

## EXTRACT

West Briton Advertiser

4 APRIL 1845, Friday

CORNWALL LENT ASSIZES

Thursday, March 27

GILBERT WHITE, 22, was accused of having broken into a mill house at St. Columb Major, occupied by JOHN HOUGHTON, on Saturday, the 1st of March last, and stolen therefrom a quantity of flour. Pleaded not guilty. Mr. Rogers stated the case for the prosecution, and then called WALTER HOUGHTON, who deposed as follows: Was at his son's mill on the evening of the 1st of March, and on leaving it locked the mill, stable, and barn doors, and took the keys away in his pocket. In the stable left a yellow poney with black legs and tail, and in the mill three bags, two of which contained a bushel of flour, each weighing 140 lbs, and the other a peck weighing 35 lbs. On returning next morning before eight o'clock, found the barn and stable doors had been broken open. The poney and one of the bags .. the mill were missing. One of the 140 lb. bags was left, and also the peck bag, the contents of which, however, had been increased by 29lbs, making in toto 35 lbs, so that the bag taken away must have contained 120lbs.

JOHN HOUGHTON, son of last witness, and occupant of the mill, went with his father on the morning of the 2nd of March, in search of the poney on the turnpike road leading to Wadebridge. Prisoner's house is about five miles from the mill, about a quarter of a mile down a bye land from the Wadebridge turnpike. Found the poney on No-man's land, about two miles from the prisoner's house. Went next day to prisoner's house with the constable, who went up stairs and searched whilst witness stood at the door.

John BURROW, constable, went with the last witness to prisoner's house on the 3rd of March, and told him what he had come in search of. Prisoner replied he might search, but there was nothing there, and as for Saturday he had not been outside his own door after three o'clock in the afternoon. Prisoner's wife accompanied witness up stairs. She said they had a half bushel of flour which her husband had brought home on Friday night; prisoner corrected her, saying it was not Friday but Wednesday night. Found a chest full of flour pressed firmly down, in a bed-room upstairs. When taken out, prisoner said he had bought 70 lbs. of flour at Saltwater mill, from a man whose Christian name was Thomas, and had given for it at the rate of 17s. per bushel. Witness further found four loaves of bread, apparently newly baked, and each of which weighed 31 lbs. Next morning he compared the print of the toe-piece of a shoe in the corner of a window cob, in the mill, with a shoe belonging to prisoner; there was nothing remarkable about the shoe, but it corresponded exactly with the print.

A witness spoke to having seen the poney on Sunday morning in the bye-lane leading to prisoner's house. The miller's man at Saltwater mill, whose Christian name is Thomas, said that neither on Wednesday, the 26th of February, nor the following Friday, did he sell any flour to prisoner; nor had he seen him till called before the committing magistrate. His master's name is also Thomas. A witness was then brought forward to prove that he had seen prisoner at his father's house on Saturday evening between eight and nine and that he afterwards left it; and another witness proved that on that Saturday night he was traveling on the road between St. Columb and Rosevanion, and overtook a man dressed in a fustian jacket and low-crowned hat, (like prisoner's) who asked what o'clock it was, to which witness replied it was ten. They walked past the mill together and then separated, the man going on to the Wadebridge turnpike road. Samples of flour from prosecutor's mill, Saltwater mill, and that found in the prisoner's house, were produced for the inspection of the jury; and the constable being re-called, stated

that the prisoner's hat was a low-crowned pleated one, and that there was no appearance of flour upon his clothes, or in the house, except in the [loft]. His Lordship, in summing up, said that the evidence of the two witnesses who spoke to having seen the prisoner at his father's house, and meeting a man like him on the road, was very immaterial, and directed the attention of the jury to the correspondence between the quantity of flour lost and that found (including the weight of the loaves) in the prisoner's house, to his mis-statement as to where he had purchased the flour found, and to the correspondence between the shoe and the print on the window cob, and other points in the evidence. The jury returned a verdict of Guilty, and the Court, after admonishing the prisoner, sentenced him to Nine Months' Imprisonment.

Source: <http://freepages.genealogy.rootsweb.ancestry.com/~wbritonad/cornwall/1845/misc/apr.html>