

Received—ack 27.10.17

Exhibits—1 2 3 & 4

Brief Sent—

Mr Gurner KC
2.11.17

Copy Sent—

Queries—

6.6.18

Ex No 1 (Marriage Certif)
fwd to Supt Police Ballarat to be
ret'd to Harriet Rushworth

4th December 1917

Cor.—Hodges J.

Crown Prosecutor—Gurner K.C.

Defended by—

Plea—Guilty

Tried—

Verdict—

17th Decr 1917

Sentence—12 mos. h. l.

Bigamy
son
ch 1917

14/10

Supreme Court, Ballarat
4th December 1917

The King

v.

Arthur Albert Edward John Roberts
p. q

Bigamy

Sec. 61.

DEPOSITIONS.

Witnesses.

Robert Thomson
Brittomart Eva Williams
Alexander McDougall
Harriet Ann Rushworth
George Morgan (cont)

Return to Crown Solicitor's
Office
27.3.18

Bl 41 baby.
J. K. C.
1/11/17

Committed at—Ballarat

On 24.10.17

No. 2
Police Robert
Ball 24/10/17

SCHEDULE.

POLICE

1650

1915

MARRIAGES Solemnized in the District of
in the State of Victoria.

BOURKE

No. in Register	When and Where Married.	Name and Surname of the Parties.	Condition of the Parties.			Birthplace.
			Bachelor or Spinster. If a Widower or Widow or Divorced, Date of Decease of former Wife or Husband, or of Order Absolute for Divorce.	Children by each former Marriage.		
				Living.	Dead.	
(1.)	(2.)	(3.)	(4.)	(5.)	(6.)	(7.)
E. 477	Congl. Manse Fitzroy 5/1/1915	Arthur John Edward Roberts Annie Loyd	bachelor spinster	-- --	-- --	Roalfundy India North Melbourne

Rank or Profession.	Ages.	Residence.		Parents.	
		Present.	Usual.	Names. (Mother's Maiden Name.)	Father's Rank or Profession.
(8.)	(9.)	(10.)	(11.)	(12.)	(13.)
Soldier	36	Broadmeadows Camp		John Roberts Ema Weston	Army Sergeant
Laundress	28	98 Barkley Street Carlton		James Loyd Annie Cole	Butcher

I, Richard Morrison Bowles being A Congl. Minister, do hereby
certify that I have this day, at The Manse 101 Gore St. Fitzroy, duly celebrated Marriage between
Arthur John Edward Roberts and Annie Loyd after Notice and
Declaration duly made and published as by law required (and with the written consent of ---).
Dated this Fifth day of January 1915
Signature of Minister, Registrar-General, or other Officer Richard Morrison Bowles

Marriage Ceremony was solemnized between us { Arthur John Edward Roberts
according to the rites of the Congl. Church { Annie Loyd
Witnesses { Joseph Gillmore McIntosh
William Parrant
Brittomart Williams

I, Michael Donovan Assistant Government Statist of the State of Victoria, in the
Commonwealth of Australia, do hereby certify that the above is a true copy of an entry in a
Register of Marriages kept in this Office.

OFFICE OF THE GOVERNMENT STATIST,

Melbourne, 11th. September 1917

IN THE STATE OF VICTORIA.
(IN THE COMMONWEALTH OF AUSTRALIA.)

POLICE

FOURTH SCHEDULE.—Acts Nos. 2691 and 2720. Form C

1134

CERTIFICATE OF MARRIAGE.

C

Year 19 17 Parish or Church District— SMEATON

Denomination—

No. in Register (1)	When and where Married. (2)	Name and Surname of each Party. (3)	Conjugal Condition, also Date of Decease of each Former Spouse (if Widowed), or Date of Order Absolute (if Divorced). (4)	Children by each former Marriage.		Birthplace. (7)
				Living. (5)	Dead. (6)	
120	Friday 16th. March 1917 Moorookyle Hotel	Arthur Albert Edward John Roberts	bachelor	--	--	Royalpindy Punjab India
		Harriet Ann Rishworth known as Ada McDougall	spinster	--	--	Ballarat

Occupation. (8)	Age in Years (last Birth-day). (9)	Exact Residence of each Party.		Parents' Names.	
		Present. (10)	Usual. (11)	Father. Also Occupation. (12)	Mother. (Full Maiden Name.) (13)
discharged soldier	39	Fitzroy Melbourne	Fitzroy Melbourne	John Roberts Brigadier Major	Emma Western
home duties	24	Moorookyle	Moorookyle	illegitimate	Clara Sophia Rishworth

We declare that the above is a true statement of the particulars relating to each of us respectively; and that Marriage after sworn declaration was solemnized between us on the date and at the place mentioned according to rites of the Presbyterian Church

Harriet Ann Rishworth (known as Ada McDougall)
Arthur Albert Edward John Roberts
Signatures of the Parties.

Signatures of { Alexander McDougall
Witnesses { Kate F. McDougall

I, Rev. Robert Thomson M.A. being Presbyterian Minister at Smeaton, do hereby certify that I have, this day, duly celebrated Marriage between the above-named parties after notice (had been dispensed with by permission of ----- Esq., J.P.), and after declaration duly made as by law required (and with the written consent of -----).

Dated this Sixteenth day of March 1917

Signature of Minister, Government Statist, or Registrar of Marriages. } Robert Thomson

I, Michael Donovan Assistant Government Statist of the State of Victoria, in the Commonwealth of Australia, do hereby certify that the above is a true copy of an entry in a Register of Marriages kept in this Office.

OFFICE OF THE GOVERNMENT STATIST,

Melbourne, 11th. September 1917

Name of Witness.

Statement.

Arthur Albert Edward John Roberts

States I am a labourer, 40 years of age, and I have been residing at Smeaton for the past two days having returned from Tasmania on the 13th October 1917.

I joined the 16th Battalion, Infantry, in the Australian Imperial Forces at Perth, West Australia on the 3rd December 1914 and was subsequently transferred to Broadmeadows Camp on the 8. 12. 14

On the 1st January 1915 I met my first wife whose maiden name was Connie Loyd at No 98 Barkly St Carlton, and kept company with her until the 5th January 1915 when I was married to her on that date at the Congregational Manse at Fitzroy.

The marriage was performed by the Rev Richard Morrison Bowles, Congregational Minister of Fitzroy.

The witnesses to the marriage were Joseph Gilmore McIntosh, William Panant, and Brittonart Williams but I do not know where they reside.

After the marriage my wife and I lived at No 98 Barkly St Carlton for about a month and I then removed to Brunswick. On the 25th December 1915

Name of Witness.

Statement.

Arthur A. E. J. Roberts my wife gave birth to a baby boy
continued which would be about a year and
nine months old now.

Two weeks later my wife went out
of her mind, we were then living
at Campbellfield and she was subse-
quently committed to the Royal Park
Mental Hospital but she was subsequently
transferred to Deew Anglism and I believe
she is there at present.

I then put my boy Albert Edward
Roberts in the Department for
Neglected Children, and paid 10/- per
week for him for about two
months, I went to Tarranica and
did not pay regularly for him and
I am now in arrears to the amount
of £23.0.0.

On the 16th August 1916 I was working
at Wontaggai, when I saw an advertise-
ment in the Age newspaper stating
that a young woman would like to
meet a lonely soldier or a working
man. I answered the advertisement and
I met Thaniel Ann Piskivorth
known as Ada Mc Dougall at
Ballarat, about August 1916 and on
the 16th March 1917 I was married
to her at the Moorabool Hotel
Smeaton, by the Rev Robert
Thomson, Presbyterian Minister
Smeaton. The witnesses to the

VICTORIA POLICE. - [74B.]

Name of Witness.

Statement.

Arthur A. E. J. Roberts
continued

marriage such as between
Mr Dougall and Florence
Hale Mr Dougall, her father
parents.

The reason I married Harriet
Ann Rishworth, when my
first wife was still alive
and an inmate of Glen
Asylum was because I had
got her into trouble
and a child was about
to be born and Doctor
Pear of Fitzroy told me
that my first wife
would never be able
to leave Glen Asylum
again.

I make this statement
of my own free will
no threat or inducement
having been held
out to me.

Witness

Arthur Albert E. J. Roberts
G Morgan Court 4702
October 15th 1917

JUSTICES ACT 1915—SECOND SCHEDULE.—FORM 2.

INFORMATION ~~OR COMPLAINT~~ FOR AN OFFENCE AND
WARRANT TO APPREHEND.~~In the Court of Petty Sessions at~~In the *Southern* Bailiwick.

George Morgan

Informant ~~or Complainant~~.

Arthur Albert Edward John Robert of

Ballarat

Defendant.

The information of George Morgan
of Ballarat East in the State

of Victoria, Constable of Police who on his oath saith

that the said Defendant on the 5th

day of January 1915 at Tilgroy in the

said Bailiwick and State did married one Annie Lloyd

and the said defendant on the 16th

day of March 1914 at Smeaton in

the said State (being married to the

said Annie Lloyd) went through the

form or ceremony of marriage with

Harriet Ann Rishworth known as Ada

McDougall, the said Annie Lloyd his

wife being then alive.

G Morgan Informant
cont 4702

To Hugh Neill

and to all

other Members of the Police Force of the State of Victoria.

WHEREAS the above information has this day been laid and
sworn by the above-named George Morgan

before me, one of His Majesty's Justices of the Peace in and for the Southern

Bailiwick of the said State: These are therefore to command you

in his Majesty's name forthwith to apprehend the above-named Arthur Albert

Edward John Robert and bring him before the said Court of

Petty Sessions, to answer to the said information and to be further

dealt with according to law.

Dated at Ballarat the 15th
day of October 1917.

Charles Barker J.P.

DEPOSITIONS OF WITNESSES.

In the *Southern* Bailiwick.*George Morgan* Constable of Police Informant.*Arthur Albert Edward John Roberts* Defendant.Date of Information—The *25* day of *October* 191*7*.Nature of Information—For that on the *16th* day of *March* 191*7* at *Smeaton* in the said Bailiwick thesaid defendant did *commit bigamy*

(a) Give the names, abodes, and occupations of all the witnesses.

THE Examination of *(a) Buttomart Eva Williams*
of North Melbourne in the State of Victoria, *Married woman*
 and *Alexander McDougall of Moorookyle*
 in the said State, *Farmer* and others

taken on oath, this *24th* day of *October* 191*7*,
 at *Ballarat*, in the State aforesaid, before the undersigned, one
 of His Majesty's Justices of the Peace for the said Bailiwick, in the State
 aforesaid, in the presence and hearing of the said defendant, who is charged
 this day before me, upon the above-mentioned information.

(b) Name of 1st witness.

This deponent *(b) Buttomart Eva Williams*

(c) Stating the deposition of the witness as nearly as possible in the words he uses. When the deposition is complete, it is to be read over to and signed by the witness.

on *her* oath, saith as follows: *(c)**I am a married*

Robert Thomson on oath

I am a Presbyterian Minister at
Dmeaton I am a fully ordained
minister and legally qualified to
perform marriages under the Marriage
Act -

I remember performing the ceremony
of marriage between accused and
Harriet Ann Rushworth known as
Ida McDougall on Friday 16th
March 1917.

I produce register containing the counter
part of the certificate - The ceremony
was performed at what was the Mooroskye
Hotel Dmeaton - I ^{put both parties on oath and} read the usual
declaration and ~~put~~ them endorsed on
the back of the certificate -

I have known Mrs Rushworth
for years and accused for about
a month before the marriage
The witnesses to the marriage
were Mr McDougall & Mrs McDougall
Both parties to the marriage
Signed the certificate - He

described himself in the declaration
as a bachelor -

xxt. I am sure Roberts signed the notice -
I had had a letter from Roberts
some time before the marriage
intimating his intention of being
married -

Accused signed the declaration on the
back of the certificate as well as the
certificate.

Robert Thomson.

Taken and Sworn at
Ballarat

in Victoria this 20th

day of October 1917

Before me W. W. Davies Esq.

Prillomart
~~Prillomart~~ Eva Williams

Sworn oath:-

I am a Married Woman
residing at Melbourne Street North Melbourne.
I remember 5th January 1915. I was
present at Tidygro, at marriage of
accused with Annie Loyd.
The marriage took place at residence
of Rev. Hopkins, Gore Street. Tidygro by
Rev. Richard Monson Bowles, a Congregational
Clergyman. - Previous to marriage I had
known accused about three weeks.
I knew Annie Loyd about 4 or
5 years - ~~I saw~~ I signed the
Register after the marriage.

On 2nd Instant I went to
Kew Asylum and there saw
Annie Loyd. She is a patient
there. She is the woman who
married accused on 5th January 1915.
Miss Loyd was quite sane when
I saw her married accused.

I knew you about 3 weeks
before marriage took place. I do
not know when I met you.

XX².
Do. accused.

I did not know Mrs. Loyd
to have had an illegitimate child.

Re: 2d

I last saw Mrs. Roberts before
her committal to the Asylum
about 9 months after marriage.
She was not happy - The accused
was cruel to her. Mrs. Roberts
told me he struck her. I never
saw accused under the influence
of liquor -

To accused

I was in the house at the
time you raised your hand
to Mrs. Roberts. It was in the
house at Barkly Street.

Buttman - Eva Williams

Alexander McDougall
sworn saith:-

I am a Dairy Farmer at
Moorkyle - I remember
16th March last - He accused
named Harriet Ann Rushworth
at my house on that date:-
The woman whom he named
is my adopted daughter - I
signed the Register of Marriage
The signature on exhibit No 1
is mine

Alex^r McDougall

Harriet Ann Rishworth
sworn saith:-

I reside with my foster
parents at Moorookyle - and
am generally known as Ada
McDougal - I became acquainted
with accused in latter end
of July 1916 - I met him in
Ballarat - He accompanied
me to Moorookyle on that date.
I kept company with him
continually from that time,
and corresponded with him.

He frequently visited me at
my home. He told me he
was a single man - I knew
nothing of him previously or
of his people.

On 16th March 1917 I went
through the ceremony of marriage
with accused at my foster
parents home at Moorookyle -
My foster parents were present
at the marriage -

Rev. Robt Thomason, Presbyterian
Minister was the officiating Clergyman.

I signed the Register of Marriage
The signature on exhibit 1 is
my signature -

Harriet Ann Rishworth

George Morgan, sworn saith:
I am Plain Clothes Constable
at Ballarat East.

At about 10.20 am on 15th Inst
in consequence of something told me I
went to Ballarat Railway Station.

I saw accased in a Rly Carriage

I " My name is Morgan. I am Plain
Clothes Const. What is your name?"

H " Robert.

I " Where have you come from?"

H " I came from Smeaton this
morning."

I " Are you a married man

H " Yes."

I " What was your wife's maiden
name?"

H " Annie Lloyd."

I " Do you know where she is
now?"

H " At New Asylum I believe."

I " Did you go through the
form of marriage with a young woman
named Harriet Ann Rishworth
known as Ada McDougall

on 16th March last at Inceston?

H. " Yes "

I: Do you wish to make a statement?

H. " Yes "

I then took him to the Ball City Police Station where he made a statement which I reduced to writing. It was read over to him & he signed it.

I subsequently obtained a Warrant and he was arrested and charged with the ~~offence~~ ^{offence} ~~warrant~~.

The Statement produced (Exhibit 4) is accused's statement.

G Morgan
Court 4402

The foregoing depositions of Buttomart Eva Williams, Alexander McDougall, Harriet Ann Rushworth, and George Morgan were taken and sworn at Ballarat this 24th day of October 1917 before me

W. W. Havour P.M.

JUSTICES ACT 1915.

SECOND SCHEDULE.

FORM 39.

STATEMENT OF THE ACCUSED.

In the

Southern

Bailiwick,

State of Victoria.

George Morgan Constable of Police
Arthur Albert Edward John Roberts

Informant.

Defendant.

NATURE of Information

Bigamy

The above-named Defendant stands charged before the undersigned one of His Majesty's Justices of the Peace in and for the *Southern* Bailiwick of the State of Victoria this *24th* day of *October* in the year of our Lord One thousand nine hundred and *seventeen* upon the above-mentioned Information, and the said charge being read to the said Defendant and the Witnesses for the Prosecution *Robert Thomson*

Buttman Eva Williams, Alexander McDougall
Harriet Ann Rishworth

(a) Names of witnesses.

and *George Morgan*

being severally examined in his presence, the said Defendant is now addressed by me as follows:—"Before asking you if you desire to plead guilty to this charge or to make any answer thereto it is my duty to warn you that you are not obliged to plead or make any answer at all; you have nothing to hope from any promise of favour, and nothing to fear from any threat which may have been held out to you, to induce you to make any admission or confession of your guilt; but whatever you say, or, if you plead guilty, your plea will be taken down in writing, and may be used as evidence against you upon your presentment for trial. If you plead guilty you will be directed to be tried forthwith at the Supreme Court for the hearing of Criminal trials ~~or~~ the Court of General Sessions of the Peace at *Ballarat* on *4th* December *1917*. Are you guilty or not guilty of the charge?"

(b) Here state whatever the prisoner may say, and in his very words, as nearly as possible; let him sign it, if he will, after being read over to him.

Whereupon the said Defendant saith as follows:—^(b)

I plead guilty,

Taken before me at

Ballarat

in the said State,

this

24th day of *October*

19 *17*

W. W. W. W.

J.P.

Arthur Albert Edward John Roberts
Swon Saith

I am a Sailor at present.
and am residing at People's Palace
Ballarat.

I met my first wife on
Christmas Day 1914 and proposed
to her the same evening, - as I
was going to remain as an Instructor
in Broadmeadows Camp.

I married her on 5th January 1915.
Her name at that time was Annie Lloyd.

About a month after marriage
at 98 Barkly St Carlton my wife
asked me if she might remove to
Brunswick as my period in Camp
during duty was too long for
her to remain on her own.
I allowed her to move to
where she thought a fit place.

When I returned from Camp I found
she had landed in the Rear of the
Brunswick house. I could not get
any information about her. This was
in March 1915.

I saw her next when the Police informed me by telegram that my wife was a lunatic. This was about 3rd May 1915. I went & took ~~the~~ charge of her at Carlton Police Station - I took her to stay at 112 Nicholson St Fitzroy where she remained in her right senses for about two months. She asked me if I would give her a home of her own which I did at 410 Fitzroy St Fitzroy - Having been there a fortnight I was notified that my wife was seriously ill - ~~I was far~~ I came down from Seymour & found the house upset. My wife came at me like a dog. I tried to pacify her but in vain - I sent to Fitzroy Police & got a Constable to come with me. I stopped in the house with her & the Constable for two days when I got two Doctors &

Had her committed to Royal Park - This was in January 1866.

During her residence at Giggleswick I saw her 3 times at intervals of 6 weeks 4 weeks & two weeks.

During confinement my wife was at Nurse Denti, Nicholson Street -

When she was committed I took the child with me to Seymour Camp. I was there about 3 weeks.

Subsequently my wife was discharged from Royal Park to my custody & I took her to her Aunt's place - She ~~she~~ would not stay there & went to her father's home where she stayed about 4 weeks - I saw her twice during this time -

From there she went to stay with Mr. Penrose at 112 Nicholson St. She stayed there about a week & was then committed to Kew Asylum.

I went to Kew every two days for the first 4 months. I was in Melbourne on duty at this time - As far as I know she is ~~now~~ still in Kew Asylum -

The allegation that I struck my wife is untrue. I was never cruel to her -

I allowed my wife an allowance of 3/- per day. She got an allowance of 1/9 & 4 1/2 daily from Defence Dep't.

Regarding Miss Pishworth I have nothing to say -

My first wife told me her name was Rose Masterman, not Annie Loyd

xx.

I deny cruelty to my wife.

Arthur H. E. J. Roberts

The foregoing depositions of Arthur Albert Edward John Roberts were taken and sworn at Ballarat this 24th day of October 1917 before me W.W. Harris J.P.

JUSTICES ACT 1915.—SECOND SCHEDULE.

FORM 40.

RECOGNISANCE TO GIVE EVIDENCE WHEN ACCUSED PLEADS
GUILTY TO THE CHARGE BEFORE THE JUSTICES.

IN THE

Southern BAILLIWICK.*George Morgan, Constable of Police* Informant.*Arthur Albert Edwards John Roberts* Defendant.

Nature of Information—

*Bigamy*BE IT REMEMBERED, That on the *24th* day of *October* 19*17*(a) Name, address, (a)
and occupation of
each witness
bound.*Brithonart Eva Williams of Melrose*
Street North Melbourne, Married Woman
Alexander McQuigall of Moorookhyle, Dairy Farmer
Harriet Ann Rickworth of Moorookhyle Domestic
George Morgan of Ballarat East, Constable
of Police

each personally came before me one of His Majesty's Justices of the Peace within and for the said Bailiwick of the said State, and acknowledged himself or herself to owe to our Sovereign Lord the King the sum of One hundred pounds of good and lawful money, to be made and levied of his or her goods and chattels, lands and tenements, to the use of our said Lord the King His Heirs and Successors, if he or she shall fail in the condition indorsed.

Taken and acknowledged the day and year above mentioned, at

Ballarat, in the said State before me.*W. W. Harvey J.P.*

(a) Name of
defendant.
....

The condition of the within-written Recognisance is such: That whereas one (a) *Arthur Albert Edward John Roberts* was this day charged before me, the Justice of the Peace within mentioned, upon the information as within mentioned; if therefore each of the said persons so bound henceforth and at all times hold himself or herself in readiness to appear at some sitting of the Supreme Court for the hearing of Criminal trials or some Court of General Sessions of the peace hereafter to be fixed, and to appear when called upon or required by notice signed by one of the Prosecutors for the King, or summons, specifying the Supreme Court or Court of General Sessions at which the said defendant is to be presented for trial, and there give such evidence as he or she knoweth, upon a presentment to be then and there preferred against the said defendant to the Jurors who shall pass upon the trial of the said defendant, then the said Recognisance to be void as regards each of the persons so bound duly appearing in accordance with the tenor hereof, or else to stand in full force and virtue as regards each of such persons who shall not appear, unless in the meantime he or she be released from the said Recognisance by notice as by law provided.

In the Supreme Court
at Ballarat

4th December 1917

Re

✓
Roberts

Bigamy

Depositions &c

Witnesses —

Robert Thomson

Buthmar Eva Williams

Alexander A Dougall

Harriet Ann Rushworth

George Forgan

Plea Guilty

Accused in custody

Committed by W. Harris Esq PM
at Ballarat

Moortkyle. June 10th 1918

Received from the Crown Solicitor Certificate
of my marriage to Arthur Albert Edward John
Roberts at Moortkyle on the 16th March 1917

H. A. Rishworth

I should be pleased
to know if the certificate
is attached to the depositions
in this case, and if so
kindly return it to me.

The accused A. A. J. E. Roberts
was convicted for bigamy
and was sentenced to twelve
months imprisonment at the Criminal
Court Ballarat on the 4.12.17.

2382
18

S. M. McManamy
SUPERINTENDENT OF POLICE

Mr. G. Haynord
Crown Solicitor
Melb. Vic.

5. 6. 18

Certificate of marriage
referred to (Exhibit No 1)
returned herewith.
Kindly get receipt
for it from Harriet
Rishworth

H. Harker

for Crown Solicitor
6. 6. 18

Supt. McManamy
Ballarat

410
17

Certificate herewith
for delivery to the
writer. Please get a
receipt for it & attach
to file when returning.

238
18

S. M. McManamy
SUPERINTENDENT OF POLICE

7-6-18

Const. Treacy
Kington

Kington 11/6/18

Carpenter handed to him
Rishworth. has receipt
for same attached

Lieut. Treacy
Const. 1818

Supt. McManamy
Ballarat

2531
18

Receipt herewith

S. M. McManamy
SUPERINTENDENT OF POLICE

The Crown Solicitor
Melbourne

17/6/18

Moorookyle P.O.
June 3rd 18

To
Const. Traacy

Dear Sir

I would be much obliged
if you would kindly procure
the certificate of marriage
which was left in Ballarat.

Yours Faithfully
H. A. Rishworth
known as Cda C. W. G. all

Accepted 4/6/18

Wm

This certificate was attached to
the brief in the case of Roberts charged
with bigamy. The brief was forwarded
from this Sh on 12/10/17

Sup. to Hon. Mr. Justice
Baker

Accepted
Court 4/2/18

VICTORIA POLICE, -[57.]

POLICE DEPARTMENT,

Criminal Investigation Branch,

Melbourne 27th Oct. 1917. 191x

Subject ... { P. G. O
RE Arthur John Albert Edward Roberts, charged with bigamy at Ballarat on the 25th inst.

I have to report for your information that in consequence of some information I received re Arthur John Edward Roberts, who was before the Ballarat Court of Petty Sessions on the 25th inst, on a charge of Bigamy, I made further enquiries and ascertained that this man has never at any time during the present war seen service at the front.

I attach a copy of this man's enlistments at Melbourne, perhaps the Supt. would be good enough to forward this information to Ballarat for the information of the Police there.

Supt. Bunker,
C.I. Branch.

Arthur. L. Lee
Detective.

For information

CPB
Ballarat

CD
5426/17

Supt.
C.I. Branch
27. 10. 17

For information.

4527
17

The Crown Solicitor
Melbourne

S. M. Manning
Superintendent of Police
27 10 17

Let Constable
Morgan peruse the
file please.

Returned

(4486)
17

P. McManus
Superintendent of Police

29. 10. 17

(2564)
17

A. Hill

Sgt 3280

Supt. McManus for S. Insep.
Ballarat 31-10-17

S. Insp. Nicholson
Ballarat

For Const. Morgan's information.

(2653)
17

S. Nicholson
S. Insp.

Supt. Robinson
Ballarat East 30/10/17

Memorandum
For information.

W. H. Robinson Sgt 9308.
Ballarat East 30.10.17

Const. Morgan
Ballarat East

Ballarat East
31. 10. 17

Noted.

Supt. Robinson } Morgan
Ballarat East } Const 1702

Memorandum
For information.

(1706)
17

W. H. Robinson Sgt 9308.
Ballarat East 31. 10. 17

S. Insp. Nicholson
Ballarat

R/D/17/551.

A. I. F. RECEIVING DEPOT
STURT STREET
STH. MELBOURNE
No.

Detective Lee,
C.I.D.
Melbourne.

The records of this office relating to Arthur John Albert Edward ROBERTS, is as follows, :-

Enlisted at Seymour 2/12/14. Discharged 22/5/16, Medically unfit.

Re-enlisted for Home Service 24/5/16. Discharged 31/5/16.

Re-enlisted Home service 25/8/16, Discharged 15/9/16.

Re-enlisted for Active Service 15/9/16. Discharged at Langwarrin 4/12/16.

Re-enlisted for Active service 20/2/17. Discharged 10/3/17.

Re-enlisted 7/4/17. Rejected at Sturt Street Depot.

NEXT OF KINS SHEWN AT DIFFERENT TIMES.

- (1). Wife, Annie Roberts, c/o Kew Asylum.
- (2) No next of kin.
- (3). Son. Albert Edward Roberts, c/o Neglected Childrens Department. Melbourne.
- (4). Father. John Roberts, Brigade Major, 24th Bde, Woolwich England.
- (5). Wife. Ida Roberts, Woorookyle, Vic.

Attestation papers signed by Roberts are held for all the above.

25/10/17.

E. Seymour C.I.D.

for Lieut., A. & I. Staff,
Officer i/o Rec Depot.

aob

VICTORIA POLICE.—[47.]

Fitzroy

Station

Melbourne

Police District

8th of November. 1917. 191

REPORT OF P.C. Constable Mafferzoni.

Relative to Arthur Albert Edward John Roberts.

Committed for trial at Ballarat on a charge of Bigamy.

I have to report that Roberts the man referred to in this file resided at the addresses given with his Wife and while in Fitzroy he treated his wife very badly, he never gave her sufficient money to live on and was always growling at her notwithstanding She was a Sober and respectable woman.

After Roberts left 410 Fitzroy Street he went to live at 112 Nicholson Street Fitzroy and it was at this address that Mrs Roberts was committed to the Receiving House at Royal Park, Roberts then went and lodged with a Mrs Lane of 409 Fitzroy Street and passed himself off as a single man and received many letters from Girls.

Roberts is not known to the Police here he only lived a few months at the addresses given.

Sgt. Kennedy
Fitzroy

B. Mafferzoni
Const 4620

For information

Crown Solicitor
Lonsdale St
Melbourne

P. Kennedy
Sergt 3584
8. 11. 17

Forwarded to the prosecutor
for the King.

G. Maynard
for Crown Solicitor

J. A. Gurner Esq. K.C.

CROWN SOLICITOR'S OFFICE,

461 LONSDALE STREET,

No.

Melbourne, 5. November 1917

Memo

Re. Roberts

This man is committed for trial at Ballarat for bigamy.

The Crown Prosecution desires inquiries made as to the truth of accused's statements as to his first wife given on oath on the hearing of the charge.

I attach a copy of the evidence given by him.

Kindly have inquiries made and a report furnished.

H. H. Asher
Crown Solicitor
Officer in Charge of Police
Fitzroy.

2948
11

COPY.

ARTHUR ALBERT EDWARD JOHN ROBERTS sworn said h.

I am a sailor at present and am residing at People's Palace Ballarat.

I met my first wife on Christmas Day 1914 and proposed to her the same evening, as I was going to remain as an Instructor in Broadmeadows Camp.

I married her on 5th January 1915. Her name at that time was Annie Loyd.

About a month after marriage at 98 Barkly St. Carlton my wife asked me if she might remove to Brunswick as my period in Camp during duty was too long for her to remain on her own_ I allowed her to move to where she thought a fit place.

When I returned from Camp I found she had handed in the keys of the Brunswick house. I could not get any information about her. This was in March 1915.

I saw her next when the Police informed me by telegram that my wife was a lunatic. This was about 3rd May 1915. I went and took ~~her~~ charge of her at Carlton Police Station.

I took her to stay at 112 Nicholson St. Fitzroy where she remained in her right senses for about two months.

She asked me if I would give her a home of her own which I did at 410 Fitzroy St. Fitzroy.

Having been there a fortnight I was notified that my wife was seriously ill. I came down from Seymour & found the house upset. My wife came at me like a dog. I tried to pacify her but in vain. I sent to Fitzroy Police & got a Constable to come with me. I stopped in the house with her & the Constable for two days when I got two doctors & had her committed to Royal Park. This was in January 1916.

During her residence at Fitzroy ~~she~~ I saw her 3 times at intervals of 6 weeks, 4 weeks, & two weeks.

25/12/15

During confinement my wife was at Nurse Dent's, Nicholson Street.

When she was committed I took the child with me to Seymour Camp. It was there about 3 weeks.

Subsequently my wife was discharged from Royal Park to my custody & I took her to her Aunt's place. She would not stay there & went to her father's home where she stayed about 7 weeks. I saw her twice during this time.

From there she went to stay with Mrs Penrose at 112 Nicholson St. She stayed there about a week & was then committed to Kew Asylum.

I went to Kew every two days for the first 4 months. I was in Melbourne on duty at this time.

As far as I know she is still in Kew Asylum.

The allegation that I struck my wife is untrue. I was never cruel to her.

I allowed my wife an allowance of 3/- per day. She got an allowance of 1/9 and 4½ daily from Defence Dept.

Regarding Miss Rishworth I have nothing to say.

My first wife told me her name was Rose Masterson not Annie Loyd.

XXd. I deny cruelty to my wife.

Arthur A. E. J. Roberts.

400

SUPREME COURT, BALLARAT.

4th December 1917.

THE

KING

v

ARTHUR ALBERT EDWARD JOHN ROBERTS.

h f

gaol

^d
X BRIEF FOR THE PROSECUTION

Wm Turner & Co

*cor. Hodges J.
Prisoner pleads guilty
J. A. Turner
4 December 1917*

GUINNESS,
Crown Solicitor.

SUPREME COURT, BALLARAT.

4th December 1917.

THE

KING

I N D E X.

Robert Thomson 1
B.E. Williams 2
A. McDougall 2
H.A. Rishworth 2-3
G. Morgan 3
Exhibits 5-7

DEFENCE

A.A.E.J. Roberts 4-5

V

ARTHUR ALBERT EDWARD JOHN ROBERTS

bigamy

ROBERT THOMSON

Sworn States:- I am a Presbyterian Minister at Smeaton. I am a fully ordained

Minister and legally qualified to perform marriages under the Marriage Act. I remember

performing the ceremony of marriage between accused and Harriet Ann Rishworth known as

Ada McDougall on Friday 16th March 1917. I produce register containing the counter

part of the certificate. The ceremony was performed at what was the Moorookyte Hotel

Smeaton. I put both parties on oath and read the usual declaration endorsed on the

back of the certificate. I have known Miss Rishworth for years and accused for about a

month before the marriage. The witnesses to the marriage were Mr. McDougall and Mrs.

McDougall. Both parties to the marriage signed the certificate. He described him-

self in the declaration as a bachelor.

X X D. I am sure Roberts signed the notice - I had had a letter from Roberts some

time before the marriage intimating his intention of being married. Accused signed the

declaration on the back of the certificate as well as the certificate.

ROBERT THOMSON

Taken and Sworn at Ballarat in Victoria this 20th day of October 1917 Before me

W. W. HARRIS? P.M.

*Marriage Act 1913 -
Minister Reg? sec 5, 19
written notice 24
Solemn on oath 26
cert*

*Harriet Ann Rishworth
(Ada McDougall)
16 March 1917
Smeaton*

*first marriage to
Annie Layd 5 Jan 1915*

BRITTOMART EVA WILLIAMS.

Sworn States:- I am a married woman residing at Melrose Street North Melbourne. I remember 5th January 1915. I was present at Fitzroy at marriage of accused with Annie Loyd. The marriage took place at residence of Rev. Hoskins, Gore Street, Fitzroy, by Rev. Richard Morrison Bowles, a Congregational clergyman. Previous to marriage I had known accused about three weeks. I knew Annie Loyd about 7 or 8 years. I signed the Register after the marriage. On 2nd instant ^{Oct 1917} I went to Kew Asylum and there saw Annie Loyd. She is a patient there. She is the woman who married accused on 5th January 1915. Miss Loyd was quite sane when she married accused.

X X D. (To accused). I knew you about 3 weeks before marriage took place. I do not know when I met you. I did not know Miss Loyd to have had an illegitimate child.

RE-XD. I last saw Mrs. Roberts before her committal to the Asylum about 9 months after marriage. She was not happy - The accused was cruel to her. Mrs. Roberts told me he struck her. I never saw accused under the influence of liquor.

TO ACCUSED. I was in the house at the time you raised your hand to Mrs. Roberts. It was in the house at Barkly Street.

BRITTOMART EVA WILLIAMS.

ALEXANDER McDOUGALL.

Sworn States:- I am a Dairy Farmer at Moorookyte. I remember 16th March last The accused married Harriet Ann Rishworth at my house on that date. The woman whom he married is my adopted daughter - I signed the Register of Marriage. The signature on exhibit No. "1" is mine.

ALEXR. McDOUGALL.

HARRIET ANN RISHWORTH.

I reside with my foster parents at Moorookyte - and am generally known as Ada McDougall. I became acquainted with accused in latter end of July 1916. I met him

5 Jan 1915
Annie Loyd
Fitzroy

in Ballarat. He accompanied me to Moorookyte on that date. I kept company with him from that time, and corresponded with him. He frequently visited me at my home. He told me he was a single man. I knew nothing of him previously or of his people. On 16th March 1917 I went through the ceremony of marriage with accused at my foster parents home at Moorookyte - My foster parents were present at the marriage. Rev. Robt. Thomson, Presbyterian Minister, was the officiating clergyman. I signed the Register of marriage. The signature on Exhibit 1 is my signature.

HARRIET ANN RISHWORTH.

GEORGE MORGAN

Sworn States:- I am a Plain Clothes constable at Ballarat East. At about 10.20 a.m. on ^{out} 15th inst. in consequence of something told me I went to Ballarat Railway Station. I saw accused in a railway carriage. I:- My name is Morgan. I am a Plain Clothes Constable. What is your name? He:- Roberts. I:- Where have you come from? He:- I came from Smeaton this morning. I:- Are you a married man? He:- Yes. I:- What was your wife's maiden name? He:- Annie Loyd. I:- "Do you know where she is now? He:- At Kew Asylum I believe. I:- Did you go through the form of marriage with a young woman named Harriet Ann Rishworth known as Ada McDougall on 16th March last at Smeaton? He:- Yes. I:- Do you wish to make a statement? He:- Yes. I then took him to the Ballarat City Police Station where he made a statement which I reduced to writing. It was read over to him and he signed it. I subsequently obtained a warrant and he was arrested and charged with the offence. The statement produced (Exhibit 4) is accused's statement.

G. MORGAN,
Const 4702.

The foregoing depositions of Brittomart Eva Williams, Alexander McDougall, Harriet Ann Rishworth, and George Morgan were taken and sworn at Ballarat this 24th day of October 1917 before me

W. W. HARRIS, P.M.

STATEMENT OF ACCUSED.

"I plead guilty".

D E F E N C E.

ARTHUR ALBERT EDWARD JOHN ROBERTS

Sworn States:- I am a sailor at present and am residing at People's Palace Ballarat

I met my first wife on Christmas Day 1914 and proposed to her the same evening, - as I was going to remain as an Instructor in Broadmeadows Camp. I married her on 5th January 1915. Her name at that time was Annie Loyd. About a month after marriage at 98 Barkly Street Carlton my wife asked me if she might remove to Brunswick as my period in camp during duty was too long for her to remain on her own. I allowed her to move to where she thought a fit place. When I returned from camp I found she had handed in the keys of the Brunswick house. I could not get any information about her. This was in March 1915. I saw her next when the Police informed me by telegram that my wife was a lunatic. This was about 3rd May 1915. I went and took charge of her at Carlton Police Station. I took her to stay at 112 Nicholson St Fitzroy where she remained in her right senses for about two months. She asked me if I would give her a home of her own which I did at 410 Fitzroy St Fitzroy. Having been there a fortnight I was notified that my wife was seriously ill. I came down from Seymour and found the house upset. My wife came at me like a dog. I tried to pacify her but in vain. I sent to Fitzroy Police and got a constable to come with me. I stopped in the house with her and the constable for two days when I got two Doctors and had her committed to Royal Park - This was in January 1916. During her residence at Fitzroy I saw her 3 times at intervals of 6 weeks 4 weeks and two weeks. During confinement my wife was at Nurse Dent's, Nicholson Street. When she was committed I took the child with me to Seymour camp. It was there about 3 weeks. Subsequently my wife was discharged from Royal Park to my custody and I took her to her aunt's place. She would not stay there and went to her father's home where she stayed about 7 weeks. I saw her twice during this time. From there she went to stay with Mrs. Penrose at 112 Nicholson St. She stayed there about a week and was then committed to Kew Asylum. I went to Kew every two days for the first

4 months. I was in Melbourne on duty at this time. As far as I know she is still in Kew Asylum. The allegation that I struck my wife is untrue. I was never cruel to her. I allowed my wife an allowance of 3/- per day. She got an allowance of 1/9 and 4½ daily from Defence Department. Regarding Miss Rishworth I have nothing to say. My first wife told me her name was Rose Masterton, not Annie Loyd.
X X D. I deny cruelty to my wife.

ARTHUR A. E. J. ROBERTS.

The foregoing depositions of Arthur Albert Edward John Roberts were taken and sworn at Ballarat this 24th day of October 1917 before me

W. W. HARRIS P.M.

E X H I B I T S.

EXHIBIT 1.

Certificate of Marriage between Arthur Albert Edward John Roberts and Harriet Ann Rishworth, known as Ada McDougall, at Moorookyte Hotel on 16th March 1917.

EXHIBIT 2.

Copy of entry of marriage between Arthur John Edwards Roberts and Annie Loyd at Congregational Manse Fitzroy on 5/1/1915.

EXHIBIT 3.

Certified copy of Certificate of Marriage between Arthur Albert Edward John Roberts and Harriet Ann Rishworth known as Ada McDougall at Moorookyte Hotel on 16th March 1917.

EXHIBIT 4.

ARTHUR ALBERT EDWARD JOHN ROBERTS

States:- I am a labourer, 40 years of age, and I have been residing at ^{Smeaton} ~~Smeaton~~ for the last two days having returned from Tasmania on the 13th October 1917. I joined the 16th Battalion, Infantry, in the Australian Imperial Forces at Perth, West Australia on the 2nd December 1914 and was subsequently transferred to Broadmeadows Camp on the 8/12/14. On the 1st January 1915 I met my first wife whose maiden name was Annie Loyd at No. 98 Barkly St, Carlton, and kept company with her until the 5th January 1915 when I was married to her on that date at the Congregational Manse at Fitzroy. The marriage was performed by the Rev. Richard Morrison Bowles, Congregational Minister of Fitzroy. The witnesses to the marriage were Joseph Gilmour McIntosh, William Parrant and Brittomart Williams but I do not know where they reside. After the marriage my wife and I lived at 98 Barkly St Carlton for about a month and I then removed to Brunswick. On the 25th December 1915 my wife gave birth to a baby boy which would be about a year and nine months old now. Two weeks later my wife went out of her mind, we were then living at Campbellfield and she was subsequently committed to the Royal Park Mental Hospital but she was subsequently transferred to Kew Asylum and I believe she is there at present. I then put my boy Albert Edward Roberts in the Department for Neglected Children, and paid 10/- per week for him for about two months, I went to Tasmania and did not pay regularly for him and I am now in arrears to the amount of £23:0:0. On the 16th August 1916 I was working at Wonthaggi when I saw an advertisement in the Age newspaper stating that a young woman would like to meet a lonely soldier or a working man. I answered the advertisement and I met Harriet Ann Rishworth known as Ada McDougall at Ballarat about August 1916 and on the 16th March 1917 I was married to her at the Moorockyte Hotel, Smeaton, by the Rev. Robert Thomson, Presbyterian Minister Smeaton. The witnesses to the marriage were Alexander McDougall and

EXHIBIT 4 (Continued)

Florence Kate McDougall, her foster parents. The reason I married Harriet Ann Rishworth, when my first wife was still alive and an inmate of Kew Asylum was because I had got her into trouble and a child was about to be born and Doctor Pear of Fitzroy told me that my first wife would never be able to leave Kew Asylum again. I make this statement of my own free will, no threat, or inducement having been held out to me.

ARTHUR ALBERT E. J. ROBERTS.

Witness:- G. MORGAN, Const 4702.

October 15th 1917.