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HIGHAM FERRERS. Petty Sessions, Monday, June 23rd.—Before R. Flintham (Mayor), and J. Crew, Esq

The Alleged Larceny by a Debtor John Francis Hawkes surrendered to bail to answer a charge of having stolen watch and chain, the property of J. O. Ham.—Mr Heygate prosecuted, and Mr Halliley defended.—After an objection Mr Halliley to the evidence given by Mr Ham on the last hearing, on the ground that he did not produce the petition for liquidation, which was overruled, Mr Ham was sworn, and, cross-examined by Mr Halliley. He said he did not always take the watch from the person of debtor in liquidation. He had had great deal of experience of liquidation matters as trustee, but had never taken a watch from the person of the debtor. He had given up watches as part of the estate. Made an inventory of prisoner's goods, but that did not include the watch. He had never known debtors include their watches the statutory allowance of £20. The debtor was given into custody without his knowledge, but he had sanctioned the proceedings. Had not said "If he had been there those proceedings would not have taken place"—lie-examined by Mr Heygate Did not see the watch and chain when he made the inventory, or should have included it in it. The prisoner did not ask to be allowed the watch and chain in his statutory allowance.—Robert Britten said after he saw prisoner take the watch and chain, he (witness) asked him what he was going to with it. He said, "Take it." Witness said it did not belong to him. Prisoner said it did. Witness said it belonged to his creditors. Prisoner said should have it, and witness said he should not, and he took hold of the chain, and it broke from the watch. Prisoner went to the room door, and to the left there was a window looking into the yard. He was in the act of getting out, when witness prevented him, and told him that unless he gave the watch to him he should send for the policeman. He said he'd not got it; it was out upon the grass or over the wall. There was a grass-plot out-ide the window. Witness sent for the police, and gave him in charge for stealing a watch and chain. After the police sergeant came, prisoner pulled the watch and chain out of his waistcoat pocket, and handed it to witness. He never went out of his (witness's) sight after he said the watch was outside, so that that was false. Cross-examined did not know how many blankets there were in the house either the time took possession or at the sale, but he knew there was pair of blankets in the box on the 11th, and they were not there on the 16th. He would not swear they were not put in another room. When prisoner went into his room on Monday morning witness followed him, and saw him take the watch. He did not say he would rather throw it out of the window than let witness have it. Mr Simpson, jun., came in while he was down stairs, and prisoner said then he had not got the watch, but that was his. The policeman and Mr Simpson went out to look for it, and when they came back the officer said he must have it somewhere about his person. Witness could not say the watch was usually kept the box. He had never seen prisoner wear any watch while he was possession.—P.S. J. Martin said he was sent for to the house of prisoner, and found him sitting in a chair held by Britten. Britten gave the prisoner into custody for having stolen watch and chain, at the same time handing the chain produced. He said, "He has the watch upon him somewhere." He (witness) asked prisoner was, and he replied he had not got it. Witness must have it, and was about to search him when he pulled it out of his pocket. Witness told him he must take him into custody on the charge of having stolen it He then said was his. As was being taken to Wellingborough he said it was his mother s watch. — cross examined ' The prisoner slightly resisted. Always handcuffed prisoner in custody for felony Re-examined in accordance with his general instructions Simpson said he was passing prisoner's house on the morning of the 16th inst., when he was called in. On-going into the house, he saw prisoner and Britten struggling on the ground. Britten said he had either thrown the watch on the grass or had got it on his person. Witness walked across the grass but saw nothing. He then went and fetched the police this was the case for the prosecution.

Mr Halliley for the defence said the prosecution had failed to make out their case. All they had shown was that there was a liquidation pending, trustee had been appointed, and the prisoner, in ignorance of the law, took either his own, or someone else s watch from his own room. The prosecution were bound to show a felonious intent' but they had failed, for, though the prisoner had

been warned not to go to the house again, he went straight to his room, with the bailiff close to him, and took the watch. The bailiff tried to hinder him, but prisoner fought for what he believed he had a right to, and, according to the Bankruptcy Act, bankrupt was allowed to have goods to the value of £20, and as it is not laid down as to how the £20 should be made up, he contended that the prisoner had a right to it, and he asked for a dismissal of the case, which was frivolous the extreme, and so absurd that no jury could possibly convict. He called Amelia Hawkes, who said the watch and chain produced belonged to her. They had been in her possession more than a month. On Sunday, the 15th, prisoner said, "Mother, will you lend me your watch," and she lent it to him. The watch and chain produced were the same. Cross-examined: The watch did not belong to her husband he had not one. Both the watches are gentlemen's watches. The other one was her husband's mother's it came to her after her death. John Francis gave them to her twelve months ago. She changed with the prisoner, and her husband gave her the little one 40 years ago. He had the watch for three days to go to Staughton. He had had several times during the last twelve months. Did not know what became of the one she gave him in exchange for this.—the case was dismissed