

NO INDICTMENT FOUND

The Evening Telegram, Syracuse, NY, Tuesday, May 16, 1899

THOMAS M'EVROY'S DEATH DUE TO AN ACCIDENT

GRAND JURY CONCLUDED THAT TOO MUCH WHISKEY OR SOMNAMBULISM WAS REASONABLE – BODY SENT TO LATE HOME.

After a thorough investigation of the circumstances which led to the death at St. Joseph's hospital, last night, of Thomas McEvoy of Rosendale, Ulster county, the Grand jury, which made its final report to-day, failed to fix the blame. The jury was convinced from the testimony adduced that the man came to his death while either in a delirium due to over drinking or through somnambulism. An important piece of evidence bearing upon the latter theory was given by a brother of the deceased, who testified that the latter sometimes walked in his sleep.

A persistent rumor was on the streets this noon that an indictment for manslaughter had been found in connection with McEvoy's death, and the reticence of the county officers when reproached on the subject, tended to confirm the report. District Attorney Kline this afternoon, however, informed a Herald reporter that the rumor was groundless, and that he, as well as the Grand jury, was convinced that the man's death was due to an accident.

It was shown before the jury that McEvoy went to the Delevan House in company with a woman named Olive Howard, and that the pair joined several men and women of bad repute. There was considerable drinking and hilarity until a very small hour of the morning, at which time McEvoy was about the most intoxicated member of the party. It was shown that he retired without quarreling with anyone, however, and the testimony of a man named Bettinger from the town of Clay who saw the man hanging from the window sill, settled the minds of the jury that it was an accident.

McEvoy died at about midnight and before the Grand jury had finished its deliberations in his case, which was continued this morning. Coroner Weaver held an autopsy and found that death resulted from a hemorrhage in the right hemisphere of the brain. The body was shipped to-day to Rosendale in charge of the deceased's brother. McEvoy came to Syracuse as delegate from Court Jeppenburg No. 288, Foresters of America.