











WATERORD CIRCUIT COURT.

On Monday, Judge Sealy, at Waterford Circuit Court allowed the appeal of Sergeant James McElligott, against a conviction and a fine of 10/- by District Justice J. J. McCabe, on a charge of dangerous driving of a motor car.

Sergeant McElligott at the last Waterford Circuit Court was acquitted by a jury of the manslaughter of Michael Foley, manager, Kilmeehan Co-operative Society, Co. Waterford, who, in January last, was found dead on the roadside near Kilmeehan, with his damaged bicycle beside him.

Evidence was given by Rev. P. Power, St. John's College, Waterford, that as he was travelling in his car behind McElligott he saw the latter's car suddenly swerve from the middle of the road, strike the fence on the right hand side, and after proceeding for some yards, collide with a danger signpost.

In reply to Mr. Quinlan, Father Power said that when he had a conversation with McElligott after the accident, the sergeant was quite coherent and his walk normal. He agreed the sudden swerve of the car might be due to the bursting of the right hand tyre. He added that the whole thing was a puzzle to him when McElligott asked him if he had struck anything, and he replied that he had hit the fence. He did not think the driver of a motor car could strike a fence in this way without being aware of it.

In allowing the appeal with costs, Judge Sealy said he was astounded that the only evidence put before District Justice McCabe was that of the car hitting the ditch on the roadside. He recalled that in the manslaughter charge against McElligott had been given that McElligott had been drinking at least a dozen bottles of stout that day, and if that were the case he would be in an improper condition to keep a proper look-out along the road. If that were so it was highly reprehensible, because this evidence should have been put before the District Justice. "Why it was not," said Judge Sealy, "I do not know." Counsel for the prosecution now wanted to tie up the case made before the District Justice by inserting all this mass of evidence about drink, but he could not permit that. He didn't think the court was sufficient to justify any conviction for dangerous driving, and he thought, therefore, that the conviction should be reversed.

"I think, however," went on the Judge, "that this drinking from publichouse to publichouse is a most serious and grave violation of duty. I suppose there are disciplinary rules which enable the powers in the Garda to punish a man for that. In my view, he ought to get the strictest and severest punishment. Here is a man," proceeded his Lordship, "who fills himself up with drink and then proceeds to drive this car to the general danger of the public. No matter whether a man is not drunk, if he is in that condition I have no doubt whatever that he is not in a position to drive a car safely. His senses are not alert, and I feel from what the Rev. Father Power had told me, that when this man asked him did he strike anything, he probably referred to something sixty yards back, and I think now, it was because he was not in a position to keep a proper look-out. That is what I feel the evidence has dragged me to now—that a man in that condition is not in a position to keep a proper look-out, because he is too comfortable and happy, and his sight is not good enough. Judge Sealy said that he was sorry the case had come before him again, but he had expressed his opinion, and he had nothing but condemnation for the sergeant driving the car on this occasion.

His Lordship allowed applicant his costs. CITY COLLISION.

There was a sequel to a motor collision at the junction of Congress Place and Upper Yellow Road, Waterford, on December 10th last.

Mr. William Barron, described as an insurance agent, with an address at Piltown, was plaintiff in an action for damages against Dr. Myles Shelly, The Mall, Waterford.

It was stated that Mr. Barron's car and Dr. Shelly's car, which was being driven by his wife at the time, collided. Damages were agreed at £25 and the only question before the court was one of negligence.

Having heard the evidence Judge Sealy held that both plaintiff and defendant drove very badly on the occasion, and were equally responsible for the collision. He therefore, dismissed the action.

UNLAWFUL ARREST. Philip Fox, pharmaceutical chemist, Tynear, claimed £300 damages against the G.S.R. Bus Company for alleged unlawful arrest and detention on March 11 last. Plaintiff alleged that on the date in question he was a season ticket holder and took a bus from Waterford to Tramore after attending business in the city. When asked to produce his ticket by the conductor, Thomas Power, he searched his pocket for it, but found he had left it at home. Power insisted he should pay 9d. single fare to Tramore. This plaintiff refused to do. He alleged that Power then said "If you don't pay I have to take you to the Civic Guard Barracks," and when the bus arrived in Tramore, Power put his catch on the bus exit door, against which he stood with folded arms to prevent him leaving. Power then directed the driver to proceed to the Civic Guard Barracks, and although the bus passed by plaintiff's house, when he asked the conductor to stop in order to get the ticket, he refused. At the Civic Guard Barracks he said Power handed him over to Guard Daly. Power in evidence denied he arrested or detained Fox, who he said went to the

WIRELESS PROGRAMME

SUNDAY, JULY 16.

- 1.30-3.0—Gramophone Concert.
5.30—Brass Bands on Records.
6.0—Culmine an tSeannleinnh : Scellini Grinn - Sean O Cull.
6.30—Popular Classics : Waltzes and Mazurkas.
6.50—"My Autobiography" - Servant of the Queen, by Madame Maud Gonze MacBride, read by Mary O'Neill.
7.0—"When Day is Done"—Brian Dawes and a Piano.
7.15—Christopher Casson in Songs with Harp.
7.35—Mante Ceilidhe Band—Irish Dance Music.
8.10—Richard Sydney (Tenor).
8.25—Madame Markievicz : Anniversary Talk by Count S. Dunlin Marievicz.
8.40—Relay of Concert from Moville.
9.30—Sponsored Programme.
10.30—Five minutes Appeal on behalf of Hotel for Irishmen in London, by Rev. John P. Cremin.
10.35—To-night's News.
10.45—Sean O Ceallachain - Gaelic Sports Talk.
11.0—National Anthem.

MONDAY, JULY 17.

- 1.30-3.0—Gramophone Concert.
5.30—Imeach na Leanbh.
6.5—Con Costello (Fiddle) : Irish Dance Music.
6.15—Tales by the Rambler.
6.30—Millicent Phillips (Girl Soprano).
6.40—Stock Exchange, Sports Results, Official Announcements.
6.45—To-day's News.
7.0—"More Milk Matters," by M. J. O'Gorman, B.Sc.
7.15—New Eire Brass and Reed Band, Maura Nolan (Piano) and Olive Briggs (Contralto).
8.25—Cinema Organ Recital relayed from Theatre Royal, Dublin.
8.40—The Magic of Place Names No. 2—Rev. W. T. Clarke.
8.45—Chamber Music by Kathleen Pollack and Alice Yeakley.
9.20—Nuacht an Lae.
9.30—Sponsored Programme.
10.30—Tonight's News.
11.0—National Anthem.

TUESDAY, JULY 18.

- 1.30-3.0—Gramophone Concert.
5.30—Xylophone and Saxophone Solos (Records).
3.45—Hints and Recipes for Newly-Weds.—A Talk for Women by Mac Hickman.—"Esperanto Talk—"Our Irish Hills," by Loran O hUglin.
6.40—Stock Exchange, Sports Results, Official Announcements.
6.45—To-day's News.
7.0—"At the Tune Inn"—Entertainment presented by W. J. Murphy.
7.30—B.B.C. Belfast—Joint Organ Recital: Reginald West from St. Patrick's Protestant Cathedral, Armagh.
8.0—Irish Radio Octet.
9.5—Requests from the Provinces - Munster: Co. Limerick.
9.20—Nuacht an Lae.
9.30—Sponsored Programme.
10.30—Tonight's News.
11.0—National Anthem.

WEDNESDAY, JULY 19.

- 1.30-3.0—Gramophone Concert.
5.30—The Light Opera Company (Records).
5.50—Roisin and Mairin Sheaghda - Songs with Harp.
6.10—The Sylphian Singers presented by Sylvia Churiamann.
6.40—Stock Exchange, Sports Results, Official Announcements.
6.45—To-day's News.
7.0—Our Towns Talking No. 2 : 'Kilkenny' presented by T. A. Grehan.
7.40—A Radio Concert.
8.40—The Chieftain Fiddle - An Comhar Dramulochta.
9.5—Tadhg Mac Fíribhisigh (Baritone) : Songs in Irish.
9.20—Nuacht an Lae.
9.30—Sponsored Programme.
10.30—Tonight's News.
11.0—National Anthem.

THURSDAY, JULY 20.

- 1.30-3.0—Gramophone Concert.
5.30—The Glasgow Orpheus Choir (Records).
5.45—O. P. Trankner - Zither Solos and Vocalist.
6.10—Dorothy Clifton (Cello).
6.30—John Cornac (Jnr.) - Fiddle : Irish Dance Music.
6.40—Stock Exchange, Sports Results, Dublin Cattle Market Report, Official Announcements.
6.45—To-day's News.
7.5—Edgar Boucher and George M. Roth-well - Duets on 2 Pianos.
7.20—Readings by Mary Bridg Pearce.
7.35-8.50—The Beauty of Irish Music and Song.
7.35—Irish Radio Octet.
7.45—Sean Curteis (Amhrain).
7.50—Ceolfeireann Phroinias O Ceallachain.
8.15—Irish Radio Octet.
8.15—Sean Curteis (Amhrain).
8.20—Ceolfeireann Phroinias O Ceallachain.
8.35—Irish Radio Octet and Sean Curteis (Amhrain).
8.50—Original Verse—Competition No. 6: Adjudicator: Austin Clarke; Comper: Patrick Holland.
9.20—Nuacht an Lae.

Barracks of his own accord, as he wanted to fight the company on the regulations issued in regard to the issue of tickets to passengers.

Judge Sealy directed the jury to find in favour of the defendant on the ground that there was no authorisation to Power to arrest any passenger. The Railway Co., being a corporation, had no power themselves to commit such an act, and consequently could not authorise a servant to do so. Fox, he said, should have sued Power or whoever arrested him.

Judge Sealy heard over for twelve months Catherine Ormond, a twenty-two year old domestic servant from the district of Cappoquin, who pleaded guilty to attempted concealment of birth.

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3.30—Sponsored Programme.
10.30—To-night's News.
11.0—National Anthem.

FRIDAY, JULY 21.

- 1.30-3.0—Gramophone Concert.
5.30—Country Rambles for the Family, by Dorothy Day.
5.45—Relay from Marino Christian Brothers Summer Course.
6.15—Handel in London No. 2 : An illustrated Talk by Dr. Walter Starkie.
6.40—Stock Exchange, Sports Results, Official Announcements.
6.45—To-day's News.
7.0—Irish Radio Octet.
8.5—Dubhaltach MacFíribhisigh, le Tomas O'hAilin.
8.20—Anything may Happen - A Variety Hour devised by Cusex, with Maie Cranfield, Chrissie Manning, Joseph Linnane, Pat Hayden, and Joseph O'Neill.
9.20—Nuacht an Lae.
9.30—Sponsored Programme.
10.30—Tonight's News.
11.0—National Anthem.

SATURDAY, JULY 22.

- 1.30-2.45—Gramophone Concert.
2.45-2.52—Commentary on "Broadway 100" relayed from Croker Park—Commentator: J. R. Thornton.
2.52-3.0—Gramophone Concert.
5.30—Tea Time Music by Dolly Christie's Trio.
6.0—Talk on Croaghpatrick Pilgrimage by Rev. Fr. Angelus, O.M. Cap.
6.10—St. George's Brass and Reed Band.
6.40—Sports Results, Official Announcements.
6.45—To-day's News.
7.0-8.0—Saturday Night Concert.
8.0—Saoire Cois Fairrige : Dungarbhain agus Cluain Fhialadh—Nicholas Tobin.
8.15—James McEnery (Fiddle) and Tadhg Crowley (Pipes) : Irish Dance Music.
8.35—James Millsopp and His Harmonica Aces in Variety.
9.20—Nuacht an Lae.
9.30—Sponsored Programme.
9.30—Eye-Witness account of Tramway Sports by J. R. Thornton.
11.0—National Anthem.

Organising For The Irish Farmers' Federation.

Genial Mr. Michael Curry, farmer, Rathgormack, whose name is a household word in Portlaoise Gaelic circles, addressed large and enthusiastic public meetings during the week at Kilsrossary, Stradbally, Kiltbrien and Touraneena. Strong branches of the Federation were established in each centre.

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EAST CORK JOTTINGS

INCH HURLING TOURNAMENT DUNGOURNEY DEFEAT INCH.

The long looked forward-to hurling tournament opened on Sunday in gloriously fine weather and in the presence of a great crowd of enthusiastic supporters of the national games and pastimes. Local interest was mainly centred in the opening match between Dungourney and Inch. This was by reason of the fact that despite their two recent meetings in Ballymacoda and Kiltcarrig their championship tie is still undecided. Sunday's match was fought out strenuously and was a hectic exhilarating struggle in which hard knocks were freely given, but from which malice of venue the match was entirely absent. The game was good to watch because of the manly efforts it called forth and the excellent manner in which the players kept their tempers in very trying circumstances. The pitch was in good order though the field is not as good as the one formerly rented by the club. Still it is an advantage to have the field right in the heart of the village where there is ample accommodation for dressing, etc. Various attempts had been made for a long time to arrange a match between Ballymacoda and Kiltcarrig and ever since the fortunes of the draw had decreed that they should meet in the Inch ground the merits and the chances of the respective teams were eagerly canvassed. Both sides were strongly represented on Sunday and though Ballymacoda had a big winning margin the score was not a true indication of the game. Ballymacoda were undoubtedly the better team but not to the extent the score would suggest.

DUNGOURNEY V. INCH.

Inch won the toss and played with a light breeze at their backs. Kenney drove strongly goalwards and Joyce sent a fast shot at the uprights but the ball went wide. Dungourney invaded the homesteaders' territory but the Inch captain lashed back. Dungourney were not to be denied, however, and a combined rush by their whole forward division resulted in the hoisting of the green flag. Jack Hennessy retaliated with a white flag for Inch and Treacy burst in looking for another score, but the chance was lost. M. Collins lifted far out but again the ball went wide. Inch were awarded a "70" without any result. Two other overs followed and then Donovan, snapping a high ball, shot a point for Dungourney. Dungourney were throwing away no chances and shot two goals in rapid succession although Wade put up a good defence. P. Power broke up a Dungourney rush and O'Callaghan sent a high ball to Joyce who smartly pointed for the homesteaders. Ronayne drove strongly at the Inch net, but Walsh saved and J. Collins relieved the pressure with a long shot to Hennessy, who sent high over the bar for an Inch point. P. Treacy was playing a great game for the homesteaders and again put Hennessy in possession. The latter made a great effort but just missed the posts. O'Leary drove back the puck out and Kenney and Walsh dashed through the Dungourney backs for a spectacular goal. A few minutes later the same player again had the green flag up, and the short whistle left the score— Inch, 2-3; Dungourney, 2-1.

Second Half.

After sending wide twice in succession Dungourney got rather an easy goal to which Donovan quickly added a minor. Soon afterwards the Inch goalie brought off a great save and M. Mahoney sent a long shot down the field. James Power held up two Dungourney rushes and O'Callaghan carried the ball well into the Dungourney territory. Play was now very exciting and both goals were tested and both securely held their nets. Curtin, Carroll, and Ronayne were untiring in their efforts for the visitors, while P. Treacy, P. Power and Joyce were outstanding for the homesteaders. Collins and Smithwick were battling it out bravely on the wings, and young Ahearne of Inch was working very hard. Again Dungourney seemed to have the game now well in hand. Inch, however, pulled themselves together and M. Collins shot a spectacular goal. Again they stormed their opponents' preserves and the coolness of the goalie alone saved the situation for Dungourney. The final result was— Inch, 4-4; Inch, 3-3.

Dungourney, 4-4; Inch, 3-3.

Mr. Sonny O'Mahoney, Kiltcarrig H.C., refereed most impartially.

DUNGOURNEY—J. Ronayne, (Capt.); R. Rohan, W. Daly, E. McCarthy, P. O'Donovan, J. Rohan, J. Smithwick, J. Rohan, P. Aherne, M. Curtin, D. Carroll, S. O'Donovan, James Colbert, R. Whelan, J. Connerly.

INCH—P. Power, (Capt.); E. Walsh, P. Joyce, J. Power, T. O'Callaghan, M. Collins, S. O'Leary, J. Ahearne, J. Hennessy, P. Walsh, M. Budds, J. Collins, J. Kenney, M. O'Mahoney, P. Treacy.

BALLYMACODA V. KILTERRAT.

In the early stages Ballymacoda had far the best of the play and though there were many brilliant individual efforts on behalf of Kiltcarrig their opponents were a more uniform team. Their first half striking was also better and they threw away no chances. The half time score was— Ballymacoda, 3-2; Kiltcarrig, 1-1. Kiltcarrig played much better in the second half but their opponents were in a winning mood and could not be stopped. The final result was— Ballymacoda, 6-3; Kiltcarrig, 2-2. Mr. Liam Aherne, Castlemartyr H.C., refereed satisfactorily.

BALLYMACODA—D. Power, (Capt.); W. Barry, D. Ahearne, R. Shanahan, E. McLoughlan, R. Smiddy, P. Ahearne, C. Aherne, M. Cotter, N. O'Keefe, M. Aherne, T. Arnott, G. Cashell.

KILTERRAT—J. O'Mahony, M. Casey, James O'Mahony, D. O'Connor, M. Condon, E. Roche, E. Drake, J. Buckley, G. Barron, M. O'Connor, J. Casey, J. Hurley, J. Lynch, B. Mahoney, J. Walsh.

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THRILLING H

On Sunday at the G. Dungarvan, before a crowd of 2,000, the Waterford team, Cork in one of the best couple matches seen in years. The weather was permitted both players and enjoy a match packed with enthusiasm. Waterford's only championship honours, on this junior team seems to be said to be on the road to victory. Waterford, prior to Sunday's defeated Kerry, but Cork came a strong Tipperary XV round were favoured. However, have always been in the junior hurling, although Limerick in the first round succumbed to Cork in the 1937, and were beaten in 1938, having won the Munster championship, and they were junior champions in 1939. Have now qualified to reach the Munster final, and this quarter will surely be won that of Cork. The game, on August 6th or 13th. Sole representatives of the championships, everybody they will avenge the defeat by a convincing win in the 1939. On last Sunday's form we seem to be likely to have honours. They had a rare terribly fast, and beat Cork ground and overhead play, many fine features of their surprised even their own in their great ground cut them from the sideline, and their control in all departments round the hurling on Sunday very high standard.

Although Waterford opened with a goal, Cork had the quick decision to even play took the lead which they held half-time. The teams changed in full terms. Cork 0-8, Waterford forwards, early in the covered that they could not Waterford custodian and captain. Play for the first half and even; Cork appearing to of it but the Waterford defence stood.

In the second half Waterford, everybody, for resuming with dash they put up an unbeatable. Vin Bastin was the game and shot a goal and from a long distance outside line. Cork pressed hard towards but could only score one goal in the second half and four in the second half that O'Grady shone most brilliantly. He really splendid, for he stopped all angles and at close range every trick, changed their manœuvre in every way to but they were unable to penetrate Waterford defence with O'Grady. This Waterford junior team favourably with our senior as young stars, strong and swift, their speed and dash will be beating.

Three of the original selection not field out, and thus their positional changes to balance when three newcomers were. The absence of J. Manning left the right full-back position. This was filled by J. Power, club who moved in from right J. Jacques coming on to fill the absence of E. Daly (the re-shuffle of the half-backs). O'Donoghue was 150 lb. up, centre-forward and D. Power came on to right half-forward (Tallow) replaced P. Greene's forward.

O'Grady, in goal saved, was cool and always clear, perhaps was most responsible for the great win. He seems good partnership with J. Walsh who holds up the opposition when they are charging in goalman time to deliver drives. Waters played a strong, strong, strong and an adept up-raids.

Both Sonny Power and P. Power left full-back were more for their opponents, and the O'Grady made very little impression two stalwarts.

Paddy Dalrymple burst up on Cork ranks. This player also find the opposite square was reaches his fist. He is very comes clear from all rucks.

Dowling and Jacques were at left and right half-back. At overhead and ground play great drives, and completed back line.

M. Foran at centre-field shot full ball control. Reviving play, he doubled on balls with ease and was always a danger team. His partner W. M. equally sound at mid-field.

Vin Bastin, scarcely more than the star of the match. Playing he struck the ball from all angles and was a great drive, and deadly accuracy. T. Donoghue great game at centre-forward.



