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GARNET MINE SUIT BEFORE THE COURT – Dispute on Ownership and Royalties Passed Upon – Sharp Wins the Decision

A dispute over a garnet mine in Delaware County was disclosed in an opinion handed down by Judge Archibald of the United States Circuit Court, in Philadelphia, deciding the equity suit brought by George W. Sharp of Boothwyn, against Herman Behr & Co., to recover damages for alleged breach of contract.

The defendants were the owners in 1891 of a garnet mine, known as the Lancaster Farm, in this county, and Mr. Sharp, who was their superintendent, had a similar mine on the Fulton farm, adjoining.

It is said the plaintiffs on September 26, 1891, leased Sharp's mine, agreeing to pay him a certain sum for every ton of the ore mined on the two properties. Mr. Sharp said that there was also an oral agreement that he was to be paid a salary of \$20 a week for twenty years, as superintendent. He was discharged in 1889, and in addition to his claim for salary sued to recover for alleged unpaid royalties and also for the reconveyance to him of the Fulton farm.

In his decision, Judge Archibald rejected the claim for salary, but ordered a reconveyance to Mr. Sharp of the Fulton farm, on his payment to the defendants of \$3000 less \$2000 lent to the firm. It is also decreed that Mr. Sharp be paid royalties on ore shipped from the Lancaster farm, but not from the Fulton farm, and that questions as to other damages be referred to a master, the defendants to pay the costs of the suit.

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