

Excursion : Tuesday.

On the conclusion of the Annual Meeting, the party visited
Shepton Mallet Parish Church.

Mr. B. EDMUND FERREY, F.S.A., commented on the chief architectural features. Beginning outside the west end, he first drew attention to the three broad types of Somerset tower : (1) the Taunton type, where the pinnacles are all of the same height, and where there is no connection between the several stages, as exemplified in St. Mary Magdalene, at Bishop's Lydeard, Bruton, Huish Episcopi, and Chewton Mendip; (2) the Bristol type, where the stair-turret is brought into prominence, as at Dundry, St. Stephen's (Bristol), Yeovil, and Montacute; (3)

the Wrington type,—considered by Mr. Freeman the best, as here the stair-turret is finished off below the bell-chamber, and the rest of the tower thrown into one grand stage. The tower at Shepton was a good instance of the plainer Perpendicular type of the county. In plan, the buttresses resembled those to Evercreech tower, and others in the locality. The three niches above the west doorway represented in the centre our Blessed Lord; on the north side, St. Peter, holding a key in his right hand, and a model of a church in his left. On the south side is the figure of St. Paul. There was the commencement of a spire. The fan-vaulting to the ground storey of the tower, as well as the tower arch itself, were of bold, vigorous Perpendicular work. One was impressed by the unusual narrowness of the nave and charmed by the exquisite and almost unique variety in the roof panels, which was extraordinary; there were said to be two hundred and fifty—no two alike. The body of the church—originally cruciform in plan—had been considerably modernised; the aisles having been rebuilt in 1837, when they were made much wider than before: and the chancel in 1851. The massive piers, of Transitional Norman character, to the nave arcade, which have been much restored, are very unusual, and would seem to indicate some alteration or enlargement of the church in the middle ages. The clerestory was added in “Perpendicular” times. The pulpit is a good example of the same period, though it had been altered since first built. The opening through the pier against which it was attached was, however, original. The picturesque niche at the south-west angle of the chancel arch respond deserved notice. In the rebuilt chancel had been preserved the very beautiful double piscina, of thirteenth century date, supported on two shafts; a design of unusual character. The vestries at the east end of the south aisle were modern. The ancient two-storied sacristy, with its stair-turret, forming a good external feature, still remained on the north side of the chancel, but had been converted into an organ chamber.

Mr. FREEMAN said he had not been inside the church since the Society visited Shepton nineteen years ago. It was well worth comparing with a good many other churches in the neighbourhood, and it had one of the finest roofs anywhere about, being a characteristic type of roof in the county.

Mr. FRANK ALLEN made a few remarks on the comparative width of the nave before and after the restoration.

By will, 7th January, 1520, Richard Raynon gave to the two Guilds of the Church of St. Michael and Michael Stoke, the lands which he bought of Somewell, for which he charged the Guild Wardens of Holy Trinity and St. John Baptist to keep yearly on his burial day, a dirge and two masses by note, fixing payments to the clergy, and a dole in bread. He gave also, after his wife's death, the lease of Smaldon (Evercreech), held for sixty years, and renewable under the bishop, to the church of St. Michael, to secure obits for himself and his wife. (Probate, 1520, in Diocesan Court.) The wardens of this bequest, with the consent of the parishioners, passed the lease, by Indenture, 8th December, 27th Henry VIII, to Elizabeth Fitzjames and her husband, John; and she, in 1545, 37th Henry VIII, sold it to John Horner of Lye, for a sum not named, and a rent of £13. 6s. 8d. for her life; John Horner exonerating her from all charges. (MSS. *penes* T. E. Rogers, of Yarlington.)

At Shepton, as in other places, church disputes ran high in 1642. The inhabitants (June 9th) petitioned the House of Commons:—That the parish was exceedingly populous,—there being two thousand communicants,—but Mr. Cooth, the parson, would not preach in the afternoon on Sabbath days, and none preached for him. They prayed, therefore, that Mr. Robert Balsome, a pious and orthodox Minister, for whom they were content to make a competent allowance from their own purses, might be settled as their Lecturer. (*Commons Journals.*)

In 1659 a curious dispute arose, the question being, whether the rector of Shepton received a pension or payment of £1. 7s. 8d. from the rector of Croscombe. The questions put to the witnesses were: Do you know, or have you heard, that the rector of Croscombe ever paid the said pension or performed any service in the church of Shepton on St. Peter's day; or that he went into the rectory house to dinner, with a hawk and a hound, on St. Peter's day? Do not the lands of Croscombe and Shepton lie intermixed, and was not the said pension paid, either for tithes or for lands belonging to Shepton? Was not the parson of Croscombe called on, on St. Peter's day, in the parish church of Shepton, to appear there by himself, his man, his hounds, and his hawks, and what was the service or duty required of him? Whether was he to dine with the parson of Shepton, and what to have for dinner? Has the said payment ever been refused?

In answer, John Cooth, "formerly," rector of Shepton, declared that he had received the payment for twenty-two years, and of two former rectors of Croscombe, viz., 6s. 8d. at Christmas, 13s. 4d. on the Feast of St. Peter, and 6s. 8d. at Michaelmas. He had heard from Mr. John Barnard, who presented him to the parsonage, and who died about thirty years since, aged eighty, that the parson of Shepton had endowed Croscombe with some tithes, upon condition, with consent of the patron or ordinary, that the parson of Croscombe should, on St. Peter's day, come into Shepton church, and there read the Epistle. He had heard the clerk in Shepton church, immediately before the Epistle was to be read, on St. Peter's day, call on the parson of Croscombe, saying, three times: "Parson of Croscombe, come in and do thy duty. Parson of Croscombe, come in and do thy duty. Parson of Croscombe, come in and do thy duty." But no parson of Croscombe ever came to his house to dinner, with a hawk and a hound, on the said day.

Another witness said that the grounds of Shepton, about

the west end of Westfield, lie intermixed with Croscombe. In his memory, until of late years the service on St. Peter's day had not been used, the parson of Croscombe was, in the time of morning service, constantly called on to do his duty, but "did fail of his appearance," except only in one year, about twenty years since, when, being present, he stood up in the church and publicly said, "I do acknowledge it, and so it is done;" or words to that effect, but did not do any service, only made a payment of 13s. 4d. There was a door of the church of Shepton called or known as the Croscombe door, which, on St. Peter's day, in the morning, was opened for the parson of Croscombe to come in, if he had so pleased, to do his duty there; but he had never known him answer to the call. The door was not otherwise usually opened. When the aforesaid duty was performed, the parson of Croscombe, taking with him his man, his hawk, and his hound, dined with the parson of Shepton on a calf's head and bacon.

No evidence could be produced to certify that the whole service had ever been fully performed. (*Excheq. Dep.*, Easter, No. 19.)

The Market Cross.

This, the original structure, is well kept in repair, from property left for the purpose.

The first notice of a market is in 19th Henry III (*Close Rolls*, pt. i, m. 16) when Hugh de Vivon was given the right to hold one at his manor of Shepton every Thursday, and also a fair there on the eve, day, and morrow of St. Peter ad Vincula. But this grant was opposed by the bishop, as interfering with his market at Wells, and he obtained an order prohibiting it. (*Close Rolls*, 19th Henry III, m. 1.)

The next year, Hugh de Vivon obtained a grant for the fair to be held on the eve, day, and morrow of St. Peter and St. Paul, notwithstanding the removal of the "market." (*Close Rolls*, 20th Henry III, m. 15.) In the same year (m. 18) the bishop was again on the look out, and obtained an

order that the sheriff should be commanded to cause the charters to be observed concerning markets which were not to set up to the prejudice of the bishop's markets.

In 44th Henry III (*Charter Rolls*, No. 28, m. 5) Robert de Bello Campo, and his heirs, had a grant of a market each week, on Wednesday, and a fair each year, for three days—the vigil, the day, and the morrow of the Decollation of St. John Baptist.

In 11th Edward II, Reginald Fitz-Reginald was granted the same privilege for Wednesday, and a fair each year, for three days—the vigil, the day, and the morrow of the Ascension (*Charter Rolls*, No. 35); and in the same year and month, Cecilia Bello Campo, and her heirs, had also a grant for a market at her manor of Shepton Malet, every Monday, and a fair every year, for three days—the vigil, the day, and the morrow of St. Barnabas the Apostle. (*Charter Rolls*, 11th Edward II, No. 36.)

A list and a history of the fairs and markets for the county should be worked out, with the question of their origin—such as, whether only for the profit of the lord—and with the question of their utility, what the population in early times may have been. The latter question is somewhat difficult, as there are no early data. A poll tax ($\frac{1}{33}$ No. 2) of 51st Edward III (1377), of four pence, from all persons of fourteen years old and upwards, produced in Shepton from 285 persons, £4. 15s. ; from Doultling ($\frac{1}{33}$ No. 5), from 145 persons, £2. 8s. 4d. ; from Donhead ($\frac{1}{33}$ No. 4), 96 persons, £1. 12s. ; and from Stratton ($\frac{2}{13}$ No. 5), for 30 persons, 10s. Allowing, perhaps, half these numbers for children under fourteen, and the total population would be fairly approached.

In a subsidy or tax on lands and goods, 39th Elizabeth (1597), Thomas Strowde paid on land, Stephen Strowde on goods ; Margaret Barnard, widow, goods ; Edward Strowde, goods ; Thomas Strowde, jun., goods ; and Gregory Strowde, on land.

In later times some disputes arose about the market, as in 4th Charles I (*Excheq. Dep.*, No. 1, Hilary), when a commission was issued, 28th November, to Edward Bisse, Nathaniel Barnard, Robert Langridge, Esqs.; and John Cooth, clerk, faithful, industrious, and circumspect men, to diligently examine into a cause between William Strode, Esq., *versus* Thomas Millard and William Wilmington.

The interrogatories on behalf of the Strodes were to prove that pent-houses had been extended in length and breadth, encroaching on their market rights.

The charge against Millard was, that he had raised a pent-house, and bulckes under it, annexed to his tenement: one bulcke used for a tailor to work upon, and the other to sell bread upon. The questions raised were, whether there was a custom in the manor that the owners of such bulckes, standings, or stalls, erected at their pleasure within the compass of the pent-house, took the profits thereof. Whether by the custom of the manor the owners sold and bought on market days within the pent-house without paying stallage, pickage, or any charge to the King, more than was on his copy expressed. Whether the owners did not pay three shillings to the King for the moiety of the said messuage, and two shillings and sixpence to Nathaniel Barnard. Whether the stalls and standings without the precincts of the pent-house were not then better frequented on market days than formerly. Whether the pent-house were not parcel of the said messuage, and thatched as the rest was, and whether there was not a "view" had out of the Manor Court of the said pent-house, at the request of Jeffery Strode, owner of the said market place; and, whether the King ever took any profit for any shop, bulcke, standing, stall or stallage, or any rent within the said pent-house.

The charge against Wilmington was regarding a house called the "Bell," held by copy. Whether there had not always been a pent-house annexed. Whether by the custom

of the manor the owner of the "Bell" had at his pleasure built stalls within the compass of the pent-house, and taken the profits. Whether the owner, on market days, had sold and bought there, without paying stallage, or pickage. Whether at any time the King had taken any dues from the said pent-house.

From the depositions, taken 19th January, 1629, it can be gathered that several stalls, bulckes, etc., had been lately erected against the defendants' premises. That Millard's father had erected, where none was before, a board, about a foot broad, supported, not upon the ground, but fastened on gemmales to the shop window, and had taken the rent from the butcher to whom he let it. The butcher stood within Millard's house when he sold. That Wilmington had erected a pent-house or standing about seven years before. That a moiety of the market place was held by William Strode. That William Strode had granted his moiety to John Strode. There was a "view" made by the Manor Court, as to whether Millard had encroached, and Millard went to the Court, and then said to Mr. Strode, "You shall not need to trouble any further in this business, I could desire but to have way to my house with sack and seam, and will hereafter make no use of the said pent-house."

Further disputes arose later, in 1695, when the question was about encroachments on the market place by the addition of pig pens, and taking rent for them, against the interest of the owners of the market. The pigs had before been sold in Parsonage Lane. A standing set up by one, had been thrown down by another, as interfering with the approach to his house. And about forty years before, when several posts were erected to support the pent-houses then built to the Lamb Inn, this was objected to as an encroachment, and it was threatened to pull them down, if they were not removed. On the ground adjoining the "Bell," where a pent-house had newly been erected, there formerly stood a mountebanke's stage. The price paid

for a shamble was from 16s. to 20s. per annum. For a standing, 10s. ; those who set out their own materials, from 4s. to 8s. For pig pens, 1s. and 1s. 6d. weekly. For a peck and tub for the sale of grain or garden fruit, 2d. each market day ; those who did not use a tub or standing paid a pitching penny weekly. For each fish standing, 3d. Those who brought apples in pots or bags, paid two apples out of each bag.

It was shown that one Goody Gibbs, and, after her, one Goody Nutty, set out their own tubs and measures, receiving sometimes a penny, and sometimes two pence for their use. (*Excheq. Dep.*, 7th William III, Trinity, No. 16.) The dispute was renewed at Michaelmas (No. 38), when a book of the churchwardens, of 14th Henry VIII, was produced, showing the profits of the market, but the question was not decided three years later (10th William III, Trinity, No. 17).

The Roman Potter's Kiln,

which was examined with so much interest on the Society's last visit, has since been destroyed. It seems as useless to attempt instruction, as to make any remark on such a proceeding.

The Manor.

As there was more than one manor of Shepton, care will be necessary in tracing their descent. Also as one manor belonged to the King, his lessee often appears of if lord, and so confusion or error may arise therefrom. During the time of the Beauchamps, the place was known as Shepperton Malet ; so also Shepperton Beauchamp. Shepperton, another Beauchamp manor, in Middlesex, still retains the name.

In 24th Henry III, the men of Sheppton were commanded to give Henry de Trumbleville twenty-four oxen, wherewith to till the demesne lands of Shypton, notwithstanding that the King had demised the custody of the town to John de Lascy, Earl of Lincoln, until Richard de Clare came of age. (*Close Rolls*, 24th Henry III, m. 21) In the same year an order was made for the purchase of a cup, at a cost of sixty shillings,

to put in it the heart of Henry de Trubleville, and carry it to Normandy. (*Close Rolls*, 24th Henry III, m. 18.) In 1244 an order was made that six oaks be taken from the park of Wells, for joists in the King's chamber at Schipton. (*Close Rolls*, 28th Henry III, m. 13.) Passing to a later time, in 1650, for the purpose of a sale, a Parliamentary survey (No. 37) was made of the manor, "late parcel of the possessions of Charles Stewart, late Prince of Wales and Duke of Cornwall, as part of the possessions of the Duchy of Cornwall." The document consists of fifty-four folios, showing all the names of the tenants, their rents, leases, etc.; the names of the closes and tenements, and the fines payable for renewal. A brief rental of the customary or copyhold tenants, payable at Lady-day and Michaelmas, in equal proportions, is given, with the names of, and the amounts due from, each tenant; the total being £43. 16s. 2½d., and one pound of pepper. The pepper was due, half-a-pound from Mrs. Ann Barnard, relict of Nathaniel Barnard; and half-a-pound from Mrs. Jane Barnard. The profit from the Court Baron and Leet, estrays, deodands, felons' goods, hawking, hunting, fishing, and fowling, and other perquisites, was £4. The reserved rents upon leaseholds were £40. 8s. 9d. per annum. The improved value of the copy-holds for lives, excluding their rents and including their fines and heriots, was estimated at £864. 11s. 7d.; which could be raised by future improvements to £912. 7s. 9½d.—always including the pound of pepper.

There is an account of Shepton manor in the Bodleian Library, *Gough MSS.*, p. 293.

Customs of the Manor.

There is a Court Baron holden at two usual times of the year, about Michaelmas and Lady-day, at the will of the lord.

The Freeholders, copyholders, and cottagers, who hold of the said manor, are to perform their suit and service to the lord at the said Court.

The copyholders do hold of the lord by fines arbitrary, as they can agree with the lord or his steward.

There is a heriot due to the lord upon the death of any tenant dying in possession, of the best live goods, if not otherwise expressed in their copies.

The freeholders do pay a relief upon death, viz., double their rent.

The waifs and estrays, etc., belong to the lord, and to the lord of the other moiety of the said manor, and all estrays to be kept a year, and valued by the tenants of both the lords.

The officers of the manor may drive the prey upon Mendip, which the tenants say is their free common, once a year; and the tenants are bound to give their assistance, upon summons, upon pain of three shillings and four pence each.

The lord usually grants estate of three lives of anything in possession, and the purchaser's wife—that is, the wife of him that is first named in the copy—is to have widow's estate.

The lord may grant, upon the death or surrender of any of the former lives, a copy of three lives in reversion; so that we find five lives in being upon some estates.

The tenants say that the executors of the tenant who dies seised are to hold till the next accustomed feast.

The widow forfeits her widow right by marriage.

If the purchaser receive any money or goods of any of the other lives, for buying the estate, he cannot alter or change such lands without their consent.

The tenants say that upon any reversion to be sold, proclamation is to be made in three open Courts, and the purchaser being dead, the last life may buy further estate; but if he refuse, the lord may sell the same to whom he pleases.

The tenants say they may let their tenements for a year and a day, and the next reversion is to have the first refusal thereof.

The tenants are payneable for want of repairs.

The tenants say they may take any booties of their tenements.

The gift of the parsonage belongs to the two lords to pre-

sent; the one one time, and the other another time. The said parsonage was last disposed of by the lord of the other moiety.

Rabbit Warren on Mendip.

Relating to the manorial rights, a suit was instituted in 1697, by the King and Mr. Edward Strode on the one part, against others, the tenants and the lords of the other manors. The question was the right of making a rabbit warren on Mendip. (*Excheq. Dep.*, 9th William III, Easter, No. 36.)

The interrogatories put were :

What freeholders claimed tenants' rights on Mendip?

Are there any doles or wastes on the forest, and how many, and with whom is the inheritance? Set out their buttals and boundaries.

Dose any furze, heath, or fern grow on the doles; and can the tenants or inhabitants of Shepton fell, mow, or cut, or carry it away without leave of the lord?

Was not a flock of Sheep kept on the doles? Was not it discontinued because the ground did rot the sheep; and was not the ground better after a warren had been made on it?

Was not the warren an advantage to the inns and inhabitants; and what was the flesh of a rabbit there generally sold at?

The depositions answered that there were freeholders who claimed right of common on Mendip. That the eight doles belonging to the Relator's (Mr. Edward Strode) holding, always laid open to the common, and were butted and bounded from a place called Frames Barrs, along with the coal pit way to Croscombe, and then to the leaping stones; so on the Bristol road to Oddams Lane, then with the Relator's ground to Frames Barrs aforesaid. The witness knew all these doles, as when he was a schoolboy, he, with other schoolboys, with their master, went the round of them. They were meted out by heaps of stones at many places, and at all or most of the points thereof. Furze, heath, and fern grew thereon, but no

inhabitant of Shepton could cut or carry it away without leave of the copyholder. About twenty years before, a baker was arrested for so cutting "fursen," and made his peace therefor, giving a bond for future good behaviour; others had likewise been stopped. The ground of the doles was subject to rot sheep; several hundreds had been killed by it, and the Relator left off keeping sheep, having lost many scores of pounds. The ground since the warren was established was more healthy, by the trenching and laying it dry, and the herbage was much sweeter. The sheep were better,—not caring to feed where the rabbits were, and so did not go down into certain marshy places subject to bane. The common land belonged to the inhabitants, but the erection of the warren had not been any damage to the tenants of Shepton, but was an advantage; the land, before of little value, was then let at £18 per annum, and would soon be worth more. The warren, made some fifteen or sixteen years since, at a cost of three or four hundred pounds, was suffered to continue until about five years past, before any damage was pretended. Rabbits were usually sold for eight pence or ten pence a "coople"—an advantageous provision for Shepton. There were several manors; the King was lord of one, Mr. Parker of another, Mr. Edward Strode of another, the heirs of Mrs. Edwards another, and the Rectory was another. The common was used by other parishes having rights of common there, more than by Shepton.

Against all this, it was asserted that the warrener's dog drove away the sheep; that the rabbits destroyed and consumed everything; that the warren was a mile long, and in circumference three miles, and the rabbits often strayed—the number of sheep commoned decreased in consequence; that a house erected—at first pretended to be only a tool house for a gruffe that was intended to be dug—had since been called a lodge house, and a dovecot added. The whole thing was a damage and inconvenience, and several objectors declared they would not renew their estates in the manor.

The common was enclosed in 1785, the award being now among the county records at Taunton.

Luncheon was served at the George Hotel.

Doulting Quarries.

At two o'clock the party left the George Hotel for Doulting, where the Quarries were inspected, a fine portion of the stone being exposed.

Mr. CHARLES TRASK, one of the owners of the quarry, addressed a few remarks, in the course of which he said it was called the northern part of the Doulting free-stone formation. It extended about a mile, and at the farthest extremity the stone, which was of a yellowish colour, was about five feet deeper than it was on the spot where they stood. The stone was identical with that found at Glastonbury Abbey and Wells.

Mr. MCMURTRIE, who undertook to explain the geological features of the district, supplemented Mr. Trask's remarks with a brief description of the Doulting and neighbouring quarries.

Tithe Barn.

After a general survey of this fine example,

Rev. H. MOGG mentioned a curious fact, that cobwebs and spiders were very rarely seen on the roof.

Mr. J. PRANKERD suspected the wood in the roof to be walnut, and as walnut leaves contained prussic acid, the wood also may have a poisonous effect upon spiders.

Relating to this tithe business, Doulting had its squabble, one not without special interest, as it touches on the local question, the time of conversion of arable into pasture. Several such conversions had occurred, two farms had converted as much as fifty acres each. As the tithe of hay was not paid in kind, but by composition in money, the dispute was, that the rectory would be lessened in value, and the owners benefitted.

Short as the story is, it brings before us some scenes now passed away. It was deposed, Michaelmas, 1674 (*Excheq. Dep.*, 27th Charles II, No. 6), that occupiers of all inclosed or in-ground lands, whereon corn was grown, ought by custom and usage to give notice to the rector, or to his farmer, of the time when they intended to carry such corn. The defendant was charged, that he had carried away, without notice, three loads of barley, the tithe whereof would be about sixteen shillings. On the other side it was declared that when the barley was to be carried, notice was given in the morning, the messenger going to the tithe barn, and the tithe farmer was "willed to come at the time appointed" and take his tithe. Coming accordingly to the field, he found three cocks loaded, and then chose to dislike the cocks set aside for the tithe, "whereupon the defendant said, if he did not like those, he could take the next;" but he chose to leave it there "on a mislike," and so the defendant went on with his harvest. The defendant was further charged, that he had mown his hay, worth about fifty shillings, and a tenth of it, worth five shillings, had been set apart by the tithe farmer, and marked as tithe, but the defendant threw it all together again, and carried it away without notice; thus declining to pay tithe for hay, except in money. For the defendant it was declared, that there were several tenements or holdings in Doulting, called whole-yard lands, and half-yard lands, and others called fardles of land: that the tenants of whole-yard lands paid eight pence yearly for tithe hay, and the tenants of half-yards paid four pence each, and the tenants called fardles paid two pence. The defendant's holding was a half-yard land. Tithe of hay was never paid in kind.

Doulting Church.

Mr. FERREY said this was an interesting specimen of a thirteenth century cruciform church, dedicated to St. Aldhelm, having an octagonal central tower, crowned by a later spire.

The building, not long since, had been very much altered, and large portions reconstructed. The transept roofs, which had been restored, were of tie-beam construction, of much the same type as at the neighbouring church of Leigh-on-Mendip. The figures of angels attached to the sides of the centre of the tie-beams were in a rather unusual position. The south porch had been entirely rebuilt on the old lines, and was very like that at Mells church. The inner doorway of the north porch was Norman—showing the church must have been of earlier foundation. The elegant font was a good specimen of rich Perpendicular work. In the churchyard was a cross of the same period, having the emblems of the Passion on it.

Mr. R. H. PAGET, M.P., said that some years ago it was found absolutely necessary to undertake the restoration of the church, which was rapidly falling to pieces. It was hoped that by taking away the four legs that support the octagonal tower, the latter might be preserved. When the work was proceeded with, however, it was found to be impossible to adhere to this scheme, and the tower had to be taken down. The stone was laid piece by piece in the churchyard. It was re-built exactly as it was before. The whole of the work they saw there was of fifteen years standing. The objects of the restoration was to re-produce the building precisely on the old lines. He did not think that any of the windows in the nave were worthy of the historic preservation which they had had so strongly recommended to them. The architect who was engaged in the work was responsible for the introduction of the new windows in the nave. He (Mr. Paget) was free to admit there was no example in the old church. Wherever a piece of work was sufficiently preserved to be re-introduced it was so utilised, and where that was impossible it was faithfully re-produced.

Mr. J. W. BENNETT asked if any addition were made to the height of the tower?

Mr. PAGET answered, that at the recommendation of the

architect an additional height of six feet was given to the octagonal part of the tower.

In the churchyard is a tombstone bearing date 1640.

St. Aldhelm's Well

was next visited, and its history, as connected with the saint, related. This will be found clearly noticed in Mr. Davidson's paper, in Part II.

Case of the Cure by Touch, by a Seventh Son, at Doulting.

The general history of the cure of scrofula by the Royal touch has been often noticed, but, as a local subject, from the rarity of recorded cases, it is still almost new ground.

This power, which brought Royalty so much credit, was not to be allowed without opposition; others claimed it from time to time, one superstition begat another. Especially was it claimed by a seventh son, "never a wench being born between," or better still the seventh son of a seventh son, born under the same condition. The actors were called Stokers, and occasional notices of their existence may be met with, but the following Somerset case must be unique, the first and only one in which the proceedings and routine are actually and officially told. Occurring in the time of Charles I, it was, as usual under Archbishop Laud, referred to the local bishop for inquiry, with orders to report the name of "Ye father of ye 7th sonne that doth cures in Somersetsheer." The King's Council, under date 30th September, 1637, wrote to the bishop, that they had heard that the father, under the above pretence, undertook to do divers cures, and thereby had abused divers of his Majesty's subjects; the bishop was therefore to call the offender before him, as well as any with whom he had had dealings. This letter is signed by

LD. A'BISHOP OF CANT.

LD. KEEPER.

LD. TREASURER.

LD. PRIVY SEAL.

LD. GREAT CHAMBERLAIN.

EARL OF DORSET.

LD. COTTINGTON.

MR. TREASURER.

MR. SECY. WINDEBANK.

The bishop obeyed, and writing from Wells on the 18th Nov., sent his report. He found that the father was William Gilbert, *alias* Yeaton, of Prestley, in Doultling, and the actor, his son Richard. Gilbert had been a butcher, but was then a husband-man, having exchanged a copyhold and a lease, at Evercreech, for another at Doultling, equal to about fifty pounds a year. He was reputed an honest man, with a good understanding, but no learning, only much given to talking and bragging. The child's age was five and three-quarters, and it seemed that widow Yeaton, the grandmother, who did the office of midwife at the child's birth, which occurred on a Sunday, remarked in the hearing of the child's parents and others, that he being the "seaventh sonne and noe daughter borne between," should, by his touch, especially before he was christened, "be fortunate in doing cures," and cure any "wenne," and heal it. This being duly announced, John Norton, a weaver, dwelling in Evercreech, where the child was born, having a "wenne" in his neck, which much troubled him, and was a hindrance at his work, went to Gilbert's house on Monday, the morning after the birth of the child, and was there "stroaked with the hand of the sayd child." The Sunday after this the child was christened, and at the dinner which followed, it was again openly asserted, that as being the "seaventh sonne he might doe wonders."

But jealousy arose from the curious fact that another similar case occurred in the neighbourhood about the same time, and that at the birth the same midwife was employed.

This was with one William Hobbs, a yeoman, dwelling near Prestley, and Joan his wife, who declared that they "alsoe had a seaventh sonne, never a daughter beinge betweene, borne about the same time when the sayd Gilbert's sonne was borne, but the widdow Yeaton, who was the midwife, did not speake anythinge to them at all that a seaventh sonne had any such virtue in him." Here the judicious widow saw no speciality, made no claim for this boy, intending that her own

grandchild should be the only wonder-worker thereabouts.

This self-assertion was rewarded, and Gilbert's child alone was sought.

About three-quarters of a year after the christening Henry Poyntinge, of Kilmington, yeoman, one who had some skill in bone-setting, being at his brother's house at East Penard, saw that his niece, Rebecca, about fourteen years old, was suffering from the king's evil, having a swelling in her neck. He mentioned to her parents that he had read in a book he had at home, that the "seaventh sonne of any one who had not daughter borne between," could cure such infirmities by touching, and so persuaded Rebecca to go to Gilbert's, at Prestley, for the purpose; and this she did, being the second party that the child had touched.

Bishop Peirce, on hearing of this book, caused Poyntinge to bring it to him, when he found it to be a collection of receipts, without any author's name, entitled—"A Thousand Notable Things of Sundrie Sortes, whereof some are wonderfull, some strange, some pleasant, divers necessary, a great sort profitable, and many very precious," printed in London, 1612. The author was Thomas Lupton, and the words relating to the subject are—"It is manifest by experience that the seaventh male child by just order, never a girl or wench beinge borne between, doth heale onely with touchinge, through a naturall guift, the King's Evill, which is a special guift of God given to Kinges or Queenes as dayly experience doth witnesse."

This book helped to confirm the country people in their opinions, as they easily believed "what they found in print." Simply believing, probably, what every one else believed, Gilbert gave way to those who came, and the work for the child so increased that a rule or plan of procedure was drawn up. The touching took place on Mondays, in the morning—the child fasting; the applicants who were directed to come also fasting, were then touched three Monday mornings "in a row," otherwise it was considered there would be no cure.

Before the child could speak, no words were used, some one simply "did stroake the soares" with the child's hand; but as soon as was possible he was taught to do all himself, and to say to every one as he stroked:—"I touch and God heales." Inquiry was made to discover who had originated this plan; the child said that Thomas Bisse, the schoolmaster at Evercreech, had taught him to say the words used, but the "sayd Bisse being examined would acknowledge noe such thing." The father said that Henry Poyntinge "sett downe the afore-sayde methode," and we can well see the bone-setter and reader of old books busy at the task, but on being interrogated he "utterly denyed the same." Some had advised Gilbert to have prayers read, but this was not done, no doubt to the great relief of the bishop's idea of propriety. The repute of the child's powers seems to have grown with time, as for the first four years or so he touched but twenty only, but from the spring to September, in this year, 1637, there came eight or nine every Monday, and from the beginning of September there came sometimes thirty, sometimes forty at a time, besides those who accompanied them, and this not only from Somerset, but from "divers other counties." Amongst these were many persons of "quality," and so numerous was the assemblage that the inns, ale-houses, and private houses in and about Presley were entirely filled. A book was kept of the names and conditions of all who came; and if this should happen to be at Wells, it would be a curious and interesting record.

As to the success of the child's work, opinions differed; whilst some asserted that many were cured, others said but few benefited. John Norton, the first touched before the christening, as also Rebecca, who was touched next after that event, both acknowledged that they were eased within a short time; Norton's wen abated, and Rebecca's broke and healed; and both considered this the result of the touch.

Others who had been touched agreed that they "within a while after grew better," but would not in their "misconceit

and mistakinge ” consider the medicines they may have before taken, nor the state or ripeness of the abscess at the time they were touched. They grew well after the touching, and of course the touching was the immediate cause. Some, however, were not a “whitt” better, and it seemed that the boy had “touched” his mother for a swelling in her feet, “but did noe good at all.” It was forgotten here that the cure was for the Evil, and it by no means followed that every swelling would or could be benefited. Then came the important question, whether the father had received money or gifts for the boy’s work, or “contracted for any by himself or others.” The child would take no money—always declined, declaring that then he could not heal: but fruit, sugar, points, garters, “skarfes,” and such like trifles were given and taken. The father had not benefited nor used “any imposture or deceit,” but was only carried away by a “simple credulity;” the whole business making him “a little vain-glorious, and swell into a higher conceit of himself than formerly he had showed.”

The result of the inquiry was that the Bishop “did straightly charge and Command” Gilbert not to suffer his child to touch any more, “as he will answeare the contrary at his perill,” and to this he promised obedience, although he expected to be much troubled in putting off the people who would persistently come. In time, by perseverance, he succeeded, and they “gave over” coming, and so far as we can know the practice was discontinued.

Besides the Royal public healings, there were private ones, probably for the “quality.” In 1631, Lord Poulet had a child so much afflicted that she was not expected to survive, and as a last resource she was sent to London to be touched by the Royal hand. Lord Dorchester, Secretary of State, took the child, and on her return home her father’s delight may be best told by himself in a letter now in the *State Papers*. From Hinton, 30th April, he wrote:—

“Ye returne of my sicke childe with so much amendment

hath much revived a sicke Father, who with age, gout, and then an ague, and since taking of physicke am brought very weake, ye debilitye I feele rather gaininge uppon me than I uppon it. I am much joyed that his Majesty was pleased to touch my poor child with his blessed hands, whereby, God's blessing accompanying that means, he hath given me a child which I had so little hope to keep, that I gave directions for her bones, doubting she would never be able to return; but she is come safely home, and mends every day in her health, and ye sight of her gives me as often occasion to remember his Maties gracious goodnesse towards her and me, and in all humilitye and thankfulnessse to acknowledge it. Thanks from my wife and myself to you and your noble lady for ye honour you did us to be troubled with such a guest."

Again in 1643, during the troubles of the Civil War, Sir Charles Berkley was granted a pass for his child to be conveyed in a horse litter from Bruton to Oxford, where the King was, to be there touched. (*Lord's Journals*, vol. 606.)

The practice later took another departure, and has so come down to our time. In 1798, one Dr. Perkins asserted the discovery of a means, by using certain metallic tractors—his own invention—to make great cures. Not wishing to withhold his discovery, he offered the tractors at £5. 5s. the set—"a trifling consideration" for the promised results. They were pointed instruments, to be drawn over and across the skin, or over any part affected, and the effect was produced in about twelve minutes. The advertisement was a pamphlet entitled:

The Influence of Metallic Tractors on the Human Body, in removing various painful inflammatory diseases, such as Rheumatism, Pleurisy, some Gouty affections, etc., etc., lately discovered by Dr. Perkins, of North America; and demonstrated in a series of experiments and observations by Professors Meigs, Woodward, Rogers, etc., etc., by which the importance of the discovery is fully ascertained, and a new field of enquiry opened in the Modern Science of Galvanism or Animal Electricity. 8vo, 1798.

The practice was taken up at Bath by C. C. Langworthy, surgeon, and with such great success that the instruments

obtained a high reputation, and were the subject of general conversation. Mr. Langworthy, in turn, published in pamphlet form :

A view of the Perkiniean Electricity, or an inquiry into the Influence of Metallic Tractors, founded on a newly-discovered principle in Nature, and employed as a remedy in many painful inflammatory diseases,—as Rheumatism, Gout, Quinsy, Pleurisy, Tumefactions, Scalds, Burns, and a variety of other topical complaints : with a Review of Mr. Perkins's late Pamphlet on the subject ; to which is added, an Appendix, containing a variety of experiments, made in London, Bath, Bristol, etc., with a view of ascertaining the efficacy of this practice. 8vo, Bristol, 1798.

The medicos of Bath next took the matter up, and determined to test it, by substituting wooden instruments of their own make, instead of the patent metallics. The result was read as a paper before the Literary and Philosophical Society of Bath, by John Haygarth, M.D., and published as a pamphlet, entitled :

On the Imagination as a cause and as a cure of disorders of the body ; exemplified by Fictitious Tractors, and epidemical convulsions. 8vo, Bath, 1800.

A case of chronic rheumatism was first selected, and the wooden instruments, coloured to imitate the original metallics, were duly used. The doctors being assembled, assumed solemn faces, and kept up a scientific conversation, stop-watch in hand, whilst the wooden tractors were drawn over the body of the patient—sometimes describing circles, sometimes squares and triangles. “To a more curious farce I was never witness,” writes the author ; “we were almost afraid to look each other in the face, lest an involuntary smile should remove the mask.” The patient, however, assured them the pains were removed, and so the fictitious tractors were found to produce results more wonderful than the real.

Moon's Quarry.

Driving by way of Long Cross towards Stoke St. Michael, a halt was made at this basaltic quarry, which is of great geological interest.

Mr. McMURTRIE explained, and said that the quarry was

noteworthy as one of the most recent geological discoveries that they had in that part of Somerset. Although the country was carefully surveyed by Government surveyors for many years, as well as by private geologists, no trace was found of igneous rock. It was due to the late Mr. Charles Moore, who formerly attended the meetings of the Society, that the rock was discovered. It was an isolated piece, and extended over a considerable area—extending from Tadhill House, on the east, to Beacon Hill, on the west; a distance of between two and three miles. There had been a great upheaval of the earth's surface, and from the spot on which they stood something like 12,000 or 15,000 feet of rock had been entirely washed away.

In order to give the visitors an idea of the mode of obtaining the quarry, a charge of 11lb. of dynamite and 8lbs. of gunpowder was exploded within the rock at the face of the chief boulder. The result was that about 400 tons were dislodged; half of this quantity being precipitated to the ground, while the rest was considerably loosened, and required very little effort to recover it.

The Return Journey.

The return journey was along the ridge of the Mendips, a halt being made at Beacon Hill, where a mound on the summit, crowned by a rough upright stone, was the object of considerable curiosity. Many conjectures were made respecting the origin of the stone, the general opinion being that the mound was of an artificial character, and the stone was possibly erected as a memorial.

Mr. GREEN said there could be no doubt the spot had been used for a beacon, but he could give no mention of it: he knew of only one mention of a beacon in Somerset, and that one was on Hamdon Hill.

Preb. SCARTH said that such mounds were frequently found not very far distant from Roman roads.

Several amusing anecdotes were related concerning such

stones, all tending to impress the necessity of caution on the antiquary.

After a pleasant drive, Shepton was reached about six o'clock.

A goodly company assembled for the dinner, which was well served; the President in the chair.

Evening Meeting.

At eight o'clock there was a meeting in the Music Hall, which was well filled.

Lord Carlingford being unable to attend, the chair was taken by Mr. W. E. Surtees.

The CHAIRMAN called first on Mr. Arthur Malet to read a paper on the Malet family, particularly interesting, as the manor had been so long owned by his ancestors. Mr. Malet's paper will be found printed in Part II.

The CHAIRMAN, thanking Mr. Malet, explained that he was working out a history of his family, so long connected with the county of Somerset, and especially that neighbourhood. Any information that could be given, Mr. Malet would be grateful for.

Mr. A. J. MONDAY said he always understood that the first of the Malets married the heiress of De Corcelle.

Other suggestions were made towards solving Mr. Malet's difficulties.

The Prebendary of Dinder.

Canon CHURCH next read a paper on "The Prebendary of Dinder." This will be found printed in Part II.

Mr. SOMERVILLE, after thanking Canon Church for his very able and interesting paper, said that the few remarks he had to make would be directed to the effect of the Cathedral Act of 1840 upon this Prebend, and the action taken by himself, in disputing the validity of the Bishop's separate appointments to the Prebend and Rectory, consequent upon the death of the late Prebendary of Dinder, the Rev. T. J. Bumpstead.

Referring to the Act of 1840, he said, that so far as this particular point was concerned, the Act had received no judicial construction until the case of the "*Dean of Lichfield v. the Rectory of Tatenhill* [*R. v. Champneys*, 6 L.R., C.P. 384], in the year 1870. The effect of that decision was that, where an office, proposed to be dealt with under the Cathedral Act, had an active cure of souls annexed to it as part of its emoluments, the cure of souls and the particular emoluments supporting the cure could not be separated from that office. The reasons for this decision were as follows: the Ecclesiastical Commissioners are a mixed body, composed of clerics and laymen: all property dealt with under that Act was primarily vested in the Ecclesiastical Commissioners: a purely spiritual office, *e.g.*, a cure of souls, could not, however, be vested in a body composed partly of laymen; it remained, therefore, untouched by the provisions of the Act. It would, moreover, be inequitable to divest the cure of souls of the temporalities supporting it, and these, too, therefore remained untouched. The Act consequently only applied to sinecure rectories; not to rectories with an active cure of souls.

The Prebend of Dinder was a similar case; for, in the paper just read, it had been clearly shown that the Prebendaries of Dinder, for a period of 300 years, at least, if not longer, had been also the Rectors of Dinder, without any further act of appointment as Rectors. Canon Church had stated that the Ecclesiastical Commissioners had acted under the highest legal authority of that day when they severed the Prebend and Rectory of Dinder, but Mr. Somerville maintained there was no evidence that a full enquiry had been made at that time into the history of this Prebend (in fact, he was in a position to state that there was no report of such an enquiry in the hands of the Commissioners), and he submitted that the learned Queen's Counsel who had lately given an opinion against the legality of the severance was, perhaps, an even more competent authority on Ecclesiastical Law,

than the authority who had advised the Ecclesiastical Commissioners in 1845. That opinion just given had been supported by another eminent Queen's Counsel, and the Lord Chief Justice of England had upheld it by his award.

A point had arisen as to whether the Prebendal lands were part of the "emoluments supporting the cure of souls," or whether, as the Prebend was probably endowed with the Prebendal land before the Chapelry developed into a Rectory, the Prebendal land might not be regarded as a distinct property, supporting the office and dignity of the Prebendary. If the latter view were correct, the Prebendal land was legally dealt with by the Ecclesiastical Commissioners under the Act of 1840, though they could not legally touch the Rectory and its temporalities.

[Since the reading of this paper, an arrangement has been entered into by the Lord Bishop, as Patron of the Prebend of Dinder, and Mr. Somerville, whose predecessors bought the Prebendal land, partly from the Ecclesiastical Commissioners, and partly from their immediate purchaser, that Mr. Somerville should pay a further sum in satisfaction of all present and future claims in respect of this land: and the Ecclesiastical Commissioners having contributed a like amount, these two sums are now held in trust by the Ecclesiastical Commissioners for the Prebendaries and Rectors of Dinder, who will receive the income derived from this fund.]

Canon Church had omitted in his paper to give any account of the endowment of the Prebend with this land, and he was in error when describing the Prebendal estate as of little value. This estate represented a capital sum, which, at four per cent., would now give a return equal in amount to about one-quarter of the income of the Rectory.

With regard to the proceedings taken to test the validity of the separation of Prebend and Rectory, the present was practically the first opportunity that had arisen since the passing of the act of 1840. For though, since the resignation of Dr.

Jenkyn, in 1845, there had been separate institutions to the Prebend and Rectory, the same person had been appointed to both, and one of the institutions might have been regarded as an act of supererogation.

The present was therefore the proper time to raise the question; the parishioners of Dinder valued the position of their Rector as a Prebendary of Wells Cathdral, and Mr. Somerville considered that, in *preserving* this interesting historical landmark—for the destruction of which no sufficient cause had been shown—he was not only guarding the interests of his fellow-parishioners, but also forwarding one of the objects of this Society, which is to preserve every thing worth preserving, and which helps to build up the history of the county.

Mr. E. A. FREEMAN said he could not understand the least bit in the world how it was possible to cut off a greater thing from a less. How could a rectory be cut off from a vicarage? That was a point altogether beyond him. Here was the Rectory of Dinder cut off from the Vicarage of St. Cuthbert's. Somehow—he did not know how—it became a Rectory, but he supposed it received great tithes. It appeared that it went on being a chapel after St. Cuthbert's had been appropriated, and become a vicarage. The Dean and Chapter would, he imagined, receive the tithe of Dinder. To have made Dinder a rectory, a great tithe must have been given up by the Dean and Chapter to the Prebendary of Dinder. The change was perfectly possible, but it was very odd, and there was no similar case on record. He should be very much obliged if any body could fish up the missing documents or explain how the change took place.

Canon CHURCH: The missing link.

Mr. CHISHOLM BATTEN said that with regard to the point which Mr. Freeman had touched upon, as to how a vicarage could be converted into a rectory, Mr. Justice Dodderidge, who was a great lawyer in the time of James I, maintained that a vicarage was a state of thralldom, and that tithes

only belonged to the clergyman of the parish from which they were derived. That was a condition which was imposed upon tithes by common law, and it was held that if a vicarage were once presented by the owner of the appropriate rectory, whether that owner were the Dean and Chapter, or any other personage who could hold an appropriate rectory, it ceased to be a vicarage, and became a rectory. That would be without any documents whatever. He was only suggesting that, as it happened to be a point which had been discussed several times in the Law Courts. If an appropriate rector, being patron, treated the vicarage as a rectory, it was at once emancipated from the thralldom in which it was placed by its being appropriate, and became a rectory again.

Mr. FREEMAN said he had heard of that law before. It, however, implied that the patron and appropriate rector were the same person. That was not the case with Dinder, which was an appendage of St. Cuthbert's, where the patron was the Bishop. The cases were not at all the same.

The Rev. J. COWDEN COLE said there were many cases where perpetual curacies became rectories, by the incumbent for the time being taking upon himself the title of rector. That might grow in the course of years, and the title of rector would apply to the incumbent of the parish.

The CHAIRMAN having thanked Canon Church, called on

Mr. A. J. MONDAY, who read a paper on "Some Somerset Wills." Printed in Part II.

Mr. F. ALLEN referred to the derivation of the word "yeoman," and said that it was supposed to be derived from the Anglo-Saxon.

The Rev. J. C. COLE said that some of the statements contained in Mr. Monday's paper supported the theory of the impoverished state of rural parts of England in early times.

Mr. MONDAY said he found that the population was very poor at the time of the dissolution of the monasteries, but the country got very prosperous indeed towards the end of

the time of Elizabeth. The Spanish treasure ships brought much money into the country.

Mr. GREEN said no doubt the reign of Queen Elizabeth was an extremely prosperous one. Holdings in the earlier times were very small. The yeomen were the freeholders or copy-holders, as distinguished from other cultivators of land let to farm. A labourer was totally distinct.

Mr. CHISHOLM BATTEN, in the course of the evening, exhibited a silver cup or chalice, found in a priest's coffin at Wells.

The meeting then closed.