

# Dungarvan Leader

AND SOUTHERN DEMOCRAT

Circulating throughout the County of Waterford, South Tipperary and South-East Cork

Vol. 5. No. 226

SATURDAY APRIL 17, 1943

REGISTERED AT THE GENERAL POST OFFICE AS A NEWSPAPER

PRICE—TWO PENCE

## DUNGARVAN CIRCUIT COURT

### District Court Decision Reversed

### Encirclement Of The Cunnigar Workmen's Compensation Cases

The Easter sittings of the Dungarvan Circuit Court were opened on Wednesday last at the Courthouse Dungarvan before his Lordship Judge Sealy District Court Decision Reversed

An appeal was brought by two defendants who were charged at the last Dungarvan District Court with receiving coke from Peter Delaney, Davis St., and sentenced to one month each in Limerick Jail.

Dr. Coombhan, State Solicitor was for the Attorney General and Mr. J. Maguire, B.L. (instructed by Messrs. Farrell and Morrissey, solicitors) was for both defendants.

Peter Delaney who stole the coke and who is at present serving a six months sentence at Portlaoighe prison appeared and gave evidence of stealing the coke from the store of Mr. Joseph Power at O'Connell St., and selling it to both defendants.

To Mr. Maguire he said he was a docker by occupation and denied that he ever got any coke of a boat that came in to the Quay.

Did you ever go to the Railway dump and gather up cinders and coke?—Yes.

Wasn't it before Christmas you sold the coke?—No, it was after.

How do you know?—I'm not sure of the date.

Witness then denied that he was asked where the coke came from. He did not say that he got it from the skipper of the boat or that he was badly off. He only got 5/- for the 2 bags he sold the first defendant.

Judge—What were you living on?—6/- a week (laughter)

Mr. Maguire—Didn't you swear in the District Court that you stole 16 st. of coke?—Yes

Guard Straine and Detective Garda Barry gave evidence of investigating the case and taking statements from both defendants.

Mr. J. Power, O'Connell, St. said that in Jan he had about 10 tons of coke in stock and the value of it was 6/6 per cwt.

Mr. Maguire—In my submission my lord, the District Justice took a rather rough and ready course in this case. There is a grave onus on the State with regard to the proof of the receiver's knowledge that it was actually stolen.

The first defendant in evidence said that Delaney came to him about the end of Nov and asked him to buy some coke. When he asked him where he got the coke Delaney said from the skipper of a boat. Although he refused at first to buy he eventually purchased a bag for 7/-.

Delaney asked 10/- but agreed to 7/- if he got a bit of grub with it. He gave him two tins of butter.

Mr. E. Maher, Manager Co-Op, Dungarvan, said that it was customary for dockers to get coal from the captain or crew of a boat. These were styled 'surplus bunkers.' Sometimes when a ship was discharging some coal would fall down between the ship's side and the quay and this used to be gathered up and sold about town.

Mr. Jack Connors, Abbeyside, said he was the local harbour pilot and said it was customary for the dockers to get coal and coke from the ships.

Cross-examined by Mr. Coombhan, witness said that he had a bad head for remembering and could not name the boats that came in (laughter)

Summing up the Judge said that the only ground that the State could work on was the fact that the coke was bought at an undervalue as the law was that if there was an uncertainty as to

whether the articles were stolen or not the receiver must get the benefit of the doubt. Both defendants knew Delaney and the first at least must have suspected that the goods were stolen but was not sure, and under the circumstances could not be blamed for taking them. As regards the matter of undervalue there was insufficient evidence to prove how much coke was bought for 7/-. His Lordship therefore reversed the decision of the District Court in both cases.

Encirclement in the Cunnigar Causes Eighth Action

Michael Curran Ballinacourty Ring had a civil bill for £100 damages against Patrick Keane The Cunnigar, for trespassing on and the depasturing of his lands adjacent to Keane's holding on the Cunnigar

Mr McDonald B.L. (instructed by Mr Williams solr.) was for Curran and Mr Kenny, solr was for Keane.

Plaintiff in evidence said that he farmed about 75 acres of land on the mainland adjoining the Cunnigar, there was a few acres on the Cunnigar itself Keane who has a holding on the Cunnigar proper (which was described as an isthmus) keeps horses, sheep and cattle on it, and on eight different occasions plaintiff had to bring litigation for trespass on his lands. These were either settled by payment or decree in each case. There was no effort to stop the trespass, but Keane latterly suggested that plaintiff should help him to fence the boundary line.

The plaintiff then gave a long list of the trespasses, some of which took place at unearthly hours like 5 a.m., 4.30 a.m. and 6 a.m. When asked to desist the trespass Keane's attitude was usually aggressive.

Mr. Kenny, cross-examined, and witness said that at the lower portion there was good enough grazing land. The original landowner of his farm was Lord Fermoy and of Keane's farm the Duke of Devonshire. There was no right of way out of Keane's land.

Judge—it was the greatest mistake ever to sell this part of the Cunnigar to another man. Patrick Keane in evidence said that he bought the Cunnigar and the Golf House in 1929 for £250 from Mr Thomas Power. He used work for the Golf Club before that.

Judge—They wanted to do you a good turn but it has turned out bad.

Witness said that a fence could be erected if Curran were willing as his animals are also apt to stray and trespass.

Mr. McDonald—Haven't you fenced in your own tillage against rabbits?—Yes.

Why not erect a fence then to keep your bad cattle from Mr Curran's good grazing?—I would if he helped me.

Judge—You will have to do it off your own.

Judge (to Curran)—You also should give some little help. Naturally the greater burden must be met by Keane, but there is trespass on both sides.

Curran in reply to the Judge—There was never any fence there even in the time of Fermoy and Devonshire (laughter)

Mr. McDonald—The peninsula war started later (laughter)

Mr McDonald—Isn't it your idea Keane to get free grazing for your animals?—No.

Judge—Will you sell your holding to Mr Curran?

Keane—Yes if I got a good price.

Mr Curran—I'd buy it if you'd value it your Lordship (laughter)

It was then agreed that Mr Maher should place a value on the holding and alternatively Keane offered to buy a right-of-way out.

Judge—The day that Power sold the land to Keane was a bad day for the courts, but a good day for the solicitors.

The case was then adjourned to give the parties a chance of making a deal. Later in the evening Mr McDonald said that they could not arrive at a satisfactory agreement as his client was not prepared to buy.

Judge—I will adjourn the de-

cision until the June Sessions. If Keane has taken proper steps to fence the boundary satisfactorily by that time I will reduce the decree. I am also inclined to give punitive damages as I think Keane has ignored the matter up to the present.

The case was then adjourned Totally Incapacitated Matthew Kiely, West St., Tallow made an application for compensation under the Workmen's Compensation Act against the Bride Valley Co-Op Stores, Tallow

Mr Quinlan, solr Waterford, appeared for Kiely, and Mr Molloy B.L. (instructed by Messrs. Farrell & Morrissey, solrs) was for the respondents

Kiely in evidence said that he was working as a baker for the respondents at a weekly wage of £3 for 12 months. He worked from 10 to 12 hours per day and in that time would handle 70 or 80 stones of flour. On Jan 26th, he went to Dr. Healy, Tallow, who certified that he was suffering from baker's dermatitis. This was later confirmed by the Medical Referee Dr Shelly. Up to Feb 22nd, 1943, he was drawing compensation. He went to Dublin to see Dr Young a lady dermatologist, and she told him that there was a danger of a recurrence of the disease if he went back to his job. He was sent to Dublin by Mr Harris, the Manager of the Bride Valley Stores. He was quite willing to do light work in the stores but the Manager said he had none. In Jan. last some Insurance Inspectors visited him and told him his money was to be reduced and asked him to do some other kind of work. They tried to make a settlement with a lump sum, but witness said that he would first have to see his doctor and solicitor.

Mr. Quinlan—I resent the action of the Insurance Company sending this Cork Inspector behind my back like that.

Witness went on to say that he asked Mr Harris if there was any store work for him and was told that there were no jobs. He also tried to get work in two other places in Tallow.

To Mr Molloy, Kiely said that he was married and had a wife and two children. His wife was a dressmaker and her average weekly earnings would be 30/-.

Mr Molloy—you are not making any honest endeavour to get work as with your 30/- compensation and your wife's earnings you have £3 a week. You want to lead a life of indolence.

Kiely—I'm anxious to get any kind of work.

Dr J O'Mahony M.O., Tallow, was the next witness and said that he had attended Kiely since June 1941 when he had a very severe attack of baker's dermatitis. He was however fit for work now although if he returned to baking there was a chance of a relapse.

Dr Cusack Dungarvan, gave evidence of examining Kiely and said that the rash had completely disappeared now. There is a distinct chance that he may suffer a recurrence if he goes back baking. It would be much better for applicant to be working as there is a demoralising effect in general if he continues to walk around doing nothing.

Dr D T McCarthy Dungarvan said he would assign the cause of the disease to something in the flour or sugar and it was a recognised disease in bakery chemistry, medical photographic and other professions.

Mr Molloy said that the Insurance Company took exception to Mr Quinlan's remark about their action and explained the situation. The court was satisfied with the explanation.

Giving judgment, his Lordship advised Kiely to go back to his trade and give it a chance if he did suffer a relapse he could come and get compensation again.

At this point Mr Molloy said the respondents had no work for him now. Kiely said that as he was a non-union member he would hardly get work anywhere else.

Judge—That's bad. I think the disease was contracted at (Continued on Page Six)

## Death Of Mrs. Elspeth Villiers-Stuart, Dromana House, Cappaquin

### PREMATURE PASSING OF A NOTABLE PHILANTHROPIST

(From Our Cappaquin Correspondent)

Mrs Stuart is dead! Such was the brief and sensational announcement which reached Cappaquin on last Saturday afternoon conveying in its poignant brevity the sad and distressing news that Mrs Elspeth Villiers-Stuart, the beloved wife of Mr. Ion Villiers-Stuart, Dromana House, Cappaquin, ex-M.F.H., West Waterford Hounds, and an all-round sportsman, had died about 4.30 at her palatial residence in Dromana on that afternoon. It was well-known in the town that on the previous Thursday fortnight, March 25th Mrs. Stuart had met with a very serious cycling accident while riding through Villierstown when the front brakes failed to act while riding down a rather steep decline and she had put her foot out to slow down the machine, with the unfortunate result that the bicycle suddenly somersaulted and the unfortunate lady was pitched over the handle-bar, falling violently on her head on the roadway, which caused serious concussion.

She was rendered unconscious, but was quickly picked up by tender hands, and first-aid rendered until Dr. Wyn White M.O., Cappaquin, accompanied by Miss Buckley, Jubilee Nurse, do, soon arrived on the scene, when it was found necessary to insert several stitches in her head after which she was conveyed back to Dromana, where Dr. White continued to regularly attend her, while she was also carefully attended by two trained Nurses by day and night.

After the first few days of careful and skilful treatment she rallied considerably, and gave hopeful promise of a speedy recovery, but, unfortunately, serious complications supervened on Tuesday week, and on Thursday evening Dr White called in the services of Dr P. Kiely, the well-known Cork Specialist, who pronounced her case hopeless, and gave her only about 36 hours to live.

Knowing her usually strong and robust constitution, the people of Dromana and Cappaquin still clung to the slender hope that she would still be able to belie the opinions of the best Medical Specialists, and that she would eventually recover and regain her former good health, so that the brief and tragic announcement on Saturday afternoon that she was dead, although not entirely unexpected, still came as a bombshell to her hosts of friends everywhere and caused an intense feeling of sadness and gloom, not experienced in the district since the sad death of the late Lieut-Colonel R. H. Keane in November, 1925.

The late Mrs Stuart was daughter of Mrs Richardson, and the late Major Francis Richardson, D.S.O. a brilliant Officer in the British Army, and also a distinguished member of the British Diplomatic Corps and was born in Dunboyne Castle, Co. Meath on February 24th, 1906 so that she had barely passed her 36th birthday when her death took place under such sad and tragic circumstances.

She was married to Mr Ion Villiers-Stuart, a worthy scion of the famous Desmonds and great-grandson of Lord Stuart of Decles, who took such a noble and fearless part on the side of Daniel O'Connell in the memorable election in the Co Waterford for the cause of Catholic Emancipation in 1826, in February 1928, so that she had been resident in the historic seat of the Desmonds in Dromana House, Cappaquin for over 15 years.

Although a stranger to the district she was not long in Dromana before her kind and gracious disposition, and her inten-

tly human character, began to manifest themselves everywhere, and she quickly proved that the broad-minded, tolerant and sporting spirit of the Villiers-Stuart family was infectious, as she fully entered into every sphere of useful activities with which past generations of this illustrious family had been so long and so honourably associated.

She took a particular interest in the Cappaquin Rowing Club, in which her distinguished father-in-law the late Major Henry C Villiers-Stuart, had held an important honorary position for years, and in which her popular husband has held the position of Captain for a very considerable time.

Both her moral and financial support of this 70-years-old Club was an outstanding trait of her noble character, and she never failed to travel in for the enjoyable Regatta Nights Dances each year in order to gracefully present the Cups and Prizes to the winning crews from Cork, Waterford, Limerick and Cappaquin, a ceremony whose pleasure was always enhanced by her charming presence, and her welcome smiles and words of congratulation to all.

She was a prominent member of the West Waterford Hunt and Cappaquin Point-to-Point Race Committee up to the time of its winding-up last year, and while her esteemed husband was M.P.H. of the West Waterford Hounds, the duty devolved on her of presenting the Cups to the owners of the winning horses each year, a duty which she performed with a grace and charm which made this ceremony the most interesting event in the entire day's programme.

But it was not in the realms of sport alone that the late Mrs. Stuart excelled. Never sparing herself when she thought she could be of any service to humanity, she was Hon. Sec. of the Cappaquin District Nursing Association, (Jubilee Nurses), and was also an active and prominent member of the Committee of the Cappaquin Branch of the Irish Red Cross Society, and in both of these positions she was brought into close and intimate touch with the poorer classes in the community.

It was in this capacity that her intensely human character, and her wonderful spirit of love, generosity and charity were fully revealed.

Never was a case of hardship or poverty brought to her notice in vain, because she was possessed of such an outstanding spirit of charity and good nature, that she simply loved to do good in every case which she thought was deserving of pity or support.

A tall and stately lady, big in physique and big in heart; her purse-strings were always open to alleviate the lot of those in want or sorrow, and many a poor family in Villierstown and the surrounding districts, and even in Cappaquin, itself, have often benefited by her great charity and philanthropy, and who will have cause to regret and mourn that such a generous and noble heart as hers has now been stilled forever in death.

We, in Cappaquin, will also miss her sorely. Her graceful presence and her amiable, and charming smiles, radiated happiness and cheerfulness at all our social and sporting functions for many years, and her sad and premature death, while still in the prime of life, is justly regarded as little short of a calamity in West Waterford, and the prayers of the loving and grateful people are that her many acts of kindness and charity towards all may now be rewarded by eternal rest in Heaven for her generous soul.

To her esteemed and popular husband Mr Ion Villiers-Stuart, and also to her bright and charming little son, Master James Villiers-Stuart, as well as to her distinguished and heart-broken mother, Mrs Richardson, the deepest and most respectful sympathy of all is tendered in their sad bereavement.

**IMPOSING FUNERAL SCENE**  
The deep and widespread sorrow felt over the premature  
(Continued on Page Six)



# HUSBAND AND YOUTH CHARGED WITH MURDER

## CAPPOQUIN WOMAN'S DEATH

### THURSDAY'S HEARING (Before Mr Troy, D J)

There was a dramatic development on Thursday (April 8th) during the resumed hearing at Fermoy of the charges against William O'Shea (24) and Thomas Patrick White (17) both of Ballyhane, Affane, Cappoquin.

The two accused are charged with conspiracy to murder and the murder of Mrs Maureen O'Shea wife of Wm O'Shea. When Guard Joseph Dalton, of the William Sreet, Limerick, Garda Station, who escorted the prisoners from Limerick Prison on Wednesday to the Court and had remained with them in the dock was called and it was announced by the State Solicitor that he proposed to tender evidence of a statement made to him by the accused O'Shea in the dock during the evidence of the State Pathologist.

Mr J. F. Kenny solr for O'Shea objected on the ground that when he appeared in the beginning in this case he had advised his client in what he considered the proper way and if his client had not adhered to that advice he (Mr Kenny) had no business there and might as well leave.

Justice—That is a matter between yourself and your client. Do you object to this evidence on legal grounds?

Mr Kenny—I do. These men were at the time under legal advice and while I quite appreciate that they are inclined to make voluntary statements I will have to ask some questions about this.

To the witness—How did you get this statement?

Witness—It was an outburst at the time by the prisoner O'Shea when Dr McGrath was giving evidence. I was standing in the dock, and the prisoner O'Shea was sitting on my right and the prisoner White on my left. O'Shea said—

The Justice intervened and witness said O'Shea made a certain statement to him.

Mr Kenny—Did that statement incriminate himself?

Justice—That does not matter. Had anything been said by you to him before he made the statement?

Witness—No. I did not ask him any question or induce him to make any statement. He made it purely voluntarily.

### SOLICITOR'S QUESTIONS

Mr Kenny—As he was continuing with the statement did you make any remark to him?

No until he was finished. You did not administer any caution to him?—No, I did not. I simply went out of the dock and made a note of what he had said.

Did you make the note immediately afterwards—you did not make it in the dock?—No, approximately ten minutes afterwards.

Did you show the note to the accused?—No.

Did White hear this statement also?—Yes, he was listening.

Did he say anything? He said something but I could not be sure of what he said.

The witness added that earlier Guard Rafferty Limerick had been on duty in the dock.

Guard Rafferty was called and was questioned by Mr Kenny to whom he said that he had no conversation with the prisoners except that White had asked him for the time.

Mr P. J. Morrissey solr for White—Did you speak to White in the barracks today?—Yes.

What did you say to him?—I was there with White when he got in refreshments, and when he came out of the barracks I could not say exactly what took place between us but he said something about food. It strikes me he also said something about O'Shea. They did say they had plenty food.

Did you say to White—"Now is the time to plead for mercy?" No, he said something to me about pleading for mercy.

Did you say that to him?—No, when he was here in the cell he mentioned to me about pleading for mercy and when coming to court a second time I asked him if he wanted to plead for mercy.

Did you say anything else?—No.

Did you ask him to make a statement?—No.

### THE STATEMENT

Dr Counihan State Solicitor then proceeded to examine

Garda Dalton who deposed as follows. William O'Shea spoke to me and said "What will they do with us or what will become of us?" I said, "I don't know it all depends on whether you are innocent or guilty." O'Shea then said "We are guilty and we have admitted it in a statement to the Superintendent. It was a terrible crime to commit and if we had to do it again it would never happen. She was very young I could not get away from her. She would not let me join the Army or go to England." O'Shea then said something about pleading to the court for mercy but I cannot remember his exact words so I did not write them down.

### THE BURNED HOUSE

Supt P O'Mahony, Dungarvan said he visited the farm of John Prendergast at Mogehe on March 11th. He observed the dwellinghouse on the farm, which was destroyed by fire a short time before. The house was a three-roomed, one-storey building and it had a thatched roof, all of which was burned, except a small portion adhering to the walls. He later visited the house of Michael Byrne, Ballyhane, stepfather of O'Shea, where the O'Sheas were living. White was there at the time. He questioned the two accused, and Mrs O'Shea in the presence of each other, concerning the fire, and took statements in writing from each of them. These statements he now put in evidence.

The statement of William O'Shea related that he had been away from home that day, and that when he returned at night on February 22nd last, he found the house burned and his wife and child were missing. With the help of neighbours, he removed all that he could, including doors and windows, with their respective frames, and a mantelpiece. The weather at that time was very dry, and there was very little wind that night. Nobody interfered with him or objected to his residing there, and he never heard anyone objecting to Jack Prendergast who was the owner, having bought the place.

The statement of the other accused, Thomas White, said he used to sleep with Willie O'Shea in the house at Mogehe while Mrs O'Shea was in hospital. While he was there he had been repairing some boots. On the day of the fire, and at which time Mrs O'Shea was back from hospital, he had gone to O'Shea's house to collect some boots and leather. At Mrs O'Shea's request he went out for some milk and when he returned he went to look for the boots and leather, and as there was neither candle nor paraffin oil in the house, he lit some withered furze and blew this into a blaze with a fire machine. He could not say if any of the sparks had gone to the roof and when he left the house was not on fire. The statement then told how White had later helped to get out the furniture.

### DECEASED'S STATEMENT

Mrs O'Shea's statement said that she was in hospital in Dungarvan from some time in January until February 18th. She was in bed about 9 pm (old time) on the night of the fire when Thomas White came in, and she sent him for milk to a neighbour's house. He asked her about some shoes on which he had been working while she was in hospital. She did not know where they were, and as they had neither candles nor paraffin oil he had to light some bushes on the hob. When he left, she fell asleep and woke about 11.40 pm thinking she smelled smoke. She got up but could see nothing wrong, and she went back to bed again. Soon after she felt the room full of smoke and going out, she saw that the thatch was on fire. She took out the baby and placed him in blankets in one of the outhouses then removed as much of the furniture as she could. There was nobody at the fire and she left for her mother-in-law's house.

Continuing his evidence, Supt O'Mahony said he went to Knockvoolaha on March 16th at 9.35 a.m. where he saw the body of Mrs O'Shea lying on the road. White was sitting on the fence a short distance away. "I asked him what he was doing there," said the witness "and he said that the Cappoquin Sergt

had told him to walk along the road with me. As he was getting up from the fence he said that he wanted to tell me something about the fire. I said to him, did you not tell me all you know about the fire on the last day? He replied, 'It was I locked the door. I forgot to tell you that much.' I asked him to explain what he meant by locking the door, or what door was locked and he said that when he was leaving O'Shea's house on the night it was burned, Mrs O'Shea had called him back and told him to lock the door, and put the key on the window sill, and he did that."

The witness said that there was one door to the house, and he said to White that if that was so she was locked in when the fire started and he replied "I suppose so." He then told White to go back to where he had been. Witness said that after a brief visit to Cappoquin he returned to the scene of the tragedy. White was still on the roadside and as the day was cold witness told him he could sit in his car if he wished, and he did so. Later, acting on instructions from Chief Supt O'Reilly he took a statement from White concerning his movements on March 15th. He gave a very full account of his movements from morning until night without any necessity on witness's part to ask him a single question. The witness added, "I wrote down this account as he gave it to me and afterwards I put him a number of questions, some of which were suggested by the Chief Superintendent, and he signed the whole lot." White was not cautioned before that statement was taken.

### WHITE'S STATEMENT

The Superintendent put this statement in evidence. It related how White had been asked to give an account of his movements. Accused said "I will tell you the Gospel truth. Lies are no good to you or me." The accused then proceeded to detail his movements on 15th March. He told how he cycled to Dungarvan and Cappoquin during the day on different missions. Coming to the night the statement told how on his journey home from Cappoquin he met O'Shea and his wife, and his (White's) uncle on the road, talking. He did not move off his bicycle at all, and only said, "Hallo." It was then about eight o'clock (old time). He went home and had his supper, after which he sat down at the fire, reading the paper, as it was then too late to go anywhere. "About ten o'clock," the statement continued, "my mother came in with my two young brothers. She said Maureen was shot and I asked her where, and she said somewhere up on the road. I asked her where was Willie and she said, she did not know any more. It was then 11 o'clock and I went to bed. Oh yes my aunt said not to go up at all. She got a great fright when she heard it. She is not strong, she was in hospital some time ago. I was not long in bed when the Cappoquin Sergeant came. He came up to where I was sleeping and he asked me some questions."

The statement then related how the accused got up at the Sergeant's request and went out with him. From this on the statement was in the form of question and answer, and according to the answers White said that his mother told him Maureen was shot. He knew who she meant, as there was no other Maureen there. He was on friendly terms with O'Shea and his wife. O'Shea asked him to stop with him while Mrs O'Shea was in hospital. His boots were wet because he walked over the grass looking at his snares. He had not been in the ploughed field nearby for two months previously. He was a member of the LDF and as such had got a shot-gun but no ammunition, and he had never fired a shot out of it. He cleaned the gun on the previous Sunday evening in his home with paraffin oil and a rag. His reason for cleaning it was because there was a parade on St. Patrick's Day. He did not leave the house for any purpose from the time he came in from Cappoquin on the evening of the 15th March, until Sergeant Brown came to him. He had never got and never tried to get, any ammunition for the gun from anyone.

To the question as to whether Willie O'Shea had ever given him a shot-gun cartridge the reply was "Never at any time." To the question "Did he ever loan to you?" The answer was "No sir." O'Shea never told him "the statement continued, "that he had got a cartridge from Edmond Ducey. When asked to account for the tear on the leg of his pants, the accused

TEN YEARS IN THE WOOD TEN YEARS WELL SPENT



BOTTLED IN FIVE SIZES



OUT OF THE PAST COMES STRENGTH FOR THE FUTURE

The past is not finished with. For the nation's past is strength and great achievement, idealism, culture and high tradition. And in the past lies inspiration for the future. Let us then look to the future through the mirror of the past.

And while working for the destiny of our nation let us also safeguard our own individual economic destiny to the best of our ability.

An Endowment Assurance will make your future secure and also provide protection for your family. May our Representatives help you to select the most suitable Policy for your needs?

## THE IRISH ASSURANCE COMPANY LIMITED

Chief Office Hanam Buildings, Upper O'Connell Street, Dublin, C.S.

J. LOGAN (Supt.), 108 THE QUAY, WATERFORD.

said he got it a few months previously, while ferreting. He did not go to Byrne's house when Maureen was shot, because his aunt would not allow him. When asked who stood for Willie O'Shea's child, he replied "his cousin Margaret Burke and himself." The statement concluded by saying that sometime later he was taken to Cappoquin station.

### STATE PATHOLOGIST.

Dr John McGrath, State Pathologist said that on 16th March he examined the body of Mrs O'Shea on the roadside. Later he performed a post mortem, assisted by Dr. White. The body was that of a well-built young woman, 5ft 3ins in height. There was a hole through the back of the left shoulder, and three inches below the shoulder. There was a gunshot wound on the back of the left shoulder. The tissues inside the wound were blackened, and the charge had penetrated the left shoulder blade, and had gone through the chest wall breaking the sixth rib, and into the seventh. It then tore through the left lung and the breast bone. The cause of death was shock and haemorrhage due to a gunshot wound and in his opinion the shot had been fired from very close range.

### OTHER EVIDENCE

John O'Donoghue, Lacken,

said on Sunday night, March 14th he saw near "The Spout" White standing in a dyke within twenty yards of the spot where Mrs O'Shea was shot 24 hours later.

Patk. Veale, Cluttaheena, said on the same night he saw a man who appeared to be O'Shea standing under a tree in a dyke near "The Spout."

Pte Jas O'Driscoll, Youghal whose sister was the second wife of Michael Glavin, father of Maureen O'Shea, spoke of frequent quarrels, "but they were not much" which seemed to get worse as time went on. Prior to the birth of her child he heard Maureen O'Shea say in her husband's presence that he (O'Shea) was praying "that I would have the child soon and he thinks I'm going to die having it."

### FRIDAY HEARING

How when the two accused were brought to the scene of the shooting, they knelt down and remained seven or eight minutes as if in prayer beside the body, was related by Sergeant J. Browne, Cappoquin, who was 2 hours in the witness box on Friday, when further evidence was given.

(Continued on Page Four)

SAVE WASTE PAPER IT IS A NATIONAL DUTY

**HUSBAND AND YOUTH CHARGED WITH MURDER**  
(Continued from Page Three)

Sergeant Browne said that on March 15th he received a report at 10 40 p.m. from Guard Moloney and with the latter and Guard O'Leary he cycled to Knockyoolaha. The body of Maureen O'Shea was lying across the road. Near the body he found a small piece of circular rubber.

"I then placed Guard O'Leary in charge of the body," witness continued, "and I walked to the house of Michael Byrne, 200 yards away. Mrs. Catherine Byrne was in the house when I went in. The accused, William O'Shea, entered the kitchen from another room, and I asked him to tell me how his wife was shot. He said 'I was walking back the road with Maureen. We were linked arm in arm. She was slightly behind me, but had her arm in mine. We were coming towards home and a shot rang out. I don't know where the shot came from, or what kind of a shot it was. I held her when I felt her falling. I laid her down on the road and said an Act of Contrition in her ear. I did not see or hear anyone. I ran back at once close to the fence, as I was afraid of being shot. I told my mother, and I did not go over since'."

"It was about 11 25 p.m. when I had this interview," said Sgt. Browne. "O'Shea was calm and cool at the time, or, at least, appeared to be. I then went back to the scene and immediately cycled towards the house of Thomas White. On my way I met Thomas White, senior, who was also on a bicycle, and he accompanied me to the cottage of Michael Mulcahy, where we arrived at 11 40 p.m. Mrs. Fahy, an aunt of the accused, and his sister, Maude White, were present in the kitchen. I had a conversation with them, following which I went to the parlour on the ground floor. In the far corner I found a single barrel breech-loading 12-bore shotgun, number 58443. I brought the gun into the kitchen and I examined it with the aid of the kitchen lamp. I observed paraffin oil on the outside of the breech, and, on examination, the inside and the barrel appeared to be freshly cleaned, and reeked of paraffin. I then went upstairs and found the accused, Thomas White, in bed. He was awake. I asked him what time he had come in, and he said at 8 30 o'clock. He said he went to bed at 10 p.m. He knew that Mrs. O'Shea was shot, as his mother told him before he went to bed. He also said that he owned the shotgun which was in the parlour, and that he had cleaned it on Sunday.

**TIME DIFFERENCE.** "I then left the kitchen," continued the witness, "and returned in a short time with Supt. Doyle, whom I had met on the road. The Superintendent remained in the kitchen and I went upstairs and requested Tommy White to come down to the Superintendent, which he did. I again brought the shotgun from the parlour, and showed its condition to the Superintendent. I heard the Superintendent's deposition regarding his conversation with Thomas White and I agree with that. The clock in the house showed 11 20 but both the Superintendent's watch and mine showed 11 55. I left the house with the Superintendent, taking the gun with me.

"We went back to the scene where the body lay," witness continued. "I noticed the accused, Thomas White, walking 30 or 40 yards after us, until we reached the vicinity of the approach to Michael Byrne's house, which is between Michael Mulcahy's cottage and the place where the body lay. Shortly after returning to the scene, accompanied by Guards Moloney and Houlihan I again went to the house of Michael Byrne. When I entered I observed Wm. O'Shea and Thomas White, both accused, sitting close together by the kitchen fire. O'Shea's mother, Mrs. Catherine Byrne, his two sisters Mrs. Healy and Mrs. Walsh, were in the kitchen also. I started to make general inquiries about the shooting. Both the accused did not seem inclined to talk or join in the general conversation about it. There was a number of children in the house as well. After a short time, I requested William O'Shea and Thomas White to come out to the yard and I said to O'Shea, 'we will walk over the road, and we'll be talking. The five of us then walked over the road and on the way O'Shea was talking to me about the

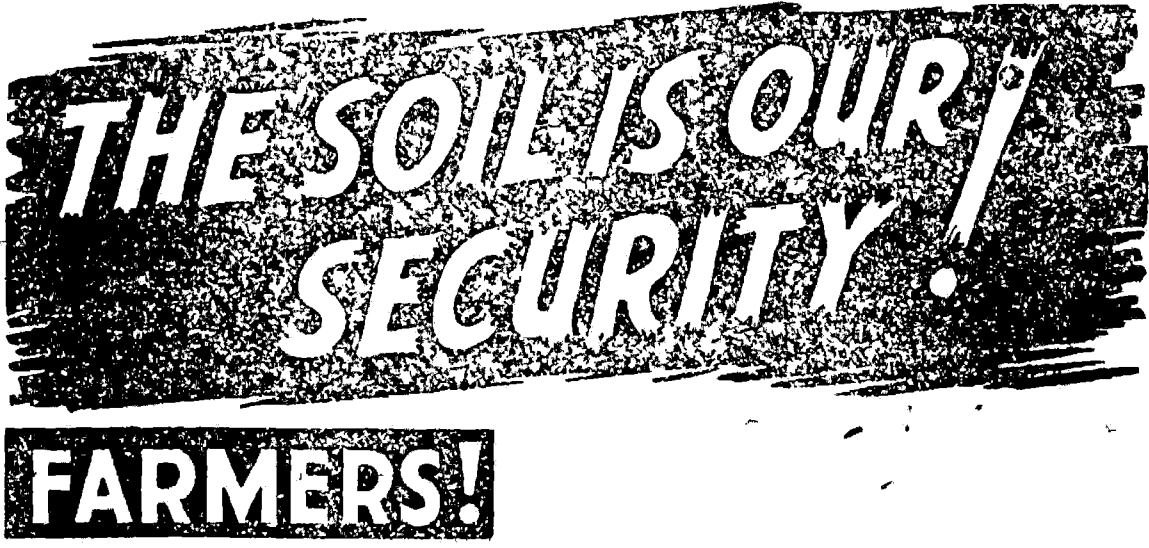
shooting. When we arrived at the place where the dead body of Maureen O'Shea lay, both the accused knelt down. They appeared to be cool and calm. They remained kneeling for 7 or 8 minutes, as if in prayer. They then got up and White sat on the fence. By the light of the Superintendent's car, I observed that the shoes worn by White appeared to be very wet and muddy. I removed his left shoe and on examination I found the inside of the sole to be quite wet and muddy. The inside of the upper was also wet. I observed red clay of a freshly ploughed tillage field adhering to the sole, the heel, and part of the upper. I said to White 'How did your shoes get so wet and muddy?' He replied 'They got wet cycling on the tarred road from Dungarvan today and I was near the quarry at Ballinamult. I said 'the road is dry. It has not rained for days.' After a pause, he said 'I put up a few snares at Collenders.' I then showed the shoe to Superintendent Doyle. Later on the same day I removed the shoes from White and handed them over to Guard John O'Leary at Cappoquin Garda Station. The night of the 15th March was bright and you could recognise a person a good distance away. The roads were perfectly dry."

**STATEMENT BY O'SHEA.** Witness said he returned to Cappoquin about 3 30 a.m. on the 16th March with Superintendent Doyle, Guard Moloney, and the accused William O'Shea. He heard the Superintendent ask O'Shea a number of questions about his movements on the night in question, and about his wife's movements, family history, possible enemies etc. The Superintendent left the station about 8 a.m. At about 8 30 a.m. I requested Guard Moloney to remove O'Shea from the day-room while I was answering a telephone call. After about a couple of minutes I was going towards my office. Guard Moloney was standing at the kitchen door. Willie O'Shea was close beside him. Guard Moloney said 'Willie here tells me he had nothing to do with it, but he knows who did it.' Guard Moloney turned to O'Shea and said 'Isn't that right Willie?' O'Shea made no reply for about a minute. He seemed to be deep in thought, and the three of us went to my office where the accused said 'If I tell ye anything, I could never live around here again.' Witness said to him 'Surely it is up to you to tell us all you know about the shooting of your wife, and if you had nothing to do with it surely there is no reason why you won't tell us.' O'Shea then said 'I don't know what I will do. My heart is broke.' Guard Moloney said 'Willie, you know me for years, and you know somebody shot your wife. Was it Tommy White, who did it? Don't save anyone. Tell the truth, and nothing more.' O'Shea then said 'I will tell ye, but I can't ever live out there again.' Witness then took out a notebook, and took a note of what he said, which was as follows—

"I obtained a green-coloured cartridge from Edmond Ducey Ballyhane. I think it was last Friday week. I gave it to Thomas White on the 3rd or the 5th of this month for the purpose of using it in the L.D.F. gun to shoot my wife. He told me he came over the road on a couple of occasions to do it. I don't know what stopped him from doing it. I had a kind of a thought that he would do it last night. It was from the north side of the road the shot rang out. I did not look to see who fired as I knew who did it. White and my wife were on bad terms. They used not agree at all. My wife was always nagging me. Everyone knew it. When White and myself discussed the shooting, I told him I did not care which of us would do it."

"O'Shea stopped then," said witness as I said to him 'Better wait until the Superintendent comes back.' Guard Moloney and myself then remained in the office with O'Shea and when Superintendent Doyle arrived I informed him of what O'Shea had told me."

On the 17th March, witness accompanied Chief Superintendent O'Reilly, Guards Moloney and O'Leary, and the accused Thomas White to Knockyoolaha. Witness corroborated the Chief Superintendent's evidence as regards White having conducted them over the route he said he took from the scene of the shooting to his home. The stream in Quinn's field which White said he had crossed was covered with mud about six inches deep. Witness also saw footprints in Noonan's ploughed field and later that day pointed out four footprints to Detective



1. The certainty of sufficient bread for all requires a minimum area of 700,000 acres of wheat
2. You can and should produce not alone enough wheat but also enough food for the nation's livestock
3. Adequate food for man and beast can only be ensured by an all-round increase of more than one-fifth on your 1942 acreage.
4. It is not too late to sow these vital extra acres

**Grow More**  
**WHEAT, BARLEY,**  
**POTATOES,**  
**OATS, AND ROOTS**

**COMPULSORY TILLAGE ORDER**

1. The provisions of the Compulsory Tillage Order will be rigorously enforced against all those who fail to till the quota in accordance with proper methods of husbandry

2. Proper cultivation and suitable rotations are essential for good yields and to maintain the precious fertility of the soil

**MAINTENANCE OF SOIL FERTILITY**

1. FIRST-CROP GRASS FORMING PART OF THE ORDINARY CROP ROTATION will, in 1944, count to the extent of not more than one-quarter of the tillage quota for that year provided tillage crops are produced on the balance of the quota
2. Should the emergency continue occupiers will, in 1944, be required to cultivate not less than one-third of the arable land on each holding.

Issued by the Department of Agriculture

Sergt T. Murphy, Waterford, who took casts of them. Witness also pointed out the place where White said he broke the gun in Ormond's field. Sergt. Browne also gave evidence of a number of walking tests he had made in the locality of the murder.

**"A TERRIBLE THING"**  
Guard W. Moloney, Cappoquin, who corroborated the evidence of the last witness, said that at the scene of the shooting on the night it took place the accused White said to him "It was a terrible thing to do. I was a great friend of Maureen's. I used often to do messages for her." When they reached the body White knelt alongside it and started to pray.

Guard C. Houlihan, Lismore, deposed that in the yard of Byrne's house on the night of the shooting, he asked O'Shea to walk up the road. The accused said "I don't want to go up the road." Witness asked him why and he replied that he was afraid. When witness asked him what he was afraid of, accused said "I am afraid the shot was intended for me." O'Shea stated he was walking on the left of the road with his wife who was linked on his right arm that a shot was fired from behind a ditch on his left. It was a fairly loud report. O'Shea said but not as loud as a rifle shot. After hearing the shot he felt his wife falling. He caught hold of her with both hands and laid her down on the road that he then said an Act of Contrition in her ear and that when he had finished the Act of Contrition he ran home. Witness confirmed the evidence given about the two accused kneeling in an attitude of prayer beside the dead woman. Whilst walking with witness towards the Superintendent, O'Shea said to witness "When we were out walking about a

week ago my wife told me she saw a man inside the ditch." He pointed out the spot to witness, and added that his wife was very nervous after seeing the man inside the ditch and that he (accused) had gone inside the fence and had seen no body.

Detective-Sergt T. Murphy, Waterford, proved photographs. The State Solicitor applied for a remand to a later date, stating that the prosecution wished to have its case completed and was awaiting a report on a technical matter. He thanked the Justice for having taken the case which was outside his own district and for his patience throughout the hearing.

Remanding both accused in custody to Monday April 19th.

at 11 a.m. at Fermoy, the Justice expressed his indebtedness to Dr. Counihan for the way he had presented the evidence, and to the Chief Superintendent, Superintendent Doyle and the Garda Officers, especially Sergt. Browne for the exceptional efficiency with which the case had been presented and the manner in which they had tendered elaborate deposition.

Dr. D. Counihan, with whom was Chief Supt. M. J. O'Reilly, Waterford, prosecuted. Mr. J. F. Kenny, solr. (Messrs. E. A. Ryan & Co., solrs. Dungarvan) for William O'Shea, and Mr. P. J. Morrissey, solr. (Messrs. Farrell and Morrissey, solrs. Dungarvan) appeared for Thomas P. White.

**COUNTY COUNCIL OF WATERFORD**

**THE EMERGENCY POWERS (NO 73) ORDERS, 1941 to 1943 ACQUISITION OF TURBARY RIGHTS BY LOCAL AUTHORITIES**

NOTICE IS HEREBY GIVEN that by virtue of a Vesting Order made by me under the above mentioned Emergency Powers (No 73) Orders, 1941 to 1943 the lands described in the schedule hereto vest in the County Council of the County of Waterford, for a term expiring on the 31st day of March 1945.

Dated this 6th day of APRIL, 1943

S. J. MOYNIHAN, County Manager

County Manager's Office, Dungarvan

**SCHEDULE**

No	Date of Vesting Order	Date of Vesting	Townlands	Owner or Occupier
1	6th April 1943	15th April 1943	Boola and Knockmaree	Right Hon. Count de la Poer
2	6th April 1943	15th April 1943	Comeragh Mountain	Michael Keating
3	6th April 1943	15th April 1943	Killeannon	Thomas Moore
4	6th April 1943	15th April 1943	Knocknalougha & Knockaveelish	James Hanlon

Our "Smalls"

THANKSGIVING to the Sacred Heart of Jesus Blessed Mother of God Favours received—M.N. PREMIUM BOAR for Service, white (Earmark 1775 E227). For full particulars apply to Patrick Veale Ballyneety, Dun garvan

FOR SALE—A Gramophone almost new also 200 records Apply to Box 3 "Leader" Office WANTED—Man over middle age for light work, must be able to milk and do a little garden ing good home for right man Apply to "Leader" Office

WANTED—Quantity of fencing wire Details and price to Box 92 "Leader" Office.

TRESPASS NOTICE—Notice is hereby given that as from this date my garden at O'Connell Street Dungarvan is laid with poison due to trespass by dogs Patrick Morrissey O'Connell St., Dungarvan 8/4/43

FOR SALE—5 tons of mangels Apply to "Leader" Office, Dun garvan

DEATH

CROTTY—(Liverpool) April 9th 1943, Thomas Crotty, son of Mrs Crotty and the late John Crotty Mountain Villas, Dun garvan Interment in Liverpool

ACKNOWLEDGMENT

SHERIDAN—The Sheridan family Shandon Dungarvan, wish to return sincere thanks to all those who sent Mass cards and messages of sympathy during the recent bereavement caused by the death of their mother and they trust that this will be accepted by all in grate ful acknowledgment

OUR PHONE NO—55

Dungarvan Leader SATURDAY APRIL 17, 1943

STUCK AGAIN?

THE Water Scheme of Dungarvan has been the bane of the town Councillors ever since it was started five years ago. The Deelish waterworks have acquired a unique record for despite the plans and specifica tions drawn up by the experts and the bureaucratic red-tape in which it was so carefully bound from the start it has been a pronounced failure. It stands now on the side of the mountain as a monument to the nine thousand odd pounds of good ratepayers' money which was spent in building a reservoir which so far has only proved itself a blot in many copy books. Inquiries and debates have taken place since the experts have suffered this debacle at Deelish. Plans and counter plans for rectification have been made. The Council were advised to go ahead with an exploratory scheme to find out the faults. The Council agreed as they had nothing else to do at the time. They agreed to spend a further £250 to find the defects. Many have been surprised and the ex penditure on this latest attack on the pond up there is now £650. It is not finished yet. It appears that the ratepayers must go on being "suckers" and they must extend open purses to all and sundry where this business is concerned.

We were led to believe that a substantial grant would be made towards the cost of the exploratory works, but the Local Government Department has decided to offer the paltry grant of £150. If nothing better than this can be done it appears that the ratepayers are to be stuck again. Even as it stands it is pretty bad but what we would like to know is—how long is it going to continue and how much more must be paid by the townspeople before matters are rectified. The ratepayers have never been fully informed as to the conditions and we think that in fairness to those who provide the money a little more clarity should be given and a clean breast of the whole affair should be made. There has been too many "confidential" reports already. It is high time to come out into the open now and tell the people exactly where they stand!

News Of The Town And Round About

CLERICAL APPOINTMENTS—The first clerical appointments to be made by our new Bishop Most Rev Dr Cohalan, since his consecration, were announced last Monday.

They are—Rt Rev W Dean Byrne, P.P., SS Peter and Paul's, Clonmel to be Vicar-General of the Diocese. Very Rev Wm Canon Coffey, P.P. Tramore, Very Rev N Dunphy, P.P., V.F.

Carlick-on-Suir Rev John Roche P.P. Abbeyside Rev H Conway P.P., Kilgobinet Rev L O'Gorman, P.P. Ballyporeen Rev T B Walsh B.A., P.P. St Patrick's Waterford, Rev Phillip Shine Adm Modeligo, Rev M Ahearne, CC Lismore, Rev Jas Corbett C.C. Du ngarvan, Rev M Gutry, C.C., Powerstown Rev P Baldwin C.C. Ardinnan Rev W Meehan, CC Tallow, Rev J B Walsh CC Kilros santy Rev J Skehan C.C. Ard more Rev T Hanrahan, C.C., St John's Waterford Rev J Murphy Chaplain Little Sisters of the Poor Waterford, Rev. R. Coady Chaplain De La Salle Training College and Bishop's Secretary Rev T Cassidy Pro fessor, St John's College Waterford

THE CHANGES—The clerical changes announced this week are widespread. Dean Byrne P.P., V.F. Clonmel, has been appointed V.G. of the Diocese and three new P.P's have been also appointed. Very Rev N Dunphy is now P.P. V.F. Carlick-on-Suir having been translated from Abbey side where for many years he was the beloved Pastor of the combined Parishes of Abbeyside, Garranbane and Ballinroad. During his time in Abbeyside Very Rev Fr Dunphy endeared himself to his Parishioners and did many great works including the renovation of the Parish Church at Abbeyside and the Churches at Garranbane and Ballinroad and also the erection of a new school at Garranbane. Many outstanding and memorable retreats conducted by the Jesuit Fathers were the result of his efforts and for these and for his kindly loving ways the people of Abbeyside will be sorry to see him go. Neverthe less they send their best wishes with him for years of good health and are glad to see their Sogart Aroon honoured as Vicar Forane in his Sacred Profession.

The new P.P. of Abbeyside is Rev Fr John Roche who was P.P. Kilgobinet previously. Fr Roche is a fine priest and the people of Kilgobinet will miss him so that what will be Kilgobinet's loss will be Abbey side's gain. On behalf of the parishioners of the village we extend a hearty cordial salute to Fr Roche and assure him of the best co-operation of the people in all matters. A new appointment is Rev T B Walsh B.A., P.P. who goes to St Patrick's Waterford. Fr Tim White C.C. at Dungarvan was one of the most popular curates in the Old Boro' and his translation as P.P. has been ac claimed by his large, circle of friends who at the same time are sorry to see him leave the town. He is a great Gael and a staunch supporter of the G.A.A. As founder and first Chairman of the Dungarvan Industrial Development Association he was responsible for the establish ment of the Dickens Leather Factory, Dungarvan, and the Glue and Gelatine Factory at Ballinamuck, Dungarvan, both of which are giving regular and remunerative employment to hun dreds of men and boys in Dun garvan and surrounding areas.

He was also responsible for the re-organisation of the CYMS here and has acted as its Spiritual Director since he brought it back to a flourishing position. The recent formation of the Dungarvan Choral Society is also mainly due to his endeavours and in all his organising and administrative work he pro vides a master Dungarvan owes a big debt to Father Walsh, and the two factories and other organisa tions he established will stand as a worthy monument to a grand priest.

The only thing we can give him in return is to remember him in our prayers and ask God to give him length of years in health and happiness as Parish Priest of St Patrick's.

The other new P.P. is Father Conway who comes to Kilgobinet. We are sure that when the people of this parish come to know their new Pastor they will love and revere him just as much as they did his predecessor. We can guarantee him the full co-operation and help of the kindly-loving and generous people of Kilgobinet and extend to him a sincere welcome on behalf of all.

FAREWELL GREETINGS TO FATHER WALSH—At the CYMS hall on last Tuesday night the members of the Dungarvan hurling and foot ball club met to offer their con gratu lations and farewell to their President Rev T B Walsh, B.A. P.P. Mr Wm Barron, pre sided.

The chairman in addressing the meeting said they were losing a sincere friend—a friend who helped them in time of need and often steered them

from rough to calm waters. Rev Bro. Flatley spoke in feel ing terms of Fr Walsh and said he was a first-class enthusiast and a real priest of the people who had done wonderful work for the advancement of this parish. He also referred to the in valuable help which he gave the schools at their games.

Messrs D Good, T A Kyne M Foley M O'Connor (Munster Council) T McCarthy Chairman UDC, and P J Kelliher Inspector of Weights and Measures, also spoke in glowing terms of the great work Fr Walsh had done and all wished him the best of luck and years of happiness.

Replying to what the speakers had said about him Fr Walsh said that anything he had done to help the club had been a very great pleasure to him for he had at all times received the complete co-operation from all concerned. In leaving Dungarvan, the town he loved so well he would watch the club's activities with interest, and he said any assistance or advice he could give would at all times be will ingly given. His one ambition was to see the "Blue and White" pinned to the mast of All-Ireland honours at Croke Park.

At the Dickens Leather Factory premises on Wednesday evening a meeting of the Directors and Staff was held to pay tribute to Fr Walsh. Mr P J Moloney, Chairman presided, and the other Directors present were Dr. M Casey, An Fear Mor, and Mr C-R Strutt, Manager and Director. Mr Strutt said they were all very sorry to be losing such a great man. Fr Walsh had al ways taken a keen interest in the welfare of the company and also had a great interest in the work ers. He hoped that Fr Walsh would come back to see them as often as possible when they would always be delighted to see him.

Dr Casey, paid a wonderful tribute to Fr Walsh in the course of which he said that had it not been for the interest displayed by Fr Walsh, he doubted if there would ever be a leather factory in Dungarvan.

Mr Moloney said that Fr Walsh merited the best thanks of all for the wonderful work he had done in the interest of industrial revival while amongst them.

Replying Fr Walsh said his one delight was to see so many employees earning a good wage. He was only too happy at all times to do what he could for the town's advancement in the spiritual and industrial sphere. The Board of Directors of the Factory were at all times willing to listen to reasonable requests he had made from time to time and he was always treated in the best possible manner by all.

His parting word to employers and employees was to stand to gether and all would be well. He had one last request to make to the Board of Directors and that was when it could be arranged that they give their employees a chance of taking shares in the Factory.

GOLF COMPETITION—Results of the Stroke Compe tion played last Sunday were—Winner, Mr J A Cartwright (22) 78 nett. Runner-up, Mr J Hogan (18) 81 nett. Best Gross Mr C J Murphy (8) 87.

Next Sunday's Competition will be a Fourball-v-Bogey, choose partners. ANNUAL GENERAL MEETING—The Annual General Meeting of Dungarvan Golf Club will be held at the Courthouse on Saturday, 17th April at 8.30 pm.

ABBEYSIDE SOCIAL CLUB'S DANCE—The Town Hall will be the most popular dancing venue on Easter Sunday night when the Abbeyside Social Club will run their annual Cinderella Dance. A perfect musical programme is being prepared by the Premier Dance Band Waterford which is a first-class swing combination.

It will provide a grand chance for dancers to enjoy themselves to their heart's content after the Lenten season. LATEST EASTER FOR €0 YEARS—Easter this year falls on its latest possible date—April 25th. Not for almost sixty years has Easter Sunday fallen as late as this.

USEFUL GREYHOUND SOLD—Last week a useful greyhound the property of Mr James Power Ringcrehy Dungarvan was sold for 100 guineas. The dog "Ringcrehy" is by (High land Rum—Councillor's Daughter). In his trials at the Dublin tacks he recorded very fast times and we will watch with interest his performances during the season. Mr Power and his son Edward have a few other very useful dogs in their kennels at

LOWER PRICES AT:

Edward Berestord's

LOWER MAIN ST., DUNGARVAN For Suits, Suits, Shirts, Boots and Shoes

Tossed and Soiled Goods at Reduced Prices

SPECIAL VALUE IN OVERCOATS AND

WINTER BOOTS

EDDIE BERESFORD'S

The Bargain House For Small Profits

COMMISSION MILLING OF OATMEAL.

We are now prepared to convert good quality White Oats into Flake or Pinhead Oatmeal on Commission Basis

The charge will be 2/- per cwt on Oats, return based on 50% extraction, all carriage and cartage for sender's account. Delivery of Oatmeal can be effected on receipt of Oats.

ON NO ACCOUNT WILL POOR QUALITY OR MUSTY GRAIN BE ACCEPTED. MINIMUM QUANTITY MILLED 16 STONE

E. Flahavan & Sons Ltd.,

KILNAGRANGE MILLS, KILMATHOMAS

ENGINEERING SUPPLIES

We carry stocks of BALATA, DIXWOVE HAIR AND COTTON BELTING, BELT FASTENERS, BELT PASTE, LUBRICATING OILS & GREASES, PULLEYS SHAFING, BEARINGS, ETC. REPAIRS TO ALL CLASSES OF MACHINERY BY EXPERT MECHANICS

LATHE WORK A SPECIALITY

KEATINGE & GAULE

ENGINEERING WORKSHOP LOMBARD STREET, WATERFORD

Ringcrehy L.S.F.

A general parade of L.S.F. will be held at the Garda Barracks, on Monday, 19th April at 8.30 p.m.

A COMING EVENT—

We are all looking forward to the L.S.F. Dance to be held in the Town Hall, Dungarvan, on May 9th. The services of the Swingsters Dance Band, Car rick have been specially engaged for the occasion. Look out for full particulars in later issues.

SYMPATHY—

His host of friends in town and district offer their sincerest sym pathy to Tommy Carbery the popular assistant at Mr P F Ryan's, Main St., Dungarvan, on the recent death of his mother.

GARDA TRANSFERS—

We were sorry to hear that Sergt Teehan the popular and efficient Garda Sergeant, who has been with us for a number of years will shortly go to Tramore. Sergeant Teehan, while amongst us proved himself an ideal Garda Officer, and we ex tend to him our best wishes in the town of the big strand. He will be replaced in Dun garvan by Sergt McNeill who is already well-known in these parts having spent a good number of years amongst us before he was transferred to Tramore.

ROE WARD'S VISIT—

For the past week Roe Ward, well-known all over Eire as the last of the Bards of Ulster, has been paying his annual visit to Dungarvan. Since his last call he has acquired a small sleeping van which he drives from place to place with a donkey.

Incidentally he also informed us that he has completed a Play of Irish life. This, written by many firesides along the roads of Ireland, should indeed have the right atmosphere, and we hope to see it produced soon.

He journeys on this week by Ring, Old Parish, Ardmore into Cork. Watch out for this red-bearded bard who is the last of the ballad makers.

INTO—

The report of the quarterly

meeting of above and many other items have been held over until next issue, due to pressure on space.

DUNGARVAN CIRCUIT COURT

Payment Out—Mr Williams, scir, applied for payment out of court of £19 11/-, for Miss Brigid Murphy, Temple Michael, Youghal.

After the usual procedure, the application was granted.

LISMORE SITTINGS

William O'Brien (73) a widower of South Mall, Lismore, had an action against MI Donovan, Cooldrishogue, Lismore, claiming in the first instance £124 for trover and conversion of his cattle and sheep and also claiming £205 10/- which was money entrusted to defendant by plaintiff. MI O'Donovan had a counter-claim for £26.

After witnesses on both sides were heard His Lordship gave judgment for Mr O'Donovan.

Summing up he said that he was faced with three contingencies in what he termed rather remarkable action—first that O'Brien was a great rogue and thorough liar, trying to recover from O'Donovan what he lost in last litigation; second, that O'Brien is suffering from a mania like a persecution mania, and thought that people were always robbing him, and third that he is a very much wronged man and that O'Donovan was a great ruffian against whom he should not only give a decree for several hundred pounds, but also send to penal servitude for life. Before he could do that he would have to have corroboration of O'Brien's evidence and he hadn't that. His Lordship thought that O'Donovan's character was far removed from the one O'Brien tried to give him, and accordingly dismissed O'Brien's claim and awarded O'Donovan's.

Adjourned—One case for Dun garvan, Dalton v Dungarvan Co-Op and one from Cappoquin, O'Driscoll v McCarthy, were ad journed until Friday morning. Full reports will appear next issue.

## Death Of Mrs. Elspeth Villiers Stuart

(Continued from Page One)

death of Mrs. Elspeth Villiers-Stuart, Dromana, was proved on Tuesday afternoon when the funeral took place from her late residence, to Villierstown Churchyard, a mile and half away.

Long before the hour of the funeral at 3 p.m. crowds of mourners had arrived from all parts of West Waterford, and many more distant places, so that there was a remarkably large and representative attendance present to pay their last tribute of respect to the memory of a lady who had been so highly-esteemed and beloved by all.

In the spacious carriage-drive in front of the hall-door of Dromana House the members of Villierstown L.S.F., in charge of Mr James Fenton, G/L, and Mr G Dalton Adj't and Mr M Ronayne, Q/M, had been drawn up as a special Guard of Honour, while a strong detachment of the lady members of the Cappoquin Branch of the Irish Red Cross Society was also lined up as a further Guard of Honour in charge of Miss S White, Div Officer.

The remains were encased in a beautiful casket of polished Balkan Oak, with oak and rich silver-plated mountings, the plated breastplate bearing the following inscription—'Elspeth Villiers-Stuart of Dromana, born 24th Feb 1866, died on 10th April, 1943' while at the lower end of the lid was a pretty plated scroll bearing the words, "At Peace".

Although there was a motor hearse in waiting, the members of the Villierstown L.S.F., insisted in bearing the coffin the entire journey to Villierstown on their shoulders, while other members in full uniform, provided a Guard of Honour, with the members of the Cappoquin Red Cross, also in uniform, providing a further Guard of Honour behind the coffin.

When the funeral reached the main avenue, on the way to Villierstown, the order of the procession was—Motor Hearse laden with wreaths, motor lorry with wreaths, and a cart with a further collection of beautiful wreaths, after which came the coffin, L.S.F., Guard of Honour, Cappoquin Red Cross do, hundreds of the general public walking, the ree being brought up by a long line of motor cars, and horse-drawn vehicles the entire cortege being of impressive and imposing dimensions. About a quarter of a mile outside Villierstown the funeral was met by a number of schoolchildren of the local N.S. carrying a beautiful wreath, and in charge of Mr J Connery, N.T., and Mrs J Scanlan, N.T., and these took up their position in front of the hearse and headed the procession.

The funeral was conducted with remarkable order and precision which was a high tribute to the officers and men of the Villierstown L.S.F. and also to Mr A Dawson, Dromana, and Mr G Russell, Cappoquin, who acted as stewards.

The coffin was received by Rev Dean Stanley M.A. (Dean of Lismore), and Rev J McLoughlin M.A. Rector, Cappoquin, and was taken into the Church where a burial service was conducted.

There was a very large attendance at the service, Miss E Cliffe, Cappoquin, presided at the organ. At the conclusion of the solemn proceedings, the coffin was borne out of the Church to a beautifully-made grave, richly lined with moss and studded with flowers, where all that was mortal of a grand lady was laid to rest amidst the prayers, sobs and tears of the people whom she had so liberally befriended during life, and in whose grateful hearts her memory will now be richly enshrined while life endures.

Her esteemed mother, Mrs Richardson, and her equally-esteemed husband, Mr Ion Villiers Stuart, were pathetic figures at the graveside.

The chief mourners included—Mr Ion Villiers Stuart (husband), Master James Villiers-Stuart (son), Mrs Richardson (mother), Mr Gerald Villiers-Stuart, Kilbree and Colonel Patrick Villiers-Stuart, Norfolk, (uncles-in-law), Lady Hemphill, Galway and Sir Ernest Goff, Bart, Waterford.

The Lord Abbot, Mount Melleray and Community were specially represented by Messrs J. Fanagan, B.A., Joseph Barry, B.A. and J McCarthy, B.A., three members of the Professorial Staff of Mount Melleray Seminary, the Cappoquin District Nursing Association by Mrs

## DUNGARVAN CIRCUIT COURT

(Continued from Page One)

his work and I think there is a danger of a recurrence if he goes back and that entitles him to a reward. He should try for other class of work and I will allow total incapacity and award compensation at 30/- per week.

Costs were also granted. Agreement Reached. In the case of John Norris Keating St. Dungarvan v The Dungarvan Co-Op Creamery claiming compensation, Mr Maguire, B.L., (instructed by Mr

T F Olden and Miss E Bell, while Lord Charles Cavendish Lismore Castle was represented by Mrs Astaire Miss C Anson and Mr G Fitzgerald, Agent Lismore Estates Co.

The District Staff, Cappoquin L.S.F. was represented by Messrs M J Sargent, P.C., and M F Walsh, M.C.C. P.C. while the Cappoquin Bacon Factory Staff was represented by Mr T F Gillespie, Manager, Miss Winnie Murray, and Messrs J Lacey, Foreman, J E. Crowe, Engineer, and John Regan, Senr.

The Cappoquin Rowing Club was represented by all the members of the Committee, while the Cappoquin Point-to-Point Race Committee Cappoquin-H & F Club Villierstown football club, Aglish Harriers' Club and Aglish football club were all represented. The West Waterford Hunt was represented by Mr R J Mulcahy M.F.H., Ardinnan, Mr R L Keane, Belleville, Hon. Sec., Mr T C Williams, solr, Dungarvan, Mr J Kenny, solr, do, and Mr J Cashman, Rockfield, Cappagh.

Lieut. O'Brien, represented Capt. Kinsella, Lieut. Hooper, represented Major Murphy, and Lieut. Hanly, represented Commandant Hassett.

The following wreaths were laid on the coffin—

"With all my love, from her loving husband, Ion Villiers Stuart." "To Mammie with undying love, from her affectionate son, James." "To Elspeth, with my dearest love, from her mother." "To Elspeth, from Frankie, (brother), with best love." Wreaths were also sent by Nada and Kay (Sir Kay and Lady Muir), Scotland, Sir Harold and Lady Nutting Lady Rosemary Nutting, Tony and Jill Nutting, Lady Musgrave, Tourin, Mrs Reginald Chaplin, Tourin, Capt T O and Mrs Jameson, do "To Dearest Elspeth, from Shane and Julia" June and Dermot de Trafford, Emmie Peter Patrick and Lady Hemphill, Dorothy and Glen Browne, Marcella O'Sullivan Ballynadeligue, Indoor Staff Dromana House, Outdoor Staff, Dromana Estate, Russell family Cappoquin, District Staff and members of the L.S.F. Mick and Mrs Sargent and family, Cappoquin, Cappoquin R.C. M F Walsh and family, Cappoquin, Cappoquin Branch I.R.C.S., Cappoquin District Nursing Association, Mrs R M Keane, Tivoli, Cappoquin E Bell Cappoquin Estate Office Sir John and Lady Eleanor Keane, The people of Villierstown Mollie and Bobby Keane, Belleville Park Lismore Race Committee, R J Mulcahy, M.F.H., Ardinnan; West Waterford Hunt Committee, Clodagh and Claud Anson, Lismore, Lord Charles and Lady Adele Cavendish, Lismore Castle, Mrs Frederick E Astaire, do, Lismore Estate Co Lady Dobbs, Camphire, Mary and Susan Capt Wilkes the pupils and teachers, Villierstown N.S. B Lineen and C Walsh, from Matron Winifred Smyth, Moneywoe. In memory of my beloved niece, from Gerald V Stuart Lady Godfrey Dorothy and Ursula Mr and Mrs A E Carey, M & L Bank Lismore Doreen Hennessy, Parochial School Cappoquin, Billy Beresford Lady Patricia Millar Ruby Chearnley Salterbridge, Mrs Sullivan, Kevin and Dan Colonel Patrick Villiers Stuart, Fred and Mrs Anderson, Cappoquin, Matthew and Kathleen O'Brien, Aglish House, Major and Mrs Maxwell, Moorehill, Villierstown Football Club, Rev Mr and Mrs O'Loughlin, The Rectory, Cappoquin W J and Mrs McCarthy, Cappoquin, Bud and Mrs Sargent, do., Capt and Mrs P T Alexander, Mrs Burkitt and Rota, The Villa Lismore, Carthage Murray and Johnny O'Shea, Cappoquin J E and Mrs Bowen Ballinaparka, Aglish, Mrs Hely and George, Cappoquin Colonel Rivers-Smith, Headboro' Tallow etc, etc.

The coffin was supplied and all the funeral arrangements carried out by Mr P Walsh, undertaker Cappoquin.

Kenny solr) was for Norris and Mr Molloy, B.L. (instructed by Messrs Farrell & Morrissey solrs) was for the Co-Op.

Applicant in evidence said that on September 2nd 1942, he was lifting heavy logs at the sawmills of the Co-Op when he had an accident which caused a hernia. He reported the matter to Mr Conway and was sent to the doctor. The doctor told him that he was suffering from a rupture caused by overstrain and fixed him up. He continued to work until February 17th when he had to give up due to the severe pain he suffered. He could hardly walk now and could do no strenuous work at all.

To Mr Molloy, he said he never had any such trouble before.

Mr Molloy—Would you take a job as night watchman at the dairy at your previous wage?

Witness—Yes I'd try anything I could do.

This was agreed and the Judge made an award in favour of Norris granting full compensation at 30/- a week from Feb 17th up to the present. This to be reduced to 1d a week from this week when he takes up work offered by the Co-Op.

Another Claim. The next case was also a Workmen's Compensation case when Denis Daly, Fair Lane Dungarvan, had a claim against M J Keane & Co, Friary St, Dungarvan.

Mr Quinlan, solr., was for Daly and Mr Maguire B.L. (instructed by Mr Williams, solr.) appeared for M J Keane & Co.

Opening the case, Mr Quinlan said that on Feb 23rd 1942, applicant while driving a pony and cart the property of respondents met with an accident and broke his leg. His average weekly earnings were 10/-.

Denis Daly, in evidence said he was 17 years of age and was working for Mr Keane when he had the accident. He was in hospital and was under Dr McCarthy there. When his leg was getting alright he was advised to get light work.

Judge—There seems to be a great run on light work (laughter).

Witness continuing, said that when he went to Mr Keane he got the same job back as he had before. This was delivering stout and minerals about the town and going to the station for hogsheads. He refused to do it as he felt he was unable.

Mr Maguire—When Mr Keane offered you a job labeling bottles you refused?—Yes, I thought I couldn't do it.

You were getting 10/- a week?—Yes.

And didn't Mr Keane offer you your old job back at 17/- a week, that was a rise of 7/-?—Yes.

When you were offered this job first you said you'd take it. Didn't you take the stable keys on the Saturday night and say you'd be in on Monday morning?—Yes.

Why did you return the keys on the Sunday?—I thought I couldn't do it.

Wasn't it because you were advised at home to look for a lump sum—You can't answer that.

Would you go back to your job now?—I'd try.

Counsel for respondent here said that Mr Keane's offer was too generous and he thought if some settlement could be arrived at it would be better for Mr Keane as a peculiar position might otherwise arise.

After a consultation Mr Quinlan said they would settle for £100.

Mr Maguire said that it was better to go on as the sum mentioned was too big.

Dr. Cusack giving evidence said that the amount of disability suffered by applicant was hard to assess but he would place it at 15%. There was a slight curvature in the tibia where the fracture had occurred but it would not come against him.

Dr Casey said that in his opinion Daly was fit for work.

Mr Quinlan said he thought lifting 4 dozen cases which weigh about 56lbs was too much for a boy.

Dr Casey agreed that it was actually a man's job.

Mr Quinlan said that the weights he should be asked to lift should only be from 10 to 20 lbs.

Judge—That is a ridiculously light weight Mr Quinlan.

Mr Quinlan—That's alright for a big strong man-like you Judge, but not for this boy (laughter).

Mr Keane then renewed his offer of light store work, labeling bottles and general cleaning up.

Judge—I don't approve of the boy's behaviour up to this, but I do not like to deprive him of the costs of his case. I will

## "Retsel" Meat and Malt Wine

If you are feeling TIRED, IRRITABLE

NERVY, then you want "RETSSEL"

MEAT AND MALT WINE

THE IDEAL FOOD TONIC

It STIMULATES, NOURISHES, and

gives you ENERGY

Get a bottle to-day

## CONFIRMATION OUTFITS

WE HAVE A COMPLETE SELECTION OF EVERYTHING REQUIRED FOR BOYS AND GIRLS

## MULCAHY'S DUNGARVAN

grant his claim for total incapacity up to now at 8/- per week but having regard to Mr Keane's offer of work I will reduce it to 1d per week from now. I advise him to do his best with his employer and suggest to him that he should get this idea of getting a lump sum out of his head.

The usual costs were allowed. Ejectment Suit.

Hugh Collender, Mogeña Cappoquin, at the suit of Mr Williams solr applied for, and was granted an ejectment order against John Ducey and Patrick Keniry tenants of a house in Main St, Dungarvan.

Mr Williams said that the application was made due to arrears in rent. There was no appearance for the tenants.

### Catholic Scout Notes

4th WATERFORD TROOP CBSI (St. Joseph's Abbeyside)

Troop Meeting—On Wednesday night after Devotions there were very few Scouts in the Den but just as the 'Fall in' signal went a squad of the Altar Servers marched in and it appears they were delayed making a presentation to Rev Fr Dunphy, P.P. whom we are all sorry to have to lose to the Carrick people.

Next we had a spiff about First Aid and Hygiene tests for Second Class Badge and test passers were told how the answers to questions should be given. It is hoped that the question "what is a burn?" won't bring the answer—"a thing caused by dry heat"—fried potatoes for instance! At the

end we had a short song practice and the meeting ended to the strains of "Hi! Ho! For Scouting Oh, Its Good Enough for Me"

Patrol Meetings—There are welcome signs of improvement in Patrol Meetings and Messrs P Straine D Young, J Fraher, and G Morrissey, our four Patrol Leaders have been able to show better reports of their own and their Scouts activities. Each of these P.L.s has the big job of training his Scouts in Signaling Tent Pitching, Fire Lighting, Tracking, etc, etc, and long evenings and fine weather are what they have been waiting for. No more indoor Patrol meetings from now on unless the rain is coming in buckets full.

For the Mantlepiece—In the near future each Scout, and KE too will receive a card on which will be printed the Scout Principles Laws and Scout Promise. Each Scout will write his name in and keep the card in a place of honour in his home. On the mantlepiece beside the clock and the Ration Books would do! Then who will forget the Scout Law.

Incidentals—Monday last it seems was a day of weeping without gnashing of teeth for certain members of the KE Clan. One chap even proposed a Parade to the Station. New faces were seen on Wednesday and Believe it or not our "dead" men are convalescing. What frightened the ASM that he fell off his Bike? Lent is coming to a close now and very soon fellows will again be doing all the things they stopped and perhaps one or two will stop the things they took on. Two of the KE did a Hike to Kilrossanty last Sunday but have not yet furnished a report. They heard all the cheery sounds of spring chirping birds babbling brooks, etc, also a gramophone but that is nothing compared to what we heard. Our expert on Turks Head Knots is Scout Thos of the Beaver Patrol and so many Scouts have lost woggles he has a good chance of starting a Turks Head Woggle Business. Then any chap who loses or like a certain KE, gives away a woggle can purchase at the controlled price.

"ESCRITOR"

Printed and Published by the Proprietors at their Offices and Works, 78, O'Connell Street Dungarvan