghue struck the pony with a stick and also the shaft of the car, and shouted to witness: "You bought that farm down there; are you going to give it up?" He also called him and his wife names.

Witness said he would report the matter to the Guards and when he got to the town his wife went on to Mass while he went to the barrack and made a complaint. On his way back after making the complaint he again met the defendant in front of the Courthouse, when he gave the pony a tip on the head and called him some names. He had a stick in his hand at the time. Miss Costelloe came on the scene and asked the defendant what he was doing. At the same time witness snapped the stick from him. On the first occasion when O'Donoghue attacked him Patrick Jones was with O'Donoghue. The latter did nothing to restrain the defendant at any time.

Mr. Fleming said that what actually happened was that Mr. O'Callaghan bought a farm of land from a Mrs. Jones, a neighbour of his. About 10 or 12 years ago the owner of this farm was a Mr. John Jones, an uncle to the present defendant. At that time the old man had made no will, but apparently he had promised the farm to the defendant, who had worked for him for several years. When he saw the complainant buying the farm he was naturally irritated, but he was now prepared to give an undertaking that the incidents complained of would not take place again.

Mr. Liston said the complainant came into Court to ask for protection and was entitled to get it.

The Justice asked the complainant if he were satisfied with Mr. Fleming's undertaking and complainant said he was.

The Justice said he would let the summons stand until October to see if the undertaking was carried out.

BOUND TO PEACE

ASSAULT ON CREAMERY MANAGER

An assault on a creamery manager had a sequel before Mr. H. L. Conner, B.L., D.J., at Kilmallock Court.

Michael O'Mahoney, Bruree, summoned Patrick Kelly, Drewscourt, for assault.

Mr. J. J. Power, solicitor, appeared for complainant, and Mr. T. F. Bennett, solicitor, for defendant.

Mr. Power said that Mr. O'Mahoney was manager of the Bruree Co-operative Society, where a very big business was carried on. A very serious breach of the public peace had been committed by the assault on Mr. O'Mahoney. This

NEWCASTLE COURT

Echo Of Little Girl's Death

DETENTION OF POSTAL PACKETS

At Newcastle West District Court on Friday, 13th inst., before Mr. C. S. Kenny, B.L., D.J.

John Hanly, Knockaderry, was summoned for driving a mechanically propelled vehicle, to wit, a motor lorry, at Kiltanna, Knockaderry, on the 24th April, the brakes of which were not in good and efficient working order and not properly adjusted.

Supt. McKenna prosecuted, and Mr. M. F. Noonan, solicitor (Messrs. P. T. Liston & Co.), appeared for the defendant.

Sergeant Spillane stated that on the 24th April he visited the scene of an accident at Kiltanna, near Knockaderry. A little girl was fatally injured. The lorry involved in the accident was the property of the defendant, John Hanly, and he was the driver on the occasion. After making inquiries he had the lorry taken to Newcastle West, where it was handed over and examined by Sergt. Connolly, the Traffic Inspector. In the course of a statement defendant said he had been at the garage in Newcastle West, and he asked them to do the brakes, but they told him they could not do them then as they were too busy.

GARAGE WAS TOO BUSY.

Cross-examined by Mr. M. Noonan, solicitor.—When he came on the scene after the accident Mr. Hanly explained the full circumstances of the accident to him, and told him he had been at Nash's Garage to check his brakes, as was his usual custom, but they were too busy to carry out the work.

Sergeant Connolly, Public Vehicle Inspector for the Co. Limerick, stated that on the 12th April he examined the defendant's lorry in Newcastle West and found that the brakes were defective.

John Hanly, Knockaderry, the defendant, in reply to Mr. Noonan, solicitor, said he was coming from the creamery. When passing a cottage at the side of the road he was going from 12 to 15 miles an hour. The little girl ran out and stopped in the centre of the road.

Mr. Noonan, solicitor—If the brakes were 100 per cent. effective the accident could not be avoided.

Supt. McKenna—I am inclined to agree with Mr. Noonan that if the brakes were entirely effective he could hardly have avoided the accident.

The Justice imposed a fine of 4/-.

LARCENY OF TIMBER.

The Attorney-General at the suit of Supt. McKenna summoned Vincent O'Sullivan, South Quay, Newcastle West, for the larceny of timber from the lands of Dr. O'Brien, Cullinagh House, Newcastle West.

Dr. O'Brien said he had seen the defendant several times on his lands taking timber, and had spoken to him about it. It was not so much the value of the timber, but young trees were cut and branches thrown in the river, which silted up the river and interfered with the free flow of water at the bridge.

The defendant, in reply to Mr. M. J. K. Dore, solicitor, who appeared for him, stated he had never taken timber or cut trees at Dr. O'Brien's place.

Justice—I will convict the defendant and fine him £1 and 1/- compensation. Dr. O'Brien had stated fairly that it was not the value of the timber that concerned him, but to keep the defendant away.

MOTOR COLLISION.

John Hough, Ballyshane, was summoned for driving a motor car on the public road at Lucy's Cross

GUARD ACCUSED

Of Listening At Door

EARLY MORNING DUTY

Allegations against a Civic Guard of listening at the door of a house was made by a defendant at Ennistymon District Court (whites our Ennis correspondent).

The Guard was Guard Ryan, of Kilfenora, and the defendant was John Davoren, same address, who was summoned for using language calculated to provoke a breach of the peace.

Guard Ryan said he had been on duty in Kilfenora between 12 midnight and 3 a.m. when he heard a whistle. Defendant approached and accused him of being in his back-yard and listening at his door. Up to this they had been on friendly terms. Witness gave further evidence of the language which he alleged defendant had used and said he threatened to complain him to the Sergeant.

DEFENDANT'S EVIDENCE.

Defendant said that at 2.30 a.m. he heard a noise and on looking out of the window saw Guard Ryan crossing from Miss Nagle's garden. He got up, went out on the street, and when he met Guard Ryan accused him of listening at his door.

Cross-examined by Inspector Comer, who prosecuted, defendant said it was not a usual thing for a citizen to question a Guard when on duty in a village or town in Ireland and he had never done it before in his life.

Did you think the Guard was a trespasser on your property? Yes.

Did you suspect him of committing any crime? No, I did not.

Further examined, witness said he whistled after the Guard to demand an explanation. Asked could not the Guard have been protecting other people's property, he replied: "What is that to me?"

Mr. M. J. McMahon, solicitor, defending, said when challenged for an explanation the Guard should have given it.

MORE TACT AND CHARITY NEEDED.

District Justice Hurley said a case like this would not arise if people were more even tempered, tactful and charitable. He did not propose to comment further on the case but he would like to see if time would heal the differences. With that object in view he adjourned the case for three months.

Inspector Comer said in a small place like Kilfenora an incident like this should not have occurred at all and would not have occurred if a little common sense had been exercised.

STRUCK BY MOTOR

DRIVER HAD NO LICENCE

At Kilmallock District Court, before Mr. H. L. Conner, B.L., D.J., John Kent, Ballyhampshire, Castlelyons, Co. Cork, was charged with an offence under the Road Traffic Act.

Mr. Reardon, solr., Mallow, defended.

Bridget Donoghue stated that she was of no fixed abode. On the 20th of last March she was coming into Kilmallock from the Kiltinane direction. She came off the cart and was walking on the left hand side of the road. She saw a motor van and her daughter shouted to her from behind. She went quickly across the road, making for the footpath. She was struck by the motor and knocked down, having a small cut on her face.

To Mr. Reardon—There was no traffic on the road at the time. When it was suggested to go to the Guards she said "no." She said the same when asked to go to the doctor. She did not hear one of the men saying to give her a few "bob"

LIMERICK

MONDAY, J

Things T

The hope is stronger and that a supply of domestic use will be made in this country to what extent merely wishful clear, but there is at least some ground for an optimistic view. of causes and would appear to be a belief that before we will be on peat fuel during the war.

Government

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