

[This small collection of documents relating to Weardale and to lead mining in Weardale was deposited in the Bowes Museum by R.Nelson J.P. of Bishop Auckland. He may have been a relative of Ralph Nelson (1824 – 1909) a J.P. and leading citizen in the town. The transcripts are from original documents in the care of Durham County Record Office and published here with their permission.

The documents appear to be strays from the archives of the Bishopric from the time of Bishop Chandler (Bishop of Durham 1730 – 1750). 117 – 124 and 138 are concerned with lead mining and the royalty payments due to the Bishop of Durham and the tithe due to the Rector of Stanhope. It had become traditional for both the Bishop and the Rector to negotiate an annual sum of money in lieu of the exact percentage of lead ore each was due. However for three years (1741/2, 1742/3 and 1743/4) Bishop Chandler and Rector Keene, at the urging of Keene, insisted that what they received was the precise value of their respective shares of the lead ore mined in Weardale. This caused a considerable administrative burden for both men, and both employed agents based in Stanhope to ensure that, as far as possible, they received the proper dues based on production and on an annualised average value of a bing of lead ore.

There was also discussion between Chandler and Keene about whether the value of the Rector's tithe or tenth should be taken from the total production of lead ore before or after the Bishop took his lott or ninth. The documents are from this period of three-way debate and show that Bishop Chandler took a personal interest in the sums of money due to him from the Weardale mines.]

#### **29 Oct 1664 Isaac Basire to Francis Goodrick**

[Note: Durham County Record Office (DCRO) D/Bo/F/117. Isaac Basire was the Rector of Stanhope who was restored to the living in 1662 after the Interregnum. Sir Francis Goodrick was temporal chancellor of Durham. John Jeffrayson, who signed the petition, will have been Basire's legal counsel. Basire took no further action in this court after presenting this petition. Subsequently an Act of Parliament in 1667 confirmed the Rector's right to one tenth of the lead ore, washed and ready for smelting. The underlinings and margin notes are additions in another hand – perhaps that of Bishop Chandler. The text has been divided into paragraphs for legibility.]  
R[er] in Cau[.] Dunel[.]

29 Oct 1664

To the Right Worshipfull Sr. Fra[ncis] Goodrick Knight Chancellor of the County Palatine of Durham and Sadberge

Humbly complaining sheweth to your good Worship your Orator Isaac Basier Dr in Divinity & Rector of the Parish Church of Stanhope in Weardale in this County That whereas heretofore by all the time whereof the memory of man runs not to the contrary there hath been and yet is a Custom within the sd. parish & Lordship of Stanhope in Weardale within this County that all the Rectors and Parsons of the parish Church of Stanhope aforesd. their & predecessors Parsons there have by like time of ancient & accustomed usage used to have & enjoy the Tyths or Tenth part of all the Lead Ore,

[in another hand in the margin here: 'The Rector by custom entitled to the 10th pt of all the Lead oar']

whatsoever wrought gotten or digged out of any of the Mines or Groves within the said parish or Mannor of Stanhope of Stanhope (Viz) the Tenth horse load or Tenth bing load or Tenth Fother of Lead Ore [in another hand in the margin here: ' viz 10 horse or Bing'] & amongst others of a Mine or Grove within the said parish or Mannor commonly called or known by the name of Langhte head at Lanktyehead in Burnop & that your Orator Isack Basier, was heretofore many years since lawfully admitted instituted & inducted into the sd. Rectory or parsonage of Stanhope aforesd. as parson there & hath & did heretofore faithfully execute & discharge the C[u]re of the same, untill these late troublesome times of distraction in this Nation, wherein your Orator for his Loyalty & Faithfulness to his late Majesty of glorious memory, was forced to disert the sd. C[u]re & to fly for his Security beyond the Seas, the other party then prevailing, since wch time it having pleased God to restore his Sacred Majesty that now is to the exercise of his royall Office, his Crown & Dignity over these Nations your Orator also after some Sixteen or Seventeen year<s> peregrination abroad returned again to this Nation & according to his ancient right amongst other things was restored to & revested in the sd. Rectory of Stanhope as aforesd. from wch he was a long time unjustly withheld as aforesd. where he now continues parson & Rector at this day & doth & hath ever since his said institution officiated & discharged the sd. C[u]re & resided upon the same & read the Articles according to the Statute in that case provided & done & performed all other things whatsoever wch the Law required he should & ought to perform on his behalf as parson there

As also your sd. Orator does further inform this honble Court that always heretofore he hath duly & truly received th<e> Tyths due to the sd. Rectory or parsonage without any guile fraud or subtraction of <the> same continually from time to time & by all the time until he was so forcibly ousted & unjustly withheld & detained from the same in these late troublesome times as aforesd.

But now so it is may it please your good Worship that one Barnard Harrison of the parish of Stanhope Yeoman & Robt. Bramwell of Wearshead in the parish of Stanhope aforesd. Yeoman together wth one Robt Bestings & Ralph Robinson of the same, by Combination & Confederacy among between themselves & others ill willed

parishioners of the said parish whose names as yet your Orator cannot tell, but prays that when they shall be discovered their names may be inserted into this present Bill wth apt Charges for them to answer unto have by secret contrivance & [unanimous] confederacy one wth another ever since yr said Orator came over Seas to the Enjoyment & Exercise of his sd. Function in the sd. Parsonage or Living of Stanhope aforesd., wch was on or about the time of the happy Restoration of his sacred Majesty that now is, tht is to say for above these Four years last past [in another hand in the margin here: '4 yrs tith subtracted'], they the sd. Barnard Harrison & Robert Bramwell & other the Confederates unknown by subtilous, crafty & underhand dealings & other private & clandestine practices have secretly [consorted] & so endeavoured to subtract lessen & diminish the sd. customary Tyths of the sd. Lead Ore belonging to the sd. Rectory or parsonage of Stanhope aforesd. & do begin to grow so peremptory in the same that they deny all manner of Tyth to your sd. Orator for or by reason of the Lead mines groves or Ore coming & being wrought & digged out of the same & give out in Speaches that there is no such Customs as is afore set forth (annotated in the margin in a different hand: deny the Custom) whereby the parsons & Rectors of the sd. parish Church of Stanhope have had or anciently used or now ought to have the Tyths due for the same Although tht your Orator doubts not but to make sufficient proof of the sd. Customs anciently used within the sd Manor & parish of Stanhope aforesd., by all the time whereof the memory of man runs not to the contrary, yet notwithstanding they the sd. Barnard Harrison & Robert Bramwell have for these Four years last past withheld lessened & diminished the sd. Tyths due for the sd. Lead Ore wch hath been wrought & digged by them their Agents or Servants Grovemen, by all the sd. space of Years aforesd., & also have abetted & encouraged severall others of the parishioners to do the same.

And more particularly they have subtracted & denied the Tyth Ore due for the Lead wrought within the Years aforesd. in a Mine or Grove within the parish of Stanhope aforesd. called or known by the name of Langhtehead a[l]<so> Lanktyhead for the Orator gives this Honble Court to understand & so can prove to the same, tht upon Tuesday the Eighth day of September in the Year of our Lord One Thousand Six Hundred Sixty & Three [annotated in margin in a different hand: 'Subtract the tith in 1663'] your Orator did order & depute one Thomas White & Richard Thompson his Servants, to view & survey the sd. Lead Mines within the sd. parish of Stanhope to the intent that they might inform him what Lead Ore was wrought out of the same, tht accordingly he might know what Tyth to demand for & of the same, [in another hand in the margin here: 'Rector Survey the mines'] in pursuance whereof as they were coming (amongst the rest of the other Mines by them surveyed) to the sd. Mine or Grove called or known by the name of Langhtehead als Langtyhead within a quarter of a mile or thereabouts before they came to the sd. Mine or Grove they did espye Ten or Twelve horses with their Loads upon their backs coming down from the aforesd. Grove but not in the right or common Way wch leadeth from the aforesd. Grove, & after when your sd. Orator's Servants were come unto of the sd. Grove of Langhtehead

& finding there the sd. Robert Beastings & his partner the aforesd. Ralph Robinson who were both above bank of the sd. Grove yr said Orator's Servants asked & enquired of the sd. Robert Beastings & Ralph Robinson whose horses those were wch they see go afar of, & whether they were laden wth Ore or no, & whither they were going but they the sd. Robert Beastings & Ralph Robinson instantly denyed that there was either Man, or horse were loaded there tht day or any time for Fourteen days before whereupon your Orator's Servants thinking that probably they might be deceived being at some distance when they saw the sd. horses so loaden, believing their confident assertion returned back again & went away from the sd. Grove & afterwards returned again & came to the sd. Grove & then they found the place there where the sd. horses were laden & found likewise scattered Ore, & also fresh Dung of the sd. horses, & [tht] they went the way towards Allendall & the places where the horses were laden, were some Twenty or Forty Yards from the sd. Grove [as] also they tract the sd. horses to the very top of the hill where they first discovered them, upon wch misdoings they charged the sd. Beastings wth the same who said tht he was but a Servant & therefore would discover nothing but if he were called upon his Oath, he would then discover the truth, as also he hath declared the same to your Orator, that if he were put to his Oath he would declare the truth, wch misdoings & [undirect] dealings of the sd. Robert Beastings & Ralph Robinson were abetted advised & comanded to be done by the sd. Bernard Harrison or Robert Bramwell or one of them who are the Masters to the sd. Robt. Beastings & Ralph Robinson & who set them on work in the sd. Groves & [condition] wth them for the concealing of what Ore is sold to the intent to defraud yr Orator & consequently in time his Successors of their just & due Tyths for the same

And further yr Orator can prove tht one of your sd. Orator's Servants did afterwards report the sd. passage, before the sd. Robt Bramwell who having been privy abetting & encouraging to the sd. private conveying away of the said Horse loads of Ore as aforesd. & that thereupon the sd. Robert departed without giving any Answer thereunto he very well knowing himself to be guilty of the same.

All wch the doings of the sd. Bernard Harrison & Robert Bramwell Robert Beastings & Ralph Robinson & others the Confederates about the [premises] are not only contrary to just honest & upright dealings, but even tend to the subtracting lessening & withdrawing of the accustomed Tyth of Lead Ore from yr Orator being Parson & Rector of Stanhope & his Successors & consequently will affect the wicked depauperation of the sd. Church, contrary to all good Conscience & Religion & wherewith the sd. Church hath been so long sustained maintained & supported in tender Consideration whereof & forasmuch as yr Orator is quite destitute of relief about the [premises] by the strict Rules of the Common Laws of this Realm, but is only relievable in this Court before yr Worship, where such practices & unjust Combinations especially to defraud the Church, [in another hand in the margin here: 'exchequer Court to prserve the Revenues of See of Durham'] whose Revenues to preserve the godly & sage Judges both of Law & Equity have in all ages been diligent & curious to

pros[ecute] as also in regard tht after a manner & in some sort this case concerns the Revenues of the Sea of the County palatine of Durham, for that by the aforesd. Custom the Ninth part of all the sd. Lead Ore called by the name of Lott does belong to the Lord Bishop of Durham for the time being, as well as the Tenth part belongs to the parson or Rector of Stanhope & for that the preservation of the same Custom will preserve the sd. Ninth part to the sd. Lord Bishop <of> Durham, as well as the Tenth part to the Parson's of Stanhope, both depending upon one & the same Customs [annotated in margin in a different hand: '1/9 pt or Lot oar belongs to the Bp <1/10 to the> Rector Both depend on the Same Custom'] & insomuch as all the Revenues of the sd. County Palatine, have been time out of memory of man & still are most properly within the survey regulation & ordering of this Honble Court, being his Lordship the Lord Bishop of Durham his Court of Exchequer

To the intent therefore tht your Orator may be relieved in all & singular the [premises] aforesd. forasmuch as he confidently hopes that the sd. Bernerd Harrison Robt. Bramwell & Robert Beastings & Ralph Robinson & other the Confederates when known who well know the truth of all & singular the [premises] aforesd., will if called before yr Worship into this Honble & there put to their Corporall Oaths declare & discover such matter thereupon wherein yr Orator may find relief for his Grievances aforesd., To the end therefore tht they may upon their corporall Oaths true Answers make to all & singular the <premises>

And first that they may set forth, what they know concerning the Customs aforesd. & whether they have not heard credibly, or of their own knowledge know not that there is such Customs, as also that the sd. Bernard Harrison & Robt. Bramwell may upon their Oaths setforth, whether or no, within these Four years last past, they have not vended severall barrells of the sd. Lead Ore in horse loads or otherwise without paying any Tyth for the same & to what value the same so sold do amount,

And that the said Robt. Beastings & Ralph Robinson may upon their Oaths setforth whether or no upon or about Tuesday the Eighth day of September One Thousand Six Hundred Sixty Three, there were not such horse loads of Lead Ore as is aforesd. privately conveyed away on horse back towards Allendall or any other place out of this County Palatine without any Tyths paid for the same, & whether or no, the sd. Robert Bramwell did not comand the sd. Robert Beastings & Ralph Robinson to do the same & whether it was not on purpose & with intent to defraud yr Orator of his sd. Tyth due for the same quantities of Ore, and whether the sd. Robert Bramwell, being afterwards told of the same, by one of your Orator's Servants, for being privy & abetting in the sd. contrivance & fraud, did not then depart without answering any thing thereunto

tht so the truth of all the [premises] may fully appear May it therefore please your good Worship the [premises] being considered, not only to grant unto your Orator, one or more of his [Majesties] gracious or Writts of Subpena, under the Seal of this

Honourable Court, to the sd. Bernard Harrison Robert Bramwell Robert Beastings & Ralph Robinson & others their Confederates when known to them & every of them directed strictly charging & comanding them & every of them, under a certain pain therein set down & at a certain day therein limited before your Worship in this honourable Court personally to be & appear & then & there to stand to such Order determination & Decree, as your Worship shall think fit to make therein, but also to grant to yr Orator out of the said Court a Writt of [Ded....s] potestat[ion] to be issued out of the same Court & directed to some such sufficient persons of this County, as shall be thought fit to be named Commissioners therein, to examine Witnesses in perpetuam [...] memoriam for the Evidence & preservaton of the sd. Custom of Tyth Lead Ore as is aforesd. wch said Comission to be executed at some convenient place within this County near the Dwellings of the sd. Witnesses as shall be agreed upon & therein set down in regard that the Witnesses, wch can best prove the said Custom, are many of them extreamly old & decreped, & cannot travell without danger of Life & that their Testimony so taken, may by the said Comissioners be returned into this Court, there to remain upon Record for to testify the same as occasion shall require And your Orator as is duty bound shall ever pray

John Jeffrayson

#### 1 Jul 1732 Peter Whitfield to Edward Chandler

[Note: DCRO D/Bo/F/138. This list is undated but catalogued as c. 1743. It is more likely to have compiled in 1732 for Bishop Chandler. Evidence from elsewhere shows that he commissioned such a list, with the distances of the veins from New House, from Peter Whitfield in 1732, so it was possibly from him. It is likely to have been written between 10th June and 9th July. The earlier date is quoted in the report as being when lead ore was carried away. On the later date Bishop Chandler wrote to Walter Blackett (DUL CCB B 182 121) complaining about ore being carried away. The Bishop's letter was probably written soon after receipt, so 1st July is used here. The additional notes and marks in the margin and on the document are probably in Chandler's hand.]

Account of most of the Vaines above Wolsingham to Killhope head, with their distance from Shortthorns which is Called the Center (below Shortthorns [in a different ink and hand: 'Wr Mr Blackets Steward Mr Peart']

[Above the next entry in a different hand: 'Upon the Comons or Wast']

On the south side of Wolsingham a vaine not wrought	9 miles
[in another hand: 'distant Shortthorns]	
Pikestone a vaine not w	9
South Graine a vaine not w	7
p Shaftwellhead a vaine wrought	6

[next to the above in a different hand: 'Mr Bacon & Mr Blackett.' In the left margin beside it the letter p – or perhaps pn – has been extended to pnershp]

pn Boalehope Harnishey not w 5  
The Ewe Tree 2 vains not w 5  
Calves Grove out to the fell 5  
[After this in a different hand: 'in the glebe pt & pt in the Lease']  
Nuelandside Grove wrought 4 1/2  
[beside the above in a different hand: 'in Park Copyhold']  
one the Billing 3 vains not w 4  
-Wheshhope Grove wrought west & to the east  
[in a different hand inserted: 'to Ld Vanes liberty']

att the Burn begins the ptnShipp this vaine is all

Rich for silver 4

[in margin next to the above in a different hand: 'Mr Bacon worth 4£ per Bing 40<sh in> a Bing better thn the <rest & he> raises a[t] <the 6> mines <do in pportion>']

Other Two Vaines Halfe a mile south East of the Sd 4  
in Swinhope 2 vaines not w 3 1/2  
Do floatwork att the pasturehead not w 3 1/2  
Green Loes a vaine & float wrought 2  
Haidness in Harthope not w 2 vaines 1 1/2  
Rountree sike wrought 1  
Whoesike in Airshope not w 1  
<p> Greenwell wrought – Do 1  
[in margin by the above in a different hand: 'Mr Bacon']

Gravel Lodge a float not w Do 1  
Bishopps stone a Nue Tryal wrought 3  
Winnsike not w 1 1/2  
p Hezlygill in Burnhope wrought 1 1/2  
Do Foxholes not w 1 1/2  
Longtea Head wrought 3 1/2  
[in margin by the above in a different hand: 'a grove']  
Drysike 2 Vains not w 4  
Scraithhead not w 4  
Wellheads in Wellhope not w 2  
Wellhope Moss not w 3 1/2  
Cowhoas in Killhope a float not w 3 1/2  
Do Snodberry wrought 3 1/2  
Do Hillgrove wrought & Hushed 4  
Do Sun Moss not w 4

Do Black leader not w	4
Do Old Moss Grove wrought	4
Do Long Holehead not w	4
Do Trent & Tweed not w	4
Mr Ridley's Groves Hezely Hill Hushed	4 1/2
Do Middle Grove with a Cross vaine	4 1/2
Do [Seavi] Mea not w	4 1/2
Do Burngrove not w	4 1/2
Do next Grove wrought	4 1/2
Do Killhopehead Vaine not w	5
13 w	
The Catt Crag vaine	2 1/2
p Greenfield wrought	2 1/2
Do Guinea Grove not w	2 1/2
Breckensike on Sedling fell not w	2 1/2
Sedling Grove wrought	2
Midgepitts a Cross Vaine not w	2
Do Copt Hills float not w	2
A Nue found Vaine in Sedling head not w	2 1/2
p Broadmeay not w	2 1/2
MiddleHopehead Vaine not w	2 1/2
p EaringClough Vaine not w	2
Blackaxeltree not w	2
on the East of Middlehopeburn a vaine going to be wrought	2
And Halfe a mile beloe Two Hushes wrought	2
Black Clough near Wearshead not w	1
Wearshead Vaine not w) These 2 Each crosses other and	1
Todstone not w ) there is ptnShip in one of them	
Elmeford not w with a string or vaine going of	1
Aller Clough wrought	1/2
Lodgefield wrought & Hushed	1/2
Rakes wrought & Hushed	1/2
West of this said Rakes Vaine there is a [ptn] not w	1/4
Richd Hall's Vaine wrought	1
pinder Loning not w	1/2
p Middlehopeshields floate Joyning to the west	
of Stanhp park not w	1 1/2
Douks in Midlehope not w	1 1/2
Poss Well not	2
[In margin by the next in a different hand: 'In the Park' and then 'Do' has been added to the four beneath]	
Grove Rake slitt wrought	2
Side Grove not w	2

Mickelstone not w	2 1/2
North Vaine not w	2 1/2
The Nue Tryall in Stanhpp park Given over	2 1/2
RookHopehead not w	4
Gorbatmeay a vaine not w	4
Do Grove Rake not w	4
Wolfe Clough a vaine wrought	3
p Lineskarth Clough head a vaine wrought	3
Groves in Rookhope lLett to Mr Rogers Mr Ord & Mr Hudson all NueCastle Gent	
Breckensike 2 Vaines not wrought	3 1/2
Rissbey Two vaines one is wrought & Gets well	3
Longwell & Scarsike not wrought	3
12	

[Added in a different hand: 'Boundary of Stanhop Park']

Above Horslyburn house, Ravensley pasture Billing Easter Lea wester Lea  
Swinhopeburn the wall on the west side in a direct Line to Westgateburn washing  
Wear The wall on the west side of the Burn to thr then Eastward to nigh the Northgate  
Includeing Sunderland to Eastgate Burn the wall one the west Side of the Burn so Cross  
wear to Blakes Ile so down near Includeing Horsly Ground to the Burn in Ravensly  
pasture where we begun

Memerandm. in Nulandside Q: in Maddyson Grays farm there is a Copsyhold Grove  
now wrought & Oare Gott

Eler Gill near Stanhp a Grove wrought 4 miles distant this is a freehold

[added to this in the same hand that has added the previous notes:] but <g.....> out into  
the <F...> Wn Lead is 13.10.0 pr fodder, then oar is 50s a Bing at every advance of 5 sh  
<per tun> oar rises 1 sh.

Washd at Green North Groves Since June Rot. Walter the Carrier at Hawkwell hill on  
Saturday 10 June carried it 6 horses <i a> Bing 1/2

Smelting is getting 1:2:6

Washing)

### 3 Feb 1741 Thomas Westgarth to Unknown

[Note: DCRO D/Bo/F/118. This note is on a scrap of paper and is probably therefore a  
draft. There is no indication who the intended recipient might be.]

February 3 1741

I propose to take a lease of Wolfcleugh vein which has not been wrought for twenty years past for which I will pay five hundred pound premium and also pay the dues to the Bishop of Durham & Rector of Stanhope

Thos. Westgarth

**17 Mar 1742 Edmund Keene to Edward Chandler**

[Note: DCRO D/Bo/F/119 Edward Chandler was Bishop of Durham 1730 – 1750. Edmund Keene was Rector of Stanhope 1740 – 1770 as well as holding other posts including being Master of Peterhouse College, Cambridge. Keene persuaded Chandler that they should receive respectively the actual value of their tithe and lott ore from Blackett rather than a commuted annual money sum. This arrangement took place for three years, 1741/2, 1742/3 and 1743/4, with Keene and Chandler selling their ore to Blackett at an agreed price. The complications for the Bishop and Rector of managing this method of ascertaining the correct value of the dues meant that the experiment was short lived. The date as written might usually imply it was written in 1743 by the modern calendar, but given the content concerns setting up arrangements for collection of the ore, it was almost written in the first year of the new arrangement, ie. 1742.]

My Lord

I have received your Lordships favour, and am sorry to find things so perplexed. The copy of Articles which Mr Dover sent to me some time since, one of which I imagined your Lordship had, I have now enclosed. The particulars tho' some of them were not altogether agreeable, I was willing to consent to, as the time was so far advanced. The delay of payment to the 1st of October is owing to the works having been retarded so much that they cd. not be brought to market. And the signing of them in the Country as Mr. Blacket's credit would be a sanction So it was no difficulty with me; I know not what to say to yr. Lordship's objection to Mr. Blackets or Mr. Aireys books being decisive, tho' at present it appears as if any books, together with Mr. Blacket's, might be relied on.

Mr. Dover in a letter by last post mentions that in the Article which will be brought to your Lordship by Mr. Richmonds order, the mean proportion for fixing the price of lead is to be computed from Xmas last, whereas he [inserted in a different hand: 'Dover'] says it shd. be computed for the whole year as in the original Article which is now inclosed to yr. Lordsp; and he cautions us against allowing this alteration, because lead has been cheaper since Xmas than before. Now all this I do not comprehend because if the mean price be fixed at all, it must extend itself to the whole Quantity of Oar to be sold otherwise it is an incompleat purchase.

I wrote to Richmond some little time past to acquaint that I had consented to his articles, and he sends me in answer by last post thus.

I have received yr. letter wch. I sent to Mr Dover, but he told the Bearer he could not sign the Memorandum because my Ld. Bp would have the Articles drawn and signed in London; so after waiting all this while we are to begin again.

As our Mills stand idle for want of Oar, we cannot wait any longer, so have been obliged to order Mr Peart to send them a supply of Oar, and leave the dues at the Grove, till I know what will be the event of our present Treaty. I have by this post desired a Gentleman to wait on the Bishop with the Memorandum I drew up, wh. I thought might have done, without any farther trouble and expence; and if it be reduced into an article have desired it may be dispatched to you to sign, for otherwise if any wast happen to the dues, we cannot help it, nor is Mr. Blacket answerable for it. – Thus for Mr. Richmond.

The circumstance of the dues being left on the bank is bad, and therefore the sooner they are sold, the more will remain. I hope yr. Lordp. will adjust this matter at once; the delay of wh. has proved both irksome and detrimental to us.

If I did not know Peart, I should be amazed at his impudence in flying in the face of a determination finished in so solemn and deliberate a manner.

I am my Lord Yr. Lordships most Dutifull Servt.

Edmd Keene

St. Peters Coll. Camb  
March 17th 1742.

#### **24 Sep 1743 John Mann to Edward Chandler**

[Note: DCRO D/Bo/F/120. The document Mann copied out for Chandler will have been part of the evidence Chandler was mustering for his discussions with Blackett and the Rector of Stanhope about lott and tithre ore in 1743. It is valuable as a record of the decision in the earlier case of Crewe versus Wharton. The note on the front leaf is probably in Bishop Chandler's own hand and concerns the argument with Rector Keene of Stanhope about when the Rector's tithre or tenth should be taken from the total value of the lead ore produced.]

Durham 24th Sept 1743

My Lord

In obedience to your Lordship's order I have searched for the proceedings in this Cause, mentioned in your Lordship's letter, & on the other side is a Copy of the Finall order made therein, But I have not been able, after a very diligent search, to find the account or the Report thereof made by the Deputy Register But I will renew my search, and if the account or Report can be found, a copy thereof shall be sent to your Lordship, by your Lordship's most obedient humble servt

Jno Mann

In [.....] Dunelm primo die Aprilis Anno Dei 1685 [.....] Regni Dei [.....] [.....]  
[.....] Dei gra [.....] [Anglis] [.....] [.....]& [.....] Regis Fides Defensoris & [.....]  
Inter [.....] Dormer [.....] Attornatum [generalis] Reverendi in [.....] Nathanalis [...]  
Epi Dunelmis [.....] et Humfridium Wharton [....] & [.....] [.....]

Forasmuch as upon the full hearing of the Cause & Council on both sides upon the Second day of September in the year of our Lord 1679. It was decreed therein by this Court (among other things) That the sd Deft should go to an account wth the said Reverend Father the Lord Bpp of Durham before the Deputy Reqr for the ninth Lot of all the Lead Oare got out of the Lead Mynes within the parishes of Stanhope and Wolsingham within the County Palatine of Durham antiently belonging to the Office of Moor Master & late demised to the sd Deft Humphrey Wharton by the Right Revd Father John late Ld. Bpp of Durham (the immediate predecessor to the present Ld. Bpp above sd.) by Indre of Lease under the County Palatine Seal in due form executed for the Three Lives of him the sd Deft & his Sons Robt & Christopher Wharton & the longest liver of them Whereupon the sd Ninth Lot (among other things) is reserved to the sd Bpp & his Successors during the continuance of the sd Term to be clean washed & payable at the sd Mynes at Four Terms in the Year (to witt) at Pentecost, Lamas, Martinmas & Candlemas as the same arises out of the Sd Mynes Since wch Lease the sd late Bpp dyed & the sd present Lord Bpp is & ever since the 20th day of Novr in the year of our Lord 1674 hath been the lawfull Successor in the sd Bpprick from wch time the sd Account is directed to begin & both sides to examine & to have all just allowances therein In pursuance whereof the sd parties having [proceed] in the sd Account wth effect & the Deputy Reqr having made his Report thereof in writing on the 18th day of September last whereunto the Deft filed Exceptions which were set down to be heard at [Mr] Chancellors Chamber in Grays Inn London by order of Court made at the last Sitting held here upon hearing Councell on both sides & with [consent] of parties And the sd Report & Exceptions coming to a hearing accordingly & Councell on both sides being heard thereupon some points being specially reported and there seeming great uncertainty in the proofs touching the quantities & value of the Lead Oare & Ninth Lot in question It was thereupon referred to a Tryall at Law by Order of this Court to be tried before [Mr] Chancellor in the Court of Pleas of this County palatine at this Sitting upon a [feigned] issue , to trye what the Quantum & reall value was of the sd Lead Oare got in the Mynes in Question included in the Defts Lease above sd from the 20th day of Novr 1674 untill the 12th day of February 1676 And what the Ninth Lot amounted to for that time and after such Tryall both sides to resort to this Court for such further Order as should be agreeable to [Sustire] Which Tryall being accordingly had by a select Jury struck & agreed on both sides in pursuance of the sd last Order in the Court of Pleas held the 31st day of March last past after a long Evidence & a full debate by the Councell learned on each side the Verdict therein passed for the plaintiff that within the time of the issue above specified 1575 Bing Load of Lead Oar were got out of the Mynes in question wch was of the value of 24s every

Bing the Ninth Lot whereof was of the clear value of £210 whereupon this Court being now humbly moved by [Mr] Attorney general & Mr Serjeant Jefferson of Councell on the Complots part for Confirmation of the sd Verdict & the paymt of the value of the Ninth Lot thereby found according to the intent of the [Decree] And upon hearing of Mr Serjeant Stringer & Serjeant Shaftoe & other learned Councill for the Deft no sufficient cause being shown to the contrary but assenting thereto & only praying a reasonable time for the paymt wch was not opposed by Mr Attorney It is thereupon now thought fit and Ordered by the Right Worshipfull [Sr] John Otway Knight Chancellor of the County palatine of Durham & Sadberge by Consent of the Councell on both sides that the sd Verdict be hereby allowed & confirmed And the sd Deft Humphrey Wharton shall on or before the 11th day of November next coming satisfy and pay to the said Reverend Father the present Lord Bpp of Durham or his Ass the Sum of Two hundred & ten pounds found by the sd Verdict for the value of the Ninth Lott of the Lead Oare in question in full satisfaction of all such Lott Oare within the time of the sd Issue (to witt) between the 20th day of November 1674 & the 12th day of February 1676 without further order or delay

Jo. Otway

[On front leaf:

Apr.1.1685 [The] case of Chancery for Mr Wharton's paymt of the Bp the Sum of 210l for his 9th lot being the full ninth part of 1575 Bings of lead at one pound four Shill per Bing or 1890 li gotten between 20 Nov. 1674 & the 12 Feb. 1676

In pursuit of a Verdict of the Jury who tryed the cause, & gave the Bp this Sum as a full ninth pt

210 li is the price of 175 Bings at 1l:4sh pr Bing the 9th pt of 1575 Bings is 175 Bings W[he]r[e]as [struck out: 'deducting a full'] a full tenth [load] out of 1890 li had been pd the Rector, the Bp could not have been adjudged 210 for his 9th

### **23 Oct 1743 Christopher Hunter to Edward Chandler**

[Note: DCRO D/Bo/F/121. The context of this letter is a dispute between Bishop Chandler and Edmund Keene, Rector of Stanhope, over whether the Rector's tithe or tenth should be taken before or after the Bishop's ninth part of the lead ore.]

My very good Lord

Durham, Oct. 23rd. 1743

With the greatest Pleasure I give this short Return to your Lordship's kind Desires, concerning your Lordship's Dues belonging to your Manour of Weredale as the Rectors Tyth of Lead Oar.



Provided alwaies that the said Humphrey Wharton & his Successors the Moormasters pay or cause to be paid unto Isaac Basire Dr of Divinity & Rector of Stanhope in the County of Duresme, & to his Successors the Rectors of Stanhope aforesaid, as also to the Rector of Wolsingham in the said County for the time being, & his Successors, the full Tithe or tenth Part of all Lead Oare or Ure digged, won, or gotten, or to be digged won or gotten, out of all or any of the Lead-Mines within the Parishes of Stanhope & Wolsingham, in clean, well washed, & dressed Ure, as soon as it is ready for the Smelting-Mill, without any Abatement, or Deduction of any Charges whatsoever, for digging, working, or getting of the same Lead Ure, or for any other Cause whatsoever.

This Dr. Basire took care to be printed, the Act itself being private has not been published. I find Opposition in the House of Lords from a Copy of a Letter of Bp. Cosin to Mr Wharton, & an Original of the Bp. Of Carlile to Dr Basire dated Savoy Jan. 17. 1666 while the Bill was in that House.

## **2 Dec 1743 John Dover to Bishop Edward Chandler**

[Note: DCRO D/Bo/F/122. John Dover was curate at Stanhope, but evidently concerned with the calculations about the value of the lead ore due to the Bishop of Durham. At this period Bishop Chandler was taking the full value of his lott ore (one ninth of the ore produced in Weardale) rather than a commuted money sum. Keene was Rector of Stanhope and Richmond was Blackett's agent.]

My Lord

Stanhope Decr. 2. 1743

I am honour'd with your Lordships Letter of the 26th Ult., and have on the other side ascertained the Sum due from Mr Blacket to your Lordship for the Lot oar of the last year, I cannot foresee any way whereby they can reduce it lower, unless by deducting £4.15s from the dues of 45 bings got at Prydale, for which they will perhaps alledge they ought but to pay 20s per bing, because it is within the enclosures; and by reckoning the oar of Dodhill at 39s only, whereas it really ought to be reckoned 47s per bing, because got in 1741, though not deliver'd till March last: however both these deductions I have made that if your Lordship shoud think them reasonable, you may make your Demand accordingly. A good quantity of oar got the last year at Pykestone has been lately deliver'd, so that there is a considerable difference in the article between this and the account I sent up in October – I do not think any part of the Poorcess will be wanting; I receivd 6l 7s 6d from Mr Whitaker & that, I believe, will do till Christmas; but the agent has got for the two years ending the 30th of June last 28l 3s 4d only, so that if he is to have 20l per annm. as he expects, and as Mr. Keene pays his agent, there is an arrear of 11l 16s 8d yet due to him.

Mr. Keene is not gone southward, nor does he intend to leave Stanhope till the new year, if then. He bids me acquaint your Lordship that he has some time ago made the

concessions you and he had agreed upon, but that Mr Blacket had hitherto protacted his answer, and this was the reason of his not writing to your Lordship. I cannot see but Mr Richmond persists in his resolution of not working the mines, and will hurt his Master in order to hurt your Lordship & Mr Keene, & whilst he is in this Disposition, all the Groves, excepting the tacks, must be in a very poor situation. Peart the elder continues wrong in his head but is succeeded by his brother, who is no better manager, but has a little more manners than the other. I shall think myself very much honour'd in your Lordships Commands, and am with the greatest Respect & Duty

Your Lordship's most obliged And most Obedient humble servant  
Jo. Dover

[On verso:]

'Oar got out of the Leadmines in Weardale June the 30th 1742 to June the 30th 1743

	B h [s]	s d	L s	L s
Mr Blackt.s Mines	923:0:0	at 39:0	= 1799:17: 0	Lot=199:19: 8
Rispy mine	337:2:0	at 39.6	= 666:11: 3	Lot= 74: 1: 3
Cutt<ing>s of Rispy	8.3.0	@ 27.0	= 11:16. 3	Lot= 1: 6: 3
Dodhill Grove	13:3:1	@ 47.0	= 32: 12: 1 1/2	Lot= 3: 12: 5 1/2
Pyke Stone	12:3:1	@ 47:0	= 30: 05: 1 3/4	Lot= 3: 7: 2 3/4
Pyke Stone more	46:3:0	@ 39:0	= 91:03: 3	Lot= 10: 2: 7
Dodhill –	2:8:9			

The total amount of the lot 292: 9: 5 1/4

The Land Tax deducted 22. 3. 8

So that if the Land tax only is to be allow'd yr Ldshp's demand is 270. 5. 9 3/4

But if the dues of the 45B:3:h:1[s] got at Prydale be reckond at 20s per bing only, & Dodhill which ought to be at 47s be reckon'd at no more than 39s

the deductions will be for 5: 9: 2 1/4

Prydale (copyhold <.....>) 4:16:10 1/4

& for Dodhill 12. 4

£5: 9: 2 1/4

In which case there will be due no more than 264:16: 7

[scribbled in a different hand beneath is the following sum:] 22 3 8

242 12 11

[in the same hand as this sum is the following:]

[...] The quantity of oar delivered <Since ... last> from Pikestone & got in 1742 & to be accounted in the reckoning for 1742?

An account of the mony I have Receiv'd  
To the Ninth of 216B:1h got at Rispy

How disburs'd  
Paid to Mr Whitaker 40:00.00

From august the 1 1742 to octobr 1741  
3rd. 1741 at 48s per Bing

To the Agent 28: 3.<4>  
To the Overseer of  
The Forest Quarter 6: 7: 0

L

Receiv'd of the Company 57:13. 4  
Of Mr. Whitaker for poorcess 6 7: 6  
Det <.> For T.Walton 10:10. 0  
£74:10:10

£74:10:10

[In the same scribbled hand as the insertions above is the following:]

Agent pd to June 30 1743

28: 3: 4 by Mr Dover

11 16: 8 Still Due

40 0 0 for 2 yrs

#### 16 Dec 1743 Joseph Richmond to Edward Chandler

[Note: DCRO D/Bo/F/123. For a period of three years Bishop Chandler received his royalty dues (lott ore) calculated on the actual production of the mines year by year rather than taking a regular unvaried annual sum of money. This letter from Blakett's agent demonstrates some of the complexity of the calculations involved and Chandler reverted to accepting an annual sum in lieu the following year.]

My Lord

Mr Richmond 16 Dec 43

I Receiv'd your Ldships Lre of the 10th, with your Account of the lot Oar raisd in Weardale between the 1 July 1742 & 1st July last, which differs 9l.12s.7d with the Acct sent to me by the Grove Stewards, whose acct I have herewith inclosed, & desire yor. Lordsp will please to send it to your Agent with Directions to compare matters with Mr Blaketts servants in Weardale that wee may know where the mistake lies, When that is done I will endeavour to get your Lordsp a good bill for what shall appear due . The Difference between the two accts. is chiefly at Dodhill & Pikestone, the Oar delivered from the former is return'd to me to be got in Midsummr Quart.last, & therefore is charg'd at 39s, the mean price for the last year, & as to Pikestone I fancy yor. Agent has included some oar delivered since 1 July last, wch. must come into the next years acct., for wch. wee have agreed at 4[0]s a bing, I am

My Lord, Your Ldsps most obedt hble Servt

Joseph Richmond: 16 Xber

13 Jan 1744 Joseph Richmond to Edward Chandler

[Note: DCRO D/Bo/F/124. This item is incorrectly entered in the DRO catalogue as being dated 13th January 1714, when in fact it was written on 13th January 1744 in the modern calendar. The note on the reverse of the letter is probably in Bishop Chandler's own hand.]

My Lord

I have us'd my best Endeavours to procure your Ldship a bill for the amount of your last years dues, but without Success: here being no trade stirring at present, neither has Mr. Denton, who I intended should have paid you in London any money of Mr Blackett's at this time in his hands, so must desire your Lordsp will order your Steward at Durham to call upon me for the money, which will be no more than 255l.16s.4d after deduction of the land tax, for Mr Dover is mistaken as to Dodhil grove, as the inclosed paper will show, & as to the Difference at Pikestone it will come into the next years acct to wch. it properly belongs, having been delivered since the 30th June last. I have re-examined the Acct & think the other Articles are all right cast up, I wish your Ldsp many happy Years &am

My Lord, Your Lordsp's Most obedt hble Servant

J Richmond

Newcastle 13th Jany 1743

[On the back is a note:]

Mr Richmond 13 Jan 1743

To Show Dodhil Lot was got before 1741 & that only due to me 255:16 4