

Sat 14th July 1849 Northamptonshire Summer Assizes

John York was charged with having, the 23d of June last, at the parish of Finedon, in this county, violently and feloniously, against her will, ravished and carnally known one Sally Smithers. Sally Smithers deposed that she is 16 years age. Her father is a labourer residing at Finedon.

On Saturday the 23d of June, a little after seven o'clock in the morning, she was taking her father's breakfast to him in garden close to where he was working. She saw the prisoner in an adjoining close. Who was standing there doing nothing? There was a hedge between them. Prisoner spoke to her, and then came through the gate to the close she was in. He told her that her father was not there He threw her down and pulled up her clothes. He would not let her get up. He got upon her, and put his trousers down.

She tried to get away, and called out as loud as she could call, but he succeeded doing what attempted to do.

Her ' father came up. Cross-examined by Mr. Macaulay for the prisoner. Her father has never known That she had had previous connection with any man, or charged her with it.

It was coffee and bread and butter which she was taking to her father.

There was a hole in the field deep enough to conceal any persons lying in it. The bread and butter was lying outside the hole. The bottle of coffee she retained in her hand during the whole struggle.

William Smithers. The father of the prosecutrix, stated that he was at work for Mrs Plackett on the day in question. His daughter was to bring his breakfast into Mrs Plackett's bottom field. He saw his daughter in the adjoining close about quarter of a mile distant.

When he first saw his daughter, John York, the prisoner, was standing on a gate. Saw him get down and pull his daughter into the corn.

She screamed. He hastened to the spot and found the prisoner on his daughter. Prisoner got up and buttoned his breeches.

His daughter's hair was disordered, her face pale as the paper on the table, and she seemed fairly beat out.

He asked his daughter if she had been willing when able to speak, she said "No."

He then told the prisoner that if there was any law in the country, to Northampton he should go."

Mr. Macaulay briefly addressed the jury, pointing out the peculiar features of the case.

He called Sarah Ann Windsor, who said she is seventeen years old. Knows Sally Smithers who has been in in the habit of walking with her. They were both at a dance at Halliday's on Easter Tuesday.

The prisoner and the prosecutrix were together that night. She has seen them together before.

They went into the rickyard together between eight and nine o'clock that night. The rickyard is just out of the town.

They were there about an hour, and came out together. Was with her in a lane near Finedon called Milner's gate. York was with them and witness watched for Sally Smithers to see whether any one was coming. (Laughter.) by the Court- Continued watching six or seven minutes.

Gabriel Wood, lives at Finedon. Saw John York on a gate on the 23d June.

This gate leads to the field where the transaction took place. Heard the voice of the girl's father and soon after saw her running a few yards behind him. Was about 260 yards from the close where prisoner and prosecutrix, were.

Heard the father's voice distinctly, but did not hear any scream whatever.

His Lordship intimated to the jury that the case had failed, and the prisoner was then discharged.