

## OWEN GEOGHEGAN DISCHARGED.

CONCLUSION OF THE INQUEST IN THE CASE OF JAMES MORTON—NO EVIDENCE ON WHICH TO HOLD GEOGHEGAN—CONTRADICTORY NATURE OF THE TESTIMONY.

Coroner Flanagan yesterday finished the inquest in the case of James Morton, alias Rose, who died at Chambers-Street Hospital on the morning of the 14th inst. from a pistol-shot wound received during a scuffle with the notorious Owen Geoghegan, in the latter's saloon, at No. 103 Bowery, on the morning of the 9th inst. From the commencement of the proceedings on the 17th inst., when the Coroner placed Geoghegan under \$5,000 bail to await the result of the inquest, (Justice Flammer, in the Essex Market Police Court, having already put him under \$5,000 bail for the same offense,) it was considered improbable that Geoghegan would be convicted. This conclusion was based upon the well-known character of the habitués of the prisoner's place, who were necessarily the only witnesses to the shooting. Coroner Flanagan exercised the greatest care in the selection of a jury, every member of which was not only considered above suspicion, but also far removed from any influence that Geoghegan could possibly bring to bear on them. Twelve witnesses were sworn yesterday. Their names are Bernard Cannon, of No. 91½ Bowery; Louis Ackerman, of No. 81 Chrystie-street; Joseph Williams, of No. 103 Bowery, (waiter in Geoghegan's place;) Thomas Welsh, of No. 12 Rose-street, who keeps a coffee-room next door to Geoghegan's; Charles Davis, of No. 103 Bowery, (an employe of Geoghegan's;) Patrick McCausland, of the corner of Roosevelt and Chatham streets; James H. Gilchrist, of No. 91 Bowery; Andrew Kelly, of No. 300 East Forty-sixth-street; James McManus, Geoghegan's bar-keeper; Christina Peterson, nurse at the Chambers-Street Hospital; John Wade, Detective of the Fourteenth Precinct, and Dr. Addison S. Diossy, house surgeon of the Chambers-Street Hospital. All of these witnesses, except the three last, corroborated one another in a straight and apparently well-learned story, which was to the effect that Morton was the only one in the crowd who exhibited a pistol; that he pulled one from his left-hand pocket, and put it in his right-hand pocket, with the handle protruding; that when Geoghegan knocked him down on the sidewalk this pistol went off with a flash; that when Geoghegan was confronted with Morton after he was wounded, the latter said Geoghegan did not shoot him, and that when Morton did fall he fell with his head toward the curbstone and his feet toward the house, on his side or back. The nurse testified that when Geoghegan was confronted with Morton in the hospital, Morton said he did not know who shot him. Wade, who took Geoghegan there, corroborated the nurse's testimony. Dr. Diossy testified as to the nature of Morton's wound and the time of his death. His testimony in every particular confirmed that of Dr. Miller, who made the autopsy. Dr. Miller's testimony contradicts that of Geoghegan's witnesses in every point, and renders the state of facts sworn to by those witnesses absolutely impossible. Those witnesses make it appear that Geoghegan did not shoot Morton, because Morton fell on his back, with his head to the curb and his feet toward the house, (between which and Morton, Geoghegan stood,) and they say that he had a pistol in his right pocket, which went off when he was down. Dr. Miller, whose testimony was corroborated by Dr. Diossy, swore that Morton died of poisoned blood produced by a compound and extensively comminuted fracture of the thigh-bone in the left leg, caused by a pistol-shot wound, the bullet having entered the left leg on the posterior outer aspect, at the center of the middle third of the thigh, which would have been impossible if the pistol had been in the right pocket; that the course of the bullet was upward and inward, which would also have been impossible according to the witnesses, striking the bone an inch above its point of entry, there causing the fracture, and making its exit on the anterior outer aspect of the thigh, seven inches above its point of entry, which also clearly disproves the statements of Geoghegan's friends. There being no evidence procurable against Geoghegan, he was dismissed from the Coroner's custody, after the jury had rendered the following verdict: "We find that James Morton, alias Rose, came to his death by a pistol-shot wound at the hands of some unknown person, in the Bowery, between Hester and Grand streets, on the morning of Jan. 9, 1878."

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