

# MEMOIRS

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**DOCUMENTS RELATING TO THE BELDI HILL DISPUTE**

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COPPY

AFFIDAVITS MADE BEFORE Mr. HUTCHINSON OF RICHMOND  
IN THE YEAR 1768 BY

Mr. JER. HUTCHINSON, JAMES ALDERSON, JOHN DAKIN  
ROBT. HUNTER, CHRIS METCALFE  
LIKEWISE

COPPY OF AFFIDAVIT MADE BY MR. SMITH IN THE YEAR 1768.

Esparto quer

Jeremiah Hutchinson's Affidavit

|              |   |      |       |
|--------------|---|------|-------|
| Lord Pomfret | In Chancery between George Earl of Pomfret  |      |       |
| &            | and Anna Maria Countess of Pomfret his Wife | .... | Plts  |
| Smith        | and Thomas Smith and others                 | .... | Defts |

Jeremiah Hutchinson of Reeth in the County of York Gentleman maketh oath and saith that he hath heard & beleives that the sd. Thos. Smith one of the Defts in this case pretending some Right thereto bath entered upon & taken posson of a certain Lead Mine called Beldi Hill Lead Mine in the Complts. Billmen<sup>d</sup>. to be situate and lying within and being this Deponent bath often times heard that of and believes part and parcell of the Commons Common Wastes or Waste Ground which belongs to the Manor of Healaugh in the complts also ment<sup>d</sup>. And this Depit. bath heard & beleives that the sd. Thos Smith bath recently granted Lease or Taken note thereof to the other Derts or some of them for some Term of years and this Dependent saith that the sd. Thos Smith & other Defts or his Undertennants or their workmen for some Time last past have actually worked the sd. Mine called Beldi Hill Lead Mine & have raised from & out of same a very considerable Quantities of Lead Ore and have sold and disposed therof for their own uses as this Dependent bath been informed & belaives and this Deft. also saith that he is Recr. of the Estates of the late Duke of Wharton & by the Direction of the Complts. sometime in or about the Month of February last gave Notice to the said Defts John Scott & Richd. Metcalfe of the Complts Right to the sd. Beldi Hill Lead Mine & claimed same for the sd. Complts and this Dependent saith that since the Notice given & claim so made by the

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Deft as afs'd he this Dept required the said Deft John Scott and his partners to Desist from working the said Mine - But they absolutely refused so to do and now are working the sd. Lead Mine for their own Use and Benefit and this Deft further saith that he this Dept hath heard adn beleives that the sd Beldi Hill. Lead Mine is very beneficial and profitable & of Great Value & that the sd Defts or some of them are now working the same & raise great Quantities of Ore therefrom.

Jer Hutchinson.

Taken & Sworn at Richmond in the sd County of York this 5th. Day of July 1768 before me

Thos. Hutchinson a Master Extraordinary in Chancery.

James Alderson's Affidavit

In Chancery between George Earl of Pomfret and Anna Maria

Countess of Pomfret ..... Plts

and Thos Smith and others ... ..... Defts

James Alderson of Stowe Gill in Westmoreland Yeoman aged 72 years maketh oath & saith that he knows & hath known a large moor common or Parcell of Waste Ground called Hall Edge or Hall Moor in Swaledale in the County of York for 49 years last past & upon oath saith that the same is and always during the Depts knowledge of the same hath been reputed and taken to be part & parcell of the moors commons or waste grnd within the Menor Healaugh in the sd County of York saith that about 30 years ago a Lead Mine Wl. thin the said moor or waste ground called Hall Edge or Hall Moor was begun to be wrought & called Beldi Hill Mine by Thos Clarkson Abraham Fryer & this Deponent who took the .... of Wm Clarkson an agent under Jas Close Esq Chief agent in the County under the trustees of the late Duke of Wharton saith that he this Dept. worked in the sd mine called Beldi Hill Mine along with one John Daking all the Time the said John Daking worked therein wch this Dept beleives was from the Month of May to the beginning of Decr. then next following without Interruption when this Deponent & others working in the sd Mine desisted from working therein being informed by the sd William Clarkson that there was no prospect of winning ore in the sd Mine or words to that effect, wch Discouraged this Dept & others from working any longer in the sd mine saith that he this Dept about 48 or 49 years ago went to live at East Stonesdale in the Manor of Healaugh & lived there for 19 years saith that during that Time this Dept Horses & cattle went upon the sd common or waste ground

called Hall Edge or Hall Moor without any manner of Molestation or Disturbance as part and parcell of the waste grnds of the Manor of Healaugh and that the sd Moor or waste is not divided or separated from the Rest of the Waste Grounds in the sd Manor by any Hedges or Fences Whatsoever but always during the Depondents Knowledge of the same hath been reputed to be & taken as part & parcell of Waste or common of the sd Manor & saith that the sd Moors or Wastes within the sd Manor go & are called by different Names in different parts of the sd Commons or Wastes and this Dept further saith that he believes & bath been informed that all the Mines & Minerals within the Moors and Wastes within the Manor of Healaugh belong to the Trustees of the sd Duke of Wharton and were reserved by them.

James Alderson

Sworn at Richmond the 5th. Day of July 1768 before Thos. Hutchinson  
 Same ) John Daking of Calvert House in Swaledale in the County of  
 Agt ) York - Miner aged 57 years maketh oath & saith that he knows  
 Same ) Beldi Hill Lead Mine & that the waste ground in which the sd  
 Beldi Hill Lead Mine is situate & being is commonly called and known by  
 the name of Hall Edge or Hall Moor & is within the Manor of Healaugh  
 and saith that he has known the sd Manor for 30 years last past this Dept  
 having so long ago wrought as a Miner or Workman within the sd Mine  
 under Thomas Clarkson & Abraham Fryer Lessees of the Trustees of the  
 late Duke of Wharton who took the same of Jos Close Esq Chief Agent in  
 the Country of the sd Trustees as this Deponent was informed by the sd  
 Clarkson & Fryer saith that he began to work in the sd Mine sometime  
 in the Month of May 1738 & continued to work therein under the sd Thos  
 Clarkson & Abraham Fryer until the beginning of the Month of Decr then  
 next following and this Dept further saith that the sd Waste or Common  
 called Hall Edge or Hall Moor in wch the sd Mine called. Beldi Hill Mine  
 is situated & being is part and parcell of the Commons Moors or Waste  
 Grds with the sd Manor of Healaugh & has been looked upon and reputed  
 to be such during all this Depondents knowledge of the same & not fenced  
 of or seperated from the other part or parts of the sd Moors or Waste Grounds  
 within the sd Manors by any Hedges or Fences whatsoever But saith that  
 the sd Moor or Waste Grd within the sd Manor in different parts thereof are  
 called and known by Different Names and this Deponent bath also heard,  
 been informed and always understood that all the Nines and Minerals of  
 what Nature soever within the Common & Waste Grds within the Manor of  
 Healaugh afosd were reserved by the sd Trustees saith that he this Dept &  
 others working on the Mine for the Time above set forth wrought in the  
 said Mine without any Disturbance or Interruption whatsoever and that one  
 Jas Alderson wrought with this Deft in the sd Mine & the

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Reason why this Deft & others working in thr sd Mine desisted from working there of they were discouraged by one Wm. Clarkson Under agent of the sd Jas Close who told this Dept and said other persons that was no prospects of getting ore in the sd Mine or Words to that effect.

John

Dakin.

Sworn at Richmond as above.

Same ) Robert Hunter of .... .... in the County of York aged 68 years  
Agt ) maketh oath & saith that he knows & hath mown a large Common,  
Same ) Moor or parcell of Waste Gns called Hall Edge or Hall Moor for  
About ... years last past and saith that the same Moor or Waste grd is part  
and parcell of the sd Commons & Waste grds within the Manor of Healaugh  
in the County of York saith that within the sd Moor or Waste called Hall  
Edge or Hall Moor there is a Lead Mine called Beldi Hill Lead Mine and  
that this Dept knew the same Mine about 30 years ago when the same was  
first begun to be wrought and that Jas Alderson and John Daking were two  
of the persons who first worked the same and this Dept further saith that  
about 48 years ago he this Dept went to live at East Stonedale within the  
said Manor of Healaugh & lived there for two years during which time this  
Depondents Horses & Cattle & the Horses & Cattle of all persons living in  
East Stonedale afsd went upon the sd Moor or Common called Hall Edge or  
Hall Moor this Dept having seen the same upon the sd Moors or grds & all  
other the Waste Grd Commons & Moors within the Manor of Healaugh and  
saith that the sd Moor or Waste Grd called Hall Edge or Hall Moor is not  
divided or separated from the rest of the Waste Grounds within the sd Manor  
of Healaugh by any Hedge or Fence whatsoever and saith the sd Common &  
Waste Grounds within the sd Manor in different parts of the same go by and  
are called Hall Edge or Hall Moor was always reputed and taken to be during  
the Dept knowledge of same part and parcell of the Moors Commons and  
Waste Grnd within the sd Manor of Healaugh and saith that this Dept bath  
been informed and beleives that all the Mines & Minerals within the Moors  
Commons or Waste Grounds within the Manor of Healaugh belong to the  
Trustees of the late Duke of Wharton & were reserved by them.

Robert Hunter.

Sworn as above.

Same ) Chris Metcalfe of Ivelett in Swaledale in the County of York  
Agt ) Miner aged 52 years maketh oath & saith that he knows & bath  
Same ) known a large Common Moor or parcell of Waste Gnd called Hall  
Edge or Hall Moor for about 40 years last past saith that the



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Bill Ment called Spout Gill Mill as part of the premisis comprised in his said Purohase and verily beleives the said mill is not excepted or intended to be excepted out of his sd purchase.

T. Smith

Swarn at the Public Office the 15th. July 1768  
before

T. Anguish.

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