

Derbyshire Times.

Saturday 6th. May 1854

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Alleged Conspiracy to Defraud of the sum of £3,500.

On Saturday, Marylebone Police Court was crowded by professional and mercantile gentlemen, to hear the case, which had been adjourned from the previous Saturday, the charge against a solicitor of high standing and others, of conspiring to defraud a gentleman named James Haynes Haynes of the sum of £3,500, being the alleged produce of the sale of some shares in the "Wheal Treivane" Cornish mining company. Mr. Lull(?) was the sitting magistrate. Defendants were Charles Henry Edmunds, solicitor to the Swedish railways; Robert Edmunds, lodging-house keeper; Alfred Elborough, in the office of the committee of West India merchants. Mr. Sleight opened the case on behalf of the prosecution. The three defendants had been summoned at the instance of the prosecutor, Mr. Haynes Haynes, to answer charges he was prepared to prefer, and which he (Mr. Sleight) had no doubt he should be enabled to establish against them, that of conspiring to defraud Mr. Haynes of a sum of money amounting to £3,500. In the year 1851, Mr. Haynes, who, at that time, was a young gentleman in good circumstances, and having high expectations, became introduced to the defendant, Mr. Charles Henry Edmunds, who was a solicitor, and was represented to be connected with a valuable mining company, called the "Wheal Treivane" mine, in Cornwall. This mine and company was represented by Edmunds to Haynes to be a first-rate concern, and he offered to introduce him to the gentleman of whom he could obtain some shares, which were represented as the most valuable investment for money capital. This gentleman turned out to be Mr. Robert Edmunds, the brother, and Mr. Alfred Elborough, the other defendant, who was introduced to Mr. Haynes as a gentleman of high standing in the City, and as being connected with the West India Committee. The mines, however, were stated to be in the possession of a Messrs. Bennett and Gouldsworthy, and it was proposed to Mr. Haynes that he should, with them, take a sufficient number of shares in the concern to buy them out. Ultimately it was agreed that Haynes should purchase the 6,520 shares held by Gouldsworthy and Bennett, for the sum of £3,500, and it was represented that so good a concern was it that if the prosecutor paid £1,000, and accepted bills for the remainder, the money should come in sufficiently fast to meet them. When these negotiations were about to be completed, the real owner of the shares turned up in a Mr. Mahew, of Coggeshall, Essex, who had never been known or mentioned before in the transaction. Haynes, however, upon the assurance that there would be no risk, completed the purchase, and paid the £1,000, leaving £2,500 to be paid by his acceptance of bills which were drawn up at short dates. Mr. Haynes accordingly accepted the bills, to be drawn upon by Elborough. When the first bill became due, which was in two months, and which was for £300, instead of the proceeds of the shares being realised, Mr. Haynes found that there were no funds to meet it, and Mr. Haynes was then told by the defendant that none of the shares was sold, and that there were no funds to meet any of the bills, all of which for the entire £2,500 became due by the month of November, 1851. The result was, that Haynes was sued upon several of the bills as they became due, and judgement after judgement was obtained against him, and under the advice of R. Edmunds he was forced to go into retirement. The defendants prevailed upon Haynes's brother-in-law, Mr. John Edgington Jones, to use his influence with Haynes, to make a transfer of these shares, and keep himself quiet and out of the way. Upon the representations of the defendant, Edmunds, and Jones, Mr. Haynes was induced to agree to assign all the shares except 100, and the books and papers were then given up, which had reference to the mine, to Charles Henry Edmunds and Jones, the shares to be sold for the benefit of the prosecutor Haynes, and he was obliged to keep quiet and out of the way until the matter was settled. In the month of March, another party, a Mr. Eason, was introduced, and Haynes was induced to transfer all the shares to Charles H. Edmunds, as a

trustee for him (Haynes), and Eason, as a trustee for Elborough. The assignment of the shares was brought to Haynes, with the writing required of him filled up in pencil. Indeed prosecutor Haynes had been kept entirely in the dark as to whom the shares were going to be sold to, to get him out of difficulty. He (Mr. Sleight) should, however, be able to show that these shares were sold to a gentleman named James Walter Smith, and that £3,500 was paid for them, not one farthing of which had Haynes ever recovered, and a deed was drawn up for a transfer of the shares from Elborough and Edmunds to Mr. Smith on behalf of Haynes; and the question was, whether those parties could legally have made the transfer at the time they did so. The deed was prepared on April the 13th., 1852, and on the 15th., the defendant, Robert Edmunds, came to Haynes, and wished him to sign an authority to the Charles H. Edmunds and Eason as trustees on behalf of himself and Elborough to convey the shares to Mr. Smith, which he did not do so. The shares, however, were transferred, and the money was paid, and they found that £1,700 was paid to the Royal British Bank to the credit of the account of Charles H. Edmunds and Eason. Although the money was obtained, Mr. Haynes never got one farthing for his share, and had to go through the Insolvent Court. He, therefore, contended that if he proved, as he should do, all this by evidence, he had made out a case for conspiring to cheat and defraud his client Haynes, out of the sum received, or such portion thereof as it could be proved he was entitled to. Mr. Long said that it appeared to him that Haynes had consented to place these shares in the hands of C.H. Edmunds and Eason as trustees, and if that be the case, and these parties had received money for the shares as trustees, then proceedings in a Court of Chancery might be taken to compel such trustees to pay over the money. Mr. Parry said that was precisely the position of the case. He begged to remark, on the part of his client, Mr. Charles H. Edmunds, that had offered to refer this matter even to Mr. Haynes's family solicitor, and if there was one farthing proved to be due to him to pay it, or any amount that might be so awarded, after hearing all the facts in the case. Mr. Sleight said he begged to say he was instructed to give the statement that any such offer had been made the flattest contradiction. Mr. Parry then made the offer publicly in court, on behalf of his client. Mr. Sleight consented that the affair should be referred to a member of the Bar, and Sergeant Wallinger was named as arbiter by Mr. Long. Mr. Duncan said the matter having been thus disposed of, he was anxious that it should go forth to the world that his client, Mr. Robert Edmunds, had never touched one farthing of the money alleged to have been produced by the sale of these shares. He regretted that the enquiry had not been gone into, as he should have been enabled to prove this fact. Mr. Parry, for Mr. C.H. Edmunds, and Mr. Sergeant Thomas for Mr. Elborough, made a similar declaration, and the parties then left the court.

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Ceylon.

The Gold discovery announced in our last has continued to engross the attention of the public and the press. The result seems to be that Ceylon numbers gold among her mineral products, although not in quantities to render the search for it remunerative or pleasant in such a climate as ours. The scene of diggings is in the bed of the Maha Oya, the sources and tributaries of which arise amidst the Dolosbage and Kaduganava groups of coffee estates. Dr. Gygax, it appears, found traces of gold in Saffragam, and Dr. Kelaart stated recently that some grains had been discovered at Newera Illia. To that gentleman, we owe the information that Mr. Hopkins, a great authority in gold mining, touched at Galle, and pronounced it as his opinion that, though gold might be found in small quantities, no profitable diggings could be expected. The "practical" diggers entertain a different opinion, but the results hitherto are in favour of the less sanguine view. Disease has already attacked the diggers, and within the last few days rains have set in, which will probably put a sudden stop to their operations. Of course, the coffee planting community have been in a state of suspense anything but pleasant. Many of the leading planters have visited the diggings, we believe this mail leaves them pretty well reassured. There is gold dust in the rivers of Brazil, but coffee planting there has been found the more profitable pursuit. So we may venture to assert it will continue to be here. But if Ceylon is to derive no profitable revenue from gold mines we are glad to have the strongest possible assurance that, after the dreary interval of nearly twenty years, another of our ancient mineral resources it about to become productive. The result of Captain Steuart's recent inspection of the Aripo pearl-banks is, that a really profitable fishery will take place in 1855. The last occurred in 1837. It appears also from Dr. Gygax's reports on the geology of Saffragam that "millions of tons" of iron lie embedded, whilst specimens of andesite have been found in the same district. If andesite in quantity to work the iron could be found, Ceylon would not be long without a railway, while the steamers calling at Galle could be supplied with coal at a cheaper rate than that at which it requires a fleet to bring them now from far distant Britain. We understand that one public spirited and enterprising gentleman is so impressed with the importance of the subject, that he has offered a reward of one hundred pounds to anyone who may make a discovery on a tract of land which he owns in the district.

Colombo Observer.

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Inquest at Staveley.

On Saturday, the 29th. of April, an inquest was held at Staveley, before C.S.B. Busby, Esq., on the body of James Lee, of Staveley, who met with his death on Thursday, the 27th. ult., whilst assisting to place a quantity of "cores" at the Staveley ironworks, for casting piping, one of which fell on him and crushed his head so frightfully as to cause instantaneous death.

William Knighton, of Hollingwood, Staveley, foreman of the moulders at Barrow's works, was first examined. He said: I was called into the shop a few minutes after the accident and saw the body at the bottom of the pipe pit, nine or ten feet deep. He had just been taken from under. I assisted to get the body on, and take it to Lee's beer-shop. I went the next day to the shop to ascertain the cause of the accident. The deceased had been engaged in making moulds for cast iron pipes, which were about three feet in diameter and nine feet long. The moulds were made in the mould pit, about nine feet deep from the surface of the shop. They are made on carriages which are placed on a railway in the pit. The moulds stand upright in the railway carriage to the full height of the pipe. When the mould is completed, the carriage containing it is rolled along the railway to a stove where the mould dries. The stove wall is about four and a half inches from the outside of the thickest part of the mould at either side. The thickest part of the mould is at the top where the socket of the pipe is to be. This thickest part rises above the pit wall. It was Joseph Lee's business to take the mould box into the stove. The mould not being rightly placed on its seat in the railway carriage, so that the top part of the mould came in contact with the stove wall, which would have been seen the moment they came to it. The carriage was pushed on with levers, and the mould box biting against the wall was overbalanced, and fell over the back of the carriage, and crushed the deceased; one mould box and sand would weigh four and a half tons.

Thomas Smith, of Brimington, moulder, said - I was working with Lee on Thursday night. I was at the top of the pit, and heard the mould box fall. It would have dropped on the end of the carriage. I got out. Another man was lamed, and afterwards I saw the deceased lying on the box, dead. There were only deceased and the other man at work in the pit when the accident happened. The accident happened by their pushing the carriage whilst the mould box was leaning against the wall. Deceased had his right leg under the box. His head was smashed to pieces. A verdict of Accidental Death was returned.

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No Headline.

A young man living at Maynard's Row, Chesterfield, whilst engaged at Speighthill Colliery in driving a horse and wagon on the tram road, met with an accident by which one of his legs and an arm were injured to a great extent.

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Australia.

The Diggings in Victoria.

The accounts from the gold diggings are all very satisfactory. The following letter dated Ballarat, in February, is copied from the Melbourne Argus: -

The celebrated "monster nugget", upon the fruits of which the lucky finders are now probably enjoying their otium cum dignitate in Old England, and which gained for them an interview with that Sovereign whose profile is now probably impressed on the greater parts of the fruits of their labour, hardly created a greater sensation than that produced on these diggings on Tuesday last. In an old hole, situate in a part of the old Eureka, and opposite Messrs. Hassell and Monkcton's London store, a place now also totally deserted, there was found by Thomas Cordwant, William Smith, and a party of five others, a nugget weighing 52 lbs. 1 oz. A strange coincidence!! The other "monster" was also found in a deserted hole. This nugget is 9 inches long by about seven broad, has a striking resemblance to a tortoise, and is composed of smooth gold, also wholly unmixed with quartz. So strange is it that one should go to bed poor, and proceed to the commissioners a comparatively rich man in the morning. But the Eureka is not alone at present famous for nuggets. A general exposition of several tubs on the Eureka yesterday gave the ocular demonstration of the immense richness of the "dust" got from the stuff of this famous mine. Its continuation is studded with claims. "Shepherd's" sit on the tops of the logs piled around their claims awaiting a "find" to enable them to go down. The general success has occasioned many results. The Cosmopolitan Eating House, where diggers now revel in their soups and potted salmon, has to them superseded mutton, damper, and tea, the "snuggery", their concert room, the tasty decorations where before the simple store was all that was either wished or thought of - all show that King Gold on the Eureka has supplied his finders with attenders to await on his regal way.

Meantime, many storekeepers are selling off on the Ballarat flat, adopting as their motto "Hey for Callao"; but, ancient as the mines of Peru may be, 1854 may show them more in Australia than the accumulated wealth of the mines of old. This is no dream, for to parody a phrase of Shakespeare, "Ounces stubborn things".

New gold-diggings have been discovered at Tambaroora and Major's Creek. Both places are near to Sydney. The Sydney Empire, speaking of the Major's Creek diggings, says: -

The new diggings are turning out well. Upwards of 500 licenses have been issued this month. Today, 3½ ounces were taken out in one prospect; but this, of course, was out of a pocket. Nevertheless, all the diggers are working in good spirits. They labour under the disadvantage of scarcity of water for washing, and in parts the sinking is very deep. The Marco Polo arrived at Liverpool on Saturday, with advices from Melbourne to the 19th. of February, nearly three weeks later than our previous advices, which has brought 90 passengers and £100,000 in gold dust on freight, besides a large amount in the hands of passengers. Some excitement had been created by the rumour of gold discoveries at Callao, and a number of ships were on the berth for that port, all to sail at early dates; several had been dispatched, among them the fast ship Boomerang, with about 100 passengers. The value of land at Geelong and Melbourne is increasing every day. The Councillor gold-diggings were all very satisfactory. Two

very large nuggets had been found at the Ballarat diggings with a few days; one weighed 207 ounces and the other 685 ounces. New gold-diggings have been discovered at Tambaroora and Major's Creek. Both places are near to Sydney. The Melbourne Argus contains the following relative to new gold discoveries: "It having been reported that gold had been obtained on Mr. Logan's run, at Black Springs, near the Karkulto Mine, Mr. Haime and three others went up there on the 14th. instant, and returned on the 20th. They sank five holes, and found the precious metal in one of them at a depth of nine feet. Another of the holes they took down to the depth of 15 feet, but the search proved unsuccessful. Mr. Haime described the country as very similar to the strata at Bendigo, being a mixture of slate with a blue-clay bottom. One of Mr. Chamber's horse-breakers picked up a nugget weighing one pennyweight".

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Staveley.

On Saturday evening last, a supper was given at the Crown Inn, Staveley, by R. Barrow, Esq., to the men employed at the Springwell New Colliery, on the occasion of those pits being successfully completed for work. The company, to the number of about thirty, including the chief of the agents, sat down to a supper which was ample, and served up in Mrs. Swift's usual good style. The greatest harmony prevailed during the evening, and some very excellent songs were sung, and the usual loyal and other toasts given. The Staveley Band was also in attendance and enlivened the intervals with several select and well-executed musical pieces. The meeting broke up before twelve o'clock, having spent a very agreeable evening.

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Staveley - Fatal Accident.

One of those accidents, so frequently occurring from the excessive use of intoxicating liquors taken to excess, took place at Staveley, on Saturday night, or rather early on Sunday morning. From the facts adduced at the inquest, which was held on Monday morning, at the Crown Inn, before C.S.B. Busby, Esq., and a respectable Jury, it appeared that the deceased, William Blenkinsop, and several others, had been attending the supper given by the proprietor of the Staveley Works, to some of the sinkers who had been employed at the Springwell pits, in consequence of the completion of the sinking to the bed of coal which had been reached. Everything had gone on very harmoniously till shortly before 12 o'clock, when, in consequence of some of the parties having indulged freely with the whisky, which remained after the supper party was over, he became intoxicated; and in setting out to go home, deceased became very quarrelsome and troublesome. A young man named Chesterton, brother-in-law to Blenkinsop, and a lad named Wisternough, together with a third party, named Woodroffe, started in company with Blenkinsop, towards the Railway Terrace, shortly after 12 o'clock; but they had not proceeded many yards before Blenkinsop began to quarrel with the lad about some money, which deceased alleged he had paid for the boy at some previous ale score. The sum, 1-11d., or, as some of the witnesses said, 11d., he insisted upon having; and upon the boy's declaring his inability to pay him at that moment, deceased, by some means, not very clearly given in evidence, got the lad down opposite to the wicket garden gate of the dwelling of a moulder, named Clark, at some 150 or 200 yards distance from the Crown. The boy, it would appear, cried out murder, and Mrs. Clark who was going to bed, at about half-past twelve, on hearing the noise, called her husband up, who went out at once, and found deceased down on the boy, striking and ill-using him. Clark desired him to desist or he would compel him to do so. He then let the boy get up, and they both came up to him at the gate, and deceased said the boy owed him 1-11d. The lad offered him a sixpenny-piece, but deceased said it was only a fourpenny-piece, which Clark showed him to the contrary - the boy also gave him a two-foot rule, which deceased took but not the sixpence, and the boy decided to keep it until he could pay him. After this Clark left them, seeing that two other parties came up, who appeared to be companions, and who desired him to go on home with them. After this, deceased became very troublesome and quarrelsome, and it was with the greatest difficulty he could be kept from fighting with one of his companions, named William Woodroffe, who was assisting to take him home, and his brother-in-law, Chesterton. All three were down together in the hedge bottom, Woodroffe being undermost. A witness, named Horseman, who had been attracted to the spot by the noise, and in his evidence clearly proved how abusive and troublesome deceased was. In striking at Woodroffe, it appears that he over-balanced himself, and fell very heavily across a gutter, or, as one of the witnesses called it, a "grip", whereby his head came in contact with a stone. This water-gutter which crosses the road, was inspected by the Jury, and some particles of hair were found attached to a cinder on the ridge, which is roughly stoned. Deceased, however, rose from this spot; but what afterwards transpired was not very clear, for the fact that all the parties more or less seemed to be the worse for liquor. Blenkinsop still continued very abusive till at last Chesterton ran off to Blenkinsop's house, for assistance to fetch him home, having, as he alleged, left him quarrelling with Woodroffe, who was trying - it was pretty conclusive from the evidence as given by Woodroffe himself - to induce him to go. William Wilson returned with Chesterton; but, on reaching the spot where he had been left, to their great consternation, they had found him lying in the middle of the road, with his face downwards, quite dead. Other assistance was speedily procured, and, under Mr. Dawson, the superintendent-constable's

directions, he was removed to the Crown Inn. After very carefully hearing the evidence of a number of witnesses, the investigation having occupied several hours in its hearing, the Jury, in conformity with Dr. Keeling's opinion, that death had been caused by a rupture of the lateral sinus, from which compression of the brain had ensued, returned a verdict, that "deceased met with his death from compression on the brain, by an accidental fall". The coroner had several of the witnesses recalled into the room, and admonished them in very appropriate terms to be more cautious for the future in their indulgence in intoxicating liquors, which had terminated so fatally in the case at the present inquiry.

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Mining at Cromford.

We are glad to hear that the new mine lately opened here, under the title of the "Ball Eye Mining Company", is progressing favourably, and that the spirited projectors will be most amply repaid for their enterprising endeavours in opening their new field, and giving so large an employment to their poorer neighbours. In fact, the above lead mine will, in a very short time, rank amongst the best and most lucrative concerns in this county.

Correspondent.

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Imposition in Coals.

In the Westminster County Court, on Saturday, an action was brought by a coal-dealer, as 38, Southampton Street, Strand, named Bryan, trading under the name of the Metropolitan Coal Company, to recover from the defendant, Mrs. Snowden, proprietress of dining rooms in Maiden Lane, Covent Garden, £5-7-6d., for goods sold and delivered. Mr. Dodd, solicitor to the Trade Protection Society, attended on the part of the plaintiff. It appeared that in September last, ascertaining that the plaintiff professed to sell good "Wallsend" coals at £1-1-6d. a ton, the defendant gave an order for 5 tons. Finding, on their being used, that they emitted no heat, although they made a good "show" fire, she had them examined by a competent person, who pronounced them to be a mixture of chalk and slate. Defendant thereupon saw the plaintiff, who, on being assured the matter should be kept quiet, said he would send in a ton of the "very best" to mix with the others. The "very best", however, turned out to be worse than the former ones, in consequence of which she refused payment when demanded, and hence the present proceedings. A sample of the "very best" being produced in court, His Honour considered them rubbish, but as, under the circumstances, he must award some payment for them, he gave judgement for £3-0-0d.

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Frightful Accident by Machinery.

On Monday, Mr. W.S. Rutter, one of the coroners for the county of Lancaster, held an inquest at Houghton, on view of the body of John Knowles, aged 50 years, who was killed on the previous Thursday. He was night banksman at one of Mr. Fletcher's collieries at Denton, and had been assisting to wind coals out of one of the pits. Having finished this about midnight, he and the man in care of the steam engine boilers proceeded to alter the ropes preparatory to winding up water, and for that purpose he went on to the drum upon which the rope curls itself when lifting anything out of the pit. In order to detach the end of the rope that was fastened to the drum. The mode of doing so appears to have been exceedingly dangerous, even to a man acting with the greatest caution. The drum works close to a wall no more than two and a half inches from it. In this wall there is a large hole cut, through which a person altering the rope has to get, at the risk of injury to himself from the accidental starting of the drum, or other cause. Knowles untied the end of the rope, and called out "Go on", upon which the engineer below started the engine, and the drum made about three-fourths of a revolution, when the fireman called to him that Knowles was killed. It would seem that when he unloosed the rope and given the order to go on, he thrust his head beyond the wall into the narrow space described, to see if the fireman had caught the end as it tumbled out from the drum, and the consequence was that one of the iron spokes of the drum, which are flush with its exterior rim, struck his head and carried away a full half of the entire skull, from back to front, scattering the blood, brains, hair, bones, and the flesh in all directions. His eye was also scooped out at the same time. The unfortunate man was found quite dead, and presented the most horrible spectacle. A verdict of Accidental Death was returned.

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Eckington Petty Sessions.

Richard Blackburn, collier, was charged by John Milner with having most violently assaulted him, whereby one of his eyes was completely destroyed. It appeared that, on Thursday week Blackburn, and himself were at work in the pit, when a boy took the a candle away of the former. Blackburn followed the boy, and threw a piece of wood at him; the wood missed the boy, but struck the complainant so severe a blow on the eye, that he was confined to his bed for some time, and would not be in a fit condition for work for some weeks longer. He sought compensation from the defendant for the injuries he had received. He handed a certificate describing the injuries sustained. The complainant also handed in the bill for medical attendance. Ordered to pay £2-19-0d. by instalments, 10-0d. to be paid at once.