

Dungarvan Observer

MUNSTER INDUSTRIAL ADVOCATE

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PRICE 2d.



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THE NICE WAY

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**DUNGARVAN HARRIERS
DAWN BEAUTY DANCE**
AT THE TOWN HALL, DUNGARVAN
Wednesday, September 13th, 1950.
MUSIC BY C. COLLINS AND HIS ORCHESTRA,
THOMASTOWN.
Dancing, 10 p.m. to 4 a.m. Lounge Bar by Thomas Power & Co.
Admission (including tax), 5/-.

**SEAN HEALY AND HIS BAND
STRADBALLY HALL**
Night of September 10th (Sunday).
DANCING, 9.30 P.M. TO 4 A.M.
WINE AND SPIRIT BAR. REFRESHMENTS.
Admission ... 5/-.

COLLIGAN GYMKHANA COMMITTEE.

**A Grand All-Night Dance
AT AGLISH**
Sunday Night, Sept. 10th. 10 to 4 (S.T.).
MUSIC BY JACKIE MURRAY AND HIS BAND.
BAR BY THOMAS POWER & CO.
CATERING. SPOT PRIZES. NOVELTY DANCES.
Admission ... 4/-.
DON'T MISS THE NIGHT OF NIGHTS.
COME & ENJOY YOURSELF—IT'S LATER THAN YOU THINK.

LOCAL ELECTIONS, 1950.
Vote in the order of your choice for the following FINE GAEL Candidates:

Waterford County Council:
DUNGARVAN ELECTORAL AREA:
BUTLER, JOHN, 1, Mitchell Terrace, Dungarvan.
CASEY, MICHAEL, Modeligo.
CLANCY, MICHAEL, 8, Mitchell Terrace, Dungarvan.
DOWER, WILLIAM, Creggs, Clashmore.
HARTY, MICHAEL, Gortnadhia, Ring.
KILMACTHOMAS ELECTORAL AREA:
BUTLER, PATRICK, Curragheena, Ballymacarby.
COGHLAN, DAVID, Kilmacthomas.
FORAN, WILLIAM, Beagagh, Carrick-on-Suir.
MCENIRY, EARNEST, Russelstown, Clonnet.
LISMORE ELECTORAL AREA:
HELY, GEORGE, Cappoquin.
MOONAN, DAVID L., Lismore.
WALSH, NORMAN, Springfield, Cappoquin.

Dungarvan Urban District Council:
BUTLER, JOHN, 1, Mitchell Terrace, Dungarvan.
CLANCY, MICHAEL, 8, Mitchell Terrace, Dungarvan.
POLEY, HUGH, Sexton Street, Abbeystead.
WALSH, DANIEL, 1, Main Street, Dungarvan.
Make sure you give your **FIRST PREFERENCES** to FINE GAEL Candidates.

Cappoquin Coursing Club
Club
(FIELD IMPROVEMENT FUND).
GRAND ALL-NIGHT DANCE BOAT HOUSE CAPPOQUIN
Sunday, October 1st.
Special Engagement of **THE SPA ROYAL ORCHESTRA**
who proudly present **ROY LALOR**,
Peer of Vocalists.
Admission ... 5/-
(Including Tax).

Alleged Victimisation of Workmen.

SPECIAL COMMITTEE'S FINDINGS.

At the Waterford County Council meeting on Tuesday, Mr. Denis Heskin, chairman, presenting the following report from the Special Committee, was read:

In pursuance of the resolution of the council dated the 8th day of August, 1949, this committee met on the 22nd day of August, 1950, to investigate the complaints made by Deputy Kynne regarding the employment and dismissal of workmen. The committee investigated the several complaints and submitted to the County Council the following report of their findings:

(a)—Case of Edward O'Neill, Kilmacthomas.—The complainant in this case was that Edward O'Neill, a regular council worker, was refused work with the council in 1948 and was only re-employed after repeated representations by Mr. Kynne; that he was finally forced out of council employment by being sent to work at the farthest part of the district each day.

O'Neill gave evidence and freely admitted that the reason he left the employment was because he thought the distance of five miles to Kilmacthomas, to which he was directed to go with another workman named Flynn, was too far to travel. He was of the opinion that five miles was not too far and that he was not directed to travel this distance of five miles in any spirit of victimisation by Overseer Cliffe and that there is no substance whatever in this complaint.

(b)—Case of Thomas Kennelly, Barrahead.—The complainant in this case was that Thomas Kennelly was kept out of work while an employed man, taken from Dickens Leather Co. Ltd., Dungarvan; that finally this man was provoked into an assault on Overseer Cliffe because the latter would not allow him work and that Kennelly was forced to leave the country. The evidence disclosed that prior to the incidents of which complaint is made this man worked for ten weeks only with the council at the end of 1944.

With regard to the employed man alleged to have been taken from the factory, the man was named Laurence Tobin, whom we find was idle for approximately two weeks after leaving the factory and then commenced work with the County Council. There may have been an understanding between Tobin and Overseer Cliffe, but beyond a suggestion from Mr. Kynne that such an understanding did exist, there was no evidence of the fact. There was, however, evidence that this man was previously employed by the County Council for a period of six to seven months and that he was a very good worker.

We were not impressed by Kennelly, whom we feel pressed his claim to employment to the point of antagonising the overseer against him. He claims to have had a grievance long before the 12th August, 1948, when the assault referred to took place. He knew that Overseer Cliffe was subject to discipline and discipline from Mr. Ormonde, the Assistant County Surveyor, and we feel that if he had a real grievance against the overseer that he should and would have gone to Mr. Ormonde. It is quite clear to us that the incidents which took place on the 12th August, 1948, and which ended in the District Court, did not have its origin on that date, and we are satisfied that unfriendly relations existed between Kennelly and Cliffe long prior to that date. While we feel that Kennelly's failure to get work may well have been due to the existence of this unfriendly relationship, we cannot accept the contention that Kennelly's Union affiliations or activities had anything whatever to do with his failure to get work with the council.

Kennelly stated that he is now employed under Overseer Ryan, with whom he is well satisfied. In fairness to Kennelly, it is only proper to state that Overseer Ryan in evidence stated that he is well satisfied with Kennelly as a workman.

(c)—Case of William Kennedy, Ballymacarby.—The complainant in this case was that William Kennedy was let go from the council's employment in 1948, while a boy of less than 18 years, the son of a certain County Councillor, was kept on. This year (1949) he was employed but other men were not taken on, while three farmers' sons were employed.

The boy of less than 18 years referred to was Thomas O'Ryan, of Kilmacthomas, son of the late Michael O'Ryan, a member of the County Council.

We find in this case that William Kennedy was one of a gang of men working on roads and that when the money was exhausted on the job Kennedy, with the rest of the men in the gang, was let go. At the time Kennedy was let go young

O'Ryan was one of a gang of men working on Shaw's Bridge, where the work continued for some time after the gang of which Kennedy was a member had finished. We are satisfied that the only reason O'Ryan was kept on was because he was a member of the gang working on the bridge, and we would not hold him under any circumstances to have been let go from the bridge as he had been let go and men recruited from the gang of which Kennedy was a member to take their place. We have little difficulty in coming to the conclusion that there was no discrimination or victimisation of any kind in this case.

(d)—Case of Patrick Dalton, Slady Cross.—The complainant in this case was that Patrick Dalton was let go in 1948 by Overseer Cliffe on the grounds that he was unsuitable for road work and that the rest of the workers refused to work with him; that he was, at the request of Mr. Kynne, put on piecework and earned more than the average Council worker's wage; that he was again let go by the Overseer through a single man, including Cliffe's son and his brother, were kept on. Finally, the complainant stated that Dalton had to go to Ballinacorney Quarry, under Ganger Walsh, 8 miles from his home, where he worked until the job finished, and that eventually he was forced to go to work in Overseer Brackett's area a distance of 8 miles from his home, while there was work near his home.

We find that there were complaints against Dalton by some of his fellow workmen. We further find, as alleged in the case, that when Dalton was put on piecework as a test that he did earn high wages. It was proved or admitted that Cliffe was at the time a single boy, was kept on although Dalton, a married man, was let go. We do not feel, however, that Cliffe should be censured for keeping on his son even at the expense of Dalton, in the circumstances related to this case. We refer to our satisfaction to have been a real good worker, honest at concrete work and generally useful. We do not believe that an unfairly or in a spirit of victimisation.

In the course of his evidence Dalton complained that a sum of 14/- due to him for wages had been asked for him by Overseer Cliffe. We are satisfied that until he gave evidence before us Dalton never made a claim in respect of this item to the Overseer, and if he had made such a claim which was not allowed, then if he had a grievance his complaint would have been made to Mr. Ormonde.

We are satisfied that there was talk and counter-talk about the matter at least some of the time during working hours. We are also of opinion that the men engaged in argument or discussion with the men about such matters, a practice which should not be allowed by the Overseer or engaged in by the men.

One other fact emerged, and which we regard as significant, was that although Dalton was employed for a period while working for Cliffe he had an equally long spell of unemployment since he changed to Overseer Brackett, against whom no complaint was alleged.

We have given this case a great deal of consideration and have arrived at a conclusion. In all the circumstances, however, we are satisfied that though Dalton did fail to obtain employment with the County Council in Overseer Cliffe's area, we are not satisfied that this failure was due to discrimination or victimisation as alleged.

(e)—Case of Roger McGrath, Barrahead.—We are satisfied from the evidence tendered to us by both Whelan and Collins, and our own knowledge and experience in such matters, that it would have been a physical impossibility for McGrath or any other man to do the amount of work in a day that he claimed to have done, and we therefore reject his evidence on these matters also revealed that three men mainly involved, namely, McGrath, Whelan and Collins, were not taken on, and we cannot see that any case of police discrimination could have arisen.

(f)—Cases of Patrick Power, Thomas McCarthy, Frank Morrison, James Downe, Kilmaclomaha.—The complaint in these cases was that these men were let go from the Kilmacthomas housing scheme, while acted without the authority of the County Manager, and aided

and abetted by the County Secretary, had taken three council workers into the council's possession and away from the council lorry for a support, for the purpose of discussing their interests in the quarry. He proposed that the matter be investigated by the Co. Manager, and that he take whatever action he considered necessary.

Mr. Halley stated that he had no objection whatever to such a step, that he had no fears whatever that what he proposed would offend his conception of honour or duty to the Waterford County Council.

Mr. McGrath—Is this a matter for the Council at all, or is it an executive function under the Managerial Act?

At this stage Mr. Halley stated that he would put a statement covering the whole matter before the County Manager and let it be in his hands to take whatever action he sees fit. He did only what he thought was proper in the interests of the Council.

Senator Butler stated that he thought that an investigation would be only fair to the Council's solicitor, and it would give him a chance of clearing the allegations made against him.

The County Secretary also said that he would welcome such an investigation, as Mr. Kynne had brought his name into the matter as well.

A report was read from Mr. Hassett, engineer, which stated that on the instructions of the Council's solicitor he had the man concerned taken in from their work on the Council's lorry. He got them out that it was the usual procedure to take the lorry into town every Saturday for petrol and other supplies, and on this occasion he took all that carried out on the day the men were taken in, so there was no expense whatever involved. The lorry took back petrol and a load of stakes.

In heated tones, the Chairman stated that he did not like the idea of the Council Chamber being turned into a political platform, and asked Mr. Kynne why he did not go to his Union and get them to bring this whole matter up and not be annoying the Council. He (the Chairman) was good a man for the workers, as ever Mr. Kynne was, over the past 25 years.

Mr. Norris stated that Mr. Halley had given his explanation regarding his action, and they

had accepted it before. They had been satisfied then and they were satisfied now that there was nothing improper about it.

The Chairman again rose and stated: I move that the matter be closed here and now. We accepted the position to investigate the allegations and to give a fair decision. We have no intention of wronging anyone, and we are not going to allow a certain element of bitterness to be raised in the council. When I came here six years ago I succeeded in building up that breach between farmers and workers and I am not going to stand by now and see it smashed again. In the course of a heated outburst, the Chairman stated that although he had no intention of going forward for election again, he had now made up his mind to do so, and to go again for the Dail as well.

The matter ended here, with Mr. Kynne's Proposal being dropped.

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and for

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(Issued by the Department of Agriculture)

