

Fruiterer Is Freed In Court



John Vengert, who was discharged by the magistrate.

that he was not satisfied with the story of a 13-year-old school girl that John Vengert, 48-year-old fruiterer, had indecently dealt with her in the paddock. He discharged Vengert. The girl had alleged that Vengert, who was stated to be proprietor of a fruit stand, near the Palace Hotel, South Brisbane, had some time, between 6.30 p.m. and 7 p.m., on January 14, taken her to an adjacent vacant allotment while she was playing in her backyard and committed an offence on her in the long grass.

AFTER a special trip by magistrate, solicitor and police prosecutor to a vacant allotment adjoining a Grey-street Southside flat, and on the completion of evidence, Mr. P. G. Knyvett, P.M., in the Brisbane Police Court last week, declared that he was not satisfied

P.M. NOT SATISFIED WITH GIRL'S STORY: OFFICIAL VISIT TO SPOT

The girl also alleged that Vengert had given her 2/- and asked her not to tell her mother and said that he would see her again on Friday. After that she went to Rosemount Hospital and, on her return, told her mother what had allegedly happened.

VENGERT'S defence from the witness-box was to deny the girl's accusations and establish an alibi which was supported by three witnesses, all of whom testified that Vengert, after reaching his home in Stanley-street with his fruit cart that night, had tea with them about 6.30 p.m. and did not leave the house again.

The little girl, asserted Vengert, had told deliberate lies, the reason for which, he alleged, was that she had been "put up to it" as he had stopped lending her mother and foster-father money. Vengert also declared that there was a conspiracy between the girl's mother (Mrs. Maude May Waldron), the girl, and Detective-sergt. Cullen.

MONEY DENIALS.

At the first day's hearing, Mrs. Waldron, the child's mother, caused a sensation when she declared she would not believe a word of what people at the Stanley-street house (which Vengert owned and in which she resided) might say regarding Vengert's movements on the night of January 14.

Asked why, by Mr. H. H. Stone (for Vengert), Mrs. Waldron said that these people had detained her son, who is in the A.I.F., for four days, as they wanted him to marry a dwarf, and they would not let him go until she (the mother) threatened to call the police.

Mrs. Waldron denied that she owed

police.

Mrs. Waldron denied that she owed Vengert any money or that she had ever borrowed any money from him, and last week, Eric Joseph Tobin, of the R.A.A.F., at Amberley, and the child's foster-father, was called to give evidence in rebuttal of Vengert's statement from the witness-box.

Any conversation Tobin might have had with Vengert on the morning of January 15, however, was successfully objected to by Mr. Stone.

Tobin declared that he had never borrowed from, or owed money to Vengert, and that the little girl visited him while he was a patient in Rosemount Hospital on the night of January 14 and showed him 1/7

which she had. Next morning he had a discussion with Mrs. Waldron and her daughter and then went to see Vengert at his fruit barrow.

The police prosecutor (Det.-sergt. J. E. Donovan): Did you say anything to defendant?

Mr. Stone objected to any conversation that might have taken place, and the magistrate upheld the objection.

After the inspection of the vacant allotment, Mr. Stone, in court, sought the dismissal of Vengert. The prosecutor, however, submitted that the girl's story could not be regarded as pure imagination and that there had been no conspiracy between the child, her mother, and Detective Cullen.

The magistrate said he was not satisfied with the evidence of the child,

fied with the evidence of the child, who showed a certain amount of hesitancy.

Also, according to the evidence, Vengert could not have been at the place at the time of the offence. There might have been somebody else, but to the magistrate's mind, it was not defendant, and he therefore discharged him.