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AMBRIDGE INDEPENDENT PRESS, NOVEMBER 4, 1904.

...he counter, but the prisoner declined to give it. He (witness) accompanied the prisoner to the bank, and he went in alone, but he also failed to get any money. The men returned to Ireland and presented the cheques in the ordinary way through their banks, but they were returned unpaid. Since then they had received any money on account of the cattle. They were unable to trace the cattle, they had not got an money or cattle, and had been defrauded. After the transactions with Brogan and Shields they had sold cattle to the value of which was cashed as soon as possible, consequently the payment of either of the cheques given to Brogan and Shields was impossible, even if they had been signed.

Joseph Brogan and James Shields gave evidence bearing out this statement. In answer to Mr. Jones, Brogan said prisoner offered to let him have the cattle at £20 per head. He (witness) then obtained and paying his expenses and profit, they told him they were not in the habit of selling cattle and buying them back again.

Ernest Higgins, cashier at the L. and S.W. Bank, Cambridge, gave evidence as to prisoner's financial position. There had never been a sufficient balance to the prisoner's credit to meet the cheques. On August 29th the balance was £20 15s.

THE DEFENCE.

Mr. Jones, for the defence, said he would be able to show where the cattle went. They were sold by Burr perfectly legitimately, but Burr was the victim of the man to whom he sold them. The cattle were sold to Bendall, who arranged that the money would be paid into the bank in time to meet the cheques given to Shields and Brogan. Bendall, however, paid the money to his brother for £127, which was paid into the bank. The remainder were sold to Bendall, who still owed him £200. Burr bought some pictures from Bendall for £80, and paid him with an open cheque. Bendall, however, had not presented that cheque, and it was hard on Burr that he should be punished for Bendall's recklessness. Burr might be a fool to have trusted Bendall, but he was not a criminal.

AN AMUSING PICTURE DEAL.

Prisoner was then sworn, and proceeded to tell his story. He had bought the cattle from Burr. He went the cattle to Waltham Cross, where he hoped to sell them at the market the following day. Late that night he had a deal with Bendall, and gave him an open cheque for £80, which Bendall was to fill in when he knew exactly what happened to the cattle. Prisoner said he sold them at Waltham Abbey market, 20 to his own account, and 20 on account of a man named Bendall, for something like £450. He received the money from his brother, and paid it into the bank, and he received £20 from Bendall on account, and lent it out in horses.

Mr. Jones: Were you ever charged by His Lordship as to these horse-buying transactions. He could not remember how many he bought, or from whom he bought them. When asked how many horses he had, he said he had about £300 worth.

Prisoner, when questioned as to the nature of the pictures he bought, waved his hand and said: "Oh, they were all sorts; I do not know nameless or anything of that." (Laughter.)

Mr. Jones: Where will you sell them?

Prisoner: I'll sell them anywhere; to you, sir, if I get a chance. (Laughter.)

In answer to Mr. Jones, prisoner said he did not know the names of the artists who painted the pictures. It was possible that they were by well-known painters, or the picture might be old masters for anything he knew. He knew nothing about pictures, he had never had them valued.

Mr. Ruston: You bought them in the dark, then?

Prisoner: Oh, no, it was quite light. (Loud laughter.)

Further examined, he said he knew that Bendall had previously sold the pictures to a gentleman at Ely, but he did not know how they came into Bendall's possession again. He did not know the name of the millionaire. The pictures were not insured. He had been told that Burr had cut another £10 note in two, sent Bendall, and £120 he drew from the bank in the beginning of September.

William Bendall, dealer, said he had had transactions with Burr in the purchase of a number of pigs. At Waltham Abbey market he bought 67 bullocks from the prisoner for £450. He paid him £180 on account, and still owed him £270.

George Burr, brother of the prisoner, also gave evidence as to the cattle transaction at Waltham. Witness bought twenty bullocks for £200.

Mr. Jones, in his address to the Jury for the defence, contended that what occurred at Cambridge was an ordinary mercantile transaction. If they thought the prisoner honestly believed that he would receive the money from Bendall, he is entitled to be acquitted.

His Lordship, in summing up, said the complainant the facts that there was insufficient money at the bank to meet the cheques when they were given, and that there had never been enough money to the prisoner's credit to meet them. Prisoner's defence was that he had honestly understood until then was only £4 odd left.

His Lordship summed up, and the Jury, without leaving the box, found the prisoner guilty.

Mr Detective-Sergeant Duck, of the Essex Police, proved a previous conviction at Chelmsford of falsely against the prisoner, who then received a sentence of four months. That was nearly 12 years ago.

His Lordship said he would reserve sentence until the following day, and would like to know in the meantime if the Irishmen received anything.

The Court rose on Friday evening about 6.30 On Saturday, His Lordship, inquired whether anything had happened in the case of William Burr.

Mr. Ruston said nothing had happened, with the exception that an application had been made that a sum of money paid into Court in respect of the cheques should be handed to the defendant or his representatives.

His Lordship said he thought the sentence was entitled to withdraw the money now the prisoner had succumbed to his fate. He would like to hear something about the case of Burr and Mr. Burr's brother and Mr. Bendall. It might be thought they were connected with the fraud. He would like to know what might also be considered. He would say no more at present.

Mr. Ruston: One statement will be paid to what your lordship has said.

At a later stage, Mr. Ruston said certain information had been given to him with regard to the prisoner's conduct was absent. Ultimately His Lordship said he would defer sentence until the next Assizes, prisoner to remain in custody in the meantime.

CAMBRIDGE GROCER SENT TO PENAL SERVITUDE.

A SENSATIONAL FINISH.

Ernest John Mako (27), grocer, Cambridge, was indicted for a serious offence upon a girl under the age of 13 years, named Emily Cain, living in Cambridge, some time during the six months previous to the 3rd of June, 1904.

Mr. Ernest Wrighton, instructed by Messrs. Whitehead and Tripp, appeared to prosecute, and Mr. Keene, K.C., and Mr. H. C. S. Ellis (instructed by Mr. J. F. Ferrando) appeared for the prisoner, who pleaded not guilty.

Mr. Wrighton, in opening the case, stated the facts briefly. An extremely painful feature of the case was that the little girl Cain had to be called against her own father.

The little girl Cain told her sad story very clearly, and, in the course of the cross-examination by Mr. Keene, she said she and her companion continued to meet Mako "because he kept on asking us to."

Nellie Rose Addison, who accompanied Emily Cain on each occasion, gave corroborative evidence.

Evidence in support of the prosecution was also given by Mrs. Sarah Ann Cain, 3, Clay-road, Dr. Lucas, St. Andrew's-street, Cambridge, and Dr. F. Deighton.

Detective-Sergeant March said he arrested the prisoner on a warrant on June 3rd. When the warrant was read to him prisoner said it was not him, and it was a mistake. He asked several times if he could go round to Clay-road and said the girls told him it was not a question of paying.

In answer to Mr. Keene, witness said he had always regarded the prisoner as a respectable man.

That concluded the case for the prosecution.

Mr. Keene said he would not then address the jury, but would put the prisoner in the box.

Prisoner, in reply to Mr. Keene, said that Mr. Keene if the story of the little girl Cain was true, and the answer given by Mako was practically an admission of the offence. Mr. Keene, with an exclamation of surprise, threw up his hands and sat down.

His Lordship: That is the end of the case, then.

Mr. Keene intimated that he would not call the witnesses he had intended to call.

His Lordship, without any remarks, directed the jury to consider their verdict, and a verdict of "Guilty" was almost immediately returned.

Mr. Keene: I understand there are no outstanding matters in the case was the fact that when the prisoner came into the witness-box he was not charged with the offence. The charge made against him. In believing the evidence of the two girls, there could be no doubt that the prisoner had behaved in a most abominable manner to both of them. He could not see how the jury could do other than find the prisoner must go to penal servitude for three years.

Extraordinary Case from Chatteris

CLERGYMAN'S SON IN THE DOCK.

Ernest Frederick William Gunning (30), lay-reader, of Chatteris, surrendered to his bail on a charge of attempted gross indecency with Frank Stringer, a labourer, of Woodhurst, on May 13th. There was a further charge against him of having on the same date indecently assaulted Herbert King, of Broughton, and the date of the alleged offence was April 26th.

Mr. Ruston and Mr. Gotto (instructed by Mr. F. Mack, Chatteris) prosecuted; Mr. E. Beeston, K.C. (instructed by Messrs. E. E. Bolton, Chatteris) defended. Prisoner pleaded not guilty on both indictments.

Herbert King, the first witness was that on April 26th, when King was cycling from St. Ives, the prisoner met him near Bartack's hill, the prisoner being on his way towards St. Ives. They both said "Good-night," but prisoner returned, and asked King to accompany him to Somersham. He had his name and address, and then, it was alleged, he made an improper suggestion, and witness refused to go. They went on to Oldhurst, and he saw the prisoner on the night in question on the Warboys-road, and he asked the way to Pidley. His conversation was indecent. He said he had been to St. Ives.—Prisoner: I never said that. Witness continued, saying the prisoner spoke to Cooper, and hearing him say he had been to St. Ives, and was going through Chatteris—Frank Stringer, happened to meeting the prisoner on the road between Somersham and Chatteris on the night of May 9th. They had a conversation, and prisoner made a suggestion and offered him money. Witness refused the money, and would not be went home, returning later with three other lads. Prisoner was sitting on a gate on the road-side, and witness went and had some conversation with him. Prisoner said he had been to Somersham, and had been to St. Ives, some chocolate, and some cigarettes. Witness then ran away and rejoined his friends.

Alfred Thomas King, Woodhurst; Walter Cooper, Woodhurst; and Frank Stringer, labourer, of Somersham, gave evidence of identification.

P.-S. Rowland and Inspector Storey also gave evidence. The Inspector said that, when arrested, prisoner denied ever having been to Woodhurst, Oldhurst, or Pidley. In prisoner's diary, under the date of May 9th, he had written the words "Ely" and "St. Ives," and under the year "St. Ives" had been written "Beerick," a place in the opposite direction from Chatteris.

Sergeant Bostock, Chatteris, said that when prisoner had attended to duty, and that he was in the neighbourhood of St. Ives on May 9th. On May the word "Woodhurst" was written, but that had been crossed out. On another day the word "Somersham" was written "Frank Stringer, 16, Woodhurst."

THE DEFENCE—AN ALIBI.

Edward Lamb, farmer, Chatteris, was the first witness for the defence. He said the prisoner took rooms in his house in the latter end of April. The night Bostock's cinematograph was exhibited he saw the prisoner walking in the direction of High-street.

Mrs. Lamb, wife of witness, corroborated the above referred to visited Chatteris on May 9th. She went to post a letter between 9-15 and 9-30, and saw prisoner in bed.

Inspector Bines, Chatteris, said Bostock's show was at Chatteris on May 9th.

Arthur Marchant, the Chatteris Postmaster, said a letter for delivery in the morning must be posted before 9-30 p.m.

Mr. C. F. Barlow, clerk to the Registrar of the March County Court, said he received Miss Mowbray's letter, posted on May 9th, on May 10th.

Evidence as to prisoner's whereabouts on May 9th was then given.

Edward Allen, herdsman, Whittlesea, said he saw the prisoner at Whittlesea on May 9th.

Mrs Helen Lamb said prisoner was at his lodging at 8.30 that evening.

When the Court rose the case was incomplete, and the hearing was adjourned until Monday.

The Court resumed its sitting at 10.30 on Monday morning, and Mr. Weir proceeded to call further evidence for the defence.

Mrs. Elizabeth Lamb, Chatteris, put in place of the diocese, and swore to their accuracy.

Mrs. Elizabeth Lamb, Chatteris, said the prisoner went to lodge at her son's house on April 25th. After attending Evensong on the night of May 9th, she saw the prisoner sitting in his room. He was not in, and, according to the clock in the breakfast-room, it was 9-15. At 9-30 prisoner came in, and said he had been walking in the nightingales. He said he had to write a letter, and he borrowed Mr. Hickey, and she left him at 9-45 clock.

Cross-examined by Mr. Ruston, she said she had no watch in her room.

His Lordship: How do you know the clock was right?

Witness: They always keep the clock right, my lord, because of going by train.

Mr. Ruston: Then, if the clock, witness and there were from ten to a dozen people present at evening, and she did not see the prisoner.

In answer to the Judge, witness said she could remember the time they came any from every evening service between April 25th and June 30th.

His Lordship: You have an excellent memory, and I congratulate you upon it.

Rev. G. M. Vincent Hickey, a Chatteris Congregational minister, said he knew the prisoner when he was in Chatteris for four years. He knew him well and esteemed him highly. On May 9th he received a letter from the prisoner addressed to the Sanctuary, Westminster.

Mrs. Hickey, wife of witness, said that on April 9th he was with Leonard Young and George Cooper. It was getting dark, and he did not see the man clearly enough to swear to him.

EXTRAORDINARY EVIDENCE.

Percy Day, smith, of Chatteris, said he knew the man Walter Farmer, who had been called for the prosecution. On Sunday, October 9th, witness had a conversation with Farmer with regard to this case. Farmer said he was going to Sunbridge, or he only saw him go through Oldhurst on his bicycle, with his back turned from witness, in the afternoon. He said he had sworn to the prisoner, but he did not think he was the man. He said he had been told by Mr. Rose to say he was the man. He said he had been told by a policeman, remarking that King was soft enough to swear to him.

In answer to Mr. Ruston, witness repeated the conversation he had with Farmer in Mr. Bell's shop. He could not say who was in the shop, because he did not know the people. He was not sure that it was the prisoner's solicitor, who sent for him to his office.

In answer to the Judge, he said Farmer subsequently confessed to him that he had gone to see King to tell him to tell lies to the police. Farmer was re-called and examined by the Judge.

His Lordship: Have you heard the last witness?

Farmer: Yes, my lord.

Tell me this, did you ever say to the last witness that you and another boy had told King what to tell the policeman?—I never said anything of the kind. I never saw King.

King was then re-called and similarly questioned.

His Lordship: Did Farmer and another boy ever tell you what to tell the policeman?

King: No, sir.

PRISONER GIVES EVIDENCE.

Prisoner was then sworn and gave evidence on his own behalf. He said he was a pupil of the late Rev. Peter Gunning, who was a Dissenting minister. He was educated to be an architect, but assisted his father when he began to become blind, and eventually took his father's place entirely. He had worked nearly fifteen years as a lay reader. He went to Chester in 1898, and remained there for nearly five years, going to Chatteris in February last. He lodged with Mrs. Elizabeth Lamb, and had done so for the whole time. Mrs. Lamb, jun. During the whole of his life he had never been in any sort of trouble. He had never been charged with any of the charges now made against him. He did not see King, Cooper, Young, and Stanley on April 26th. That morning he rode from Chatteris to Haddenham Cross, along the Ely-road, and returned by the same road. He was particularly confirmed was hearing the nightingale in Wenny Wood, near Chatteris, that night. When he got home he had tea, and wrote a letter to his brother-in-law, Mr. Hickey, and, after that, his conversation was changed, and then, in place with Stringer, he rode nearly into Ramsey, arriving at 8 o'clock. He afterwards went to Bostock's show, and remained there until Bostock's show. He had never been to Woodhurst or Oldhurst, and was not there on May 13th. He accounted for the entry, "Wood-hurst," in his diary by stating that he entered the name of the place where he expected to be on May 13th, arrived, and he could not go, he struck it out. That day he went to Whittlesey, and he was there on May 9th. He had a pair of horses and cattle along the road. When he was arrested he accompanied the police inspector to his lodgings, and saw him search his desk for papers. While he was so engaged, prisoner heard him say to the police, "Here's a letter to Mr. Woodhurst," that being the boy against whom he was alleged to have attempted the offence.

Prisoner was cross-examined at some length by Mr. Ruston, and pertinently referred to some of the entries in the diaries. It was while the books of the police were turned that he wrote the address on the envelope and placed it in the writing-desk.

His Lordship: It is a great misfortune that we did not make that explanation to the Magistrates. Why you concealed a story of that kind I cannot understand.

Mr. Weir having re-examined the prisoner, His Lordship, addressing the jury, said he had no idea what view they took of the case, but in his opinion it would not be safe to convict on the case.

Mr. Ruston said that under the circumstances he would not address the jury at any length.

His Lordship said he had no doubt the boys were telling the truth when they said that someone did offend them, but it was not safe to convict the prisoner of the offence.

The jury returned a verdict of "Not guilty," and the accused was discharged.

CAMBRIDGE BOARD OF GUARDIANS.

A meeting of the Cambridge Board of Guardians was held on Wednesday, the Vice-Chairman (Dr. Dalton) presiding. There were present: Messrs. J. Bowes, W. T. Chapman, J. P. Carter, J. Bowers, W. T. Chester, C. Coulson, T. Dewberry, H. C. Francis, R. F. Freeman, G. W. Hailstorks, Messrs. Hanson, W. H. Hall, T. Hampton, F. C. Hoyl, A. Hurrell, W. Jeffery, J. Kingston, J. Lee, W. C. Lee, S. Smith, H. M. Tebbutt, E. A. Wadsworth, W. J. Wallis, and T. H. Young; with the Clerk (Mr. J. Wagstaff) and other officials.

MASTER'S REPORT.

The Master (Mr. Luke Hemsworth) reported that the number of inmates in the House the previous week was 1,000, against 1,000 the week ending 1st, against 1,000. The number of vagrants relieved during the fortnight was 280, against 178 during the corresponding period last year. He reported the receipt of illustrated books, presented to the Workhouse Library by Mr. Fisk, Free Library; Mr. Brooks, Jesus-lane; Mr. Schutt, Newmarket-road; Mr. Mathieson, Emmanuel-road; the Church Army; the Railway Mission; and the County Club, per Mr. Bowes. Flowers had been received from Mrs. Booth, pears from Miss Dawson, and flowers from Mrs. Marriott.

THE CHRISTMAS DISTRICTS.

A circular letter was read from the Poplar Board of Guardians, forwarding a copy of a letter from the Guardians to ask, and forward copies to the Home Secretary for presentation to the King, to the Prime Minister, and the local Parliamentary representatives. The resolution was to the effect that the Board viewed with the unemployed, although most acute during the winter months, is a widespread, constant, and chronic condition of things in the East-end, and considered all local efforts to meet the case as only temporary, and merely touch the fringe of the question. The Board therefore considers that the question should be taken up by the Government, and the Poplar Board respectfully requests the Government to at once convene a Special Session of Parliament to deal with this grave and pressing question.

Mr. F. C. HUTT: I propose we go on to the next business.

No resolution was proposed on the subject, and the letter was laid on the table.

A VISITOR'S APPRECIATION.

Rev. Alfred Curtis (member of Braintree Board of Guardians), had made the following entry in the Visitors' Book:—"Have been all round the House, and found everything very exceedingly well planned with the very cheerful aspect of the rooms, and the air of comfort that seems to pervade the whole institution. Every personal care and attention is given apparently by the officials, and the meals by the Master, Nurse, and other officials."

ACKNOWLEDGMENTS.

A letter was read from Mrs. C. R. Lawson, thanking the Board for their kind resolution of sympathy with her in the loss of her late friend, Mr. Paul, Guiding the Board, on behalf of the Cambridge District Nursing Association, for their subscription to the funds of that institution.

PASSIVE RESISTANCE AT BURWELL.

We have been requested to publish the following correspondence:—

Barrypoint, Cambridge,
Nov. 3rd, 1904.

[To the Editor of the *Cambridge Independent Press*.]

Sir,—Will you oblige by inserting the enclosed correspondence in your next issue?

When I read in last week's paper the remarks made by the Chairman in reference to the Burwell Passive Resisters, and knowing Mr. King as I do, I determined to write to him, as a friend and a public official, as well as to the Burwell "Resisters," as I did not believe he would lend himself to anything underhand. The following will, I think the subjoined correspondence sufficiently explain my view.

I have known Mr. King in business matters for many years, and have always found him most straightforward and honourable, and I do not think I could have made any more reputable one that should apparently have allowed political or ecclesiastical bias to warp his judgment, as he appears to have done in this case.—Yours faithfully,

H. G. PEW.

Barrypoint, Cambridge,
Saturday Night, Newmarket,
Oct. 29th, 1904.

Dear Sir,—You are reported in a local paper to have stated, at the Newmarket Bench last Tuesday, that there was a strong objection in the County Treasurer's Office to one warrant only being issued to serve all the 39 "Passive Resisters" cases.

I should assume it a favour if you would let me know how you learned this, and whom, because at our Bench, and at many others throughout the country, no objection to the Resisters is complained with.—Yours faithfully,

H. G. PEW.

R. W. King, Esq.

[DUPLICATE.]
Bulaby Hall, Newmarket,
Oct. 30th, 1904.

I beg to acknowledge receipt of your letter of the 29th, which has had my careful attention.

(Signed) R. W. KING.

Barrypoint,
Nov. 1st, 1904.

Dear Mr. Parker,—At the Newmarket Bench last Tuesday, when 39 Passive Resisters from Burwell were summoned, the Rev. J. Phillips reported to have asked the Bench to grant one warrant to cover the 39 cases.

Whereupon the Chairman is reported to have replied that "there was a strong objection to issuing more than one warrant in such a case."

I should be glad to know if this is true, or what as your office is concerned, and if so, on what ground?—Believe me, yours faithfully,

H. G. PEW.

Thorneycroft, Hereford-road, Cambridge.
8th Oct., 1904.

Dear Mr. Pew,—I regret that any light upon the remark which the Chairman of the Newmarket Bench is reported to have made, unless he meant that more fees would reach this County Fund if 39 warrants were issued instead of one.

If I can clear up the matter to-morrow I will write again. I do not even know at present if there are two payable on the issue of a distress warrant; so, if there are, whether they would be charged for 39 or for one. I am, yours through the Magistrates' Clerk.—Yours very truly,

EDMUND H. PARKER.

Thorneycroft, Hereford-road, Cambridge.
31st Oct., 1904.

Dear Mr. Pew,—In reply to your letter which I received this morning, and which I answered to-day, I am still unable to throw any light upon the statement you report the Chairman of the Newmarket Bench to have made, as no notice has ever been brought to my notice, in any shape or form whatever, and would not, I feel I am safe in saying, have been a point for the Magistrates' Clerk to settle than for the County Treasurer.

I have had no communication with the Newmarket Bench or any other Bench.—Yours truly,

EDMUND H. PARKER.

Barrypoint,
Nov. 1st, 1904.

Dear Mr. Parker,—Thanks for your letter of 31st. Your reply is pretty well what I expected.—Yours faithfully,

H. G. PEW.

Barrypoint, Cambridge,
Nov. 1st, 1904.

Dear Sir,—You will see by the enclosed copy of letter received from Mr. Parker, that the Chairman's statement to the previous letter was not warranted by the facts of the case, and I must, therefore, you will mitigate the injustice done the "Resisters" by getting the extra costs, which, with the one-issue 19 warrants, remitted.—Yours truly,

H. G. PEW.

R. W. King, Esq.

Barrypoint, Cambridge,
Nov. 3rd, 1904.

Burwell Passive Resisters and Newmarket Bench.

Dear Sir,—I am forwarding the correspondence to the Press for publication.—Yours truly,

H. G. PEW.

R. W. King, Esq.

PASTOR FOR BUNYAN'S CHURCH.—The Rev. W. Charles Figgis, of Granville-place Church, Kilburn, has accepted the call to succeed the late Rev. John Gregory Mantle, at the Bunyan Meeting House at Bedford. John Bunyan joined the church in 1653, and after-wards became prominent as a lay preacher and pastor. The first building was a barn, given in 1672. It was enlarged, or rebuilt, in 1770, was modernised, and an oaken pulpit erected, as the gift of the philanthropist John Howard to the congregation.

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