

Derbyshire Times.

Saturday 2nd. June 1866.

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No Headline.

Messrs. Enthoven, of Moorgate Street, in the metal trade, have suspended payment.  
Liability is estimated at £250,000.

Derbyshire Times.

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Leaving Work.

Thomas Taylor, collier, Staveley, was charged on a warrant by William Parker, agent to the Clay Cross Company, with leaving his work at No. 3 Pit without notice. Ordered to return to work and pay costs, £1-1-10d.

William Gibson, collier, Clay Cross, was charged on a warrant by William Parker, agent to the Clay Cross Company, with leaving his service without notice at No. 3 Pit. Ordered to return to his work and pay costs, £1-1-10d.

John White, collier, Somercotes, was charged on a warrant by William Parker, agent to the Clay Cross Company, with leaving his work with notice. Ordered to return to his work and pay costs, £1-1-6d.

Derbyshire Times.

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Derbyshire Mining.

Annual Meeting of the Eyam Mining Company.

On Wednesday the General Annual Meeting of the shareholders of the Eyam Mining Company was held at the Black Rock Inn, Castle Street, under the presidency of the chairman, Mr. T.J. Parker. The report of the managing committee which was read, showed the state of the Companies finances, and pointed out in a general way the work that had been done at the mine since the last annual meeting, and in what position it now stands at the present time. With regard to the new engine shaft the report says: - " Since the last yearly meeting this shaft has been sunk in the limestone 20 fathoms, the total depth of it now being 150 fathoms. The limestone has been excessively hard and the committee have not had the opportunity of letting the work by the fathom, but have been obliged to have it done by days work. The shaft has now been sunk in the limestone to the depth of 20 fathoms, the depth which in the report to the committee read at the last annual meeting, was stated to be probably sufficient. The manager, Mr. Maltby, however, thinks it would be advisable to go done at least 5 fathoms deeper, and in this view some of the committee who are best able to judge concur. Nothing has yet been done in the way of machinery for dressing the ore, or affording the dressing floors, the committee, for the reasons stated in their last report, deem it advisable to postpone these matters as long as possible. Glebe Shaft Mine: This mine, as will be seen by the amount of ore sold through the year, has continued to produce about the same amount of ore which has been done for lengths of time past, and it is fortunate that such is the case, as the only portion of the companies extensive mineral possessions which is now being worked for ore, the committee with the money derived from this mine, have been enabled for much longer than had been anticipated to carry on the works within making the call payable on the 7th. of this month, which they were at length compelled to do, the money in the bank being all but exhausted." On the debtors side of the financial statement for the year were the subjoined items: To balance in bank, last audit, £543-16-2d.; Amount received on account of calls, £1380; Sale of lead ore in 1865, £2526-17-9d; Ditto, 1866, to April 13th., £1624-12-6d.; To Bank interest, £12-08d.; Total £6157-14-8d. On the other side of the Accounts after payment of all expenses there appeared a balance in the bank of £161-7-3d. On the motion of Mr. W. Sissons, seconded by Mr. P. Murray, the report was unanimously adopted. The following gentlemen were elected to the committee of management for the ensuing year: Messrs. T.J. Parker, W. Hobson, J. Elliott, W. Marples, W. Cantrell, J. Smith, J. Hancock, and T. Kidley. The first five served on the old committee. Mr. Parker was elected treasurer, vice Mr. J. Fordham, deceased. Messrs. J. B. Robert and W. Greenwood were reappointed auditors.

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No Headline.

Yesterday (Friday), before G. Heathcote and B. Lucas, Esqs., an important Government prosecution against the Sheepbridge Colliery Company for an alleged breach of the colliery rules was heard. Mr. Busby appeared for Mr. Evans, Inspector, and Mr. Vernon Blackburn, barrister, defended. The Bench decided to inflict a nominal penalty, against which Mr. Fowler appealed. We shall publish a full and exclusive report in our next.

Derbyshire Times.

Saturday 9th. June 1866.

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Fatal Accident at Sheepbridge.

On Thursday an accident occurred at Nesfield Colliery, near Sheepbridge, by which a boy named George Turner, aged 15 years, caused his own death. The deceased lad was engaged in the Nesfield Colliery, but had left work and it appeared that he and others had had a habit of going to a clay open-hole near the colliery and amusing themselves by undermining the sides of it for the sake of the pleasure of seeing the soil fall in. He was so engaged when a large quantity fell upon him. He was got out and conveyed home, and Mr. Jeffreys, assistant to Mr. Booth, was sent for, but they lad died before he could reach the spot. The inquest will no doubt be held.

Derbyshire Times.

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Page 2 Col. 7

Staveley - A Cow Burnt alive.

On Tuesday, a valuable in-calf cow, the property of Mr. Crofts, of Staveley, in leaving a field near the New Hollingwood Pit, became alarmed, and running violently up a large heap of burning slack and dirt (the usual accompaniment to a coal-pit bank), sank up to the belly in the mass. As the animal was all but dead when got out it was destroyed and buried in the heap.

Derbyshire Times.

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Derbyshire - Iron Trade and Mining.

Business, generally, has resumed its wonted proportions after the holidays, and the various ironworks and collieries in Derbyshire are once more in full working operation. The demand for iron pipes and steel continues good, and in some departments the prospects of the trade have scarcely ever been in a healthier state. The same may be said of the collieries in the district, and the Midland are taking a large tonnage southwards. At Clay Cross and other places in the district, considerable extensions are being made, whilst new collieries are springing up in nearly all directions, so that the South Derbyshire Coalfield, which is a comparatively new one, promises to become, ere long, one of the great centres of the coal trade; for it will take considerably more than a hundred years to bring it to anything approaching maturity, notwithstanding the opinions of Mr. Mill and Mr. Stanley Jevons, to the contrary. At Staveley, Clay Cross, and at all the adjacent village building is the order of the day. And every preparation is being made for great extension of trade whilst providing house for a much larger number of workmen than is at present employed in the locality. The prospects of the mines in the Peak are looking up, and in a short time it is expected that the holders of the shares will have no cause to regret having held out rather than sell in late quotation and offers. In several of them speculators have bid what may be called fair prices in the present state of the money markets, but shareholders appear to have every confidence in the ultimate prosperity of their property. At present there is very few shares offering, and, as the sums paid on them are only small, there is but little chance of many of them changed hands.

Derbyshire Times.

Saturday 9th. June 1866.

Page 3 Col. 2-4

Important Government Prosecution against the Sheepbridge Coal and Iron Company Limited.

On Friday last, before two of the Chesterfield County magistrates, (G. Heathcote, and B. Lucas Esqs.) a case of considerable importance to coal and ironstone mining firms was heard. Messrs. Fowler and Co. (The Sheepbridge Colliery Co.) was summoned by Mr. Thomas Evans, Government Inspector of Mines for the Midland District, for a breach of the Mines Inspection Act by not providing special rules for some ironstone pits at Glasshouse Common, which it was alleged were worked in connection with some exhausted coal seams. Mr. Busby appeared for Mr. Evans, and Mr. Vernon Blackburn, barrister of the Midland Circuit, instructed by Messrs. Smith and Burdekin, Sheffield, for the defendants.

Mr. Busby in opening the case said that he appeared to support an information laid against Mr. William Fowler, one of the proprietors of some ironstone mines in the parish of Whittington, for not having special rules for the management of those mines under the provisions of the Mines Inspection Act. It appears as he should show by evidence, that the ironstone pit in question was a pit which came under the 24th. and 25th. of Vict. chap. 101, which required special rules for the safety of men and rendered the proprietors of the works liable to a penalty if these rules were not established. He was afraid from the nature of the proceedings, from the point upon which they arose and from the extra difficulty imposed since the passing of Jervis's Act that he should be obliged to detain them while he explained the points of the case, simple as they were. They be aware that from 1850 to the present time many acts have been passed, one upon another, for the establishment of inspectors and inspections of coal mines and he particularly drew attention to the preamble of one of these acts which he quoted - the 18th and 19th. of Vict. chap. 108 - which stated that it was expedient that further provisions should be made for the regulations thereof. They would see that the whole burden of the preamble was drawn with a view to the safety of the persons employed in the mines. When these acts expired a new one was passed, the 23rd. and 24th. Vict. chap. 151, which included many of their provisions, and in the preamble of which it was shown that the first object was to secure the safety of the persons employed in the mines, in the first instance in coal mines. Mr. Busby then passed on to show that in the 23rd. and 24th. Vict. chap. 151, it was stated that the provisions of the Act for the Regulation of Coal Mines, should extend to all mines of ironstone "worked in connection with coal, or with disused or exhausted coal mines and all works belonging thereto". The former enactment having been confined to coal mines only, by the act he had just mentioned, the scope of the law was extended to ironstone mines of coal measures which were worked in connection with disused or exhausted coal mines, and the "connection" which it was necessary to prove would be - He believed that this was generally received as correct - was a material of physical connection between the mine above and the coal pit below - a connection in fact in the ordinary sense of the word as defined in the dictionary. He submitted to the Bench that if there were such a connection between the iron above and the coal below that water went down and gas came up that it was such a physical connection as brought the mines in the view of the Act and required the proprietors of them to place them under government inspection and provide special rules for their management. He would endeavour to apply that view of the case to the facts as he was instructed they were in the mind in respect of the information as it is laid. Many years ago - 40 years - the Black Shale coal which lies below the ironstone mine was excavated. Levels were driven by which the water was drained off and shafts were sunk from the surface by which the coal was got. Above the coal at a distance varying from a few feet to several yards lie the ironstone measures, which were not got when the coal was obtained, and

remained until a very recent period untouched. Within a very comparatively recent period, the pit in question, and others adjoining, had been worked in the following manner. The old coal shafts which had been filled up were emptied of the debris with which they had been filled, and the ironstone was got by means of those shafts and by point of fact by disused coal shafts. Nor was that all as it appears for lying near the ironstone, in a seam of thin coal called "smut", about five inches in thickness, which was used for the pit cabin fires which though it were not pretended as a coal of any great commercial value, it was still used as a coal. The coal was got at the same time as the ironstone, and as the Act did not draw any distinction between seams of coal of different thickness, he contended another point bringing the mine within the meaning of the Act. Further the subsidence of the roofs of the exhausted coal measures had caused subsidence of the floor of the ironstone measures above, resulting in numerous cracks through which the blackdamp rises, to the detriment of the men working the ironstone seams above. The Bench would also hear evidence which would leave them in no doubt that the water in the ironstone seams found its way down these cracks into the coal measures below, and he urged that all these things constitutes a physical connection which brought the mine to within the scope of the Act. Mr. Busby then remarked that he understood it was intended in defence to call gentlemen who would give their opinion as to whether the connection to which he was referred was such as would bring the case within the meaning of the Act. He submitted to the Bench that there was a question of the construction of an Act of Parliament, that a witness could not be asked to interpret an Act to the Bench, and that it lay in the province of magistrates only to form an opinion upon that subject.

Mr. Vernon Blackburn said that it was nonsense to object to the evidence of scientific men in a case of this kind. Was he to give no evidence at all? Mr. Busby said that the evidence to be given must be on matters of fact. If defence could show that the old coal shafts were not used etc., etc., they might do so, but he objected to witnesses giving their opinions on the constructions of an Act of Parliament. Mr. Busby then called -

John Cutts, a very unwilling witness, who deposed: I live at Whittington Moor, and am an ironstone miner, in Mr. Fowler's employ. I work at an ironstone pit at Glasshouse Common. We have no rules established for those I have been accustomed to for twenty years. We have special printed rules. I remember of the 9th. of March last going with a gentleman through the pit. I don't know his name. I worked at the pit two years. I never worked in any coal mines. I get nothing else but ironstone. I'm not a collier, I have worked five years for Mr. Fowler at Glasshouse. There is a seam of Black Shale Coal beneath the ironstone, but I never went down to it. It is some yards under it. They tell me it is there but I don't know of my own knowledge. The floor of the pit does not break down. It has not done so since I was there, I'll take a dying oath. I have not got any coal - the man is gone who did that job. Mr. Busby: Did what job? - Got that Black Shale Coal - Oh, there was some got? - I have heard so. No-one has been talking to me about this. I'll take a dying oath Mr. Wilde has not. I am here standing, and what I say, I say it and will swear it - (A Laugh) - Mr. Busby: Does or does not the floor of this pit crack or open at all? Witness (hesitating): There is some places deficient - The Bench: How do you mean deficient? - There is some places high and some places low. It is not level. There is hills and holes, but I do not know about cracks. I'm an ironstone miner, and have nothing to do with cracks. - Mr. Busby: Did the gentleman who was with you find any cracks? - I don't know as he did. To speak the truth I don't think he saw one. - Did you see him put his lamp in any crack? - No, he put his candle against one place to see if any damp came up - Did it blow it out? - No, it did not - Was there any gas came out? - I think not, or it would have blown the candle out. He tried many places. - Tried many places: What, breaks? - He tried where he had a mind - Have you had occasion to pour sand in the breaks to fill them up? - No, I have not. I have no sand. There was a man who found a crack and put a basketful of soil in it - Mr. Blackburn elicited that the witness only spoke from hearsay - Witness said that the man complained that there was a damp come, and he said that he could do as he had a mind. He had never seen a crack in the pit

- Mr. Busby: Do or do not cracks frequently take place? - The witness was hesitating and Mr. Busby told him not to fence with every question, and asked him again "Do cracks take place?" - Witness: they do sometimes - Does blackdamp come up? - I never saw any - Did you make any statement to the contrary, on the 9th. of March, to the gentleman who went round with you? - The witness again hesitated, and then said " The gentleman went with a candle in one place and there was damp there. Did not know whether he had a book with him - Did he make notes? - I don't know. If he did they will be there. Mr. Lucas "Why do you not answer the questions put to you?" - Mr. Busby: - When you first got into the place where you said the gentleman tried with a candle, did or did not any blackdamp come out? - Never, that I swear - Did you not tell the gentleman that when you got to the place the blackdamp came out so strongly as to put out the candle? - It was at the place where the soil was put in that the candle was put out. Mr. Blackburn reminded the Bench that this was hearsay. - Mr. Busby: What do these ironstone measures rest on? - Witness: On the earth, I suppose - You had better be careful how you give your evidence. Did you know a seam of coal called smut, and do the ironstone measures rest upon it? - Yes, we get to that coal first and burn it at the pit top in the cabin fires. I never saw any water in the ironstone measures. I don't know where it goes. - Re-examined by Mr. Blackburn: I have seen damp occasionally, but there will be damp in any pit. I did not go to the place where soil was put down. I don't know anything about it of my own knowledge. The smut might average three inches in thickness. There are plenty of places where there is none. It is all thrown away with the dirt, but sometimes the banksman picks it out for the cabin fires. Unless they do so it is carried away mixed with the rubbish. Do not know whether these cracks ????? to the other workings, as I have never been down. I have worked in ironstone mines where there has been no coal underneath, and there has been cracks in the floor. I have seen cracks on the surface. - Mr. Lucas: In a dry season, I suppose - Mr. Busby: Then if the Inspector says that he has found cracks, he says what is untrue? - We have cracks - Oh, you have cracks? - Yes, but not cracks in the floor. - Where then? - It cracks in the side - Don't you know that as a practical miner, that if the coal has been got below it causes a subsidence of the ironstone measures. - Mr. Blackburn: You are asking him for a scientific opinion. - Mr. Busby: No, I am not. He is a most unwilling witness.

Mr. Joseph Dickenson, Pendleton, near Manchester: I am Government Inspector of Mines for the Manchester District, and have been an Inspector of Mines since 1850. On the 9th. of March, I examined the pit in question. The witness then described the strata, and was proceeding to explain the position of the mine, when he was asked a question by Mr. Blackburn, to whom he rather petulantly said he wished he would not interrupt, as he was enough to bamboozle any witness. Mr. Blackburn thought that it was not a very nice way to speak to counsel, and a rather amusing piece of cross-firing ensued. The witness then described the coal pit which he first visited. The roof (under the ironstone measures) had fallen in places. Mr. Blackburn said he must interrupt again, and ask what part of the works would this refer to. Mr. Busby said that he was coming to that directly, but Mr. Blackburn objected to the evidence, stating that he was instructed that this pit was under the special rules of the collieries, and could not have anything to do with this case. He wished to know where they were. Witness: There are a large number of pits all together, and this is one of them. There is an old shaft within a few yards of the pit. I saw that the roof had subsided considerably, and several actual large falls had taken place in the coal measures below the ironstone. The coal had there been got in banks of three yards, and pillars of coal of one yard left. I then went to John Cutts' pit. Mr. Wild, manager, said that was one of the old coal shafts by which the old coal seams had been worked. Mr. Willoughby Ward, deputy manager, went with me into the outcrop, and we observed that the ground was shaken, and had already subsided a few inches. We then went to where Cutts was working. The witness was here reading some notes, and Mr. Blackburn objected to them unless they were made at the time. Mr. Busby: I understand we are fait a l'outrance. Witness: Some of the notes were made on the day, and the rest were taken in pencil and completed next day. Mr. Blackburn still objected. Mr. Busby: And that is the nature of the defence!. After some discussion,

Mr. Blackburn withdrew his objection. Witness continued: We there saw the ground was broken so that I could put my arm into the crevices. Cutts was present. The Blackdamp came up so strong as to almost extinguish the candles. The witness was proceeding to say what Cutts said, but Mr. Blackburn again objected. Mr. Busby: One of their own men!. A nice defence. Witness: We then looked at another broken place between that and the shaft, And Mr. Wild said that it was a fair sample of the way in which the ground was broken by the old coal workings below. He also said that he was advised that the pit did not come under the Act. I told him there was coal being worked with the ironstone, which I had measured and found to be five inches thick, and he said it was not merchantable. It was being burnt on the cabin fires. The coal was only poor, but I have seen worse burnt for house purposes in Cumberland. I have no doubt that the gas came up from the old workings, and the cracks which let it up would let water down. In a lengthy cross-examination by Mr. Blackburn he denied that gas rises by pressure only, and gas was diffused so much that carbonic acid was found in the highest regions. He was certain that the cracks he had spoken of extended across the ironstone measures. There were breaks caused by the subsidence of the strata. The smut coal averaged three inches in thickness. He saw that it was worked out and removed. Did not observe that it was taken away with the dirt but it might be. The smut was a coal to all intents and purposes. It had the crystal and faces of coal. It,s value was not destroyed by holing in it. I have had experience in all kinds of ironstone pits, but I have not previously examined a Blackshale ironstone pit. That does not affect the question. Mr. Evans, Inspector, was next called to prove that there were no special rules at these ironstone pits, but Mr. Blackburn said that he would admit that. Mr. Busby: You said that you would admit nothing. This was the case for the prosecution, and Mr. Blackburn then took a preliminary objection that Mr. Busby had not proved that there were any coal seams below the ironstone measures at all. He reminded the Bench this was a penal statute and must be decided strictly, nothing being imagined or presumed, and when Mr. Busby said that they came to find case a l'outrance he had only to reply that they came as every applicant would to put the prosecution on strict proof of what the statute required. He submitted that there was no proof whatever that any coal had been got below this ironstone or that there was any disused pit there. Mr. Busby: There is your own managers statement. Mr. Blackburn: That does not bind Mr. Fowler. Mr. Wild might have been mistaken. Granting for the purposes of argument that there was an old pit, he submitted that under the seventh section of the Act there had been no case made out, and the case did not come within the meaning of the Act. The preamble of the Act said its scope should extend to certain mines of ironstone, (not to all), not "in connection with the disused coal pits" etc, but - which appeared to have escaped his friend's attention - worked in connection with these pits. He held that meant some such working in connection with a case where the same shaft was used to ventilate the two pits - where persons could pass from one to the other etc. It could not mean the physical connection suggested by Mr. Busby. ??? borne in mind that they had water that they were obliged to pump out, which drained from a coal mine three quarters of a mile off. Mr. Busby would say that this was a physical connection, but he could not say that this was working in connection. Mr. Blackburn then referred to the 21st. section of the Act by which notice must be given to the Inspector of the opening of mines. Mr. Busby had ingenuously suggested that there was a connection because the gas escaped into the ironstone and water might percolate downwards, and because an old coal shaft had been reopened, but if any person had sunk a shaft right down to the coal, and the coal had not been worked at all and the ironstone had, then that could not be a working in connection, because there was no mine beneath, and he submitted this was not. Then if there was a mine underneath, if the shaft did not go down to it he held that there could be not connection. He urged that the percolation of water was not proof whatever of connection, the water could percolate any distance, and the only question that the gas could effect was that of safety, and on that point he could prove that these mines had been most safely worked. He denied that the smut was worked for itself and contended that it was simply got with the ironstone and thrown away with the rubbish, he submitted that he had no case to answer.

The Bench were of the opinion that the presence of the coal mine beneath had been proved, and that there was a case against defendant.

A lengthy discussion then ensued between the legal gentlemen as to whether opinionative evidence could be given as to the case. Mr. Busby repeated his objection to anything but evidence of facts. Mr. Blackburn said that this was to exclude evidence altogether and stated that he would have the evidence of Mr. Hedley to offer, a gentleman who was consulted by the Secretary of State on the very Act of Parliament, and who had the greatest experience in the district. He urged that the Bench ought to hear the evidence, if they had any doubt, to dismiss the case and let the Government Inspector settle the point by appealing to the higher court. The question was one of a point of law and the onus of settling it ought to be thrown on the Government Inspector.

Mr. John Hedley was then called and deposed that he was formerly Government Inspector for this district. Mr. Dickenson and himself were consulted about this Act of Parliament and Mr. Fowler consulted him on this very question after the Act passed. He advised Mr. Fowler to discontinue the winding of the coal and ironstone together. (A discussion here ensued as to whether witness should give his opinion on the question of the mine being worked in connection or not, and after some argument the Bench allowed question to be put). I do not consider that the mine comes within the Act. I have been of that opinion some time. I have seen the mine and observed the work. There hole in the smut coal and throw it among the rubbish. In my opinion the fact of gas coming up and water going down does not constitute a working connection. In cross-examination the witness stated that his attention had been drawn to these pits in 1860 by an accident, and admitted that he returned the accident as having occurred in ironstone pits worked in connection with the coal mines. He certainly saw coal coming out of these mines at that time. He saw it on the pitbank and the banksman said that it had come out of the pit. I saw Mr. Fowler and told him that he would have to have special rules, but did not cause them to be provided as Mr. Fowler discontinued the working of the coal and iron. Did not draw the attention of Government to either Fowler's or Appleby's case. The witness admitted reporting the mines as coming under the Act although he did not enforce its provisions, in answer to further questions said that since he had so reported he had ceased to become an Inspector, and had taken a position which identified himself with the proprietors of mines. He said in answer to Mr. Busby that he was consulting engineer to several firms, and had during the last few years been constantly consulted by Messrs. Fowler. Mr. Blackburn considered such questions as impugning Mr. Hedley's honesty as a witness, but Mr. Busby disclaimed any intention of doing any more than show that since changing his position Mr. Hedley had changed his mind. In the ??????? examination Mr. Hedley stated that when he had advised the discontinuation of the coal and iron works, Mr. Fowler did so. He had no motive or interest in giving false evidence. The advice he gave was given as a Government Inspector.

Mr. Henry Johnson, Mining Engineer, Staffordshire, and Mr. Thomas Cooper, of Rotherham, Mining Engineer to Earl FitzWilliam, both gave evidence that in their opinion the mine in question did not come under the Act.

Mr. Fowler was called, but Mr. Busby objected to his giving evidence in the case, as this was a penal case which precluded defendant giving evidence on his own behalf; Bench held the objection good.

The case having been concluded, the Bench informed Mr. Fowler that they were satisfied that the case had been proved and they inflicted a penalty of £1 and costs; and the second charge, a penalty of 1-0d. and costs.

Mr. Blackburn applied for the case for the superior courts, which was granted.

We understand that defendant has abandoned his appeal.

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Saturday 16th. June 1866.

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Advert - Mining Notice.

In the Court of the Vice-Warden of the Stannaries.

Stannaries of Cornwall - In the matter of the Companies Act, 1862: and of the Wheal Mary Great Consols Mining Company.

Notice is hereby given, that a petition of the winding up of the above named Company by the court was, on the 5th. day of June inst., presented to the Vice-Warden of the Stannaries, by William Bradley, a contributory of the said Company, and the said petition is directed to be held before the Vice-Warden at the College Hall, Cathedral Yard, Exeter, on Saturday, the 14th. day of July next, at 2 o'clock in the afternoon.

Any contributory or creditor of the Company may appear at the hearing and oppose the same, provided he has given at least two clear days notice to the petitioner, his solicitors, or their agents, of his intentions to do so, such notice to be forwarded to P.P. Smith Esq., Secretary of the Vice-Warden, Truro.

Every such contributory or creditor is entitled to a copy of the petition and affidavit verifying the same from the petitioner, his solicitor, or their agents, within 24 hours after requiring the same, on payment of the regulated charge per folio.

Affidavits intended to be used at the hearing, in opposition to the petitioner, must be filed at the Registrar's Office, Truro, on or before the 11th. day of July next, and notice given thereof, must, at the same time, be given to the petitioner, his solicitors, or their agents.

Signed

Boulton and Grylls, Hill  
4, Elm Court, Temple, London, Solicitors for the Petitioner.

Hodge, Hockin and Marrack,  
Truro, Cornwall, Agents for the said Solicitors.

Dated Truro, June the 7th., 1866.

Derbyshire Times.

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Advert - Sales by Mr. S. Denham.

Chesterfield, Newbold, and Brampton.

To be sold by Auction, by Mr. S. Denham, at the Star Inn, Chesterfield, on Thursday, the 28th. day of June 1866, at 5 o'clock in the afternoon.

Lot 1 - Chesterfield. A plot of excellent freehold building land, containing 877 square yards, most eligibly situated in Chesterfield, at the junction of the Newbold and Compton Roads, having frontages to both these roads, and affording a very advantageous site for the erection of a villa or residence.

Lot 2 - Goldwell Hill, Newbold. A close of very valuable freehold land, with beds of coal and ironstone therein, situate at Goldwell Hill, in the township of Newbold, containing 3 acres (more or less) in the occupation of Mr. James Clark, having plentiful buildings and frontages to both Brockwell Lane, and the Chesterfield and Ashgate Turnpike Road, and abutting on either side on lands of the Duke of Devonshire and Mr. C. Gallimore. This close of lands presents one of the most eligible sites in the neighbourhood of Chesterfield for the better class of suburban residences, and commands extensive views in the direction of Holymoorside, and the hills beyond.

Lot 3 - New Brampton. Three freehold messuages situate in Jackson's Row, New Brampton, within extensive gardens in the front, (abutting on the Turnpike Road), and yards conveniently behind the houses.

For particulars apply to the Auctioneer, or Mr. Busby, Solicitor, of Chesterfield.

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Page 2 Col. 7

Staveley - Singular Coalpit Accident.

On Saturday evening, as a collier named Michael Avey, was completing his weeks work in the Old Hollingwood Pit, he was informed that the roof of a "benk" had fallen in, and ordered not to go near it. He went however by a circuitous route, and had not been working long before another portion of the roof fell and nearly buried him. Being unable to extricate himself, and as it was not known that he was in the pit, he lay there until the night overman, Mr. Hedley, went in on Sunday night. This was at 10 o'clock, when the man, after struggling in the dark for more than 24 hours, had just succeeded in liberating himself. His right foot was badly crushed, his collar bone broken, and also internally injured. He was removed to his home at Chesterfield. An accident of a somewhat similar nature occurred on the previous Wednesday to a collier named James Berresford, on Troway, who now lies in a precarious state, of injuries received by a fall of rock and bind at the Springwell Colliery, several of his ribs being fractured, besides having internal injuries.

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Page 3 Col. 1

Shocking Pit Accident at Clay Cross. Two Men Killed.

On Monday last a shocking accident occurred at No. 4 Pit, Clay Cross, by which two honest and hard-working men were instantaneously killed. It appears the men were engaged in lengthening a siding and had propped the roof; unexpectedly a large mass of bind slipped between the props and fell upon the deceased. The piece of bind weighed three tons. An inquest was held on Wednesday before C.S.B. Busby Esq., Coroner, and a respectable Jury. The bodies having been viewed by the Jury, and sworn to by the relatives of the deceased. William Knighton, of Alma Road, North Wingfield, said - I am a coalminer and seventeen years of age. On Monday I was in No. 4 Clay Cross Pit, at the head of the first incline, about 200 yards long, and not very steep. The two deceased, Steven King and Thomas Lee, were there. I was about two yards from the deceased. Cupit was packing, and Holmes was filling dirt from the siding to the skip. I was packing the skip end to prevent the dirt coming out of the skip. I was standing by the side of the skip. King and Lee were about 50 yards off, getting dirt. There is a siding at the top of the Incline. Holmes and Cupit, deceased, were lengthening the sidings. King and Lee were fifty yards off on the incline opposite the siding. I heard the roof crack, directly afterwards the bind fell on top of the deceased, there were two lumps. One lump fell upon each man. They gave two groans and died. There was plenty of timber in the roof. The sprags were about one yard apart. William Bloore was overman of the work. I was employed by Mr. Bloore. The bind would have caught me, only I stepped back. Charles Bloore, of Pilsley, overman at No. 4 Pit said: I was in the pit on Monday morning, at a quarter past six, at stayed until after the accident. There are three inclines on the south side of the pit. At the top of the first incline there is a siding 21 yards long, where tubs of coal are brought from the stalls to arranged in trains to go down the incline. We are lengthening the sidings eight yards so as to hold more wagons (or Tubs), so that it will be 29 or 30 yards long when finished. On the day in question I employed the five men, Holmes, Cupit, Lee, King and Knighton. I was on the spot, and saw the five men about half an hour before the accident happened. I examined the place where they were working, and it appeared quite safe. I told them to keep their props close up to the edge of their work. The roof did not appear bad, there was a pack under, and it could not be well seen, and it was necessary that extreme caution should be used in removing it. I got to the place shortly before nine a.m. The two deceased were lying under the bind quite dead. A portion of rock divided into two portions by the fall, lay all together about three tons, had fallen upon the deceased, one man lay under each piece. I don't consider anyone to blame. The Jury returned a verdict of "Accidental Death".

Derbyshire Times.

Saturday 16th. June 1866.

Page 3 Col. 3-4

Clay Cross - Presentation of a Testimonial to Mr. Brown.

A extremely long and involved account of the presentation of a gold watch to Mr. John Brown, underveiwer, of the Clay Cross Company, after many years work.

Derbyshire Times.

Saturday 16th. June 1866.

Page 3 Col. 7

Awful Coal Pit Explosion.

The Victoria Coal Pit, at Dukinfield, exploded on Thursday morning. 72 men and boys went into the pit at 6 o'clock, and the accident happened at 8 o'clock. An immediate effort to rescue the miners was made, and by 11 o'clock 30 men and boys were recovered and brought to bank - all of them alive, but very seriously burnt. The loss of life is guessed at 40 men and boys. The Victoria Pit is 500 yards deep.

Derbyshire Times.

Saturday 16th. June 1866.

Page 4 Col. 2

Caution to Colliers.

Benjamin Hunt and William Pollard, colliers, of Lings Row, North Wingfield, were charged on warrants with absconding from the service of Messrs. Chambers and Company, coalowners, on the 31st. of May last. The defendants denied the charge. Mr. Ward, the companies resident manager, proved the hiring of the defendants, and the companies rules, which required 28 days notice in writing, that by defendants negligence the company had sustained £5 worth of damage. They could earn from 5-0d. to 7-0d. per day. William Shaw, underviewer at Lings Pit, deposed that defendants left on the 31st. of May. Defendants and five others worked in the same stall; and they stayed away from work, the consequence being that £5 worth of timber and other materials was buried. They refused to get the stall in working order. Pollard had given notice to leave on the 24th. of May, but left at the end of the week. The fall in the stall had impeded the ventilation of the pit. He had to get other men to get the stall in working order. The defendants alleged that Mr. Shaw refused to allow them to work, and they were forced to leave. Mr. Ward: They were ordered to get their stalls up, but they refused to do so, and Mr. Shaw refused to allow them to do any other work. Mr. Ward then read the rule, which required persons employed at the colliery to do any work which they were required. Mr. Heathcote: It is clear you left without notice. Are you willing to return to your work?. Pollard: We might as well work there as in Derby. To return to work and pay 9-0d. costs each, or one months imprisonment. Mr. Ward declined to charge anything.

Derbyshire Times.

Saturday 16th. June 1866.

Page 4 Col. 3

Cruelty to a Pony.

A youth named Joseph Gregory, a pony driver in the colliery of Messrs. Appleby, of Renishaw, was charged with cruelly illtreating a pony, of which he was a driver, on the 4th. inst. Witness proved that they saw the prisoner dragging the pony about, having hold of its tongue, the pony having been a little restive. The animal was under medical treatment for some days. The Justice considered this a serious case, and fined the youth including costs, £5, and in default of payment 6 weeks imprisonment.

Derbyshire Times.

Saturday 23rd. June 1866.

Page 2 Col. 5

Advert - To Colliery Proprietors, Engineers, etc.

Oliver and Company Limited.

Having purchased from Mr. William Howe , Engineer, Clay Cross, the patent right to his improved slide valve, beg to invite the attention of Colliery Owners, etc., to this valve, which the above Company are now prepared to manufacture and grant permission for its application to engines of all descriptions.

The valve can be applied to engines already fixed without material alteration, and its superiority to the ordinary slide valve has only to be known to secure it general adoption.

Engines may be seen working with this valve at the Clay Cross Collieries, and at Norwood Colliery belonging to the Sheepbridge Coal and Iron Company. The valve can be seen and any information obtained on application at the Companies works.

Signed,

Victoria Foundry, Chesterfield.

Derbyshire Times.

Saturday 23rd. June 1866.

Page 2 Col. 7

No Headline.

A Petition for the winding up of the Whittington Freehold Colliery Company (Limited) is to be heard before the Master of the Rolls on the 23rd. inst.

Derbyshire Times.

Saturday 23rd. June 1866.

Page 3 Col. 3

Claim against the Midland Railway Company.

Chambers v. The Midland Railway was a claim for £27-17-3d brought by the Wingerworth Coal Company against the Railway Company, for the loss and damage sustained by the detention and injury to a quantity of trucks belonging to the plaintiff. Mr. Busby was for the defendant, and stated that an adjournment on equitable terms had been agreed on until the next court. Adjourned accordingly.

Derbyshire Times.

Saturday 23rd. June 1866.

Page 3 Col. 4 and 5

A Careless Engine-Man.

The Householders Mutual Colliery Association, Limited, sued John Eyre, for £3-10-0d damages caused by culpable neglect. Mr. Busby was for plaintiffs, and Mr. Cutts defended. The facts of the case were briefly these. The lad (defendant) was employed as engine-man at one of the Companies pits, and as probably most of our readers know, had an indicator in the engine house which showed him the position of the ascending and descending corves at all periods of their transit. On the occasion in question by some means instead of starting his engine the right way, he gave it the reverse direction and the corve on the top of the pit (luckily empty) went up over the pulley, injuring the headgear and falling on the roof of the engine house committing damage to the amount of between £3 and £4. The carelessness of the defendant was of the more importance (as Mr. Busby pointed out) when it was considered that there might have been men ascending or descending the shaft at the time. Immediately after the accident the underviewer Mr. Walters saw defendant who admitted his negligence and asked not to be dismissed. He was subsequently seen by Mr. Nicholls, the manager, who told him that he would have to pay for the damage, to which he consented and asked for time. Ultimately the manager reduced the sum to £1 and it was understood that the defendant was to pay this when he suddenly left the colliery (under the Truck Act) compelled the Company to pay the full amount of his wages. Hence the present action. In defence it was endeavoured to show that the engine moved on of itself, and that defendant had to leave it in consequence of the boiler being short of water and he fearing an explosion. Mr. Oliver, engine builder, negatived the first statement by saying that the engine was new and worked well, and defendant might have applied the brake or throttle valve if he wished to leave it, and the second by Mr. Nicholls who said that the defendant had no right to leave the engine at all and that the boilers were under the charge of another man. Mr. Cutts was replying when His Honour adjourned until tomorrow (Thursday).

The Householders Colliery Company Limited and its Engineman.

This case adjourned from yesterday came on today, Mr. Busby, as before, appearing for the plaintiff, and defendant being represented by Mr. Cutts. Mr. Cutts replied on the plaintiffs case, and informed his Honour that the evidence he had to bring forward would throw a different complexion on the matter. He denied that the defendant made the admission spoken to by Walters, and urged that the real cause of the accident was defective machinery and bad arrangements of the plaintiffs. He should be able to prove that the engine being in the constant habit of starting by itself even when the brake was down. He should also prove that weights had been placed on the safety valves to cause the boilers to attain a greater head of steam, that upon these safety valves at that moment there were strong iron bars fixed. If this was so it would show that the management of the colliery was such as ought to have made them pause before he brought an action against the defendant. He then alluded to the remarks made by Mr. Busby, and the apparent necessity he felt in impressing upon his Honour's mind the great danger of allowing such alleged negligence upon the part of the defendant to pass. He reminded his Honour that if there was any carelessness upon the part of the defendant, the plaintiffs ????? by their conduct and by their defective machinery contributed to the accident. The greater part of the day was occupied by the tedious hearing of the witnesses in defence, their cross-examination, and the speeches of the learned counsel. Defendant was first called, and denied that there had been anyone to attend to the pumping engine but himself. The was no sufficient balance weight on the winding engine and he represented the fact to both Mr. Nicholls and Henry

Walters. There had been a large drag chain on which would weigh about 3 stones, but it was taken off on the day of the accident. ?????????????? put on in its place. The engine would start when it had its brake on of itself, the brake not being of a sufficient strength. The brake was on when the accident happened. The large pieces of iron had been put onto the levers of the safety valves of the boilers in order to confine the steam. When he left the engine at the time of the accident the cage was at top of the pit. He left to go onto the force pump, as the boilers were getting very low on water and he feared an explosion. He had frequently in the last three months left the engine house to perform the same duty at the request of the manager. It was also often necessary for him to go to the pumping engine to stop it, when the engine had no water to pump or it would break. Walters had frequently ?????? him for not going to stop it when it could be told by its sound that there was no water to pump. He called the attention of Matthew Potts to the pumping engine and they both went to it. They were engaged in it when he heard his engine start and went to it. It took him three minutes to go from the pumping engines to the other. He ran as fast as he could. He had to go as often as fourteen or fifteen times a day to attend to it. No other person had been found to do that work during that time. Walters came to him about half an hour after the accident and asked him what the h\_\_\_\_\_ he had been at. He send that it was done and could not be helped and if there had been balance weights on the engine it would not have occurred. He denied making any offer to pay for the damage. The witness was cross-examined at considerable length and said that the engine would make 6 strokes a minute and raise the tubs 12 yards a stroke. Mr. Busby read the rules defining the duties of engineman and stoker under which it was clear that the stoker ought to attend to the boilers. Defendant denied that the stoker ever did not than simply fire, and said that he (the stoker) did not know anything about engines and could not attend to the pumping engine. He (witness) had no means in the engine house of knowing whether the boilers were getting empty of water or not. The stoker had only been three days at the works. There ought to be a proper man to attend to the pumping engine. By the Court - It was two months after the accident before the £1 was stopped from my wages. Matthew Marriott, a former engine driver at this pit, said the engine would frequently start of itself when the steam was off and the brake on. He had to leave it four or five times a day to attend to the boilers and the pumping engine. He was told by Walters it was part of his duty to attend to the pumping engine. Matthew Potts who has been engine driver at the pit since the defendant had left, was next called, and stated that he went with the defendant to the pumping engine, which was out of order being an old one. The engine was repeatedly started with him when no one was with it, and on the previous Tuesday, if it had not been for the banksman coming to it it would have done the same job as with the defendant. In cross-examination he admitted that the weights on the valves were varied as to whether they worked one engine or two. After hearing some other evidence Mr. Oliver was recalled and positively denied that the engine could possibly start if the brake was down. There was no absolute necessity for balance weights. Henry Walters, being recalled, admitted that he told the defendant to attend to both engines, and said that his attendance on the pumping engine would not take five minutes a day. Being asked by Mr. Cutts if he was not in a public house at the time of the accident he lost his temper and in denying the charge said that learned counsel deserved "a slap on the side of the head" (Laughter). His Honour said that witness deserved to be sent to prison to teach him manners in a Court of Justice. There was a gross case of Contempt of Court to tell a advocate that he deserved a blow, and if he was pressed he would commit him. Mr. Cutts said that he did not press it, and the case proceeded. Mr. Busby then replied and urged that it was impossible that defendant tales could be true as if he was at the boiler he could not stopped the engine as soon as he did, as one stroke was sufficient to take the cage over the pulley wheel. Mr. Cutts having rested his case, his Honour reserved judgement.

Derbyshire Times.

Saturday 30th. June 1866.

Page 2 Col. 7

No Headline.

Two sad mining accidents are reported. Water burst from some old workings into the Ruffbank Colliery, near Rochdale, on Saturday morning, and drowned an old man named Clegg and his son. At Benhar, near Whitburn, on the previous day, four men fell headlong down a pitshaft, through the breaking of the chain by which they were being let down. Three of them were killed, and the fourth was dangerously injured.

Derbyshire Times.

Saturday 30th. June 1866.

Page 3 Col. 6

Derbyshire Iron Trade and Mining.

Derbyshire matters remain in the same state as noticed last week, the ironworks being kept fully going, in that respect showing a marked contrast to most of the iron producing districts in nearly all parts of the country. The demand for coal also continues brisk, and a large tonnage in being forwarded by the Midland from Clay Cross. At the other collieries in the neighbourhood business generally is good, and one or two of the new collieries are nearly ready for commencing to draw. Amongst them are the Devonshire Silkstone, which is now completed and the top work all but finished. The colliery has been a great success, so far as sinking and reaching the coal is concerned, the work being done in a very substantial manner, and at a comparatively small cost.

Most of the new collieries on the Erewash will be in work in the present season, when the production of coal will be increased one fourth. The most important new colliery on the Erewash is the one at Morton, and this will yield a very large increase in the production of the Clay Cross Company. There is a branch railway from the pits to the railway on the Erewash, which will afford an opening to all the principle markets. The Shirland Colliery Company will soon be in operation. The railway which has been made to accommodate the Colliery Company can also be made available for other pits, which are talked of. Tapton Coal and Iron Company are pushing forward their operations at Lockoford to clear the mine of water; but, although they are going on satisfactorily, they have yet to do a great deal before they will be able to get coal. The affairs of the Chesterfield and Midland Silkstone Colliery Company are still in Chancery, there is little hope of any division of profits for the shareholders. The mine and plant is burdened with a mortgage debt amounting, besides costs and interest, to £10,000. A finance company are mortgagees, and the money was lent after a valuation was made of the mines and the plant. The prospects of the Staveley Company are very encouraging, and the shareholders may count safely upon good dividends. The new arrangement made by the Company with the Midland, for working all the mineral traffic from the pits mouth, is going on satisfactorily, and it has been said by those who know, but I will not vouch for the positive accuracy of the statement, that it will save the Staveley Company £20,000 a year; and that it will save a considerable sum is certain. It is intended to erect large coke-works in the Dronfield Valley. This is in consequence of the Chesterfield and Sheffield Railway, now making, affording an exit from the neighbourhood to the markets of the kingdom. There will be an immense consumption in Sheffield alone, which will be largely increased on the completion of several new works in Sheffield. Dronfield coal makes coke remarkably well suited for the Sheffield trade.

Signed,                      Mining Journal.

Derbyshire Times.

Saturday 30th. June 1866.

Page 3 Col. 7

Eckington - Railway Accident.

On Wednesday about 2 p.m. as a man was bringing a wagon down from the works of Messrs. J. and G. Wells to their siding, it by some means, not at present known, led onto the main line, where a luggage train, going north, ran into it and smashed it to pieces. The engine was thrown off the line, and sustained considerable damage. The express was nearly due, and the guard on the luggage train ran back some quarter of a mile, and was fortunate enough in stopping it, or the consequence might have been serious. The traffic was worked by the other line, so that no material delay was occasioned. The Inspector, Mr. Loveday, and a good staff of men were engaged in clearing away the debris and getting the disabled engine moved. The engine driver and stoker, seeing the collision could not be avoided, jumped to the ground, the driver hurting his knee in the fall.