

WIRKSWORTH COUNTY COURT, WEDNESDAY
Jan. 12.

[Before J. T. CANTRELL, Esq., Judge.]

The number of plaints entered were 53, cases heard 19, judgment summones 16, commitments 2.

The majority of cases were, as usual, of no public interest, and only one or two worth naming.

George Wheatcroft, painter, summoned Nathaniel Wheatcroft, of Cromford, gentleman, for 6*l.* 9*s.* 2*d.* for painting some houses, of which 5*l.* 12*s.* 2*d.* had been paid into court, as all due. Mr. Stone, for defendant, examined plaintiff at length as to the details of his bill in regard to the quantities of paint, oil, &c., used, and called another painter named Cooke, who gave evidence, the effect of which was to reduce plaintiff's claims by 6*s.* Verdict for plaintiff for 6*l.* 3*s.* 2*d.* Mr. Stone here informed the Judge that a judgment summons for upwards of 5*l.* obtained 15 years ago by plaintiff against defendant, remained unsatisfied, and asked if the money claimed by plaintiff might remain in court till next court-day; but his Honour said he should not interfere with a claim of so remote a date.

INSOLVENCY.—George Hardy, represented by Mr. Stone, appeared to undergo his examination in insolvency, having obtained his protection at the last sitting of the court. Insolvent had been a beer-house keeper and farmer at Carsington, but gave up his house and farm there on the 25th March last, since when he had carried on the business of a butcher at Wirksworth. Hardy was opposed by five creditors, represented by Mr. Briggs, of Derby, and Mr. Harward. These gentlemen put the insolvent through a searching and lengthy examination, during which they elicited that he had brought 100*l.* from Carsington, but could not account as to what he had done with the greater part of it; he also admitted having been in a state of insolvency when he commenced butchering at Wirksworth, although he had from time to time obtained credit for sheep from various parties with—as alleged by the opposing creditors—no reasonable chance of paying for them; and that, in fact, he was carrying on a business in which he had turned over nearly 100*l.* per month for eight months, without any real capital, although the capital required to carry on such a business properly and profitably, should have been 200*l.* or 300*l.* The insolvent's answers to questions in regard to the disposal of some of his property were of an unsatisfactory nature, and the legal gentlemen opposing him alleged the accounts to have been cooked, in order to arrive at an apparently correct balance in his schedule. Insolvent said he kept no books or accounts of his cattle dealing transactions, nor gave or took any receipts, and alleged that this was no unusual mode of conducting business among butchers. His present liabilities amounted to nearly 200*l.* Hardy averred that the whole of his money had gone towards the payment of his debts to various creditors, and that he had not been able to obtain an account of the statement of his affairs between himself and Mrs. Naylor, the incoming tenant to the farm and beer-house at Carsington, although he had repeatedly applied for it.—Mr. Briggs said if his Honour would consent to postpone granting the final order until the next Court day, other witnesses would be produced, who could throw additional light on the position of Hardy's affairs in some important particulars.—His Honour said the explanations tendered with respect to the schedule were at present unsatisfactory, and he would accede to the request of Mr. Briggs, to give time to Mr. Stone to produce insolvent's wife, Benjamin Taylor, his son-in-law, Mr. Smith, his master, a horse-dealer, and Mr. J. Poyser, auctioneer and appraiser, who had acted as agent for both parties, on the occasion of the change of tenancy at Carsington. The opposing creditors were Messrs. Wright, spirit and wine merchants, Mr. H. Walker, innkeeper, and Mr. Newton, maltster, represented by Mr. Harward; and Mr. Briggs, for the Uttoxeter Brewery Company and others.

WRONG SERVICE OF SUMMONS.—Mr. Bradley, of Sheffield, brewer, had summoned John Barker, of Derby, for 8*l.* 5*s.* 10*d.* Defendant attended, and stated that he did not owe Mr. Bradley a farthing. It turned out that the summons ought to have been served on a Joseph Barker, and John now very reasonably applied for the expenses he had been put to by the blunder of some one, and was told he could recover his expenses.