

## Oct10 A Hard Fought Election

Mr. Holden was examined. He stated that he lived at Newmarket and was a district councillor for the Aghaviller Electoral Division. In June last Mr. Gorey and his (complainant's) nephew contested a seat on the council, and Mr. Gorey was returned. On the 5th September witness had been at a threshing at Mrs. Barron's, Sheepstown, and was returning home about eight or nine o'clock with John Cleere. After the threshing he had private business to transact in Knocktopher. He went into a publichouse and met some neighbours with whom he had some drinks. He left about 8.30 o'clock, and at about nine o'clock he met Cleere in Knocktopher. They waited away together, witness rolling his bicycle. Before coming to Gorey's gate Cleere remarked—"There is a crowd of people above," and witness replied that he did not care who was in it. When they came opposite the gate defendant was partly on the middle of the road, and, when passing by, he struck witness on the back of the car with some hard substance, and knocked him down, and kicked him while he was on the ground. As a result of the kick he was cut over the eye. Defendant's father made the remark—"Leave him there now and come away. You are after giving him enough." Cleere then helped him to get up, and after a short time witness got on his bicycle and rode to the police station and reported the matter. He was not very badly injured, but he bled a lot from the cuts over the eye and on the back of the car.

Cross-examined by Mr. Lanigan, the complainant said he knew defendant nearly all his lifetime.

Am I right in describing him as practically a teetotaler and a quiet, respectable chap?—I would not call a man respectable for trying to take another man's life.

Up to the night of the 5th September you had no grievance against him?—Not personally. On the 9th June I had a grievance against him, because he threatened me in the boardroom.

That was on the occasion your nephew was beaten at the elections?—When the votes were counted in the boardroom.

You allege that he threatened to do for you some time or other?—Yes.

Have you met him on any occasion since?—We have.

took place.

Mr. Gorey was sworn, and stated that he was a district councillor for the division of Knocktopher. His opponent at last elections was Mr. Holden's nephew. It was false to say that he threatened Mr. Holden in June last. On the night of the 5th September he was standing at his own gate having a chat with his brother, and two men named Cooke and Neill. At about 4 o'clock that afternoon he passed Mr. Holden on the road. He

towards Mr. Holden, whose candidate he defeated by fifty votes at last elections. As he was standing at the gate that night he heard a noise, and then he heard Thomas Holden saying "I will deal with Gorey next elections." "Will you 'whist'," said John Cleere, "there is somebody above." Holden then caught his bicycle and "hopped" it on the tyres, and said, "I care for no one." Holden came on deliberately and ran the bicycle against witness, the pedal striking his shin. "I deliberately struck him a box with my fist," continued witness, and knocked him down. I don't deny it. That was the first and last stroke."

Witness also stated that he was on the side of the road at the time. He said nothing to Holden. When he first recognised the voices Mr. Holden was about sixty yards away. They were speaking very highly, particularly when approaching the gate.

Asked whether his father was on the scene at the time, witness replied—I am on my oath, and my father does not know the trial is going on this minute. He does not know anything about the occurrence.

Continuing, he said Cleere and Holden appeared to be very much under the influence of drink, as they were "wobbling" along the road.

Mr. Lanigan was about to call other witnesses when

The Chairman said the case was a pretty clear one. There was no doubt that Holden was knocked down, but if he was knocked he probably brought it on himself. Under the circumstances both cases would be dismissed on the merits.