

Derbyshire Lead-mining Customs in the 16th Century.

Communicated by C. E. LUGARD.

THE following extract from Exchequer Depositions preserved in the Public Record Office has not hitherto been printed, and as it throws a light on old customs applicable to the various lead-mining districts of Derbyshire, and incidentally shows some of the differences between the district customs, no apology is needed for printing the depositions in full.

EXCHEQUER DEPOSITIONS, 1657, MICHAELMAS
Derby No. 33.

Emanuel Bourne, Plaintiff

v.

Samuel Taylor, Thomas Cowper & Edward
Hodgkinson, Defendants.

List of Deponants.

George Hodgkinson of Ible, Gentleman, aged 50.

John Buxton of Ashbourne, Gentleman, aged 28.

Richard Hodgkinson of Ashover, Gentleman, aged 65.

Ralph Wasse of Hanley, in the par. of East Wingfield,
husbandman, aged 60.

Richard Heywood of Tansley, in the par. of Chrich,
yeoman, aged 62.

Kenelme Maxfield of Ashover, limeburner, aged 64.

George Colley or Cowley of Southwicke, in the par. of
Wingerworth, yeoman, aged 50.

William Knowles of the same, yeoman, aged 50.

John Newton of Oakerthorpe, in the par. of South Winfield, Gentleman, aged 44.

John Elliot of Chrich, yeoman, aged 50.

George Browne of the same, aged 53, yeoman.

John Everard of Morton, miner, aged 60.

George Hodgkinson of Northedge, in the par. of Ashover, yeoman, aged 40.

John Statham of Tansley, in the par. of Chrich, yeoman, aged 50.

John Henstocke of Ashover, miner, aged 46.

Thomas Haslam.

Henry Dakeyne of Stubbingridge, in the par. of Ashover, Gentleman, aged 42.

Henry Everett of Milnetowne, in the par. of Ashover, miner, aged 64.

Robert Cliffe of Tansley, yeoman, aged 30.

Giles Cowley, of Ashover, yeoman, aged 55.

Francis Allyn of Lea, in the par. of Ashover, yeoman, aged 63.

John Grene of Ashover, miner, aged 60.

Christopher Lowe of Knott Crosse, in the par. of Ashover, yeoman, aged 50.

James Freeman of Milnetowne Quarter, in the par. of Ashover, yeoman, aged 66.

William Barker, alias Goodall of Ashover, miner, aged 50.

INTERROGATORIES AND ANSWERS ON BEHALF OF THE
DEFENDANTS.

I. Whether the Plaintiff or any other parson of Ashover had ever received the tenth dish of lead ore as a tithe.

It was not known whether the plaintiff or any other parson had received the tithe, composition was paid instead.

2. Was any tithe or composition ever paid for lead ore found in Westidge Rake.

No customary duty of tithe ore or composition for the same was ever paid for Westidge Rake (which had been an old working 30 years before), at the time of this suit, in possession of the Defendant Edward Hodgkinson.

5. What wapentake, parish or hundred did Westidge Rake lie in.

It was in Ashover Quarter or Milnetowne Quarter in the parish of Ashover in the hundred of Scarsdale. "Westidge Rake aforesaid lyeth within a bowes shutt & a halfe of Ashover Church."

6. What part of Ashover lay in Scarsdale hundred and what in Wirksworth wapentake.

Dethicke, Lea and part of Howayes in the parish of Ashover lay in Wirksworth wapentake, but the greater part of the parish (including Westidge Rake) consisting of Ashover, Overend, Alton, Northedge and Milnetown Quarters were in Scarsdale hundred.

7. Had any tithe ore ever been paid in Scarsdale hundred or in any other hundred in Derbyshire, High Peake and Wirksworth excepted.

Tithe ore was only paid in the hundred of High Peak and the wapentake of Wirksworth in the whole county. The vicar of Wirksworth received the tenth dish. But no tithe ore was paid in the hundreds of Scarsdale, Morleston, Litch Church, Appletree, Repton or Gresley. One of the Deponants, John Elliot, stated "that in the troublesome times aboute twelve yeares since" he had bought lead in Fall Hill, Hogsland, Cockwell and Overton Grounds in the parish of Ashover in the hundred of Scarsdale, but he had paid no tithe. But he had paid the vicar of Wirksworth 12li. for two years tithe for part of a Grove there.

8. Had not large quantities of ore been found in Chrich Clyfte, Vicars Close and Plaistowe Field. What

hundred did they lie in and was any tithe paid for the lead ore taken from there.

These places lay in the manor of Chrich which was in the hundred of Litch Church, it adjoined the parish of Ashover. Great quantities of lead ore had been found in the above named places but no tithe had ever been demanded by the vicar or the proprietors of the rectory. One of the Deponants, John Newton, stated that he had part of a grove in Chrich from which he had obtained 300 loads of lead ore. The Earl of Arundel was his master, who, with Sir George Savile and the Earle of Shrewsbury owned that manor. The miners were accustomed to pay them the ninth dish and 6d. a load more was paid for "cope."

9. Did any part of the King's Field in Ashover lie in the hundred of Scarsdale. Were any Barmote Courts held in the hundred of Scarsdale. Had any of the Deponants ever been Barmasters.

No part of the hundred of Scarsdale lay in the King's Field, nor were there any Barmote Courts in that hundred. Of the Deponants, George Hodgkinson had for several years been Steward of the Barmote Court for the lead mines in Wirksworth wapentake. John Buxton had been Deputy Steward for the Barmote Court of the King's Field in the High Peak, and was afterwards Steward of the Barmote Court within the Liberty of Yolgrave; and Richard Hodgkinson had been Barmaster at Stony Middleton in High Peak hundred.

10. May not miner, etc. dig in the King's Field or anywhere in Wirksworth wapentake without leave from the proprietors of the ground. And is it not customary for miners digging in that part of Ashover lying in Scarsdale hundred to get leave from the owner before commencing and then to pay composition for the lead ore found.

All miners or any other person "Free of this Nation"

might dig and take lead in the grounds and enclosures in Wirksworth wapentake without the consent of the proprietor thereof. Miners had dug in the precincts of King's Field without licence. And for many years the custom had been for any miner searching for lead in that part of Ashover in Scarsdale hundred had first to get the consent of the owner of the freehold otherwise he could not legally break soil there. George Hodgkinson had had parts of several "meares of Ground in severall mens soyle within the said wapentake [Wirksworth] without ever askinge the owner of the soyle any leave or licence."

11. Whether the miners paid large sums in composition to the freeholders for licence to dig for lead and what were they?

Some miners paid 12d. and some 18d., 2s. or the 18th dish of dressed ore a load to the owners, others paid $\frac{1}{5}$ or $\frac{1}{7}$ of the ore they took. Richard Hodgkinson had taken such sums for Mr. Peshall by whom he had been employed for 20 years. George Hodgkinson had taken composition himself from several miners who dug on his freehold in Milnetown Quarter of Ashover in the hundred of Scarsdale. Captain Edward Revell, Edward Parkes and Ralph Colton had paid John Henstock 20li, in one year for the cope of four meares of ground in the township of Ashover in the hundred of Scarsdale.

12. Was any deponant a freeholder in Ashover when he paid the tithe ore or composition to the plaintiff or his predecessors parsons of Ashover. Where did he get the ore and who was the nearest freeholder. If those who paid composition or tithe for the ore obtained on his land were also freeholders, what was the yearly value of the glebe land?

John Everard said that neither he nor his partners were freeholders in Ashover when they paid a composition for the lead ore which they had obtained from the Black

Lant or Black Land in the freehold of Sir John Peshall. The Glebe Lands, the Easter Book, and tithes of corn, wool and lamb belonging to the parsonage of Ashover were worth 140 li. per annum. John Henstocke had seen a letter from Emanuel Bourne to some of his parishioners in which he valued the same at a greater sum.

13. Were Fall Hill, Hogsland and Stony Acres (in the parish of Ashover) in the hundred of Scarsdale. Had not great quantities of lead ore been found there. And what Composition was paid therefor to the parson as a customary tithe ?

Sometimes 20 loads of ore had been taken from Fall Hill but no tithe ore in kind had been paid.

14. Did the Plaintiff formerly commence a suit in Chancery against any of the now Deponants for tithe ore and what was the issue thereof ?

The Plaintiff had sued Ralph Wasse in Chancery for tithe ore from Fall Hill, Sir John Curzon had defended him and he had been put to no expense thereby but did not know how the case had ended.

15. Whether any of the Deponants had formerly been workmen in Westidge Rake now in the possession of the defendant Edward Hodgkinson, what quantities of ore were obtained there and what composition was paid ?

Kenelm Maxfield forty years before, at the age of 18, had been a miner in Westidge Rake under a Mr. Abney who paid him 18 li. a year for himself and a boy to 'shift Corves.' Sometimes he got half a load a day and other times nothing. But as he was merely a servant he did not know whether his master paid tithe or composition. William Knowles about 20 years before had been a partner "at a Grove in the Randle of Westidge Rake being out of the close," but he did not know if it were in the same rake as "they were not then driven to gather from stooles to stooles." He had paid no tithe.

16. Had not the freeholders of Ashover in the hundred

of Scarsdale dug for lead at their pleasure and converted the same to their own use without rendering any account or paying tithe to the Plaintiff or his predecessors.

That for the past 30 years the freeholders in that part of Ashover in Scarsdale hundred had taken at their pleasure limestone, greetstone, lead ore and coal in the quarries and mines on their freeholds and had never paid tithe or made any account to the parson thereof.

INTERROGATORIES AND ANSWERS ON BEHALF OF THE
PLAINTIFF.

Taken 11th August, 1657.

2. For how long had Emanuel Bourne been parson of Ashover, and by whom was he inducted ?

He had been parson there from for about 30 to 40 years and had been inducted by one of the Bishops of Coventry and Lichfield.

6. Was any lead ever found in Dethicke, Lea or Howayes ?

Richard Hodgkinson had lived in Ashover for 50 years and no lead had been found in those places.

8. Had lead been found anywhere else in Scarsdale hundred ?

No lead had been found in that hundred except in those parts of the parish of Ashover called Milne town Quarter and Ashover Quarter.

9. Did the miners who got lead ore in Ashover or Milnetown Quarters pay tithe ore, metal or composition for the same to the parson of Ashover ?

Some of the miners who got ore in the aforesaid places paid tithe to the plaintiff, others paid composition instead. And miners and shareholders in the Black Lant (which was a water work) paid five pounds as composition to the Plaintiff. Also the miners and owners in Milnetown and Ashover Quarters paid tithe ore to John Hancocke

who had been parson of Ashover before the plaintiff and the lead he had from the ore was marked: J H:

11. How long ago had John Hancocke been parson of Ashover and did he receive tithe ore or metal from those parts of Ashover in Scarsdale. Did he or his servants take the tithe ore in kind, was it washed and dressed?

John Hancocke had been parson there from 37 to 40 years before and Richard Heywood had been his servant for about 5 years before his death. The miners and owners of Ashover did without compulsion, year after year, compound with him for the tithe. But Robert Rowbotham and Thomas Flynt, two miners, having agreed to compound for their tithe ore "being negligent persons" did not pay for some time so Mr. Hancocke sent the said Heywood to their grove, from whence he carried away two or three dishes and sold them to John Mason. It was said that Mr. Hancocke sent his tithe ore to the smelting mill to be made into lead. Once his composition had been paid in washed and dressed ore "soe much as made a feather of lead" which might be worth 8 to 10 pounds.

14. Had the miners in the part of Ashover in Scarsdale hundred paid tithe ore metal or composition to the Plaintiff?

John Spencer a miner in Milnetown and Ashover Quarters used to pay one dish of ore to the plaintiff, and Richard Hodgkinson with his partners George Columbell, John Gregory Anthony Cotterell and William Goodall about 17 years before had agreed with the Plaintiff for the ore from a grove in Black Lant Rake and paid him 5 li. composition (it being a water work) but they never paid tithe in kind. Emanuel Bourne received from one miner 3 or 4 dishes of ore for about two years and then money for 3 or 4 years. About 20 years before John Everard and his partners had paid him about 4 dishes a year and sometimes half a crown as composition.

About four years before the Plaintiff had demanded tithe from Fall Hill of John Grene and his partners Richard Parker, Henry Verney and George Jackson and they compounded for 10 shillings. No customary duty of tithe ore existed in the part of Ashover that lay in Scarsdale hundred but about 10 years before the Plaintiff had threatened to sue some poor men for the tithe, who were mining in Stony Acres but on the request of Henry Dakeyne he accepted 20s. composition.

16. Was lead obtained in Fall Hill and Hogsland in Milnetown Quarter years ago, and was Emanuel Bourne paid composition for the same?

About 20 years before lead had been obtained in these two places Ralph Wasse with his partners Edward Revell and George Columbello agreed to pay the Plaintiff five marks a year composition but one of the other partners, Hugh Lacy refused to pay.

18. Was there any difference between the Plaintiff and the owners of the groves in Overton in Milnetown Quarter concerning the tithes?

About ten years before Emanuel Bourne had sued Mr. Woolley for his tithe from those groves but it was settled by the arbitration of George Spateman and Francis Allyn that he should pay the Plaintiff 30s. composition yearly.

19. Who was the overseer of the Overton Groves?

About 7 or 8 years ago Christopher Lowe had been overseer and had paid 30s. yearly as composition to the plaintiff on behalf of William Woolley, Esq., the owner.

21. Whether the Defendants got great quantities of ore from their mine in 1655-57. And at what price was the load bought from them?

The Defendants had obtained great quantities of ore and had sold 100 loads to Richard Cliffe for 27s. 6d. a load. About 10 years before Giles Cowley let a lime kiln to Thomas Haslam who in getting limestone found a pipe

vein of lead ore and the Plaintiff demanded his tithe and threatened to sue them, so they gave him 5 or 6 shillings as composition. This place was about 30 yards from the mines called Westidge or Groveland Rake and "is a distinct Veyne from the Westidge there being Rocks or Torrs betweene them."

22. Should the Defendants pay tithe ore from Westidge Rake. Tithe ore should be paid by them to the parson of Ashover, and no mines in Ashover whether wet or dry ever escaped the tithe.

23. Were there many in Ashover who would not pay the tithes of lead, wool, etc., unless they were compelled.

Several persons in Ashover and elsewhere in Derbyshire would not pay unless under compulsion. William Knowles said "that he knoweth not what mens Minds are, but he doth beleeve in his Conscience that Godly Ministers that Preach well (as the Complainant doth) ought to have their dues paid to them."

25. Did many miners conceal what quantity of ore they got?

In High Peak hundred the miners and owners concealed as much as possible the quantity they got and prevented as far as they could the measurement thereof. It was not known that the same was done in Ashover. Henry Everett stated that about 20 years before he had taken half a feather of lead as his share from a mine near Westidge Rake but was never asked or had paid tithe for it. John Henstocke when asked for tithe ore had replied that he did not know it was due and had heard no more about it.

26. Would Edward Revell of Ogston, Esq., William Woolley of Ryber, Esq., Hugh Lacy, Henry Dakeyne of Stubbingridge, George Columbell, Gentlemen and Richard Hodgkinson and George Cowley, yeomen, have paid tithe unless they knew it to be a customary duty?

Edward Revell paid composition to the Plaintiff and

William Woolley paid 20s. for the groves called Gooseberry Trees, the Orchard and Row Groves. Henry Everett had that day heard Mr. Dekeyne say he had made composition with the plaintiff on behalf of "two or three poore men to buy their peace and quiett."

[The numbers are not consecutive because some of the questions were not answered.]