

Somersetshire Sequestrations during the Civil War.

BY JOHN BATTEN, JUNR. *

OF all the measures adopted by the Parliament for strengthening their hands in their contest with the ill-fated Charles, none was more effectual than the ordinance of the 1st of April, 1643, declaring the property of those who openly espoused the King's cause, or, in the language of the day, "all delinquents and malignants," to be forfeited for the use of the State. It not only produced very large sums for maintaining the army raised by the Parliament, and meeting other pressing demands, but it deterred many, not actually committed to the King's cause, from taking an active part on his behalf, at the risk of their property and liberty.

* It is hardly necessary for me to premise that my sole object in this Paper is to present the Society with a detail of interesting *facts*, without reference to my own opinions or predilections. Respect for my ancestors should perhaps enlist my sympathies with Parliamentarians and Puritans; one of them, Sir William Batten, having been Vice-Admiral of the Parliament Fleet in the Civil War; and another, the Rev. Henry Butler, M.A., having been ejected, on the passing of the Act of Uniformity, from the Vicarage of Yeovil, and subjected to much persecution afterwards.

That ordinance expressly enacts, "That all the real and personal property as well of certain Bishops therein named, as of all such other persons, either ecclesiastical or civil, as raised arms against the Parliament or voluntarily contributed (not being under the power of the King's party), any money, horse, plate, arms, ammunition, or other aid towards the maintenance of any force against the Parliament, and also two parts in three of the property of all Papists," should be seized and sequestered into the hands of Committees and Sequestrators, named for the several counties throughout England, who were to remit all monies received for rents of estates, the sale of stock or goods, or otherwise, to certain officers in London, to be disposed of as the Parliament should direct.

By subsequent ordinances, the wives and children of delinquents were allowed one-fifth part of the property sequestered, for their maintenance; and (with certain exceptions) the delinquents themselves were permitted to compound for the forfeiture, by payment of a composition not exceeding two years value of the estates sequestered, and a Committee sat at Goldsmith's Hall to conduct the negotiations and assess the amounts to be paid.

The Sequestrators were remunerated by a per centage of 1s. in the pound on the monies remitted by them to the Treasury; and with a party not over scrupulous in the means employed, this was manifestly good policy, as it could not fail to excite activity and zeal in their officers, and to increase the number of delinquents and forfeitures. Accordingly, we find that both by their own exertions, as well as by the assistance of their agents and spies, they were most successful in "getting up" cases, scouring the country for intelligence, and setting a watch upon the

actions of all believed to be disaffected—especially if they were persons of property and consideration.

It must not be supposed, however, that the Parliament were enabled to carry out this measure without difficulty or resistance. Much depended on the fortunes of war, and for some time the continued reverses experienced by the Parliamentary forces, had so weakened the position of their party, that any attempt to enforce the ordinance with any effect, would have failed, especially in the west where the King had been so victorious.

But in the year 1646, which is the period to which our attention will be particularly directed, when the war may be said to have terminated in favour of the Parliament, and the power of the King virtually to have ceased, no such difficulties presented themselves, and the Parliament proceeded without hesitation to prosecute delinquents with unrelenting severity.

The county of Somerset, as well as the other western counties, have always been considered—and correctly so—as favourable to the King. The cause of this feeling probably was, that this part of the kingdom had but little connection with parties engaged in trade and commerce, who were generally disaffected towards the King, on account of his unconstitutional attempt to tax their property. Estates in the west were principally in the hands of noblemen and representatives of ancient families, all whose predilections and pursuits were in favour of the “Right Divine;” and the circumstances to which we have alluded no doubt swelled the list of Somersetshire delinquents.

The Sequestration Committees for the several counties divided them into districts, corresponding, mainly, with the different hundreds. To each hundred were allotted two or

more Sequestrators, and it was their duty, from time to time, to transmit to the Committees accounts of their proceedings, and of the monies derived from the estates under their charge.

One of these accounts accidentally came under my notice lately in examining some old papers.* A slight note of its contents, with some information (very imperfect I fear,) respecting the parties and transactions mentioned in it, may not be uninteresting to the Society.

The document is the account of Mr. Edward Curll, one of the Sequestrators for the Hundred of *Catsash*,† in this county, and extends from November, 1645, to October, 1647, divided into three periods; the first, from 20th November, 1645, to 24th July, 1646; the second, from 24th July, 1646, to 30th June, 1647; and the third, from 30th June, to the 22nd October, 1647.

It details the proceedings against forty-three persons, either resident or possessing property within the hundred, and in some cases, it should be observed, Mr. Curll extended his operations beyond the hundred. The gross receipts for the whole period of the account, not quite two years, amount to £1,455 : 13s. 9d., out of which the sum of £99 : 8s. 10d. was disbursed for various charges relating to the estates, and £63 : 5s. retained by Mr. Curll for the expenses of himself and his two assistants, including their wages at 3s. 6d. a week each, and the keep of

* The original is the property of Wm. H. Helyar, Esq., of Coker Court, to whom I am indebted for the loan of it. Much valuable treasure of local and historical interest lies buried in many of our country mansions; and if the owners would kindly allow the musty contents of their old oak chests to be exhumed and examined, they would contribute very materially to the success of our Society.

† The Hundred of *Catsash*, or *Catash*, lies north of the Hundred of *Stone*, in which *Yeovil* is situated, and comprises many of the parishes lying between *Yeovil* and *Castle Cary*.

three horses ; in addition to which, Mr. Curll submits a charge "for two years rent for a field to provide hay for my horses from Saturday night to Monday morning, at which time I usually lay at my own house."

The connection that subsisted between the parochial clergy and their patrons, most of them Royalists, and the influence which they possessed over their parishioners, added to the natural bias of their minds in favor of the discipline and formularies of the church, rendered them peculiarly obnoxious to the Parliament, who, under pretence of correcting abuses, spared no efforts to supplant them by ministers subservient to their own views.

As far back as the beginning of the year 1641, commissioners were ordered, by the House of Commons, to visit the various counties in England, and investigate certain alleged abuses and innovations. Amongst other complaints which reached the House, by means of these commissioners, was one of the refusal of many incumbents to preach a sermon themselves every Lord's day, or to admit another minister to their pulpits, although the parishioners were willing to maintain him. The House of Commons did not fail to seize this opportunity of declaring that the parishioners were justified, under such circumstances, in procuring a preacher, and a committee, called "The Committee of Preaching Ministers," was appointed to send ministers where they were required, and to provide for their maintenance.

So long however, as the incumbents retained their livings and authority, it was impossible entirely to counteract their influence ; and petitions having been presented, and no doubt procured, from all parts of the country, complaining loudly of the idleness and lax manners of the country clergy, another committee of the House,

called "The Committee of Scandalous Ministers," was appointed, and authorized to eject all such reprobates, upon proof of their guilt—to sequester their estates, and to supply their places with godly and pious preachers.*

We shall not therefore be surprised to find our friend Mr. Curll particularly attentive to the different incumbents within his district.

To take the first in the list, I must admit that if half of the charges against the *Rev. Hugh Collins*, Rector of Compton Pauncefoot, were well founded, his punishment was not altogether unmerited. The charge against him is,

"That he is a lewd and scandalous minister.

"That he had within these four years a base child laid to his charge, which is found to be his own.

"That he was at Oxford (the King's head quarters) lately, and usually, since the beginning of these warres, did send and carry intelligence thither.

"That he made a bonfire upon top of a high hill, for joy of the overthrow of the Parliament forces, at Edgehill, as he reported." A stale offence this, as the battle took place in October, 1642, being the first decided engagement in the war. It was doubtful which party could claim the victory, probably neither; but the King made the most of it, ordering a day of solemn thanksgiving for his success, at the close of which no doubt, the obnoxious bonfire was kindled.

The next accusation is a very grave one.

"That on the 31st of October, 1645, there was one of the General's (Fairfax's that is) soldiers robbed at his house of his horse, arms, and money, and no newes since of the man, so that it is conceived he was slayne in the house."

* The Somersetshire Petition in 1642, prays, amongst other things, "that a sufficient remedy be provided against scandalous ministers."

Whether such a crime was actually committed, is not for us to say; suffice it, there is no proof; but following as there does immediately a charge, "That he set forth a man in armes against the Parliament," a suspicion is raised that the recruit *may* have sallied forth equipped with the murdered warrior's weapons.

I regret to say that the catalogue of Mr. Collins's crimes is not yet complete; neither his "faire parsonage house," or his "pigeon house," his glebe or his tithes, prevented him, if Mr. Curll is to be believed, from breaking the eighth commandment; for amongst the stock seized on his premises, were "four oxen, three kyne, two calves, and two swine, which had been stolen away out of Sir Edward Berkeley's ground at Hatherley, in Maperton parish, by the said Mr. Collins." His own stock seems to have been sold at ruinous prices; twelve sheep were driven to Wincanton fair, and fetched only £5 : 4s., or 8s. 8d. each, and two ricks of hay brought £2. His library of books was valued at £16 : 10s. 8d.

Mr. Wilkinson,* the rector of Weston Bampfylde, was ejected because he was a pluralist, holding Weston and Bradford together, contrary to the ordinance of Parliament, and the parsonage was bestowed, by the Standing Committee, on Mr. Brook, the curate.

The estates of *Dr. Godwin*, Rector of Kingweston, were sequestered because he was a known delinquent, and an idle and scandalous minister; no particular charges are specified against him, unless his idleness is to be inferred from keeping a curate. Respecting him Mr. Curll appends this note.—"The poor curate, Mr. Barber, is in much want, and his family all wanting clothes and other necessaries, and having but £12 a year allowed him by the committee,

* I have given the names as they are mentioned in the MS.

bath not that yet, I not having received so much from the parsonage.”

Dr. Pierce, Bishop of Bath and Wells, holding in right of his see the impropriate parsonage of Castle Cary, it was of course sequestered with his other possessions. The Bishop was an old enemy of the Puritans, his high church opinions rendering him a zealous supporter of Laud. Soon after his translation to the see in 1632, he had been very active in carrying out the Archbishop's views respecting the Book of Sports and Pastimes, and produced much dissatisfaction in the county by his conduct. It was in consequence of the Bishop's report to Laud, of the order made by Chief Justice Richardson at the Somersetshire Assizes, on the petition of the leading men of the county, for putting down wakes, revels, and other parochial festivals, that the Chief Justice was summoned before the Privy Council, and severely reprimanded by the Archbishop, for his interference. He told a friend in his way out that he had been nearly choked by a pair of Archbishop's sleeves.

Bishop Pierce was one of the twelve Bishops who withdrew from the House of Lords, on the debate for excluding Bishops from seats in Parliament, and protested against any bill passed without their concurrence. He and his companions were immediately impeached for high treason, and imprisoned; but the King soon after giving his consent to the Exclusion Bill, the prosecution was dropped.

After his deprivation, *Dr. Pierce* resided on an estate of his own, at Cuddesden, in Oxfordshire. At the Restoration, he was reinstated in his see, and enjoyed it until his death. He was the father of William Pierce, Archdeacon of Taunton, and Vicar of Kingsbury Episcopi, whose living was also sequestered, and he himself subsequently

imprisoned, for giving the name of *Charles* to a child to whom he was godfather.

The Improprate Parsonages of Lymington, South Barrow, and Barton, were part of the temporalities of *Dr. Walter Raleigh*, Dean of Wells, and sequestered for his delinquency. The sufferings of *Dr. Raleigh* ended only with his death. He endured a long imprisonment, aggravated by constant removals from gaol to gaol, in one of which the plague had broken out, and at length, whilst in custody in his own house at Wells, was murdered by *David Barrett*, a constable, who had been appointed his keeper. No proper notice appears to have been taken by the authorities of this foul deed. His widow and son were frustrated in several attempts to bring *Barrett* to a trial, and the clergyman who performed the burial service at the unfortunate Dean's funeral, according to the Book of Common Prayer, was imprisoned for disobeying the ordinance forbidding its use.

Mr. Guy Clintom, minister of Alford, was deprived "for reading the Book of Common Prayer, and being very insufficient for the ministry and scandalous in his life; and his son also conceived to be maintained in arms by him against the Parliament." And a further note is added, that "the son hath been very active since, in the tumult at Bruton."

The abolition of the Book of Common Prayer was always a great object with the Puritans. The Assembly of Divines, a body which had been appointed by an ordinance of the 12th June, 1643, amongst other things, to confer and treat on matters concerning the liturgy submitted to them by Parliament, had framed in obedience to instructions, a new form of prayer called *The Directory*; and the House of Lords on the 3rd January, 1645, being

the day on which they passed the Bill for the attainder of Laud, voted another forbidding the use of the Book of Common Prayer, and establishing, as the ordinance states, "the said Directory for the public worship of God."

By a subsequent enactment, all ministers were enjoined, under a penalty, openly to read the Directory in their respective churches before the morning service, and all the Books of Common Prayer were to be collected by the churchwardens and constables, and disposed of as Parliament should direct.

Mr. William Haskett, the Rector of Maperton, was deprived "for rayling against the Parliament in his sermons, and stirring up the people to goe against the Parliament forces, and for being scandalous in his life." This case shews that it was not without reason that the Parliament were jealous of the practices of the clergy, who both in their public ministrations and private life, had manifested such opposition to the Parliamentary cause. Upon Mr. Haskett's removal, the inhabitants immediately petitioned that Mr. Peter Bradford should officiate in his stead, and having procured a certificate of some able ministers of his ability and fitness, he was appointed to the parish.

The Rev. Anthony Richardson, Rector of West Camel, who next claims our attention, must have been a most determined Royalist. Mr. Curll's charge against him is:—

"That he read the Book of Common Prayer, contrary to the ordinance of Parliament and Directory, until Michaelmas last.

"That he read the Somersetshire Petition publicly in the church, and caused most of the inhabitants to subscribe their names unto it at his house ; and because Wm. Jeans refused, he, the said Mr. Richardson, said it should be the

worse for him ; further saying, ‘ wilt thou turn rebel against the King?’

“ That he kept the Friday fast, and neglected the Wednesday fast; proved upon oath by W. Jeans and others.

“ That he set forth a horse in the King’s service, under the command of Colonel Edward Phelipp, as by a receipt under the said Colonel’s hand doth appear, and that he did it voluntarily, appeared by the Colonel’s letter to him.

“ That he gave money towards the maintenance of the King’s army, and also to the maintenance of a servant of his at Langport, as by a MS. of his own appeareth.

“ That when he paid any money to the use of the Parliament, he set it down in his MS., ‘ paid so much, *imposed*—or *imposed* and assessed in the *name* of the Parliament, which shews his malignity.’ ”

His books, which were valued by the neighbouring minister of South Cadbury, at £10, were restored to him. Not so a certain box found in his study, containing £30 : 17s. in money, nor a suspicious kind of “ *buffe coat*,” in the same sanctum, which had cost, according to Mr. Richardson, 13s. 4d.

Mr. Richardson appears to have been much liked in his parish. His plate and goods were removed unto safe keeping, and Curll was seduced to pay several persons money, who promised to discover these valuables, but forgot to do so.—Soldiers were called in by him to assist.—The inhabitants stoutly resisted his collecting the tithes, and the poor man asks in despair, of the committee, what he is to do? *Mrs.* Richardson received her fifth part, as provided by the ordinance, having at Ilchester taken the negative oath, which I presume in her case was—not to talk.

The Somersetshire Petition mentioned in the charge,

was one of those presented to Parliament from various parts of the kingdom, deprecating the sanguinary contests which were going on between the King and the Parliament, and praying for peaceable accommodation.

The Wednesday fast, which Mr. Richardson neglected in favour of that on Friday, as being more in accordance with the ancient discipline of the church, originated in the projected Irish massacre and conspiracy, in 1640,* as a memorial of which, the King, at the request of the Parliament, appointed a fast to be observed on the last Wednesday of every month, as long as the calamities of the nation should continue. After the commencement of the war, the two Houses of Parliament passed an ordinance for the more strict observance of the new fast, and all preachers were commanded to exhort their hearers to a solemn observance of it. Business and pleasure were completely put aside, and from nine in the morning until four in the afternoon the religious services continued, with little or no interruption.

Col. Edward Phelipps who is here mentioned, was the son of that Sir Robert Phelipps, of Montacute, or Mountague, as it was sometimes then called, who for his integrity and unflinching boldness in assisting the constitutional rights of the people in Parliament, was styled "the old Roman." In the reign of James, he had succeeded his father, Sir Edward Phelipps, M.P., the founder of Montacute House, as one of the members for this county. In Charles's reign he was again in the Parliament summoned in 1625, but rendered himself so obnoxious to the Crown, that he was excluded in the next, which met in February 1626, being pricked for Sheriff. He was, however, a third time returned member for the county in 1628, and was loud in

* Neal's History of the Puritans, p. 553.

his protestations against Popery; but dying in the year 1638, he saw none of the calamities which soon overspread the kingdom.

Of his son Edward Phelipps, little further is known, than that he espoused the Royal cause with as much zeal as his father had promised to favor the opposite party.

He was a member of the Long Parliament, that deserted Westminster for Oxford, where he sat in the assembly which even the King designated as the "Mongrel Parliament." He was at Exeter during its siege, by General Fairfax, and procured from him a passe (still extant) for permission to leave it. His estate being sequestered for delinquency, he presented a petition* to the Committee at Goldsmith's Hall, on the 16th June, 1646, wherein he states "that through his error, he did unhappily desert the Parliament, for which he is heartily sorry, and humbly craves the favor and mercy of Parliament, praying to be admitted to composition upon two years' value of his estate, according to the articles on the surrender of Exeter." All his personal estate, he says, had been seized and sold by the committee, and amongst his real estate, he includes the rents of the borough of Yeovil, amounting to £13: 6s. 8d., all of which, except 30s. were payable out of certain houses in the borough, which houses were lately burnt and "soe the rent is lost."

The last incumbent we have to notice, is the *Rev. Amias Hext*, Rector of Babcary. No particulars of the charge alleged against him are given by Mr. Curll, but he is very irate with Mrs. Hext, who, after the removal of her husband, kept possession of the glebe and tithes, and actually got one Mr. Yarrow to read Common Prayer, and by her contrivance, and the assistance of the inhabi-

* Original in State Paper Office.

tants, who he says "for the most part are very malignant," he could recover none of the Rector's goods, save four skillets and a brass pot. From other sources we learn that Mr. Hext's main offence was his refusal to take the oath of non-adherence, or the negative oath. For this he was thrown into prison and kept there upwards of a year, although he presented three petitions to the Committee for his release and composition, urging the wants of his wife and six children, who were wholly dependent upon him for sustenance. He lamented, during his imprisonment, that he was debarred of seven things:—1. The society of his wife; 2. The comfort of his children; 3. The conversation of his parishioners; 4. The benefit of his living; 5. The exercise of his function; 6. The enjoyment of his liberty; and 7. The use of his books. Ultimately he procured his release; but of his subsequent history I find no trace.

We now come to civilians; and the *Marquis of Hertford*, as holding the highest rank, claims our first attention, and with him our paper must close. He was Lord of the Manor of Castle Cary, held on lease by Mr. Edward Kirton, a member of the Long Parliament, and possessed also other estates in Castle Cary, Ansford, and Dimmer, all which were sequestered, because, as Mr. Curll states, the Marquis "directed the Parliament, and was one of the first that took arms against the Parliament." Upon the surrender of the city of Oxford, in September, 1646, after the King had fled, the Marquis was included in the Articles, and allowed to compound, which he subsequently did by payment of the large sum of £8,345.

William Seymour, Marquis of Hertford, was the third son of Edward Lord Beauchamp, (who had been created
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a Baron under that title, in the life-time of his father Edward Seymour, Earl of Hertford,) by Honora, the daughter of Sir Richard Rogers, of Bryanstone, Dorset. In the year 1640, he was created Charles Marquis of Hertford; and on the breaking out of the war in 1642, he was placed at the head of the Commission of Array issued by the King, for raising forces in the west. Coming to the city of Bath, at the time of the assizes, he determined, after consulting some of the chief gentlemen of the county (the Judge and the Sheriff however being against him), to proclaim the Array in the city of Wells, and to make it his head-quarters. By the assistance of Sir John Stawell and others, a considerable body of horse and foot were enrolled; but Sir John Horner and Col. Alexander Popham, at the head of the militia, and reinforced by a detachment from Bristol, under Sir Edward Hungerford, so harrassed and surrounded the Marquis's little army, that after a few sharp skirmishes, he was fain to retreat to Sherborne Castle, then held by the Earl of Bristol. Here he was besieged by the Earl of Bedford, who, finding his force unequal to the attack, withdrew it to the town of Yeovil, expecting supplies. In the meantime, however, the Marquis being reinforced with 300 men, sent him by his cousin Mr. Rogers, High-Sheriff of Dorset, ordered Major Bampfield, with a strong detachment, to fall upon the Earl of Bedford's rear. An action on Babylon Hill, about a mile from Yeovil, was the result, and the Parliamentarians, claiming the victory, instantly dispatched a flaming account of it to London, which with your permission, I will read, especially as it is a fair specimen of the style of military dispatches in those days.*

* I indulge a hope that at some future meeting I may be permitted to conclude the subject of this Paper, as many interesting matters remain to be noticed.

“ A Relation of the Actions of the Parliaments Forces, under the Command of the Earl of Bedford, Generall of the Horse, against those which came from Sherbourn unto Babell-hill, neer unto Yevvell, upon Wednesday, the 7th of this instant September, 1642.

“ Which was extracted out of a letter sent to the Parliament, from Dorchester, the 10th of September, 1642.

“ Signed by—Bedford, Denzill Hollis, John Northcot, George Chudley, Walter Erle, Tho. Wroth, Alex. Popham, Charles Essex, William Strode Pine, Cle. Walker, Hugh Rogers, Ro. Harbin.

“ Upon Tuesday the sixt of September, the Parliaments forces did rise from before Sherbourn, and went that night unto Yevvell, a Town being four miles distant from Sherburn, where we lay on Wednesday to refresh ourselves, upon which day it pleased God to give us a great taste of His Goodnesse, to the great shame and losse of theemie. About two of the clock in the afternoon there appeared a great body of their horse and foot upon a great hill within a little mile of the Town, called Babell Hill, and so was it truly to them a Babell of confusion. Upon which we presently put ourselves in array as well as we could, to make good all the outwayes, and guard the Magazine, which to do we found but very few men, and more pikemen than musquetiers, for the musquetiers found themselves to be most imployed upon all occasions, and therefore, the principally shifted away, and even sent out to their side, where theemie appeared, three troops of horse and some musquetiers, they standing still at the top of the hill, braving of us and calling us rogues and roundheads. Our men went up to the hill to charge them, Captain Aiscogh one way, Captain Tomson another way, a little after him, and Captain Balfour a third,

and our musquetiers after, as fast as we could. Aiscogh came up to them first, and charged one of the trocps through and through, and charged the second, but then was glad to wheel about; by that time Tomson came into him, and upon the sight of him all the enemies horse began to shog a little, and our two troops coming to charge, they turned and ran away, disbanded and routed; and ours followed upon the execution, and killed many of them, they think about eighteen or twenty, some very well habited, who seemed to be persons of qualitie; and their foot, who had played upon our horse and foot coming up the hill, were left to our mercy, our foot and horse killing them, and they running away like dogs. He that commanded them was one Bamfield, a serjeant-major, who is taken prisoner, and with him about a score of his common souldiers. The rest that commanded the foot are believed to be slain; amongst them one Hussey, a captain, for his commission was found in his pocket, himself clad in plush. Balfoure's troop was forced to fetch a great compasse, for it is a very high hill and ill-way, who could not come in soon enough. If the night had not come on, and a very darke one, we had made a great execution amongst them, for their own strength of horse was there, five or six troops, and most of their foot. Sir Ralph Hopton was there with his troop, Captain Digby, and Sir Francis Hawley, with theirs, and the Lord Paulet, Sir John Paulet, Sir John Stowell, Sir Thomas Lunsford, Colonell Asburneham, Sir John Barkeley, Colonell Lawdy. and Lieutenant-Colonell Lunsford were there. We do verily believe that some of them are come short of home, for they came in the night before the moon rose, with lanthorns and candles, and fetched away the bodies of them of qualitie. We only found the next morning, twenty or thirty of our men; there were but five lost in all, and a

very few, not above three, hurt. All but one of the slain are of Captain Aiscogh's troop, who hath shewn himself a very valiant young man. We desire to know what must be done with the prisoners, whom, till we receive order, we will take care shall be safely kept. Thus it hath pleased the good God of Heaven, who is the great God of battels, to blesse us, whose name we cannot sufficiently magnifie for his goodness to us; bringing on the enemy in their great jollity and strength to be so shamefully defeated by a handfull of us, and those who were tired out with extraordinary sufferance of watching and cold. Blessed be His name for it."
