

PROCEEDINGS  
OF THE  
SOMERSETSHIRE ARCHÆOLOGICAL AND  
NATURAL HISTORY SOCIETY.

1868-9, PART II.

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PAPERS, ETC.

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*Mendip Mining Laws.*

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“THE Laws and orders of the Mendip Miners, commonly called Lord Choke’s Laws,” are printed in the “General View of the Agriculture of the County of Somerset, &c., by John Billingsley, Esq., of Ashwick Grove, near Shepton Mallet,” published at Bath, 1797. As that work is but little known in these days, and the Mining Laws of Mendip therein given contain several inaccuracies, it has been thought desirable to reprint them verbatim from a MS. exhibited by Mr. C. Edwards, of Wrington, at the Meeting of the Society held at Axbridge, in 1869.

The most striking variations are the following :—Lord Benfield—for Bonvill: the addition of “the Lord Chief Justice of England” to the name of Lord Chocke: “to go down and sit in concord and peace in the said County,”

instead of "and settle a concord of peace in the County" the Earl of Chewton, instead of "Lord of Chewton," "lead-reeve," instead of "head-reeve," : "hackes," for "harcks," "groofs," for "grooves."

The Mendip Laws are likewise given in "Notes on the History of Shepton Mallet, &c.," by Mr. J. E. Fairbrother, copied from an ancient map, painted on panels, entitled "Meyndeepe with its adjacent Villages and Laws." The original was exhibited at the meeting of the society held at Shepton Mallet.

WM. ARTHUR JONES.

### THE LAWS OF MENDIP

SETTLED BY LORD CHOCKE, IN OR NEAR THE YEAR 1470.

Be it right well known that this is enrolled in the King's Exchequer, in the time of King Edward the Fourth : Of a great Debate that was in the County of Somerset between the Lord Bonvil's Tenants of Chewton and the Prior of Green Oar. The said Prior of Green Oar complaining to King Edward of great injuries and wrongs that he had on Mendip, being the King's Forest : The said King Edward commanded my Lord Chocke to go down into the Country of Mendip and settle a concord of peace in the County upon Mendip upon pain of his high displeasure. The said Lord Chocke sate upon a place of my Lord of Bath's, called the Forge upon Mendip, when he commanded all the Commoners to appear, and in especial the Four Lords Royal of Mendip, (viz) : The Lord Bishop of Bath and Wells, my Lord of Glastonbury, my Lord Bonvill, Lord of Chewton, and my Lord of Richmond, with all the appearances to the number of ten thousand people. A Proclamation was made to enquire of all the said company how they would be

ordered. They all with one assent agreed to be ordered and Tried by the Four Lords Royal. Then the said Lords agreed that all the Commoners of Mendip, dwelling in their Tenements, being within the bounds of Mendip, shou'd turn out their cattle at their outlets as much the summer as they be able to keep the winter without Hounding or Pounding upon whose ground soever they went to take their course and recourse. To this the said Four Lords did put their Seals, and also were agreed that whosoever should break any of those bounds should forfeit to the King a Thousand Marks, and all the Commoners their Bodies and Goods at the King's pleasure that either Hounds or Pounds.

\* IRROT' IN SCCO' DUCC' REGINÆ

#### THE ANCIENT CUSTOM OF

The occupation of the Mineries in and upon the Mendip within His Majesty's County of Somerset, being one of the Four Staples of England, which hath been exercised and continued through the King's Forest on Mendip aforesaid time out of mind before the memory of man, as hereinafter doth particularly ensue, &c.

#### *Imprimis :*

That if any man whatsoever he be that doth intend to be a workman to tenure his life in the Minery occupation, he must first of all require a Licence from the Lord of the soil where he doth propose to work, or in his absence, of his officer, or head Reve, or Bailiff, and neither the Lord nor his officers can deny him.

#### *Item :*

That after the first Licence obtained, the workmen

\* In a M.S. copy of these Laws in the possession of Mr. Serel, of Wells, "Irrot' in Staneria Dni R's."

shall never need to ask leave again, but to be at his free will to pitch within the said Forest, and to break the ground where and in what place he shall think most for his advantage.

*Item :*

That every man that doth begin his Pit or Groove, shall have his Harcks thrown two ways after the Rake ; and Note, that he that doth throw the Harck, must stand in his said Groove, to the girdle or waist, and then no man shall, or may work, within the compass of his said Harcks throw.

*Item :*

That when a man hath landed any Oar he may carry the same to Cleansing and Blowing to what Minery he shall think fit, for the more speedy making the same, so that he do truly pay the tenth thereof to the Lord of the Soil where it was landed.

*Item :*

That if any Lord or his officer have given Licence to any man to build or set any Hearth or Washing House, to wash, cleanse, and blow their Oar, He that hath once leave shall for ever keep sell or give it to whom he please, so that he doth truly pay the Lot Lead, being the tenth pound that shall be blown at the same Hearth, and also if he keep it tenable as the Craft doth require.

*Item :*

That if any man of the occupation do Pick or Steal any Lead or Lead Oar to the value of Thirteen pence half-penny, the Lord or his officer may arrest all his Lead and Oar, House or Hearths, with all his Grooves and works, and keep them as forfeit to his own use, and shall take the person so offending and bring him where his House or work and all his Tools and Instruments belonging

to the same occupation are, and put him into his House or work and set Fire in all together about him, and banish him from the occupation before all the Mineries for ever.

*Item :*

That if ever that person do Pick or Steal there any more, he shall be tryed by the Common Law, for this Custom and Law hath no more to do with him.

*Item :*

That every Lord of the Soil or Soils ought to keep two Minery Courts by the year, and to swear twelve men or more of the same occupation for ordering all misdemeanours and wrongs, touching the Mineries.

*Item :*

The Lord or Lords may make three manner of Arrests (that is to say) The First is for Strife between Man and Man, for their works under the Earth. The Second is for his own duty for Lead or Oar wheresover he finds it in the said Forest ; and the Third is for the Felon's Goods of the same occupation wheresoever it may be found within the same Hill.

*Item :*

That if any man by means of this doubtful and dangerous occupation do by misfortune take his death, as by falling in of the Earth upon him, by Drowning, by Stifeling with Fire, or otherwise, as in time past may have been : The workmen of this occupation are bound to fetch the body out of the Earth, and bring him to Christian Burial at their own costs and charges, altho' he be three score Fathom under the Earth, as heretofore hath been seen, and no officer at large shall have to do with him or them.

These are the Laws of Mendip, made between the years 1470 and 1480.