

Casino Man Freed of Rape Charge

A 25-year-old Casino man, Leonard Philpott, was freed of a charge of rape when the aboriginal woman in the case failed to appear in the Supreme Court, sitting in Lismore before Mr. Justice Dwyer, yesterday.

A letter, admitted by the prosecution to have been written by the woman, was read to the jury. Written four months after the alleged crime, it sought to make an assignation with Philpott and stated that the woman wanted to "squash the case before August the 10."

On the direction of Justice Dwyer the jury returned a verdict of not guilty.

"Your conduct appears to have been disgraceful in associating with this woman. You may consider yourself fortunate at the turn the case has taken," his Honour told Philpott in discharging him.

Addressing the jury the Crown Prosecutor (Mr. C. V. Rooney) said the crime was alleged to have taken place at Carrington Park Casino, on the night of November 12, 1947.

Philpott at first denied the allegations. Later he admitted intercourse had taken place but claimed it was with the woman's consent Mr. Rooney said. He read a letter which, he said, had been shown him by Mr. D. J. K. Kissane, who appeared for Philpott, and which was admitted to be in the handwriting of the woman and was signed by her.

The letter read: "Dear Leonard Philpott. Could I see you tonight at

The letter read: "Dear Leonard Philpott, Could I see you tonight at the park over at the dogs. I want to squash the case before August the 10. Don't tell anyone about this or don't say anything about it. I can't go on with it because you are so lovely and young and bring this with you and don't show this to anyone because I am worried. I cannot go on with it. I only want to talk with you. Don't forget I will be waiting. Worried Mind."

Mr. Rooney said the woman had not cried out, but claimed this was because she was afraid of Philpott. Philpott stated the trouble arose when he refused to pay her money.

Mr. D. J. K. Kissane (of Casino) appeared for Philpott. Mr. C. V. Rooney (of Sydney) prosecuted for the Crown.