

## THE BURGOPYNE MINES AT ECTON IN THE SEVENTEENTH CENTURY

by J.A. Robey

The history of the Ecton copper and lead mines in the Manifold Valley of Staffordshire has already been told in detail (Robey and Porter, 1972), but inevitably there were gaps in the story of this important mine. The most notable omissions were the details of mining in the Burgoyne royalty earlier than the nineteenth century. Scraps of evidence were available, but not enough to make the kind of continuous narrative that had been given for the Duke of Devonshire's royalty. Recently papers have been found that highlight a dispute at the Burgoyne mines in the late seventeenth century and these throw some light on the commencement of mining there. Unfortunately these papers, in the Woolley Collection of the British Museum and the Gell Papers in the Derbyshire Record Office, are largely concerned, in a very verbose way, with legal detail and are not as informative as one would hope. Nevertheless with a reasonable amount of deduction and circumstantial evidence, some useful information can be obtained.

The first document (Woolley Collection) is entitled 'Copy of my opinion of the Case of John Clayton and other myners at Eckton' by Hugh Bateman, dated 13 Dec 1672. Hugh Bateman was probably the lawyer of that name from Gray's Inn, London, who was related to the Batemans of Middleton by Youlgrave. The second series of documents are five undated letters (although they must have been written after April 1672 and probably at the same time as the Bateman letter) from an unnamed writer 'for his loving sonne John Gell at hopton in Derby'. These letters could not have been written by Sir John Gell the Parliamentarian as he died in 1671, but were probably written by his son Sir John (1613-1688/9), who was M.P. for Derbyshire and lived in London to his son (also John Gell), who was a lawyer of Gray's Inn, but no doubt staying at Hopton when these letters were written. It is not clear whose case Gell was commenting on; possibly it was a second opinion for John Clayton. The plaintiff was Sir Richard Fleetwood and as John Gell the Parliamentarian had sieged and captured the Fleetwood's home at Wootton Lodge in 1643 during the Civil War, the two families are unlikely to have been very friendly.

The mineral rights on Ecton Hill were the property of two families. To the north the mines (including the extremely rich Ecton Mine itself) were owned by the Earls — later Dukes — of Devonshire, while to the south the mineral rights belonged to the Burgoyne family. This southern portion included Clayton Mine, the other large mine on Ecton Hill. (The exact line of the boundary is shown in Figs. 1 and 6 of Robey and Porter, 1972.) In the sixteenth and early seventeenth century this southern portion was owned by Sir John Burgoyne of Sutton, Bedfordshire, and his son Sir Roger, but in 1648 they sold the land, reserving for themselves the rights to mines of lead and other ores. Sir Richard Fleetwood (?-1649) of Calwich Abbey near Ellastone held a lease from the Society of Mineral and Battery Works (who controlled the Crown's rights to mine for copper in this part of Britain) to work mines of copper in Staffordshire and Derbyshire from the 1620s. He asked to renew his lease in 1640, but as he had not paid the rent this was refused. He was described as a master of the lead mines in Staffordshire in 1630.

On 18 April 1672 John Clayton and other miners were granted a lease to work a meer of ground at Ecton from Sir Roger Burgoyne. They were granted one meer of ground 30 yards long and 15 yards broad and after sinking a shaft found lead ore in an east-west vein. But Sir Richard Fleetwood (presumably the grandson, 1628-c1700?) had also started mining close to Clayton's shaft and this had caused a dispute. Fleetwood had been able to mine on the Burgoyne royalty at Ecton because some mining had been allowed by 'particular agreements' (i.e. to Clayton) and 'some by articles' (i.e. a general right to mine at Ecton granted to Fleetwood). So there was the rather unusual situation of Fleetwood being allowed to mine in the Burgoyne royalty (possibly only for copper and possibly granted by the Mineral and Battery Works, but this is not mentioned in these papers), but one meer of this was specifically granted to Clayton, thus excluding Fleetwood from this particular area.

Then there arose the problem of how close Fleetwood's miners were allowed to Clayton's shaft, and this raised the question of the quarter cord. The quarter cord was a quarter of a meer (7½yds in this case) on either side of the vein allotted to the miners for them to deposit their rubbish, erect buildings, wash ore, etc. Fleetwood's shaft was certainly very close to Clayton's, but more than 15yds (allowing 7½yds for Fleetwood's quarter cord) from the centre of the vein. But it was stated in opinion that the 7½yds were to be measured from the side walls or woughs and not the centre of the vein. Since the vein was very wide Fleetwood was trespassing by sinking his shaft less than 15yds from the south wough of Clayton's vein. The inference from both Bateman's and Gell's papers is that by 1672 it was well-established that the quarter cord was to be measured from the woughs or walls of a vein, although this was the decision of a long legal wrangle in the 1690s at the Wensley mines and again in 1753. As was stated in the 1690s if the measurement was from the centre of the vein then for very wide veins the miners would be trespassers on their own mine (Kirkham 1968)!

The outcome of the Ecton dispute is not known; presumably Fleetwood had to abandon his shaft and move more than 15yds away from the edge of Clayton's vein; but it does provide a number of useful facts. The inference from Robert Plot (1686) that the Earl of Devonshire and Sir Richard Fleetwood worked mines at Ecton jointly appears to be incorrect; the Earl of Devonshire worked mines on his own land, while Sir Richard Fleetwood worked mines on the neighbouring Burgoyne royalty. The Clayton Vein was discovered in 1672 and named after the miner John Clayton. Its wide extent was appreciated almost at once, although it is not known when it was realised that it was a pipe vein. Initially at least lead ore only was discovered, as there are several references to a 'leade myne', but none to copper, although quantities

of copper ore were obtained from the Earl of Devonshire's mines to the north in the 1660s (Robey 1969).

As shown recently by Hammersley (1973) in an authoritative article on the English copper industry, Ecton was the only serious attempt outside the Lake District and Cornwall to mine copper in Britain in the seventeenth century, although the annual production was no more than a tenth of that mined at Keswick.

#### Acknowledgements

The author would like to thank Roger Flindall for bringing these documents to his attention, to Nellie Kirkham for correspondence and to the Derbyshire Record Office and the Local History Department of the Derbyshire County Library, Matlock.

7th September, 1975.

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