

Judgment Given Against Both Defendants

O'SULLIVAN, a 45-year-old Engineering Supervisor of Kesh, Waterfall, Bantry, was awarded £7,640 damages at the County Court, Cork, yesterday, before Mr. Justice Dixon in his claim arising out of an accident on the Lee Hydro Electric Scheme at Reeves Bridge, near Kesh, on 21st October, 1953.

O'Sullivan was given against both defendants, Messrs. John Paul and Co., contractors for the erection of the bridge, and from the Irish Engineering Construction Company Ltd., who had hired out the piling rig in the accident to Messrs. Paul.

The hearing was the fourth day of the hearing.

O'Sullivan offered a compound fracture of the skull when a steel pulley fell from the top of a piling rig during the construction of the bridge. At the time of the accident the plaintiff was in the act of driving the piles in the proper place and it was his duty to see that the pulley was attached in the proper angle. The cause of the accident was the breaking of the pulley which was attached to the rig.

Both defendants denied negligence.

and each denied that the man in charge of the piling rig was in their employment. Messrs. Paul claimed that the man was an employee of their co-defendants whereas Messrs. Irish Engineering and Harbour Construction Co. claimed that when they hired the rig to Messrs. Paul they had merely engaged the man on behalf of Messrs. Paul.

Both defendants also claimed that the plaintiff was barred from taking action by virtue of his having accepted payments under the Workmen's Compensation Acts from his employers.

Mr. W. O.B. Fitzgerald, S.C.; Mr. J. Gleeson, S.C. and Mr. R. G. Sutton (instructed by Messrs. B. M. O'Meara and Co.) were for the plaintiff; Mr. O. Gogarty, S.C. with Mr. P. Bodrke, S.C. and Mr. S. Crivon (instructed by Messrs. Babington, Clarke and Mooney), for Messrs. Paul; and Mr. T. K. Liston, S.C. with Mr. K. Kenny, S.C. and Mr. K. O'Shaughnessy (instructed by Messrs. Hickey and O'Reilly) for the Irish Engineering and Harbour Construction Co. Ltd.

Yesterday morning, Patk. Murphy, accountant in the employment of the E.S.B. at Inisicarra, gave evidence that immediately after the accident payments were made to plaintiff's wife which were designated "sick

pay allowance." Subsequently, on instructions from his head office, witness informed the plaintiff that the payments which were continuing were Workmen's Compensation. At the time of the accident O'Sullivan's salary was £10 per week and on 1st November of the same year he was due for an increase to £11-10-0 per week. He had also been offered a bungalow at Inisicarra as his residence at £1 per week. The bungalow was not completed at the date of the accident but would have been ready for occupation at the end of October.

It was put to the witness by Mr. Fitzgerald, and he agreed, that the economic rent of the bungalow would be £3 or £4 per week.

QUESTIONS TO JURY.

The following were the questions put to the jury for their answers—(1) Was the pile driver, as erected, reasonably safe for its intended use?—No. (2) If not, was the plaintiff injured by reason of such lack of safety?—Yes. (3) If so, was such lack of safety known or should it have been reasonably known to (a) John Paul and Co., Ltd?—Yes; (b) Irish Engineering Co., Ltd?—Yes. (4) Was there negligence in the maintenance or operation of the pile driver on the part of (a) Vermaat?—Yes; (b) Any employee of John Paul and Co.?—Yes. (5) If so, was the plaintiff injured by reason of such negligence?—Yes. (6) Was Vermaat the servant or agent of John Paul and Co. or of Irish Engineering Co. as to (a) the erection of the pile driver? (b) the maintenance of the pile driver? (c) the operation of the pile driver? In each case the answer was the Irish Engineering Co. (7) Did the plaintiff receive and accept compensation under the Workmen's Compensation Act, knowing it to be such?—No. (8) Damages—£7,640.

On those findings, his Lordship entered judgment against both defendants with costs.

Applications for stay of execution were made on behalf of both defendants, and his Lordship adjourned consideration of them to Dublin on Monday next.

The jury were excused from service for three years.

10,000 PLAN MEAT KETING

A 10,000 plan to improve meat marketing was outlined at the annual meeting of the Corporation yesterday. Mr. J. J. O'Connell, the Corporation's marketing officer, said that the money would be used to improve slaughterhouses and to provide more profitable use of animal products with new plant and equipment.

The plan also included the expansion of transport facilities with new meat vehicles, the establishment of sales depots with temperature-controlled accommodation and loading bays.

PLAYWRIGHT'S SUCCESS

John J. O'Connell, the Dublin play-writer, had a double success in London yesterday. Not only was his play "The Old Triangle" given a rousing reception at the first night West-End at the Comedy Theatre, but the speech was probably one of the most unusual ever made in the theatre.

O'Connell, wearing an open necked shirt and a bow tie, was inspiring profusely having a song "The Old Triangle" played. He told his audience that he had never been a murderer and that he was in capital punishment—their capital punishment—and then he smiled and added: "Please forgive me if I'm a N.A."

Stableman For Trial On Murder Charge

Holiday Pay Dispute Alleged

A STABLEMAN was committed by Newmarket Magistrates yesterday for trial at Suffolk Assizes in October, accused of murdering a woman racehorse owner, who has been described as one of the wealthiest women in Britain.

Mr. M. J. Jardine, prosecuting, alleged that the stableman, Dennis James Pratt (26), married, with two children, of Portland Road, New-

market, had struck his former employer, Miss Rachel Mary Parsons (71), who lived alone at Lansdowne House, Falmouth Avenue, Newmarket with a piece of iron piping after a dispute over two weeks' holiday money.

Pratt was granted a defence certificate for two counsel. He reserved his defence.

HOUSE IN A MUDDLE

Det. Sgt. R. Bigmore said yesterday that when he went to Lansdowne House on July 2, the day on which Miss Parsons was found dead with head injuries, he found the interior of the house in a very big muddle.

"Mr. J. Marriage, defending—Did it appear that whoever had been living in that house had been camping in it rather than living in it, using only a few rooms?—Using only a few rooms, yes, sir."

Mr. Jardine said that Pratt had left Miss Parsons' employment early in May. "It appears that when he left Miss Parsons did not pay him the two weeks' holiday money due to him."

On July 2, Pratt was questioned by police at Cambridge after trying to sell binoculars and other articles at a jeweller's shop. At that time the police had no idea anything had happened to Miss Parsons. Pratt made a statement, in which he said: "This will be a shock to you. I have done

GOOD RECOVERY EXPECTED FOR MOST SUFFERERS

Doctors And Precautions To Be Taken

As a result of a discussion between Dr. Saunders, City M.O.H.; Dr. McCarthy, County M.O.H.; and Dr. Gould, R.M.S., St. Finbarr's Hospital, it has been decided to issue the following statement:—

"A logical approach is necessary in connection with the present poliomyelitis epidemic rather than the acute alarm that appears to exist.

"During recent years practically every country has experienced poliomyelitis epidemics, many of which have been of a much more serious nature than that which has developed here. Up to now, this present epidemic, with one exception, has not been of a life-threatening type. A number have not developed paralysis, while in the great majority of those who have it it is not of an intense type and good recovery is anticipated.

It must be emphasised that certain safeguards should be adopted in order to reduce the risk and spread of infection, and it would be foolish to neglect them.

(1) "Eliminate flies as far as possible and protect food from flies (flies are a mode of spread in epidemic times).

(2) Wash hands frequently, especially before eating and after use of the toilet.

(3) "Children should avoid over-exertion. The latter facilitates infection, or may lead to extensive paralysis. If the disease is beginning, children should go to bed at an early hour.

(4) "Gatherings of children, as well as children visiting crowded places, should be avoided.

(5) "Bed rest in case of any febrile illness is advisable. Very often poliomyelitis in the early stage may cause only slight symptoms, and if bed rest is adopted at this stage, there is every possibility of avoiding paralysis.

(6) "In case of infection arising in a household, the adults should avoid over-exertion, observe maximum hygienic precautions, and avoid associating with children other than their own.

(7) "Children in a household where infection has arisen should be confined to their homes for 21 days. However, with regard to adults, it is seldom necessary to interfere with their work, except in the case of teachers and food handlers.

(8) "Unnecessary operative procedures as regards children should be avoided. This especially applies to extraction of tonsils and teeth. Unnecessary injections should be avoided. Diphtheria and Whooping Cough immunization should be delayed.

(9) "Mothers should breast feed their infants. Breast feeding often results in the infant developing a standard of immunity to poliomyelitis.

(10) "Thoroughly wash uncooked food, such as fruit and vegetables. It was learned yesterday that the one case reported from the Buttevant area is not a serious one.

97 IN MANCHESTER

Seven new cases of poliomyelitis reported at Manchester yesterday brought the total in the city this year to 97. Fifty patients are in hospital.

Stranded Climbers—Eighteen young climbers, five of them suffering from broken limbs, were brought to the village of Gavarnie, France, after a night stranded 9,200 feet up in the Pyrenees. Their injuries were caused by falls sustained when a rope snapped.

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TO let September Glenbeigh, Co. K side house, adjacent ticulars—Box R190 BALLYCOTTON—S let for last fortnight (ation)—Box R6351 YOUGHAL—Self Special diets cater No. 18. Apply: Strand, Youghal.

LOST STRAYED coming fr Friday, black, no Information (thank: Joseph Barry, 38 Du LOST at Bandon Str ward.—J. Green, Ne

LOST, near Kelleh Street, Macroom, su ward.—"Examiner Macroom.

LEFT by mistake carra (Lee Scheme, black shoes.—Box 63 YRATED from F Friday, July 20th, dished bullock, fully received.—Will Upton.

STRAYED from Ball on July 18th, brown dog (maie), answer reward, Apply Mrs. brack, Boherbue.

LOST old Cork Al lough; finder reward.

LOST, plastic rain Sunday.—Box 2075 LOST, vicinity Castle Thursday night, ge ing substantial R638 this office. STRAYED from Co 3-years-old springton to John Ke Killinardis. WILL person who overcoat from O'Brien Massytown, Macroom, please return, same.

Drain Of J.N. Cost

ain Warns "We Cannot Meet It"

warned the United greater efficiency. As far as possible