

MOUNT GAMBIER CIRCUIT COURT.

(3)

ROGERS SENTENCED TO SEVEN YEARS.

SIX MONTHS FOR ARMFIELD.

Mr Justice Richards presided over the circuit court at Mount Gambier on Friday and Saturday. Twelve cases were dealt with, pleas of guilty being entered in each case.

Attempted Murder.

Edgar Allen Rogers, laborer, of Beachport, was sentenced to imprisonment with hard labor for seven years, for attempting to murder his wife, Eva Blanche Rogers, on July 2, by attacking her with a hammer and razor. Rogers was committed for trial at the Millicent police court on July 3, by Mr R. E. DeGaris, J.P. On Friday the accused pleaded not guilty, and a jury was empanelled, but the public solicitor, Mr C. A. Sandery, who appeared for Rogers, obtained an adjournment until Saturday, when the accused pleaded guilty.

Dr Michael Henry Downey, medical superintendant of the mental hospital, Parkside, Adelaide, said that he had made a close examination of accused. From records in witness's possession defendant's mother had been a patient at the mental hospital, also his grandfather, both on the same side of the family. Witness's opinion of accused was that he was a highly strung, nervous type of individual, which one might expect having regard to his family history. Alcoholic influence on such a type of man would be greater than on an ordinary individual. The emotional reaction would be more pronounced with him. Accused told witness that his object in writing a letter to his wife saying that he would murder her and commit suicide was only

der her and commit suicide was only to frighten her, to make her withdraw the action against him for separation and maintenance. The day before the offence he drank a lot of whisky, and he had a blurred memory.

Mr Chamberlain intimated that a *nolle prosequi* would be entered on the charge of attempted suicide.

In delivering judgment, His Honor said that such an offence could send a man to gaol for life, and a sentence like that would not be unusual. The sanctity of human life had to be guarded. The sentence would be that accused be sent to gaol for seven years and kept at hard labor. He pointed out that good conduct would substantially reduce the term, and he hoped that accused's nerves would settle, and that, on being released, he would lead a good, clean life.

Postal Assistant's Lapse.

Sydney Frederick Armfield was charged with falsifying a record in a depositor's pass-book of the Commonwealth bank at Millicent on December 6, by erasing the word "twenty" and substituting the word "ten". He pleaded guilty. Mr C. Townsend Gun, of Adelaide, appeared for defendant.

Bertram Chatham Roy Conlon, senior inquiry officer of the postal department, Adelaide, deposed that he knew defendant for 10 years, and prior to this case there was no suggestion of questioning his honesty. He was a married man with a wife and child and had been in the service since 1916. For many years he suffered from sciatica, neuralgia, and neuritis. His nerves were very bad.

His Honor.—In the record supplied by you, Mr Conlon, there appears a statement that defendant was fined £2 for irregular hours at Balaclava. What does that mean?

Witness.—It was for neglect to perform his work completely.

Mr Gun made an application for defendant's release. He produced declarations from two persons who would be responsible for defendant's behavior if released. Defendant underwent a serious illness some years ago and was absent from the service for two months. "That illness was

for two months. "That illness was directly responsible for defendant's appearance in the dock to-day," declared Mr Gun. Defendant had ran up bills with doctors and chemists, to pay whom he had to borrow money from his sister. Her sister's husband became out of work prior to last Christmas, and defendant received several letters requesting repayment of the borrowed money. It was for that purpose that defendant yielded to the temptation, but he had the intention of making restitution, which he did do. He came up before the Millicent court six months ago, and the ordeal of waiting for the result of the circuit court was a terrible one, even for a strong man, with the result that to-day defendant was in very poor health. Prior to the incident at Balaclava the conduct of defendant had been excellent, and he had never been in trouble. "The police record showed other amounts up to £25 that could not be accounted for, but defendant would not admit, in fact he emphatically denies having any association with it," went on Mr Gun. "However, from payments received from the superannuation fund defendant had made restitution for those amounts." Mr Gun earnestly appealed for leniency, and stated that if defendant was released or a very light sentence imposed, which he was sure the case merited, defendant would have work to go to at Goolwa, his home town.

When the court resumed on Friday afternoon His Honor said that he could