

## History and Customs of Lead-mining in the Wapentake of Wirksworth.

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ALTHOUGH the lead-working in the Wapentake of Wirksworth has now sunk to a very shadow of its former importance, it takes precedence of all other forms of mining in the county of Derby, not only on account of the very interesting and peculiar laws and customs appertaining to the industry, and which have been handed down among the miners from very ancient times, but also because its history from the Roman period until the present day is unbroken and continuous.

During the Roman occupation of Britain Wirksworth was an important station, on account of the lead mines in the district; tradition has it that in those days the neighbouring village of Middleton was a penal settlement for military convicts, and that the house of the Roman Governor of the district stood in Wirksworth close to what is now the market-place.<sup>1</sup>

The convicts would get the ore, and would smelt it, as was usual in those days, in holes on the tops of hills. These holes generally had their mouths turned towards the prevailing wind. Wood and lead were placed in them, and they were set on fire during a westerly wind. These primitive smelting furnaces were called "boles," whence we have the place-name Bolehill,<sup>2</sup> near Wirksworth.

<sup>1</sup> See vol. xxix., pp. 27-9, of this *Journal*.

<sup>2</sup> Vol. vii., p. 69, of this *Journal*.

Pigs of lead bearing Latin inscriptions have been found in several places in the neighbourhood of Wirksworth, and are now in the British Museum. The inscriptions are believed to be either the name of the owner of the mine from which the lead came, or else that of the person for whom it was intended. One of these pigs bore the name of the Emperor Hadrian. "Close to where one pig was found the remains of a smelting hearth, with heaps of rubbish, were discovered, as though the pig had been cast on the spot."<sup>1</sup>

The lead-mining flourished under the Saxons. Some, at any rate, of the Wirksworth mines belonged at one time to the Abbey of Repton, and in 714 the Abbess of Repton sent from Wirksworth a coffin of lead in which to bury S. Guthlac, Prior of Croyland. In 835, again, lead was given for the use of Christ's Church, Canterbury.

When Repton Abbey was destroyed by the Danes in 874, it is probable that the Wirksworth mines became the property of the Danish Earl or King.<sup>2</sup>

Under the Normans, in 1086, we find the King's mines in the charge of William Peverel. Not long after the Domesday Survey, however, they appear to have become the personal possession of their Keeper; and we find later records of the lease of the mine or mines to various persons. There are notices, too, of lead having been sent from Derbyshire not only to royal palaces in England, but also to those in Normandy.

Derbyshire lead seems also to have been in request for artistic purposes. Of this we have evidence in the elaborately-ornamented leaden fonts still existing in various parts of England. The one at Ashover, in this county, is a fine example of such work.

Turning now to the conditions under which the lead mines were worked, we find that the mines were always regarded by the Crown lawyers as the property of the king. In 1288 it was acknowledged that "for time beyond memory" every

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<sup>1</sup> Vol. vii., pp. 64-5 and 72, of this *Journal*.

<sup>2</sup> *Ibid.*, p. 66.

"thirteenth dish" of ore was due to the king, this being the customary royalty from the mines; but even in very early days the king's rights in the mines were circumscribed by the immeasurably ancient customs of the miners. "All mines in the parish of Wirksworth used to pay to the vicar every fortieth dish as Tithe. In earlier days it was one in ten."<sup>1</sup>

The old customs were not entirely confined to the "Kingsfield," or "fee" in the Hundred of High Peak and the Wapentake of Wirksworth, but are found also to some extent in the manors of certain private owners.

The miners themselves were generally men owning small mining properties, which they worked, selling their lead to the smelters and lead merchants. The mining industry maintained a large body of miners in wealth and comfort, and from time immemorial the right to mine was free to all miners.

About 1650 the extent of the mines seems to have led to the increase of rich mine owners, and to the decline of many independent workers into wage-earners; but often even rich men did not own the whole of a mine, and, about the beginning of the nineteenth century, very small shares were general. We hear of 48ths or 96ths, and even of 384ths and 768ths being held.

About the close of the eighteenth century Pilkington<sup>2</sup> gives a curious account of the inhabitants of this district. He considered them most rough and uncivilised, and says that he had never met with such "rudeness, indecency and immorality" anywhere else. He had noticed that much improvement had in many ways resulted from the establishment of Sunday schools and manufactories, and this, he hoped, would increase in the next generation.

There does not seem to have been much foundation for the accusations made against the miners. Their broad Derbyshire speech, and the rough dress they wore when at work, probably gave rise to most of the tales about them. They seem really to

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<sup>1</sup> Vol. vii., p. 68, of this *Journal*.

<sup>2</sup> *A View of the Present State of Derbyshire*, by James Pilkington, vol. ii., pp. 58 and 59.

have been a very industrious, thrifty set of men, distinguished by their sturdy independence.

The rules regulating the mines were, originally, of course, oral—handed down from generation to generation among the miners. Much was added to these rules during the fourteenth, fifteenth, and sixteenth centuries. The Wapentake Courts at Wirksworth added from time to time such regulations as were made necessary by the altered state of the industry, and by the beginning of the seventeenth century there existed a body of written laws concerning mines and miners. These laws went more into detail than the old customs, which we hear of as already existing in 1288; but on the whole they only added to or explained the old simple regulations.

In 1653 Edward Manlove published his *Rhymed Chronicle of the Liberties and Customs of the Lead-mines within the Wapentake of Wirksworth*. Although it was written so long ago, this curious poem is still consulted to ascertain the mining privileges and customs which obtain in the Wapentake of Wirksworth.

Little is known about Manlove, but it appears that previous to the composition of his poem he had held the important post of Steward of the Wapentake Barmote Courts. The Steward is the chief judicial and ministerial officer connected with the mineral customs, and when Manlove wrote, the office was perfectly well acknowledged and defined. It appears, however, that originally the Steward was merely the assistant of the Barmaster, to whose office it appertained to preside in the Barmote courts, and try the rights of the miners.

Manlove's object in composing his *Chronicle* was, he tells us, to present to the miners of the district an accurate statement of the mineral law which custom had given them. It is interesting to notice that, by writing in verse, he adopted for his *Chronicle* the form which from immeasurable antiquity has been used as the best for committing to memory. Many of our ancient legal and religious formulæ show traces of having originally been in verse.

Thomas Tapping, who in 1851 published the second edition of Manlove's *Chronicle*, says: "The fact that Manlove, within the compass of three hundred metred lines has produced a perfect and accurate digest of the voluminous mass of intricate mining customs which then obtained in the Wapentake, fully entitles him to be considered both the poet and historian of the Wirksworth mines." Whatever may be said of him as a poet, "it is quite clear," as Tapping goes on to say, "that Manlove deserves the title of historian; for though he avows himself the champion of the miners, he never claims for them a privilege or custom to which they were not fully entitled."

Tapping also compiled a glossary of every important or obsolete form to be found in the *Chronicle*.

Some of the "customs of the minery" of which we first hear early in the sixteenth century must have come down from very early times. For example, the law that on the third conviction for stealing ore, a man should have his hand pinned to the stow by a knife thrust through the palm to the haft, and should there remain till he died or cut himself free. This is what Manlove says (line 217):—

"For stealing ore twice from the minery  
The thief that's taken finèd twice shall be,  
But the third time that he commits such theft  
Shall have a knife stuck thro' his hand to th' haft  
Into the stow, and there till death shall stand  
Or loose himself by cutting loose his hand.  
And shall forswear the franchise of the mine  
And always lose his freedom from that time."

The law relating to legal possession is also clearly very ancient. Legal possession of a mine was kept only by erecting stows or stowces, which must be "set in all men's sight." The stow is a machine for drawing up the ore in tubs from the mine. It is constructed of seven pieces of timber fastened together by wooden pins. If nails or any metal is used in the construction of the stow, the machine is not, by custom, a possession, nor will it confer one. This condition alone shows how very ancient the origin of the custom must be. Even now,

unless this has been rendered unnecessary by quite recent legislation, a model of this primitive windlass is required upon every mine to maintain the miner's ownership.

When a miner found a rake or vein, he marked his possession by a hole, and by a cross cut in the surface of the ground. After the barmaster had staked the ground, the cross and hole would keep possession of a new mine for three days only; and in the case of an old mine only for so long as the miner required to go home and fetch his tools. After this, stows were necessary, and if they were broken or removed, and were not replaced, the miner lost his claim to the mine.<sup>1</sup>

The barmaster was expected to "walk the field" constantly, and if he found a mine not worked he called the owner's attention to it. If it remained unworked he cut a nick in the spindle of the stows. If the grove (*i.e.*, pit that leads down to a mine) remained unworked for three weeks, he cut a second nick, and so every three weeks "until nine weeks end." When the spindle had been nicked three times, the miner's right to the mine was lost. The barmaster could then remove the stows and give the mine to the first person asking for it. If, however, the working had been hindered by wind or water, the miner was free, and did not lose the mine.<sup>2</sup>

In the case of any dispute as to the ownership of a mine, the barmaster was to "make arrest," *i.e.*, stop the working of the mine. For this his fee was four pence. The case was heard at the next court, when it was the duty of the steward to hear and try the whole matter relative to the arrest.<sup>3</sup>

The first finder of a rake, or vein, had the right to two meers of ground (1 meer=29 yards in length in the Low Peak, and 31 yards in the High Peak) if it was a new vein. One free "because the miner found," the other of mineral right. This last he had to free by paying to the king or his farmer a dish of the first ore got.

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<sup>1</sup> Manlove, lines 1-18.

<sup>2</sup> *Ibid.*, lines 19-32.

<sup>3</sup> *Ibid.*, lines 33-36.

"And he (by Custom) that his mine doth free,  
 A good estate doth thereby gain in fee;  
 And if he die, and leave behind a wife,  
 The custom doth endow her for her life;  
 But if the grove be lost for want of stows,  
 Or forfeited, her dower she doth lose.  
 By word of mouth eke any miner may  
 Such fee and freehold freely give away."<sup>1</sup>

These first meers were called "founder meers," because they were given to the first finder of the rake.

The king had the third meer, or half a meer on each side of the first meers at his option. The other meers went to the next workman asking for them, and were called "taker meers," because the miners were said to "take at" the first finder.<sup>2</sup> In the case of an old mine, every miner desiring it had one meer. No miner could "set on an old man"—this term signifies a vein that has been deserted—until the barmaster, and two of the body of the mine, had viewed the working, and decided that it was "an old work quite forsaken." This done, the miner was at liberty to work and to "free his meer."<sup>3</sup>

When two founders set upon the same rake at the same time, it became likely that the king or his farmer might get what was called a "primgap." In such a case the miners had to "chase th' stole (or stool) to th' stake." This expression means that each miner was alternately to work a meer, or, as Manlove put it, "one at other take," until they reached the stake which limited their operations.

Tapping, in his *Glossary*, explains the word "stole" as follows: "Where the miners leave digging deeper and work in the ends forward, the end before you is called the stool."

"Primgap" is the name given to the odd yards, less than half a meer, lying between different titles or claims. If these were under half a meer they could not be given to the miner, but fell to the "lord of the field." If, however, the odd yards were over half a meer, they went to the miner who first possessed the ground.

<sup>1</sup> Manlove, lines 65-72.

<sup>2</sup> *Ibid.*, lines 45-58.

<sup>3</sup> *Ibid.*, lines 225-232.

The lord could sell primgaps to the miner, or could work them himself; but if he chose the latter, he might not use the miner's gates or shafts to do so. In an old mine the lord does not get the half meers on either side, but is entitled to primgaps.<sup>1</sup>

The lord was expected to provide a "lawful measure" for measuring the ore. Such is the bronze dish now in the Moot Hall, Wirksworth, an engraving of which faces page 68 of vol. vii. of this *Journal*. It was made in 1513, and is the standard by which the wooden dishes for measuring the lead are periodically gauged. If the lord neglected to provide such a dish he forfeited forty pence. Anyone selling lead by any other measure than the appointed dish lost the ore so sold; the buyer was also fined. Poor men were, however, allowed to sell small parcels of ore "for need" if they could not speedily obtain the dish.<sup>2</sup> Miners were bound to bring all suits for ore before the Barmote courts. If they took them to other courts they lost their ore debt, and had also to pay costs, because they proceeded against custom. No man might sell his grove (or mine) while there was any suit concerning it. If he did so he lost his grove for the offence, and the buyer was also fined.<sup>3</sup>

As early as the reign of Edward I. it was usual for two great courts of Barmote to be held every year, to try all causes relating to the minery.<sup>4</sup>

It was customary to "swear a jury for a half year's time." This jury was commonly called "the body of the mine," and consisted of four and twenty men who were miners; their duty was, among other things, to visit the mines and rectify abuses within their jurisdiction. If a miner met his death by any accident in the mine, or was killed upon the mine "by chance medley," the barmaster or his deputy was to view the body and hold inquest by jury. The coroner was not allowed to take any action, nor might he view the body.<sup>5</sup>

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<sup>1</sup> Manlove, lines 59-62.

<sup>2</sup> *Ibid.*, lines 103-112.

<sup>3</sup> *Ibid.*, lines 113-148.

<sup>4</sup> *Ibid.*, lines 209-216.

<sup>5</sup> *Ibid.*, lines 79-102.



Before the use of gunpowder, or other explosives, for blasting purposes, the miners were accustomed, when necessary, to light fires against the rock, in order to cause it to crack and crumble, and thus become easier to work. This was not allowed at all times, or whenever the miner pleased. No fire was allowed until after four o'clock in the afternoon, and only after notice being given, lest the smoke might injure persons at work in other groves. If, after due notice, other miners were careless and lost their lives, the firer was free from blame. No fire or blasting was allowed unless the walls of the vein were so close together that the miner could not swing his tool.<sup>1</sup>

The miners often ascended and descended the mines by means of stemples. These are bars of wood fixed across the grove about three feet apart, and the men climb up and down this unpleasant ladder. Sometimes the shafts were so small that the miners went up and down with their backs against one side, the hands and feet against the other.

Lead-working has so declined that there is only one mine in the Wapentake of Wirksworth which is now being worked, the Mill Close mine near Matlock, which produces much lead and employs many workmen, being outside the limits of the Wapentake. The decline is all the more to be regretted in that Derbyshire lead is said to be the best in the world, because it can be bent or beaten into any shape required; it is, therefore, not necessary to cut it in the course of working, as must be done in the case of "foreign" lead.

Much more might be written on the old "customs of the minery" and in explanation of the many curious forms in the mining phraseology—which are described by Manlove, in line 254, as "like to heathen Greek." It may suffice to say that Tapping falls into error when he defines "strete," in line 234 of the *Chronicle*, as meaning straight. "Strete" is the Derbyshire form of strait, old English for narrow.

"Cope"—probably derived from A.S. "ceap" or "cheap," a market or sale—forms, with lot, the principal payment due to the barmaster for the king or his farmer.

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<sup>1</sup> Manlove, lines 233-242.

“Lot,” derived from A.S. “hlot” tribute, is the duty of the “thirteenth dish” or measure of miners’ ore.

Lot and cope are therefore the customary payment due to the king or his farmer for the right to mine.

Nearly thirty years after Manlove had published his *Rhymed Chronicle* a work on the same subject appeared, which apparently ignored Manlove’s production, if we are to judge by its quaint title, which runs as follows: “*Rara avis in terris*” or the compleat Miner in 2 books. The first containing the liberties laws and customs of the Lead Mines within the Wapentake of Wirksworth in Derbyshire in 59 Articles being all that ever was made. The second teacheth the art of dialling and levelling grooves a thing greatly desired by all miners being a subject never written on before by any, with an explanation of the miners’ terms of art used in this book. *Unius Labor Multorum laborem allevat.* By Thos. Houghton.

“London. Printed for Wm. Cooper at the Pelican in Little Brittain 1681.”

The text of the book begins thus:—

“At the great Court Barmoot for the Lead Mines held at Wirksworth for the Soak and Wapentake of Wirksworth in the County of Derby the 10<sup>th</sup> of October in the year of our Lord 1665.

“The Inquisition of the great late Inquest taken upon the oaths of

Ro. Haywood,  
Ro. Sage,  
Rich. Buxton,  
Antho. Cotteril,  
Edw. Wheatcroft,  
John Swallow,  
Antho. Gell,  
John Creswell,  
John Toples,  
George Wittacre,  
Anthony Lowe,  
James Holehouse,

Ro. Tipping,  
Mat. Latham,  
Hen. Coats,  
John Bridden,  
Edw. Bradshal,  
Thos. Dakin,  
Pet. Rawling,  
Fran. Worthy,  
Edw. Roooper,  
John Twigg,  
Ralph Hage,  
John Roose.”

Then follow fifty-nine articles or rules for the guidance of miners, each one beginning with the words, "We say that," etc.

The second book contains the form of a bill of complaint to be held at the Great Barmoot Court, as well as the form of a cross bill at the same court.

Articles worded in much the same way form an appendix to a book called *The Derbyshire Miners' Glossary, or an Explanation of the Technical Terms of the Miners which are used in the King's field in the Hundred of the High Peak*, etc., which was written by James Mander, mineral steward to the Duke of Rutland and Earl of Newburgh, and published at Bakewell in 1824. The frontispiece to this book is an illustration of the miners' standard dish at Wirksworth.

And now, to alter slightly old Manlove's closing lines—

"Good reader, spare me if I you offend  
With this strange custom which I here have penned;  
But, miner, read me, take me for thy friend,  
Stand to thy custom—thus my *writings* end."