

The Salamanca Corpus: *The Rhymed Chronicle of Edward
Manlove (1653)*

Author: Edward Manlove (1615-1671)

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THE
RHYMED CRONICLE
OF
EDWARD MANLOVE
CONCERNING THE
LIBERTIES AND CUSTOMS OF THE LEAD MINES
WITHIN THE WAPENTAKE OF WIRKSWORTH,
DERBYSHIRE.
THE SECOND EDITION,
REPRINTED FROM THE TEXT OF THE ORIGINAL EDITION OF 1653,
AND COLLATED WITH THE SEVERAL MANUSCRIPTS PRESERVED AMONG
THE ADDITIONAL MSS. 1782—1835, B.BIT. MUS.: WITH NOTES, ETC. ETC.
TO WHICH IS AFFIXED
A GLOSARY
OF THE PRINCIPAL MINING AND OTHER OBSOLETE TERMS
OCCURRING IN THE POEM,
WITH REFERENCES TO THE HIGH PEAK ACT, 14 & 15 VICT. c. 94;
AND
A LIST,
EXTRACTED FROM THE "DUCATUS LANCASTRIAE,"
OF ALL THE CAUSES RELATIVE TO THE DERBYSHIRE LEAD MINES
TRIED IN THE DUCHY COURT OF LANCASTER,
TEMP. HEN. 7, HEN. 8, EDW. 6, PHIL. & MARY, AND ELIZ.
BY
THOMAS TAPPING, ESQ.
OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW,
Author of the Treatises on the Writ of Mandamus, the High Peak Mineral Customs,
&c. &c. &c.
LONDON:
SHAW AND SONS, FETTER LANE,
LAW PRINTERS AND PUBLISHERS.
1851.

[NP]

LONDON:

PRINTED BY SHAW AND SONS, FETTER LANE.

[NP]

TO

PETER ARKWRIGHT, ESQUIRE,

LESSEE UNDER THE CROWN OF THE MINES IN THE

WAPENTAKE OF WIRKSWORTH, DERBYSHIRE,

&c. &c. &c.

THIS
THE SECOND EDITION

OF

MANLOVE'S RHYMED CHRONICLE

OF THE

LIBERTIES AND CUSTOMS OF THE WIRKSWORTH

LEAD MINES,

IS,

UNDER A GRATEFUL SENSE OF HIS KIND PERMISSION,

MOST RESPECTFULLY DEDICATED,

BY

THE AUTHOR

[NP]

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PREFACE.

Whilst searching the Additional MSS. in the British Museum, I accidentally discovered a manuscript copy of Manlove's poem concerning the Liberties and Customs of the Wirksworth Lead Mines, upon which no small pains had evidently been bestowed, in order to ensure its correctness. Anxious to obtain a printed copy of the work, valuable as well on account of its contents as for the quaintness with which they are expressed, I made many endeavours to do so without success; some booksellers ignoring its very existence, others attesting its extreme rarity.

Notwithstanding the personal motive above mentioned, I was mainly influenced to lay before the public this the second Edition of the poem, by a desire that such public, particularly its antiquarian and mining portions, should be in possession of a quaint and valuable historic item, which, although written during the Commonwealth, yet is at this day consulted by the Derbyshire miner, in order to ascertain the mining privileges and customs which obtain in the wapentake of Wirksworth.

Little is known of Manlove beside this, that he had, previously to the composition of his poem, filled the important and eminent position of Steward of the Wapentake Barmote Courts, and as such had judicially dispensed justice, agreeably with the Customs of which he afterwards became the metrical compiler; also that his object in composing it (l. 280) was to present to the poor miners of Wirksworth wapentake a true and accurate statement of the mineral law which Custom had vouchsafed to them. That Manlove was mainly instigated by this laudable object is rendered evident not only from the concluding lines of his poem, but also from the fact that by writing in rhymed verse, and not in prose, he adopted the best means not only of ensuring a lasting remembrance of the practical instruction contained in his poem, but also at the same time of affording a pleasing recreation to them for whom it was written.

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The fact that Manlove within the compass of 300 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. His claim to the former condition is unimpeachable,

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notwithstanding the diction of his poem is but mediocre, inasmuch as the usual and proper signification of the word "*poetry*" is applicable to any composition in metre, — or, in other words, such term designates outward form, and not style or subject matter. It is clear that Manlove is also entitled to the rank of historian; for although he shows himself to have been the champion of the Derbyshire miners, yet his rhymed chronicle does not in a single instance state them to have been possessed of a privilege or custom to which they were not fully entitled. Indeed, the title-page of his poem informs us that it was composed on "perusing the Extracts from the Bundles of the Exchequer (qy. Escheats) and certain inquisitions," the authenticity and historical nature of which documents no one will dispute; also as Steward of the Barmote Courts, he must necessarily have been personally informed of the correctness of all his statements.

Having said thus much respecting the poem and its author, it is necessary that a few remarks be made concerning the present Edition. In order to render the text of this the second Edition of the poem as correct as possible, I have not only carefully collated it with a printed copy of the first Edition of 1653, but also with several manuscript versions preserved in the Additional Collection in the British Museum (*a*). At the foot of each page will be found the various readings, and also notes with copious references to the laws and customs from which the poem is compiled.

(*a*) In the additional MSS. 1782—1835 contained in the British Museum will be found one MS. And one printed copy of Manlove's poem. The former will be found in Add. MS. 6681, pp. 248-256, and appears by an appended note to have been transcribed from a printed original in the Duchy of Lancaster office on the 25th November, 1735, and to have been examined by Samuel Vere, deputy record keeper in the Duchy office. Another note, at p. 256 of the same MS. States that a printed copy of Manlove was in 1807 existing in the Duchy of Lancaster office, bound up with the register or repertory called "Great Aylofffe."

The latter or printed copy in the British Museum will be found in Add. MS. 6674, p. 124. On its title-page it bears the date of 1809, and purports to have been printed and sold by J. Cotes at Wirksworth. Notwithstanding this copy states it to have been printed (verbatim) from an old manuscript extracted on the 14th April, 1746, in the Duchy

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office, by T. Gell and T. Heron (*Add. MS. 6674*, pp. 129, 130), yet, on collation with other copies, it was found to ve very defective, abounding in errors of every description. The public is indebted to the late Adam Wolley, Esq. who for many years successfully practiced as a solicitor in the Derbyshire mineral districts, for most of the valuable collection of manuscripts, entitled “Derbyshire Mineralogia,” preserved in the Additional Collection 1782—1835, Brit. Mus.

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Affixed to the poem is a Glossary, containing an entire list and full exposition of every important mining and other obsolete term to be found in it The labour of this necessary portion of the work (*b*), trifling as it may seem, has been very great. Owing to the high antiquity of most of the words, modern books (*c*) were searched for them in vain: the only key lying scattered throughout the above-mentioned valuable manuscripts in the British Museum.

Following the Glossary, is placed a list extracted from the “*Ducatus Lancastriae*” of all the causes relating to the lead mines of Derbyshire which have been tried in the Duchy Court of Lancaster, the customary court of appeal from the Barmote Courts (*d*),

(*b*) Manlove, in line 254 of his poem, states that “the miners terms are like to heathen Greek,” and towards the conclusion promises his readers an exposition of the mineral terms, they being then unintelligible to most men.

(*c*) Maunder’s Derbyshire Miners’ Glossary is an exception to this remark: it contains an exposition of many of the words.

(*d*) See *Add. MS. 6681*, p. 387; l.193. The work called *Ducatus Lancastriae* consist of four parts, contained in three folio volumes, printed under the direction of the Public Record Commissioners. The first part (vol. 1) contains matter irrelevant to our subject. The second part (vol. 1) contains a calendar to the pleadings, &c. in the reigns of Henry 7, Henry 8, Edward 6, Queen Mary, and Philip and Mary. The pleadings consist of bills, answers, and depositions and surveys in suits exhibited in the duchy court of Lancaster, and commence with the 1 Hen. 7, and are continued to the reign of Phil. & M. including 5682 records.

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The third part (vol. 2) contains a supplemental calendar to the pleadings, depositions, &c., from temp. Hen.7, in continuation of vol. 1, and including several records which had been considered as lost, and a calendar of pleadings, &c. in the reign of Elizabeth, so far as the 13th year of her reign inclusive.

The fourth part (vol. 3) contains a calendar to the pleadings from the 14th year to the end of Queen Elizabeth.

The following list of works treating of the Derbyshire mining customs, with their dates, &c., may also be acceptable to the reader: —

1. An Account of the Laws and Customs of the Lead Mines in Derbyshire; it was first published in 1649. (Lyson's Derbyshire, cxcv.)

2. The Liberties and Customs of those within the Wapentake of Wirksworth in metre by Edward Manlove, Esq., Steward of the Barghmoot Court in 1653.

3. Pettus' Fodinae Regales, fol. Lond. 1670, contains the mineral customs of 16 Edw. 1, 3 Edw. 6, and 3 & 4 Phil. & M. There are, however, several errors in it. The 8vo edition, 1706, of the above work does not contain the customs.

4. Thomas Houghton published, 12mo. Lond. 1687, by the title of Rara Avis in Terrâ, or Complete Miner, a collection of the Laws and Customs of Derbyshire. The work is divided into three parts: —1st, The Complete Miner, or Rara Avis; 2nd, The Laws and Customs of Miners in the Forest of Dean; and 3rd, The Laws, &c. of Miners in the Forest of Mendip. In 1738 an 8vo edition of the Rara Avis was published.

In 1688, 12mo, Lond. Was published (anonymously)The Complete Miner. It is the same work as the Rara Avis, with the exception of the title-page.

In 1638, 12mo, Lond. was published Houghton's Complete Miner.

In 1734, 8vo, Lond. was published The Complete Mineral Laws of Derbyshire.

By the Add. MS. 6681, p. 366, it appears that on the 26th Nov. 1735, Sir John Hatham issued proposals for printing (which was never done, although he received money from many subscribers) by subscription, the Laws and Customs of the Lead Mines in the several Hundreds, Wapentakes, Lordships, and Manors in the County of Derby, as well within the King's Fee (or Field) as without. He stated that the work would lay open the fundamental rights of the Crown, the Church, and the miners, how obtained, and how established, and in what particulars those customs varied; together with the methods and

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forms of keeping the great and small Berghmoot Courts, with the duties of the officers, grand jury, and others concerned therein: to be compiled from records and authentic manuscripts. The work was also to contain several practical rules and observations for the well governing, effectual working, and more extensive improvement of mines in general, the benefit of the proprietors, the better support of the miners, and the advantage of the whole kingdom: to which was to be added, a Glossary explaining the Mineral and Technical Terms, by Richard Spencer, of the Middle Temple, Esq.; also an Appendix, containing a Philosophical and Critical Dissertation upon Minerals, whether they grow, renew, or increase, in order to enlighten the great Controversy about Tythe Ore.

In 1738, 8vo, Lond. was published, a Collection of scarce and valuable Treatises upon Metals, Mines, and Minerals, in four parts; the fourth being Houghton's Compleat Miner, or Rara Avis in Terrâ. Printed by C. Jephson, West Smithfield.

In 1762 and 1772 were published editions of Hardy's Mining Customs. This is believed to be the last work containing the mineral laws.

In 1774, 8vo, Lond. was published, a Letter to a Friend on the Mineral Customs of Derbyshire, in which the Question relative to the Claim of the Duty of Lot in Smitham is occasionally considered. By a Derbysh. Working Miner. In 1810 was published, The Miner's Guide.

In 1824, 8vo, Bakewell, Maunder's Derbyshire Miner's Glossary.

(e) *Add. MS 6681*, pp. 388, 394, 395.

(f) *See Tapping's High Peak Min. Cus.* 1851. Shaw & Sons, Fetter Lane, London.

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during the reigns of Hen. 7, Hen. 8, Edw. 6, Phil. & Mar., and Elizabeth. It is inserted in order to afford to future editors or historians a ready reference to those pleadings which contain any evidence respecting the customs of the wapentake: the proofs of the existence of many of which can be accurately ascertained only by consulting quo warrantos, inquisitions; &c.; and their returns; also, many of such customs exist only in verdicts or presentments of the grand jury, never having been otherwise reduced into writing (e). It is hoped; therefore, that this list; as it was not the least laborious; will not be deemed the least acceptable part of the work; and notwithstanding that an Act of the

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next session of parliament will in all probability determine the present mineral customs of the Wapentake; as did the 14 & 15 Vict. c. 94 of the last session abolish the kindred customs of the High Peak (*f*).

T. TAPPING.

9, INNER TEMPLE LANE,
TEMPLE

21st *November*, 1851.

[NP]

THE
LIBERTIES
AND
CVSTOMES
OF THE
LEAD-MINES
WITHIN THE WAPENTAKE OF
WIRKSWORTH
IN THE COUNTY OF
DERBY.

*Part thereof appearing by Extracts from the Bundels
of the Exchequer and Inquisitions taken in the
XVIth year of the Reign of King Edward
the First, and in other King's Reigns,
and continued ever since.*

Composed in Meeter by EDWARD MANLOVE, Esq^{re},
heretofore Steward of the Barghmoot Court for the Lead-
mines within the said Wapentake.

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LONDON. PRINTED. ANNO. DOM. 1653.

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THE Liberties and Customs of the Lead Mines within the Wapentake of WIRKSWORTH, in the County of Derby; Composed in Meeter by EDWARD MANLOVE, Esquire, heretofore Steward of the Barghmoot Court for the Lead Mines within the said Wapentake.

BY custom old in *Wirksworth* Wapentake, (1)

If any of this nation find a Bake,

Or Sign, or leading to the same; may set

In any Ground, and there Lead-oar may get:

They may make crosses, holes, and set their Stowes, 5

Sink Shafts, build Lodges, Cottages or Coes. (2)

But churches, houses, gardens all are free (3)

From this strange custom of the minery.

A cross and hole a good possession is, (4)

But for three dayes: and then the custom's this, 10

To set down Stowes, timbered in all mens sight, (5)

Then such possession stands for three weeks right,

If that the Stowes be pinned and well wrought (6)

With yokings, sole-trees, else they stand for nought.

Or if a Spindle wanting to be nick, 15

'Tis no possession, no not for a week:

(1) 3 & 4 Phil. & Mar. art. 14

By consulting the Glossary the reader will, in most cases, find not only the interpretation, but also a concise article, containing perhaps all that need be said of every mining term occurring in the poem. This method of arrangement was found to be more convenient and economical of space than that of notes embracing the same amount of information appended to the text.

(2) In the copy in the Add. MS. 6674, p. 126, the last word of this line is erroneously printed "cows," instead of "coes."

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(3) By the 14 & 15 Vict. c. 94, art. 1, which is applicable to the High Peak only, not only churches, houses, and gardens are exempted from the custom, but also churchyards, places for public worship, burial grounds, orchards, pleasure grounds, and highways. See *Tapping's High Peak Min. Customs*, p. 9. The Wirksworth custom, however, seems to be, that any of the King's subjects may in all places (houses, orchards, gardens, churchyards, highways excepted) dig and search for veins of lead ore, and (in case the ground be not before possessed by any other miner) may possess and take up as many meers of ground as he pleases with stowes, by placing in every meer or 29 yards one pair (one pair standing for one meer and one vein only), and that by duly working the same, and paying to Her Majesty or her farmers the dues according to custom, such miner gains to himself a *customary inheritance* descendible to his heirs, and thereof the wives have dower, or, more properly, a right resembling it. *Add. MS. 6680, p. 5. Gilbert v. Tomison, 4 D. & R. 222.*

If it should be that two or more different persons or partnerships possess one and the same vein and places in a vein, which sometimes occurs, and both of them for some time work and carry on such vein in different places regularly, until the two partnerships do by workmanship happen to strike together (for until that happens, no judgment can be formed whether they be one and the same or different veins, for veins frequently lie or range by the side of near to one another), in such case the Twenty-four are called to go down and give their opinion thereof. And if the workings are in their opinion in one and the same vein, then they inquire which of the partnerships is the more ancient possessor, and afterwards they throw off the younger one's possessions, so far as such more ancient ones extend; and afterwards the Twenty-four are usually called to value the trespass committed by the younger on the more ancient possessor; for by the custom the younger is a trespasser from the beginning, and must make satisfaction to the other for all ores got thereout, without having any allowance made for the getting thereof. And if either partnership shall think itself aggrieved by the opinion of the Twenty-four, it may arrest and try the same at a small barmote court by a petit jury, upon hearing of counsel and the examination of witnesses; and the first two verdicts in favour of one partnership are conclusive. *Add. MS 6680, p. 5.*

(4) 3 Edw. 6, art. 14, and 3 & 4 Phil. & M. art. 11. See *Gloss. v. Crosses*.

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(5) 3 Edw. 6, art. 19. *See Gloss. v. Storves.*

(6) 3 & 4 Phil. & M. art. 11, 25.

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But may be lost, and by another taken,
As any Grove that's left, quit, or forsaken:
For the Barghmaster (by the Custom)ought
To walk the field, to see that works be wrought (7) 20
And on the Spindle ought to set a nick,
If that the Grove unworked be three week,
And every three weeks, until nine weeks end
To nick the miners Spindles that offend:
And when the Spindle nicked is three times, 25
According to the Custom of the mines,
Then the Barghmaster may the stowes remove.
And he that set them loseth the same grove:
Unless the work by water hinder'd be, (8)
Or else by wind, the miner then is free (9) 30
From losing any meer of ground or grove.
For then such Stows none ought for to remove;
And the Barghmaster ought to make arrest,
Upon complaint, if mines be in contest,
Receiving Fourpence for his lawful Fee, 35
That the next Court the wrong redress'd may be.
The vulgar term is, setting for a Mine,
For th' Grace of God, and what I there can find;
And then at him some other miners take,
And gain possession in the self-same Rake: 40
Another miner for a Crosse-vein sets,
Some take at him, and their possession gets,
Some take for one thing, some for other free

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As New thing, Old thing, Crosse-vein, Tee or Pee.

But yet a difference may be taken clear, 45

Betwixt a founder, and a taker meer; (10)

Because the finder, that doth find a Rake,

May have two meers met, and set out by Stake (11)

(7) 16 Edw. 1, c. 2; 3 Edw. 6, art. 2.

(8) See No. 31 of the Mining Articles found at Hassop on the 14th April, 1664. *Add. MS. 6681*, p. 357.

(9) See *Tapping's High Peak Mineral Customs*, art. 19, p. 20.

(10) 3 Edw. 6, art. 11, and 3 & 4 Phil. & M. art. 20. See *Tapping's High Peak Min. Cus.* p. 16

(11) In the copy in *Add. MS. 6674*, p. 126, this line is:

"May have two meers and just set out by stake."

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Which is in length, twice Eighty seven foot,(12)

And so is to be measured and laid out (13) 50

But first the finder his two meers must free (14)

With oar there found, for the Bargmaster's fee,

Which is one dish' for one meer of the ground (15)

The other's free; because the miner found;

But by incroachment they do two demand, (16), 55

And wrong the miner, which they might withstand;

Then one half meer at either end is due, (17)

And to the lord or Farmers doth accrew;

And if two Founders in one Rake be set,

Perchance the Farmers may a Prim-gapp get; 60

Then must the miners chase the Stole to th' Stake, (18)

From meer to meer, and one at other take:

Each taker gains a meer, no more he can

Have that finds oar, in working an old man.

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And he (by Custome) that his mine doth free, (19) 65

A good estate doth thereby gain in fee;

And if he die, and leave behind a wife, (20)

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. 70

By word of mouth eke any miner may (21)

Such Fee and Freehold freely give away. (22)

Egress and regress to the King's highway (23)

The miners have, and lot and Cope they pay.

(12) 16 Edw. 1, c. 2, art. 1. By the record of 16 Edw. 1, it is said that a meer shall contain four perches, each perch to contain 24 feet, and that seven feet shall be allowed for the shaft. *See Tapping's High Peak Min. Cus.* p. 19.

(13) Lines 49 and 50 are thus given in the copy in Add. MS. 6674, p. 126:

“And if in length twice eighty seven feet,
Which must be measured and so laid out.”

(14) 16 Edw. 1, art. 1; 3 Edw. 6, art. 15; and 3&4 Phil. & M. art. 22. *See Tapping's High Peak Min. Cus.* pp. 16, 17.

(15) 16 Edw. 1, art. 1.

(16) 3 & 4 Phil. & M. art. 20

(17) 16 Edw. 1, art. 3. *See Tapping's High Peak Min. Cus.* pp. 15, 16.

(18) 16 Edw. 1, c. 2, art 2. *See Glos. v. Chasing, Primgap, &c.*

(19) 16 Edw. 1, c. 2, art 1. *Add. MS.* 6680, p. 5.

(20) 16 Edw. 1, c. 2, art 1. *Add. MS.* 6680, p. 5.

(21) 16 Edw. 1, art. 9. *See Tapping's High Peak Min. Cus.* p. 13

(22) 16 Edw. 1, art. 9. In the *Add. MS.* 6681, pp. 394, 395, &c. it is said that one of the unwritten customs of the Derbyshire mines was that such mines were transferable by mere word of mouth, without the formality of a deed or any other writing. No doubt this was so, but it is also clear that subsequently, in consequence of the constant denial of such verbal sales or gifts, it became usual for the grantor to go to the mine during

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mineral hours, namely, between sun and sun, and there give livery and possession, either by laying his hand on the stowe, or by cutting off a chip of it and giving it to the grantee, at the same time declaring the gift or sale, and also transferring possession. If either the grantor or grantee, because of distance or ill health, could not be personally present, it became usual for the parties to procure the attendance of the barmaster, in order that he might register and enter the transfer in a book, which book the berghmote court usually allowed to be sufficient evidence of the transfer.

(23) 16 Edw. 1, art. 6; 3 Edw. 6, art. 3; 3 & 4 Phil. & M. art. 5, 13. *See Tapping's High Peak Min. Cus.* pp. 11, 12

[14]

The thirteenth dish of oar within their mine, 75

To th' Lord for Lot they pay at measuring time;

Sixpence a Load for Cope the Lord demands,

And that is paid to the Barghmaster's hands;

Against good times the Lord ought to provide

A lawfull measure equal for both sides; 80

Both for the Buyer and the Seller's use (24)

And forfeits forty pence if he refuse;

And he that sels by any other dish, (25)

His oar so sold thereby forfeited is;

Small parcels yet poor men may sell for need, (26) 85

If they cannot procure the dish with speed;

Provided always, that to Church and Lord,

They pay all duties Custome doth afford, (27)

For which the Vicar dayly ought to pray

For all the miners that such Duties pay. 90

And reason good, they venture lives full dear

In dangers great; the Vicars tyth comes clear;

If miners lose their lives, or limbs, or strength, (28)

He loseth not, but looketh for a Tenth:

But yet methinks if he a Tenth part claim, 95

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It ought to be but a Tenth of clear gain,
For miners spend much moneys, pains, and time,
In sinking shafts before Lead ore they find,
And one in Ten scarce finds, and then to pay
One out of Ten, poor miners would dismay, 100
But use them well, they are laborious men,
And work for you, you ought to pray for them.
And sute for oar must be in Barghmoot Court, (29)

(24) 3 Edw. 6, art. 1; 3 & 4 Phil. & M. art. 1. *See* 14 & 15 Vict. c. 94, art. 4

(25) 3 Edw. 6, art. 8; 3&4 Phil. & M. art. 7, 8.

(26) 3 Edw. 6, art. 4.

(27) In general, tithes are not payable in respect of minerals and things which are not of the increase but of the substance of the earth. By particular custom, however, any mineral substances may be subject to the payment of tithes; and thus it is that in Derbyshire, particularly in the parishes of Eyam and Wirksworth, tithes are payable for lead ore. The pretence of claiming tithes is said to have originated in the once prevalent notion that metallic ores were in a constant state of growth and increase in veins.

The tithe by the dish or drill, in its natural state, without any deduction for expenses, or as a personal tithe, with an allowance for labour and other incidental charges. In Derbyshire it is usually payable in the former manner. *See Bainbridge on Mines*, 463, 464.

(28) In Add. MS. 6674, p. 127, the line is:

“If *sinner*s lose,” &c.

(29) 3 Edw. 6, art. 9; 3 & 4 Phil. & M. art. 16. *See Tapping’s High Peak Min. Cus.* p. 42, &c.

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For justice thither miners must resort;
If they such sutes in other Courts commence, 105
They lose their due oar-debt for such offence,
And must pay costs, because they did proceed (30)

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Against the Custom. Miners all take heed.
 No man may sell his grove that's in contest (31)
 Till sute be ended, after the arrest. 110
 The seller's grove is lost by such offence.
 The buyer fined for such maintenance.
 And two great Courts of Barghmoot ought to be (32)
 In every year upon the minery,
 To punish miners that transgress the Law, 115
 To curb offenders, and to keep in awe
 Such as be cavers, or do rob men's Coes, (33)
 Such as be pilferers, or do steal men's Stows; (34)
 To order grovers, make them pay their part,
 Joyn with their fellows, or their grove desert; 120
 To fine such miners as men's groves abuse
 And such as orders to observe refuse;
 Or work their meers beyond their length and Stake (35)
 Or otherwise abuse the mine and Rake; (36)
 Or Set their Stowes, upon their neighbours ground 125
 Against the Custom, or exceed their bound,
 Or Purchasers that miners from their way (37)
 To their wash-troughs do either stop or stay; (38)
 Or digg, or delve, in any man's Bing-place, (39)
 Or do his Stows throw off, break or deface: (40) 130
 To fine offenders that do break the peace,
 Or shed men's blood, or any tumults raise, (41)
 Or weapons bear upon the mine or Rake (42)

(30) In Add. MS. 6674, p. 127, the last word is "*exceed*" instead of "*preceed*."

(31) 3 Edw. 6, art. 20; 3&4 Phil. & M. art. 26. *See* also art. 22 of the mining articles found at Hassop on the 14th April, 1664, *Add. MS.* 6681, pp. 355, 356.

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(32) 16 Edw. 1, c. 2; 3 Edw. 6, art. 10; 3 & 4 Phil. & M. art. 19. *See* 14 & 15 Vict. c. 94, s. 6.

(33) 16 Edw. 1, c. 2; 3 & 4 Phil. & M. art. 30, 33.

(34) The barmaster's power to punish small depredations is now very rarely if ever exercised; such offences being adjudicated upon by the ordinary tribunals of criminal judicature. *See Arkwright v. Cantrell*, 7 A. & E. 565; and *see Tapping's High Peak Min. Cus.* pref. p. vii.

(35) 3 & 4 Phil. & M. art. 31.

(36) 3 Edw. 6, art. 2

(37) 3 Edw. 6, art. 3. In Add. MS. 6674, p. 127, the words "or purchase" are used, instead of "or purchasers."

(38) 3 & 4 Phil & M. art. 5. *See* 14 & 15 Vict. c. 94, art. 4.

(39) 3 & 4 Phil. & M. art. 4.

(40) 3 & 4 Phil. & M. art. 10.

(41) 16 Edw. 1, art. 11, 14; 16 Edw. 1, c. 2.

(42) 3 & 4 Phil. & M. art. 28.

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Or that possessions forcibly do take,
Or that disturb the Court, the Court may fine 135
For their contempts (by custom of the mine);
And likewise such as dispossessed be,
And yet set Stowes against authority;
Or open leave their shafts, or groves or holes,
By which men lose their cattel, sheep or foles; (43) 140
And to lay pains, that grievance be redress'd,
To ease the burdens of poor men oppress'd.
To swear Barghmasters, that they faithfully
Perform their duties in the Minery,
And make arrests, and eke impartially 145
Impannel Jurors, causes for to try;
And see that right be done from time to time,

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Both to the Lord, and Farmers, on the mine.
To swear a Jury for a half years time,
(By Custom call'd) the Body of the Mine, 150
Who miners are, and Custom understand,
And by the Custom they have some command.
They may view groves, when miners do complain,
Relieve the wronged, wrong-doers restrain,
They may view Trespass done in any grove, 155
Value the Trespass, Trespassers remove. (44)
They may lay pains that workmanship be made,
And fines impose, if they be not obey'd.
They may cause open'd Drifts, and Sumps, to see
If any one by other wronged be. 160
When Strife doth rise in groves, the miners all
These four and Twenty miners used to call,
To make inquiry, and to view the Rake,
To plum and dyal (if beyond the Stake
A meer be wrought, and miners wronged be); 165
For by that art they make discovery.

(43) In the MS. Copy in Add. MS 6681, P. 252, the last word is "soles," instead of "foles," evidently an error in copying.

(44) 16 Edw. 1, art. 11, 14; 16 Edw. 1, c. 2.

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The Steward ought a Three weeks Court withall, (45)
To keep at *Wirksworth*, in the Barghmoot hall,
For hearing causes (after the arrests) (46)
And doing right to them that be opprest, 170
And if the Barghmaster make an arrest,
The Steward may (at the Plaintiff's request)
Appoint a Court, for trial on the Rake

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Within Ten days, that th' Jury view may take.
And for attendance there, the Steward he, 175
By mineral Custom, hath a noble fee:
Four shillings to the Jury must be paid,(47)
Who for that cause were summon'd and array'd:
And if a verdict be for th' Plaintiff found;
The Barghmaster delivers him the ground; 180
And if the adverse party him resist,
The four and Twenty ought him to assist;
Then may he work (by Custom) without let,
Till the Defendant do a verdict get:
Then the Barghmaster ought to do him right 185
Him to restore unto his antient plight;
But if three Verdicts for the Plaintiff's found, (48)
By Custom the Defendants all are bound;
So if three Verdicts with Defendants go, (49)
The Plaintiffs are (by Custom) bound also, 190
And neither side may make a new arrest
For the same title that was in Contest;
But yet the Dutchie Court, (if just cause be)
May yield relief against those verdicts three:
Or by Injunction parties all injoyn 195
From getting oar, in such a meer, or mine,
Until the Cause be heard, and there appear
A title just for them that worked there,
Or may appoint a Steward, that may try

(45) 3&4 Phil. & M. art. 19.

(46) 3&4 Phil. & M. art. 29.

(47) 3&4 Phil. & M. art. 8.

(48) *See Tapping's High Peak Min. Cus.* p. 19, n. (8)

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(49) In the MS. Copy in Add. MS. 6681, p. 253, the line is:

“So if three verdicts *for* defendants go.”

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The Cause again upon the minery, 200

And may sequester any such Lead mine,

Until the title shall be try'd again.

And if the Plaintiff chance non-sute to be (80)

He payes a noble for a penalty;

For which (by Custom) Barghmasters distrain, 205

The party non-sute that must pay the pein.

No miners Timber, Pick, or lawfull Stows, (51)

May be removed from their ground or Coes;

If by mischance a miner damped be, (52)

Or on the mine be slain by Chance medley, 210

The Barghmaster, or else his Deputie

Must view the Corps before it buried be,

And take inquest by Jury, who shall try

By what mischance the miner there did die;

No Coroner or Eschetor aught may do, 215

Nor of dead bodies may they take their view.

For stealing oar twice from the minery, (53)

The Thief that's taken fined twice shall be,

But the third time, that he commits such theft, (54)

Shall have a knife stuck through his hand to th' Haft 220

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. (54)

No miner ought of an Old man to set 225

To seek a Lead-mine, or Lead oar to get,

Untill the Burghmaster a view hath taken

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And find such work an Old work quite forsaken;
With him two of the body of the mine
To take such view (by Custom) ought to joyn; 230
Which being done, the Miner may go on

(50) 3 & 4 Phil. & M. art. 8 and 29.

(51) 3 & 4 Phil. & M. art. 10.

(52) 16 Edw. 1, c. 1, art. 12; 16 Edw. 1, c. 2; 3&4 Phil. & M. art. 21. By mining article No. 16, found at Hassop on the 14th April, 1664, Add. MS. 6681, p. 355, it was ordained, That if it happen that any miner be damped, murdered, or slain in any grove, neither escheator, coroner, nor any other officer shall meddle with the body, but only the barmaster or his deputy.

(53) 16 Edw. 1, c. 2. *See Tapping's High Peak Min. Cus.* p. 6 and n. (f).

(54) 16 Edw. 1, c. 2.

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To sink, and free his meer (the Lord hath none;) (55)
If oar he found, the fruit of his desire,
And woughs he strete, the miner then may fire,
Yet not at all times of his own accord, 235
But at such times as Custom doth afford,
In th' afternoon, and after four o'clock, (56)

He may make fire on the Ragged Rock;
But first he must give notice lest the smoak
(In other groves) his fellow miners choak; 240

And after notice, if they careless be
And lose their lives, the firer shall go free.
If miner's groves arrested be, yet they (57)
Go on and work, the arrest must make no stay,
But for oar got before the tryal he, 245

The Barghmaster, must take security,
And at next Court all parties do appear,

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And the arrest must be returned there,
And then, and there the Cause must tryed be,
Before the Steward of the minery. 250

Most of the Customes of the Leadmines, here
I have described, as they are used there;
But many words of art you still may seek,
The miner's Tearms are like to heathen Greek,
Both strange and uncoth, if you some would see, 255
Read these rough verses here compos'd by me.

Bunnings, Polings, Stemples, Forks, and Slyder,
Stopprice, Yokings, Soletrees, Roach and Ryder,
Water-holes, Wind-holes, Veyns, Coe-shafts and Woughs,
Main Rakes, Cross Rakes, Brown-henns, Budles and Soughs,
Break-offs, and Buckers, Randum of the Rake, 261
Freeing, and Chasing of the Stole to th' Stake,
Starting of oar, Smilting, and driving drifts,
Primgaps, Roof-works, Flat-works, Pipe-works, Shifts,

(55) In the MS. Copy in Add. Ms. 6681, p. 254, this line is erroneously written thus:

“To sink and free his mine (The Lord hath *done*.”

(56) See No. 42 of the mining articles found at Hassop on the 1st April, 1668, Add. MS. 6681, p. 359.

(57) 3 Edw. 6, art. 17; 3 & 4 Phil. & M. art. 24

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Cauke, Sparr, Lid-Stones, Twitches, Daulings, and Pees,
Fell, Bous, and Knock-barke, Forstid-oar, and Tees, (58)
Bing-place, Barmoot Court, Barghmaster, and Stowes,
Crosses, Holes, Hange-benches, Turntree, and Coes, (59)
Founder-meers, Taker-meers, Lot, Cope, and Sumps,
Stickings, and Stringes of oar, Wash-oar, and Pumps, 270

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Corfes, Clivies, Deads, Meers, Groves, Rake-soil, the Gange,
Binge oar, a Spindle, a Lampturn, a Fange,
Fleaks, Knockings, Coestid, Trunks and Sparks of oar.
Sole of the Rake, Smytham, and many more.

This have I written for the miner's sake, 275

That miners are in Wirksworth Wapentake;

Perchance if these few lines accepted be,

An Exposition may be made by me,

Of Mineral Tearms, to most men now abstruse,

Which by Expounding may be of more use; (60) 280

But for the present, I commit to View

This little book, the mineral Law to shew;

Which ancient Custom hath confirm'd to them

That miners are, and poor laborious men,

And much desire this Custom to present 285

Unto the Worthies of the Parliament,

And humbly pray, that they for justice sake

Will them confirm in *Wirksworth* Wapentake.

Good Reader spare me if I thee offend

With this strang Custom which I here have penn'd; 290

But Miner, read me, take me for thy friend,

Stand to thy custom, thus my Poems end. 292

(58) In the MS. copy in Add. MS. 6681, p. 256, the final word of this line is "*trees*," not "*tees*."

(59) In the MS copy in Add. MS. 6681, p, 255, the words are "*Hange Beaches*," not "*Hange Benches*."

(60) Manlove never published the Exposition above mentioned. His statement of its necessity is the Editor's best apology for compiling the succeeding Glossary.

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A GLOSSARY
OF THE
PRINCIPAL MINING TERMS OCCURRING IN THE
PRECEDING POEM.

ADIT. An adit is a horizontal shaft or level used both as a means of entry into a mine, and also as a sough for the purpose of draining it. *Add.* MS. 6681, p. 929; *Mander's Gloss.*, p. 1. *See* SHAFT.

ARREST. An arrest is that proceeding by which the working of a mine is stopped. The claimant of the mine in the case of a disputed title is he at whose instance the mine is arrested. In other cases, such as forfeiture for not working the mine, &c., the barmaster is the officer who promotes the arrest. *See* BARMASTER. In either case, however, the great barmote court is the tribunal which has jurisdiction over the arrest; *l.* 145. It should be returned at the next court after it is made, at which it is the duty of the steward to hear and try the whole matter relative thereto; *ll.* 110, 245—250.

If the arrest shall have been made by the barmaster, the steward should within ten days appoint and hold a court for the trial on the mine arrested, in order that the jury may if necessary view it. The steward's ancient customary fee for this duty was a noble, and that of the jury, four shillings.

As on the one hand, if the plaintiff obtained a verdict, the barmaster was directed to deliver the mine to him, and if in the execution of such duty the barmaster were resisted by the defendant or miner in possession, it was the duty of the grand jury to assist the barmaster, and so obtain for the plaintiff an actual and perfect possession, —so, on the other hand, if the defendant obtained a verdict, and he were out of possession, the barmaster was bound to restore him to his ancient right. It, however, once the custom that if three verdicts were found for the plaintiff, the defendant was so bound that he could not further litigate the title to the mine. Also, if the defendant obtained three verdicts, the plaintiff in like manner became bound by them; and in either of the cases

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neither party could make a new arrest in order to litigate the same title. If, however, justice had not been done by the three verdicts, on appeal to the duchy court, relief might be obtained by the injured party; in such a case the court sometimes enjoined all parties from getting ore in the disputed mine until the cause had been heard and determined, *ll.* 166—198. But by a subsequent mining article promulgated by the grand jury at Hassop, on the 14th April, 1664, and 29th March, 1665 (*Add. MS.*, 6681, p. 358, art. 40), it was ordained that, "if there be any miners at difference or controversy of the mine as concerning title of ground, we do agree that those that get two full verdicts shall enjoy the title, and that suit to cease concerning that title." Usually, however, when a mine was arrested, the miner in possession was allowed to continue working the mine, upon giving security to the barmaster for all ore gotten or to be gotten from the time of the arrest to that of the trial; *ll.* 243—246. A similar provision will also be found in 14 & 15 Vict. c. 94, art. 28. *See Tapping's High Peak Min. Cus.* p. 26.

By a custom established in 3 & 4 Ph. & Mar. art. 26, it is ordained that if the title of a mine be in dispute, and the mine be thereupon arrested, the person in whose possession the mine is cannot sell it until the controversy be settled, under pain of a forfeiture of the mine. In such a case the buyer of an arrested mine was deemed guilty of maintenance, and subject to a fine; *ll.* 110—112. There is no analogous provision in the recent act for High Peak, 14 & 15 Vict. c. 94.

Although by the High Peak Customs Act, 14 & 15 Vict. c. 94, the steward and grand jury may in a few cases arrest the working of a mine, yet the clear spirit of that Act undoubtedly is, that the old power of arresting shall not

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be extended. *See Tapping's High Peak Min, Cus.* p. 11, art. 1; p. 17, art. 12; p. 20, art. 19; p. 21, art. 20; p. 26, art. 28.

BARMER. —*See* BARMMASTER.

BARMMASTER, BARGHMASTER, and BARMER are severally corruptions of the word bergmaster, which is derived from the Sax. *berȝ*, *i. e.* mountain, the barmaster being master of the mountainous district in Derbyshire in which mining is carried on. *See Tapping's High Peak Min. Cus.* p. 36. *Pettus, Fod. Reg. v. Barmaster. Add. MS.* 6681, p. 929.

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The office of barmaster was formerly superior to that of steward, which is, for the most part, an usurpation of the principal judicial functions of the office of barmaster. *Add. MS. 6681*, p. 390. The barmaster was originally chosen by the free election of a majority of all the miners, which was confirmed by the sovereign prince; but afterwards the prince claimed, and has since enjoyed, the nomination of that officer, and the lords of the several mineral manors have, for the most part, followed such example. Formerly it was before the barmaster that the mineral courts were held, one of which was the great barmote court, or court leet, which was and still is held every half year, for the choice of the grand jury, or twenty-four, who then were and still are the sworn body of the mine; —they presented any wrongs or enormities, and punished the wrong-doers; explained the customs, made such alterations therein as were deemed necessary and convenient for the better government and working and carrying on the mines; they could not, however, alter anything in doctrine or essentials; they amerced and punished miners that wronged the king or his farmer in their rights and duties; they ascertained the rights and disputes between both farmer and miner, and miner and miner, and went, when requested, (*Add. MS. 6681*, p. 388,) into the mines, and determined trespasses and deceitful workings of the mines, and when veins of lead ore were wrought together, they determined which had the right to the same, as a new vein always loses its title and merges in an old vein. *Add. MS. 6681*, p. 389. For the further duties of the grand jury, see BODY OF THE MINE.

Notwithstanding the office of barmaster is, at the present day, both judicially and ministerially, inferior to that of steward, yet it is one of trust and confidence, in which there are personal duties to be performed independent of a jury, and therefore the office cannot be legally sold. *Arkwright v. Cantrell*, 7 A. & E. 565. *Add. MS. 6681*, p. 389.

Among the more prominent of the duties are the following: —He should walk the field, in order to see that works be wrought, and to nick spindles when such a penalty is incurred by the miner; *ll. 19—24*; also, remove stowes when necessary; *l. 27*; to arrest disputed mines; *l. 33*; to view mines; *l. 225*; and allot them; *l. 227*; to free mines; *l. 52*; to measure ore; *Add. MS. 6681*, p. 924; and to receive the duties of lot and cope; *l. 78*; to make arrests; *l. 171*; and take security for the ore; *l. 245*; to execute the orders of the barmote courts; *ll. 180, 185, 205*; to view the corpse of any miner who has met his death

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in the mine, and by a jury to hold an inquest thereupon—in this respect his duties are similar to those of coroner or eschaetor; *ll.* 211—216.

The head barmaster has, in every district within his jurisdiction, under or deputy barmasters, as his ministerial officers, to make all arrests, deliver all possessions, summon all juries, &c. *Add. MS.* 6681, p. 389.

The barmaster is sworn in the great barmote court faithfully to discharge all the duties of his office; *l.* 143.

The office of barmaster for the High Peak has been lately recognized by stat. 14 & 15 Vict. c. 94; for an account of which, see *Tapping's High Peak Min. Cus.* pp. 36, 37.

BARMOTE COURTS. The great and small barmote courts are the customary mineral courts of the wapentake of Wirksworth, also of the High Peak. See *Tapping's High Peak Min. Cus.* p. 42. They have jurisdiction in matters having relation to mines only. At *l.* 103, Manlove correctly states that a suit for ore by a miner must be brought in the barmote court; and if such a person resorted to the ordinary legal tribunals for the recovery of such a debt, he not only forfeited his ore debt for such offence, but was condemned in costs. *Pett. Fod. Reg. v. Barmaster. Add. MS.* 6681, p. 929. See also BARMASTER.

The steward ought to hold, during every year, within the wapentake, two great barmote courts. The matters cognizable by it relate to miners and minerals only. Thus, the court punishes

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miners, compels grovers to pay their part of the working of joint mines, or submit to a forfeiture of their share, and generally orders and superintends all mining affairs; *ll.* 114—150. Manlove states that this court formerly had power to punish felonies committed on the mines, also to curb offenders, such as cavers, and those who stole stows, &c.; *l.* 117. Such jurisdiction seems, however, to have been latterly limited to the punishment of small depredations. *Arkwright v. Cantrell*, 7 *A. & E.* 565. As the mining articles for the High Peak contained in the 14 & 15 Vict. c. 94, do not contain any mention of offences of a criminal character, or of misdemeanors, (see *Tapping's High Peak Min. Cus.* pref. p. vii.) such offences are now, so far as regards such district, cognizable by the ordinary criminal tribunals of the country only.

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It was formerly the barmaster's and is now the steward's duty, within every three weeks after demand, to hold a court in the Barghmoot Hall, at Wirksworth, or on the mine itself, or near it, called the small barmote court, for the purpose of hearing causes relating to disputed titles, sales, trespasses to, and contracts about mines; *l* 167. *Add. MS.* 6685, p. 389. A similar court has been vouchsafed to the High Peak miners by 14 & 15 Vict. c. 94, ss. 6. 17. *See Tapping's High Peak Min. Cus.* p. 42.

The terms barmote, barrmoot, and barghmote are corruptions of bergmoth, or bergmote, which are derived from the Sax. *berȝ*, *i. e.* mountain; and *mote* or *ȝemote*, *i. e.* assembly or court. The Wirksworth miners should remember this if, at any time, their laws should be confirmed to them by Act of parliament, when it would be easy to restore the correct orthography.

BARGHMASTER. —*See* BARMMASTER.

BARRMINE. Such a mine as is adjudged at the *Barmote*. *Pett. Fod. Reg. v. Barrmine.* *Add. MS.* 6681, p. 929.

BING or *round* ore is the Derbyshire mining term for the purer, richer, and cleaner part of the fell or boose, dressed by an instrument called a chipping hammer, which separates the base minerals from it without the use of water, and cuts it into sizeable pieces fit for the dish and for smelting, each piece being somewhat larger than a hazel nut. *Att. Gen. v. Wall*, 4 *Brown*, P. C. 665. *Add. MS.* 6681, pp. 28—668. Among Northumberland and Durham lead miners, a bing is a measure containing 8 cwt. of ore.

BING-PLACE or BING-STEAD is the warehouse or repository to which the bing is brought in order to undergo the operations of the crushing mill.

If a miner dug or delved in another's bing-place or bing-stead, he subjected himself to be proceeded against in the barmote court for such trespass; *l*. 129.

BING-STEAD. —*See* BING-PLACE.

BODY OF THE MINE is the vulgar though customary *alias* for the grand jury, whose duty it is, amongst other things, to visit the mines, and rectify abuses within their jurisdiction. *Add. MS.* 6681, p. 665. *See* BARMMASTER.

The body of the mine are miners, having a perfect knowledge of the mining customs. They are appointed for half a year, and sworn in the barmote court duly to perform the several duties required of them: among which are —their power to view and dial groves

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and mines; to view any trespass that may have been committed therein. They have also power to value the trespass, and if necessary, remove the trespassers; they direct workmanship, and on refusal or neglect (through the steward), impose fines; they have power to open drifts and sumps upon the application of the person injured; *ll.* 150 — 166, 225.

By the 14 & 16 Vict. c. 94, ss. 22, 23, &c., a grand jury is appointed for the High Peak, endowed with considerable powers and privileges; for an account of which, *see Tapping's High Peak Min. Cus.* p. 46—50.

BOLES OR BOLESTIDS are places where, in ancient time (before smelting mills were invented), the miners melted and refined their lead ore. *Pett. Fod. Reg. V. Boles. Add. MS.* 6681, pp. 39, 929.

BOLESTIDS — *See* BOLES.

BOOSE — *See* BOUS.

BOUS, FELL, BOOSE, or BOUSE ORE, is lead ore in its rough state, or, in other words, the contents of a metalliferous vein, before the baser minerals are separated from the metallic portions. *Add. MS.* 6681, p. 28. *Att. Gen. v. Wall, 4 Brown, P. C.* 665.

BOULE or DISH is a certain measure wherewith the miners are accustomed to measure out the duties to the church and king, reserved from the ore as

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tythe, and lot and cope; it formerly contained about half a peck. *Pett. Fod. Reg. v. Boule. See* DISH.

BRAZEN DISH is the standard dish or measure by which the wooden dishes for measuring the lead duties in Derbyshire are gauged. *Add. MS.* 6681, p. 924. The brazen dish by which the wooden measures used for measuring the ore in the Low Peak were regulated, was kept at Wirksworth, and appears, from an inscription on it, to have been cast in 1513, in the reign of Henry VIII. *Tapping's High Peak Min. Cus.* p. 12, n.(s). Lyson's Derbyshire, cxcv. *See* DISH.

BREAKOFFS OR BREAKS. The discontinuance of a vein.

BROWN-HENNS is a base mineral found in veins mixed with the lead ore; it is, with calk and other substances, a component of the deads or rubbish rejected by miners. *See* CALK, VEINS, and *Tapping's High Peak Min. Cus.* p. 11.

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BUCK, to; or to BUCKWORK the ore; is the technical term among Derbyshire miners for beating or reducing the ore to a small sand. Sometimes, when the ore is very rich, it is only broken into pieces about the bigness of a nutmeg; but poor ore is broken small with flat hammers called *Buckers*, or under stamping mills when there is a convenience of water. See BUCKER. *Add. MS.* 6681, p. 929. The valuable product of this operation is called "*peazy ore.*" *Att. Gen. v. Wall, 4 Brown, P. C.* 665.

BUCKER is a broad-headed hammer, with which is broken that lead ore which is too much mixed with spar and other base minerals to permit being made out of it. See BING, and *Add. MS.* 6681, p. 681. This instrument consists of a flat piece of iron about the size of a man's open hand; at the back of it is a broad ring, through which is thrust a piece of wood for a handle. See BUCK, and *Att. Gen. v. Wall, 4 Brown, P. C.* 665.

BUDLE or BUDDLE. In former days the washing of lead ore was a very simple and rude operation. It was placed on a huddle, or space of ground made a few inches lower than the surrounding ground, and in extent not much larger than the door of a house, and with a gentle declivity, so that water conveyed by a gill or small stream, entering at one end, might slowly flow over the stony bottom to the other, and by its impetus carry off the loose dirt, clay, or pulverized stone, from the lead. It is obvious that by this mode of washing many small particles of lead must have been carried away; although this was in part obviated by the water falling into pits, and there depositing and leaving much of the lead, still a portion was carried off and for ever lost. See FORSTID ORE. About fifty or sixty years ago crushing mills were introduced into Derbyshire, and other improvements have since been made, by which the lead is separated from earthy matter at a much less expense, and also a greater proportion of the lead is obtained. The consequence is that good mines are rendered more profitable, and some poor ones, which on the old system did not yield a profit, can now be worked to advantage.

CALK, CALC, or calcareous spar, is the base mineral constituting with brownhen, &c. the deads or rubbish of a quick vein. In the High Peak, by stat. 14 & 16 Vict. c. 94, art. 2, the landowner has power to remove it from his land so soon as the lead ore has been extracted from it. See *Tapping's High Peak Min. Cus.* p, 11.

CAUKE. —See CALK.

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CAVERS are those persons who go about the mines to beg or steal ore from the miner's coes, or to steal their stowes; *l.* 117. *Add. MS.* 6681, p. 924. Formerly this offence was cognizable in the barmote courts; *ll.* 117, 118; but latterly their jurisdiction has been limited to the punishment of small depredations. *Arkwright v. Cantrell*, 7 *A. & E.* 565.

CHASING THE STOLE TO TH'STAKE, &c. This expression occurs in mineral laws found in 16 *Edw.* 1, c. 2. When two founders set upon the same rake at the same time, it became likely that the farmer might get a prim-gap. *See* PRIM-GAP. The method of mining which the miners were in such a case obliged to adopt was by the miner expressed by the phrase, "Chasing the stole (or stool) to th' stake;" the meaning of which is, that each miner was alternately to work a meer, or, in other words, to cast or follow after the range of the vein; and thus, in the words of the poem, *l.* 62, "One at other take," until they arrived at the stake which limited their operations.

By the stat. 14 & 16 *Vict.* c. 94, art.

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10, the custom of *chasing the stole to the stake* is for the most part abolished, the finder being at his option entitled to all the vein except the third meer, which belongs to the crown or its lessee. *See Tapping's High Peak Min. Cus.* pp. 15, 16.

CLIVES or CLIVIES is the iron hoop or swivel at the end of the rope in which the kibble or corfe is suspended.

COE is a little house which the miners are by custom (*l.* 6) allowed to make over their groves or mines to lay the ore in. Those who pilfer or steal from them are called *cavers*; *l.* 117. *Pett. Fod. Reg. v. Coes. Add. MS.* 6681, pp. 924, 929. In order to encourage mining, great penalties were inflicted upon those who unlawfully removed timber, picks, stowes, &c. from the miner's coes; *l.* 208. *See* CAVERS.

COE SHAFTS. A shaft that has a coe erected over it as a repository or warehouse for ore. *See* COE, SHAFT.

COE STID. *See* BING-STEAD, COE.

COPE (probably derived from the Anglo-Saxon word "cope" or "ceap," *i. e.* a market or sale) forms, with lot, the two principal duties payable to the barmaster for the king or farmer, as the customary payments for the right to mine. Cope is the sum of sixpence per miner's load of lead ore raised by the miner; *ll.* 75, 78. —*See* BARMMASTER,

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DISH, LOAD. These duties are by the recent Act, 14 & 15 Vict. c 94, art. 9, settled as regards those places within the jurisdiction of that Act. *See Tapping's High Peak Min. Cus.* pp. 14, 15.

CORFE or CORVE is the vessel by which the lead ore is brought from the mine up the shaft to day.

CROSSES are two customary nicks cut on the superficies of the earth, thus + which the Derbyshire lead miners make when they take the ground to dig for lead ore; *l.* 5. This cross, with a hole made according to custom, formerly gave the miner possession of the grove, and also liberty during three days to make and set on stows, which confirmed such possession; *ll.* 9, 10. *Add. MS.* 6685, p. 176. Subsequently, however, by No. 8 of the mining articles found at Hassop, on the 14th April, 1664 (*Add. MS.* 6681, p. 354), it was ordained that "no cross or hole should keep possession of any new vein any longer than three days without stowses and timber; but it shall be lawful upon the fourth day for any man to work the same for his best advantage; and an old rake cross or hole to serve no longer than a man may go home to fetch his tools to work withall, and timber to stow it withall; but upon the next day after it shall be lawful for any man to work for his best advantage, or the third day at the most." *See STOWE.*

As many of these crosses as the miner makes, so many meers of ground he may have in that vein if he set on stows within three days after the making of his cross or crosses; but if he make but one cross, and a stander by make the second, and a stranger make the third, every one is served with the next meer according as he may have first or last, sooner or later, made his cross or crosses upon the ground. *Add. MS.* 6681, p. 924. *See CHASING THE STOLE TO THE STAKE.*

The recent Act, 14 & 15 Vict. c 94, abolishes the above customs as to crosses &c., as regards the High Peak, by enacting that, in order to obtain possession of a mine, application must be made by the finder to the barmaster, who, upon view, should measure out the founders meers, make a gift of them, and enter the particulars in his book. No mention is made either of crosses or holes throughout the Act. *See Tapping's High Peak Min. Cus.* pp. 15, 16.

CROSS RAKES. A cross rake is a vein of ore which, in its course, bisects the vein or rake in workmanship. *See RAKE.*

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CROSS VEIN. —See VEIN.

DAULINGS or DAWLINGS. When veins of ore, once rich, become poor, they are so called.

DEADS is the mining phrase for either barren rock, or base minerals, or rubbish rock not containing ore. —See BROWN-HEN, CALK. In order to save the charge of drawing, the miners put as much of the deads as they can, into the empty places of the vein; but if either they themselves, or the grand jury, lay a pain for removing the same, when it is removed it is always called “old man.” *Add. MS.* 6685, p. 175.

DIALLING or DYAL. The operation of dialling is that by which the operator can accurately ascertain the extent and distance of the working of a mine under ground, and thereby ascertain whether a mine has been worked beyond the stake or limit allotted to the miner. In disputed cases the grand jury, who should be practical miners, are those whose

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dialling is received as evidence and proof of the state and extent of the disputed workings of a mine; *l.* 164.

By the 14 & 15 Vic. c 94, art. 22, 23, 24, the grand jury of the High Peak have full power to view mines and dial them within that district. *See VIEW*, and *Tapping's High Peak Min. Cus.* pp. 21—24.

DISH is a bowl or trough provided by the barmaster, under a penalty of forty pence for each default; it is usually made of wood and in accordance with the brazen dish. *See BRAZEN DISH.* The dish is about 28 inches long, about 4 inches deep, and 6 inches wide, and by it all miners measure their ore. If any miner sell his ore without having previously had it measured by the barmaster's dish and paid the king's duties, such miner incurs a forfeiture of his ore. *See BOULE.* *Add. MS.* 6681, p. 925. Miners were also obliged to sell their ore by the customary dish, or the ore so sold was also forfeited. Poor men were, however, allowed to sell small parcels of ore if they could not readily obtain the measuring dish; *ll.* 80—85. The duties of lot and cope are also measured by this dish. Also, the finder of a vein is, by custom, obliged, before working for his own benefit, to free his vein with one dish of ore there found for every meer, which is payable to the barmaster for the use of the crown or its lessee; *ll.* 51 —55. The poem

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however states that, by encroachment, the barmaster had usually demanded two dishes of ore, and thereby had wronged the miner; *ll.* 55, 56.

By the 14 & 15 Vict. c 94, art. 3, the barmaster of the High Peak is bound to provide, for that district, a dish or measure which shall contain fifteen pints of water, and be adjusted in the presence of two of the grand jury, for measuring the ore. The barmaster incurs a penalty of two pounds every time he is required to measure ore at any mine and is unprovided with such dish or measure; such penalty to be recovered and received, for his own use, by the person who shall have required the ore to be measured, by an action in the county court. *See Tapping's High Peak Min. Cus.* p. 11.

DRIFT is a passage, in form rhomboidal, cut out or driven under the earth betwixt shaft and shaft, or turn and turn, a passage or way wrought under the earth to the end of a meer of ground, or part of a meer. *Add. MS.* 6681, p. 925. A drift has also been defined to be the way in which miners go forward in the vein to the forefield, or from the shaft to a turn, or from one turn to another, and through which they carry their ore, fell, rubbish, and deads. *See Add. MS.* 6685, p. 175, and DEADS. In case of disputed workings, the grand jury have power to order drifts to be opened in the mines, in order to ascertain truth; *l.* 159.

FANGE is a passage or drift formed for the purpose of conveying air along the works. It is about a foot wide, cut in the side of a shaft, turn, or drift, the open side being made close with a board and clay; sometimes the air is carried in wind pipes made of four boards, 5 or 6 inches square, according to the length the air is to traverse. Its passage in going is through the fange or pipes, and returning through the drift shaft, &c. Without this circulation of air miners cannot either sink down or drive forward above 10 or 12 fathoms; but by such a circulation a mine may be worked 1,400 yards from whence the air has been taken in. *Add. MS.* 6685, p. 176.

FARMER. A farmer is the lord of the field, or one that farms the lot and cope of the king. *Add. MS.* 6681, p. 925. He is now called "*the Crown Lessee of the Mineral Duties of High Peak or Wirksworth,*" as the case may be.

At the time Manlove wrote, the farmer was entitled to have set out to him by the barmaster, one half meer at either end of the founder-meer; *l.* 58. He was also entitled to *primgap* if one should exist; *l.* 60. *See PRIMGAP.*

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The barmote courts have jurisdiction over the farmer as regards his mining concerns, between whom and the miners justice is dispensed by means of a grand jury or ordinary jury, according to the nature of the case; *l.* 148.

The rights of the crown lessee of the mineral duties of the High Peak are reserved to him by the recent statute 14 & 15 Vict. c. 94. His interest and privileges in the mines are very valuable; he also has the power to dismiss many of the inferior officers. *See Tapping's High Peak Min. Cus.* pp. 30, 31. The present lessee of the High Peak is William Spencer, Duke of Devonshire, whose family has enjoyed the grant since 1690. The present lessee of the wapentake of Wirksworth is Peter Arkwright, Esq., of Willersley, near Matlock.

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FELL. A fell in Derbyshire is a district out of the ordinary mining locality. Fell, in another sense, is synonymous with *bouse*, which is the mining term for the lead ore as first extracted from the mine, before it is in any way freed from the baser minerals with which it is usually combined. *See tit.* BOUS, BUCK. *Add. MS.* 6681, p. 28.

FLAT WORK. A mining term descriptive of a species of lead mine, so called from its form, which is broad, spreading horizontally, not without inclination.

FLEAKS are large boards nailed together, forming a wall of timber, which may be moved about from one spot to another. They are so placed that the washers of the ore may be protected from the direct violence of the wind and rain. Fleaks are no protection when the rain falls directly downwards, and are a very imperfect protection under any circumstances.

FORFIELD or FOREFIELD is the furthest place that a man has wrought in his ground or driven his vein. It is also the end of a meer above ground. *Add. MS.* 6681, p. 925; 6685, p. 175.

FORKS. When water has so far been removed from a mine as to admit of the workings being carried on in the lowest level, it is said to be "*in fork.*"

FORSTID-ORE or FORESTID-ORE is ore that is gotten out of earth and dirt that has been previously washed and deprived of part of its ore, and left by the miners as rubbish. *Add. MS.* 6681, p. 925. *See* BUDLE.

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FOUNDER. Founder is the mining term expressive of the finder of a vein or rake, or, in ordinary language, a miner; *l.* 59. This term is recognized in the High Peak by stat. 14 & 15 Vict. c. 94, s. 2. *See Tapping's High Peak Min. Cus.* pp. 8, 15, 16.

FOUNDER MEER. *See* MEER.

FREEING DISH. Every mine, vein, pee, &c. must be *freed* before it can be worked by the miner for his own benefit. The "*freeing*" is a customary payment to the barmaster for the farmer, of a specified portion of ore raised from the new mine, &c.; *ll.* 43, 51. *See* BARMASTER. By the mining article 37, promulgated at Hassop, 14th April, 1664 (*Add. MS.* 6681, p. 357), it was ordained that of the first ore that should be gotten and measured in any man's ground, he that belonged to the ground should pay a meare dish to free the ground with, or else such ground should be forfeited to the lord. When a mine was duly freed, the miner obtained therein an estate in fee (*l.* 65), of which his wife, if he died possessed, was entitled to dower; *l.* 68.

The barmaster has control over the freeing of mines, and his duty is not to allow a mine to be freed, unless the miner's title thereto is unimpeachable; *l.* 232. Notwithstanding this customary control of the barmaster, the grand jury, by mining article No. 41, promulgated at Hassop, on the 18th April, 1666 (*Add. MS.* 6681, p. 358; *Add MS.* 6681, p. 358), ordained that no miner or other person should take up any freed meer of ground, unless he could prove it to have been out of possession one whole week, and for a possession three days.

The freeing of a vein in the High Peak is now entirely regulated by 14 & 15 Vict. c. 94, arts. 10, 11, 12, by which all antiquated forms are abolished, and a formula suitable to the present age introduced. *See Tapping's High Peak Min. Cus.* pp. 15, 16, 17.

GANGE or GANG RAKE is a rake or vein which has a grove or shaft whereby to descend to the shaft foot. *Add. MS.* 6681, p. 922.

GROVE. A pit that leads down to a mine. *Pett. Fod. Reg. v. Grove.* In *Add. MS.* 6681, a grove or groove is stated to be a shaft or pit sunk into the earth; it is sometimes sunk in the vein, sometimes out. By custom, if the miner left his grove for nine weeks, he thereby forfeited it (*ll.* 18—28), unless the mine was rendered unworkable by reason of wind or water; *l.* 31. *Add. MS.* 6681, p. 357; also if a grove were lost for want of stows,

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the miner's widow also lost her dower; *ll.* 69. So a miner could not sell a grove, the title to which was in dispute, without incurring heavy penalties; *ll.* 109, 111. Miners or, as they were sometimes called, grovers, were under the superintendence of the barmote courts, so that if they would not join with their grove-fellows, injured the groves of others, left their own unfenced, &c., they rendered themselves liable to severe punishments: *ll.* 119—121, 139. Groves were and still are subject to the inspection and view of the body of the mine, on complaint made; *ll.* 153, 155, 161. See

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VIEW. The mining customs afford many regulations as to when miners might fire their mines, lest the smoke should escape into neighbouring groves, and injure the miners; *l.* 240. Upon a proper case made, groves may also be arrested; *l.* 243. See ARREST.

By the recent Act for the regulation of the High Peak miners, 14 & 15 Vict. c. 94, no mention is made of a grove or groove, although it contains many of the above regulations applicable to them. The only words of a similar meaning used in the Act are, "mine or mines, vein or veins," which by section 8 are declared to mean a mine or mines, vein or veins of lead ore, and to include parts of or shares in any mine or vein, as well as entire mines and veins, and all materials containing lead ore. See *Tapping's High Peak Min. Cus.* p. 8.

HACK is a tool like a mattock used by Derbyshire miners during their mining operations. *Add. MS.* 6681, p. 925.

HADE is a slope: thus, where any shaft or turn descends like the side of a house, or like the descent of a steep hill, it is said to hade. *Add. MS.* 6681, p. 925. It also signifies a vein that is not perpendicular, but sloping.

HANGE-BENGES or HING-BENCHES are pieces of timber forming part of a stow; the hing-benches are pinned to the soletrees by wooden pins. Formerly, if they were fastened by nails, they were not, according to custom, sufficient to confer possession; *ll.* 11—14. See STOW.

HING-BENCHES. —See HANGE-BENCHES.

HOLE. A miner by digging a hole, and cutting a cross in this form + upon the surface of a vein first found by him, thereby gained by custom a perfect right to such vein; *ll.* 5, 9. For further information as to this custom see CROSSES. It was the duty of the miner

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to fence in his holes and groves, in order that cattle should not fall into them, a neglect of which duty rendered him liable to be punished by the barmote courts, pp. 139, 140.

This provision as to fencing in mines has been introduced into the High Peak Mining Customs Act, 14 & 15 Vict. c. 94, art. 5. See *Tapping's High Peak Min. Cus.* pp. 12, 13.

KNOCK-BACK ORE or KNOCK-BARK ORE is ore mixed with caulk or keval.

KNOCKINGS. Ore after it has been upon the knock-stone.

LIDSTONES. —See RAKE.

LOAD. A load of ore is nine dishes of ore, each dish being about half a hundred weight. *Add. MS.* 6681, p. 926. By the recent Act, 14 & 15 Vict. c. 94, art. 9, a load of ore, so far as regards the High Peak, is declared to be nine dishes of ore, whereof each dish shall be of capacity sufficient to hold fifteen pints of water. See COPE, and *Tapping's High Peak Min. Cus.* p. 15, and *n. (c.)*

LOBS are steps that ascend or descend within the mines. *Add. MS.* 6681, p. 926. Also where the ore in a vein does not go down perpendicularly, but only a few yards at once, then level for a yard or two, and then sets down again, such veins are called *lobbs*. Lobbs are also, as above stated, used as subterranean stairs for the miners.

LOT, from the Anglo-Saxon *Lor*, or *Hlor*, *i. e.* lot or tribute, is a customary duty or payment of the 13th dish measure, or part of the miner's ore which the barmaster takes up for the king or the farmer. *Add. MS.* 6681, p. 926. It is paid at measuring time; *ll.* 75, 77. See BARMASTER. By the recent Act, 14 & 15 Vict. c. 94, art. 9, the duty of lot, as regards the High Peak, is declared to be one-thirteenth of all ore raised within the jurisdiction of the barmote courts, as established by that Act. See *Tapping's High Peak Min. Cus.* pp. 14, 15, and COPE.

MAIN RAKE. See RAKE.

MEASURE. See BOULE, DISH.

MEER. The term meer amongst miners has two significations. First, a meer means a pond or pool of water necessary to miners for washing their ore. By the 14 & 15 Vict. c. 94, art. 5, the barmaster of the High Peak and two of the grand jury have power to set out for the use of the miner so much land as they may think necessary for the purpose of making meers or ponds. *Tapping's High Peak Min. Cus.* p. 11, *n. (r)*, 12, 13.

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Secondly, the term meer denotes a customary measure of land containing lead ore, to which a Derbyshire miner is entitled when he finds a metallic vein. Formerly a Derbyshire meer in the Low Peak contained 29 yards in length, and in the High Peak 31 yards in length, the breadth of a meer in both districts being from skirt to skirt, whether the vein consisted of a rake, pipe-work,

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or flat-work. *Add. MS.* 6681, p. 926. Now, however, by the recent statute, 14 & 15 Vict. c. 94, art. 18, so far as relates to the High Peak, every meer of ground shall contain 32 yards in length. *See Tapping's High Peak Min. Cus.* pp. 19, 104.

Meers of the second kind contain several species, namely, a founder meer, taker meer, &c.; *l.* 46. The only difference, however, between them was in length, a founder meer being in length 58 yards, or as we have seen, twice that of an ordinary or taker's meer; *l.* 49. In the recent statute for the High Peak, 14 & 15 Vict. c. 94, s. 2, a founder meer is stated to mean the two first meers to be set out to a founder under the provisions of that Act. *See Tapping's High Peak Min. Cus.* p. 8. A taker meer was the meer formerly allotted by custom to any person who chose to have one set out to him after those of the founder and farmer had been allotted; *ll.* 46, 63. *See* **TAKER MEER**. The above statute, 14 & 15 Vict. c. 94, art. 11, however, seems to have greatly limited the above custom as to a taker meer in the High Peak, by enacting that the finder shall be entitled to each subsequent meer after the third (which belong to the Crown or its lessee, *l.* 57,) to the extent he shall claim or require at the time of freeing.

The meers are set out and staked (*see* **MEER STAKE**) by the barmaster, in the presence of two of the grand jury; and such setting out is called a *gift*, the particulars of which the barmaster enters in a book kept by him for that purpose. *Tapping's High Peak Min. Cus.* pp. 15, 16. After the meers are thus set out, the miner must free them; *ll.* 51—55. *See* **FREEING**.

The barmote courts, assisted by the grand jury and barmasters, have always regulated and still do enforce the due working of meers; *ll.* 123, 165, 195. All the modern regulations for the High Peak will be found in *Tapping's High Peak Min. Cus.*

MEER STAKE is a pin of wood driven into the superficies of the earth by the barmaster, at the end of the founder's meers, at the time they are freed, in order to show

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their extent or end. *Add. MS.* 6681, p. 926; *Add. MS.* 6680, p. 17. *See* MEER. In the High Peak, a meer stake is not now necessary. *See Tapping's Min. Cus.* pp. 15, 16.

NEXT TAKER, is he who makes the cross next after the finder, or he that hath the next meer in possession. *Add. MS.* 6681, p. 928. *See* CHASING THE STOLE TO THE STAKE, MEER, TAKER MEER.

NEW THING. This mining term was descriptive of one of the many kinds of veins, and signified, according to its terms, that the vein had never been wrought; *l.* 44.

NICK. *To nick*, amongst Derbyshire miners, means the cutting a notch in a stick; a nick is a notched stick by which the reckoning is kept. This term is not peculiar to the lead mines of Derbyshire, it being also used in the West Riding Coal Fields of Yorkshire. *See* SPINDLE, STOWE.

OLD MAN is a term constantly used in bills of directions for views by the grand jury; it signifies an old vein that has either been exhausted, or remains for other reasons unwrought; *ll.* 64, 225. *See* NEW THING. *Add. MS.* 6681, p. 922. The term old man also signifies base minerals, deads or rubbish. *Add. MS.* 6681, p. 914. *See* DEADS.

OLD THING. *See* NEW THING, OLD MAN, OLD WORKS.

OLD WORKS are such as are fallen in or stand unwrought. *Add. MS.* 6681, p. 926. *See* OLD MAN.

PAWN. This term among Derbyshire miners signifies a pledge of money put into the barmasters hands at the time when the plaintiff causes the barmaster to arrest a mine. *Add. MS.* 6681, p. 926. *See* ARREST.

PEE. A pee is the point of intersection at which two veins meet and cross one another at an angle; *l.* 44. *Add. MS.* 6681, p. 926. *See* VEIN.

By the recent statute 14 & 15 Vict. c. 94, the working of a pee or intersection in the High Peak is provided for, and clear rules laid down adapted to the understanding of the working miner. Thus, art. 13 declares that, if any vein shall cross another vein, the miner who comes to the pee or intersection first, shall have such pee or intersection, and may work therein as far as he can reach with a pick or hack, such pick or hack having a helve or shaft three quarters of a yard long, so that he stands wholly within the cheeks of his own vein when he works such pee or intersection. *See Tapping's High Peak Min. Cus.* pp. 17, 18.

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PICK is a tool the miners use to cut down the cliffs and rocks of stone to make passages in the earth. *Add. MS.* 6681, p. 927. *See* PEE.

PIPE is a species of lead mine, very irregular in width, in which the ore runs forward endways in a hole, and does not sink downwards or in a vein. *Add. MS.* 6681, p. 926.

PIPEWORK. —See PIPE.

POLING or POLLING is the dressing or polling the calk, spar, &c. off the lead, in order to its being roasted and crushed. *See* BUCKER. Pollings are also small poles driven over the tops of stemples, to keep rubbish from falling into the mine or works. *Mander's Gloss.*

POSSESSION is the right to a meer of ground which miners enjoy by having placed stows upon it. The term is also generally used to signify the stows themselves, because thereby the miners obtain possession. *Add. MS.* 6681, p. 926. *See* STOWE.

PRIMGAP, PRIMEGAP, or PRYMEGAPPE, is a portion of metalliferous rock less than half a meer, lying between different titles or different jurisdictions. By custom such portion belonged to the lord or farmer, so that the miner was obliged to purchase it of the lord, or the latter might work it at his option; *l.* 60. *Add. MS.* 1734—1835; 6681, p. 670. Thus, the 9th article agreed upon by the grand jury in 1664 provided, that no person or persons may take up any ground except it be half a meer or above; because if it were under, it was a primgap, and the lord or his farmer was entitled to it. *Add. MS.* 6681 p. 355. *See* CHASING THE STOLE TO THE STAKE.

In the High Peak this right of the lessee or farmer is extinguished by the 14 & 15 Vict. c. 94, art. 18, which declares that the miner shall be entitled to take and have set out for him any proportion of a meer upon freeing the same, by payment of an amount of ore proportionate to the amount payable upon freeing a whole meer. *See Tapping's High Peak Min. Cus.* pp. 19, 20.

PROGGING, is the offence of sinking shafts without having previously discovered a vein; such an act is against and punishable by custom. Landowners usually bring actions of trespass against persons so offending. *Add. MS.* 6681, p. 301.

QUARTER CORD is the measure of seven yards and a quarter, which the miner by custom has crossways of his vein on either side, for liberty to lay his earth, stone, or

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rubbish on, and to wash and dress up his ore. *Add. MS.* 6681, p. 927. So long as a mine is wrought and in possession, everything upon the quarter cord belongs to the miner. If however the mine be not in workmanship, but abandoned, then the owner of the land where the mine is (if inclosed) is entitled to the spar and minerals left by the miner, and if in waste lands, the lord of the manor.

In the High Peak, this custom is saved to the miner by 14 & 15 Vict. c. 94, art. 5, which provides that the miner, so long as his mines shall be worked, is entitled, without making any payment for the same, to the exclusive use of so much surface land as shall be thought necessary by the barmaster and two of the grand jury, and to be set out by them, for the purpose of laying rubbish, dressing his ore, briddling, making meers or ponds, and conveying water thereto, and any other mining purposes. *See Tapping's High Peak Min. Cus.* pp. 12, 13.

RAKE, so called from its being wider or stronger than ordinary veins, is that species of metallic vein which lies perpendicularly between two *wrougths*, or walls of a grove, and is not covered with a lid-stone; *ll.* 2, 40, 47, 59; *Pett. Fod. Reg. v. Rake. Add. MS.* 6681, p. 927. The term "Rake" is, therefore, usually found in connection with the word vein, coupled with it by a copulative conjunction, *i. e.* "Rake or vein," as in *ll.* 124, 133, and the Derbyshire Mineral Customs settled in 1664. *Add. MS.* 6681, p. 355 (14). *See* CROSS RAKE, GANGE. As to viewing a rake; *ll.* 163, 173; *see* VIEW.

In the recent Act for the regulation of the High Peak miners, 14 & 15 Vict. c. 94, no mention is made of a rake. The only words of a like meaning used in the Act are, "mine or mines," "vein or veins," which by s. 8 are declared to mean a mine or mines, vein or veins of lead-ore, and to include parts of, or shares in, any mine or vein, as well as entire mines and veins, and all minerals containing lead-ore. *See Tapping's High Peak Min. Cus.* p. 8.

RAKE SOIL. —*See* CALK, DEADS.

RANDUM OF THE RAKE. Veins that in a rake-work do not lie regularly, but are found in a dispersed state on

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each side of the rake, are by the miners called as "lying at Random o' the Rake." *Mander's Gloss.*

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RITHER, from the A.S. Rīð, is a stone or other cliff that lies in a metalliferous vein, whereby the ore is turned from its direct course and runs on one or both sides of it; sometimes a rither is so thick that it parts the vein, and so makes one vein two. *Add. MS.* 6681, p. 927. A rither point is that point of the stone where a vein comes in or goes out of another. *Add. MS.* 6685, p. 175.

On the subject of approaching veins the recent stat. 14 & 15 Vict. c. 94, relating to the High Peak, by art. 14, declares, That when two veins approach each other, but are parted with a rither, and such veins continue asunder for one meer or further in length without any joint of ore or other mineral crossing the same, (such joint of ore or other mineral not being a new vein,) and the rither during that distance in all parts exceeds three feet in thickness, then they are to be considered and treated as two distinct veins, so long as they so continue asunder, but whenever they again meet, the elder or prior title shall take the vein. *See Tapping's High Peak Min. Cus.* p. 18.

ROOF-WORKS. The centering or wood work supporting the roof of a mine.

RYDER or RIDER. *See* RITHER.

SET. A set is a lease; or the occupation of land for mining purposes; *ll.* 3, 225. *See* SETTING FOR A MINE.

SETTING FOR A MINE. This term among Derbyshire miners signifies the customary occupation of land for mining purposes; *l.* 37. *See* SET.

SHAFTS. A shaft is a perpendicular entrance into a mine or vein. Such an entrance is now almost always obtained by a *level* or horizontal shaft or adit driven into the sides of the mountain which contains the ore. At the time Manlove wrote, shafts were frequently sunk to the ore from the top. The level of modern times is used also as a drain to the mine, and along the bottom a railway is usually laid, whereby the ore is brought to day in waggons drawn by horses. Sometimes, however, a shaft is carried up from the roof of the level to the open air, or from thence into the level, in order to obtain a current of air for the purposes of ventilation. The word shaft is also used as a synonyme for a grove or pit, sunk some 10 or 20 fathoms deep into the earth. *Add. MS.* 6681, p. 927.

Some shafts are in form a long square, 3½ feet long and 2½ wide; ordinarily those in shale are round, like a well or coal-pit. *Add. MS.* 6685, p. 174.

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As a consequence of the customary right to mine in Derbyshire, the miners had the power to do all such acts upon the land, as should enable them to mine with advantage. Amongst their many powers was that of making shafts; *l.* 1; the expense of doing which was so great a burthen to them, that it was insisted upon by them as a cause why they should not pay tithes; *l.* 99.

The miners were bound by custom so to keep and fence in their shafts that cattle, &c. could not be injured by them. If this fencing was neglected, and an accident to cattle, &c. happened, the miner was subject to be sued in the barmote court for the damages; *l.* 139.

By the 14 & 15 Vict. c. 94, art. 27, the miners of veins in the High Peak, connected by one shaft, may, by the consent of the barmaster and grand jury, consolidate them. *See Tapping's High Peak Min. Cus.* p. 25.

SHIFTS. A shift is the mining term for a day's work; because at the end of eight to ten hours, which is usually the length of a working day, a shift takes place among the miners.

SLAGS. The dross remaining after melting or refining lead. *Add. MS.* 6681, p. 930.

SLYDER. A slide is a species of vein, not being either a vein properly so called, or a cross-vein. They are generally of small size, and consist of clay. They are confined to the slate districts, and are seldom metalliferous. Slides in Devon and Cornwall intersect the lodes in the lines of their inclinations, and seem to cut off their lower from the upper parts, and produce similar displacements vertically to those which the cross-veins occasion horizontally.

SMILTING, or to SMELT, is the process of smelting the roasted ore at the smelting-hearth. Sometimes the ore is roasted and smelted in one operation in a smelting-furnace. *See BOLES.* A smelting-house is a house where the miners run and smelt the ore into lead; during the time of Manlove the produce of one was a tun in ten or twelve hours.

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A fodder was their usual day's work. *Add. MS.* 6651, p. 928.

SMYTHAM, or SMIDDUM, is lead-ore stamped and pounded down like powder or sand, in order perfectly to cleanse the ore from the stones and earth with which it is usually mixed. *Add. MS.* 6681, p. 928. *See BUDLE.* In other words, it is that part of the

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lead-ore which, from the smallness of its particles, goes through and sinks to the bottom of the sieve or hutch during the process of hutching; or dressing the peazy ore; it is afterwards washed again at the budle, or in other sieves, and the dirt and base minerals separated from it, after which it is called *Smytham* or *Offal*. See *Att. Gen. v. Wale*, 4 *Brown, P. C.* 665.

SOLE, is the deepest level of the mine. *Add. MS.* 6681, p. 396. It also signifies the bottom or floor of the pipe or rake so deep as it has been wrought; also, the bottom of a shaft turn or drift. *Add. MS.* 6685, p. 175.

SOLE OF THE RAKE. —See Rake, SOLE

SOLETTREES are pieces of flat wood, forming part of a stowe, *l.* 14. As to the customary construction of a stowe, see STOWE.

SOUGHS. A sough, also called an adit, is a passage like a vault, cut out under the earth to drain the water from the mine. *Add. MS.* 6681, p. 928. In the mineral fields in the wapentake of Wirksworth, and probably in the whole mineral district of Derbyshire, it has long been usual for certain adventurers to construct soughs or levels for the purpose of draining, they being remunerated by agreement with the proprietors of the mines, by a portion of the lead ores raised within the district benefited, technically called the title of the sough. *Arkwright v. Gell*, 5 *M. & W.* 203.

By the recent Act, 14 & 15 Vict. c. 94, art. 26, which relates to the High Peak, it is declared, that if any person shall, by virtue of any sough, engine, or other means, unwater or give relief to any mine or vein which may be under water, and the further working thereof be hindered, the owner of any such mine so relieved, shall from time to time, so long as such relief be continued, deliver to the person giving such relief as aforesaid, such part and portion of all the ore which at any time thereafter shall be got and raised in such mine or vein under the level at which such relief was given, as the barmaster and grand jury may from time to time fix and determine; such part and portion of the ore to be delivered and dressed and made merchantable by the owner of such mine without any fraudulent concealment or wilful diminution, and to be discharged and free from all charges in getting and dressing; and the value of such ore, if it shall not exceed fifty pounds, shall be recoverable in the county court, or if such

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value shall exceed fifty pounds, in one of the superior courts at Westminster. See *Tapping's High Peak Min. Cus.* pp. 24, 25.

SPAR. —See *tit.* CALC.

SPINDLE. A spindle is a piece of wood, part of a stowe, fastened into either stow blade. *Add. MS.* 6681, p. 928. See STOWE It was upon the spindle of the stowe that, during Manlove's time, the barmaster was accustomed to cut nicks as a reckoning of various facts; *l.* 15. Thus, it was usual to nick the spindle if a grove were unworked for three weeks; and if for nine weeks the mine remained unworked, and thus the spindle became nicked three times, the barmaster was by custom empowered to remove the stowes and re-set the mines; *ll.* 15—27. See BARMASTER, NICK, STOWE.

STAMPERS. Persons, chiefly boys, whose occupation is to beat the ore small and fit for the washers. *Add. MS.* 6681, p. 930. See BUCKER.

STARTING OF ORE.—This mining term needs no interpretation. See BOUS, BROWN-HENS, SMYTHAM, &c.

STEMPLE. a stemple is a piece of wood placed in the shaft of mines for the purpose, among others, of climbing by. *Mander's Gloss.*

STICKINGS. The ribs of ore in the vein, where the miners get their ore. Also a small rake vein crossing a main rake. *Mander's Gloss.*

STEWARD. The steward is the chief judicial and ministerial officer connected with the mineral customs of Derbyshire. His office is, however, an usurpation of that of bergmaster. See BARMASTER. Formerly it appertained to the office of barmaster to preside in the barmote courts, and try the rights of the miners. When, however, such rights were important or the stake large, it became usual for the crown or its lessee to
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depute some person of the profession of the law, of knowledge and skill in the mineral customs, to be the steward and judge of the mineral courts, but assistant merely to the barmaster. At first the duration of the office was during the farmer's pleasure only, and many cases of arbitrary dismissal from the office have occurred. *Add. MS.* 6681, p. 390. Ultimately the office of steward was made permanent.

The office of steward was, when Manlove wrote, perfectly well acknowledged and understood, the functions being nearly the same as those now appertaining to the office;

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l. 167. By the 14 & 15 Vict. c. 94, the office of steward of the High Peak is reinstated, and its duties clearly defined. See *Tapping's High Peak Min. Customs*, pp. 31, 36.

STOLE or STOOL. See STOOL.

STOOL. Is where the miners leave digging deeper and work in the ends forward; the end before you is called the stool. *Add. MS.* 6681, p. 927. See FOREFIELD. In other words, a stool is the whole depth the vein is wrought, and then it is said that the forefield is stooled 10 or 12 fathoms, &c. *Add. MS.* 6685, p. 175. The term stool has also another signification, which is so far as a miner cuts before him, which is about two yards high. See CHASING THE STOLE TO THE STAKE.

STOWE or STOWSE, or, as sometimes called, a POSSESSION or STOWSE OF PRETENCE, is a machine which formerly was the only apparatus for drawing up the ore in tubs from the mine. It is constructed of seven pieces of timber, namely, two bearers of flat wood 1½ feet long, called sole-trees; two others about one foot long, called hing-benches, which are laid over the ends of the former, and to which they are pinned at the corners with wooden pins (if they are nailed they are not properly constructed, and the machine is not by custom a possession, nor will it confer one); two upright pieces of wood called stow-blades, about one foot long, which are morticed into the middle of the sole and under-pinned; they have a nick in the top like an arrow's head, called a stow, and about the middle of them going between and through them both is a piece of wood called a spindle or turntree, by which the earth or mine is drawn out of the pit; *l.* 5. *Pett. Fod. Reg. v. Stowe.*

The stowe, as above stated, is called a possession, because by placing two of them “in all men's sight” upon a meer of ground, or in the range of the vein, or in the grove, pit, or place where the miners intend to sink a pit, according to custom, they confer as perfect a possession therein, and as good a right thereto as a deed of conveyance does to a purchaser; *l.* 11. *Add. MS.* 6681, p. 927. The stowe, in order to confer the above right, must be constructed strictly according to custom, and no part of it must be wanting; *l.* 10. *Add. MS.* 6685, p. 176. Also by the mining articles, No. 39, promulgated by the grand jury at Hassop, on the 14th April and 12th October, 1664, it was ordained: If there be any miner or other person that has any grove or meer of ground in the mines, he or they shall keep the same in lawful possession both stosed and yoked, either bored,

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collared, or tenard; we mean one pair of stoses and one yoking of timber in all men's sight, or else it shall or may be lawful for any man to work the same for his best advantage at or after St. Andrew's day next, if they be not found lawfully yoked at or after that day. *Add. MS. 6681*, p. 358. The founder has, however, the power to place stowes for the takers meers; so also may one miner after another set what number of possessions or stowes he or they shall think fit, as and for taker possessions or meers of ground. *Add. MS. 6680*, p. 17.

The cross and hole made in the earth keeps possession for three days only, which is often done while the stowes are being constructed. *See* CROSSES. At or before the end of the above three days, the miner must by custom set down his stowes, which preserve his possession for three weeks; *ll. 12, 69.*

It is upon the spindle of the stow that the barmaster sets his nicks, (see NICK) when he formally gives the ground to the miner; or the miner is guilty of an offence against the custom which warrants such a proceeding; when the spindle had been nicked three times according to custom, the barmaster has power to remove the stowe, which proceeding in effect ousts the miner from the possession; *l. 27.* So, if the mine remains for a certain period unwrought, unless hindered by wind or water, the barmaster may also remove the stowes; *l. 32. See* BARMASTER.

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The barmote courts formerly exercised jurisdiction over all such as stole men's stowes, *l. 118;* or set them upon their neighbour's ground; *l. 125;* or who threw off or defaced or broke any stowes; *ll. 130, 207;* or who set them against the custom; *l. 138.* It was into the stowe that a felon's hand was fastened, by being stricken through with a knife, *l. 221,* as a punishment for the third attain of stealing from a mine.

By the recent Act of 14 & 15 Vict. c. 94, which relates to the High Peak, no mention whatever is made of a stowe; and as by art. 10, the barmaster must give the ground to the miner, and at the same time set down the particulars in his book, it is clear, that both the stowse and the ceremony of nicking are inferentially abolished within the territorial jurisdiction of that Act. *See Tapping's High Peak Min. Cus.* pp. 6, n. (f), 15, 16.

STRINGES OF ORE. A string is a small part of a vein, which separates it from the waste vein. *Mander's Gloss.*

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SUMP. A sump is a well or hole sunk in drifts or the deepest part of the mine to the depth of two or three yards, more or less (*Add. MS.* 6681, p. 928), for the purposes of drainage. A sump has also been defined to be less than a *turn*, ordinarily not more than three or four yards deep, or so deep that a miner can reach out of the corfe to one above him, or he above can, by a rope in his hands, draw up the corfe in which the ore or gear is without a turntree to wind it up. *Add. MS.* 6685, p. 174.

The grand jury have, in order to resolve certain questions presented to them for their opinion, power to open up drifts or sumps in the disputed mine; *l.* 159. *See* DRIFT.

TAKER MEER. When the founder has taken as many meers as he will, and the king's and farmer's half-meers have been set out; if any other person take one, it is called a taker meer, and the act of taking it is quaintly expressed by the phrase "taking at him;" *l.* 63. *Add. MS.* 6685, p. 169. *See* CHASING OF STOLE TO STAKE, MEER, NEXT TAKER.

TEE or TYE, is where a cross vein approaches another vein at nearly right angles, whose side it joins without intersecting or breaking through it. *See* PEE.

TICKETING THE ORE is taking a couple of handsfull off a heap of ore promiscuously, and putting them into canvas bags by way of sample, to which little labels are fixed expressive of the quality of each parcel. *Add. MS.* 6681, p. 928.

TRUNKS are vessels into which are placed smytham, sludge and slime. The trunks are agitated with water, and thereby the metals separated from the base minerals. The operation is called trunking. *See* BUDLE, SMYTHAM. Also, trunks are pipes made to convey air into mines.

TURN. A turn is a pit sunk in some part of a drift. If the mine be deep, many of them are sunk one below the other. *Add. MS.* 6681, p. 928. A turn goes below the shaft down in the vein, and there are more or fewer of them according to the depth of the vein. Thus, as 18 or 20 fathoms is the usual depth of a shaft, and 12 or 15 feet for a turn, so, a vein which is wrought 80 or 100 fathoms down, must have several turns. *Add. MS.* 6685, p. 174.

TURNTREE. *See* STOW.

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TWENTY-FOUR MEN. The twenty-four men, or grand jury, is a body of persons of that number, twelve of whom are chosen every half-year, to redress the grievances of the miners and mines, so that every man serves for a year. *Add. MS.* 6681, p. 928.

By the High Peak Mineral Customs Act, 14 & 15 Vict. c. 94, a grand jury is directed to be appointed; they have specific and very important duties, for which they are paid by fees. *See Tapping's High Peak Min. Cus.* pp. 46—50.

TWITCHES are the contracted or straight parts of the vein, caused by the presence of hard stone, as flint, chert, &c. *Add. MS.* 6685, p. 175.

VEINS. A vein is a cleft or fissure in the earth, and containing different substances, as ore, spar, cauck, clay, chert, croil, and brownhen. If a vein bears ore it is called a quick vein; when none, a dead vein. *Add. MS.* 6681, pp. 928, 929.

A cross vein is a vein which crosses another at an angle; when the miners arrive at the pee or intersection, it is often a cause of dispute as to who shall work it; *l.* 41. *See PEE.* The chief metallic produce of the cross veins in Devon and Cornwall is lead ore, but they seldom yield in the neighbourhood of *lodes* which have been productive of other metals.

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A cross vein must be freed as such, in order to prevent confusion of title; *l.* 44. *See FREEING DISH.*

Beside the above, there are also approaching veins and contiguous or connecting veins, the workings of which in the High Peak have, by the recent Act 14 & 15 Vict. c. 94, been fully provided for. *See Tapping's High Peak Min. Cus.* pp. 8, 17, 18, 103, 107.

VIEW. A view is an inspection of a mine, by properly constituted authority, in order to settle a dispute as to title, trespass, working, &c. The duty of making the views is that of the grand jury, accompanied by the barmaster, instructed by the steward, and furnished with a bill of directions, also sometimes with a cross bill of directions, stating to and upon which parts of the mine, &c. their attention and opinion is requested; *l.* 153. They have power during their view to dial the mine if necessary, in order to see whether the mine has been worked beyond the stake; *ll.* 163, —165, 227. *See DIAL.*

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In the recent High Peak Act, 14 & 15 Vict. c. 94, views are specially provided for, the provisions respecting which form the chief feature of the Act. *See Tapping's High Peak Min. Cus. index, v. View.*

WASH-TROUGH. A wash-trough is a vessel constructed to hold water for the purpose of washing lead-ore therein, in order to separate the lead from the limestone, sandstone, barytes, or other base matter with which it is usually united or mixed; it is sometimes called a hutch, and the process is termed hutching. *See BUDLE.*

The miners, by custom, have a right of way to the water nearest to their mine for the purpose of washing and cleansing their ore, and it is on the banks of the water that the water-troughs are placed. If the owner of the land over which such a customary right of way exists, stop or stay the miners from its enjoyment, he is liable to be sued in the barmote court, and subjected to heavy penalties; *l.* 129.

By the recent Act, 14 & 15 Vict. c. 94, this privilege is reserved to the miners of the High Peak by arts. 2 and 5. *See Tapping's High Peak Min. Cus.* pp. 11, 12, 13.

WATER-HOLES are places made by the miners to collect water, to assist them in cleansing and washing their ore. *Mander's Gloss.*

WIND-HOLES. *See FANGE.*

WINDLACE. An engine to wind up anything out of the grove. *Add. MS.* 6681, p. 930, formerly called a turntree. *See STOWE.*

WIRKSWORTH. Wirksworth is the name of the wapentake or district in the north-western portion of Derbyshire, wherein there are lead mines, the working of which is governed by the very peculiar mineral laws and customs which form the subject of Manlove's poem. Contiguous to the wapentake is the hundred of High Peak, a district also abounding in lead mines, the working of which is also governed by articles and customs much resembling those which obtain in the wapentake. The mineral customs of the High Peak have, by a recent Act of parliament, 14 & 15 Vict. c. 94, been consolidated, modified, and rendered applicable to the modern and improved system of mining. *See Tapping's High Peak Min. Customs.* Some of the customs of the wapentake, date so far back as 16 Ed. 1, most of which are, however, either too barbarous to be recognised, or are rendered obsolete on account of their inapplicability to the present scientific mode of mining.

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Manlove's poem has relation to the mineral customs of Wirksworth only, and therefore does not embrace those of the High Peak; *l.* 1. The barmote courts for the wapentake are, and for centuries have been, held at Wirksworth; *l.* 168.

WOUGHS are the walls or sides of a vein; they are sometimes composed of hard and sometimes of soft stone; when of soft, the miners say they are rotten. Between them is contained all sorts of earth, stones, and other minerals. *See DEADS. Add. MS. 6681, p. 929.* The miner was not allowed to blast his rock, even during the customary hours, unless the woughs were straight, as otherwise accidents would probably occur; *l.* 235.

YOKINGS are pieces of wood joined together within the grove to prevent the earth falling. *Pettus, Fod. Reg. v. Yokings.* A stowe, in order to be available for keeping possession, must have been pinned and well wrought with YOKINGS; *l.* 14. *See STOWE.*