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**PORTION OF LETTER AND PLAN RE BELDI HILL FLOODING
OF MINE ETC.**

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J.L. Barker, Esq. Healaugh.
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Gunnarside June 14th. 1781

Sir,

Upon the 11th Instant I Recd. your letter Dated the 7th., & have Inclosed you a Plan of the Situation of the Ground in Swinnergill, to make every Particular so Intelligible, that you may be Able to judge more properly of the whole. In the first Place Mr .Close has brought these Actions against Samuel Bacon, John Calvert & Samual Peacock, the three men who Stopped the Level.

[89]

I will proceed to give you an answer as fully as I can to every Question in course as you have stated them.

1st. Quest: Wr. in Stopping the level, the men Entered upon or Broke their Soil. I answer the men never Entered upon, or Broke any of their Soil.

Wr. - The Ground they went upon to Turn the Water, was their Ground. I answer Mr. Smith is the Lord of the Soil, & in our lease gave us a Power to cut or make water races for Conveying of Water to our Workes to Wash the Ore etc., The Trustees having sold to him the Mannor with its Appurtenances, Except the lead Mines, & tho' we have gone to the Fountain head which is beyond the Extent of the Outpasture to Bring Water, yet we look upon it as no Trespass. The Water race being made long before they began their Workes.

Wr. ,the Water Turned, run over their, or any of their Ground. I answer, if you turn to the Plan, it will make you Sensible that the Water never run over any Part of their Ground upon the Surface but run into the Beck.

Wr. any of the Water,& what Quantity run into their Mine, or Otherwise & by what means came there. I answer, Samuel Bacon was the Person we Employed to Stop the level,& When he had finished it, (without any Orders from the Partnarship) he Turned some Water out of the Water course into our Second Shaft upon the North Vein, but the Quantity (I cannot Judge of,) to try if the Level was effectively Stopped. Sometime after this was done, Mr. Close sent his Agent & 12 Miners to tear in pieces our Water Races, in that part of the Ground betwixed the Fountain head & the Outpasture, & some of them did Damage to the Water Course within the Pasture, from that time, no water has run into the Shaft but what Drained from the Moss, when the Rains fell.

LETTER AND PLAN RE BELDI HILL FLOODING OF MINE ETC.

Wr. it was the Water in Particular that prevented the working. I answer att this very junction tho' it is such a Dry Season, they are still prevented by Water from getting into their Workes. Therefore it must plainly Appear to every judicious Miner, that it is the Strong Feeders which Attends the Vein, (having no Descent thro' our Level) that fill their Workes, & it may be proved by their Own Workmen that it is Inpracticable to Worke the Vein without a Level, - that they could not have raised so much Ore the last Account of it had not been for our Level, & therefore if Samuel Bacon had never pursued his own Schemes they would have been as much Distressed.

Wr. any Person was present or Saw them, or could See tham Stopp this Level or Turn the Water, & Wo. I answer the three men before mentioned Stopped the Level, and none of Mr. Close Workmen ever Saw them. Yet the [90] Design of stopping it could not be Otherwise but made publick. Before we attempted to Stopp it we delivered Mr. Close some hansome Proposals and have sent you a copy of them as to turning in the Water, three of their Workmen, to wit, Nm. Metcalfe, John Daykin, & John Coulton will Swear that they Saw Samuel Bacon and the other two, turn in the Water, tho' I do not beleive they ever did, yet might see them from their Workes, make some like preparation.

It is customary in all Mining Countries where Levels are Carried up, that where two Different Lords are likely to Partake of the Benefit, they equally Contribute to the Expense, or the One pays the Other a certain Sum for every Bing of Ore he raises by the help of the Level. There was never no such Instance in Swaledale, the Mines belonging entirely to the late Duke of Wharton.

On Monday last Mr. Close begann to Carry up a Level at Swinnergill, which will last for a great many Hundreds, & will be several years in perfecting, he having begun it on hard Rock very injudiciously, his Scheme is certainly to Consume the Profits & the Trouble he gave us, is purely to gratify his revengeful temper.

Plan References

- A - Represents the Out Pasture wch we leased of Mr. Smith
- B - The Liberties belonging to the Trustees.
- C - Swinnergill Beck running into the River Swale.
- D - The Head of the Water Race for bringing water to our mines.
- E - The Mouth of the Level carried up to our first shaft where we discovered the vein. The two red lines - the Sun Vein and North Vein.*
- F - Our second shaft in the North Vein.
- G - The first shaft in the Liberties belonging to the Trustees.
- H,K,L- Are the three cracks from wch the water run down the side of the hill into the beck.

* Not now visible on original map - J.L. Barker

