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Dungarvan Leader

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

VOL. 6. No. 303. SATURDAY, OCTOBER 7, 1944. REGISTERED AT THE GENERAL POST OFFICE AS A NEWSPAPER PRICE—TWO PENCE

MURTY OF WATERFORD
Date of second meeting—Monday, 27th November, 1944
Date of third meeting—19th February, 1935
Date of fourth meeting—22th May, 1945
T. B. Boyle, Acting Secretary to the County Secretary's Office, Dungarvan, 26th June 1944

TWO MEN CHARGED Depositions Taken In Dungarvan Murder Case

On Tuesday last, at a special court before Mr Sean Troy, D.J., at the Courthouse, Dungarvan, John Donovan, (29) no fixed occupation, of Cathal Brugha Place, Dungarvan, and William Donoghue (23) described as a travelling tinsmith no fixed abode and a native of Co. Tipperary were charged by the Attorney-General with the murder of Private Charles Daly (22) a member of the Defence Forces and native of Rahenee, Clara, Co. Wick, on August 30th, 1944.

Dr Counahan, State Solicitor, prosecuted, and Mr A. R. Farrell, solicitor (Farrell & Morrissey, solrs.) represented John Donovan and William Donoghue. The courtroom was crowded to capacity by a big number of men and women who were an interested audience.

Opening the proceedings Dr Counahan, gave a short outline of the case and said that in August 1944 a large number of Defence Forces which numbered nearly 3,000, were stationed near the town of Dungarvan and amongst these was Private Charles Daly the deceased soldier, Corporal Stewart, and Private Thomas Byrne. Both the accused were in Dungarvan at the same time and Donoghue was also staying at Cathal Brugha Place. On Wednesday August 30th Donoghue linked up with Donovan, and with a number of women who get money from England and spend it on drink. They had some drink that evening but not enough to make them drunk. The same evening Private Daly and Corporal Stewart and Private Byrne were in town, and Cpl Stewart and Pte Byrne left Pte Daly and went to Conroy's publichouse. They met Daly again afterwards and he had a certain amount of drink in him, but not enough to make him drunk. An argument took place between Stewart and Daly as to their relative merits as "nurers" and boxes and both drank. They left with Byrne. They then left the pub at about 9.30 p.m. and went towards Carberry's Lane taking in Davitt's Quay where they indulged in a friendly drinking which was not intended to be anything but a friendly one. They were joined here by two other soldiers and both accused also came along and the latter learning that there might be a fight started a fight and they saw there was only shadow boxing going on and the soldiers ordered them off saying that it wasn't a public exhibition. Both accused went off but came back again. The soldiers returned to their steps and when they were returning they were followed by the accused who had two strong pieces of timber about 30 inches long and a couple of iron rods. The soldiers became aware of their presence and the accused then attempted to cadge cigarettes, but the soldiers who had already been similarly annoyed showed them away. One of the soldiers turned his back and some heavy blows were struck and then Corporal Stewart saw Daly on the ground. Stewart saw the accused strike Daly and met the two soldiers who were present at the sparring match. At 9.45 p.m. two men were seen running away from the scene. The District Justice Council workmen who were at the time turning off the water. The injuries to Pte Daly showed three substantial and separate fractures on the head any one of which would have caused his death.

Earlier in the month Miss Bridgid Donovan, 55, Cathal Brugha Place, Dungarvan, said that some soldiers tried to gain entry to her house and this provided the motive for the assault.

Investigating The Row Sergeant W. Teahan said I am stationed at Dungarvan and on the 30th August 1944, I was at the Garda Barracks. Corporal Hanrahan came in and made a report and as a result I proceeded with him along Davitt's Quay. It was about two minutes to 10 o'clock at the time when we got to Lannen's. Cpl. Stewart pointed towards Foley's publichouse and I saw a soldier lying on his back with his head slightly over his right shoulder and blood flowing from his left ear. His head was pointing towards the cobbler's shop and I saw a man made a note of them. At about 1 p.m. I interviewed the accused John Donovan in an office at Dungarvan Garda Station. Supt. O'Mahony was present. When we returned to the barracks I saw the accused and interviewed a number of

people, and that we would like him to tell us what he knew and to ask him some questions, but that he should know that he was not obliged to say anything and anything that he would say would be taken down and might be used in evidence. He said he would like to tell us all he knew and he gave us a long and very valuable account about his movements on the 30th August. We didn't attempt to take this down at the time as his account took over an hour to tell. During this time Guard O'Dea was present from time to time. Shortly before 4.30 p.m. I left Supt. O'Mahony with John Donovan to have the account reduced to writing and at 4.30 p.m. with Inspector McGonigle I interviewed William Donoghue in another room. I also told him why we were asking him if he had been questioned about his movements the previous night. He said he had and that he was at the pictures with Josie Moylan and that he and she were investigating the row and would like to question him as we believed he was concerned. He got the usual caution. He started protesting that he knew nothing about it. I warned him before writing anything that one of the soldiers was dead and it was therefore a serious matter and wanted a true account of what had happened. He truthfully said "I will tell you the truth—I was mixed up in the row, but I did not strike anybody." Inspector McGonigle then took a statement from him which was read over to accused which he signed with a mark. Guard O'Dea had come into this room with cigarettes for me just after I had cautioned the accused. The statement had been signed by the accused. Guard O'Dea produced two pieces of timber and the addendum to the statement was then signed. After this had been signed I told Donoghue that he would mind going with Guard O'Dea to point out the place where he and Donovan had got the timber. He agreed and went with Guard O'Dea. Later I returned to the office where Supt. O'Mahony was writing down Donovan's statement and was present while the last four pages were being written. I also present during the identification parade.

Mr Farrell, solr.—Had you interviewed anyone before Donovan?—Yes.
Inspector McGonigle, G.S. deposed At 10.20 p.m. on August 30th I arrived at Davitt's Quay and saw an injured soldier being taken to an army ambulance. His face was covered with blood and he appeared to be unconscious. I saw and spoke to Cpl Stewart who had been with the ambulance. The corporal appeared to be quite sober and steady and gave a coherent account concerning what he had observed. He showed me a bruise on the back of his head and I took a small note of the back of his tunic. At about 10.45 p.m. accompanied by Sergt. Teahan and other Guards I went to Mrs Moylan's house at 13 Cathal Brugha Place, to question William Donoghue who was not there. We went back at about 1.30 a.m. on August 31st, and Donoghue was there then sitting at an almost dead fire in the kitchen with some children. Continuing, the Inspector gave evidence as contained in Sergt. Teahan's and Chief Supt. O'Mahony's depositions and said that Donoghue's statement commenced at 4.30 p.m. and ended at 6.55 p.m. that evening. The statement which was marked "B" contained information as to the amount of drink consumed by Donoghue. John Donovan Mrs Connors and Mrs Moylan. They saw the soldiers fighting and were told to go away. The soldiers went away and they went after them. When nearing the Post Office they caught up with the soldiers and John Donovan said to the soldiers "have you a favour?" The soldiers asked them what they were following them for and one of the soldiers made a clout at Donoghue, but he ducked and made a wallow at one of them with a stick which he had in his hand. The other soldier ran away and Donoghue threw the stick after him. He turned around and saw a soldier on the ground. John Donovan said "I hit him when he had a stick in his hand. They then ran across the marsh and home."

Continuing the Inspector said—At 9.45 p.m. on 31st August, I arrested and charged William Donoghue and John Donovan separately with the murder of Private Charles Daly. John Donovan said "I have nothing to say. I didn't kill anybody. In the case of the whole of William Donoghue's statement, I didn't kill anybody."

der no one". The defence did not cross-examine Supt. P. O'Mahony, G.S. deposed In consequence of something I heard I came to Dungarvan Garda Barracks at 11.30 p.m. on August 31st last, and there saw Cpl Stewart. There was a tear about the centre of the back of his tunic. His trousers were torn at both knees and there was a mark on his head and abrasions on his left little finger on his right wrist and on both knees. There was a mark on his back under where the tear was on his tunic. At 1.30 a.m. on August 31st, I visited the house of Mrs Mary Moylan, 16 Cathal Brugha Place, accompanied by Inspector O'Mahony and Sergt. Teahan. The accused William Donoghue was sitting at the fireplace when we went in. He was barefooted and had some old garments on his shoulders over his coat. I told him that a soldier had been killed in the town that night and that we were making inquiries and that I would like to get a full account of his movements during the evening. He said that he would come to the barracks. He said that there were nailing coming up through the soles of his boots and that he couldn't walk. He then put on his boots and came with us. We arrived at the barracks about 1.50 a.m. On arrival I found that he intended to go to the barracks with Inspector McGonigle and Sergt. Teahan. I asked Donoghue if he would stay in the barracks until morning and he agreed to do so. Sometime in the forenoon on the same day I questioned Donoghue as to where he had spent the previous evening and he told me that he was at the pictures. Sometime between 3 and 4 p.m. on August 31st, a woman came in alone to the Garda barracks. I had him brought to an office where Chief Supt. O'Reilly and I interviewed him. The soldier came out and his Donoghue said he had come in because he heard the Guards were looking for him and he wanted to tell what he knew about the row with the 2 soldiers the night before. He gave a detailed account of his movements from the time he got up until he went to bed again on August 30th. That account was later written down by me.

The statement was marked exhibit "B" and stated that Donoghue Mrs Connors, Mrs Moylan, and himself were drinking that evening and later he and Donoghue had two large bottles and five cigarettes. He met Donoghue and told him he had only 1/6 and went towards Faddy Foley's. The soldier followed them and asked them for a cigarette. He came back and Donoghue and himself heard there was going to be a fight and went down. The soldier was up the lane but was only arguing—Donoghue and himself went away but they came back again and the soldiers were fighting then. When the soldiers saw them they stopped and told them to go away. The soldiers swore at them. The soldiers then went away and they went back towards the Square. On their way they took a bit of a lath or a window. Near the Post Office he saw two soldiers and asked them for a cigarette. They asked them "what the hell are you following us for?" The soldiers came at them and he didn't know who hit the lath on the ground, but he saw around Mrs Halpin's corner and went home.

Continuing, the Supt. said I interviewed Donoghue and John Donovan separately with the consent of Chief Supt. O'Mahony. I have nothing to say. I didn't kill anybody. In the case of the whole of William Donoghue's statement, I didn't kill anybody."

When Donovan went to the barracks on 31st, did he say he was coming for me?—I was up stairs and I had him brought up to an office and he said he heard the Guards were looking for him.
Did Donovan appear to have any drink taken then?—No.
Did Donovan volunteer the statement about the Labour Exchange card for England?—He did.
Did he show you the card?—He did.
Sergt. Liddane said On August 31st I brought Privates Conlon, McCarthy and Stewart, to the Garda barracks at Dungarvan. I brought them to the Sergeant's office. I have heard Sergeant's Teahan's deposition concerning the identification parade which was in charge of these three witnesses at the parade. No witness sent out to the parade had any opportunity of contact with the other witnesses. I saw the witnesses had no opportunity of seeing anyone on the parade ground before being called out.
Mr. Farrell.—Was the electric light on in the Sergeant's office at that time?—Yes.
Do you know if it was on in the day room?—I could not say.
Does the window of the Sergeant's office overlook the parade ground?—Yes. The window but the blinds were drawn.

Finishing The Body Robert Rossiter Rice's Street, Dungarvan, deposed I remember the night of August 30th. I went out to post office at the Post Office on the Square it was then 9.45 p.m. by the Post Office clock at which I looked after posting the letter. I remained standing a few seconds and then went towards the corner around Landers' corner. When I rounded the corner I saw a form in the centre of the road opposite the cobbler's box, and when I went closer I saw it was a soldier stretched out. Two men named Jimmie Power and James Nagle came up almost at the same time called their names. One of the men had a bicycle and one of them had a bicycle lamp. When the light was focused I saw there was blood on the soldier's face and also on the ground. A Garda sergeant also came on the scene.
Mr. Farrell.—When you saw the body first how far was it from you then?—About 12 or 15 feet.
Was it nearer to your side of the road or the far side?—The far side.
Mr. Keller.—How far is it from the Post Office to where the body was?—The width of three houses.
Is there a turning in between?—There's a right-angle turn opposite the Post Office, but usual until you saw the body?—No.

WEDNESDAY'S HEARING
Evidence of Identification Private James Lowe deposed I remember the night of Wednesday August 30th. I was with Pte. Charles Daly of the Defence Forces from boyhood. I saw him that night at about 9.50 lying on the roadway at the back of Foley's publichouse near the barracks. I was in the ambulance which removed the body. I also attended at a post mortem and inquest on Sept 1st last, at the Dungarvan District Hospital, on the remains of Pte. Daly which I identified to those present.
Mr. Keller.—Had you seen Pte. Daly earlier that evening?—I had seen him between 4 and 7 p.m. at the camp.
The Row On The Quay Private Michael McCarthy deposed:—I remember August 30th last, when I was in camp near Dungarvan. I came into town that evening and at 8.45 p.m. I went into Conroy's publichouse in the Square accompanied by Cpl. O'Brien. While there I saw Cpl. Stewart and Pte. Daly come in from the back and they sat down quite close to me. Pte. Daly was talking but I don't remember what he was saying. Cpl. Stewart and Pte. Daly were arguing about something and shouting. After some time they decided to have a drink and went out down along the quay. I followed them with the intention of having a drink. They went to the cobbler's shop and I saw Pte. Daly's head on the ground. I saw a man make a note of them. At about 1 p.m. I interviewed the accused John Donovan in an office at Dungarvan Garda Station. Supt. O'Mahony was present. When we returned to the barracks I saw the accused and interviewed a number of

SAD TRAGEDY
Child Drowned In Trough
On Monday last, Oct 2nd a very sad tragedy occurred when a young child named Thomas Curran, aged 3 years and 2 months, was drowned in a trough in the yard adjacent to their farm. The child who was in perfect health prior to the tragedy had been playing about the yard and it appears that a ball which he had, dropped into the water trough, and in trying to retrieve it he was over-reached himself and fell in.
INQUEST
On Monday evening Dr D T McCarthy, Coroner for West Waterford sitting with a jury at Mr Curran's house held an inquest into the circumstances of the accident.
Mother's Evidence
Mrs Margaret Curran, mother of the child, deposed that she saw her son Thomas at 12.30 p.m. that day playing in the yard outside the house in the vicinity of the trough. This was his usual place for playing, and she said she had not paid no more attention to him. At 1 p.m. she went out to the yard again and saw him floating face down in the trough. She took him out and thought he was alive and took him up the fields to his father. She then sent for Dr Cusack.
Death Due to Asphyxia
Dr M. K. Cusack, who was called to see the deceased child at 1.15 p.m. on Monday Oct 2nd, and he was then dead. Death in his opinion, was due to asphyxia caused by drowning. There were no marks of signs of violence on the body and the drowning appeared to be accidental.
Sympathy
The Coroner returned a verdict in accordance with the medical evidence, and said that no blame could be attached to the child's parents. Children have a habit of playing about the water troughs and it is impossible to watch them always. It was a case of providential bad luck and he expressed his very deep sympathy to the parents of the deceased little child.
Supt. P. O'Mahony G.S. representing the Authorities, associating himself with the expression of sympathy said it was a very sad thing that should happen and cannot be prevented.
Sergt. Liddane, G.S. was also present.
We join in extending our deep sympathy to Mr and Mrs Curran who are worthy and respected members of the farming community on the tragic loss which they have sustained.

BALLYDUFF NEWS
Parish Hall—On Sunday last the foundation stone of the new Parish Hall was blessed by Rev. M. Dowley, M.P. and Mr. M. O'Farrell. A special account of the ceremony appears elsewhere in this issue.
Waterford's Defeat—We were all sorry that Waterford was beaten by Clare in the Munster Championship Final at Cappoquin on Sunday last. The Waterford girls played a very good match and they lost by the narrow margin and the Better Luck next time Waterford.
Irish Classes—The Irish classes held on each Wednesday night are greatly appreciated. We feel a lot more comfortable if they were not so shy about it. The classes cater for all from beginners to those who have a good knowledge of the language. We are to appreciate the ladies who help the girls and boys and learn the language of their country.
Autumn Thoughts—October is the best month of Autumn and ere we realize it Winter will have stolen a march on us. Autumn may be the most colourful season with many hues of berries and leaf, but it is a sad time to appreciate the fast fading away and the frosty breath of Winter wipe out the last lingering trace of summer. October is the month of the Holy Rosary, and here we realize that Winter will have stolen a march on us. Autumn may be the most colourful season with many hues of berries and leaf, but it is a sad time to appreciate the fast fading away and the frosty breath of Winter wipe out the last lingering trace of summer. October is the month of the Holy Rosary, and here we realize that Winter will have stolen a march on us. Autumn may be the most colourful season with many hues of berries and leaf, but it is a sad time to appreciate the fast fading away and the frosty breath of Winter wipe out the last lingering trace of summer.

Consideration of changes in the 1945 Stock and Poultry Schemes 1945 was deferred until the Annual Meeting to be held on Oct. 13th.
To Stabilise Prices of Pigs Recommendations for post-war agricultural planning were requested from the Committee and Mr Harty suggested that they demand that the price of pigs be fixed every two years and that at the close of that period a month's notice of any change in price be given to the public who have been pestered by the fluctuation in prices for some time past.
A discussion took place on the necessity for the grading of pigs and bacon, and it was decided to send in Mr. Harty's suggestion.

Temporary Appointment Mr. J. O'Sullivan, Assistant Horticultural Instructor, was appointed for a further six months as from Oct. 1st.
Damage to Sheep Mr. Fives drew attention to the damage done sheep by dogs in the area and asked if anything could be done about it. It was agreed that it was a serious matter and that the situation be placed before the County Council at their session.
On the proposal of Mr. Harty it was agreed to request the Department to extend the

Modeligo Social Club
HOLD THEIR
SECOND
DANCE
On Sunday, Oct. 15th, '44
At Modeligo School
DANCING 8 p.m. to 3 a.m. E.T.
Music by GLENSIDE STRIPPERS BAND
Admission (incl. Tax) 2/6

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The House For Better Value
At Lower Prices
MEN'S ALL-WOOL VESTS 10/6 12/9
MEN'S ALL-WOOL DRAWERS 10/6, 12/9
MEN'S KHAKI SHIRTS 11/6, 14/6
MEN'S STRONG WORKING SHIRTS 10/-
MEN'S FANCY POLO SHIRTS 12/3
MEN'S TUNIC SHIRTS, 2 COLLARS 12/6
BOYS' FINE FLANNELLETTES SHIRTS, 7/6 9/6
BOYS' TWEED TROUSERS 9/6, 10/6 12/6
MEN'S GOOD QUALITY TROUSERS 32/6 35/- 37/6
MEN'S OVERCOATS 25/5s 0d to 27/5s 0d.
MEN'S SUITS 105/-
BOYS' TWEED SUITS 55/-
BOYS' OVERCOATS, SIZES 1 to 4 18/6
MEN'S ALL-WOOL PULLOVERS, 11/6
LADIES' ALL-WOOL JUMPERS, 13/6 14/6 15/6
PURE WOOL BLANKETS, 27/6, 30/-
MEN'S BOX WELTED SHOES 25/- to 37/6
LADIES SHOES, 22/6 to 30/-

JAMES COFFEY,
MAIN STREET, DUNGARVAN

Co. Waterford
Committee of
Agriculture
Mr M. F. Walsh, Vice-Chairman presided at a meeting of the Co. Waterford Committee of Agriculture held at the Courthouse, Dungarvan, on Saturday last. Messrs M. O'Ryan, M. McGrath, M. Harty and John Fives were present.
Fruit and Forest Trees
The tender of Mr R. Walsh, Rathdrum for the supply of Forest trees and of Messrs Watsons Killiney for Fruit trees were accepted on the recommendation of Mr P. O'Shea, Horticultural Instructor.

QUESTION TIME
By
Dr WILLIAM MAQUIRE,
M.A., B.L.
1 What is a scherzo?
2 Where was George Bernard Shaw born?
(a) When was Parnell Bridge, Dublin, created? (b) After whom is it named?
3 What is a fantasia?
4 What is a tepee?
5 In the 50 Irish Hospitals...
(a) How many hospitals in Ireland were established in 1830?
(b) How many have been received by (a) Prisoners, (b) Hospitals?
(c) How many Hospitals in Eire have benefited?
(d) How much was paid to the Red Cross Organisation?
(e) What was the total number of prizewinners?
(f) State the total winners.
(ANSWERS ON PAGE FOUR)

DEATH OF MRS QUINN,
CUSH, GRANGE
We regret to announce the death of Mrs Quinn, Cush, Grange wife of Mr Michael Quinn, a respected member of our farming community, which sad event occurred on Sunday, Oct. 1st at her residence. Deceased who had been in different health for some time was a very popular and esteemed woman and a kind and obliging neighbour. Her death is very much regretted by all and the deepest sympathy is extended to her bereaved husband and two sons.
The remains accompanied by a large and representative cortege were removed to Grange Church on Monday and were received by Mr Byrne P.P. and Father Sheehan. The interment took place in Grange cemetery on Tuesday in the presence of another large gathering of mourners and friends.

COMPULSORY TILLAGE FOR
1945 AND PRICES FOR 1945
GRAIN CROPS
The attention of Land holders is directed to the Government Notice relative to the Emergency Power (No 345) Order, 1944 which appears in our advertising columns today. Subject to certain exceptions the Order, which is similar to the Order for the 1944 season requires every occupier of five or more statute acres of arable land to cultivate in 1945 three eighths of the area of such land and to sow with wheat a specified minimum area.

Modeligo Social Club
HOLD THEIR
SECOND
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On Sunday, Oct. 15th, '44
At Modeligo School
DANCING 8 p.m. to 3 a.m. E.T.
Music by GLENSIDE STRIPPERS BAND
Admission (incl. Tax) 2/6

SALES BY QUEALY & BALLOT

BALLINAMINTRA, CAPPAGH

IMPORTANT SALE By Public Auction of Attractive Accommodation Holding

Underlined are instructed by the Reps of Michael Tobin of Ballinacorney to sell by PUBLIC AUCTION on the lands on FRIDAY the 13th OCTOBER, 1944, at the hour of 2 p.m. (O.T.) ALL THE portion of land situated on the right-hand side of the road from Cappagh to Whitechurch and containing 27 acres 1 rood 7 perches or thereabouts, subject to the revised half-yearly annuity of £4 4s 6d Provisional P.L.V. £25 0s. 0d

The Auctioneers strongly recommend this sale to the attention of those on the look out for a safe investment and a choice piece of accommodation land midway between Dungarvan and Cappoquin Fairs. The holding is exceptionally well fenced and watered with a good gate of timber thereon. The Glendog water supply is just outside the fence and the erection of a watering trough will ensure an abundance of water.

Inspection invited. For further particulars apply to J. F. WILLIAMS & SON, Solicitors, 54 College Street, Dublin, or from the Auctioneers, Quealy & Ballot, M.I.A.A., Auctioneers & Valuers, Dungarvan.

WATERFORD CO COUNCIL (Public Health Section)

COTTAGES TO LET

Applications from Agricultural Labourers (as defined by the Labourers Act, 1935) are invited for the tenancies of the following Cottages, viz: Rural District (Rent Collector—Mr. Justin Condon) 151 Coolbeggan Kilmacthomas Rural District (Rent Collector—Mr. P. Quinn) 166 Ballyvaden Dungarvan Rural District (Rent Collector—Mr. M. Dee) 202 Ballinacurry West, 204 Crobally

Waterford No. 1 Rural District (Rent Collector—Mr. M. Sheehan) 62 Newtown Passage East

Applications must be made on the official form to be had from the Cottage Rent Collector of the District and must be addressed to Mrs. Pauline A. Croke, at her Office County Home, Dungarvan, so as to reach the office not later than 12 o'clock (noon) on Tuesday, the 10th October 1944.

MICHAEL O'FLOINN, Deputy Co. Manager, Dungarvan, 27th September, 1944

WATERFORD CO COUNCIL (Public Health Section)

COTTAGE PLOTS TO LET

Applications are invited for the temporary tenancies of the following Cottage Plots FOR TILLAGE at the weekly rent of 9s: Kilmacthomas Rural District (Rent Collector—Mr. P. Quinn) Plot No. 1 Towland Holding on which Plot is situated 440 Seafield Patrick McKean 456 Adramone Mrs. Mary Anne Power 494 Knockyellan John Duggan Dungarvan Rural District (Rent Collector—Mr. Michael Dee) 419 Touraneema Edward

Application must be made on the official form to be had from the Cottage Rent Collector of the District and must be addressed to Mrs. Pauline A. Croke, at her Office County Home, Dungarvan, so as to reach her not later than 12 o'clock (noon) on Tuesday the 17th October 1944.

MICHAEL O'FLOINN, Deputy County Manager, Dungarvan, 4/10/44

WATERFORD CO COUNCIL (Public Health Section)

Bye laws with respect to Slaughter-Houses and for the decent and seemly conveyance of meat through the Public Thoroughfares

NOTICE IS HEREBY GIVEN that the Waterford County Council intend at the expiration of one month from the date of the publication of this Notice to apply to the Minister for Local Government and Public Health for confirmation of bye-laws made by the said Council with respect to Slaughter-Houses and for the decent and seemly conveyance of meat through the Public Thoroughfares in the County Health District of Waterford.

A copy of the said bye-laws is deposited at the office of the County Council County Home, Dungarvan, and will be open during the usual office hours thereat to the inspection of ratepayers of the County Health District without fee or reward for a period of one month from the date of the publication of this notice.

Any ratepayer of the County Health District may obtain an application to the Secretary of the said Council a copy of the said bye-laws or any part thereof on payment of sixpence for every hundred words contained in such copy.

By Order, T. B. BOYLE, Acting Secretary, County Office, County Home, Dungarvan, 27th September, 1944

Our Small Ads Bring BIG Results

SAVE WATER PAPER IT IS A NATIONAL DUTY

AN ROINN TALMHAIDHTHA

EMERGENCY POWERS (No. 345) ORDER, 1944 (COMPULSORY TILLAGE FOR 1945)

The above-mentioned Order made by the Government on the 29th September 1944, is similar to the Order for the 1944 season. Subject to certain exceptions every occupier of a holding of 5 or more statute acres of arable land who is required to cultivate in 1945, three-eighths of such land and one-eighth of the remainder, shall be allowed to count as cultivation in 1945 to the extent of not more than one-quarter of the tillage quota.

Provision, similar to 1944, is made for applications in specified cases, provided application is made for exception to the Minister for Agriculture not later than the 1st December 1944.

Copies of the Order will be placed on sale without delay and will be purchasable from the Government Publications Sales Office, 54 College Street, Dublin, or from the bookseller, D. TWOMEY, 28th September, 1944

NOTICE TO CREDITORS

In The Goods of STEPHEN BERGIN, late of Currah, otherwise Mountcarrigan, Farmer, deceased. All persons claiming to be creditors or otherwise having any claim against the estate of the above deceased are hereby required to send particulars thereof in writing to the undersigned within seven days from the date of this notice.

J. F. WILLIAMS & SON, Solicitors, Dungarvan

SALE BY PRIVATE TREATY

We have been instructed to sell by Private Treaty the fee simple interest in a splendid business site at Cross Bridge Street, Dungarvan, occupied by three tenants as Employment Bus, Brothers and Abbeyside Band Room. These premises are as aforesaid at the total rent of £36 10s 0d per annum. The premises are offered for sale in fee simple free of rent. The Purchaser is to receive the annual rent of £36 10s as aforesaid out of these premises.

Full particulars from P. J. O'NEILL & SONS, Solicitors, Dungarvan

DUNGARVAN URBAN DISTRICT COUNCIL

CHILDREN'S HEALTH COMMITTEE

Mr. S. J. Moynihan, Manager, invites Tenders for the supply of MILK BREAD and BUTTER for children under 14 years of age from 1st Nov 1944 to 31st March 1945.

MILK at per gallon delivered at Mercy and Presentation Convents and at Christian Brothers and Abbeyside Schools.

BREAD at per 4 lbs (in 1 lb butters) delivered.

BUTTER Best Creamery in 1 lb rolls delivered.

New Milk to be supplied from the Contractor's own herd and the Contractor must be registered under the Milk and Dairies Act.

Supplies will be required for School days only.

Further information as to approximate quantities required etc. can be had on application to the undersigned on or before 12 o'clock noon on 17th October 1944.

By Order, MICHAEL O'NEARA, Town Hall Dungarvan, 5th October, 1944.

WATERFORD BOARD OF PUBLIC ASSISTANCE

APPOINTMENT OF TUTOR SISTER AT WATERFORD COUNTY HOSPITAL

Applications are invited for the position of Tutor Sister at Waterford County Hospital. The salary applicable to the post is £125-£140 per annum with apartments, fuel and light and such emergency bonus as may be sanctioned by the Local Government Department.

The appointment will be subject to the provisions of the Public Health Act, 1936, and to the sanction of the Minister for Local Government and Public Health.

Candidates must have attained the age of 25 years on or before the 1st day of October, 1944, and must be either unmarried or widow.

Conditions of appointment, and prescribed Forms of Application, may be obtained on application to the Secretary of the Board, at the County Council Office, County Home, Dungarvan, 3/10/44.

By Order, PAULINE A. CROKE, Acting Secretary, County Office, County Home, Dungarvan, 3/10/44.

SAVE WATER PAPER IT IS A NATIONAL DUTY

TWO MEN CHARGED

(Continued from Page 1)

I passed on my way as did the others and I saw the two men, one of whom I now see in court. He spoke to Pte Conlon as we passed. Donoghue then came after me and I saw Stewart and Daly speaking to Conlon. Three more soldiers came along and I saw the scene of the attack and I saw Daly lying on the ground. There were some civilians there also. I looked at Daly and he was breathing heavily and when I called him he did not answer. There was blood coming from his left ear. It would be about ten to ten at that time Donoghue and Donavan appeared to be sober both occasions they accosted us. I later gave Guard O'Dea my army tunic and trousers and some hair I had found.

Witness also deposed that he identified the accused at the identification parade and that the next day he showed marks on his head, back, hands, and knees to an army doctor, which he said were the marks of a fight.

On Aug. 31st I attended an identification parade at the Dungarvan Garda barracks and I identified both accused from a number of persons.

Mr. Farrell—When you notice what drinks Cpl Stewart and Pte Daly were taking that night?—They were drinking stout.

Were they large or small bottles?—Neither of them called while I was there.

The reason you followed was that you were expecting a bit of fun?—Yes.

Did you see any one else in the alleyway that night?—No.

Did you ever see either Donoghue or Donavan before that night?—No.

Did you meet anyone while going back towards Conroy's public-house?—No.

Were you still talking loudly about boxing while coming back?—No, we were speaking normally.

Were you standing in the shade outside Conroy's when the civilians came along?—As far as I can remember it was outside Conroy's.

Was it dark there?—No.

When the civilians stopped to ask you for cigarettes how far away were they?—About three or four yards.

Am I correct, they made no move towards you, it was you who stepped off the sidewalk?

Did you try to prevent you or Daly walking away to the Square?—No, but they kept us engaged asking for cigarettes.

In what tone of voice did Daly say "we'll shift them"?—It was in a normal tone.

How did you intend to shift them?

Mr. Counahan objected to this and the Justice upheld it.

Did you intend to prevent you or Daly walking away to the Square?—No, but they kept us engaged asking for cigarettes.

How long were you talking to Daly when you met him first on the Square?—About a quarter of an hour.

Do you know where he then went?—No.

Did you and Pte Byrne try to shake him off?—We didn't, we just left him.

Did you see John Donavan when you saw him at 9 p.m. whether he had had any more drink?—I do not know.

The fact that you had a bet about this supposed fight shows you were in earnest about it, that you might have been at the premises with Daly and went towards the quay where we stopped in an alleyway on our right about 150 yards away?

Did you see anyone following you after the fight?—No.

Did you remember being approached by any civilians on the way when we got in the alleyway?—No.

paces and then I was struck again on the head by Donoghue. I was dazed and was getting up off the road when I saw Donoghue swinging his arms as if throwing a stick and he then disappeared into the darkness around the corner. I heard no more and ran towards Foley's corner and met two soldiers at Foley's front door on the Square to whom I spoke. Three more soldiers came along and I saw the scene of the attack and I saw Daly lying on the ground. There were some civilians there also. I looked at Daly and he was breathing heavily and when I called him he did not answer. There was blood coming from his left ear. It would be about ten to ten at that time Donoghue and Donavan appeared to be sober both occasions they accosted us. I later gave Guard O'Dea my army tunic and trousers and some hair I had found.

Witness also deposed that he identified the accused at the identification parade and that the next day he showed marks on his head, back, hands, and knees to an army doctor, which he said were the marks of a fight.

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Did you see anyone following you after the fight?—No.

Did you remember being approached by any civilians on the way when we got in the alleyway?—No.

going home from the pictures and on the way I stopped talking to a soldier and while talking Willie Donoghue passed and he went up towards Cathal Brugha Place. I followed him after a few minutes to Mrs. John Donavan's house and after while Paddy Mooney and then John Donavan and Jimmy Donovan (Golly) came in. It was sometime round 11 p.m. then. As soon as John Donavan came in he went up towards the door with Paddy Mooney and "Golly" and beckoned to Donoghue. They remained outside for about 10 minutes Donoghue and I then went home and on the way he said "I had a bit of a row down town and I think I am after hurting a soldier." Neither Donavan or Donoghue were exactly drunk when they were in the alleyway arrangement with Willie Donoghue for the pictures that night but neither he nor Donavan went with me.

The defence did not cross-examine the accused at the identification parade and that the next day he showed marks on his head, back, hands, and knees to an army doctor, which he said were the marks of a fight.

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There was an irregular slightly scratched bruise on the right side of the head, measuring about 2 x 1 1/2. There were two deep wounds on the back of the head, a little to the left side. Number 1—An almost vertical wound on the left side, three inches behind the left ear. There was bruising on both sides of this wound and an horizontal abrasion from which measured 1 1/2 inches from side to side. The lower margin of this abrasion was linear and the upper margin almost so. The other edges were irregular.

Number 2—An almost horizontal bruise wound a little more than one inch long starting three-and-a-half inches behind and a little above the tip of the left ear.

The job of the left ear was bruised and on it was a small scratch immediately behind this in the scalp there was an abraded bruise running from below upwards and backwards at an angle of about 45 degrees.

This abrasion was almost exactly similar to that which surrounded wound number one. The scalp under this abrasion was crushed and there was bruising and mucus swelling under the scalp and the bruising underneath wound number two was much less than that present under the other injury. There was well-marked bruising 2 inches in diameter at the top of the head. The skull was extensively fractured. One irregular series of fractures was present in the skull immediately under wound number one and a second series of fractures was present behind the left ear under the bruised area. These fractures continued through various bones at the base of the skull where they joined as far as the bone on the upper part of the nose on the right side.

There was bleeding on the surface of the brain, especially at the base. The lungs, heart and abdominal organs were normal except for some congestion of the kidneys. The stomach and contents were removed and a specimen of the stomach contents taken. I handed these to Mr. John Kearns, of the State Chemist Department on Sept. 2nd last. There were no other marks of violence on the body.

From this examination I formed the opinion that the cause of death was shock and cerebro-haemorrhage caused by multiple fractures of the skull following three or possibly four severe impacts on the head.

I received two pieces of wood which I now produce (marked exhibit E) from Guard J. O'Dea. Number one is a piece broken along one edge and measures approximately two feet nine inches long by 2 and three-quarter inches wide by one inch thick. On it were scattered stains of human blood along the side of a hole which was taken but Stewart was sober.

Mr. Farrell—How many drinks had Stewart while with you?—Three large bottles.

Mr. Kellar—Why did not you flash your light on the night of the fight?—That was the agreement I was to wait there until one of them came back.

Running Away James Byrne, a porter at the Devonshire Arms, Dungarvan said I remember Wednesday night, Aug. 30th last, and was standing at the hotel door between 9.50 and 10.10 that of a well-dressed and strong young man?—Yes.

In your opinion would anyone of the blows have caused him to fall unconscious immediately?—Yes, any one given as numbers one, two, or three.

Would it have needed very considerable strength to have caused those injuries?—I would say considerable strength especially as applied to numbers one and three.

Did you find any abrasions as distinct from injuries on Daly's body?—Apart from the head.

What colour was it?—Light brownish.

REMAINED ON CAPITAL CHARGE The State evidence concluded at 4 p.m. on Thursday evening being a public court room. Mr. Farrell, solicitor for Donavan, said that he did not think on the evidence tendered that his client should be returned on a capital charge, and said that he would not prima facie case had been established. He would not take up the Court's time in forwarding arguments and would wait until Mr. Farrell, for Donoghue, made a similar statement.

District Justice Troy said that he was satisfied that a Prima facie case had been established against Donavan and that he was not guilty.

The Justice then returned both accused in custody to the next sitting of the District Court at Dublin on the charge as set out.

Mr. Farrell—By what light did you examine the body on the road?—By the light that was there, and somebody produced a lamp.

Where it was lying was not in complete darkness then?—No.

Lieut. Thompson, A.M.S., deposed that he knows Cpl Stewart, and as M.O. examined him on Aug. 31st last.

He found a small oval swelling on the crown of the head on the left little finger and right wrist, small lacerations, and abrasions on the head.

Mr. Kellar—How many marks consistent with blows from a stick did you find?—One, but later I was informed there was another.

Blood-stained Sticks Guard W. Giblin, stated I was on duty on the night of Aug. 30th last and I received a report from James Mooney that a man was lying on the ground at Cathal Brugha Place. As a result I proceeded around Landers' corner, and there I saw a soldier lying on the ground. I looked around and found a piece of stick about 1 1/2 feet from where the soldier was lying, and I noticed what I took to be bloodstains on it. I found another piece near Foley's window, and I handed both over to the Garda.

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Inspector McConighe recalled, said that when he was interviewed by William Donoghue at 1.30 a.m. on Aug. 31st, he was perfectly sober.

The Exhibits Guard John A. Duggan, said: I remember Aug. 31st last and on that day Guard W. Giblin handed me a piece of wood bearing on it what appeared to be bloodstains and another almost identical piece without any stains apparent which I see produced marked E1 and E2. I handed them to Dr. McGraith, the State Pathologist on Sept. 1st.

On Sept. 1st, I took possession of an army tunic trousers belt, pullover, braces, and shoes, the property of the deceased which I now produce marked exhibit I. I also produced a sample of the late Private Daly's hair which I now produce marked exhibit J.

Continuing witness said on Aug. 31st, I accompanied Donoghue to Carberry's lane and on reaching it Donoghue said "I think this is the lane where the fight took place." I went to the quay corner where he said the two soldiers were arguing the previous night. He brought me further and pointed out to me the window from which he said John Donavan pulled a board the previous night.

I was present when the statement was being taken from the broken edges of the Garda Station, and I produced exhibit E1 and E2 to him and he said they were not, the ones they had the previous night as they produced were much bigger.

Mr. Farrell—Are exhibits E1 and E2 part of E3?—I would not say so.

What position was E3 on the night of the fight?—It was on the sill with the edge leaning against the window.

Did you fit exhibits E1 and E2 to the window?—Yes.

Mr. Kellar—Was the tuft of hair produced by you the same that Cpl Stewart said he found on his trousers?—Yes.

What colour was it?—Light brownish.

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