

CONTINUATION OF THE PROCEEDINGS INSTITUTED BY MR. BERGH ON BEHALF OF THE CHILD, MARY ELLEN WILSON.

Proceedings in the case of Mary Ellen Wilson, the little girl of eight years, charged to have been cruelly treated by Francis and Mary Connolly, of No. 315 West Forty-first street, an account of which appeared in THE TIMES of yesterday, were continued yesterday, before Judge Lawrence, in Supreme Court Chambers. Quite a number of persons, including several ladies, were attracted to the court by the publicity which had been given to the proceedings had on the previous day, all of them evidently deeply sympathizing with the little neglected waif, whose cause had been espoused by Mr. Bergh. Ten o'clock in the morning, to which the hearing had been adjourned, found the little girl, Mr. Bergh and his counsel, Messrs. Elbridge T. Gerry and Ambrose Monell, and Mrs. Connolly, the former custodian of the girl, all present in court. The first witness put upon the stand was Mrs. Connolly, who testified as follows: I was formerly married to Thomas McCormack, and had three children by him, all of whom are dead. After Mr. McCormack's death I married Francis Connolly. Before my first husband died he had told me he had three children by another woman, who was alive, but was a good-for-nothing. I went with McCormack to Mr. Kellock, and got out the child, Mary Ellen, my husband signing the paper.

Here the paper referred to was produced, and which proved to be an "indenture" of the child, Mary Ellen Wilson, aged one year and six months, to Thomas McCormack, butcher, and his wife, Mary, in February, 1866, and whereby they undertook to report once a year the condition of the child to the Commissioners of Charities and Correction. This indenture was indorsed by Commissioner Isaac Bell and Secretary Brown.

Witness continued as follows: I knew this was one of my husband's illegitimate children. He selected this one. The mother's name, I suppose, is Wilson, because Mr. Kellock, the Superintendent, had the name down. Mr. Kellock asked no questions about my relations to the child. I told him I wanted this child. My husband never told me where the woman Wilson lived. We got the child out on the 23d of January, without any paper being served or any receipt for the child. This was the only paper we signed, and it was not signed until the 15th of February. Sometimes my husband told me the mother of the child lived down town. I learned from several people who knew my husband that the woman is still alive. I could not tell who they were. They were laborers who came from work with him and stopped there drinking. I have no way of knowing if the woman is still alive, or if she has any relatives. I never received a cent for supporting this child. At the time I took the child we were living at No. 866 Third avenue, and my husband said the mother left it there, and he would take it out until such time as she called for it. I have instructed the child according to the undertaking in the indenture—that there is a God, and what it is to lie. I have not instructed her in "the art and mystery of housekeeping," because she is too young. She had a flannel petticoat when she came to me, and I gave her no others.

At this point the witness grew somewhat excited at Mr. Gerry, the examining counsel, whom she assumed to be ignorant of the difficulties of bringing up and governing children, and concluded her testimony by an admission that on but two occasions had she complied with the conditions of the indenture requiring her to report once a year to the Commissioners of Charities and Correction the condition of the child.

Alonzo S. Evans, an officer of the Society for the Prevention of Cruelty to Animals, testified that when he entered Connolly's rooms the little girl ran crouching into a corner, and raised her hands as if fearing a blow: Mrs. Connolly said the child was not hers; the child had no clothing other than those she had on in court; Officer McDougal got a rug and put it around the child, and carried her to Superintendent Matsell's office; the child had stated to the officers that the wound on her face was made by a pair of scissors, and while the officers were searching for the scissors they searched also for the cowhide, but could not find it. Mrs. Connolly was very abusive, and used one expression which witness considered insane. While they were taking away the child in a carriage, it was very nervous, and told them that Mrs. Connolly whipped her every morning with a cow-hide, and showed the marks on her body. During a second conversation with Mrs. Connolly she told him that Mr. Kellock's head clerk quietly said to her that he knew the mother of the child, but would not tell her.

Officer McDougal testified that the little girl told him in the carriage that her mamma struck her with the scissors for not holding a cloth properly, and that she was in the habit of whipping her with a cow-hide.

Mr. Menell—Did you hear Mrs. Connolly use any obscene remarks?

Witness—Well, she used what I considered a very imprudent one.

Officer Dusenbury, of the Central Office, testified that Mrs. Connolly used obscene remarks and acknowledged she had whipped the child with her hand and said she would whip her again.

Mrs. Hergsling, who lived at No. 325 West Forty-first street, in the same house with Mrs. Connolly, some months ago, testified that though she had never seen Mrs. Connolly whip the child, yet she had often heard the child crying. On one very cold day she saw the child go out to the water-closet with nothing on but a petticoat: she asked the child why she did not put on shoes and stockings, and was answered that she dare not, that her mamma would not let her; she also asked the child to come up stairs with her, but she refused, saying her mamma would not let her: one side of the child's body was all black and blue.

Mrs. Kemp, who lived at the same house as the Connollys for two years, testified that during nearly all that time the child was kept in close confinement in a back room. When the father was home and the mother not, the child sometimes slipped out to the water-closet. The child always trembled when the mother came home. She used to be locked in the little room nearly all day.

Mrs. Mary Stader, of No. 323 West Forty-first street, testified that she had lived next door to Mrs. Connolly for three years and never saw the child until to-day, but very often heard her crying as if some one was beating her; often heard a sound as of a slap, and then heard the child cry.

Mrs. Margaret Bingham testified that she had rooms on the same floor with Mrs. Connolly; that the child wore an apron and a little petticoat like that then on her, but which did her no good; this was two years ago: after some time they began to wonder where the child was, and discovered that she was always locked up; told the neighbors of it, but they said it was no use to interfere, as the Police would not listen to her; tried to open the windows of the room once in which the child was, but could not raise it more than an inch; saw the child have a cut on her chin on one occasion; Mrs. Connolly used to keep the cow-hide in the back room, the same room in which she used to keep the child locked up all day while she was out. Mrs. Connolly once told the witness that her husband wanted to get the child into an asylum, but she had, she added, a good fortune for keeping the child, and she meant to do so.

Charles Smith confirmed the preceding witnesses as to the child having been neglected in clothing, beaten, and locked up. The beating usually commenced immediately Mrs. Connolly's husband went to work in the morning, and seemed to continue for about fifteen minutes, or until the woman got tired.

Mrs. Slater testified that, during all the hot season two years ago, the child was kept locked up in a close room, with the windows down; Mrs. Connolly put catches on the windows to prevent their being raised; when the Connollys first came there the child had shoes and stockings on; heard that the child went out one day with a sister of Mr. Connolly; Mrs. Connolly gave as a reason for not allowing the child to play on the street that she would become contaminated by the other children; the Connolly family occupied three rooms at \$10 50 per month.

Mrs. Charles G. Wheeler testified that while visiting the wife of the witness, Smith, who lived in the same house with the Connollys, she heard about the child, and took occasion to find out about her by going to Mrs. Connolly to talk about her sick neighbor, and ask her to visit her. The child was washing dishes at the table, and took no notice whatever of witness. A whip made of twisted leather lay on the table. Next day, on her visit, the child was sewing, and the cowhide lay on a chair near her.

At this point the examination was adjourned until 10 o'clock this morning, the child still remaining in the care of the Head-quarters matron, where she has been since taken from the Connollys. As she left the court, one lady, who had attended during the proceedings, gave her a parting kiss and blessing.