

Police Court

TUESDAY, OCTOBER 18.

(Before Mr. J. Laidlaw, P.M.)

Walter Goon Ick and Theodore Pascall were each fined 10/-, and 8/- costs, for selling tobacco without a license.

W. F. Jarvis and C. Munro were fined 2/6 and 8/- costs, for not having a tail light on their motor cars after dark.

E. C. Cavanagh, of Pallamallawa, was fined £3, with costs 8/-, for having sold whisky which was adulterated. The analysis showed that 5.3 per cent. of water had been added.

Gerald Francis Hilderson, on remand was charged with having, on 24th September, behaved in a riotous manner in Heber Street, and was fined 5/-, or 24 hours' hard labor. For using indecent language on the same date, he was fined £2, or 14 days' hard labor. On a further charge of having assaulted J. J. H. Watson, he was bound over to keep the peace for six months, in his own recognisance of £10.

Kenneth Percy Kirkby proceeded against J. Gladstone, alias 'Darkie,' with that he being a servant, a shearer, at Success Station, near Moree, having contracted with the said K. P.

I did not go to Narrabri at all. I knew there were 8000 sheep to be shorn at "Success," and, knowing that, I asked for a pen.

Defendant stated that it was the usual thing in shearing to sign an agreement. He had not done so in this case. That, in addition to the fact that he told K. Kirkby that he would only be able to shear for a fortnight at "Success," led him to the conclusion that he was not liable.

The P.M.: If what you say about the conversation is true, then you are right in your conclusion. But, unfortunately, I do not believe that the conversation to which you refer actually took place. You will be convicted. You left your employer in the lurch, and have been guilty of a gross injustice to him. I will make an order that you forfeit the sum of £5 10s from your wages. That will include expenses.

Verdict accordingly.

Ernest Otto Brutton was charged with that, on or about the 13th May, 1921, by means of a valueless cheque, he did obtain from W. T. Rogers the sum of 19/-, with intent to defraud.

Sergeant McDonald deposed: On 25th May last, at the Police Station, Moree, I saw the defendant. I said to him, "You have been drawing some cheques," and showed him two cheques (produced). He admitted drawing the cheques. He said, "I gave one to Mr. Rogers, and one to Mr. Virgona." I said, "Did you have an account at the Barraba bank?" He said, "Yes." I said, "Have you still got an account there?" He said, "Yes." I said, "These cheques have been returned as having no funds to meet them." He

"These cheques have been returned as having no funds to meet them." He said, "I expected a cheque for £25 to be paid into my account." I said, "Who was the man to pay the £25 cheque in?" He said, "A skin-buyer at Bingara, named Mungatah." I said, "Did you make inquiries whether he paid that cheque into your account?" He said, "No, I did not." I said, "You will get into trouble giving these valueless cheques; you had better pay these people the amounts at once, otherwise you will be prosecuted." He replied, "I will go and get the money straight away, and fix it up, Sergeant." On the following Friday, I saw defendant again, near Tattersall's Hotel, in the street. He said, "I did not fix those cheques up yet, Sergeant." I said, "Yes, I know that; and what you told me about the £25 cheque is not correct. I have communicated with Mungatah, and he states that he owes you no money." He said, "I will attend to it now, and fix it up." I said, "If you do not, you will be prosecuted." He said, "They are only small cheques—I don't suppose there will be much trouble over them." I replied, "There will be if you don't pay the amounts in to make them good." I laid the information against defendant, charging him as he now stands charged.

To the P.M.: Defendant made no reply to my statement that the skin-buyer, Mungatah, had said he owed him no money.

Frank Oswald Pryor, accountant at the branch of the Commercial Bank at Barraba, deposed: I know the defendant before the Court. I saw him at Barraba on the morning of the 4th May last. He came in and asked me to open an account. He tendered an

May last. He came in and asked me to open an account. He tendered an amount of £1. I thought the deposit rather small, and asked him his occupation and address. Defendant told me he owned a block of land on Warialda-road, Bingara. He assured me there was more money to come in. I then issued him a 25 cheque book. On the day he opened the account, about an hour afterwards, the barmaid of the Royal Hotel brought me a cheque for 17/-, and I cashed it. That left a balance of 3/- to his account. That balance was absorbed by bank charges. Since the first deposit of £1, defendant has made no deposits of further amounts at the bank. I remember a certain cheque being presented. There was then only 3/- to defendant's credit in the bank. The cheque was presented on the 19th May. Prior to that, six cheques had been presented for payment, totalling £10 5s. These cheques were not paid.

William Thomas Rogers deposed: I am licensee of the Imperial Hotel, Moree. I know the defendant before the Court. I saw him at the beginning of May. I cashed a cheque for him. The cheque produced is the one. He called for a glass of wine. I stopped 6d exchange, took payment for the glass of wine, and gave defendant 19/- change. I said to him at the time, "Is this your signature?" He said, "Yes." I said, "Well, I don't know you. Have you any money to meet this cheque?" He said he had plenty of money in the bank, and he also owned property at Barraba. He said he was well known to Mr. Pike from whom he could get money if he wanted it. I said, "Well, I'll cash it—you surely ought to be worth £1." I sent the

ly ought to be worth £1." I sent the cheque to the bank in the usual way, and it was returned.

Defendant consented to summary jurisdiction, and pleaded not guilty.

Defendant, Ernest Otto Brutton, deposed: I am a farmer and own a property on the Werialda-road, Bingara, near Ginerol Station. I went to Sydney on the 2nd May. A man named Mungatah, a skin-buyer, gave me £4, and told me I should open an account in the bank. Mungatah said, "I'll lend you £25 until you get your money from the bank." The bank I refer to, from which I expected to get the money, is the Government Savings Bank. I had applied to that bank for a £1000 loan. I enclose a letter from the Government Savings Bank. I made application for the loan on May 19. I