

ALLEGED ASSAULT AND ROBBERY.

At the Cessnock Police Court yesterday, before Mr. F. W. C. Crane, P.M., Alexander Stuhrit and Edwin Alexander Apthorpe were charged with having assaulted Martin Hansen, and robbed him of £20, near Ellalong, on June 4, 1922. Mr. W. J. Enright appeared for Stuhrit, and Mr. T. A. Hill for Apthorpe.

Constables Baumgardner and Booth gave evidence of the arrest. Both accused were identified when lined up for identification. Complainant stated that Stuhrit first caught him by the front of his trousers and tore them down. At the same moment he took a £5 note from his pocket. When he resisted they both smothered his face with sand. He heard Stuhrit say, "I've got this, but I suppose he has some more." Witness thought he was referring to his money. Witness put his hand over his shirt pocket, and tried to save the £25 that was in it. Stuhrit pulled his hand away, and they again smothered his face with sand. He then became unconscious. When he regained consciousness both accused had driven away in his cart. He subsequently found his horse and cart about three-quarters of a mile further down the road. He sustained several abrasions as the result of being assaulted. There were houses all round the place. He was very drunk from the wine they had been drinking, and he had a bad head the following morning. There was a hole in the pocket in which he had the £5 note. The blow from Stuhrit was not hard, but it knocked him down. It was the smothering of the sand that sent him unconscious. In reply to Mr. Hill witness said he did not see Apthorpe do anything. When asked the same question by Mr. Crane, witness replied that he did not see Apthorpe throw the sand, but he felt him. Roy Campbell Bridge and Eric Stanley Goodwin also gave evidence. Both accused, who reserved their defence, were committed for trial at the Maitland Quarter Sessions on July 18. Bail was fixed, each self in £80, with one surety in £80, or two in £40 each.