

CIRCUIT COURT.

CRIMINAL SITTINGS.

(Before His Honor, Mr. Justice
Lukin.)

The half-yearly sittings of the Circuit Court were held at the Court House yesterday, before his Honor Judge Lukin.

Mr. Kennedy Allen acted as Crown Prosecutor, and Mr. Lukin as associate.

An indictment was presented against Francis Stanley Windridge for making a false declaration with regard to the birth of a child.

The accused pleaded guilty.

Asked if he had any to say, accused asked to be given the benefit of the First Offenders' Act. He added that he had never been in trouble before, and had always been a hard worker. He did not know he was in the wrong in what he did.

In reply to his Honor, Mr. Allen said accused was a farmer who resided at Baker's Creek. In June last Eva Lillian Dobson gave birth to a child, which was registered by the accused as the child of his wife.

The police report was to the effect that there was nothing known against the accused, who was a hard working man.

In sentencing the accused, his Honor said he had pleaded guilty to an offence for which he could be sentenced to three years' imprisonment with hard labor. If defendant had had a bad record he would have had to pass a term of imprisonment on him, as he had committed what was regarded by the State as a serious offence by trying to falsify the records in registering an illegitimate child as a legitimate one. In the

records in registering an illegitimate child as a legitimate one. In the eyes of some people that was pardonable as being a duty a man owed to the child he brought into existence, but the law looked upon it as a serious offence. He would take into consideration the fact that the accused was a hard working man and had evidently borne a good character. Under the circumstances he would give him a chance, as he did not want to make a criminal of him. He would sentence him to 12 months, with hard labor, and let him out under the Offenders' Probation Act, on him entering into his own recognisance of £100 to be of good behavior.

Stealing.

Charles Rymall was charged with, on February 4, 1918, at Mackay, stealing a tobacco box containing £15, the property of Salomon Hamalainen.

The accused pleaded guilty.

A record was produced by the police showing that the accused went under several aliases, and had a criminal record extending over a number of years, both in England and Australia, having served one sentence of six years in England, for burglary, in 1895, and two years, in Australia, for assault with intent to rob, as well as other terms of shorter duration.

In reply to his Honor, the accused said his crime was mostly due to drink, but during the last nine years he had kept pretty clear of trouble. He had very little recollection of what occurred on the night the money was stolen, and had he been sober there would have been no trouble at

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His Honor pointed out to accused that he had been guilty of very serious offences. From the records he must have started on his criminal career when eighteen years of age.

Accused: Before that, but they were only juvenile offences.

Mr. Allen then related the circumstances in connection with the charge laid against the accused, which were that the accused, after having drinks with Hamalainen, went down on the river bank, and when the two men were lying on the grass together the accused extracted the box containing the money from the other man's pocket.

Addressing the accused, his Honor said it was the practice of some men to get drunks to a place where they could not be observed, and there relieve them of their surplus cash. A great number of people were robbed and the thief was not caught. But on this occasion accused was caught, and he was a man with a very bad record. He would be very much inclined to give him the full term of seven years, but must take into consideration the fact that he had not been doing anything of a criminal nature for the last seven or eight years. He would take that into consideration, but he must punish, and punish severely, as the practice of taking drunken men away and robbing them of their money sometimes led to serious assaults and sometimes death. He sentenced him to three years imprisonment with hard labor.

Accused asked his Honor if the sentence would be reduced for good behavior in gaol.

His Honor said if a request were

behavior in jail.
His Honor said if a request were made to him he would review the sentence before it had expired, and if the accused behaved himself and had no bad marks against him, although he was not prepared to make any definite promise, it would be to his (accused's) advantage to obtain a good report.

This concluded the business of the Court, and his Honor, in discharging the jury, thanked them for the service they might have been called upon to render.

The Court then adjourned.