

APPENDIX.

Lecture delivered in 1885, at Witham, on Witham Friary, by the

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SOURCES OF INFORMATION:

1. Sir R. C. Hoare's *Monastic Remains*, at Witham, Bruton, and Stavordale—privately printed, very inaccurate.
2. *Hapsden MSS. County History Collections*.
3. *Diocesan Registers* at Wells.
4. Dugdale's *Monasticon*, Oxford Ed., 1819.
5. *Bruton Priory Cartulary*, penes E. of Ilchester.

I PROPOSE to consider—1. Domesday Survey, A.D. 1085 ; 2. The estate, as given by King Henry II. to the Friary in 1181 ; 3. Establishment of the Friary, and its progress, 1181—1539 ; 4. The Dissolution in 1539, and its consequences.

(A.D. 1086.) 1.—Domesday Book informs us that the Manor of Witham had been separated from the Manor of Bruham, of which in Saxon times it was a member. It was granted to two Norman lords, but their estates soon reverted to the Crown. In the Crown it seems to have remained. The Domesday valuation shows it to have been, like other forest tracts, of little value for husbandry.

(A.D. 1181.) 2.—The estate, as given by the king, seems to have been one block, now represented by the modern parish of Witham, 5,497 acres. It was—as described by the author of the Bruton Cartulary, a monk of that Abbey—an “*eremus*,” a waste or wilderness, either covered by forest trees, or consisting of the outskirts of the forest of Selwood. The soil is an exceedingly wet clay. The entry in the

Cartulary (p. 1286) I now extract in full :—"Memorandum : Anno Graciæ 1181. From the Passion of St. Thomas An. xi, Alexander being Pope, and Baldwin, Archbishop of Canterbury ; and Reginald (cognomento Ytalicus) Bishop of Bath ; Henry II being in the 49th year of his age, and 28th of his reign ; the Carthusian House of Witham was founded in the wilderness (eremo) of Witham." Before the foundation, the Prior of Bruton had a chapel there, pertaining to his church of Bruton, endowed with lands in that manor (of Witham). The chaplain received all tithes in the manor. The prior enjoyed rights of commonage and pannage without stint, and for firewood, one whole log at Christmas. The king, desiring to make the friars free from all interference, gave as compensation for the chapel rights, the rectory of South Petherton, and for the commonage, etc., he gave equivalent rights in his wood of Brucombe (*i.e.*, that part of the forest which lay in the Brue Valley, called the Brucombe Walk).

The personages introduced by this extract were all concerned with the foundation. Henry II had been laid under the ban of the church for complicity in the murder of Archbishop Baldwin's predecessor, Thomas á Becket in 1170. Part of the penances imposed as the test of his repentance for this crime was a pilgrimage to the Holy Land. This had been commuted by the Pope into the founding of three religious houses. Having enlarged the old royal foundations of Waltham and Ambresbury, he now proceeded to introduce a new order of monks from its nursery at the Grand Chartreuse in the South of France, an order which was designed to escape the mischief accruing from idleness and over-endowment, by having a wilderness for its habitation, and the culture of it for the incessant employment of its members, and for the endowment of its community-life. Complete isolation and independence of all interference from baron or bishop was demanded by a Carthusian community, and these requisites were to be found in all completeness on the

waste outskirts of Selwood Forest. The choice of the site, and not improbably that of the Carthusian Order too, may be owing to the influence of Bishop Reginald, the able Diocesan. He was of foreign blood, and therefore surnamed Italicus, as well as Fitz-jocelin. Being elected to the see, whilst that of Canterbury was vacant, he journeyed into Italy with Richard, the archbishop elect, who 'went to Rome to receive consecration at the hands of Pope Alexander III, April 11th, 1173, and he received his own consecration from Archbishop Richard's hands in Savoy, at S. Jean de Maurienne, June 23rd. In Savoy he became acquainted with Hugh of Avalon, a noble of Grenoble, who had adopted the Carthusian Order, and he visited its first and greatest establishment at the Grand Chartreuse in Dauphinè. The king was no willing founder. He first planted, in the Witham wilderness, a small swarm of monks from the mother hive. These poor Frenchmen found themselves bare of everything, even shelter, and unable to carry on the cultivation which was to support them. It was probably the intervention of Bishop Reginald that brought the master mind of St. Hugh on the spot, and spurred the king to give something more than the wild lands, which cost him so little to part with.

THE FIRST FOUNDATION.

At this date, 1181-83,* the condition of the infant institution might be thus surveyed. A small body of French monks, with St. Hugh at their head, meanly lodged, and beginning to grapple with their task of raising the means of living out of the waste. They were also engaged in raising the chapel, which was to survive all later buildings. They were possessed of all that afterwards became the liberty and parish of Witham, *i.e.*, the 5,497 acres in block immediately round them, and the tract of dry sheep-run on the top of

* Upon this date see note to previous paper (p. 10), which gives the authority of *Vita S. Hugonis*. [ED.]

Mendip, which the king had superadded to their great behoof as farmers of a very wet clay land. They had exemption from all ecclesiastical visitation or imposts. Civilly, they were free from the claims of the hundred, and therefore from attending the sheriff's tourn, or paying his demands in the king's behalf or the county's, and free also from the officers of the forest, and the vexatious rights of the forest.

The king's charter is not dated. It was granted at Marlborough, in full council, and witnessed by four bishops and by other nobles and officials. John, Bishop of Norwich, having been consecrated in 1175, the date must be subsequent to that year, and is probably the year 1181, as given in the Cartulary.

The proofs of the above statement are found in the charter and in a confirming bull of Innocent IV. In the charter we must note :—

1.—Its dedication : In honorem B. Marie et B. Jo. Baptistæ.

2.—Its relation to the Crown : “ Ut sit mea et hæredum meorum dominica domus, et eleemosina ”—thus settling in the Crown a founder's rights for ever.

3.—Its immunities : “ Libera ab omni servicio ; ” “ In liberam eleemosinam,” *i.e.*, frank-almoigne—freedom from geld, scutage, hidage, pontage, toll, or king's purveyors, suits of shire and hundred, and from all pleas, including “ murdrum,” *i.e.*, the fine exacted from the hundred for murder committed in the bounds. “ Prohibeo etiam ne forestarii aliquami is molestiam faciant infra limites suos, nec ingredientibus vel egredientibus per eos ”—a most important immunity from the operation of the oppressive forest rights, which included the expeditation of dogs, *i.e.*, disabling them from hunting by mangling the claw.

4.—The extent of grant : The boundaries both of the Witham and of the Mendip estates are given in detail. Only a few names can be identified, but the old areas have doubtless

been preserved by virtue of their privileges. The grant of Hill-lands was made expressly "ad pasturas eorum."

In Pope Innocent IV's bull we note :

I.—In the recitals, that Bishop Reginald of Bath (1174-92) had granted "cum consensu capituli Well:" an exemption from tithe, and also the "jus ecclesiasticum" over the lands in the parish of Cheddar held by the Carthusian Friars, and cultivated "propriis laboribus et sumptibus." That Bishop Bytton the First (1267-75) had confirmed (after inspeximus of Bishop Reginald's act) the above grant.

2.—That papal confirmation of these privileges is granted. Ao. xii, Inn iv, *i.e.*, 1254-5.

3.—That Bishop Bytton used the expression "Sub B. B. Petri et Pauli atque Andreae et nostrâ, necnon ecclesiæ nostræ (*i.e.*, the diocese) protectione suscipimus."

4.—That Bishop Bytton acted with his chapter, as Bishop Reginald had done. Their consent was needed in this case, not only as the Diocesan Council whose consent, carrying that of the diocese, made the bishop's acts binding on his successors, but as patrons of Cheddar, from which parish the upland pastures were taken.

5.—That with these episcopal grants the estate of Charterhouse Mendip was as free of every parochial liability as to tithes, dues, oblation, sepulture, and visitations as the Friary itself. A chapel was built at Hydon, and has sometimes been mistaken for an independent Friary.

AFTER FOUNDATION. 1181—1459.

Little is known of the normal life of the community after its full establishment, and indeed little ought to be known. Isolation from all ties natural, social, and civil, was the aim of the Carthusian rule, and, if faithfully maintained, would needs blot the community out of the roll of current history. Even the peasant population found on the domain when granted by

Henry II. *must have been removed** to some other Crown domain, for the whole labour of the soil was to be done by the friars, “*propriis laboribus*,” and domestic life within the bounds was incompatible with the rule. The only peep we get of the brotherhood is through their contact, as landlords, with neighbours.

In the 44th year of Henry III, a question having arisen as to recompensing the prior and “leprous sisters” of Bradley for loss of commonage in the domain wood at Witham, a right belonging of old to their manor of Yarnfield, a jury was empanelled by H. de Bracton (with Alan de Walton, coroner) consisting of eighteen knights, etc., of Wilts, and as many of Somerset. The jury, in verdict, say that the priors of Bradley always enjoyed the rights of commonage on payment of 14s. per annum, and also that of deadwood, called “Oldwood underfoot,” and are entitled to compensation. They suggest a rent-charge of eight librates on the king’s domain of Milborne (Port), or of the benefice of Tilshead, Wilts, value 15 marks out-taken the vicarage.

Appended to the verdict is a perambulation made by the king’s order, 28th Henry III, “*De bundis Ord. Cartus in Selwood*,” by Gilbert de Segrave, the king’s forest justiciary, and others on oath. The bounds tally with those in King Henry III’s charter. [Note some words which seem to carry

* Bishop Hobhouse says :—“This was probably to Knap in North Curry.” In Wells MSS., p. 162, *Lib. Alb. III*, fo. 81, are notices of exchanges of land at Knappe for land at Witham by a charter of Henry *Senioris* but there seems to be some question as to date, for this document undated follows on the same folio a charter of Edward I, bearing date 1306, and also dealing with Knap. Other evidence, including the names of the attesting bishops, pretty clearly supports Bishop Hobhouse, and proves this removal to have been completed by 1184. The *Senioris* in the above document must have referred to Henry II. himself as distinguished from his son and heir, the younger Henry, who had been actually crowned with his wife, the Princess Margaret, in 1173, by the Archbishop of Rouen. The death of Prince Henry on June 11th, 1183, seems to show that the undated charter was executed by Henry *Senior* during his son’s life, *i.e.*, before 1183, probably about 1180, and that it has been placed in error in its present position in the Wells MS., and really ought to be among much earlier documents.—[ED.]

a refoundation by Henry III, "Qui nunc est."] Sir R. C. Hoare (p. 18) gives an extract from the Hundred Rolls of Henry III. The jury of the Hundred Court make presentment. 1.—That Henry II gave in Almoigne the Manor of Witham out of Royal Domain. It is now worth £151 per annum. 2.—That the men of Yarnfield, tenants of the Prior of Bradley, used to have common pasture and dry wood in Witham domain for a rent of xij^s now lost to the king. 3.—That Witham Wood is in the forest of Selwood, and has been enclosed with ditch, hedge, and stone wall for the last thirteen years. The monks bann all forest claims "in Vert (Viride) or Venison (Venatione)" within the close, and claim all beasts found there "tanquam domini," to the king's hurt. 4.—That the monks have buried bodies, feloniously slain, without coroner's inquest. 5.—That when thieves were taken with booty in hand, the monks seized the booty, and dismissed the thieves on abjuration of their territory.

Though there is little to record in the centuries spanned by the Plantagenet and Lancaster reigns, there was a change going on which affected all conventual life, and which manifested itself in this isolated Friary† in the year 1459. In May of that year the prior, John Pester, and his brethren, petition the bishop (Beckynton) to consecrate a lay place of burial, a font for the use of the lay people, and to authorise a chaplain to minister to them. The preamble sets forth that the lands given to the House were made parochially exempt by Pope Cælestine; that they were till *late times all* cultivated by the friars; that lately, owing to decay of zeal, they had been obliged to employ lay folk of both sexes, and so a parochial family had grown up, which needed a font, a cemetery, and a chaplain. In answer to this petition, the bishop commis-

† See remarks in previous paper (pp. 13-14), on the use of the term Friary as applied to Witham. The monks may have called themselves *frères* or *fratres*, and the place may in old French have been called a *Frary*, but they would always have repudiated the term *Friar* or *Friary*.—[Ed.]

sioned his suffragan (the Bishop of Sidon) to consecrate a burial ground at the west end of the chapel, and a font. He also granted the right to appoint a chaplain. Thus the territory which had been placed under the friars as their working ground, for the discharge of their vows in rigid isolation, began to approach the conditions of an ordinary parish. The chapel—"de la Frary"—dedicated to the Blessed Virgin, is the only one mentioned, with only one dedication. It is quite plain that there was no parish church, and no need of any. The chaplain was endowed. His stipend is returned in the Valor of Henry VIII at £5 6s. 8d. as a fixed deduction from the revenues of the House. He was classed amongst the incumbents and placed in the Deanery of Frome (see Map of the Diocese in the Valor). This was a change. In the Valor of 1292 the Prior "Carthusiæ de Selwood" stands assessed in the Deanery of Cary at £30 per annum for his temporals at Witham. To Cary Deanery Witham must have belonged, before 1181, whilst ecclesiastically dependent on Bruton.

AUGMENTATIONS.

In 1414 the alien Priors, *i.e.*, those which were annexed to mother-houses in Normandy, were, by an Act of the Parliament of Leicester, handed over to Henry V for reappropriation. Some of these endowments, belonging to the Abbey of Preaux, in Normandy, were given by the King, or his son, Henry VI, to the Friary. The properties at Warmington (Warwick), at Spettisbury (Dorset), and Fonthill (Wilts), were thus acquired. The particulars may be gathered by search in the references given in notes to Dugdale's Monasteries. The effect of this added and distant property was to bring the isolated community into landlord's entanglements with the outer world, which in the strict days of the order they would have avoided. They were now becoming assimilated to other landowning bodies.

THE LAST STAGE AND DISSOLUTION.

The return made for Henry VIII's Valor, 1534, must be consulted for a view of the Friary just before its surrender. The management of the estate shows that the manual labour of the monks had nearly or wholly ceased. It was managed very much as any other conventual property after the dying out of the serf system—a portion held in domain, the rest leased to renting farmers. The lands retained as domain at Witham and on Mendip equalled £56 1s. 10d.; the total income, £227 1s. 8d.; the nett, £215 15s. The farms of Billericay, Westbarne, and Quarre, within the territory, were out on lease, no longer tilled by monkish labour. The inclosures (intakes from the forest, I suppose) of Newhichens Hicke-sparke, Drove, the Poundhayes, and Holymead were also rented. The tithes, great and small, with oblations (*i.e.*, from the secular folk) amounted to £3 13s. 2d. The house, unlike other religious houses, had acquired no patronage or impropriation beyond "le Frarye." Henry Man was prior. Nicholas Fitzjames (of the Redlynch family) was seneschal over all the properties, at a stipend of £4.

In 1539 (March 15th—30th, Henry VIII) came the surrender to the king, made in the chapter-house of the Friary, by John Mychell, prior, and his twelve brethren. It is given by Sir R. C. Hoare, p. 125—7, in full, with all its relentless wording. The inmates were pensioned, and disbanded, but the institution, which had lasted for 348 years, was summarily extinguished.

In the 35th year of Henry VIII (November 25th, 1543) a purchaser was found in Sir Ralph Hopton, the king's standard-bearer, who was already a lessee of portions. Sir R. C. Hoare gives in full (p. 126—31) the schedule of the properties of which Sir Ralph Hopton received seisin from the Court of Augmentations, also the prices and a schedule of the woods, signed by William Hartgill and John Horner as commissioners. The annual value of the lands scheduled was

£25 11s. 4d., after deducting £7 for the priest. The price, fixed at 20 years' purchase, was £460 3s. 4d.; for the woods, £112 13s. 4d.; total, £572 16s. 8d. The tithe was valued at £2 11s. 2d. The Holt, a wood of 862 acres, had already been sold to Seymour, Erle of Hertford. The Mendip Grange was granted, in the 36th year of Henry VIII, to Robert May, in whose family it remained till about 1700. Since the Dissolution, the history of the place is easily recorded. The Hoptons built manor houses at Ditcheat and Evercreech, and probably had no residence at Witham but the adapted remnant of conventual buildings. King Charles's gallant general, created Lord Hopton, was the last of his name. His property was confiscated by the Parliament, and he died in exile, 1652. One of his sisters recovered her share at the Restoration, and carried it into the family of Wyndham, of Orchard Wyndham. They began to build a very handsome mansion in the first half of the 18th century, but on succeeding to the great Petworth property, they sold it to Alderman Beckford, who, on acquiring the Fonthill property, pulled down the unfinished Witham mansion, and sold the materials. The bulk of the estate passed, about 1812, into the hands of the Duke of Somerset, the present owner.

In the course of his address, Bishop Hobhouse commented on the remarkable character of Bishop Hugh, and on his devoted attachment to the wilderness of Witham, to which he used to run for the sake of religious retreat when burdened with the duties of his vast diocese of Lincoln. He bade the people of Witham regard their church as the work of Bishop Hugh, and as his favourite place of devotion, and expressed his hope that though the labourer-monks were gone, there would never be wanting a body of faithful labourer-worshippers who, though not bound by any other vow than that which binds every baptised servant of Christ, would zealously seek and find their Lord and Saviour in the sanctuary raised to his honour by the devotees of the rigid order of Chartreuse.