

(Before Mr J. M. Finnerty, R.M., chairman, and Mr. J. W. Finister, J.P.)

CHARGE OF INDECENT ASSAULT.

Guilo Davini was charged with having, on March 15, committed an indecent assault on a little girl five years of age.

The child gave evidence in an intelligent manner, detailing how the accused met her, and, promising to buy her a new hat, he took her into the Commonwealth Reserve and committed the offence complained of.

The mother of the child said on March 15 two ladies made a complaint to her, and in consequence she examined the child.

Another female witness said she was a married woman, living in Wilson-street. She noticed accused sitting on a seat in the Recreation Reserve. She was about 200 yards away at the time. Had occasion to go to town, and having suspicion, went over and noticed the little girl's clothes disarranged. When she went over accused put the child down, said something, and walked away. A lady living in the vicinity then called the child back. Next saw accused in the lockup yard, but did not identify him at first, owing to having come out of the sun and being short-sighted. Recognised him, however, when she was going out of the lockup door.

A further witness stated that she noticed a man on the 15th inst. sitting on a seat with a little girl between 4 and 5 o'clock. She called out to him to put the child down, at the same time calling him a brute. He then put the child down. Would recognise accused only by his walk, as he drooped his shoulders. She was about 100 yards from the accused when she sang out to him.

For the defence Mary Wilson deposed that she saw accused at ten minutes to four o'clock on the day on which the offence was said to have been committed. He was at her place, and remained there until about 5.45. Accused was a friend of her husband's,

but she did not know whether he (accused) had financially assisted her husband. Did not know anything about the case until to-day, when the gentleman who was now acting as interpreter and another Italian called and asked her to give evidence.

The court then adjourned till 10 o'clock next morning.