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Sunshine Family in Shooting Affair

LOCAL MAN FOR TRIAL ON SERIOUS CHARGE

Alleged to have shot his brother while under provocation, a local man, Leslie James Holman, labourer of 34 Benjamin St., Sunshine, was committed for trial on a charge of wounding with intent to murder at the Sunshine Court on Tuesday last.

The defendant was alleged to have shot his brother, Kevin Holman, 20 years, labourer, in the kitchen of their home on June 14th last.

Evidence was given by Dr. B. H. Barraclough that Kevin Holman was admitted to Royal Melbourne Hospital at about 8.45 p.m. on June 14 suffering from a bullet wound in the chest. At first it was thought that Holman's condition was serious, but after an operation had been performed and a piece of lead removed from his back, he made a good recovery and was discharged on the 24th of June. The course of the bullet was only a matter of inches from vital organs.

Kevin Holman, the victim, told the court that he had spent the afternoon of June 14th in the Braybrook Hotel. He returned home about 4.45 p.m. with a bottle of wine, and remembered meeting his brother Leslie on the way. After they had tea, and while Leslie was sitting by the fire, Kevin suggested to him that if he wanted to drink some of the wine he would have to pay fifty-fifty. Kevin said that an argument then started, and he grabbed Leslie by the shirt, pushed him in the face and threw three glasses of beer over him. He admitted to Mr. C. K. Lucas (for Leslie) that he wanted to pick a fight and that under all this provocation Leslie did nothing to defend himself. Kevin was stopped from hitting Leslie by another brother Maurice Henry Holman, who separated them and told Kevin he was going for the police

to quieten him. Leslie then went into an adjacent bedroom and came back with a rifle. Kevin walked towards him and said, "You are scared to shoot." The gun went off, Kevin felt a burning sensation in the chest and fell to the floor.

Cross examined by Mr. Lucas, Kevin admitted that whenever he had been drinking he saw "red" so far as Leslie was concerned. Though Leslie was much older, he (Kevin) tried to boss him and had given him several hidings recently. He said that he knew Leslie was not well, and that when he had been drinking he lost the use of his legs. In addition Leslie suffered from malaria.

Mrs. Ada Holman, mother of the two brothers, said that she did not see the shooting, but beforehand had seen Kevin provoking and tormenting Leslie. She agreed that Kevin was the aggressor.

Maurice Henry Holman gave evidence that when he arrived back home with the police he found Kevin lying on the floor. Before leaving the house he had warned Kevin where was going.

Constable W. Shaw, of Sunshine, told the court that when he arrived at the Holman residence and found Kevin on the floor he asked Leslie why he had shot his brother, and he said, "I shot him because he was making himself a nuisance." When later cross examined at Russell St. Police Station, Leslie is alleged to have said that he shot Kevin "to fix him for keeps."

A plea was made by defending counsel for the defendant to be committed on some lesser charge, but this view was not upheld by the bench.

Mr. Hammond, P.M., said he was satisfied there was a prima facie case on this charge and he directed that the defendant be tried at the Supreme Court, Melbourne, on 15th July.

The defendant pleaded not guilty.

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The defendant pleaded not guilty.
Bail of £250 was allowed, with a
surety of £250.
Conditions of the recognisance
are that whilst on bail Leslie must
keep away from the house in Ben-
jamin St., and he must report to the
Footscray C.I.B. office once every
24 hours.

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