



Durrington

Court Cases

DEVIZES COUNTY COURT – MONDAY

Mr Henry Hunt, the Auctioneer – No less than four actions were brought against Mr Hunt, the auctioneer, of Devizes, to recover sums of money which he had received on behalf of persons by whom he had been employed to sell good, and had appropriated to his own use.

The first was an action brought by Mr W. G. Clark, of Devizes, to recover £3, (the value of a horse, which Hunt had sold for plaintiff) and which Hunt now promised to pay on Friday next.

In the next case Mr John Dowse of New Marsh Farm, Erchfont, was plaintiff. In March, this year, Mr Dowse employed Mr Hunt to sell his dairy stock by auction: but up to the present time he had been unable to get a settlement. It was therefore to recover a balance of £14 9s. 7d. still due that the present action was brought. Hunt however insisted that there was some error in Mr Dowse's claim; and the Judge, in order that the matter might be satisfactorily explained, adjourned the case for a month, and ordered Hunt in the meantime to make out a clear DR. and Cr. Account, showing the sums he had received from different purchasers at the sale, and how he had disposed of them.

The third case, was an application for Hunt's commitment to gaol, for having failed to obey an order of the Court, made in August 1855, to pay £7 19s. 4d. due to James Withan, for money he had received on Withan's account, and appropriated to his own use.

Hunt here accounted for the difficulties in which he had been placed by his having, during the time he was living at Box, been mixed up with a man named Mr Gover Gray, and which acquaintance, he said, cost him £23, and by a further loss of £20 which he had sustained by a man named Attwood of Corsham.

His HONOR – But that is no reason why you should pay your debts with money belonging to other persons. I certainly cannot refuse an application for commitment under such circumstances; and I shall, therefore, in consideration of your having fraudulently appropriated plaintiff's money, make an order for your commitment for 14 days; but I will suspend its execution for a fortnight, in order to give you time to come to a settlement.

The fourth case was also an application for Hunt's commitment to gaol, for having neglected to obey an order of the Court made in June this year, requiring him to pay a balance of £1 1s. 4d. due to Mr Geo. Hayden of Durrington.

The JUDGE asked Mr Hayden to state the circumstances under which the debt was contracted?

Mr Hayden said Hunt sold a gig for him in Devizes market about a year ago, and kept the balance for which he was now sued. He had applied to him for it several times, and the only answer he could get was, that he would pay him some day.

The JUDGE (to Hunt) – I wonder you have not got into a Criminal Court instead of this. This is the fourth case in which you appear to have been receiving money belonging to other persons, and appropriating it to your own use.

Hunt said something about having sent a cheque to Mr Hayden; but in answer to the Judge, he admitted that he did not keep a banking account. A week ago, Mr Hayden said he received a letter from him to the following effect – “On your applying for your balance to the Court, you can receive it.” He did apply, and found that Hunt had told him a lie.

The JUDGE – I shall make a commitment for 14 days in this case – the defendant having received plaintiff’s money, and fraudulently appropriated it to his own use.

HUNT begged that the order might be suspended until Thursday.

The JUDGE said he had no objection, if the plaintiff was agreeable to it.

Mr HAYDEN, however, said he would rather not. Hunt had given him a great deal of trouble, and had brought him 20 miles that morning. He wished therefore the law to take its course.

The defendant was accordingly handed over to the bailiff of the Court, and escorted to the New Prison: but we understand he obtained his liberation in the evening, by getting some one to pay the debt for him.

(Devizes and Wiltshire Gazette, Thursday 12th November, 1857)