

# BALLINDALLOCH WORKS CHECKS

## Contemporary Documentation Discovered

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Some very interesting original documents have recently come to light during an internet search.<sup>1</sup> The first document is a record from the 'Jury Court at Edinburgh, and on the circuit', for 17 July 1829 (A), and the second from the 'Edinburgh Court of Session' for 16 November 1830 (B) (Fig. 1) A further search<sup>2</sup> resulted in records from the same 'Edinburgh Court of Session' for 16 November 1830 but reported by a different agency with additional information (C).

### FIRST DIVISION.

No. III.

16 November 1830.

JOHN REID MILES

against

JAMES FINLAY AND COMPANY, AND OTHERS.

PROCESS.—STAT. 5 GEO. III. c. 49.—*A petition and complaint, founded on a penal statute, directed against a mercantile copartnery by its social firm, and not against the individual partners of the company nominatim, found not competent.*

MILES presented a petition and complaint to the Court, proceeding on the narrative, that the respondents, James Finlay and Company, the proprietors of the Ballindalloch cotton-works, and Matthew Finlayson their manager, and Peter Marshall their cashier and clerk, were in the habit of issuing, or causing to be issued, certain unstamped checks or notes for money, of the nature of bank-notes, to be circulated as specie, some of them for seven, and others for five shillings, contrary to law. These notes were of the following tenor :

16 Sept. 1829.	SEVEN SHILLINGS. <i>Ballindalloch Works.</i>	No. B. 153.
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#### A GUINEA NOTE

Will be paid for an equal amount of our checks, if presented at the Work within three months of this date.

To the Merchants  
of Balfour.

MATT<sup>r</sup>. FINLAYSON.

Ent<sup>d</sup>. Peter Marshall.

Fig. 1. archive.org (Note 1)

Documents B and C relate to the '*issuing, or causing to be issued, certain unstamped checks or notes for money, of the nature of bank-notes, to be circulated as specie, some of them for seven, and others for five shillings, contrary to law.*' The case is dated 16 November 1830 and was initiated by John Reid Miles against James Finlay and Company, and Others. The case specifically relates to the '*Ballindalloch cotton-works, and Matthew*

<sup>1</sup> Website <https://archive.org> enter 'Search' box with 'Ballindalloch Cotton' click on 'Search text contents'. 57 results were obtained with these documents being the 19<sup>th</sup> and 27<sup>th</sup>. Accessed 9 July 2018.

<sup>2</sup> As for 1 above but using 'John Reid Miles' in the 'Search' box. 34 results this being the 13<sup>th</sup>. Accessed 9 July 2018.



*Finlayson their manager, and Peter Marshall their cashier and clerk'. Document C lists John Reid Miles as a 'teacher in Balfron'.<sup>3</sup>*

In 1789 Robert Dunmore with James and Archibald Buchanan commenced the erection of a cotton mill in Balfron known as the Ballindalloch Cotton Works. In 1798 the Ballindalloch works were purchased by Kirkman Finlay of James Finlay & Company.

The Ballindalloch Cotton Works issued silver countermarked tokens in two sizes, Spanish-American 8 reales were marked for 5/ (Fig. 2) (10 known) and French half écus reading Ballindalloch Cotton Work around a cotton-wool sack with no value, but assumed to be worth two shillings and six pence. (Fig. 3) (4 known) The issue periods are believed to be 1800 to 1810 based on the price of silver and the latest host coin dates.



Fig. 2. Ballindalloch c/m for 5/ on 8 reales. Private collection.



Fig. 3. Ballindalloch c/m on French half-écu. Private collection.

From 1829 to 1830, the works also issued paper checks for five shillings and seven shillings<sup>4</sup> designated 'To the Merchants of Balfron'.

These paper checks are at the centre of this case, but additionally an example of one of these 7 shilling checks was drafted into the court documents. (Fig. 1) What is especially intriguing is that we have this original check available for study (B12 in Table 1). (Fig. 4)

The signatures of Matthew Finlayson and Peter Marshall are clearly seen on this check B153 and also stated in Fig. 1 are the positions they held in the business. This was not known when Peter Symes wrote his original article.<sup>5</sup> Symes went on to question whether;

<sup>3</sup> Manville, H.E., 2001. Tokens of the Industrial Revolution. Foreign Silver Coins Countermarked for Use in Great Britain, c.1787–1828, BNS Special Publication 3 (London), page 16.

<sup>4</sup> Manville, H.E., pages 15-17.

<sup>5</sup> Symes Peter, 1997. The Ballindalloch Note Issues of 1830, first published in the International Bank Note Society Journal, volume 36, number 4.

*'Kirkman Finlay was responsible for authorising the issue, or was he more likely to have ordered their withdrawal? During his evidence before the House of Commons Committee on Promissory notes in 1826 Finlay said:*

*"I have certainly heard of another species of circulation, very unsound indeed, giving orders on publicans and other persons to supply provisions, and afterwards paying them, but I have no knowledge of such a thing."*

*Did Finlay decide some four years later that the idea was not so "unsound" (perhaps the style of the Ballindalloch notes did not fall into the "unsound" category of "orders on publicans"), or was the issue made without his knowledge, and later ordered withdrawn at his behest? Without conclusive evidence, it is difficult to decide one way or the other.'*



Fig.4. Ballindalloch 7s check B153 dated 16<sup>th</sup> September 1829.  
Private collection. Size approx. 130mm x 100mm.

On a reading of this court case there is no indication that Kirkman Finlay was not involved in the issue, though the case was ultimately dismissed, on the 25 January 1831, for being 'too vague'.

The author finds it difficult to understand why the case was dismissed, considering that the Ballindalloch Works appeared to have refused to reimburse John Reid Miles for thirty-six outstanding checks. His case demanded £500 for each check issued and not re-paid.

However, the retrieval of document A (Fig. 5) may go some way to answer this question. This document relates to a case, brought by Miles (presumed John Reid) v Finlayson (presumed Manager) for damages due

to Miles being forcibly evicted from school and house. The case clearly states that Miles '*was the teacher of a school at the Ballindalloch Cotton-Works in the month of September 1828*' when the assault and removal took place. Miles won the case and was awarded £200 damages.

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CASES TRIED IN

July 17,

MILES  
v.  
FINLAYSON, &c.

PRESENT,

THE LORD CHIEF COMMISSIONER.

1829.  
July 17.

MILES v. FINLAYSON, &c.

Damages for assault and forcibly turning the pursuer out of his school and house.

**T**HIS was an action of damages by the teacher at a manufacturing establishment against the manager of that establishment and others, for assault and forcibly turning him out of the school, and house.

**DEFENCE.**—The conduct of the pursuer warranted the means used for his removal.

ISSUES.

“ It being admitted that the pursuer was the  
“ teacher of a school at the Ballindalloch Cotton-Works in the month of September 1828 :  
“ Whether, on or about the 10th day of September 1828, the defenders, or any of them,  
“ did violently assault the pursuer, or cause  
“ him to be assaulted, or did wrongfully enter  
“ the said school-house, or did wrongfully cause  
“ the pursuer to be taken by violence from the

Fig. 5. archive.org (Note 1)

It, therefore, seems possible that Miles held a grudge against the Cotton Works for his treatment and decided to take action that was available to him. To further pursue this cause he acquired checks that were circulating in Balfron and instituted proceedings against the Cotton Works. The issue of these checks was short lived, the earliest known being 16 September 1829 and the latest dated 30 March 1830 a period of about seven months.



**Table 1.** List of all known checks, six five-shillings all prefixed A, numbered from 106 to 164 and fifteen seven-shillings all prefixed B, numbered 103 to 194. Photographs are available for all except B6 and B10.

<u>Ballindalloch Works 5/- and 7/- notes.</u>					<u>Serial number order by value.</u>			
<u>Ref.</u>	<u>Auction/Article</u>	<u>Date</u>	<u>Year</u>	<u>Lot</u>	<u>Note Value</u>	<u>Serial No.</u>	<u>Note Year</u>	<u>Note Dated</u>
A1	Spink 6002	27 Apr	2006	1167	5/-	A106	1830	28 Jan
A2	Spink-Keith Austin	14 Sep	1999	16	5/-	A131	1829	31 Dec
	Spink	02 Oct	1997	759	5/-	A131	1829	31 Dec
A3	Spink 5027	12 Sep	2005	134	5/-	A134	1830	24 Mar
A4	Spink stock	01 Feb	1997	-	5/-	A144	1830	10 Mar
A5	Spink Edinburgh 1024	14 Jun	2010	16	5/-	A161	1830	30 Jan
	Per SNC 01'79 p9	01 Jan	1979	-	5/-	A161	1830	30 Jan
A6	Banking Mem – Carlisle	01 Sep	2008	162	5/-	A164	1830	30 Jan
	Spink 5027	12 Sep	2005	133	5/-	A164	1830	30 Jan
B1	Per SNC 01'79 p9	01 Jan	1979	-	7/-	B103	1830	30 Mar
B2	Spink 13018 Notes	02 Oct	2013	1969	7/-	B120	1830	28 Jan
B3	Spink 5027	12 Sep	2005	134	7/-	B123	1830	24 Mar
B4	Spink Banknote Circular	01 Oct	1999	135	7/-	B124	1829	20 Nov
	Spink	30 Sep	1999	645	7/-	B124	1829	20 Nov
B5	National Museum Edinburgh	-	-	-	7/-	B125	1830	24 Mar
B6	CNG/Seaby (New York)	11 Jun	1994	599	7/-	B126	1830	24 Feb
B7	Symes Australia	01 Apr	1995	-	7/-	B130	1830	24 Feb
B8	Spink 4017/4031	30 Sep	2004	1225	7/-	B137	1830	24 Mar
B9	Comp Gen de Bourse Billets	01 Aug	1999	830	7/-	B144	1830	28 Jan
B10	CNG/Seaby (New York)	11 Jun	1994	600	7/-	B149	1830	24 Mar
B11	Phillips	02 Oct	1998	359	7/-	B151	1830	28 Jan
B12	Banking Mem – Carlisle	01 Sep	2008	163	7/-	B153	1829	16 Sep
B13	Spink-Keith Austin	14 Sep	1999	17	7/-	B168	1830	30 Jan
B14	Spink Edinburgh 1024	14 Jun	2010	15	7/-	B178	1829	10 Dec
	Spink	16 Apr	1997	403	7/-	B178	1829	10 Dec
B15	Spink	06 Oct	1994	841	7/-	B194	1830	24 Feb

As can be seen from Table 1, the numbering and dating of these checks do not correlate. Following a previous article to try to understand this conundrum<sup>6</sup> questions were raised as to why so many checks have survived. Perhaps we have the answer and that those in Table 1 were part of the thirty six held by John Reid Miles.

Certainly note B153, that detailed in the court case papers, has survived. To try to answer Symes' earlier question about Kirkman Finlay's knowledge of this issue, maybe the initiation of this case, eventually held on the 16 November 1830, brought to his attention a situation he could not allow to continue, with the latest dated note being 30 March 1830. There is a time limit of three months from the check date, for presentation (see Fig. 4), so by the time of the court case the checks were in effect worthless.

<sup>6</sup> Hodge Eric C., November 2010. Safety in Numbers, Coin News, pages 69-72.