

# THAT BEAUTY FROM BROKE

## A Jury Declines to Believe Her.

### BRANDS HER THIN STORY OF MIDNIGHT RAPE

#### As the Baseless Fabric of a Vision-

#### Henry Hannam Escapes from Julia Heaton's Wicked Wiles.

#### Judge and Jury of One Mind.

The case of alleged rape by one Alfred Henry Hannam upon a 17-year-old girl named Julia Heaton, at Broke, near Singleton, the preliminary hearing of which was fully reported in last issue of "Truth," came before Mr. Justice Frigg and a jury at Maitland Circuit Court on Tuesday last.

The charge was that he did, on August 31, 1904, at Broke, without her consent, ravish and carnally know Julia Heaton.

Mr. B. Cowan prosecuted for the Crown, and Mr. A. B. Shaw appeared for the accused, who pleaded not guilty.

The prosecutrix's story was told again, and in no material point differed from the one she pitched at the police court at Singleton, and which was fully reported last week. Julia again told how she had

#### WALKED AHEAD OF HER COMPANIONS,

Maud Clarke and her sister, and Joe Carroll, hand in hand, with accused, who was leading his horse, having the reins over his arm. How they got about 100 yards ahead of the other party, and past where she had to turn off to Clarke's place, where it was arranged she was to sleep after the social they had all attended at the School of Arts. This was just about 1 a.m., and the night was brilliantly clear.

Fifty yards further up the road she said that Hannam

#### "MADE A GRAB AT ME,

put his arms around my neck, and pushed me over against the fence on the side of the main road. It was about two or three yards off the road, in a lane. The accused did not say anything, but took liberties with me and lifted up my clothes. I sang out, "Let me go," and "Let me alone." He would not desist, but pushed me tightly against the fence. He had intercourse with me, but I did not sing out, as I was nervous and frightened. I had no drawers on, only a petticoat. I was against the fence for about ten minutes, and then

#### FOUND MY WAY BACK

along the fence to Clarke's, where I went straight to bed. Maud Clarke and her sister were not in bed when I got back, but I did not tell Maud what had happened, as I was afraid my father, who is very strict, would hear about it. I told Maud about two hours after, because I was very ill. Accused came back with me to Clarke's. Did not know what became of the horse accused was leading, but saw it afterwards still hitched on his arm. Had previously been in the habit of wearing underclothing, but left them off that evening when I went to the social."

In cross-examination by Mr. Shaw, this extremely innocent young outraged virgin swore that accused used considerable force, and that

she swore that accused used considerable force, and that

#### HER LEGS WERE VERY SORE,

but she had not the slightest mark or bruise to show for all this. She forgot whether accused held her clothes up while he was having intercourse with her. He had his arm around her neck. She was able to speak, but never gave it a thought to scream.

Dr. Maffey, who examined the girl next day but one, said that no undue force could have been used from what he could see. The hymen had been ruptured within a comparatively recent date. There was no bleeding when he examined her. There were no bruises on her back. He believed the prosecutrix had been virgo intacta previous to the recent rupture he spoke of. It would be

#### A MOST DIFFICULT THING

for a man to commit a rape in the position the girl said she was in, standing up. There was nothing to indicate that she had been interfered with without her consent.

Dr. Bowman, Government Medical Officer for the district of Singleton, considered that there would have been bruises on prosecutrix if such a struggle had taken place as was described. He did not think the offence could have been committed if the girl had been standing up, as was stated, without her consent.

But perhaps the strongest evidence in favor of accused's version, which it will be remembered was that intercourse certainly did occur, but that it was with her full consent, was that of Maud Clarke, the young woman with whom she slept, and whom she told that Hannam had had to do with her. Miss Clarke was a Crown witness, yet she deposed that prosecutrix did not complain, did not appear to be upset, and was the same as usual. In reply to Mr. Shaw, Miss Clarke said she could see the accused and prosecutrix walking along in front of her. She was about a hundred yards behind them. Just as soon as witness got home prosecutrix came in. Some five minutes had only elapsed, and the prosecutrix could not have been straggling with a man for ten minutes.

Other evidence that was strongly against a supposition of rape was that of Joseph Carroll, the young man who accompanied the Mauds Clarke to their own gate. He had just left them, and coming away he met accused and prosecutrix. They were walking side by side, and not supporting one another along. He passed them about six yards away, and it was a bright moonlight night.

It will be as well to here republish the accused's own evidence, for it is a succinct, reasonable story, with none of the wild improbabilities of that told by the girl. Accused, Alfred Henry Hannam, deposed that he had met the prosecutrix from time to time prior to August 30 last. After leaving the social they walked off in front of the other couple. They walked as far as Clarke's together, and when they got there he asked her to walk on a bit until the others came up. She said, "Yes," and they walked on as far as the lane. She said, "Do you think

#### WE HAVE GOT TIME?"

and he replied, "Yes," and they walked on. He was leading his horse. On one occasion she had her arm around him. She kissed him. Witness did not kiss prosecutrix as stated by her. They walked down the main road about a hundred yards or more until they got to the lane, and they went a bit up the lane to the left, fully 40 or 50 yards. He was leading the horse all the time. It was perfectly true

#### HE HAD INTIMACY

with the girl. He had the rein of the horse over his arm the whole time. He did not have the girl round the neck as stated by her. It was not true she resisted and struggled. She had

was not have the girl round the neck as stated by her. It was not true she resisted and struggled. She kissed him just afterwards and said, "We have been trying for this a long time." Witness and the girl then walked back. After they got to Clarke's gate she kissed him good night, and when they were coming along the road she said, "When will I

SEE YOU AGAIN?" and he replied, "At the post office, on Thursday or Friday."

To the Sergeant: He asked prosecutrix at the social to go home with him. He had it in his mind to have intercourse with her all along; she was throwing herself in his way.

At the conclusion of the evidence for the defence on Tuesday Mr. Shaw addressed the jury, and his Honor then summed up in favor of accused.

The jury, after a retirement of about a quarter of an hour, returned into court with a verdict of not guilty. Accused was thereupon discharged.