

ALLEGED ASSAULT

SAMUEL KEENAN CHARGED.

COMMITTED FOR TRIAL.

The case in which Samuel Keenan, licensee of the Horseshoe Inn Hotel, Boulder, is charged with having, on April 4, unlawfully assaulted John Pavelkin, was continued before Messrs. J. H. Stephens and G. H. Rainsford, J's.P., in the Boulder Police Court yesterday. Similar charges against Thomas Brown and Patrick O'Connor were adjourned to July 16.

Mr. P. F. O'Dea appeared for the complainant, and Mr. R. F. Cook for the defendant.

Dr. Samuel Mathews, D.M.O., said Pavelkin was admitted to the Government Hospital, Kalgoorlie, on April 4. He was bruised about the face, a tooth had been knocked out, two ribs on the left side were fractured, and the man was almost unconscious. Pavelkin appeared to have had a severe knocking about, and remained in the hospital about a fortnight.

To Mr. Cook: His ribs could have been fractured either in wrestling or fighting.

Sergeant Mulkerin gave evidence that, in answer to a call on April 4, he went to the Forrest-street crossing, and there found Pavelkin lying on the roadway. The ambulance was summoned, and he assisted to convey the man to the Government Hospital.

This closed the case for the complainant.

Samuel Keenan, licensee of the Horseshoe Inn Hotel, stated that shortly before noon on April 4, Pavelkin and a mate, Venich, came to the hotel and asked if they could have dinner. A reply was given in the affirmative. The two Russians were noted as wrestlers, and after a drink Pavelkin and McDonald, one of the men in the bar, commenced to wrestle. The former won, and he then wrestled Kirchner, another

he then wrestled Kirchner, another man in the bar. After the wrestling had been concluded, he took Pavelkin in to dinner. In consequence of bad language by Pavelkin, witness took him by the arm and put him out the front door leading into Forrest-street. About twenty minutes later Pavelkin returned and commenced using bad language to an old man. Witness told him to stop, adding that if he (witness) went outside with him, wrestling would be no good to Pavelkin. With that Pavelkin stabbed him in the shoulder with a military jack-knife. Witness ran out into the street, and called out, "I'm stabbed; he's got a knife." Pavelkin then ran up the road, followed by Brown and O'Connor. The latter picked up a knife which Pavelkin had thrown away, and Brown continued the chase. At the crossing Brown overtook Pavelkin and a struggle took place. As he went up Brown was walking away, and Pavelkin was in a kneeling position. He denied that he kicked or struck Pavelkin.

To Mr. O'Dea: When he went up to the crossing, Pavelkin was kneeling on the ground, and was in the same position when he left. He went up out of curiosity, although he had rung up the doctor to attend to his wounded shoulder. Venich brought Detective-Sergeant Read to the hotel in search of his lost coat. It was not until two days later that he heard about Venich being robbed.

Robert Smith, a miner, boarding at the Horseshoe Inn Hotel, gave evidence that he was in the dining room when Keenan brought Pavelkin in to have dinner. Keenan told Pavelkin to sit down and behave himself. The latter commenced using bad language, and as he continued it Keenan took him by the arm and led him out of the room. Witness did not see any broken glass which could have cut anyone.

Dr. Connelly gave evidence of having attended Keenan for an incised wound on the left shoulder. It was about an inch and a quarter

It was about an inch and a quarter long, and penetrated to the shoulder blade. He also saw Pavelkin at the crossing. Pavelkin was bleeding at the mouth and suffering from an injury to the ribs.

Mrs. Emily Keenan, wife of the defendant, said she heard Brown calling out, "Who's this in my room?" and going into the passage she saw Brown pushing Venich by the shoulders out of the room into the passage. She heard nothing about a robbery until that evening, when Venich came to the hotel with Detective-Sergt. Read and said to Keenan, "Where's the money you robbed me of?" Keenan remarked,

"Did you have any money to be robbed of?" She did not see any stabbing or assault, as she was busy with the dinner.

Patrick C. Bourke, James Treacy, Patrick O'Connör, and Timothy Keleher gave supporting evidence for the defendant.

The bench stated that the section of the Criminal Code under which the charge was brought left them no alternative than to commit Keenan for trial at the next sitting of the Circuit Court.

Bail was allowed in one surety of £25 and accused's own recognisance of a similar amount