

Sat November 10th 1893

KETTERING. DIVISIONAL PETTY SESSIONS. Wednesday.—Before Mr J. J. (chairman), Mr J. A. Gotch, Mr Thomas Wallis, Mr J. ' Willows, and Mr J. T. Stockburn. Divided Bench.

George Hawkes, Stanion, and Mark Prentice, Weldon, were summoned for breach of the Poaching Prevention Act, at Kettering, on Oct. 16. Hawkes -was further charged with night poaching at on Nov. 4. —Mr P. L. Rawlins prosecuted, and Mi. C. Holt defended, and the Court was crowded, much interest having been created in the case. P.S. Hinds gave evidence that in the afternoon of the day. Named he was on duty on the Weekly road, when saw the defendant Prentices carrier's van coming towards Kettering, Hawkes and others being in the van. He called Prentice out and said, "I have reason to suspect you have poached game in your van," when he replied, " There is bag inside, and the man who belonged to it." Witness then called Hawkes out, and Prentice said in his presence, "I received the bag in my van from Mabbutt and Hawkes Stanion." Witness told them he should seize the bag under the Poaching Prevention Act, when Prentice said, "But I must take them where they are addressed." Witness examined the bag, which contained two rabbits, which had been freshly killed, but on attempting to get the bag out the van Hawkes said You shan't have it," and furthermore addressing Prentice, Hawkes said "I shall hold you responsible for delivering that bag to where it was addressed." Witness knew Hawkes to a convicted poacher, and that had no land from which he could get rabbits. The bag was addressed to ' Mr Norman, Montague-street, and Kettering. — By Mr Holt: When he stopped the van witness was acting upon information that Hawkes had been seen in company with well-known poachers at Geddington that morning. Hawkes never said that the bag did not belong to him. —Inspector Andrews stated that during the morning was in Geddington, when he saw Prentices van, and in it were two well-known poachers named Mabbutt, who got their living chiefly by poaching. On the Friday following witness saw Prentice, and in the course of conversation asked him whether knew who the men were in the van, and what was the bag, and he replied, " Yes, but if I did not bring them someone else would.!"—Mr C. Holt, in defence, contended that there was case, there was no proof whatever that there was cause, for suspicion of the defendant coming from land as. There was no poaching implement of any kind upon either of them .as a matter of fact, Mr Holt said that the rabbits did not belong to Hawkes, and he should able prove that the defendant had not come from any land. With regard to Prentice, Mr ' Holt said he was simply acting in pursuance his duty carrier in bringing the parcel, which he received from man named Mabbutt at Stanion. The two Mabbutts also rode in the cart to Kettering, but got out just before the police came up.—John Mabbutt, of Stanion, stated that on the day question he asked Prentice to take a bag containing rabbits, which was addressed to Mr Norman, Kettering. The rabbits belonged to witness, and were killed on the Saturday night Mr Rawlins: You do not usually appear in that place, you, you usually stand here (pointing to the dock), "don't you? (Laughter.)— Witness: I have been there.—Mr Rawlins How many times Witness I cannot say. Is that anything to do with the case—am I obliged to answer it ' —Mr Rawlins But you must answer me Mr Wallis: I don't think "that it is fair question Mr Rawlins: It is nothing at all to do with it whether it is fair question or not. I contend I am entitled to ask it, and I insist upon my right.—The Magistrates' Clerk Mr Rawlins is justified in asking questions to the " witness's character. Mr Rawlins (to well, you are convicted poacher —Witness: Yes. Mr Rawlins and have been convicted so many ' times you cannot remember the number. —In reply to further questions, witness said he got the rabbits from land on which he had the right to kill. He had, he said, raised that defence when he was last before the Court, but he could not say whether the magistrates believed him or not he was, however, convicted. If Hawkes claimed the rabbits as his he had no right to do so. Hawkes did not help him kill the rabbits, as he had not had anything to do with him for

several months.—After a lengthy hearing the Bench consulted, and in a few minutes the Chairman informed Mr Rawlins that the magistrates were divided, and there were two courses open to them.—Mr Rawlins said that event he suggested that the case should be adjourned and re-heard before a Bench when an odd number of magistrates were present.—The case was accordingly adjourned for fortnight. It should be explained that Mr Stockburn did not take his seat upon the Bench until this case was completed. In the second charge against Hawkes, Mr Rawlins said that defendant might consider himself fortunate s that he was not charged with a much more serious offence, he acted like a maniac, hitting out at the keepers right and left with sticks, and taking a knife out them, which was luckily got away from him before he did any injury.—Marlow and Blundell the keepers, gave evidence showing that the prisoner was seen in a wood at half-past five in the morning setting nets and catching rabbits. He was subsequently seized (when he had 22 rabbits) by the keepers, and a long tussle ensued, prisoner having evidently (from his battered appearance) got a severe punishment in the encounter. (During the hearing prisoner was accommodated with a seat.) Neither of the keepers would admit that they attacked Hawkes first, but Marlow said they did strike him after he attacked them.—Mr Holt It looks like it. 'Who did all this knocking about to Hawkes ', fell down during the struggles.—Did you give him this black eye cannot say.—Both keepers, too, denied that Hawkes pulled his watch out during the affray and said it was seven o'clock.—Blundell, in ' reply to Mr Holt, said that neither he or Marlow ' struck Hawkes, and he must have got all his injuries by tumbling about. They put strap round his wrist to take him along because he would not go civilly." They did not string his wrist up to his neck. Hawkes complained being hurt, but witness thought he was "shamming." He did not know that a doctor had to be fetched to Hawkes.—Mr Holt, in defence, was referring to the violence of the keepers, who, he said, rushed at Hawkes from behind and severely maltreated him, when Mr Rawlins protested and said Mr Holt had no right to make such observations unless he was going to call witnesses to prove them.—Mr Holt, however, maintained that as the defendant's mouth was closed he was standing in his place, and was fully entitled to state what the defendant told him. The keepers, he continued, ought to be thankful that they were not in the dock charged with manslaughter. —Robert Smith, Stanion, was called to show that he saw prisoner about three miles from Stanion a little after five in the morning, but he could not say how long would take Hawkes to get from there to the wood.—John Eaton, Weldon, said he saw Hawkes a mile from Weldon, and a mile and half the nearest way from the wood at five minutes to six in the morning. It would be impossible for Hawkes to get to the wood before six. Prisoner had then got some rabbits on his shoulder. The magistrates retired, and upon their return they sentenced prisoner four months' hard labour, the expiration which term he was ordered to find sureties to keep the peace for six months. Under the circumstances the case which Hawkes and Prentice are jointly concerned was adjourned for four months.