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STANNARY TALES

Justin Brooke

Introduction

I recently had the opportunity to examine a large quantity of ephemera relating to the Stannary Courts of Cornwall and Devon between 1815 and 1870. In the course of this much interesting material came to light which forms the basis of these notes, supplemented where relevant by extracts from contemporary journals and other printed sources, and from my own notes on the individual mines. In presenting these I offer my sincere thanks to P.L. Hull Esq, M.A. Cornwall County Archivist, and to his staff, without whose assistance these notes would not have been written.

J.B.

1. WHAT IS A TIN MINE?

Until the passing of the Stannaries Courts Act in August 1836 tin mines came under Stannary Law and other mines under the common law. It was of some importance for a mine to be treated as a tin mine, as was shown in April 1818 at the sittings of the Vice-Warden's Court in Truro. Here was heard a petition for the recovery of costs in the case of Gundry v. Pearce, in which a question as to the jurisdiction of the Court was involved. It appeared in evidence that a copper mine called Wheal Clowance, in Crowan Parish, had been re-opened about 1814 and had produced large quantities of copper ores. About December 1816, in driving the 70fm level, the miners unexpectedly found some tin ore in the lode. It was neither rich in quality nor much in quantity, and was sent to surface and thrown over the burrow. However, the adventurers, wishing that the mine might become subject to the jurisdiction of the Vice-Warden's Court, employed a labourer to pick the tinstuff out of the burrows. Some fifteen or sixteen barrowloads were recovered, and the labourer received 15s in the £ on the sale proceeds of £1 .10s .9d., which sum was brought to the credit of the adventurers in the cost-book.

Did this make the mine a tin mine? It was urged on the one hand that no particular quantity of tin need be raised for a mine to make it a tin mine, and that it was "Much for the Interest of the County that all questions relating to Mines should be tried in the Courts of the Stannaries where they were better understood than in the Courts of Common Law & Equity", to say nothing of the expense and delay in obtaining justice in the latter. On the other hand, it was contended that the large quantities of copper ores raised in Wheal Clowance had determined the character of that mine.

His Worship the Vice-Warden observed that there was nothing fraudulent or censurable in the adventurers returning (selling) tin with a view to rendering the mine subject to Stannary law, and that although the quantity was small, 'yet as it had not been decided by any of his predecessors, that any given quantity of Tin was necessary to be raised in a Mine to bring it within the jurisdiction of the Vice-Warden's Court, his Judgment was that the Mine was a tin mine within the meaning of the Stannary Laws, and that the petition had been properly brought in his Court'.

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In Devon matters were treated in a somewhat different manner. For instance, in March 1819 two miners brought a case in the Vice-Warden's Court, sitting at Ashburton, against the adventurers in 'a certain tin mine' called Wheal Friendship, in Mary Tavy. The books of that concern show that the first sale of tin ore was not made until 1822 and that its early production was confined to copper and lead ores, the latter from Wheal Betsy section. Stannary Court records show that the miners obtained a decree and were granted costs of £45. 7s. 6d.

2. THE TEENY WEENY INVESTOR: Twenty-five shilling's worth
In 1868 Joseph Matthews, the purser of North Wheal Robert Mine in Sampford Spiney and Walkhampton Parishes, sued several shareholders who had failed to pay calls due on their shares. The Vice-Warden's Court ordered the shares to be sold by auction. One of the would-be buyers was William Greensill of Hinsley Road, Lower Gornal, near Dudley, Worcestershire. Introducing himself by post to 'The Registrar of the Stannary Court or the proper officer to act at sales for Clients, Truro, Cornwall' as a nephew of the late Andrew Crosse of Broomfield Hall, near Taunton, a 'scientific celebrity', he wrote in July:

"Honoured Sir,

North Wheal Robert Mine: Sale of Shares

I wish you to put in the hands of an agent or the auctioneer or a party applicable for the purpose. My desire to purchase:

100 North Robert if they go at 3d.

50 North Robert if they are 6d

or 25 at 1/-, that is, if he can buy 100 at 3d to do so in preference to the other limits, and so on, all calls paid up to the time of sale.

Remittance immediate on receipt of contract."

William Greensill wrote again on 30th July and 1st August. Having no envelope handy for his third letter he enclosed his note folded up in a circular he had received from W.A. Buckley of London, the Secretary of Great South Tolgus Mine, Redruth, to whom he had given a bill (post-dated cheque) in payment of calls on some shares in that concern. The second letter confirmed his request to buy at the prices he had fixed. The third letter was addressed to "His Honour the Registrar of the Stannary Court, Truro", confirming his instructions yet again and adding: "I have spent money in the development of Mines in Cornwall and make this last effort to extract something. If I effect it money directed to Ireland and Wales by Job. Taylor, Mayor of Dudley, may hereafter flow to some extent into Cornwall. If you can place this into the hands of any Agent to buy 100 shares in North Robert at 3d each I will engage to remit £5 as a present at Xmas in the event of their turning up well I shall feel deeply grateful if you will put my request in a proper form for accomplishment. Remaining, Honoured and Respd. Sir, Your Humble Ser't. William Greensill."

The Registrar replied briefly that it would not be consistent with his duty to be in any way concerned in the purchase of shares for sale under a Decree of the Court, and suggested that Mr. Greensill should instruct an [17] agent himself to attend the auction, which was to be held the following week. He repeated his message after the third letter reached him. At the time North Robert shares, £4. 8s .11 d. paid, were listed in the Mining Journal, but no business was recorded in them during 1868. The mine itself was in its last stages, and the Vice-Warden had been unable to find buyers for 772 forfeited shares. The mine closed in the autumn, and tenders were invited for the machinery in October 1868. No buyers appeared, and the property was put up for auction in December. A further auction was held in February 1869 of “the residue of the preceding sale, which was not sold in consequence of the inclemency of the weather.”

3. SHAFTMEN'S PERKS: Putting in Through the Books

William Michell, the Registrar of the Vice-Warden's Court in Truro, was puzzled by some entries in the books of Kit Hill Wheal Mary Mine, near Callington, which he was in course of liquidating. So in June 1860 he wrote to Captain William Knott, the former manager of the mine, about the bill of D. Hancock, the Callington draper. This is Captain Knott's reply, verbatim: “Sir, I beg to Endeavour to Explain to you the Particulars respecting this bill - and answer the questions that are asked - first the Number of Shaft men were six one of which was Pit Man - Secondly It is usual for the Adventurers (shareholders) to supply this Pair (pare, gang) of Men with a Sute of Underground Cloths Each once a year - thirdly It is the Mens choice what Materials the Cloths Shall be Made of - fourthly the Men were not Supplied with underground Cloths from any Other party during my Agency at the Mine - I also consulted Mr. Netherwood (one of the directors) on the first Order for cloths for this Pair of Men and Informed him It was usual to give them a Sute Each Once a year - he said what will the cost be - I told him about 30/- each Man - Mr. Netherwood then said give them an Order for Nine Pounds worth and I will Pay It - This order I gave Mr. D. Hancock - then the Engine Shag Duck & Setra I ordered for the use of the Mine the Engine Shag for Making Joints in the Pit Work the Duck for Tin Sacks and Setra further I beg to say It Devolved on this Pair of Men to Watch in the Mine from Saturday 2 O'clock untill Monday Morning 6 O'clock and if any thing went wrong in the Shaft to put It right So that the water Might be kept in Fork (drained) for this Service the(y) received 40/- per Month between the Pair and It is Commonly the Case that Men agree to take up this Amount from Some Draper but getting an Order from the Captain to the Draper that might be agreed on - and in this Case I gave an Order to Mr. D.Hancock for twelve pounds worth of Goods Not Saying what sort of Goods - Informing him I should Pay him two pounds per Month untill paid Up - which was usual for Me to take up at the Pay Table Called the Watching Money and pay to the Draper instead of paying It to the Men - but in this Case the Money for paying the Men did not come regular Consequently I could not pay It regular but Paid It as It Came and as follows: May 2, £2, July 13, £4, Sept.21, £1.19s.6d., Decr.23, £4.0s.6d. total £12 this £12 you will understand came out of the Mens Earnings and was all paid by me from time to time and Should not have appeared in the bill I also paid Mr. Hancock £4.10s .Od. on Account of the first Order of Nine Pounds the receipt for which I gave Mr. Netherwood - this to the best of my Knowledge(e) is all

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that has been paid – I can testify the Goods charged on the bill were duly received on the Mine and if any further Explanation is Needed [18] by giving Me two Days Notice I will attend at the Court. I am d(ear) Sir, Your Obed. Servnt W. Knott.”

4. PARRY, VW

On 16th February 1818 John Parry held his first Court as Vice-Warden of the Devon Stannaries at the Town Hall in Tavistock. A contemporary recorded the following:

“.... On the assembly of the different Suitors and other persons connected with the business of the Court, the Vice-Warden rose and observed, that as this was his first Court, he deemed it fit and proper that the Commission authorising him to preside there should be read, previously to the hearing of those causes on which he should hereafter be called to pronounce Judgment; this being done by the Secretary (Mr. Geo. Prideaux, a respectable attorney of Plymouth), his Worship again rose, and addressed the audience in nearly the following words:

“Gentlemen:

It is my wish, and ever will be my most anxious desire to justify, by a conscientious and faithful discharge of the duties annexed to my situation, the trust and confidence which it has pleased the Lord Warden to repose in me. By a due administration of justice, exempt from all partiality and prejudice, can I alone fulfill the wishes and instruction of the Noble Lord (Francis Charles Seymour, Earl of Yarmouth, and later Marquis of Hertford) whom I here represent; by such conduct alone can I best serve my Prince, and merit his protection and favor. What I have here said is the best pledge and surest guarantee I can offer you, for the strict observance and faithful execution of the Stannary Laws as established by Charter and different Acts of Parliament.

I shall not arrogate to myself the possession of Talents superior or even equal to those of my Predecessor (Richard Gurney); but aided by a calm careful and dispassionate investigation of the merits of each cause, and assisted by the Luminous discussion which each case must necessarily undergo from the respectable professional Gentlemen who attend this Court, I trust that any decisions will be found free from Error and consonant to the soundest principles of reason, justice and equity, and in every respect conformable to those Laws Customs and Usages which particularly govern and regulate the proceedings of all Stannary Courts.

To administer Justice with the strictest impartiality; to promote by every means in my power the prosperity of the Stannaries, and to support, uphold, and defend the Laws, Liberties, Franchises and Priviledges of the Mines will be my constant study and ambition, my sole aim and object as long as I shall have the honor of presiding in this Court.

I have now only to observe, that it is my intention to fix my Residence in the vicinity of the Stannaries, so that I shall be ready to hold a Court every Month, or every two Months as the pressure of business may render it necessary”.

Vice-Warden Parry held the office of Vice-Warden for just over years, and was succeeded in June 1814 by John Farnham Cock.

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5. THE BAILIFF

When a mine was unable to pay its suppliers or its men, it was usual for someone to sue them in the Vice-Warden's Court for payment. If the debt was proved an Order for payment would be made, giving the purser or manager a specific number of days in which to pay. If payment was not made, an affidavit of non-payment would be filed at the Court, and an Order would be made to sell the machinery and materials. In order that as much as possible should be sold for the benefit of the creditors, the Court would order a bailiff to take possession and to guard the materials pending their sale.

The bailiff's first duty on taking possession of a mine was to make a list of the materials on it. Such a list was made on 1st March 1852 by R.G. Glasson, who took possession of Camborne Consols Mine on that day. The list is given in full, since it provides an interesting account of what was considered the bare necessity for a small copper mine:

Shafts

2 Horse Whims with chains, ropes, pullies and kibbles, all complete.
40 fms. of ladders underground; about 100 fm. of wood air pipes underground.

Floors

About 11 tons of copper ore, 8 pieces of new Norway timber, wood shed with wood bucking mill; 2 hutches, 2 keeves with picking tables and 7 old wrought iron kibbles, and about 5 tons of tributers' ore undressed.

Smith's Shop

2 anvils, 1 bellows, 1 vice, 1 sledge, 14 pincers, 4 hammers, and a great quantity of smith's tools of all descriptions. About 5 cwt. of new 1 inch wrought iron rods and about 20 lbs ditto of 3/8 of an inch; about 12 cwt. of old wrought iron; about 10 cwts. of new wrought iron chain 7/16 inch, 2 winze kibbles, 1 beam, scales and weights; 1 grinding stone with frame; 9 miners' chests and a few miners' tools.

Carpenter's Shop

Timber carpenter's shop with wood floor and sawpit frame, 1 carpenter's bench; 6 one inch planks new; 1 hutch; 3 water barrels; 2 sieves (sic); 4 wheelbarrows; 3 handbarrows; 2 weighing barrows; 2 cobbing hammers; 1 pick; 4 cast iron stamp heads; 1 whim pulley; about 4 tons of silver ore; about 300 of new brick and some old wood.

Material House

5 powder cans, 1 powder barrel; 1 oil can and about 2 quarts of oil, 1 ladder, 2 candle chests; 24 lbs candles; 3 sieves (sic); 2 carpenter's borriers; 3 bars of blister steel; 8

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bars of gad steel; 2 strans (sic) of ¼ inch hoop iron; about 1¾ cwt. of 4½ inch wrought iron nails; about ¾ cwt. of 5 inch ditto; 2 bucking irons; 1 hand saw; 14 iron shovels; 30 shovel hilts; 54 pick hilts; 2 beams; scales and weights; about 40 fms. of new winze rope, and sundry pieces of old rope.

Powder House

6 cwt. of powder, wood bench and wood floor.

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Account House

Stove with its appurtenances; 1 large table with 2 drawers; 2 forms; 2 washing trays; chamber brush; wood coals scuttle, wood horse; 4 glass tumblers; 2 salts; 2 pepper; 2 mustard pots, 4 jugs, 2 doz. plates; 6 dishes; 2 vegetable ditto, 1 tea pot, 2 cups and saucers, 1 waiter, 2 basins, 2 fine metal candlesticks, 2 bed ditto, snuffers and stand, 1 copper kettle, 1 iron ditto, 1 saucepan, 1 streamer (sic) and roasting tin; frying pan; 2 knives and forks; 5 tin table spoons, 1 tin water pitcher, water barrel (outside).

Office

Register'd grate; fender and fire irons; 5 chairs; 1 mahogany table with 6 drawers and desk; 1 round table in two parts; 1 large writing desk with drawers, & c; 1 stool; wood partition or screen by the door with rails; 3 maps of the mine & c.; 1 metallic ink stand and ruler.

.....

That the Vice-Warden's Court did not move hastily is shown by the fact that the petition was filed on 6th November 1851, and that the Order for the sale of materials was made on 3rd February 1852 and confirmed on 1st March. The mine later became Part of Dolcoath; why silver ore should be kept in the carpenter's shop is something of a mystery.

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