

Derbyshire Times.

Saturday 2nd. August 1862.

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Derbyshire and Yorkshire Coal and Mining.

We hear from some districts in these counties of a gradual and steady improvement in the iron trade, owing chiefly to the increased number of orders from the Continent. The steel trade is also improved, and we have a better inquiry for engines and all descriptions of machinery for exportation. The returns of unemployed labour from this week in these counties is, so far as it can be ascertained, less than in any previous week since the depression which for some times past has afflicted the commercial industry of the manufacturing districts. The state of employment in Lancashire is such that it is believed that the Government will have no difficulty in passing a Bill to obtain a rate in aid. A large subscription has been raised by voluntary effort to meet the wants of the operative classes. There is an improved trade doing in goods for Canada and the chief European countries, and remittances are reported to come in more punctually. The new Tariff Bill, should it become law, will operate much against the interests of the American ironmasters. The coal trade continues to manifest a gradual improvement, and the demand for the metropolitan districts is improving, so much so that several large firms have received very considerable orders for the autumn and winter trade. The rates are firm, though there are many complaints of underselling. The working operations of the Chesterfield and Silkstone Colliery are going on, and the company expect to make rapid progress in the sinking of a shaft. the Derbyshire lead mines are being worked satisfactory, considering the position of trade and absence of that speculative movement which is so prevalent when general trade is moderately good. The share market is dull, and little business is doing.

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Stealing Oats.

William Wragg, a youth employed at the Staveley Works, was charged by William Buxton with stealing half a quartern of oats, the property of R. Barrow, Esq., of Staveley. Thomas Chambers, a lad employed in the pit at Springwell, said that on Wednesday about noon he went onto the stable with his horse, when the prisoner laid hold of his bag and filled it with oats, and when it was found out, he attempted to charge him (witness) with stealing them. Mr. Buxton, the manager of the pit, said the lad admitted to him that he had taken the oats. The prisoner was ordered to be privately whipped.

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Nisi Prius Court - Froggatt v. Wyatt.

Mr. Field appeared for the plaintiff, and Mr. Sergeant Hayes for the defendant. This action was brought by the plaintiff, who is a joiner, residing at Matlock, against the defendant, to recover £15-8- 6d. for work and materials done and supplied to him for the Haslam Mining Company. The defendant alleged his non-liability, on account of the plaintiff being a shareholder in the mine, and thereby with the rest of the shareholders, including the plaintiff, being liable for the amount sued for.

Mr. Field said the mine turned out to be an unsuccessful speculation, and though a point of law might possibly be raised for the consideration of the Court, he would prove the facts, and show that the charges were fair and reasonable.

The plaintiff deposed that the amount claimed was the balance of an account of £50. The defendant, in the presence of the agent of the mine, gave him orders for the work done and materials supplied. Wyatt told the witness to let the agent have goods from time to time, and to supply the agent with what he required. On application for the money the defendant put him off, saying that he had not got the money for what he had sold.

By Mr. Sergeant Hayes - The mine was sold at my house. I attended the meeting of shareholders at the Red Lion Inn, Chesterfield, and also at my own house at Matlock. They discussed about selling the mine, but I never made any objection to the sale. I never was asked to pay calls, nor did I receive letters requesting me to pay. I have never been asked why I did not pay calls.

By Mr. Field: - When I attended the meeting at Chesterfield, I went about the account. I did not go as a shareholder.

Anthony Allsop, barmaster for the Soke and Wapentake of Wirksworth, produced the register of the transfer of the mine. He had no register of shareholders. The deed now produced is not executed by Wyatt, but by Neil, the seller, who brought it to me, I think. I believe I have had letters from Mr. Wyatt about it, but I am not positive about it.

Mrs. Bunting deposed that she had frequently heard Wyatt speak of Froggatt's claim, and she had heard defendant say he would see plaintiff paid as soon as the material was sold and settled, and also other bills besides.

Adam Bunting, a miner, deposed that Wyatt took to the management of the mine from the first. Froggatt was employed to do the work. Wyatt paid me for what I did after the mine was stopped. Heard Wyatt say he would see that Froggatt was paid.

By Mr. Sergeant Hayes - Froggatt lent me 30-0d. on five shares. Can't say that any calls are due that I know of. Never asked Broadhurst to transfer the five shares to Froggatt.

Mr. Sergeant Hayes, in opening the case for the defence, said it was a very hard case for his client, who certainly had been mixed up to a certain extent in the management and carrying on this mine. But he never saw anything so irregular in the transfer of the mine which the transfer

had been made by the Barmaster. The deed was only executed by one party and yet the transfer was entered as having been executed by others.

The Lord Chief Justice Erle. - Never mind what other people do, but let us look at what we are to do. You want to get the defendant a verdict in the Queen's Court and not in the Barmaster's Court.

Mr. Sergeant Hayes continued. Mr. Froggatt was equally a shareholder with his client, and had admitted it over and over again. If the witnesses he should call proved that the plaintiff could not maintain his action.

Mr. Sergeant Hayes then called the defendant, Mr. Wyatt, of Chesterfield, who deposed as follows - I never interfered with this matter of transfer. I took some shares, and unfortunately paid all the calls. Some of the meetings were held at Whittaker's, the Red Lion, Chesterfield. A written order was made that none but shareholders should be admitted. Froggatt, the plaintiff, was there at that Meeting. The question discussed was whether the mine should go on or be wound up. They owed me a considerable balance. Froggatt was there, and voted. It was the duty of the agent to give orders for what was required, but I never ordered any goods of Froggatt. I never to my knowledge paid him any money on account. I was merely treasurer, and had nothing to do with ordering goods.

By Mr. Field - I did not agree to buy the mine from Neil. I was solicited to become a shareholder when that transaction was over. Froggatt did not come to ask me to pay the account; he was abusive, and at the time I was busy, having ten customers about me. He might mention the account, and complain of my not paying it, but I can't say, as I was busy.

Mark Broadhurst, surveyor, who was secretary to the company for a time, said that Froggatt had to do with the company. Did not remember Froggatt attending a meeting. Remembers Bunting coming to him about the transfer of some shares. Had a conversation with Froggatt respecting calls due from him. He said he had a balance of account due to him after his arrears of calls were paid. At that time many arrears were owing. The writing on the document now produced is Mr. Abbott's.

Mr. Whittaker, the landlord of the Red Lion, at Chesterfield, deposed to Froggatt being present at a meeting of the shareholders, which was duly advertised. Can't say whether Froggatt took any part in the discussion.

William Abbott, inn-keeper, Chesterfield, was a shareholder in the mine, and lost all the money he invested. (Laughter). Was on the committee for a short time and acted as secretary for a while. Has spoken to Froggatt as to arrears of calls; he said there was a balance due to him, for it was greater than the calls, and he was willing to balance the accounts. Froggatt took as active a part as any of the shareholders. The memorandum now produced was read in Froggatt's presence. Some one said there had been a mistake in the number of Bunting's shares. A memorandum was taken of the transfer of Bunting's shares to Froggatt.

By Mr. Field - I will not swear that Froggatt saw the document. I won't undertake to swear that the document was read out to him. I am not aware that Bunting was present. It was a general conversation among the shareholders. We had refreshment at Froggatt's house, and he was in and out of the room waiting. I believe that he took part in the conversation, but I will not swear positively.

Mr. Broadhurst, on being re-called, said the document (transfer of shares) was drawn up by Bunting's directions, and he (witness) applied to Froggatt for calls on the five shares.

George Heath, builder, of Chesterfield, was a shareholder in the company, and had seen Froggatt at the meeting. He not only voted but took part in the discussion, and acknowledged that he had the same interest in the mine as witness.

By. Mr. Field - I have been at one meeting at the Red Lion, Chesterfield, and one at Froggatt's house at Matlock.

Mr. Sergeant Hayes summed up the evidence he had called, contending that he had elicited the fact that Mr. Froggatt had attended the meetings of the shareholders as a shareholder, and had in every respect acted, spoken, and voted as the others. Froggatt had clearly been proved to have bought Bunting's shares, and had not paid his calls because he had a claim against the company.

Mr. Field replied, and the learned Chief Justice summed up. The action was brought to recover £15, for work which there could be no doubt had been done. If they were of opinion that Mr. Froggatt was not a shareholder, then they would find a verdict for him, for under the Act of Parliament each and every shareholder in the mine was liable for all the debts of the company, and it would be for him to make all the other shareholders pay an equal share. But it was on the other hand a rule of law that if Froggatt was a shareholder he could not recover. He left it for the jury to say whether Froggatt was ever a shareholders, and if he had been at what time. If they were of opinion that he was never a shareholder their verdict would be for the plaintiff.

The jury found a verdict for the plaintiff for the full amount.

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Sheepbridge Iron Works.

Annual Festival.

In the high-day of feudalism, ere "Britons never shall be slaves" became a national melody, when the Baron's nod was omnipotent, - when iron boots, and the stocks were mild instruments of enforcing law, and fostering loyalty, there was one class who were considered by their countrymen beneath the dignity of courts of justice to rake cognizance of their transgressions at all, but were treated much in the same way as serfs in Russia previous to the present dynasty. These were miners, who were condemned to toil in pits at a time ere science had lit her lamp to light up the hollow caverns beneath, and made known those laws which betray the presence of firedamp, and other plagues of the mine, where hundreds were annihilated at once without chance of escape, and lay uncoffined and uncared for in the dismal vaults below. Much as engineers have done for their safety, and render coal and ironstone mines greater sources of wealth than the golden veins of Australia, or ancient Ophir, and developing a power which is the cause of Britain's greatness and superiority over other nations, there is still more to be done ere such awful catastrophes as gave Hartley a tragic fame can be prevented. Science and philanthropy have joined hands, and now work harmoniously together for the miners' personal safety and homely comfort, so that in no class of our population has there been a more marked improvement in social condition than amongst colliers; and let us hope a healthier morality and sounder intelligence will yet be theirs, that they will know more about Stephenson, Watt, Macaulay. etc., and less of "the birchen stag that won the main", black-red "hammies", and branded bull-terriers, that Robsons or Macmills will no longer make subjects of them for the ventilation of satirical pieces in "Sangs of the Weir and Tyne". Foremost amongst their friends ranks Frances Ann, Marchioness of Londonderry, who has built and endowed schools over her extensive estates, where workmen's children receive a liberal education without paying a farthing, and whose annual examination is a red-letter day in the north. Others have followed her noble example, and last week we gave publicity to the Derbyshire, Nottinghamshire, and Leicestershire Mining School examination, as a proof that the coal-pit proprietors and iron-masters in these shires are not unmindful of their people's intellectual wants. The efforts of masters have been met by their men, and Mutual Benevolent Societies, for support in cases of sickness or accident, and grants of money to relatives at the death of a member, his wife, or children, have sprung up amongst them, which have been supported by the heads of firms, and their anniversaries are days of frolic, fun, and feasting. It is our pleasing duty to record what took place at Bergh's Farm, Sheepbridge, on Monday last, as another instance of the kindly feeling evinced by the Messrs. Fowler towards their workpeople, as well as their unostentatious and gentlemanly liberality, so rarely excelled anywhere - still seldomer imitated within view of a certain crooked spire. The fetes were in commemoration of the laying of the first stone of the No. 4 Blast Furnace, now in course of erection, and also to celebrate the anniversary of the Mutual Benevolent Society in connection with the Sheepbridge Iron Works and mines belonging to Messrs. Fowler and Company. For about a week previous parties had been busy preparing the farm offices - barns, stables, sheds, and yards - for the accommodation of visitors, who to the number of 1,400 partook of a most excellent and substantial service of tea. Arrangements were complete in every department: the walls were hung with white cotton from the ground five feet up, while three rows of tables, covered with the same fabric, ran from end to end in the interior of the buildings, as well as the yards, which presented an appearance of order and cleanliness creditable to all concerned in the transformation. One striped red, white and blue banner bearing

the device "prosperity" in black script letter, hung above the principal entrance, and two flags of all nations on each side of a platform raised for a band of musicians, flaunted gaily in the air, while another waved from its tall staff on the green knoll's top, and two similar ones graced the low grounds where the games were contested. this enclosure nestles in a hollow in a northerly direction from the iron works, at the base of a rising terrace crowned with a fine coppice wood, terminating near the farm on the north. Along the face of this hill were placed a number of forms for seats, which commanded an uninterrupted view of the sports beneath. At one time there must have been nearly 2,000 spectators scattered over the grounds, and the various groups squatted on the green, clustering in long lines, six men deep, or moving in detached masses, combined with the beauty of the weather, and variety of male and female attire, presented materials for a sketch Ebsworth would delight to copy. Two caps and a hat were strung on the summit of a pole 30 feet high, but great as was the temptation of 10-0d. and the hat, German Vardy and his friend Dan tried all their skill in strength and fascination to get within reach, it was in vain; there it hung till evening saw Milner on a ladder, with a pocketful of sand, rubbing the soap off, clutch the prize.

The rest of the article contain cricket scores results of sack races.

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Bakewell - Fatal Accident.

On Friday last a man named George Mitchell, employed in the Calver Sough Mine, accidentally fell from the ladder in the shaft of the mine and was killed. When taken up two wounds were found on his head. Mr. Fenton, surgeon, of Eyam, was upon the spot, but his services were useless. The deceased was dead when brought up. An inquest was held on Saturday, at the Calver Sough Inn, before A.O. Brookes, Esq., deputy coroner, and a verdict of "Accidentally Killed", in accordance with the above facts, was returned.

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Advert - Alton Colliery, Ashover, Chesterfield.

Fletcher and Cheetham.

Beg to inform the public that they are now manufacturing encaustic and flowered floor tiles, coke, furnace fire bricks, and blue bricks.

Specimens of the encaustic, etc., floor tiles to be seen at Mr. Higginbottom's, Earthenware Dealer, Market Place, Chesterfield.

Prices may be had on application.

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Advert - The Chesterfield New Dunston Colliery Company (Limited).

The Company are now supplying their best hand picked home coal, delivered in Chesterfield, at 6-10d. per ton.

Best Cobbles, 5-4d. per ton.

Rough Slack, 3-10d. per ton.

Apply at the Colliery, Hasland Lane.

Special Rates to Higglers may be known at the Colliery.

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Advert - Pierces' Coal from Spittal Colliery.

Smiths' Coal (Picked) Delivered	8-6d.
Coal, Delivered	6-6d.
Cobbles, Delivered	4-0d.

Orders received by W. Higginbottom and Son, Low Pavement; and W. Yates, Derby Lane.

Terms - Cash on Delivery.

Any information can be obtained of John Brailsford, at the Colliery, Spittal Lane.

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Wages Case.

James Martin, overseer of the furnaces at the Sheepbridge Iron Works, was sued by Thomas Lucas, fireman, for the sum of £1-3-6d., wages due. Complainant had been working there since the 21st. of July, and had occasionally been absent; but as he put a man in his place for the time, no notice was taken of it. On one occasion, however, he did not come to light the fire, as was his duty, nor send another, which prevented 13 men starting, and was, besides, a loss to the Company - an occurrence which has been very frequent of late. He was then prevented from renewing his work, and came to defendant and asked for his money, which was refused, as he (defendant) had not the power to give it. In answer to some questions from the Bench, Mr. Martin said he engaged Lucas on the 21st. of July, as a regular hand, and confessed that the claim was just, but he could only engage or discharge men, and had no power over their payment further than bringing it to them from the office. Could not pay it. He had told Lucas this, and he was well aware of the rules observed by the workmen in this particular, and said if he would go to the clerks, they would settle with him. Pay day was on Saturday week, and the money sued for was that which was kept in hand by the propriety. Lucas informed the Bench that his father was ill, in Devonshire, and he wished to go away and see him. F. Lucas, Esq., said he thought Martin had thrown impediments in the man's way, and the Bench ordered the money to be paid. Ordered to pay 9-0d. costs out of his own pocket.

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No Headline.

At the Walthew House Colliery, Pemberton, near Wigan, on Monday, a man named John Parkinson, 60 years of age, was seated in the main airway, with four other miners, when a portion of the roof, 12 feet in length and 3 ft. 6 ins. in thickness, fell, killing Parkinson on the spot. Another man, named Sharrock, was pinned by a prop to a tub, from which position he was extracted with difficulty. The other three had a narrow escape.

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New Whittington - West Staveley Colliery.

Notice has been given to the colliers of West Staveley that after the 2nd. of next month there will be an alteration and reduction of wages. The ton is to be measured to 21 cwt., and the price 5d. per ton less - 3rd. of which will go for trammings and loading. Trammers and loaders have hitherto been paid daily wages.

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Mosbro' - Colliery Accident.

An accident occurred to the machinery at the Silkstone Main Colliery, belonging to Messrs. Swallow, on Friday afternoon, but happily attended with no personal injury. A full corve was coming up the shaft, which is 156 yards deep and an empty one was going down; when midway the fastening of the rope in the drum of the machinery by which the full corve was brought up gave way, and was precipitated to the bottom. The rope, which was of steel wire, was broken in three or four places, both corve and cage were broken to pieces. The concussion at the bottom of the shaft caused by the fall of the cage and corve sent such a current of air into all the passages as to force open and bang the doors, causing great consternation amongst the miners.

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Taylor v. Fowler and Company.

Mr. Busby, who appeared for defendants, stated the nature of the case. It was a dispute about £3 said to be owing complainant by defendant - the balance of an account of £6-10-0d. The £3 had been paid into court, pending the settlement of this dispute. Mr. Busby said that defendants were extensive coal and ironstone mine proprietors, and they had large works at Sheepbridge, near Chesterfield. Besides numerous classes of workmen, counted by hundreds, they kept an excellent staff of superior clerks solely to manage their books, with whom the mistake - if Taylor has not received the money - has unconsciously arisen. He (Mr. Busby) respectfully submitted to his Honour that the action be adjourned till next court day, and that, in the meantime, the Clerk of the Court be instructed to inspect the paybooks at Sheepbridge. For himself he was clearly of opinion that clerks of their ability and experience could not have made such a mistake unless under very peculiar circumstances.

His Honour asked complainant if he would accede to this request, which he did, and the case was accordingly adjourned.

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Action for a Steam Gauge - Elliott v. Denham.

The plaintiff, Francis Elliott, miller, of Panear, Ashover, sued Samuel Denham, auctioneer, of Chesterfield, to recover £3, the value of a steam gauge, and 15-0d. for three days loss of time in looking for the same. Mr. Cutts appeared for the defendant. The plaintiff said he attended the sale of the plant at the New Midland Mining Company, at Ashover, and brought an engine and boiler and fittings. The defendant, Mr. Denham, was the auctioneer. The fittings were not on the boiler at the time he brought it, but were removed to a public house for safety. His Honour: How can the auctioneer be personally liable? He was the agent of the Company. Mr. Cutts: Undoubtedly, the auctioneer is not liable. Plaintiff, cross-examined by Mr. Cutts: The agent of the Company, Mr. Sterland, was present at the sale. I did not see the fittings on the day of the sale. There was an engine and two boilers sold. I gave £12- 10-0d. for one boiler: The other sold for £30. The judge said the plaintiff had sued the wrong person. Non-Suited.

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A Common Game.

Samuel Crich and John Cooper, colliers, North Wingfield, left their employers' (Mr. Shaw's) service on the 16th. inst. without giving the customary notice. The Rules were produced, as well as a written agreement, signed by the men, promising to give 28 days notice in the event of their wishing to leave the present work. They were found guilty and ordered to 11-6d. costs, and be discharged from service.

Another of the Same.

Tristrain Taylor and Thomas Flynn, colliers, working at Pierces' colliery, Old Whittington, were convicted of a similar offense. Evidences of the same character as given in previous case were adduced, and couple ordered to pay 12-6d. expenses, and then return to work.