

# **THE STORY OF HUTTON**

**by**

**Harold Coward**



**From the earliest years**

**to the mid - eighteenth century**



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## Foreword

The origin and nature of this particular 'Story of Hutton' requires some explanation. In a sense it originated early in 1968 when, less than a year after his arrival in the parish at the time of his retirement, its author, Harold Coward, was asked to produce, at very short notice, the first 'Short History and Guide' for the Church of St Mary the Virgin, Hutton. This was a leaflet compiled almost exclusively from a wide variety of books and articles about Somerset, and from such old Somerset records as had then been published and were then available in Weston's public library. So began the fascinating hobby of collecting and copying up into manuscript notebooks miscellaneous items of information about Hutton from various sources, including, later, transcripts of original unpublished documents - yet without any clear intention of using them to compile a history.

In 1974 the organisation of a village fund-raising exhibition, 'Hutton on View', first made it necessary to write a brief history of Hutton as far as the middle of the nineteenth century so that extracts could be used to explain and provide a chronological link for the objects displayed. Two years later, when the author was still engaged in transcribing numerous mediaeval manuscripts in the City Archives in Bristol, he was invited by Hutton Parish Council to write, in instalments, a story of Hutton for the free typescript periodical, 'Hutton News', which it had decided to publish. From then on 'The Story of Hutton', written primarily for the residents of this parish, appeared in regular instalments, produced individually from a constantly increasing collection of information.

This present 'Story of Hutton' was intended for separate publication, and is largely a reproduction of both of these versions of the serialised history; but it has been specially revised with other than merely local readers in mind and it incorporates more recently acquired information. It remains unfinished - Harold Coward died in 1995 at the age of 89, whilst still researching the impact of the eighteenth century on the village. His family (in particular his son-in-law, my late husband Jeff Alden) undertook to edit and publish this work, as was his wish, but years have passed all too quickly and it is only now that the 'Story' has been secured for the future, albeit in a less professional and illustrated form than was first envisaged. Unfortunately, although my father had meticulously numbered all his sources of reference, only a section of this source list has come to light. His numbering has been removed therefore, and the list is recorded at the end of the book.

It is hoped that the 'Story' will interest those who live in and know Hutton parish, and hold it dear, and those who wish to further investigate its rich history.

Betty Alden, January 2010  
(daughter of Harold Coward)

## Some of the Sources

**BRO** Bristol Record Office  
**SRO** Somerset Record Office, Taunton  
**PRO** Public Record Office, Kew

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- Schedule for Stratford's map of 1759 BRO, C/E1 (G)
- Article on Oldmixon S.B.N. and Q. Vol. XXXIII March ?1992
- Hutton Poor Book VRS SRO, DD/P/Hutton (Poor Book 1)
- Survey of Oldmixon manor estate 1794 SRO, DD/X/BIS (Bundle 8)
- Brent House deed 1730 BRO, AC/Box 10
- Hutton Tithe Map 1838 BRO, D/D/RT/14
- Brent Deed of Conveyance 1730, cited in abstract of title SRO, DD/MPG
- Indenture of 1750 cited in sale 1828 SRO, DD/BR/..?/c3014
- Will of Humphrey Brent 1753 (proved 1754) PRO
- Churchwarden's Accounts, Vol 1 SRO, DD/P/Hutton/.Ch.Accts 1
- House family deeds 1759 and 1761 BRO, AC/Box 10
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- Matthews deed 1748 BRO, AC/Box 10
- Partition of Manor 1430 BRO, AC/M8/11 and 12
- Hutton Manorial Court Rolls B513 BRO, AC/M8/1a
- Hutton Inclosure Map 1849 SRO, Q/RDE/120
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- Sil...Cow.. Mortgage 1735 BRO, AC/Box 10
- Harse Deed 1796 SRO, DD/X/BIS bundle 2
- Abstract Title 1857 SRO, D/DMPG
- Oldmixon Schedule 1874 SRO, DD/X/BIS bundle 6
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- Box Cottage Deeds (by abstracts)
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- Paine-Still 1604 BRO, AC/Box 10
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## Introduction

England has many Huttons, most of them in the northern counties, and most of them distinguished individually by an additional name, such as Hutton Roof, Hutton Rudby or Hutton-le-Hole. The single name Hutton of this story is situated in south-west England, in what is now North Somerset. It lies on the north side of the Mendip ridge, about two miles inland from the Bristol Channel at Weston-Super-Mare, but the industrial and domestic buildings of that expanding town have already reached and even encroached upon Hutton's ancient western and northern parish boundaries.

If travellers approaching the village – whether from the east along the Banwell road or from the west along the Oldmixon road – look over the hedges on the south side of the road, they can still enjoy a delightful rural landscape, most of it having been designated 'an area of outstanding natural beauty', with green fields and only a few red-roofed modern or recently re-built houses in the foreground. Beyond them, nestling below a great sweep of wooded hillside, is a cluster of even older buildings including Hutton Court (formerly the manor house) and the parish church of St Mary the Virgin. As they proceed along the same road they may catch only a glimpse of the areas of modern housing in which most of Hutton's inhabitants now live, but they will soon enter its pleasant village street, lined by old farmhouses and cottages, mixed with a few modern buildings including the focal points of Hutton's still vigorous life – its only inn, its few shops, its primary school and its village hall.

Court and church, village and parish, all bearing the name of Hutton, are the subject of this story. Readers should also be aware that the parish itself, throughout its history, has embraced at least three other named localities besides the village of Hutton, although their boundaries have never been completely defined. At the eastern end of the parish lies Elborough, once a separate manor and hamlet. Between Elborough and the village, but lying north almost on the Locking boundary is Lodewell Farm, formerly the heart of the hamlet of Ludwell and for centuries the virtually private domain of the Payne family. Beyond the village, at the west end of the parish, is the eastern half of Oldmixon, formerly a hamlet almost as large as the village of Hutton, though divided between two parishes from some time before the Norman Conquest; its Manor House and Manor Farm, together with the many modern houses of the Woodside estate, lie just within the Hutton boundary.

Perhaps even more important for a thorough understanding of Hutton's history than mere familiarity with the names and situation of these localities is an appreciation of the geographical lay-out of this curiously L-shaped parish. The southern base of this L can clearly be seen to consist of two belts of land stretching across the parish from Oldmixon to Elborough, the outer more southerly belt – narrow above Oldmixon but much wider above Ludwell and Elborough – being an upland area, Hutton's portion of the Mendips. Occupying most of this belt is the broad hill-top, varying in height between 200 and over 400 feet above sea-level, but barely visible from the heart of the village; for centuries this was the open common pasture, grazed by the sheep of the lords of the manor and their tenants, and today its enclosed fields are still mainly used for grazing various animals. The northern edge of this belt, mostly a steep scarp falling to about the 100 feet contour line, is now almost entirely covered with woods – Hay Wood, Hutton Wood, Elborough Wood

and Benthills Wood – with only a few gaps, such as the little gorge of Canada Combe and a few old quarries, exposing its basic rock, Carboniferous Limestone.

Below, and to the north of this belt lie more gentle slopes and lower foothills, formed mainly of brownish-red Keuper marl. This was formerly Hutton's best arable land, supplying its inhabitants with their cereal crops, but now much of it is covered with houses and gardens and two parish allotments, the rest being used mainly for grazing or for growing grass for silage. On the northern edge of this belt, only about 25 feet above sea-level, runs a strip of former meadow land which, near the village, projects northward and is now grazing land indistinguishable from the level stretch beyond it that was once part of Hutton's moorland, and which forms the northern upright arm of the parish's L shape. This arm is a wide band of low-level land, most of it barely 20 feet above sea-level and composed of alluvium. Its southern base stretches eastwards from within yards of the modern Winterstoke Road almost to Lodewell Farm, and until recent changes in parish boundaries this arm thrust northwards across Weston's former airfield to the great sweeping curve of the main railway line from Bristol to Exeter. For most of its history however, it continued still further northward to the Hutton and Locking Rhyne, and included the moorland enclosures, used as summer pastures, on which many houses and caravans now stand, adjoining Hutton Moor Road.

# One: The Earliest Years

## Before Hutton existed

“A place like this must be steeped in history” remarked a visitor not so long ago, looking down from the foot of Windmill Hill upon the cluster of old stone buildings - Court Farm, Hutton Court and Hutton Church - nestling below a great sweep of wooded hillside. Indeed it is; but the slightest turn towards the north-west, over the modern pattern of housing estates with factories and superstores beyond, would have prompted no such thought; nor would a search through volumes of English history have found a single mention of Hutton. Yet a close look at various features of this parish, with help from its surviving records, cannot fail to make one aware that Hutton's history - the story of its inhabitants, their homes, lands and way of life - goes far back into the past.

In a sense, the story begins long before Hutton existed, even before there was any permanent home for man in this region - that is, in those far distant ages of great climatic variations, when mammoth and woolly rhinoceros, lion and leopard, cave-bear, Arctic fox and wolf roamed the tops of the Mendips and left some of their bones in Hutton Cavern, indisputable evidence of their presence, at different times, in this area. A detailed description of the various animal bones found in this cave, which lies somewhere in the hill above Hutton Wood near Hutton's southern boundary, was given in 1829 by John Rutter in his *Delineations of the North Western Division of the County of Somerset*. Unfortunately, despite recent exploration underground in this area, this spectacular Hutton Cavern has not yet been rediscovered. However, in 1973, animal bones of the Pleistocene period (possibly between one and two million years ago) were found in a cave in the same region not far from Upper Canada Farm.

Both the location and the kind of evidence are significant. For several thousands of years after the last Ice Age, the story of what was much later to become the parish of Hutton concerns its upland part and is substantiated solely by similar remains and other visible traces, that is, by archaeological and not documentary evidence.

## The Stone Age (to 1800BC)

The archaeological evidence includes the small pieces of flint, carefully worked to form blades, scrapers and other primitive tools, which have been picked up from time to time at various points from the top of Bleadon Hill above Oldmixon Manor to Elborough Hill, and far along Bridewell Lane where it begins to slope down towards the gap in the Mendips now used by the M5. Although most of these finds belong to the Neolithic period, perhaps from about 10,000 BC, similar but even earlier flints of the Late Upper Palaeolithic period were reported to have been found “on Hutton Hill” about 1900 and deposited in Weston (now Woodspring) museum. Microliths, smaller pieces of worked flints, perhaps of the Mesolithic period, were found about 1960 in what is little more than a cleft in a limestone crag hidden in Hay Wood. These finds provide the earliest possible evidence of human beings in the area, the primitive men of the Stone Age who

roamed its hilltops and made temporary homes in such crude rock-shelters as that in Hay Wood.

It is most likely that the only parts of this parish to be inhabited at that time were the upland areas, including both the flatter tops and the steeper slope below. The undulating lower slopes, which now provide most of the cultivated land and the sites of Hutton's houses and gardens, are thought to have then been covered with impenetrable brushwood. Beyond this broad band of landscape, the long low level tract of Hutton Moor was then mostly under water or an impassable marsh.

### **The Bronze Age (c. 1800BC - 500BC)**

Gradually man came to adapt himself to the landscape, and to adapt that landscape to his own use; in this way was a settled life made possible. The cultivation of the deeper soil on the lower slopes and foothills was only gradually achieved with the use of metal axes and ploughshares, as successive waves of invaders from the European continent brought in different skills during the Bronze and Iron Ages.

As yet, no positive evidence has come to light of any Bronze Age settlement in Hutton, though some flint scrapers, found at various points in its hill-top belt and especially near the Loxton boundary, have been ascribed to that period, and definite Bronze Age finds have been made as near as Sandford and Banwell. It is tempting to speculate that barrows of some kind, either round ones of the Bronze Age or long ones of the earlier Neolithic period, existed on a plot of land above Eastfield Road, for this plot was known as 'Barrows' in 1837 and as 'Le Barows' in 1482. It is now occupied by the close of houses known as Barrow Road. In the field across the road facing the entrance to Barrow Road there are indications that the road to Banwell was cut through a barrow-like mound. What appear to be ploughed-down mounds on the top of the two North hills behind Oldmixon Road could also have been barrows, especially the more northerly one, but it must be admitted that these sites are unusually low for barrows in this region and that, so far, no bones or other indications of burial have been found on them.

### **The Iron Age (c. 500 BC - 100 AD)**

More definite traces have been found within the parish of the various peoples who formed small communities in this region during the last five centuries BC. The earliest evidence comes from the same rock-cavity in Hay Wood that was mentioned earlier. Most of the human skulls and other bones, many of the fragments of crude pottery and some of the bones of sheep and pigs found there have been identified as products of the early Iron Age. It is thought that a large family group, who practised some ritual mutilation of the teeth of their young males on reaching maturity, had used this cavity, and perhaps others in the vicinity, for their burials, and the surrounding wood (at that time mainly hazel and elder) to feed their pigs and supply their fuel. They probably lived in wattle-and-daub huts on the hill-top where their sheep grazed and where they grew their corn. The sherds of pottery, which had either tumbled or been washed down into the cleft, also included specimens of the latest Iron Age, that is of the first century AD, and would seem to indicate occupation of the hill-top above Hay Wood for some six hundred years or more.

Probably belonging to the latter part of the Iron Age, perhaps even constructed when half of Britain was under Roman occupation, was a small hill-fort, now barely recognisable, on the top of Elborough Hill near Hutton's eastern and southern boundaries. This was surveyed in 1933 and was found to be roughly elliptical in shape, enclosing an area of about 1<sup>3</sup>/<sub>4</sub> acres, with a stone bank (now covered and only two feet high) and a ditch as defences at both its east and west ends, but protected mainly by the steepness of its north and south sides, the latter rising abruptly to about thirty feet above Bridewell Lane. Unfortunately, no finds made so far on this site have enabled any firm dates to be assigned to it. This little hill-fort must have served only a small community, unlike such large, elaborately constructed hill-forts of the Iron Age as Dolebury and Worlebury, not far away.

The cultivated fields belonging to a settlement of this type were small roughly rectangular plots, usually enclosed by low walls or banks of earth. Traces of such 'Celtic fields' (as they are sometimes called) have been observed over much of Elborough Hill, although they are not as prominent as those at the north-east corner of Flagstaff Hill, Christon, or on the southern slopes of Bleadon Hill west of the road climbing up from that village. It is just possible too that there may have been a small Iron Age settlement at Ludwell, either near the present Lodewell Farm or, more probably, on the spur of the hillside above it, a situation similar to that of Dibble's Farm, Christon, where an early-middle Iron Age farmstead was discovered in 1970 during the construction of the M5. Although only one sherd of Iron Age pottery among many Romano-British sherds was found by Marie Clark in 1976 on land that had recently been disturbed just east of Lodewell Farm, several of the dark grey coarse-grained sherds (among the many more distinct Romano-British sherds) found there by John Harris (or Norris) in 1965 and now stored in Woodspring museum also appear to be of Iron Age origin. It is, therefore, not improbable that by the beginning of the first century AD there were, or had been, several small Iron Age communities settled in the area now forming the parish of Hutton, and that - excluding the great extent of level moor - most of its land had been brought into use to provide them with their still rather meagre living.

### **The Roman Period (c. AD 43 - 410)**

This period is usually regarded as the first definite stage of British history, following upon the prehistoric ages, for there is a fair amount of written evidence for the Roman occupation of Britain as well as a vast amount of archaeological remains. However, as far as the history of Hutton is concerned, this is still, in a sense, a 'pre-historic' period, for not a single mention is made in any known Roman records to any part of this area. None of the relatively meagre archaeological finds from this period came from anywhere near what was eventually to be the heart of the village, unlike at Banwell, where the Roman villa excavated in 1967 at Riverside was fairly close to the old parish church and market square. The precise dates given above for this period mark the limits of the official Roman occupation of Britain, but it is not known how much earlier, and to what extent, this part of the country may have been touched by Roman civilisation from neighbouring Gaul before AD 43. This was when the Roman emperor Claudius began his serious invasion, nearly a century after Julius Caesar's short expedition in 55BC. Nor is it known how long some aspects of Roman civilisation may have lingered on after the Roman legions had been recalled from Britain for the defence of Rome in AD 410. However, it is most probable that by AD 47, when the first Roman Governor of Britain relinquished his office, the hill-fort at Worlebury had already succumbed to the

attacks of the Second Augustan Legion and that some of its surviving defenders may have been slaving in the Imperial lead-mines at Charterhouse on Mendip, which was certainly in production by AD 49, according to the inscription stamped on a 'pig' of lead found near Blagdon in 1853.

The fact that these dates from the first century AD overlap those of the Iron Age is not such a contradiction as it may appear, for the Romans were not successive hordes of an alien race driving out and supplanting the native population, but an elite band of soldiers, civil administrators and businessmen, from many different parts of the Roman Empire, who left many of the inhabitants to follow their own more primitive ways of life, except when their labour was required, though eventually those ways must have been modified by the Roman system. It is therefore not improbable that, at some time during that period of nearly four hundred years, some native Britons from the Hutton area may have worked in the Charterhouse lead-mines or in the construction and repair of a stretch of the Fosse Way or of the temple on Brean Down. In such rural areas as Hutton, however, everyday life throughout the Roman period probably went through few perceptible changes, apart from the introduction of Roman pottery, soon to be imitated in Romano-British kilns, and the gradual circulation of Imperial Roman coins. Many Iron-Age hill settlements, especially smaller ones, long continued to exist virtually undisturbed, but it is very probable that on the richer agricultural belt below the hills more land came under cultivation, either by independent native farmers who had to contribute to Roman coffers, or by native farmers slaving on the more extensive estates of a Roman villa.

It seems increasingly improbable that such a Roman villa ever existed within the area of the parish of Hutton, for although more and more land has been disturbed for building, road-making and pipe-laying, this work has so far failed to expose such characteristic features of the true Roman villa as mosaic paving and under-floor heating systems or any adequate specimens of richly decorated Samian pottery, delicate glassware (like Banwell's famous Winthill bowl in the Ashmolean Museum), or jewellery. It is surprising that such a 'desirable site' for a residence as that now occupied by Hutton Court, or even anywhere near the heart of the village, should apparently have failed to attract a settler in Roman times, for not one scrap of Romano-British pottery has so far been found in that area. On the other hand, there is clear archaeological evidence that the two previously mentioned Iron Age hill settlements, the one on Bleadon Hill above the rock shelter in Haywood and the hill-fort on Elborough above Bridewell Lane, were still occupied for some time during the Roman period. Although some sherds of Samian ware have been found on the eastern edge of the hill-fort, the general nature and relative scarcity of the finds from these two sites would seem to suggest that the standard of life reached by their Romano-British inhabitants was little higher than that of their immediate predecessors. More ample evidence of a standard of civilisation somewhere between the two extremes of villa and hill-settlement has come from the sites of two Romano-British farmsteads almost at opposite ends of the parish, one near Lodewell Farm and the other on the Woodside estate at Oldmixon.

Finds of Romano-British pottery have been particularly plentiful at Ludwell where in 1965, when a sewer trench was dug just north of the farmhouse, John Norris collected numerous sherds of various wares, including Samian, and a Roman coin. Then in 1976, when rhynes were re-cut a little to the north-west of the farm, Marie Clarke found nearly 200 assorted Romano-British sherds as well as some

animal bones and a sandstone roofing tile. It is possible that objects found at this low level could have been washed down from somewhere on the hillside above the farm, but the proximity of a perpetual supply of pure water from the spring only a few yards south-east of the farm could well have been an inducement to settlement nearby. At Oldmixon, during the building of houses on the Woodside estate, especially at the eastern end of Woodside Avenue, between 1978 and 1981, several small areas of roughly cobbled paving were exposed, one of them being edged by low rough stone-walling, which together with fragments of sandstone roofing tiles, various animal bones and numerous small sherds of Romano-British pottery (grey, black, pink and imitation Samian) collected from the site by the present writer, indicate the presence of a farmyard and farm building at some time during the Roman era. One small solitary find of genuine Samian ware, embossed with animal figures, one (only partial) perhaps a skipping lamb and the other a crouching rabbit, suggests that a relatively high standard of living was enjoyed by some inhabitants of this neighbourhood, perhaps dwelling a little further westwards on land now covered by houses. Such a small isolated fragment, unsupported by other evidence, is however not an adequate indication of the presence of a Roman villa in the vicinity. So far only one Roman coin is known to have been found in this area, a humble denarius (penny) of the Emperor Maximilianus (AD 286-308), showing that the site was occupied at least during the fourth century AD.

One other feature of Roman occupation supposedly linked with the parish of Hutton is a 'Roman road' which the early-nineteenth-century antiquarian, Sir Richard Colt-Hoare of Stourhead, thought was used to transport lead from the Imperial lead mines at Charterhouse-on-Mendip to a conjectured port near Uphill at the mouth of the Axe. No firm evidence has so far been produced to support this theory, and it is now considered to be more likely that the products of Charterhouse were shipped either from Sea Mills on the Bristol Avon or from near Southampton, reached by a more certainly traceable Roman road. As for the supposed course of the Charterhouse to Uphill road through the neighbourhood of Hutton, there have been various suggestions, though most have assumed that, coming from the east, it first reached the southern boundary of the parish along Bridewell Lane. Colt-Hoare's fellow antiquary, John Skinner, seems to have thought that from Bridewell Lane it descended the upper part of Canada Combe (which he called "Hutton Combe"), turned south to climb up "to the heights" and then ran westwards to follow the "line of the Belgic British road" and to make "the division between Hutton and Bleadon parishes" along Bleadon Hill. The late Professor EK Tratman, however, believed it followed a more southerly course along the crest of Bleadon Hill, mostly within the parish of Bleadon (but north of the present mistakenly named Roman Road), only reaching and following Hutton's southern boundary for a short distance from above the middle of Haywood.

Evidently someone living in Hutton in Colt-Hoare's time assumed that this road took a much lower and more northerly course from Canada Combe, for in the schedule attached to Hutton's 1838 Tithe map, the name 'Roman Road' is applied to the narrow enclosure on the north side of the orchard behind Hutton Court. This, and the fact that a fairly straight line is formed by the footpath running through that enclosure, the southern stretch of Church Lane and the footpath that runs westwards from it towards Oldmixon, have led to the supposition that this may have been an alternative road to Uphill in Roman times. All these conjectures, however, lack firm archaeological evidence. In 1970 when the M5 was cut through the foot of the hill near Whitley Head, Banwell, across the expected route of the Roman road

between Winthill and Bridewell Lane, no trace of paving was revealed, nothing in fact to suggest that a road capable of carrying heavy wagons had ever existed there. Similarly in 1988 the trench cut across the Hutton to Oldmixon footpath for the laying of water pipes revealed no trace of any road more substantial than a rough cart track between and across fields for farming use. What seems to be beyond doubt is that, before the Roman period, a primitive track had followed the course of Bridewell Lane and along, or near, the top of Bleadon Hill, that it had continued in use in the Roman period, serving the two hill-settlements mentioned earlier, and that, much later, parts of it formed Hutton's southern boundary.

### **The Dark Age (Fifth, Sixth and Seventh Centuries)**

This period can be roughly defined as the interval between the gradual decay of Roman civilisation and the establishment of a settled way of life and of organised government by the Teutonic invaders of Britain or their descendants. In this part of the country there are signs that there was instability - such as the hoarding of coins, the burning of buildings and the abandonment of settlements - from the middle of the fourth century, well before the Roman legions were recalled to Rome in 410. Although Saxon invaders may have reached the Mendips soon after the middle of the seventh century, it was probably not until almost the end of that century that this area came under the rule of Ine who was king of Wessex from 688 to 726. The term 'Dark Age' usually implies, often undeservedly, the ignorance or lack of enlightenment of those who lived at that time, but it could be used, with far greater justification, to imply our ignorance of that period. In this sense it was certainly the darkest age of Hutton's history. As in the Roman period, the surviving contemporary documents which refer to Britain do not include a single mention of the area later to be called 'Hutton', but in marked contrast even with prehistoric times, no archaeological finds within the parish can be assigned to this period with absolute certainty.

It is, however, almost sure that there was an ancient burial ground near the quarry at the foot of Windmill Hill and near the crest of the hill on the road to Banwell, and it is quite probable that this 'cemetery' was in use at some time during the Dark Age. The evidence for this consists of a number of discoveries made at different times and only reported (not even at first hand) without photographs or sketches. The earliest of these reports is a paragraph in the *Weston Mercury* of 10th June 1882 concerning the discovery of "human remains", thought to be "of ancient Britons", during road-widening at Oldmixon. The report adds that "similar discoveries were made when the road was cut near the Old Windmill and the tumulus at Luds Well was opened". Nothing further is known about the opening of a tumulus at Ludwell and there is no other reference to the existence of such a tumulus, but, presumably, the cutting of the road near the Old Windmill occurred not long after the long straight road, now known as Windmill Hill, between the quarry and Bridewell Lane, had been planned and shown on the map attached to Hutton's Hill Inclosure Award of 1856.

It was probably to the skeletons discovered near Ludwell that Francis Knight alluded in his *Seaboard of Mendip*, published in 1902, when he wrote that "some forty years ago" (c.1860) "when men were lowering the road at Rowans, as the hill on the way to Banwell is called, a row of four or five skeletons was laid bare." He also claimed that "the place where one was lying is still visible in the rock by the roadside, filled up with stones". A variant of this report circulating by word of

mouth in the neighbourhood a little later in the twentieth century, claimed that a so-called "Roman stone coffin" had been found in the face of the rock on the north side of the road and that "bricks", still visible, had been used to fill the gap caused by the removal of the coffin. Unfortunately, there appears to be no record of the subsequent location of the "coffin" or its contents. In 1908, however, the Revd WF Rose, then Rector of Hutton, reported that "a large burnisher or grain-rubber of sandstone," which he donated to the Somerset County Museum at Taunton, had been found near the quarry "lying beneath a human skeleton" and he remarked that skeletons "had often been found when the quarry was being enlarged, two feet down and resting on the limestone". These two sites, the cutting in the road and the quarry, are less than two hundred yards apart.

Finally, in May 1940, a *Weston Mercury* article, under the heading "A Roman Legionary? ", reported that "during digging on Windmill Hill last weekend" the skeleton of "a huge and powerfully built man was unearthed . . . in a neighbourhood which has yielded many previous discoveries connected with the life of primitive man". It is particularly unfortunate that no more precise location was given, since one further detail included in the *Mercury's* report is of considerable significance, namely that "the feet were laid pointing to the east and the burial appears to have been a normal one." The posture of this skeleton, even with no mention of a coffin, suggests a Christian burial.

Several baffling questions are posed by these various discoveries of skeletons in roughly the same part of the parish of Hutton. In the first place, can this imprecisely located area be regarded as a single cemetery? The "row of four to five skeletons" reported by Knight certainly indicates that there was a burial ground where the Banwell road was later cut through the rocky hillside, but if the cemetery also included the other skeletons discovered singly in various places - the cutting, the quarry and "near" the windmill - then its extent, at least on a north-south axis, must have been considerable. Yet the absence of any reports of similar discoveries during the building of the houses between the quarry and the Banwell road, or of those on the east side of the lower part of Windmill Hill, or of the bungalows on the north side of the Banwell road, would seem to put well marked limits to that cemetery.

Then, if this cemetery included that single example of a Christian burial, was it ever entirely a Christian cemetery? Of course, there is always the possibility that the east-facing position of that skeleton was a matter of pure chance, though it is equally possible that other skeletons were found, but not observed or reported, in a similar posture, or may still lie undiscovered nearby. Certainly Knight's "row" of skeletons and perhaps even Rose's skeleton "resting on the limestone" suggest a burial far more civilised than those in the Iron Age collection of pits, first used for storing grain and then for either upright or crouched unceremonious inhumations, found at Christon during the cutting of the M5. Even the fact that, apart from that single "burnisher", no finds of any ornaments, weapons, tools or utensils accompanying these skeletons have been recorded suggests that they did not belong to the Britons of the Iron Age or earlier, nor to the later heathen Saxon invaders, and so the possibility of their being Christian burials is increased.

Finally, a double question - if this was a Christian cemetery, when was it used and why was it situated on that spur of the hillside? Certainly there would be no reason for its existence when there was a church, and therefore consecrated ground, in Hutton, as there was before the end of the thirteenth century, but it is

highly improbable that such a remote site would be used even when the Saxon settlement had been established on what is now the heart of the village. This cemetery, therefore, if such it was, must have belonged to an earlier period and served other communities. Significantly, its site is not far from the Ludwell Romano-British farmstead and would have been within reasonable reach of the Iron Age hill-fort on Elborough Hill that was in use for some time during the Roman period. The "burnisher" found beneath the skeleton reported by Rose may well have been an Iron Age tool, even though the burial above it was of a later type than that of the Early-Middle Iron Age pits on the M5 site at Christon; perhaps the juxtaposition of tool and skeleton was accidental. It is possible therefore, that there may have been an Iron age burial ground in some part of the area covered by the later cemetery, that it was used again by Britons occupying the Romano-British farmstead at Ludwell, and that subsequently some of these Britons, or their descendants, having become Christians, were buried in a Christian posture, but in a cemetery sanctified only by custom.

All of this may seem a far-fetched conjecture built on the slender premise of a solitary possible Christian burial, but it is not without some rough parallels. In 1972, at Bradley Hill, Somerton, on a site which contained one known Iron Age burial pit, Peter Fowler eventually excavated a small cemetery containing sixteen adult burials, all except one being aligned east-west and therefore "apparently Christian", which he assigned to the second half of the fourth century, that is, even within the Roman period. In this case, however, the cemetery was quite close to the site of a Romano-British farmstead, at one end of which twenty-two children had been less formally buried. More recently, in 1990, it was reported in the press that a burial ground, thought to belong to the fourth century AD had been revealed by construction work near the course of the Fosse Way on the outskirts of Shepton Mallet, and among the finds was a brooch bearing the unmistakable emblem of Christianity, the Chi Ro. Much nearer to Hutton, a possible cemetery of considerable extent, apparently used from the Iron Age to the Dark Age, has been conjectured by Chris Richards from a series of discoveries reported over many years, to have occupied much of the hillside (now covered with houses) in the Montpellier area of Weston-super-Mare.

No other possible evidence of human occupation within the area of the later parish of Hutton has survived from the Dark Age, but it may be confidently assumed that, as in the surrounding areas, small groups of the native Britons or Celts scraped a meagre living in this vicinity for several generations after the departure of the Roman legions. Some Celts probably survived even the irregular incursions of Saxon invaders during the fifth century, and during the following century perhaps were converted or confirmed in their faith by Celtic Christian missionaries from Ireland and Wales. These, as well as traditionally founding the church and abbey at Glastonbury, were commemorated by the names of later Saxon settlements, such as Congresbury (from St Congar), or by the dedication of Saxon churches and chapels, such as the chapel of St Columbanus adjoining the Saxon royal palace at Cheddar. No surviving place name or field name, however, within the parish of Hutton seems to have had a Celtic origin. Although many more Celts must have fled westwards into Wales during the seventh century as the organised armies of the West Saxons advanced into this region, it is now considered probable that some continued to live in this part of the country after the Saxons had settled down as farmers on the arable belt of land between the Mendip escarpments and the moors, and established their hamlets such as Hutton.

## **Two: Hutton's Saxon Period**

Although many events that occurred in various parts of the country between the reign of Ine, King of Wessex, and the Norman Conquest are well authenticated and their dates well known to students of English history, this period, as far as Hutton is concerned, is another 'Dark Age'. Despite its length, almost equal to that of the Roman occupation, not one single scrap of indisputable archaeological evidence for the existence of Hutton during that age has so far been found. Yet it must have been at some time during this period that the village of Hutton, and the hamlets that were eventually to be incorporated within the parish of Hutton, first came into being. So in this, the first real part of Hutton's story, much will have to be conjectured from what is known about other places in this region.

### **The Saxon names for parts of the parish**

No specific year, no decade, not even any half-century can be confidently regarded as the date for the origin of Hutton, but it was during the latter half of the reign of Ine as King of Wessex (688-726) that conditions were probably first suitable for the West Saxons to settle down as farmers in this region. Throughout the eighth century they built their farmsteads and cleared the foothills and slopes of the Mendips of trees and scrub, and ploughed the land with teams of oxen. It is probable too that by the end of the eighth century these farmsteads had been given their Saxon names by which, though modified, the areas around them are still known, although few of these names were written down before the Domesday Survey of 1087 and many do not appear in documents until the thirteenth century.

So the name of Hutton, first recorded in Domesday Book as 'Hotuna', may well have been used orally some three hundred years earlier, its suffix 'ton' (or 'tun' in Anglo-Saxon), as also at Christon and Loxton, at first, perhaps, denoting only a single farmstead, though it later implied a small group of farms forming a village. It has been suggested that the first part of its name came from the Anglo-Saxon 'hoh', meaning a heel, and that it was used to describe the L shape of the whole parish of Hutton, but it is unlikely that the parish was formed and its boundaries (and therefore its shape) defined much before the end of the Saxon period and perhaps not until the thirteenth century. A more probable explanation for the name is the accepted use of 'hoh' to denote a spur of a hill, for Hutton lies almost at the foot of such a spur projecting from the main Mendip ridge.

The name of Elborough, now part of the parish of Hutton, may have had an even earlier origin: as 'Eleanbear' it was said to have appeared in a Saxon charter of 760-762. Then it was the name for three hides of land, the same amount as recorded in Domesday Book three hundred years later, which were granted by Cynewulf, King of the West Saxons, to his thegn, one of his leading warriors, Aethelheard. This charter, no longer extant, was claimed to have been seen in 1247 by John of Glastonbury, a mediaeval historian, who also reported, without indicating his source, that Aethelheard had subsequently bequeathed this land to the Abbot of Glastonbury. John of Glastonbury also claimed to have seen a later charter, dated between 946 and 955, but again no longer extant, by which Eadred, King of Wessex, and overlord of most of England, granted one hide at 'Elenberwe' to the Abbot of Glastonbury. Some scholars are apt to be sceptical about such missing charters,

regarding them as, perhaps, either entirely fictitious or forged centuries after their supposed date to give an air of antiquity and validity to more recent acquisitions of land, but it would seem that the second Elborough charter at least had some foundation in fact for it was reputedly made in the middle of the tenth century when the Abbot of Glastonbury was Dunstan, soon afterwards to become the Archbishop of Canterbury and eventually after his death to be canonised as St Dunstan.

What is beyond dispute is the fact that, at some time during the Saxon period, Elborough as well as Hutton was acquired by the Abbey of Glastonbury, for both were listed in Domesday Book among the Abbey's possessions at the time of the death of King Edward the Confessor in January 1086. Whatever the origin of these two charters, the names they use for the later 'Elborough' are particularly interesting. The names are pure Anglo-Saxon and have no connection with 'burh' (borough) but with 'beare' or 'bearwe', commonly signifying a barrow though it was sometimes applied to a wooded hill, in this case associated with a Saxon man, presumably of some consequence locally, named Ella or Aella. If indeed it was his burial place that first bore this name that was later applied to a farmstead nearby, it would suggest that the name originated before Christianity had been widely embraced by Saxons in this region, that is before the eighth century.

As for the names of two other parts of the later parish of Hutton - Ludwell and Oldmixon - although both are not to be found in writing until the thirteenth century, they too are of pure Anglo-Saxon origin and therefore may also have existed orally long before the Norman Conquest. Ludwell is clearly descriptive of the 'hlud' (loud) spring that, in a wet season, even today (despite the thousands of gallons of drinking water drawn daily from its remote subterranean source) can still be heard gushing forth just above the farmyard. Fortunately there now appears to be no trace of the old 'mixon' or dunghill that accounts for the other name, but it must have been a conspicuous feature for the inhabitants of that part of the parish, or for their neighbours, well over a thousand years ago.

### **Land usage and boundaries**

During the ninth and tenth centuries, under the rule of law and the relatively stable government of the Kings of Wessex (and subsequently of all England), despite Danish invasions, something like the normal pattern of early mediaeval life was established in this part of the country. It seems likely that during that period Hutton developed into a small village with some five or six farms, and Elborough as an even smaller settlement with only two or three. Although the names *Eastfield* and *Westfield* do not appear in documents until the sixteenth and seventeenth centuries, it is thought that they originated in the Saxon system of farming, possibly dating from this period, by which each village had at least two large tracts of arable land known as 'fields', one being allowed to lie fallow for a year, in turn, to be naturally manured by grazing animals, whilst the other was cultivated for grain. These fields were ploughed by communal labour with communal ploughs and teams of oxen and were communally harvested, though the individual farming families had their own strips of these fields and shares of their produce.

It is almost certain that this would have been the practice in Hutton and perhaps even in Elborough, though there only one huge field was, centuries later, to bear the name of 'Elborough Field'. Similarly, in Hutton, the wetter land, just below and to the north of these fields, was used as a meadow for the production of hay

and was divided by a tongue of moor land into the East Mead and the West Mead (names first written down in the fifteenth century); and again these meadows were divided by balks into strips for individual farmers. Many centuries later two or three such strips were put together and enclosed by hawthorn hedges to form long narrow fields and a few of these may still be seen, as one looks down from the top side of the Springfield Recreation Ground, stretching northward across what must have been Hutton's East Mead in the Saxon period. Apart from the fallow lands and the stubble after harvesting that was grazed by cattle, pasture mainly for sheep was provided by the hill-tops, especially those above Haywood, Hutton Wood and Elborough; this was not only for common use by all the farmers of Hutton and Elborough, but it was also probably shared by those of neighbouring Bleadon and Christon and consequently was the subject of disputes and conflicts which in the absence of clearly defined boundaries, continued into the thirteenth century.

When Hutton first had its boundaries defined is not known, for the earliest map recording them is the Tithe map of 1838. No map apparently exists showing the boundary between the village of Hutton and the hamlet of Elborough and perhaps there never was such a boundary, so that in the Saxon period, at least until both places belonged to the Abbot of Glastonbury, there could well have been disputes between them over the grazing of what is now called Windmill Hill, the common pasture lying between them.

Some neighbouring villages, however, had defined boundaries in the tenth century. As early as 904 a Banwell charter, recording the gift by King Edward, son and successor of Alfred, of twenty hides of land there to the minster at Cheddar, was accompanied by a perambulation defining their bounds, the early substitute for a map. Though this amount of land could not have embraced the whole area of the later parish of Banwell, for it was only two thirds of the amount recorded in Domesday Book, it evidently included the part nearest to Hutton. The first item in this perambulation, "of Loxs unto Bridewell" (from the Lox Yeo to the bird spring), shows the existence at that time of a name that was to be given to the nearby lane, Bridewell Lane, which was eventually to mark the boundary between Christon and the Elborough part of the parish of Hutton; and the second item, "to Pontes Hyd Ford" (to Ponteshide forward), that is, continuing in the same direction, must have then defined the boundary between Elborough and Banwell which later was to be Hutton's eastern parochial boundary. Incidentally, Ponteshide, recorded in Domesday Book as a separate holding of half a hide, would seem from its mention in a Payn rental of 1482 to be identifiable with the Hill End strip of lane between Elborough and Knightcott, now severed by the M5.

Bleadon too had two Saxon charters, the first, dated 956, being a grant by King Eadwig to one of his thegns, and the other, dated 975, a grant by King Edgar to "the old minster at Winchester", both for fifteen hides of land. The perambulations accompanying these charters are more detailed than the one for Banwell, but most of the reference points, such as Ash Well and Beggarsthorn, are now virtually unidentifiable and some have considered that a buffer zone existed between Banwell and Hutton. However, the writer is inclined to the opinion that the Saxon boundaries of Banwell and Hutton did in fact coincide; for both Bleadon charters concern fifteen hides of land, the same amount as that recorded for the whole manor of Bleadon in Domesday Book, and they include sixty acres of meadow and a stretch of pasture, presumably on the hill-top, one and a half leagues long and half a league wide. Further, just as two items in the Bleadon perambulation

bear names still recognisable on its south-east boundary, namely "Loxonwode" (Loxton Wood) and "Scypelades Wyll" (Shiplate Spring), so one item, "Horehorne", following several that suggest low-lying wet land, e.g. "Eald Med dic" (Old Mead ditch) and "Fulan Maere" (Foul pool), very closely resembles "Horethorn", the name which first appeared in writing in 1430 for land near the north-west corner of the parish of Hutton, at the end of Oldmixon Drove. This was to survive into the nineteenth century, disguised as Hawthorn, as the name of several small fields and a drove in that part of the parish. It seems more probable that this later name originated in the Saxon "Horehorn" meaning "filthy corner" (perhaps one degree worse than "foul pool") and suggesting stagnant water, than in the hawthorn hedgerows used only when these small enclosures were made.

It is clear then that some villages in this region had well-defined boundaries before the end of the tenth century, and that these coincided, at least partially, with their eventual parish boundaries. It is not improbable that Hutton was such a village since a considerable part of its parish boundary was determined in that century by those of its neighbours, Banwell and Bleadon. Yet it is quite impossible to discover when these parishes were first formed with the villages as their nuclei, for the parish, as distinct from the "tithing" (a unit of the Saxon administrative "hundred"), although it had some lay functions, was then essentially an ecclesiastical unit, having its own parish church. Although there is apparently no mention of it during the Saxon period, there may very well have then been a Tithing of Hutton in the Winterstoke Hundred of the County (or Shire) of Somerset, but that there was then a Parish of Hutton, and so a church there, is much more doubtful.

### **Saxon Hutton's connection with the Church**

Despite the absence of any surviving evidence, it seems likely that the inhabitants of Hutton, during the ninth century and perhaps even earlier, were Christians and had at least been baptised. For from the eighth to the tenth centuries 'minsters' (the Saxon word for monasteries) were being established in many places, some quite small, throughout Somerset, and these included Wells (before it had a cathedral), Cheddar and Banwell. These establishments, unlike the later secluded monasteries, were missionary centres for their surrounding areas and it was from them that the inhabitants of the scattered villages, hamlets and isolated farmsteads received such limited ministry as could be provided.

It seems therefore very likely that, before Hutton belonged to the Abbey of Glastonbury, it was served by the minster at Banwell which must have been established before 886, for in that year it was given by King Alfred to his counsellor (and subsequent biographer), the Welshman Asser, who became Bishop of Sherborne, in which diocese then lay the whole of Somerset, in 901. Though the Bishopric of Wells was established in 909, it may have been some considerable time before villages such as Hutton looked to Wells for ministry rather than to their nearer minster, even, it is thought, until towards the end of the eleventh century.

It is possible that Hutton had no church of its own at that time or even during the final stage of the Saxon period when, together with Elborough, it definitely belonged to the Abbey of Glastonbury. There is certainly neither documentary nor archaeological evidence of a Saxon church within the area of the present parish. Yet that is also true of the parishes of East Brent and Brent Knoll, not so far away, which were formed out of the manor of Brent Marsh given to the

Abbey of Glastonbury by King Ine in 620, and remaining as possessions of the Abbey until its dissolution in the sixteenth century; there is no trace of anything earlier than the Norman south door at Brent Knoll. However, the absence of evidence is not necessarily a proof of non-existence. No trace of a Saxon church, for example, has so far been found at Bleadon, yet the previously mentioned perambulation belonging to the charter of 956 includes a reference to "cyrig stede" (church stead), which must have been either the enclosure in which the church stood or a farmstead belonging to the church.

No fine specimens of Saxon church building in stone are to be found anywhere in Somerset to match the old church at Bradford-on-Avon in Wiltshire or even Odda's chapel at Deerhurst in Gloucestershire, and only a pair of sculptured stones have survived from the church founded in the seventh century at Frome. Such fragmentary pieces of evidence may lie hidden for centuries and only come to light by accident, as recently happened at Banwell where, in 1983, repairs to the fifteenth-century church porch revealed a piece of carved stone with an unmistakable Saxon interlacing pattern beneath a pillar of the doorway. This stone may not have been in its original position and it is impossible to tell whether it had been part of a cross, of an altar, or even of a gravestone, but it has been provisionally dated between the ninth and eleventh centuries and is so far the only known relic of a period when Banwell had a minster and therefore a church.

Although Hutton and Elborough belonged to the Abbey of Glastonbury, probably from the tenth century, the relationship between the Abbot and their inhabitants was not likely to be that of a pastor and his flock, but that of a superior landlord and his sub-tenants. It is most unlikely that the Abbot, or even any of his monks, actually visited Hutton, still less likely that a subsidiary convent was established in or near what is now Hutton Court, despite the persistent nineteenth-century notion to that effect. Certainly by the eleventh century, even before the Norman Conquest, the feudal system of land ownership was widely practised, as is revealed by the Domesday Book of 1087 with its record of land holdings in the reign of King Edward the Confessor. According to entries in that book, Elborough was then held from the Abbot by a man called Alward or Ailward, who, presumably, provided the Abbey with some dues or services which may have included the supply of produce from the land.

Similarly, Hutton was held from the Abbot by two unnamed thegns, warriors and counsellors, who probably undertook the duty of military service which the Abbot, as holder of many estates by royal grants, owed to the King. According to the Exchequer Domesday Book, Hutton was then held "as two manors" but the Exon Domesday version is probably more correct in stating clearly that "one" thegn "held there one moiety" (half) "and the other held the other moiety", which implies that Hutton was divided. It is not certain that these thegns resided in Hutton, or even Alward in Elborough. Possibly, they would have had resident reeves or bailiffs in charge of their estates, living at their home farms, that in Hutton being the distant predecessor of Hutton Court and Court Farm and very likely on or near the same site.

### **Hutton's isolation from national events**

Even at this first stage of Hutton's history, this parish was little affected by the stirring events of the period that dominate traditional books of English history.

Throughout the ninth and tenth centuries, almost the whole of England was subjected to attacks by Vikings and Danes, varying from coastal raids to more prolonged invasions, and Somerset certainly had its share of them. Unfortunately, no records have survived to show how the 'fyrd', the shire's defence force, was organised by the 'ealdorman' of Somerset but, with Hutton so near the coast, it is not improbable that some of its able-bodied men might have been called upon to serve under ealdorman Eanwulf in 845 when, along with the men of Dorset, they defeated Hubba's Vikings near the mouth of the Parrett. It is thought that this engagement occurred somewhere between Combwich and Cannington and that there is an unauthenticated local tradition of a battle as near to Hutton as on the south-east slopes of Brent Knoll, but the supposed association of Hubba with the Hobbs Boat ferry and with Uphill is more doubtful.

The people of Hutton at that time must, at least, have been made aware of these events. It is less likely that Hutton men served under ealdorman Aethelnoth in 878 when the men of Somerset helped King Alfred as he emerged from the marshes of Athelney to march against Guthrun the Dane and defeat him at Ethandune (probably Edington in Wiltshire), prior to the signing of a peace treaty at Wedmore. However, news of these events must eventually have reached Hutton. Although during much of the tenth century the Somerset coast was harried again by Viking raids, especially at Porlock and Watchet, it is unlikely that Hutton was affected by them.

However, the form of taxation known as the 'geld' (Anglo-Saxon for 'money' or 'payment'), introduced by King Ethelred the Unready as 'Danegeld', a payment to buy off the Danes, was to become an established source of royal revenue. So, according to Domesday Book, in the reign of Edward the Confessor, Hutton 'geldabat' (used to pay geld) for five hides and Elborough for three hides, the units of assessment at that time. It is not very likely that many of the inhabitants of Hutton and Elborough during the eleventh century would be aware of the fact that England had a Danish King, Cnut, who placed the government of this part of the country in the hands of Godwin, Earl of Wessex, and that Godwin's son, Harold, became King for a few months in 1066, but it would not be long after Harold's death and defeat when they would realise that they had a new King, William of Normandy.

### **Three: The Norman Conquest and After (1066-1100)**

Although it began with the fiercely-fought battle of Hastings in 1066, the Norman Conquest was only completed a few years later after the 'harrying of the north' and the ruthless elimination of pockets of resistance in other parts of the country including the local attacks by the late King Harold's sons on the Somerset coast and even on Bristol. It was not, however, a long-contested invasion by numerous would-be settlers of an entirely different race, but a rapid top-level takeover by a band of French-speaking adventurers, most of them of Viking descent, seeking estates. In many parts of the country, including Hutton, the only immediate consequence was a change of land-ownership with probably little other effect upon most inhabitants than, perhaps, harder work under their new masters.

This change of ownership was not, however, effected by the indiscriminate grabbing of land but resulted from the imposition of a more rigid form of a system of tenure by service which was already partially in existence. The new king, William the Conqueror, claimed for the Crown the sole ultimate ownership of all the land and, after confirming the continued tenancy under him of a few Saxon landowners who had not opposed him, he parcelled out the rest of the land among his chief supporters in the enterprise, making sure that their English estates were dispersed in various parts of the country, so that no extensive area was dominated by one powerful landowner who might be tempted to lead a local rebellion. These tenants-in-chief, owing military service and attendance at court directly to the King, in turn subdivided their scattered estates among their leading followers.

That is how Geoffrey, Bishop of Coutances in Normandy, who had provided William with warriors and had blessed his army before the battle, acquired the overlordship of about one-tenth of Somerset (as well as large estates elsewhere), including the manors of Hutton and Elborough, formerly belonging to the Abbot of Glastonbury. Similarly, the lordship of these two manors, among others, was allotted by the Bishop to one of his warriors, Ascelin (or Azelin) de Perceval. It is highly improbable that either the Bishop of Coutances or even Ascelin ever visited this area for they spent most of their days in their familiar Normandy as did the King himself. However, there can be little doubt that these two manors contributed to their coffers and most certainly to the King's, for William followed his Saxon predecessors in levying geld (tax) throughout the land.

#### **The Domesday Survey and the Exon Domesday**

William had found that the cost of his enterprise and the new expense of kingship were difficult to meet, and so he re-imposed the old 'geld'. It seems likely that the new emphasis on the manor (estate) rather than the vill or tun (settlement) as the local unit for collection may have caused problems. With the aim of solving these, of keeping a close check on his revenue, and also, perhaps, of settling once and for all the many disputed claims for land-ownership which followed the Conquest, the King and his Council in his Court at Gloucester at Christmas in 1085 set up a royal commission to conduct a most comprehensive survey of the land, the great Domesday Inquest.

During the following year pairs of commissioners toured their allotted circuits and obtained information from the sheriffs, the officials of the 'hundred', the manorial lords and their bailiffs, and six men from each 'vill' in answer to specific questions such as: Who is the lord of this place now and who is his overlord? Who were they at the end of King Edward's reign? What was its assessment for geld? How many plough teams are there? How many plough teams will be needed if all the possible arable land is cultivated? and so on. This information, which in some places also included details of land-use, men and stock, was clearly intended to form the basis for a new tax-assessment.

All the returns from the same circuit were subsequently collected at a specified centre, arranged and written down in a book in Latin, which from now on for many centuries was to be the normal language for these documents. The returns from Hutton and Elborough, along with those from all parts of Somerset and from other countries in the West, were collected at Exeter and the resulting volume, usually called the "Exon Domesday", is still preserved in the Cathedral Library. Not only is this the earliest surviving original document of the Domesday Survey, but it provides fuller information and is arranged and phrased differently from the final version, the "Exchequer Domesday" or "Great Domesday Book" which was compiled at Winchester, the capital of England, from the returns made by all the circuit-centres. The "Exon Domesday", therefore, sheds more light on this region than does the more well-known Domesday Book.

Before the entries for Hutton and Elborough are examined in detail, there is one thing that should be understood, namely the limited nature of the Domesday Survey and of its surviving records - the omissions, inconsistencies and other imperfections inevitable in such a colossal undertaking, especially in those days. These make it difficult to interpret the text of the Domesday Books with any great measure of confidence.

First of all, one cannot always be sure that the information given in any one entry applies only and wholly to a still identifiable area. Some places such as Christon and Locking, which had most probably existed as Saxon settlements long before the Norman Conquest, are not even named in the Domesday Books and their statistics are presumed to be included in the returns from other manors. No details of manorial boundaries are given and there are instances of manors overlapping. It may, therefore, only be assumed that the area then covered by the two manors of Hutton and Elborough corresponds roughly to the extent of the present parish of Hutton, incorporating Ludwell and the eastern half of Oldmixon. It is particularly concerning Oldmixon that a measure of uncertainty exists. Since that hamlet probably existed in the Saxon period but is not mentioned in the Domesday Books, its statistics, like Christon's, were presumed included in those of a neighbouring manor or manors.

However, unlike Christon which had its own church and parish, and which appears to have been regarded as a manor by the end of the twelfth century, Oldmixon has a subsequent history of being divided, its eastern half in Hutton and, until the early part of the twentieth century, its western half in Bleadon. The origin of this division has never been determined. The Bleadon perambulation of the tenth century may have included the boundary which divided Oldmixon, but here is also the possibility that the whole of Oldmixon (including the 'Horehorn' area) then

belonged to Bleadon and that the division occurred at some time between the Norman Conquest and the Domesday Survey.

The fact that five small estates in Bedfordshire and Buckinghamshire are recorded in the Exchequer Domesday Book as being held by the Bishop of Coutances, Hutton's overlord, in exchange for the manor of Bleadon, held by the Bishop of Winchester, is thought to imply that the Bishop of Coutances had earlier seized Bleadon on the excuse that it had formerly been held by the parents of the 'usurper' King Harold, and that he was induced to restore it to Winchester (to whom Harold's mother had granted it) by being given the five smaller estates in compensation. If so, it is possible that the Bishop of Coutances, who was appointed by William I to preside over various enquiries into disputes about land-ownership, restored only the western half of Oldmixon to Winchester's manor of Bleadon, attaching the eastern half to his own manor of Hutton. However, it has been suggested that the 'Bleadon' of the Bedfordshire and Buckinghamshire entries may have been some other place in that part of the country no longer identifiable.

Another difficulty presented by the Domesday records is due to the fact that there was no actual measuring of the land by those engaged in the Survey and no established standard of land-measurement then existed, so that such seemingly accurate statistics as "fifteen acres" represent an estimated number of units only roughly corresponding to modern acres, but actually varying in size from one locality, or even one individual estimator, to another.

Apart from mills (as at Banwell) and, only very rarely, churches (as at Frome), no buildings are mentioned, no streams, hills, individual trees or other natural features, and no specific locations are given. Some Exon Domesday returns include three or four different kinds of farm animals; others do not specify any. One thing is certain - the fact that an item is not specifically mentioned in the Domesday records is no proof at all that it did not exist in 1087.

### **Disputed ownership of Hutton and Elborough**

The first item in each Domesday entry concerns the ownership of the manor at the time of the Survey and at the end of King Edward's reign. There is some indication that the transfer of Hutton and Elborough from the Abbott of Glastonbury to the Norman Bishop of Coutances was not effected by a mere stroke of the pen, or, at least, that it was still resented 20 years later. In the Exon Domesday these manors first appear in consecutive entries (as 'Hotuna' and 'Illebera') under the general heading of 'Lands of the Bishop of Coutances in Somerset Shire' with this concluding statement: "The aforesaid thegns held these two aforesaid manors from the Abbot of Glastonbury and they could not be separated from the church".

Their next appearance (as 'Hutona' and 'Elleberia') in a single joint entry under the heading of 'Lands of the Abbot of Glastonbury', while admitting that the Bishop of Coutances now holds them from the King, is even more specific in stating that they "could not be separated from the church of Glastonbury on the day when King Edward was alive and dead". The same assertion, together with a disclaimer that "the Bishop" (i.e. of Coutances) "does not return any service to the Abbey for these manors", is repeated in a third entry under the heading of 'Lands Seized in Somerset', and implies that the Bishop owed service for them only to the King.

## **The inhabitants of Hutton and Elborough in 1087**

Apart from Ascelin (Azelin) who held both manors from the Bishop of Coutances, no other person associated with them in 1087 is named in these records, but it is possible to form some impression of their inhabitants from the bare statistics given. In Hutton, we are told, there were five 'villeins' and six 'bordars'. These were two types of tenants of the manor, holding altogether, in the form of strips in the open fields, nearly one-third of its arable land for their services to its lord, Ascelin.

A 'villein' (the Norman French equivalent of the Latin 'villanus' meaning an inhabitant of a 'vill' or village) was one of the leading inhabitants who, it is thought, may have actually owned his small farm in earlier Saxon days, but, certainly by 1087, he was a tenant farmer, usually rendering various services to his manorial lord. A 'bordar' was a tenant who held much less land than a villein and spent far more of his time working on the 'demesne', the lord's untenanted land, or performing other imposed tasks.

No indication is given in the Domesday records concerning the individual holdings and duties of these tenants, and no mention is made of their families, nor of the location of their dwellings. However, from the eventual development of Hutton as a "street village", it is not unreasonable to assume that most of them and their families lived in small single-room, thatched, wooden or cob huts strung along Hutton's Main Road between the present Grange Farm and Eastfield Road with little plots of land behind them. These and the manor-house with its farm buildings - almost certainly somewhere on the site of the present Hutton Court and Court Farm - formed what was then the entire village of Hutton, with an estimated population of 60, on the assumption that the average household had five members.

It is not so easy to sketch a similar conjectural picture of that part of the parish which then lay in the manor of Elborough. There only one villein and five bordars held one-sixth of the total arable land, and there was also one serf, or slave, with no house or land of his own. Since the manor had retained its Saxon name of Elborough, it seems most likely that its manor-house and home farm, where perhaps only a bailiff lived, would be situated on or near the site of the present Elborough Farm with the houses of the villein and bordars clustered near it.

Alternatively, the villein's house and farm may have been at Ludwell, where, considering its long history as a settlement, one would expect there to have been a farm in 1087. However, there is also the possibility that Ludwell was not included in the Domesday record for Elborough. It is clear, however, that even in those days Elborough, with an estimated population of 35, lacked the village character of Hutton.

## **Arable land in 1087**

As far as land-usage is concerned, more statistics are given in the Domesday records but it is impossible to relate them accurately to modern acreages and precise locations. Arable land, producing the crops that were the basic foodstuffs at that

time (though these are not named in the Domesday records), was the main consideration in assessments for taxation, and its estimated extent was expressed in terms of 'hides'. It is generally accepted that a hide was originally judged to be enough arable land to support one family, but estimates of its corresponding acreage vary considerably, the most usual being 120 acres.

From the fact that Hutton's assessment for five hides coincides with its estimated amount of arable land as enough for five plough-teams, it may be inferred that all the potential arable land at that time - that is, the whole belt of red marl between the outcrops of limestone in the woods to the south and the alluvium of the moor to the north - was already under cultivation in 1087, though at least a third of it would probably be lying fallow in any one year to provide grazing for the oxen and to receive their natural manure.

Similarly, the fact that Elborough's corresponding statistics are three hides but enough land for four plough teams seems to imply that about a quarter of its potential arable land had not then been cultivated. Although it is possible that Ludwell may not have been included in Elborough's assessment for geld before the Norman Conquest, the local informers at the time of the Domesday Survey may well have included its 40 acres of arable land in estimating the number of plough-teams that would be required to cultivate the available land.

However, other problems are presented by these Domesday statistics. If the total area of Hutton's marl belt (roughly 300 acres) was the whole extent of the manor's arable land in 1087, then a hide in Hutton would apparently be only 60 acres. Still more surprisingly, in Elborough, with only 160 of its 200 acres of arable land under cultivation, a hide would appear to be no more than 50 acres. Such variations from a norm of 120 are hard to accept. Perhaps errors of tax-assessment were no less uncommon in those days than they are today! It seems, however, more probable that these two manors had been rated at a figure much lower than 120 acres to the hide, and also that some, at least, of Hutton's arable land lay on the low hills north of the road between the village and Oldmixon.

Any conjectures concerning the extent and location of the arable land in the two manors of Hutton and Elborough at that time must, of course, take into consideration those of the other types of land - meadow, pasture, woodland and moor. Concerning these, the Domesday statistics could hardly appear more straightforward. Hutton had 30 acres of meadow, 200 acres of pasture and 15 acres of woodland; Elborough had 20 acres of meadow and 40 acres of pasture, making a total of 305 acres of specified non-arable land in the two manors, for no mention is made of any moorland. When this total is compared with the total acreage of the parish, which was 1876 acres in 1838, according to the Tithe Map, it is clear that something is wrong or, rather, that explanations need to be sought.

It is tempting to write off about a third of the parish area - over 600 acres - as being unusable marshland or impenetrable forest in the eleventh century and to assume that all the rest of the land except those 305 acres was then regarded as arable; such an extent would be near enough to 960 acres to correspond to the eight hides of Hutton and Elborough on the widely accepted average of 120 acres to the hide. Such an easy 'paper' solution, however, ignores various practical considerations.

## Other types of land in 1087

The amount of meadow recorded in both manors is surprisingly small. Such land was highly valued in the Middle Ages as its lush grass, made into hay, was the chief means of keeping alive a limited number of farm animals throughout the winter. It may be assumed, therefore, that every manor made the maximum use of all such suitable land as nature had provided. Hence Banwell had 100 acres of meadow and even Loxton had 50, but, of course, those places were blessed with streams which are still recognisable as such. The stream which must have watered the meadows of Hutton and Elborough in the eleventh century is only traceable with certainty for the easternmost stretch of its course in Elborough where it forms the parish boundary with Locking.

It seems likely that this sluggish stream, fed by the spring of Bridewell and reinforced by that of Ludwell, would once have meandered in a westerly direction close to the present footpath between Lodewell Farm and Moor Lane and then below the northern slopes of the North Hills on its way to Uphill Creek.

Since then, at various times through the ages, this conjectured course must have been altered to merge with the drainage system of the moor, but many fields adjoining it still had the word "mead" as part of their names in the eighteenth and nineteenth centuries. Those fields in Elborough amount to about 42 acres, more than twice the round figure given in the Domesday return. Similarly, Hutton's Domesday total of 30 acres is exceeded by what was evidently later its eastern meadow alone - 'Little Mead', 'Great Mead', 'East Mead' and their adjoining parallel fields which may still be seen stretching northwards from the foot of what used to be Hutton's East Field.

In addition, Hutton also had a 'West Mead' to the north of the North Hills, and the total extent of the fields into which it was later divided amounts to some 35 acres. The whole acreage of meadow for the two manors according to the Domesday survey was, therefore, less than half of its eventual extent. Since the actual field boundaries, even of 1838, were probably not in existence in the eleventh century, the most likely explanation for the Domesday figures is that the stretches of meadow along the watercourses were then very much narrower.

Domesday statistics for the other types of land are even more puzzling. It would seem that there was some unaccountable inconsistency between the method of assessing the extent of pasture in Hutton and that in Elborough. The mere 40 acres of the latter obviously could not include the whole area at the top of Elborough Hill - well over 100 acres - perhaps shared with the adjacent villages of Christon and Hutton. On the other hand, it is difficult to account for Hutton's two hundred acres of pasture without including the whole belt of upland, probably shared, and subsequently disputed with Bleadon, from above Haywood to the eastern limit of Hutton Hill, as well as the potential arable land of the North Hills and, perhaps, even some part of the moor.

As for woodland, both Domesday records for Hutton state that it had a mere 15 acres of "underwood" or coppice and none at all is mentioned in the return for Elborough, yet there are today about 100 acres of woods along the northern edge of the limestone ridge from Hutton's western boundary above Oldmixon to Canada Combe and another 35 acres in Elborough, about a quarter on the scarp of

Elborough Hill and the rest at Benthills on the eastern boundary. Much of this present woodland was planted at various times between the fourteenth and nineteenth centuries.

Both the Exon Domesday's word for Hutton's fifteen acres of wood - "nemusculi" - and the Winchester scribe's substitute for it in the Exchequer Domesday - "silve minute" - suggest that this was not part of a natural forest but a small wood cultivated and coppiced for timber. There is no means of determining its precise location in Hutton, though one would expect it to be a small part of the present woodland belt, not too far from the manor house and village. Any natural woodland that may have existed at that time, as perhaps may have been the case in Elborough which had twelve pigs to feed, would not be included in the Domesday returns because it had then no financial value.

Finally, the moor, which occupies such a large portion of the present parish, receives no mention whatsoever in the Domesday records for both Hutton and Elborough. This conspicuous omission probably implies that its value, if any, was then negligible for the purpose of tax-assessment. Unenclosed, it would then be a vast extent of marshy land on some parts of which Hutton's farm animals, and those of the adjoining manors of Ashcombe, Milton, Kewstoke and Worle and the unrecorded village of Locking, were able to graze during dry periods in the summer.

### **Livestock in 1087**

Apart from stating the number of ploughs or plough-teams in each manor and thereby indicating the number of oxen used to haul them (usually eight per plough), the Exchequer Domesday Book makes no mention of livestock, presumably because they were not included in any assessment of value for the purpose of taxation. The Exon Domesday Book, however, records numbers of various types of livestock for most manors, those for Elborough being 200 sheep, twelve pigs and ten unspecified "animalia", thought to be draught animals, mostly bullocks and perhaps two or three horses. Surprisingly, there is no mention of a single animal of any kind in the Exon entry for Hutton, yet with its larger number of villeins it must surely have had more sheep, pigs and draught animals than there were in Elborough.

This is another unresolved puzzle in the Domesday records of this area, inviting conjecture. Perhaps Ascelin's bailiff at Hutton was more uncommunicative than a counterpart at Elborough, or perhaps Hutton's statistics were lost or forgotten and when the Exeter circuit return was made to Winchester it would be found that they were not required.

There is another possible, and perhaps more probable, explanation. Since both of these adjoining manors now belonged to the same lord, Ascelin, he may have employed only one bailiff for both manors, or, even if there were two, the stock returns for both manors may have been made to his bailiff at Elborough by one shepherd whose sheep grazed on the joint manorial pastures. There may also have been some sharing of the available pasture for the grazing of the ten draught animals, whose services may also have been shared by the two manors. Any bullocks among these animals would probably have been additional to the three teams of oxen (i.e. 24) used for ploughing Elborough's three hides of arable land and

Hutton's three teams which had five hides to plough. This inequality, too, would be more apparent than real if the resources of the two manors had been shared.

### **Decreased value of the two manors**

One last item of information that created another puzzle is usually given at the end of each entry in the Domesday books, namely the value of the manor at the time of the survey, about 1086, and at some time in the past, specified in the Exon Domesday only as when its Norman or other post-Conquest overlord received his revenue. Hutton's value fell from £4 to £3 and Elborough's from £3 to £2. Although the actual sums are virtually meaningless now, this decline in value of 25% in Hutton and of 33% in Elborough over a period not exceeding 20 years naturally invites some explanation, especially as it is contrary to the general tendency in Somerset.

One special suggestion that has been put forward is that these two manors, along with some others on the coastal fringe of the Bristol Channel, suffered from the destruction of stock, crops and dwellings in the raids which, according to the Anglo-Saxon Chronicle, the sons of Harold made two years after his defeat and death at Hastings. Unfortunately this solution merely presents another problem - how to account for the fact that no change in value occurred in the manors of Ashcombe (Weston), Worspring, Uphill and Bleadon and that there was even a marked increase in the value of Kewstoke.

A more probable and more natural cause of the decline in value of some manors could have been bad management with local misfortunes of crop failure or animal disease. If that were the case in Hutton and Elborough, it would seem to support the suggestion that these two manors may have been worked together since the Norman Conquest. However, like so many of the conjectures (including those of the present writer) that have been advanced to clothe the bare bones of the Domesday statistics, it is open to doubt and will probably never be proved wholly right or wrong.

### **Final years of the eleventh century**

It was in 1087, the year in which the Exchequer Domesday Book was completed, that William the Conqueror died in Normandy and was succeeded as King of England by his second son William II (Rufus), whose reign lasted only for the remaining thirteen years of the eleventh century. Once again, events which were prominent in the nation's history at that time may have seemed remote from Hutton but affected it indirectly. Since Ascelin held the manors of Hutton and Elborough and eight others in this region from Geoffrey, Bishop of Coutances, a tenant-in-chief of the King, he would therefore have to raise men and supplies for the Bishop from these manors when required.

Hardly had William the Conqueror been succeeded by William Rufus when Geoffrey and his nephew, Robert de Mowbray, joined a rebellion against the new king. Their forces burned Bath, plundered their way through east Somerset and west Wiltshire and were only finally checked at Ilchester. What happened to Ascelin is not known, but Geoffrey was fortunate to retain his two hundred and eighty manors after the collapse of the rebellion. On his death in 1093 these estates passed to Robert de Mowbray, who two years later led a rising against William Rufus. This

time these estates were forfeited and were probably retained by the King until his death.

However, on the accession of his brother, Henry I, in 1100, many of the Mowbray estates, including his Somerset manors, were made part of the 'honour' of Gloucester which the new king conferred upon Gilbert de Clare. No surviving record reveals the name of the lord of the manors of Hutton and Elborough at this time, but Gilbert de Clare was their new overlord.

## Four: Twelfth and Thirteenth Centuries

The faint light shed by Domesday Book towards the close of the eleventh century proved to be a false dawn, for it was followed by another Dark Age of English history which lasted, as far as the story of Hutton is concerned, for well over 150 years. The lack of settled government, except during the reigns of Henry I (1100 - 1135) and Henry II (1154 - 1189), did not encourage the production and preservation of many legal records and not one relating directly to Hutton is known to have survived. Our knowledge of the events and conditions of this period, therefore, is largely due to the chronicles of a few cloistered monks in various parts of the country.

### A troublesome century

Dark, in the sense of 'gloomy', those years of intermittent strife must have been, even if allowance is made for the shadows of bitterness in the picture of the mid-twelfth century painted by one such monk, one of the compilers of the Anglo-Saxon Chronicle: *"You might go a whole day's journey and you would never find a man in a village, or land being tilled. Then corn was dear and meat and cheese and butter, because there was none in the land. Wretched men starved of hunger.....wheresoever men tilled, the earth bare no corn, for the land was all ruined.....and they said Christ and his saints were asleep"*.

Though it was unlikely that such a degree of misery was experienced in every part of the country, the strife and lawlessness which accounted for it must have had some adverse effect upon the lives of villagers throughout the land, even here in Hutton. The root cause was the rapacious nature of the French-speaking Norman conquerors, from kings to knights, who had estates in France as well as England and, until the closing years of this period, little patriotic feeling for either. For four generations, members of William's family fought each other bitterly for the supreme prize of the crown, supported by those large landowners who held their lands from them and who hoped to be rewarded by the forfeited estates of their opponents.

The areas of actual conflict and the considerably wider areas which suffered the loss of man-power, stock and crops were made all the more extensive by the prevailing system of land tenure. For a feudal magnate's estates were scattered throughout the kingdom and when he was not engaged in following the king around the country from one royal manor, with its palace, to another, he would be making a similar progress with his retinue from one 'capital' manor house or stone castle to another, consuming most of the year's stock of food, provided by that manor and by others which he owned in the vicinity. Still worse, in times of war, when his retinue was virtually a small army - most of its men being supplied by his tenants and sub-tenants - the depletion of foodstocks and labour in villages was inevitable. How much Hutton suffered in this way will probably never be known, but there must have been times when it was involved.

The only known fact concerning the village during this period - and even that is only revealed by a document of 1298 - is that it was subjected to an additional burden. For at some time after the accession of Henry II in 1154, Hutton was included in an extension of the royal Forest of Mendip and consequently its inhabitants came under severe restrictions backed by barbarous penalties to preserve

the royal sport of hunting. Despite all this, there is no reason to doubt that villagers in this part of the country also enjoyed periods of stability and tranquillity.

### **The thirteenth century**

To both national and local historians there appears to be a marked difference between the twelfth century and more than half of the thirteenth, yet it would be misleading to describe the thirteenth century as a settled period in our national history. King John (1199-1216) had his wars in France and his struggles with the Church and the barons; Henry III's long reign (1216-1272) was interrupted by the rebellion of Simon de Montfort and successive uprisings of the Welsh; and Edward I (1271-1307) spent much of his time campaigning in both Wales and Scotland. Although most counties, including Somerset, had to provide men and supplies for some of the campaigns, the effect of these disturbances was considerably less devastating and widespread than those of the previous century. There were also other factors which account for the production and survival of far more documentary evidence for this period at both national and local level than at any earlier time.

Firstly, the feudal pattern of land ownership portrayed in Domesday Book had undergone many changes by the beginning of the thirteenth century and more were to follow. By the end of John's reign many of the descendants of William the Conqueror's Norman-French supporters had either lost their estates in France or, having returned there, had lost their English possessions. 'Free' tenants, owing only service of attending the manorial court, were found on manors where there had been only villeins and more humble tenants at the time of Domesday, and some of the free tenants of one manor were themselves lords of other manors or at least held lands elsewhere. Among these free tenants were families of obscure origin, some of them of English, others even of Celtic, extraction. Manors which had formerly been held directly by a tenant-in-chief of the Conqueror, or at least by a tenant-in-chief's direct tenant, were becoming further removed from the Crown.

### **The manors of Hutton and Elborough and their tenants**

The first mention of the manors of Hutton and Elborough after the 1087 Domesday Book occurs in the report of a law-suit in 1243 which reveals that Adam le Waleys (that is, 'the Welshman') held land "belonging to the manor of Hocton" (Hutton) and "at Hillesbergh" (Elborough) "which is a member of Hocton." Evidently, as Ascelin had been, Adam was lord of both manors, though by that time Elborough was apparently regarded as part of the manor of Hutton or, perhaps, of the parish of Hutton, if by then it had a church. A deed of 1255 then shows Adam Waleys, quite unlike Ascelin, acting along with one of his tenants in a local dispute, but he died in 1276. In the following year "Rosa la Walesche", presumably his widow, and her son John, perhaps then a minor, were convicted of unlawfully seizing the land of one of their tenants, Joan de Lodewelle, and Rosa was gaoled.

Certainly by 1298 "John de Waley" was said to hold Hutton and, in 1303, it was stated more explicitly that he "held the two fees" (or fiefs) "in Hintone (Hutton) and Elebarwe (Elborough) from John de Appadam in chief". Whether the Appadams, who were evidently, like the Waleys, also of Welsh extraction, held Hutton directly from the Earls of Gloucester, or with the Gournays of Harptree and Barrow (with whom they intermarried) as intermediaries, is not clear, but both the

Waleys (later Walsh) and Appadam families held other manors and parts of manors in north Somerset and the present Avon area. As for the origin of the Waleys family, an Adam and a John of that name are known to have held land in Glamorgan at the same time as their namesakes in Hutton. Land in Langridge near Bath, which Hutton's John "le Wallys" held in 1303 and which, in 1411, was said to have belonged to his descendant, Roger Walsh, was still later (1415) held by a Robert Walsh who witnessed various charters in Cardiff and other places in Wales. It seems most likely, therefore, that their Somerset connection was established through the Earls of Gloucester; perhaps an early Waleys found favour with Fitz-Hamo, the first Norman Earl of Gloucester, who built Cardiff Castle and subdued much of South Wales.

More too is known of Hutton's free tenants in the thirteenth century. In 1255 one of them, John Payn - the first, as far as is known, to bear a name subsequently famous in Hutton's history - took his stand along with his 'lord', Adam le Waleys, in defending common grazing rights on the moor against neighbouring landholders of Worle and Locking. Even at this period, the Payn family must have held lands beyond Hutton and Elborough, for one of them, Payn of Ludwell, laid claim to land in "Wringmarsh" (somewhere in the lower stretches of the River Chew, west of Wrington) in 1226.

Another free tenant of Hutton, mentioned alongside Adam le Waleys and Payn of Ludwell in 1272, was Ralph of Oldmixon, a member of a family which took its name from that hamlet and was, like the Payns, to be prominent in Hutton's story for several centuries. Yet it was not only the heads of these two Hutton families who seemed at times, in the latter part of the thirteenth century, to act as, or to be regarded as, almost equals of the lords of the manor. In the record of a suit before the King's Itinerant Justices at Somerton in 1280 a list is given of no fewer than ten landowners in the 'vill' or township of Hutton, each of whom had his own 'men'. It begins, as one would expect, with "John de Waleys and his men of Hutton", though it gives him no distinctive title of lordship, and continues with "Payn son of John Payn . . . of the same vill, Ralph de Oldmexe and William de Olmedemex (i.e. Oldmixon) of the same vill, William Fre (Frie) and John Mareys" (Marsh) both of Elborough but "of the same vill" (Hutton), "William Wintred, William le Cam, Nicholas de Oldmexen, Robert le Heyward, Gilbert Baile de Elleberwe and William Cut" - all with their men, and "of the same vill."

### **New surnames and their variations**

It may be appropriate at this stage to comment on one characteristic of this period which is generally neglected by national historians but is of great significance for students of local history - that is, the increasing use of surnames. Almost all references to individuals in Domesday Book had been by a single, usually Christian, name or by office - Ascelin, Alward, the Bishop and the Abbot. By the thirteenth century men had come to be called after their original location, often within a manor, e.g. Ludwell and Oldmixon, or to be given a label for some distinctive characteristic, e.g. le Waleys, or to be identified as someone's son: such is the meaning of Appadam. Occasionally too, a Christian name, after long use in a family, became accepted as the family surname, as did the name of Payn, although it also continued for some time to be used in the family as a Christian name as well.

Only with the aid of such surnames is the local historian able to trace the changes of population and land-holding. Even so he cannot tread with absolute confidence where pitfalls abound. One source of these, persisting through many centuries, is the lack of uniformity in spelling, so that, for instance, one can only assume that Ludewelle (1226 and 1277), Lodewelle (c.1270) and Lydewelle (1279) identify that part of the parish which came to be known as Ludwell, and that Adam le Waleys (1243 and 1272) and Adam Walus (1255) were one and the same person. One can only conjecture however, that Rosa la Walesche and her son John (1277) were Adam's widow and son, the latter subsequently being named John de Waleys (1298) and le Waleys and le Wallys (both 1305).

Still more confusion is caused by the probable use of different means of identifying the same person on different occasions, so that apparently Payn de Ludewelle (1226) was related to John Payn (1255), whose son was probably Payn son of John (1259), also known as Payn de Ludewelle (1272) and related in some way to Joan de Lodewelle (1277) and either identical with or succeeded by Payn de Lydewelle (1279), or Payn son of John Payn ("Paganu filiu Johis Payn") (1280).

The quotation given above illustrates yet another source of trouble for a historian using the documents of this period. All these names have survived in documents written in Latin, often abbreviated, and most Christian names were given a Latinised form. In the quotation, the name "Payn" occurs as well as its Latinised form "Paganus" which was used in all known thirteenth-century references to that family except the 1255 deed in which John Payn appears as "Joh(annes) Payn". The "le" ("the") and "de" ("of" or "from") used with identifying labels or place-names, as in "le Waleys" and "de Lodewelle", were scraps of Norman French, still the current spoken language of the Court and the higher levels of society, but by the end of the century the two words were being used interchangeably. Eventually most confusion of all was to spring from the use of the word "Filius", Latin for "son". "Paganus filius Johannis" in 1259 can be translated without hesitation as "Payn, son of John", but in the following century it would not be so easy to determine whether the "Johannes filius Pagani", who held land in Banwell (1318), was John, the son of Payn or John Fitz-Payn, "Fitz" being the Norman French equivalent of "Filius", for by that time surnames were becoming stabilised and Payn, Fitz-Payn and Ludwell (or de Lodewelle) were becoming the recognised surnames of three distinct families, though they may have had the same origin.

### **Legal disputes concerning Hutton**

These names, and almost every scrap of information concerning Hutton in the thirteenth century, are to be found in the records of law-courts or in legal documents, for another marked feature of this century was the expansion of the judicial system and an increasing readiness to bring even local disputes before the courts of law and to have each subsequent settlement duly recorded and witnessed.

With manorial, and perhaps parochial, boundaries still not clearly marked, especially in the upland areas, it is not surprising that many of these disputes concerned the rights of grazing on unenclosed pasture lands between one manor and another. So it was in 1243 the itinerant Justices of Eyre were asked by the Prior of St Swithins, Winchester, to whom the manor of Bleadon belonged, to decide on the claim of the men of Bleadon to graze their cattle on the land which Adam le Waleys claimed to belong to the manor of Hocton (Hutton) "and on the land of the

same Adam at Hillesbergh (Elborough) which is a member of Hocton". Incidentally, these words clearly imply that a merger of the two Domesday Book manors had been effected by this time with Hutton as the senior partner. Unfortunately, the justices' ruling concerning this particular claim has not survived, but in 1280 the next Prior of St Swithins was summoned before the Justices to answer Payne de Lydewelle (Ludwell) regarding common of pasture in Bleadon which Payne claimed to belong to "his free tenement in Hutton" and which the previous Prior had unjustly taken from Payne's father, John.

Again no solution is recorded and the dispute concerning the pasture along the top of the ridge from Oldmixon to Elborough was to continue into the next century. A similar dispute, concerning the stretch of moor from Hutton to Worle, was solved more satisfactorily in 1255 without a lawsuit, for the landowners concerned - Henry Engayn, Thomas Beauchamp, Adam Hill and the Priors of Stodley (in Warwickshire) and of Worspring (Woodspring) on one side and Adam le Waleys and John Payn on the other - reached an agreement and had it duly drawn up, witnessed and sealed. This document is the earliest of a collection now in the Record Office at Bristol.

Other lawsuits before the Justices of Eyre or even before one of the Royal Courts at Westminster concerned the difference between the rights of lordship over land and the actual possession and use of it. Two thirteenth-century instances involved land which was part of the Ludwell holding. In 1259 Payn, son of John, successfully claimed recovery of his father's land in Ludwell which Adam le Waleys, lord of the manor of Hutton, had seized, perhaps by customary right if Payn was only a minor at the time of his father's death.

Again, in 1277, Joan de Lodewelle, whose relationship to the former Payn is not clear, was even more successful in her claim before the Justices of Eyre that she had been unjustly ejected from her free tenement in Elborough by Rosa la Walesche (perhaps the widow of Adam le Waleys) and her son John, for Rosa had to pay half a mark (6s. 8d) damages and was committed to gaol. In the same year, Joan won an action at Westminster against Payne de Lodewell (perhaps a son of the earlier Payn) to retain possession of a house and land in Elborough, probably part of the previously mentioned tenement. For this land she had to make the token payment to him of one rose annually until her death when the property would revert to him. This use of a rose as a token payment to acknowledge overlordship also occurred later in Hutton's history.

### **Some criminal cases**

The Justices of Eyre also dealt with some serious criminal cases and one of these, tried in 1243, concerns the only known crime involving the death of a Hutton man for several centuries. The brief court record makes dull reading for a topic that which must have caused much heart-ache and set many tongues wagging in the village at the time. "Roger, son of Jal, wounded Martin de Font so that after a fortnight he died thereof". That, in translation, is the sole account of the actual crime. One will never know whether it was a premeditated and brutal attack, an exchange of blows in a heated argument or drunken brawl, or even an act of self defence by Roger.

The rest of the record, however, is full of interest for the historian. It reveals the survival of forms of punishment and of a system of collective local responsibility for law and order which had begun with the Saxons, was perfected under Norman rule and was to continue almost unchanged throughout the Middle Ages. "Roger fled", says the record, "therefore let him be exacted and outlawed". The first of these penalties, the seizure of his possessions, was virtually ineffective in this case since Roger had no 'chattels', but the second exposed him to the danger of being killed on sight. If Roger had not been so poor and had been tried and convicted, he would probably have had to pay compensation for Martin's death, but his more serious crime in the eyes of the law was his evasion of justice. Nor was he the only one to suffer for his flight.

The record continues: "He was in the tithing of Robert Patrick of Hutton; therefore it is in mercy". For the maintenance of law and order in each village or township all the men, except freeholders, were formed into tithings, that is groups of usually ten or twelve, and chose one of their number every year to be 'tithingman' who reported offences to the court of the hundred. In this case the tithing to which Roger belonged was led at the time by Robert Patrick and all its members were 'in mercy', that is liable to be fined for failing to prevent Roger's escape. Even Alice, the victim's widow, and her 'pledges' or sureties were said to be 'in mercy' because she had appeared before only one sheriff's court to charge Roger with her husband's death. However, since she was a pauper, she was pardoned, but Thomas le Cran and William le Maier, her pledges, were fined. In addition the whole 'township' or village of Hutton was declared 'in mercy' because it failed to pursue Roger with 'hue and cry'.

Another instance of collective responsibility is provided by a case which arose in 1254 from an offence under the Forestry Laws. Somewhere along the western end of the Mendip ridge from Banwell to Hutton two Bleadon men had chased and killed one of the King's deer. Although the death penalty for this crime had been abolished in 1217, the fate of those convicted, and even of arrested suspects, was often to languish in dungeons until they died or were too ill to survive their release for long. Not surprisingly therefore, these men had fled and failed to appear before the Forest Court of Mendip.

Consequently the neighbouring townships were fined, Banwell £1, Loxton one mark and Christon and Hutton half a mark each. It is just possible that an entry in the Patent Roll for 1290 records yet another crime committed by a Hutton man during the thirteenth century, for it states that one Richard Payn was pardoned for killing John Saveray in self-defence and an order was issued for his release from the gaol at Somerton.

However 'Payn', as a surname or Christian name, occurs in records of several different parts of Somerset and, indeed, of the country. It is not surprising that such crimes and disputes about land dominate and distort the picture of Hutton in the thirteenth century, for court records and legal documents are virtually the only sources of information to survive. They do, however, provide one with an occasional glimpse of some other features of the period.

A rather remarkable example is the evident eagerness of persons of substance outside Hutton to acquire a sort of 'title' to portions of its land which were held by free tenants of the manor. Thus in 1297 Nicholas de Langelonde,

whose son was later to become Sheriff of Somerset, paid William de Marisco (Marsh) and his wife Joan £10 sterling - about the annual value of 350 acres of arable land - for their acknowledgement of his right to their house and 24 acres of land in Elborough. Yet neither of these 'outsiders' appears in an early-fourteenth-century list of tenants, although a member of the Marisco family is still shown as having a tenement in Elborough.

### **Hutton's moorland**

Another feature indicated by these records is the importance of grazing land to both the lords and tenants of Hutton and its adjoining manors. It was not only the naturally drained upland pasture, so bitterly disputed between Hutton and Bleadon, that was so desirable but even the expanse of wet moorland stretching across to Milton, Worle and Locking. According to the 1255 agreement, Adam le Waleys of Hutton and his free tenant, John Payn, together paid the other party 'twenty marks of silver' (£17) - fifty times the estimated annual value of the common hill-pasture - for their surrender of all claims to rights of common pasture 'in the whole moor of Hutton'. Such was the value in the thirteenth century of this tract of moorland which nearly two hundred years earlier the Domesday Survey had ignored as an almost worthless stretch of 'no-man's-land'.

The same deed also shows that Hutton herds had been grazing on Worle Moor and Locking Moor, just as the Worle and Locking herds had intruded on Hutton Moor, and that they had even strayed into the meadows and cornfields which must have been close to this tract of moorland. This communal grazing by herds of the various adjacent manors had probably been regarded at one time as normal and rightful, however inconvenient, but the agreement of 1255 was designed to confine each manor's right to its own named area of the moor, apart from one portion of Hutton, called Felewyrthham "outside the ditched moor of Hutton".

This phrase clearly indicates that at least one ditch or rhyne had been dug around or across most of Hutton Moor and this document therefore provides the earliest evidence of local moorland drainage, though there is no indication whatever of how many years, decades or possibly even centuries earlier the piecemeal work had begun.

As for the excluded portion of Hutton's moor over which the four adjacent manors were to continue to exercise common grazing rights, there is no direct indication of its extent or precise location, and the name Felewyrthham does not occur in any known subsequent records. From field names in documents some fifty years later, it would appear that the 'ham' part of the name indicated a clearly defined, perhaps enclosed, piece of low-lying land, usually pasture. Its exclusion from the rest of Hutton Moor suggests that it was of poorer quality, probably the wettest part, and this, together with its evident proximity to Milton, Worle and Locking, roughly identifies it with the area later known as Frogmore in the north-east corner of the old parish, north of the present airfield and main railway-line and east of Hutton Moor Road.

More evidence of ditches or rhyes being used in the thirteenth century as boundaries of enclosed portions of the moor, as well as for their drainage, is provided by another document. This concerns an unnamed tract of land which it describes as "circumfossata", that is, surrounded by a ditch or ditches, and which it

locates by reference to its surroundings, using names and terms now obsolete. However, it can be deduced that the piece of land concerned lay west of what is now West End Farm, Locking, and just within that parish, but the ditch on its western side must have run along the boundary between the two parishes and, early in the 19th century, into the northward stretch of the Hutton-and-Locking Rhyne. Later this was filled in when the airfield was constructed, but its northward course is still indicated on maps by the boundary markings.

Though that document bears no date and is remarkably short, it incidentally reveals several other interesting items of information concerning Hutton and district in the thirteenth century. It is a 'quitclaim', recording the surrender of all claims to the above-mentioned piece of land by Richard, son of Robert de Hordewelle, to Payn de Lodewelle. The latter is almost certainly the Payne de Lodewelle involved in the Bleadon hill-pasture dispute in 1280, and Robert de Hordewelle is known to have held land in Locking in 1248. Three of the witnesses to this document also witnessed the 1255 agreement concerning Hutton Moor. Altogether a date for this quitclaim later than the middle of the thirteenth century seems certain, most probably in the 1260s or 1270s.

This document gives some indication of the degree of freedom possessed by 'free tenants' of a manor at this time. No member of a Waleys family - lords of the manor of Hutton - witnessed the deed or was mentioned in it, yet here was one of their free tenants acquiring, or perhaps even establishing lawful possession of, a portion of land in the adjacent parish of Locking. Also in locating this piece of land, the deed mentions 'Lovenhulle', ('Lovenhill'), apparently at its southern end.

This name may originally have been applied to the low ridge running westwards from Locking Church but had come, perhaps, by the thirteenth century to be restricted to the Lovelands, the name still used in 1838 for three Hutton fields lying just across the Hutton-and-Locking Rhyne from the western edge of that ridge and also immediately south of the present Cross Rhyne. The latter in the thirteenth century may have been no more than a boundary ditch between 'Lovenhulle' and a certain 'croft' in Hutton. This is the earliest known local use of the word 'croft' which later field-names in Hutton reveal to have implied a fairly large enclosed or clearly defined tract, especially of moorland, and not like the Scottish 'croft', a smallholding complete with cottage.

### **Hutton's church and rector**

Although this croft is given no name, it is defined in a few words of very great significance for the story of Hutton: "the croft of the rector of the church of Hutton". So a casual mention in a private deed provides the earliest positive evidence that Hutton had a church in the thirteenth century. That the parish priest was then called 'rector' is informative. Although nowadays it is largely a matter of custom that determines whether the title of the incumbent is 'rector' or 'vicar', the original difference between them concerned a very important part of their income, the tithes. If the incumbent was a vicar, he received only the tithes (tenths) of the stock and its produce (e.g. pigs and wool); if he was a rector he was entitled to all the tithes including those of land produce (e.g. corn, hay and timber), which were known as the Great Tithes.

Where an abbey or other religious house established a parish church on one of its manors, it usually received the Great Tithes of that parish, leaving the rest to the appointed vicar. So if Hutton had continued after the Norman Conquest to belong to the Abbey of Glastonbury, as Brent Knoll and East Brent did, its incumbent would similarly have been known as vicar. The implication, therefore, of this early mention of a rector of Hutton is that its church was established at some time after the Conquest by the lord of the manor, who would 'present' a person to the living, that is appoint the rector and endow the church with various plots of manorial land to provide another source of his income.

The rector's croft mentioned in Richard de Hordewelle's quitclaim was probably only one of several pieces of land assigned by the lord of the manor to the rector who would almost certainly have had also some strips in the arable fields and in at least one of the meadows. Though this croft can no longer be distinguished on the ground, it can be identified on pre-1914 maps of this region as a field of about fifteen acres lying in the south-east corner of what is now the airfield. In the schedule of Hutton's Tithe map of 1838 this piece of glebe (church land) was named 'Pass Croft', most probably a corruption of Parson's Croft.

Further proof of the existence of a church in Hutton in the thirteenth century is provided by the records of an ecclesiastical tax levied on all churches by Pope Nicholas IV in 1291, based on an estimated valuation of the church land. Hutton's contribution was 10 marks (£6.13.4d), more than Locking's 6 marks and Kewstoke's 8 marks, just less than Bleadon's 12 marks and considerably less than Banwell's 47 marks.

There is just a faint possibility that something of Hutton's thirteenth-century church may be seen in the present building. The two narrow doorways in the chancel are both of the simple Early English style which was fashionable during that century. During alterations to the chancel in 1849, the outer doorway on the south side had its height increased and some of its blocks of stone, bearing mediaeval scratch dials, were incorrectly re-assembled, but the doorway on the north side, now leading into the nineteenth-century vestry, is still of normal mediaeval height and it may originally have been the outer door through which anyone excommunicated by the Church was ceremoniously expelled. However, since only plain narrow doorways were required in the chancel of this small village church, they would probably have been built of this shape at any time after the twelfth century, like those leading to the stairs in the tower and to the pulpit, both of later date.

No other trace now remains in Hutton of any church building from that period, but since Hutton definitely had its own church during the latter part of the thirteenth century, it follows that by then the parish of Hutton had also been established.

## Five: Early Fourteenth Century

### The '*Extent*' of 1309

This notable manuscript - one of the Ashton Court Papers in the Bristol Record Office - is labelled *Extent of the Manor of Hutton*. It is a survey of the manor, longer and more elaborate than that of the Domesday Book; in fact no other single document before or since has presented so extensive and detailed a picture of Hutton as that given in its 240 lines of mediaeval Latin script. It was an inventory of everything belonging to the manor for which a monetary value could be estimated, that is, every piece of property, whether lord's demesne or tenant's holding, every type of contribution to the manorial coffers and even every type of service to be performed by the tenants.

The additional information which it provides incidentally is probably of even greater interest. It reveals the number of houses and cottages, the names of the heads of almost every household and the particular tasks which some of them would be performing at certain times of the year, the kinds of crops grown and even the kinds of trees found in the woods, the local names for various plots of land and the probable price of a few items - a hen (1d), a goose (2d) and a pound of pepper (1s.4d).

The *Extent* was not compiled for the purpose of providing posterity with a record, or as a visitor's guide to the neighbourhood or even as a sale-catalogue for the manor. Consequently it gave no precise location to fields and buildings and no plans or architectural features by which the latter could be recognised. If any part of the parish of Hutton had been part of another manor - a possibility to be mentioned later - it would not have been mentioned in this document.

As for the church and the rector's house and lands, they too were not included since they provided no revenue for the lord of the manor; but the advowson, that is the right to present a person to be instituted as the rector, was a manorial asset valued at twenty marks (£13. 6s. 8d) per annum, rather more than the total value of all the arable land, enclosed pasture and woodland in the lord's demesne. This high valuation provides a possible clue to the purpose of the *Extent* and suggests an explanation for certain strange transactions concerning the manor and advowson of Hutton that had been the subject of litigation during the previous few years.

### The Manor of Hutton

Firstly, the list of fields and tenements in the *Extent* of 1309 clearly confirms that the combination of the two manors of Hutton and Elborough, first noted in 1243, was an accepted fact and that the Manor of Hutton at the time of this survey, like the parish, included the hamlet of Elborough. The statement made in 1303 for taxation purposes that John le Waleys held "two fees in Hinton (Hutton) and Ellebarwe (Elborough)" from John de Appadam (lord of Harptree) merely indicated that the lord of the enlarged manor of Hutton had a double set of feudal obligations to his overlord. What this meant in practice is clearly set out in the preamble to the *Extent*. He had to attend the lord of Harptree's manorial court every three weeks - or

presumably be fined for absence - and whenever the King levied scutage (a tax in lieu of military service), usually to sustain each fresh campaign abroad, he had to make two payments of £2 each. However, it was clearly understood by the homage of Hutton, that is by those tenants who were obliged to attend the Hutton manorial court, that they had to raise one payment of £2, leaving the lord of Hutton and his demesne tenants to provide the other.

In October 1304, John de Waleys, who held lands elsewhere - certainly at Langridge near Bath and probably in Wales - was successfully sued by Joan, the daughter of John de St Lo, for the actual possession of the manor of Hutton and the advowson of its church. According to the terms of settlement, Joan was to possess these for the rest of her life, carrying out all John's feudal obligations and making him an annual token payment of a rose on Midsummer Day. This legal action at Westminster undertaken by Joan was probably a means of establishing beyond doubt a life-tenancy which John le Waleys had presumably granted or promised her, although no deed of grant made before the settlement has survived.

John le Waleys, whose father, Adam, had died in 1276, must now have been quite old by mediaeval standards - although he apparently survived until 1313 - and his son, also called John le Waleys, and daughter, Christine, seem to have been concerned about their succession. In February 1309, the younger John successfully established by a suit at Westminster that, upon the death of John de St Lo, the manor and advowson of Hutton, instead of reverting to his father, should pass to him and his heirs, then to his sister Christine, still however to be held by them from the elder John le Waleys .

Meanwhile, Joan acknowledged the younger John as her lord and did fealty to him. Barely four months later, in June 1309, the *Extent* was made clearly for the purpose of establishing the monetary value of the manor and advowson. Strangely enough, no hint is given in the document itself as to which of the parties concerned authorised the survey, but it must have been either the younger John or Joan, the life-tenant, for one of its incidental functions was to serve as a 'costumal' or catalogue of all the customary dues and services of the manor.

In fact, only one member of the Waleys family is mentioned in the *Extent* - a certain Katerina (Katherine) la Walsche - who received £1.6s.8d per year, more than a quarter of the total fixed rents paid by certain tenants. Her place of residence and her relationship to the Waleys family are not revealed, but the form of surname by which she was known was eventually to be adopted by their descendants before the middle of the fourteenth century.

### **Rectors of Hutton and their Patrons**

How long the manor of Hutton remained in the possession of Joan de St Lo is also unknown but in 1312 the valuable right of advowson was exercised by Sir Nicholas de Langelonde, who presented one Roger Langelond, almost certainly one of his family, to be Rector of Hutton in place of John Ameneye who had resigned. This John is the first rector of Hutton whose name is recorded and he may well have been the first actual rector if his resignation was due to age. His successor, Roger Langelond, who was instituted in January 1312, was most likely a boy or young man, described as a "clerk", for he was granted three years' leave to study and the following October, having been ordained a deacon - that is not yet a fully fledged

priest - he was instituted to the living of High Ham and granted a further three years' leave for study.

There followed a two years 'interregnum' during which Dean Godley of Wells was appointed custodian of the Church of Hutton and also of the 'presentee', Thomas de Longland, described as a minor and evidently yet another member of the same family. However, he most probably died before the end of 1313, for Adam de Pykeslegh, the next Rector of Hutton, described as an 'acolyte' or server, was instituted in February 1314 and granted one year's leave for study. In the following December, then described as 'sub-deacon, Adam was granted a licence for a further year's study.

The name of the patron of Adam de Pykeslegh is not recorded, but it may be significant that, as late as 1318, he and his two brothers, Roger and William, the rectors respectively of Hutton, Weston and Backwell, were among those granted licences to study and that one of them, Roger, eventually (in 1344) was appointed as an executor for the will of Sir Hugh de Longland, Sheriff of Somerset, the son and heir of Sir Nicholas. This would seem to indicate that Sir Nicholas had presented Adam de Pykeslegh to the living of Hutton as he had previously presented Roger Langelond, and that therefore this lucrative right of advowson was being exercised to provide incomes for young members of his family or of a friend's family.

It remains a mystery how Sir Nicholas de Langelonde came to acquire the advowson of Hutton, for in 1313 Adam de Galeys (Waleys) and his wife, Joan, had established at Westminster their right to the manor and advowson. Apart from its showing Sir Nicholas de Langelonde's interest in obtaining land within the parish of Hutton, his previously mentioned law-suit in 1297 against William de Marisco for a house and 24 acres of land in Elborough appears to have nothing at all to do with acquiring the right of advowson. One is driven to conclude that by the end of 1311 either Joan de St Lo had become his wife and that he therefore exercised her right, or else that she had died and that the younger John le Waleys had granted a similar life-tenancy to Sir Nicholas.

No documentary evidence, however, has so far come to light to support either of these conjectures. As for the real work of the church in Hutton during this period, especially the celebrations of Holy Communion, baptisms, marriages and burials, which could only be conducted by a fully ordained priest, one can only hope that whoever then lived at the Court had a chaplain, who would be capable of undertaking such duties.

### **Hutton Court and other Manorial Buildings**

The *Extent* also gives details of the manor house and other manorial buildings. Even then, nearly 700 years ago, the manor house was known locally as "the Court", for the vernacular name given later on in the document for land lying to the north of it was 'Binethecourt' (beneath the Court). Unfortunately, what was probably the largest building or cluster of buildings in Hutton is merely described as "one messuage, buildings, etc containing together with garden and curtilage (yard) about 7 acres". No indication of its site is given but it must have been near, if not on, that of the present buildings, and its area corresponds roughly to the rectangle bounded on the west by the churchyard, on the east by the intermittently flowing stream from Ladies Well, on the north by the footpath leading to Canada Combe,

and on the south by the stone wall separating the former orchard on the east side of the Court from the field below the wood and by its imaginary continuation across the garden of the present Hutton Court.

The *Extent* gives no clue to the appearance and structure of the Court in 1309, and no trace of any buildings of this age has so far been found. Incidentally, no valuation of the buildings is given, but the fruit of the garden was estimated to be worth £1 and the 'herbage' (probably the grazing) 3s.6d per annum.

As well as the Court, two other manorial buildings are specifically mentioned and valued. One of these was the dovecote, which in 1309 would most probably be a stone circular tower with one opening in its low domed vaulted roof and a door to provide access to the nesting boxes or holes lining the inside of the walls. The dovecote not only ensured that the lord's table was provided with fresh food - both meat and eggs - at all times of the year, but supplied the most potent fertiliser available in those days, the pigeon droppings. Its valuation of 6s.8d a year may indicate that some at least of its stock and its manure was regularly sold, perhaps to the more prosperous of the tenants.

The other building was a windmill with the relatively high valuation of 26s.8d a year, for it would be used to grind not only the lord's corn but, for a fee or levy in kind, that of all the 'unfree' tenants who would not be allowed (officially) to grind their own - though probably many of the poorer tenants probably still used hand-querns. The *Extent* of 1309 thus provides one of the earliest documentary evidences of a windmill in the county of Somerset; but again it gives no details of the site, dimensions or appearance of either the windmill or the dovecote.

It is possible that the stump of the nineteenth-century windmill, still visible in a garden on Windmill Hill, could mark the site of its fourteenth-century predecessor, but no archaeological evidence of this has come to light. In all probability the Hutton mill of 1309 would have been a mainly wooden structure, a post-mill revolving round a central post on a cross-tree base. As for the dovecote, that would almost certainly be very much nearer the manorial kitchen; about 120 years later its enclosure, called the Culverhaye, lay on the west side of the Court.

More information, however, concerning Hutton's manor house and other manorial buildings may be extracted from this 1309 document. The very fact that the tenants evidently called it "the Court" indicates that the hall of the house, in addition to its domestic use (originally as the one general living room), was the place where the lord of the manor, or his steward, held his court, about which more will be written later. There is also a passing reference to a grange or granary to house the lord's corn and there must also have been buildings to store other crops and house the stock. Even the name given to one of the annual payments which some tenants had to make provides a further clue. It was a payment "towards the larder", that is for using the lord's larder, which would be either a separate building or a room with stone walls where salted meat could be stored for winter food after the general slaughter of stock at the end of the last grazing period of the year.

### **Tenants' Houses**

Another payment made by many tenants, 'thetchyngsilver' (thatching money) almost certainly indicates that the roofs over their houses were thatched and

that the reeds used for thatching belonged to the lord of the manor, coming from his three-acre reed-bed listed in the *Extent* among his lands. Tenants' dwellings were of two types, 'messuages' and cottages. The term 'messuage' usually implied a house with a long patch of land behind it. As for the cottages, two are said to have 'curtilages' or yards, but the others would have no more than a few square feet of land if any.

These dwellings must have varied considerably in size and, perhaps, in construction. A few of the houses may have been built, partly or wholly, of stone but most of them would be of timber and daub and the cottages may well have been entirely of cob. Within the area of the manor, there were forty-two messuages and six cottages, so that the total population, including the inhabitants of the Court, may have been little different from the whole parish of Hutton in 1801, that is just over two hundred. Where these dwellings stood can only be a matter of conjecture, however.

### **The Church and Rectory**

No positively identifiable trace has been found of two other Hutton buildings which would be familiar features of the village scene in the early-fourteenth century even though they were not included in the manorial survey of 1309, namely the church and the rectory. Almost certainly these buildings must have then stood on approximately the same sites as the present church and the Old Rectory. At that time the rectory may well have been a timber-framed house like those of the manorial tenants, but the church, like the present one, would be built of local stone.

Its appearance would depend on the date of its construction, which could have been in any time in the twelfth century or the first half of the thirteenth century. If early, it would probably resemble the mainly Norman old church on the hill at Uphill; if later, its windows and doorways would be pointed arches like those of the present chancel doors or those inside the church leading to the pulpit and the tower, although these are of later date. It is possible that the huge stones forming the base for the walls of the nave and tower of the present church also served as the foundations of the original building. A slight difference of alignment between that and the present church is suggested by the projecting base at one point on the north side of the nave.

### **The landscape of Hutton parish**

If one could see Hutton as it was in the early fourteenth century, it would not be the buildings alone that would account for the striking difference in appearance, for, although Hutton's physical features have probably undergone little change in the intervening centuries, their different use by man must have altered its landscape considerably. Unfortunately there is not even an estate map earlier than the late-eighteenth century to indicate the field pattern, and the information given in the *Extent* leaves much to be conjectured. This is particularly true of the section which deals with the land held by the tenants, but since the fullest details concern the lord's demesne and this included almost the whole woodland and upland pasture, most of the meadow-land and at least a third of its arable land, there are enough facts to form a reasonable basis for an imaginative reconstruction.

A traveller then, following the rough track from the hamlet of Oldmixon towards the village of Hutton would, like his modern counterpart, find the steep hillside on his right pleasantly wooded. Even the name of this stretch of woodland has remained unchanged since 1309 when the clerk who wrote out the *Extent* spelled it as “Haiwode”. Its area then was estimated at 20 acres, about two thirds of what it is today, the difference probably being in its extent up the hill.

Further eastward on the hillside above the village and beyond it to what is now Canada Combe he would most likely see another stretch of woodland, now, but not then, known as Hutton Wood. At least this seems to be the most reasonable way of accounting for two further woods listed in the *Extent* with unfamiliar names. The first of these, “Underclyve” (under cliff), with an area of only two acres, may well have been the most northern strip of Hutton Wood, reaching the foot of the hillside just above the Court.

The rest of Hutton Wood would seem to be indicated in the *Extent* by the misleading name of “Oflokeston” (i.e. off, or above, Loxton), although the northernmost tip of Loxton’s parish boundary lies nearly 1,000 yards southeast of the southern edge of Hutton Wood as it is today and is even a little higher. The name never again occurs in Hutton records being replaced subsequently by “East Wood” and “Great Wood”. Its estimated area is given in the *Extent* as 30 acres, only about half of the present area and again this probably suggests a narrower belt of woodland in the fourteenth century.

It is likely that these woods looked rather different then, for the *Extent* describes them as “coverts of hazel, field-maple, ash, thorn and thicket” with no mention of oak, silver birch and the other trees they now contain; and the method of their valuation (2s.6d per acre for Haiwode and Oflokeston, and 1s.6d per acre for Underclyve “at the end of the fourth year”) suggests regular coppicing.

Here and there along his route eastwards the traveller may have caught glimpses of sheep grazing above the woods along the stretch of pasture which the *Extent* vaguely locates as “on the hill”. Here both the lord of the manor and his tenants had common rights of grazing which were exercised by their successors until the middle of the nineteenth century. In the Middle Ages, it is unlikely that a stone wall or any fence separated Hutton’s pasture from Bleadon’s; consequently this hill-top was a constant source of dispute between the two manors. In 1304, only five years before the *Extent* was made, the lord of Bleadon (the Prior of Winchester) had successfully claimed damages at Somerton assizes not only from John le Waleys, lord of Hutton, and his son Adam, and Joan de St Lo, but also from thirteen of the manorial tenants for having unjustly held for the past thirty years some 200 acres of pasture belonging to Bleadon.

Between wooded slopes on his right and a low ridge on his left this traveller would have seen, not the present pattern of hedge-enclosed fields, but a belt of land under cultivation - Hutton’s West Field, though it was not so named in the *Extent*. Before harvesting began, this may well have looked like an unbroken expanse of corn, though the three main crops of wheat, oats and barley, with the occasional patch of black peas, may have formed some discernible pattern. From October to April however it would present a much more varied patchwork, the effect of ploughing this land in strips, grouped into “furlongs” of unequal size and shape but

each with all its furrows running in one direction at a marked angle, often a right angle, from those of the next furlong.

The furlongs therefore required no constructed boundaries and, within them, one person's strip was probably separated from another's merely by a deeper furrow. It is evident that most furlongs contained strips belonging to several different tenants and the fact that some furlongs (and other plots of land not so called) bore the surname of one particular family, may well indicate that most - not all - of its strips were held, or had previously been held, by a member of that family. Such seems to be the explanation for the name 'Radeweysforlang' (probably Rodway's furlong) which, according to its valuation in the *Extent* was one of Hutton's best arable fields in 1309, although the surname Rodway - to be found in West Harptree in 1327 and even today not uncommon in this region - does not occur elsewhere in that document as that of one of Hutton's manorial tenants.

The lord of the manor himself held 7 acres within 'Radeweysforlang' (which cannot now be positively located), for the total acreage of demesne arable land - 355 acres - was made up of twenty-six separate plots, varying in size from 3½ to 35 acres and in value from 2d to 12d per acre. Most of these plots are said in the *Extent* to be 'in' variously named 'fields', which, by implication, he must have shared with some of his tenants. Among the very few arable fields which belonged entirely to the lord of the manor was the one called 'biwestethecourt', containing 16 acres. The two fields of pasture which at present lie west of Hutton Court cover little over 9 acres and so they cannot have constituted the whole of the 1309 arable field.

The precise site of the Court at that time is not known, but there are good reasons for suspecting that it may have stood a little to the east of the east wing of the present building. If so, the eastern arm of Church Lane and its continuation between the present farm buildings and the east side of the Court and beyond that towards the woods along what appears to have been a ha-ha, or sunken fence, along the east side of the Court garden, may have formed the eastern boundary of the field called 'biwestethecourt'.

It is likely too that the southern stretch of Church Lane (parallel to the Main Road) had not by then been made, but that its western arm, together with Upper Church Lane, once constituted an ancient 'hollow way' which separated this manorial 'home field' from Hutton's common West Field. Perhaps even for centuries before 1309 this field 'biwestethecourt' was bounded on the south side by the well defined bank that still runs just below the woods, and on the north side by the Main Road, the whole field originally having had an area of about 28 acres.

However, by 1309, the north-easterly part of that land may have been occupied partly by some manorial buildings and partly by the church, the south-easterly part (down to the Main Road) may have been allotted to the rector, and the rest of the southern portion (adjoining the Main Road) may have been occupied by some tenants' dwellings and their back plots, leaving only a little over 16 acres for the arable land known as 'biwestethecourt'.

Below, and even partly among, the woods east of the Court, was still more land growing grain, including at least 8 acres of poor rocky soil called Biestecombe (by-east-combe), adjoining what is now Canada Combe and some 16 acres of a little better quality "at the Doneacre", now Down Acres, part pasture and part woodland.

Turning towards the north side of the route from Oldmixon, however, was a great sweep of excellent cornland stretching from the North Hills to just below the Court, more than half of which has been covered by housing estates during the past thirty years. Much, perhaps most, of this would have constituted “the field Binethecourt”, twenty acres of which were part of the manorial demesne.

To the north-west of this was the lush green strip of the west meadowland, mostly belonging to the lord of the manor. The names of the two largest portions of this land - “overynmede” (over-rhyne-mead) 22 acres and “utterynmede” (outer-rhyne-mead) 14 acres - provide the earliest evidence of the use of the word ‘rhyne’ among Hutton’s records. Unfortunately, it cannot yet be established whether the words ‘over’ (which may mean ‘upper’) and ‘utter’ indicate the existence in 1309 of two separate branches of the Locking Rhyne or merely of meadows on either side of a single rhyne. Further west, at the foot of the North Hills, the rhyne, or rhyne, may have widened out, for later evidence suggests that it was this area which was called “bogglepole” (probably meaning ‘bow-shaped pool’) in the *Extent* of 1309.

Here, in addition to 3½ acres of meadow, the lord of Hutton had his most highly valued patch of land - a rush bed of 3 acres worth 2s.6d per acre. In the Middle Ages, rushes had a variety of uses and a constant supply would be required to strew the earthen or stone floors of the Court and to provide rush-lights. As for the reeds, these would have provided the best material for thatching roofs, and it was probably for these that many tenants had to pay ‘thetchyngsilver’.

Looking northwards beyond the meadows, the traveller would have seen, not the unbroken expanse of wet summer pasture presented by the moor in an earlier age, but a patchwork of arable and pasture, for there were at least five enclosed fields with names ending in ‘croft’, all producing grain, though apparently with a poor yield, and the manorial share of these alone totalled 116 acres. In addition four unnamed crofts amounting together to 54 acres were held by two tenants, and there would be the Rector’s croft, mentioned in the previous century but not included in the *Extent* because it produced no revenue for the lord of the manor. It is difficult to interpret the fact that no mention is made of any common pasture in the moor, for there must certainly have been at least two considerable stretches.

Perhaps the lord’s ‘separable’ pasture “at Bradefelde” (broadfield) of unspecified acreage was a portion of the common temporarily fenced off for grazing and was therefore the only portion to be valued (at 4d) unlike the hill pasture, shared by the lord and his tenants and valued at 6s.8d. Unless one of the previously mentioned meadows, ‘Overynmede’ or ‘Utterynmede’, was much further east than has been assumed by the present writer, there appears to be no mention in the *Extent* of the area of meadowland, later to be known as the East Mead, which would presumably then - as now - stretch northward towards the moor from the foot of the hill above Eastfield Road.

Moving on eastwards the traveller may very well have made his descent along a track still visible above Lodewell Farm but below the present main road (which was blasted through the rock centuries later). Below him on his left he would have seen the strip of meadow-land stretching beside the Locking Rhyne as far as the eastern boundary of the parish. Only one acre of this meadow is recorded in the

*Extent* and its value (2s.6d, like that of the rush-bed) is higher than that of any other land in the manor. This belonged directly to the lord of Hutton and the rest of the strip was presumably shared by some of his tenants.

Looking ahead and to the right, the traveller could not have failed to notice a great expanse of arable land divided laterally into a number of contour-belts. Most of these can be identified by their valuation and their fourteenth century names from “Biestebiweste Ellebarwe” (by east by west Elborough) on the fairly level land east and west of the hamlet (10d), “Benetshulleforlang” (Benthillsfurlong, 12d), “Middelforlang” (8d), with “Little Benethulle” (4d) and “Crofta Bove Ellebarwe” (Croft above Elborough, 2d), adjoining the hill-top pasture in the south-east corner of the parish. Evidently the shallow-soiled area now covered by Benthills Wood was then under cultivation and the only woodland in Elborough then recorded - a patch of 4½ acres - was most probably the one known later as Ash Wood which stretched just above the track taken by the traveller, across the present Banwell Road at the foot of the hill to just above the present Hutton Garden Centre.

The strange omission of such valuable meadow land from the *Extent* of 1309 seems to suggest that no part of it belonged to the manorial demesne but was held entirely by the lord's tenants. Yet the land on the north side of the East Mead and lying between it and the Rector's croft (the ‘Lovenhulle’ of a previously mentioned late-thirteenth century document) was definitely demesne land, and in 1309 it was divided into two separate areas, the eastern part (Ester Lovenhulle) being 17½ acres of pasture, and the western part (Wester Lovenhulle) 12½ acres of arable land.

### **Manorial Tenants, their Obligations and Work**

So, the landscape of Hutton must have been very different from that of today and even from that patchwork of small fields and orchard-plots still fondly recalled by those who knew it in the early years of the twentieth century. Considerably more different, however, was the whole system of the holding and working of the land by its fourteenth-century inhabitants.

The combined manorial demesne then amounted to 355 acres of arable land (in twenty-six different patches), 47 acres of meadow, 56 acres of woodland and an unspecified area of pasture, constituting a fair-sized and fairly complex estate to be farmed directly by the lord of Hutton or his bailiff. For many generations previously, all the necessary labour had been provided by the services of the ‘customary’ tenants, varying considerably according to the amount of land they held down to the smallest cottage-plot and even from one individual tenement to another, but rigidly prescribed by the custom of the manor. These services were unpaid but they established the tenants’ right of possession, for no rents were paid for the original tenements. This was still mainly true in 1309 according to the *Extent* which records the precise services due from every single tenant.

Yet there are several indications that the later system of money-rents was already emerging in 1309. Two of the ‘customary’ tenants, Robert Pynk (Pink) and Walter Siward, paid 5d at Hockday (the second Tuesday after Easter) and Michaelmas (September 29th) for their half-virgate tenements (probably not more than 15 acres as well as a house and its little plot) in addition to a heavy load of manual services on the lord's land. By 1309 the cultivation of more land on the hill-tops and in the moor had produced another class of tenants, known as “tenants at

the lord's will", with holdings ranging from 2 to 30 acres. Twenty-seven of these tenants paid rents for their land, although some had to perform services of a 'customary' nature as well.

For any pieces of land which were additional to their normal holdings, tenants of all kinds - even so-called 'free' tenants - paid a cash rent. Above all, the *Extent* assigns a monetary value to almost every kind of manual service to be performed. This would seem to indicate that some tenants may have been able to commute some, at least, of their due services to cash, with which the lord could hire labour, for, with the population then approaching its peak for the Middle Ages, there would then be many adult members of large families whose tenements could not sustain them.

So many and various were the services prescribed by the custom of the manor, and also the payments to be made and the times when they were due, that the bailiff must have been faced with a task of baffling complexity. He had, however, the useful assistance of several 'officers' with local knowledge, chosen from a certain number of the working tenants. His 'reeve' or general foreman, was any one of eleven 'customary' tenants, namely (in 1309) Nicholas Siward, Gilbert Incent, Nicholas de Yardbury, Walter le Nywoman (Newman), Gilbert Gille, Robert Gomer, Walter le Kyng, Robert atteWelle, Gilbert atte Lupghete (Lippiat) and even a woman with a tenement in Elborough, Matilda Gomer.

The last seven of these men were also eligible at other times for the duties of 'granger' (in charge of the granary) and ploughman. Even two of the 'tenants at the lord's will', Walter Ordric and Thomas Dollyng, could also be chosen as 'granger' or, at another time, as 'messor' or hay-ward, who was concerned with fences and straying animals and consequently had to report offenders to the lord's manorial court. It was on the sworn evidence of six such tenants, including four of those named above, that the *Extent* was compiled.

Typical of the year's work-schedule for a customary tenant in 1309 is that prescribed for Robert Pyngk, from which the following extracts are quoted with explanations or comments in brackets: "He shall plough with one plough every week from the feast of St Michael to the Lord's Ascension (40 days after Easter) for one whole day, two festival weeks (i.e. Christmas and Easter) excepted - worth 2s. yearly. And he shall do carrying service on horseback as often as shall be necessary at the lord's will - worth 12d. And he shall help for one half-day in carrying the lord's corn below the Court (i.e. from the field Binethecourt) into the grange - worth one half-penny. And he shall dig the ground for flax and shall gather the flax for one half-day (clearly to provide the lord's family with linen). And he shall help at dipping and shearing the lord's sheep . . . and at driving the lord's draught animals to Uphill which is not valued. And from the feast of the Lord's Ascension to the feast of St John the Baptist (June 24th) he shall do for half a day every week two manual customary services with one little-service (whatever that may have been) . . . And from the feast of St John to Lammas (August 1st) he shall do for half a day every week three manual customary services, namely on the days of Monday, Wednesday and Friday - worth 1d each. And from Lammas to the feast of the Blessed Michael every working day he shall do one service together with one man (perhaps a hired labourer), the Sabbath days excepted. And he shall cart the lord's corn and hay with the half-wagon as often as is necessary as one customary service. And he shall do three reaping-services in the autumn without (the provision of) food, and they are

worth 3d. And if he has a wife, he shall do three reaping-services with food provided (usually two meals a day) by the lord - worth 3d”.

Other tasks assigned to various tenants were “hoeing for two days” (worth 1d), “making the lord’s haystack for one day” (worth 1d) and “covering” it (probably with thatch) worth one half-penny, and threshing and winnowing his wheat, barley and even black peas. In addition most customary tenants and ‘tenants at the lord’s will’ had to make special payments at certain fixed times.

Such were ‘thetchyngselver’ (thatching-silver - usually ½d) and ‘larder-rent’ (varying from 3d to 7d) at Martinmas (November 11th) as direct contributions to the lord’s coffers, and ‘Cherchscott’ (usually 4d) also at Martinmas, and “one penny of the Blessed Peter” at Lammas, to be passed on to the Church. Some of these payments were made in kind, usually hens (1d each) or geese (2d each), and so too was the feudal due of ‘heriot’ - a sort of death-duty taking the form of the best beast or other ‘chattel’ to be surrendered by the inheritor of a tenement.

‘Pannage’, for which no sum is specified in the *Extent*, was paid by tenants for the privilege of feeding their pigs upon the acorns or beech-mast in the lord’s woods, and there was a similarly unspecified charge made for selling their horses or mares “outside the market”. Originally this was more a restrictive custom to conserve assets within the manor than a source of revenue, and so too was the rule that most customary tenants could not marry off their sons and daughters without the lord’s permission.

By 1309, however, some of these customs appear to have been regarded as a normal source of manorial income for, although the *Extent* gives no specific instances and assigns no specific charges, in its final balance sheet it includes “marriage dues” along with “wards, reliefs, escheats, profits from land and work-services which are casual (“incerta”)” to provide an annual total value of £35.6s.6d, nearly £7 less than the total estimated value of its various itemised lands, rents and customary services. Such were the services, dues and restrictions imposed upon the customary tenants of the manor of Hutton and upon many of its ‘tenants at the lord’s will’ in 1309.

### **Hutton’s Free Tenants and their Military Service**

Yet one more oddly assorted group of tenants is listed in the *Extent*, the ‘free tenants’. In 1309 there were eight of these, and four of them at least - the Payns and the Oldmixons - most probably lived within the area of the present parish. John Payn, apparently a descendent of the John Payn of 1255, held one house and half a ‘hide’ of land, that is possibly 60 acres of arable land, as well as some meadow and rights of pasture. The tenement of his female relative, Sibylla Payn, consisted of a house and only a ‘fardel’ of land (perhaps 7½ acres), but she also paid a rent for another house and one acre.

The two free tenants bearing the name of ‘de Oldemixene’, Thomas and Robert, each held a house and half a hide, but Robert additionally rented three acres of moorland, and the insertion of his name in the margin beside that of William Caam, a free tenant with one house and a fardel, may indicate that he had recently acquired the tenement after the death of William Caam, who was almost certainly the ‘William le Cam’ named in the 1280 lawsuit mentioned earlier.

Two more free tenants with houses in the manor, although not necessarily living in them, were Richard Fitz with half a 'virgate' (about 15 acres) and Lucia Petche with a fardel. One person included in the list of Hutton's free tenants was clearly non-resident for she held no dwelling but merely paid a yearly rent of 12d for 20 acres of the least expensive land in the manor. She was the 'lady of Milton', that is she held the neighbouring manor of Milton and the name, Philippa Wodeville, which appears in the margin beside her entry in the *Extent*, must have been hers or that of a subsequent holder of her 20 acres. However, hers was an exceptional holding among those of Hutton's so-called 'free' tenants, not merely in having an annual rental-charge, but in the absence of the usual feudal obligations.

The term 'free' is misleading. The Payns and Oldmixons were spared the burden of manual service borne by Robert Pyngk and his fellows but they were made very much aware of their limited freedom whenever one of them died without an adult heir. For the lord of the manor then exercised the rights and enjoyed the revenues of wardship and of giving in marriage and, when eventually the heir was of age to succeed to the 'free' tenement, he had to pay the lord a substantial 'relief'. The tenement of William Caam was also subjected to the manorial death-duty known as 'heriot'.

Normally, however, the only obligation to be regularly fulfilled by the 'free' tenants was 'suit of court', that is, attendance twice a year at the manorial court, where they constituted the 'homage' or sworn bench, usually presided over by the lord's steward, to deal with the negligence and misdemeanours of tenants (themselves included) in looking after their tenements and stock. Failure to attend the court without an acceptable excuse would usually be punished by an 'amercement' or fine. Unfortunately, the earliest surviving records of Hutton manorial courts do not deal with 1309, but belong to the fifteenth century.

Another obligation which fell more haphazardly upon all except two of Hutton's free tenants was to pay the lord £2 each as scutage 'when it shall fall due'. As was mentioned earlier, the lord of Hutton himself had to raise only double this amount for his overlord, so it would seem that he had good reason to welcome the occasions when the King imposed this levy in lieu of military service - usually for foreign campaigns. There were certainly many of those during the fourteenth century. Between 1300 (in the reign of Edward I) and 1323, when Robert the Bruce forced a truce upon Edward II, there were at least 12 occasions when Somerset was called upon to provide a contingent to fight against the Scots, and in 1323 two of the three gentlemen commissioned to raise the force were neighbouring landowners, John de Bello Campo (Beauchamp) and Robert filius Pagani (Fitzpayn). Not long afterwards there were further demands for military service, for in 1336 there began the Hundred Years' War with France.

It is not known if anyone from Hutton was involved in any of these campaigns, apart from helping to finance them with scutage, but in those against the Scots, according to the *Victoria County History of Somerset*, most Somerset landowners chose to send representatives, two per knight's fee, (which would have meant four for the 'double' manor of Hutton) in their place. In 1311, when one foot-soldier was demanded from every township, one of those responsible for mustering the Somerset contingent was Sir Nicholas de Langelonde - the very man who in the following year presented a member of his family to be Rector of Hutton. The *Extent*

of 1309 says of one of Hutton's free tenants, Richard Fitz, that "when there is war in England, he shall go with the lord's horses to take care of them and he shall provide his own meals for that time." Since much of the fighting with the Scots occurred on this side of the border, he may well have seen some service there, as well as in various domestic troubles such as the baronial outbreaks which culminated in the deposition of Edward II in 1327, subsequently to be murdered in Berkeley Castle by Thomas Gournay, one of the family of Hutton's overlords.

### **Local Forms of Lawlessness**

Yet Hutton did not escape from more local lawlessness during this period, for in 1324, according to the Calendar of Patent Rolls, the house of Adam le Galeys (i.e. Waleys, the lord of the manor) was broken into by John, son of Joan de St Lo, and more than seven others, who carried off his goods and deeds. A commission of 'oyer et terminer', which included John de Bello Campo of Yatton, was appointed in September of that year to investigate Adam's complaint and in the following May an additional member of the commission was appointed - Hugh de Langelond.

Most likely, John de St Lo was anxious to possess deeds which might support the claim his mother had made in 1309 to the manor and advowson of Hutton, or to destroy deeds which established the title of Adam le Waleys. If so, it would appear to be a case of 'the biter bit', for in 1314 the same Adam, described in the Patent Roll as 'son of John le Walshe', together with his overlord, Thomas de Gurney, the latter's kinsman, Anselm de Gurney, the parson of Langridge (near Bath) and others had similarly broken into the house of one Roger Leger in Langridge and seized, among other things, deeds relating to the inheritance of Roger's wife; but Adam and his 'mob' had gone even further, for they had carried off "three horses, twelve oxen, six cows, two hundred sheep and sixty swine".

### **The Exchequer Lay Subsidy of 1327**

Several names and a few useful statistics concerning Hutton are provided by some Exchequer documents of 1327. Towards the end of that year, the first parliament of the young Edward III levied throughout the kingdom a property tax, known as an Exchequer Lay Subsidy, amounting to one-twentieth of the value of all moveable goods. This was not a feudal due like scutage exacted through the manorial courts, but was organised and collected by royally-appointed officials for each county who visited in turn each hundred and each township within the hundred. Fortunately, most Lay Subsidy lists for Somerset, including that for Hutton, have survived and so provide us with the names of some of the county's inhabitants and their estimated 'wealth' in 1327. It is evident however that the *Subsidy Rolls* present a very imperfect and enigmatic picture.

It is natural that some changes should have occurred in the course of the eighteen years which separate the *Extent* from the *Subsidy Rolls*, but the contrast in numbers between the fifty-three tenants of the manor in 1309 and the seventeen names in the list of 1327 is, at first, startling. However, when one considers that probably no more than thirty-five of the manorial tenants actually lived within Hutton and Elborough, and that the tax fell only upon persons whose total moveable possessions (i.e. excluding house and land) were worth ten shillings or more, it is not so very surprising. Nor is it really less unexpected that only seven of the seventeen names - Thomas Oldmixon, John Lodewelle, John Styward, John

Nywman, Nicholas Siward and Walter Ordrygge - are recognisable (despite some variations of spelling) as tenants in 1309, for another five - John Oldmixon, John Pynke, John Edward, Sely atte Bergh and John le Mareys - are clearly the heirs of other tenants in the *Extent*. Even among the four 'newcomers' to Hutton in 1327 - Nicholas Burell, Humphrey Perys, William Doulytynge and Thomas Godezene - there is a possibility that the last two surnames may be distorted spellings of two 1309 names - Dollyng and Goldghyne.

More baffling features of the 1327 *Subsidy Rolls* emerge when one considers certain families about whom something is already known and examines the valuation of their moveable goods according to the *Subsidy Rolls*. For convenience in comparing the examples which follow, the land holdings of 1309 are expressed in acres on the conjectural scale of 1 hide = 120 acres; it is also to be understood that each tenant held one dwelling in addition to his land.

By far the richest person in Hutton in 1327 was apparently John Pynke, with moveables valued at £5.0s.10d, yet his kinsman, Robert, in 1309, was a customary tenant with a mere 15 acres and a heavy load of manual services. In marked contrast, the goods of Thomas Oldmixon, a free tenant with 71 acres in 1309, were only valued at £2.10s.0d. in 1327 and those of John Oldmixon (presumably heir of Robert with 63 acres in 1309) were worth only £2. John Nywman, with only 3 acres in 1309, was apparently the second richest man in Hutton in 1327, having moveable property valued at £4. Perhaps by then he had also acquired the house and 15 acres formerly held by Walter Nyman whose name does not appear in the Subsidy Roll. Similarly, Nicholas Siward, with 15 acres in 1309 and a valuation of £3 in 1327, may by then have obtained the house and land of either one or both his kinsman, Walter and Daniel, named in the *Extent*.

Evidently, however, there was little relationship between the amount of land held and the value of moveable possessions. It may well be that houses differed considerably in size and consequently in furniture and utensils; or that some tenants with little land of their own to till were craftsmen with opportunities of earning more than other tenants who held more land; or simply that some spent their available cash on articles or stock, some on buying out their onerous manual services and others mainly on food or drink. The least likely culprit for these discrepancies is the tax assessor, for in fact the assessments, like the details for the *Extent*, were the product of a few selected sworn members of the township - almost certainly men who would themselves be liable for tax. Inaccurate and haphazard as their estimates may have been, they were not likely to tolerate such apparent disparity as that between Thomas Oldmixon and John Pynke unless they believed it to be just.

Far more puzzling are certain omissions from the list of those who were called upon to pay the Exchequer Lay Subsidy. Many tenants, no doubt, had too few possessions to be taxable and, by 1327 if not in 1309, some may have been living in neighbouring manors, for their names or those of their kinsmen are to be found in other Subsidy lists. Such are the names Roules and Falde (or Valde) in Loxton, Dollyng and Feale (Veal) in Locking, le Frie and de Barton in Winscombe and Gille and le Kyng in Brent. The most enigmatic of all the omissions from Hutton's Subsidy list is that of the Payns. Like the Oldmixons they were free tenants with substantial holdings: it would therefore be reasonable to assume that their moveable goods were worth much more than ten shillings and it is probable that by 1327 they

had acquired some of the houses and lands in other parishes which they certainly held just over thirty years later.

Yet there is not one recognisable mention of the Hutton Payns in the *Subsidy Rolls* for those parts of Somerset known to be associated with that family. Dealing with the problem of omissions on a wider scale, FA Dickenson, who edited the *Rolls* for the Somerset Record Society in 1889, suggested that those who had been called upon to pay scutage earlier in 1327 may have been exempted from this further tax, but both the Oldmixons and le Mareys, who were obliged to pay scutage whenever it was levied, are among those who paid the subsidy in Hutton. Perhaps John Payn, or his heir, was then living in one of the places, such as Christon and Uphill, for which no returns have survived, and any goods and stock which were in and about his farm at Ludwell may have been taxed under the name of Adam Lodewelle, a possible kinsman.

### **The Lords of the Manor and Rectors of Hutton**

Usually, the subsidy list of a township is headed by the name of the lord of the manor, or of a member of his family, but it is the Oldmixons who are the first two on Hutton's list and no Waleys or Walsh is included in it. A certain Walter Walshe who appears on Banwell's list as a tenant with goods at the lowest taxable rating of 10s. may have been connected with the Hutton family but he was certainly not the lord of its manor. For, according to some notes on the back of a later document, John le Waleys, who had been the true lord of Hutton in 1309, died on June 21st 1313 and was succeeded, not by John, son of Adam, as had been agreed in 1309, but by his own son, also called Adam, whose surname appears in different documents in such varied forms as 'le Waleys', 'le Galeys', 'le Walshe' and even as 'Waldechef'. In the Exchequer Subsidy Rolls he is to be found as Adam le Galeys at the head of the list for Langridge, near Bath, where it is known his father had held the manor for half a knight's fee.

It would appear then that at Michaelmas in 1327 - the date of the assessment for the Subsidy - Hutton's lord of the manor was living at Langridge. On March 13 in the following year, he died without a direct heir and was succeeded by another member of the family, John le Walshe.

It must have been this same John who, in 1342 presented "John de Sutton, priest, to the parish church of Hutton". In a 1346 list of manorial lords from whom payments called feudal aids were demanded, he is named as "John de Walsh" who held, like his predecessor John le Waleys in 1303, "two fees in Hinton (Hutton) and Ellebarwe". It would seem that about this time John, having earlier become a widower, negotiated a second marriage, for two surviving deeds appear to constitute a marriage settlement. In the first of these, dated March 1346, he alone conveyed the manor and advowson of Hutton to three trustees, Richard de Hampton, Roger de Pykeslegh ("parson of the church of Hutton") and Richard de Welyngton ("parson of the church of Badgworth"), and in the second, shortly afterwards, these trustees re-conveyed them to the joint ownership of "John le Walsch and Joan his wife".

Perhaps Joan was the daughter of Richard de Hampton, the only lay member of the trustees, and a provision in the deed that, if they should die without

heirs, the manor and advowson would pass to “John the son of John” presumably indicates that he had been married before and had a son, John, who had survived his mother. John le Walshe apparently continued as lord of Hutton after the Black Death in 1348 and into the latter half of the fourteenth century.

In the last paragraph, reference was made to two different clergymen of Hutton within the short period from 1342 to 1346, though neither was given the title of Rector in the documents concerned. Adam de Pykeslegh had been instituted as rector of Hutton in 1314, yet in the Diocesan Registry’s record of John de Sutton’s presentation to the church of Hutton in 1342 no reference is made to the removal, resignation or death of Adam.

The name John de Sutton was also that of the Rector of Axbridge in 1329, of the Vicar of Wookey in 1335 and of a Canon of Wells in 1340, but it is so common a name that it is impossible to determine which, if any, of these became Hutton’s rector in 1342. In the following year a bishop’s licence was issued to him “and his parish chaplain to hear confessions of their parishioners and to absolve them”. Evidently then John de Sutton’s duties in Hutton were often undertaken for him by a chaplain, perhaps serving particularly John le Walshe and his household.

It would appear that at some time between 1343 and 1342, and for some unknown reason, the living of Hutton became vacant again, for the description of “Sir (dominus) Roger de Pykeslegh” as “parson (persona) of the church of Hutton” in March 1346 almost certainly denotes that he was by then the official incumbent, that is, the Rector of Hutton. Holding that office he was much more likely to have been chosen to act as trustee in John le Walshe’s marriage settlement (not a mere witness) than if he had been merely a chaplain. Besides, this Roger de Pykeslegh must almost certainly have been a brother of the earlier Rector, Adam, and had been instituted as Rector of “Weston-juxta-Mare” in 1311, and had acted as an executor of the will of Hugh de Langelonde, formerly Sheriff of Somerset, in 1335.

There is no record of Roger de Pykeslegh’s presentation to the living of Hutton and so it is not known whether John de Walshe exercised his right of advowson on this occasion or whether some member of the Langelonde family had again intervened.

## Six: Mid-Fourteenth Century to Early-Fifteenth Century (1347-1429)

After the 1309 *Extent of the Manor of Hutton* no subsequent detailed description of the manor was made until 1430, when deeds were drawn up to regularise the partition of the manor after the death of the second Roger Walsh in 1426.

This chapter deals with the period up to the time of the drawing up of those deeds. In English history these years, 1347-1429, do not constitute a period at all; at the beginning of this 'span' Edward II had been on the English throne nearly twenty years and the Hundred Years' War was reaching the end of its first phase with the English victory at Crecy and the capture of Calais; in its middle came the sorry reign of Richard II with its prolonged truce with France, and before its end Henry IV and Henry V had briefly reigned, to be succeeded by the young Henry VI, the battle of Agincourt had been won but Joan of Arc had begun the process of driving the English out of France. In Hutton's story this span of eighty years or so, though not particularly well documented and without any arresting features, is of some importance for it constitutes the last period of the manor's existence in its entirety, owned by members of the Waleys or Walsh family, mostly resident at Hutton Court.

### The Black Death

1348 saw the first and most disastrous outbreak of the bubonic plague, known as the Black Death. For the social and economic historian it marks the beginning of a new phase because depopulation (estimated at about one-third of the whole nation) caused by this epidemic brought about considerable changes in the structure of mediaeval English society.

The plague, which first appeared in Dorset in June 1348, soon spread in all directions, reaching its peak about the middle of the following year, and although Hutton lay a few miles away from any main thoroughfare, it must almost certainly have been affected eventually. It is however necessary to issue a caution against the temptation to exaggerate the extent and effects of the Black Death in Hutton. One of the ways in which the consequences of this plague may be traced in many parishes is by the changes which occurred in the lists of their incumbents between 1348 and 1350. Bleadon and Uphill, for example, each had two different parsons in 1348, Congresbury and Burnham two in 1349, East Brent two and South Brent (Brent Knoll) even three in 1350; yet there is no record of any such changes in Hutton at that time.

Neither is there any known record of the deaths of the inhabitants. One can only observe that its population apparently declined by about one third in the course of roughly 120 years, by comparing two documents - the *Extent* of 1309 and the *Partition Deed* of 1430 (which will be examined in the next chapter). Similarly, although it is known that there were at least fifteen houses or cottages in Elborough alone in 1309 and far fewer by the middle of the eighteenth century, there is no clear evidence that Elborough was one of the villages or hamlets in Somerset that are said to have 'shrunk' fairly suddenly as a result of the Black Death. In fact, evidence of any kind concerning Hutton during the period under review is relatively scanty, but

it is sufficient to indicate some of those changes which historians have observed on a national scale.

### **The Pykott Rental**

One document especially, among the Ashton Court papers, clearly illustrates the extent to which the personnel, if not the number, of the inhabitants of this area had changed by the latter part of the fourteenth century. It is a short list of names and payments and is entitled *The Rental of John Pykott, in right of his wife Elizabeth, widow of John de Walsh, lord of the Manor of Hutton* and it is undated. It may be confidently assumed that this rental was compiled after 1359 and, perhaps, much nearer the end of the century. One can be almost as certain that its scope is restricted to those manorial tenements which John de Walsch settled on his son, John, and the latter's wife Elizabeth, probably on the occasion of their marriage, and which were situated in Elborough, and the comparisons and conclusions which follow are based on this assumption.

Altogether eighteen separate payments appear on the list with no details of the size, nature or location of the land and/or houses for which they were made, apart from a solitary entry 'for overlond'. This term usually implied a tenement recently created out of former waste land or out of the lord's demesne. This particular 'overland' was most likely carved out of the Walsh's arable or meadow land, for in Elborough earlier in the century, there had been no moor, very little woodland and even some traditionally pasture land had been under cultivation. It is probable then, that the other seventeen payments were made for older-established tenements and that - far from there being any long-vacant plots of land as there were in some parts of the country after the Black Death - there were tenants for all of them. However one man (Adam Payn) held three tenements, another (Robert West) held two (including the 'overland') and that three other tenements belonged to three members of one family - Nicholas, Rosa and Joan Galvyn. Altogether, the fact that thirteen families held eighteen tenements presents a picture not very different from that of 1309 when the Payns and the Siwards each had three tenements, though not all in Elborough.

When the names of the tenants in John Pykott's rental are compared with those in earlier records however, considerable changes are evident. Of the thirteen surnames in the rental, not one of them is to be found among the sixteen Hutton families listed in the *Exchequer Lay Subsidy Rolls* of 1327, and only one - Payn - occurs in the comprehensive *Extent* of 1309. Allowance must be made for the fact that not all surnames had become rigid by the close of the fourteenth century and that one's occupation and one's place of origin could still sometimes provide two different surnames to be applied on different occasions to one and the same person, so that, for example, the John Deye (Day meaning a dairy-man), who appears as a newcomer to Hutton in the Pykott rental, could conceivably have been of the same family as Nicholas de Yardbury or Robert atte Welle who were 'customary tenants' in 1309. It would appear, however, that members of some eleven or twelve families, not previously known in the manor of Hutton, had come to hold land in Elborough alone by the late-fourteenth century.

This does not necessarily imply that these all lived within the parish of Hutton. The previously mentioned Galvyns, for example, were probably living in Bleadon in 1327 (for they appear in its subsidy list) and could well have continued to

do so whilst holding three tenements in Elborough. Again, it is almost certain that William Cokyr, whose name heads the Pykott rental, lived elsewhere. Apart from the fact that he paid the lowest rental of a shilling, presumably for a small portion of land, according to R Nathan's *Annals of West Coker* William held half of the manor of Rolstone and lands in Brentmarsh, Wembdon, Worle, Kewstoke, Locking and Weston-super-Mare. He also appears as a witness to one of the Payn family's deeds signed in Worle in 1365.

Despite these exceptions, it seems likely that most of the new late-fourteenth century tenants in Elborough had come to live there from places outside the manor of Hutton. For example, the name of John-atte-Yo occurs in both the Pykott rental and the 1327 Subsidy list for the manor of Brent and it seems very likely that the same family, though probably not the same person, is indicated. Some of the 'newcomers' may even have come from outside the county of Somerset for, in addition to those already named above, only two have surnames recorded in the County's Subsidy Rolls of 1327 - Tornepeny (Turnpenny) in North Cadbury, and West in Corston and several other places.

Though the Pykott Rental clearly establishes the arrival of new tenants in Elborough, its usefulness as a source of local history is sadly limited. For one thing, the names of rent-payers are apparently set down haphazardly, with none of the Extent's groupings into three classes of tenants, and neither the location nor even the size of their holdings is disclosed. Consequently it is well nigh impossible to relate them specifically to the tenants and tenements of 1309 or to discover whether the rents (which vary from a shilling to a pound) had risen, fallen or remained unchanged during the century. Not one of Adam Payn's three separately recorded rents of 4s, 5s.5d and 8s, for example, seems a likely equivalent of the 1s.6d which Sybilla Payn had paid in 1309 for a house and single acre of land, not necessarily in Elborough.

Sybilla, however, was a 'free tenant' who also held another dwelling and a fardel of land for an annual payment in kind of half a pound of pepper and the casual levy of scutage, whilst her kinsman, John Payn, another 'free tenant', was subject only to suit of court and scutage for his half a hide of land. Quite properly, the Pykott Rental is not concerned to record such obligations (if they continued to exist) and so there is no means of determining whether Adam Payn's rents were due for any or all of the earlier Payn lands in Elborough. If they were, it would seem that one or more of their feudal obligations had been commuted to a cash payment. More probably Adam had become a new 'tenant at the lord's will' or his rented lands may have been formerly occupied by one or more customary tenants whose irksome tasks Adam may have been reluctant to perform, preferring to provide the lord of the manor with money to hire labour.

One possible link between this late-fourteenth-century rental and the earlier *Extent* is the rent of 'a third part of one pound of pepper' due from a 'newcomer' whose name appears to be John Lagis. Apart from the 'one cock and one hen' paid in addition to 20d by Robert West for his 'overlond', this is the only payment in kind in the Rental and it seems unlikely to have been of recent origin; in fact, it recalls the 'half of a pound of pepper' paid by Sybilla Payn for her house and fardel (probably 7½ acres) of land and the same amount of pepper for a similar holding by Lucia Petche. If John Lagis's rent was indeed related to these, the difference in the amount of pepper due invites an explanation. It would appear to be only a modest reduction

of rent if he held only one fardel and a very considerable one if he held both, and if so, it could suggest two of the possible consequences of the Black Death - the decease of the entire family of a former tenant and the difficulty of obtaining a new tenant in a period of depopulation without the inducement of a lower rent. More probably however, a manorial lord would be most reluctant to make even the slightest reduction in rent when he was obliged to pay very much more for hired labour on his own demesne land, for, in spite of Parliament's attempt in the Statute of Labourers of 1351 to freeze wages at the 1346 (pre-pestilence) level and to check mobility of labour, sheer economic necessity drove landlords who cared for their estates to offer better terms, and economic historians estimate that there was an inflation of 60% in rates for hired labour within a period of ten years after the Black Death.

A more likely explanation, therefore, for this apparent reduction of rent is the fact that vacant tenements were sometimes divided, some portions being added to other tenements. In this case, John Lagis may well have rented one third of the combined holdings of Sybilla Payn and Lucia Petche for proportionately the same payment in kind, and the other two thirds may have been added to various other tenements and merely increased their rents in cash, leaving no trace of such transactions. It is tempting to speculate further that an under-6-acre arable field adjoining Elborough Lane may have acquired the odd name of 'Piplery', which it bore as late as 1838, from an ancient pepper rental and, if so, may have been the plot of land occupied by John Lagis in the late-fourteenth century.

There are other more serious limitations to the usefulness of the Pykott rental. Being almost certainly concerned solely with tenements in Elborough, it provides no information about those in the Hutton part of the manor, some of which may well have been occupied by Elborough tenants or other members of their families as they had been in the past and were to be for many generations. Unfortunately, the number and names of the 'newcomers' to Hutton and the eastern part of Oldmixon are not disclosed in this document and, as a mere rental, it does not reveal those tenements in any part of the manor which may still have been held only by virtue of feudal obligations or customary services. Naturally, it can shed no light whatsoever upon the existence or the fate of those families whose names appeared in the *Extent* of 1309 or in the *Subsidy Roll* of 1327 but not in later Hutton records.

### **A Winterstoke Hundred Court Roll of 1361**

Other late-fourteenth century sources of information are even scantier. A fragment of a Winterstoke Hundred Court Roll in the Lambeth Palace Library reveals the name of one other 'newcomer' to Hutton, a William Beratt (Barrett?) who was involved in a suit of trespass. It also records that the tithingman of Hutton reported to the Court that year (1361) five offenders for 'breach of assize' who were fined 6d each. The precise nature of their offence cannot be determined but their names are interesting. Four of them, John Stiward, William Niweman (Newman), John Andrew and John Siward, clearly belonged to families who were manorial tenants in 1309. The Andrews and Siwards, in fact, had tenements 'at the lord's will' in Elborough for which they paid rents, yet their names do not appear in the Pykott Rental, or in later Hutton documents. One cannot help wondering if they were victims of the second major outbreak of pestilence which occurred during that very year, 1361.

The last of Hutton's offenders brought before the Hundred Court has already been mentioned in a different context, for he was none other than the Adam Payn of the Pykott Rental. His name also occurs in three fourteenth century documents, now among the Ashton Court papers, which show that he was one of the sons of the John Payn who had been one of the principal free tenants of the manor of Hutton in 1309, and that his eldest brother, also called John, was head of the Payn family in 1361.

### **The Payn Family**

No one studying the mediaeval records of Hutton can fail to observe how often they include some reference to the Payn family and particularly to John Payn. Excluding more humble members of the family bearing that name, at least five successive John Payns appear in the story of Hutton, from the one who, along with his lord of the manor, Adam Waleys, secured exclusive rights of common pasture on Hutton Moor in 1255, to the one with an 'e' at the end of his surname, who was jointly lord of the manor and whose death in 1496 is commemorated by the fine brass still preserved in the church.

The third of these John Payns witnessed a Hutton manorial deed in 1359 and, two years later, conveyed the family estate, or most of it, to his two younger brothers, Adam (of the Pykott Rental) and Pagan. The deeds effecting this conveyance indicate clearly that John Payn was no ordinary 'free tenant' of the manor of Hutton, like John de Oldemexon and Richard de Oldemexon who were among the witnesses. Even though the first of these deeds concerned only lands in Ludwell and Elborough, identified John Payn merely as 'son and heir of John Payn of Lodewell' and was witnessed only by members of neighbouring families, its final phrase - 'given at Lodewell in the parish of Hutton' - suggests that Ludwell was not just a manorial tenement or farm, but at least a hamlet.

The second deed conveyed John Payn's lands, not merely in Ludwell and Elborough, but also in Shipham, Winterhead, Paynesbarne in Puxton, Clewer, Blagdon, Wolverhill, Banwell and Langford, and was witnessed at Ludwell by members of two eminent Somerset families - Sir John Fitzpayn, knight and Sir John Langelonde (son of a former Sheriff of Somerset) - as well as John Walche, lord of the manor of Hutton. Although the size of their holdings in these various places is not stated, their very extent indicates that by this time the Payns were a land-holding family of some consequence in this part of Somerset. Further, the various sources of revenue which are specified in the second deed - such as rents, services, wardships, marriage-rights, woods, dovecotes and mills - not only illustrate John Payn's wealth but imply that he had perquisites in some places normally belonging only to a manorial lord. How and when these had been acquired by the Payns it is impossible to determine, but it seems likely that they originated as a number of separate transactions undertaken at different times with various manorial lords, some of them perhaps being marriage settlements.

The aim of this wholesale conveyance of John Payn's lands is made clear by a similar deed of 1365 by which Adam and Pagan conveyed all the same property to their nephew, Matthew Payn, and to Joan (or Joanna), daughter of Peter de Bratton. It is evident that in 1361 John Payn had been worried at the prospect of dying whilst his son, Matthew, was still a minor. John may well have been a victim of the second

great outbreak of bubonic plague in that year, or at least made to realise his vulnerability by hearing of the deaths of others. Like many other landholders of this period in that situation, he would be anxious to avoid the damaging effect of feudal dues on his widespread estate - the revenues going to their respective manorial lords or their chief lords, young Matthew and his sisters, Isabel and Alice, becoming wards, the possible levy of 'heriot' on some lands and the certainty of heavy 'reliefs' to be paid eventually by Matthew when he came of age.

By conveying his estate to his brothers, John Payn evaded these consequences of his death, but he must have been given a solemn assurance (not expressed in the deeds) that they would re-convey the estate to Matthew when he became twenty-one. It can also be deduced from the deed of 1365 that John Payn had died at some time during the previous four years, that Matthew had come of age, and that he was either married or betrothed, for the deed settles the estate jointly upon Matthew and Joan and their direct heirs. The sealing of the document was witnessed by John de Bratton, evidently a close relative of Joan, and among others, by the previously mentioned William Coker (of the Pykott Rental); and it probably took place at a residence in Worle which William had acquired in 1361.

It is not known how many, if any, lands Joan de Bratton brought as her dowry to swell the growing Payn estate, but it is clear that one of Matthew's descendants (probably the best known John Payn) regarded the match as a matter for family pride; for on the back of one of his rentals is a fragmentary Payn family tree which goes into considerable detail concerning the Brattons, revealing that Joan's mother, formerly 'Alys Morys', had a sister 'Ymyn' whose second husband, Sir John Borawassche, had a daughter Maude who married Thomas Chaucer, *their* daughter becoming the Duchess of Suffolk! It would seem that Matthew Payn - if he had any say in the match - was a worthy representative of this ambitious Hutton family, of which he was apparently still head well into the fifteenth century.

According to the same 'family tree', Matthew Payn had one son, Richard, and three daughters: Joan (the elder) who married a John Forster, Agnes, married to someone called or belonging to Langridge, and Joan (the younger) to a Richard Kelly. It was probably in 1419 that Richard Payn married Agnes, the daughter of Robert Oldmixon and his wife Joan, who was the younger daughter of the second Roger Walsh, for in that year Matthew, his father, granted to 'Richard and his wife Agnes' a lease of all his lands outside Ludwell but 'within the Hundred of Winterstoke in the County of Somerset' for an annual rent of sixty shillings. Roger Walsh, lord of the Manor of Hutton and the grandfather of Agnes, was the first witness of that deed. Unfortunately, there is no record of the date of Matthew Payn's death nor of that of Richard's wife, Agnes, who is called 'his former wife' in a deed of 1442, but she probably died much earlier, as a quitclaim document of 1429 confirmed a messuage and some land in Elborough to 'Richard and his heirs' without any mention of his wife. Richard's marriage, perhaps planned and at least encouraged by Matthew Payn, was to bring him a share of the Manor of Hutton, as will be explained later.

A fifteenth-century John Payn, who was probably a member of a more humble branch of that family, and his wife Alice, were granted a joint life holding of a messuage and a small portion ('fardel') of land in Elborough by Roger Walsh in 1410 and he may have already held another tenement within the manor of Hutton

and have been the same John Payn who, in 1408, was reported to the manorial court for the defective condition of his grange and bakehouse.

### **A Manorial Document of 1408**

The information in the last paragraph concerning the tenant, John Payn, comes from an odd but interesting manorial document headed 'Hutton: Exactions of Court' and it is dated 'the Monday next after the Feast of St Andrew in the tenth year of the reign of King Henry the Fourth' i.e. early in December 1408. It is not only the earliest surviving manorial court document from Hutton, but the only known record of a court held before the partition of the manor. Oddly enough, it does not belong, like most of Hutton's mediaeval documents, to the Ashton Court collection, but it was found among papers of the Wyndham family. It consists of two parts, the first being a list of tenants whose animals had strayed into the lord's lands and of the penalties consequently imposed. The most frequent penalty was 1d for a number of geese straying into the lord's pasture and the heaviest was 4d for six bullocks in the lord's wood.

The rest of this document more closely resembles the normal court-roll for it records a number of offences usually of neglect, by various tenants, with instructions to put matters right subject to a penalty of 2d for the first time, but steeply increased for repeated neglect. By far the commonest offence was a tenant's failure to clear out the rhyne which flowed through or adjoined his land. Thus Robert Oldmixon, probably Roger Walsh's own brother-in-law, having ignored previous instructions, was threatened with a fine of forty pence if he failed to clear out 'the ditch at le Drove' before the court's next sitting six months later. This is the earliest known mention of 'Oldmixon Drove', the name (replaced not so many years ago by Winterstoke Road) for the track which formed the western boundary of the parish and, until quite recently, that very same ditch could be seen behind the Walnut Tree Inn.

The same document also makes the earliest known reference to 'Estmede' (East Mead), the flat meadowland stretching northwards from the foot of the sloping East Field and which, although divided by hedgerows into narrower enclosures, is still to be seen on the north side of the footpath to Ludwell behind Moorcroft Road. Two other field-names in this document - 'Threacrenheynde' (clearly of three acres) and 'Grenemore' (a part of Hutton Moor) - defy positive identification, and one can only speculate on which, if any, of Hutton's now mainly-culverted watercourses was then the 'Townryne' which Tom Turnpenny had failed to keep clear in 1408.

Tenants were also charged in this manorial court with neglect of their buildings, even those in which they lived. It should be remembered that these were probably unsubstantial structures with frames of green timber, cob walls and thatched roofs and so soon became 'ruinous to the injury of the lord' as the court record phrased it. According to this 1408 roll, granges or granaries were neglected by Thomas Edward, John Edward and John Payn, a wagon-house by John Elyot, a bake-house by John Payn and 'halls' by John Edward, Alice Cockes (Cox) and John Sutton. Such a 'hall' should not be imagined as a lofty and spacious baronial dining-hall but merely the general living-cum-dining room, occupying about two thirds of the length of a narrow single-storey dwelling, and probably 'full sooty' like the hall of the narrow cottage in which Chaucer's poor widow ate her slender meal.

Though it is unlikely that every single tenant actually lived in Hutton, or that he would fall foul of the lord's bailiff in any one year, this roll of 'Court exactions' of 1408 does provide useful evidence of Hutton's inhabitants in the early fifteenth century and it confirms the degree of mobility which has been observed earlier. Altogether this document names thirty persons, twenty-four of them having different surnames, and eleven of these twenty-four are entirely new in Hutton's records. Four of these new names, Sutton, Elys, Malsell and Cockes (Cox), appear later in the fifteenth century but the remaining seven, Brekebous, Mason, Hindell, Elyot, Subyng, Vicorys and Bereheny, do not recur at least before the nineteenth century. There is some doubt about two more names, Morez or Morris and Sywold; if they were variant spellings of Mareys (Marisco, later Marsh) and Siward, then they were already old Hutton names; if not, they bring up the total of newcomers to thirteen. In addition to the well established surnames of Payn and Oldmixon, eight other names - Yves, Neweman, Galwyn, Edward, Yo, Fitz, Clerke and Andrewe - spelt variously, have been encountered previously in Hutton's story. Two new surnames, Gente and Crede, appear in Roger Walsh's will of 1425 and the names of John Payn, William Marshall and John Yo are confirmed in three deeds of 1410 and 1411.

These deeds also illustrate two other social and economic features of this period - the substitution of cash rents for many of the more irksome manorial services, and the acquisition by some manorial tenants of other, probably additional, tenements within the same manor. So, in 1410, William Marshall was granted by Roger Walsh a life tenancy of a messuage with 12 acres of arable and 4 acres of meadow in Hutton, previously held by William Moris, for an annual rent of 16s., and in the same year John and Alice Payn were granted a joint life tenancy of a messuage and a 'fardel' of land in Elborough for an annual rent of 16s., free from ordinary services, but they were obliged to remain on that tenement and to yield 'heriot' (usually in the form of their best beast) at death.

It is possible that this tenement was the one that they had previously held for various dues and services as customary tenants. Similarly, in 1411 for an annual rent of 6s.8d, John Yo and his wife Alice, already Hutton tenants according to the 1408 Court roll, obtained for their lives a Hutton tenement (containing 9 acres of arable and 1½ acres of meadow) previously held by John Cornwall but now free from all services and exactions except church dues, royal service and attendance at the manorial court.

### **The Lords of the Manor - the Walsh Family**

The story of Hutton during the latter part of the fourteenth century and the early part of the fifteenth century would be incomplete without fuller information concerning its manorial lords and its clergy than has been provided by the few passing references made so far. Despite the differences of spelling, the John Walche who witnessed the second Payn deed of 1361 was the John le Walsch who, in 1346 had received back from the trustees the manor and advowson of Hutton in a deed which provided that if he and his wife, Joan, should die without heirs, the property would pass to "John the son of John", the offspring of John's first marriage. This in fact is what must have occurred, though not until at least thirteen years later, for in 1359 John le Walshe granted to his son, John, and to Elizabeth, daughter of Richard de Flory, all his lands and possessions in Elborough "within the manor of

Hutton”, to be held from him “by the service of one rose annually . . . in lieu of all other services except the service of the lord the King”.

This deed too would appear to be a marriage settlement, Elizabeth’s father being one of the witnesses. If John le Walshe, the bridegroom’s father, can be identified as the “John, son of John le Waleys” mentioned in some notes on the descent of the manor made on the back of an early-fifteenth-century document - and this is almost certain - then the events subsequent to this marriage are fairly clear though they cannot be precisely dated. At some time between 1359 and 1380, John le Walshe must have died and was probably succeeded for a time by his eldest son John, Elizabeth’s husband. However, not later than 1380 the latter too must have died without an heir, and his widow Elizabeth later married a certain John Pykott but retained for life the revenues of the Elborough lands conveyed in 1359; hence the Pykott rental.

John Walshe was succeeded by his younger brother, Roger Walshe, who, according to the calendar of MSS of the Dean and Chapter of Wells, witnessed deeds at Loxton and Banwell in 1380, 1382 and 1386. Nothing further is heard of him until 1404 when he drew up his will. Judged only on his gift of forty shillings to be distributed among the poor of Hutton and his bequests to the church (to be detailed later), he would appear to have been a devout man, interested in the village. Since his will was proved in May 1405, he probably died early in that year or towards the end of 1404, leaving the residue of his goods to his wife, Alice, whom he appointed joint executor with a certain John Gylys (or Giles).

The fifteenth century notes on the descent of the manor state that he had one son who succeeded him (also called Roger) and two daughters, Agnes and Joan. At some time probably before their father’s death, these two sisters had been married, Agnes to Walter Coker (a son but not the heir of William Coker of Worle named in the Pykott Rental), and Joan to another free tenant of Hutton, Robert Oldmixon. In fact, according to the *Calendar of Patent Rolls*, Agnes was already the wife of Walter Coker in 1402, for on October 20th of that year John Oldmixon and John Gregory seized Walter’s lands and possessions on behalf of Agnes, Roger Wallys (i.e. Walsh, her brother), John Maynford, Edmund Forde, William Pensforde and John Giles, who were entrusted by the King’s Court with their custody “during his infirmity”, because he was “not of sound mind” but “enjoyed lucid intervals”.

According to a Lay Subsidy roll of 1411, this second Roger Walsh was assessed not only for the manor of Hutton but also for “certain lands” in Langridge near Bath. His name appears too as that of the lessor of several manorial tenements of Elborough and Hutton in 1410 and 1411 and it was probably he, rather than his father, who at some time before 1419, according to an imperfectly legible fragment of what appears to be a Winterstoke Hundred Court-roll among the Hutton deeds in the Ashton Court papers, co-operated with Walter Coker in maintaining some kind of structure erected by Walter with the puzzling name of “a stowk” (perhaps a stockade) on a certain stretch of long wall or dyke called ‘Wowwall’. This wall had been built apparently on the orders of the Hundred Court, near the boundary between Banwell parish and the parishes of Locking and Worle to prevent flooding on the meadow-lands of “Worle, Hutton, Ashcomb, Weston, Mylton, Uphill, Oldemyxon and Lockyng”. One effect of the erection of a “stowk” was to prevent the use of the wall as a bridle path or as a drove for the movement of stock and so it was bitterly resented in some quarters. One Sunday a group of men led by Walter

Symond of Worle broke down this particular 'stowk' which Roger Walsh had to maintain, causing damage to the meadowland estimated at £10.

In 1419, the second Roger Walsh was the last of that name to exercise the right of advowson by presenting John Bouche as the new Rector of Hutton. In the same year he was principal witness to the deed of Matthew Payn's lease to Richard and Agnes, the daughter of Robert and Joan Oldmixon and Roger's niece. The presence of Thomas Sambrooke, of Compton Martin, among the witnesses to the same Payn deed is an almost certain indication that by then (1419) he had become the second husband of Roger's and Joan's sister, Agnes. Six years later, in November 1425, Roger Walsh made his will which consisted mainly of a few bequests to the Church and to two of his newer tenants - Joan Gente (40 shillings) and Alice Crede (four oxen and four cows). The unspecified residue was left to his executors, John Giles (who had been his father's executor) and Robert Gebon, his chaplain, to pay his debts and carry out his dying wishes. It was probably about the middle of the following year when he died, for probate of this will was granted in November 1426.

### **Hutton's Clergy**

For Hutton's clergy during this period of eighty years or so the records are sparse and confusing. Roger de Pykeslegh was the "parson of Hutton" in 1346; the next record of an institution at Hutton, over seventy years later, in 1419, states that the vacancy was caused by the death of one Robert Bochel. It is not known when Robert had become Hutton's Rector, but there must have been at least one intermediary between Roger de Pykeslegh and him for, according to an article on *Somerset Incumbents* by Maxwell Lyte, the list of those who paid a clerical subsidy in 1377 includes Robert Smaylham as Rector of Hutton at that time, and he also appears as such in a 1379 Roll of Common Pleas.

However, no rector of Hutton appears as one of the many Somerset clergy who, according to Dunning risked excommunication for opposing Richard II's taxation of ecclesiastical property in 1381, 1385 and 1387. Perhaps Robert Snaylham who, although he had been described as "a poor clerk" when he was vicar of Weare in 1348, had paid the personal levy on clergy in 1377, continued submissively as rector of Hutton throughout the rest of the fourteenth century or at least until he was succeeded by Robert Bochel. The latter must have died early in 1419, or perhaps late in 1418, for in May 1419 "Master John Bouche, clerk," was instituted as Rector of Hutton to fill the vacancy caused by the death of "Sir Robert Bochell". The difference in titles given to these two rectors suggests that John Bouche was a younger man, probably one who had fairly recently become a Master of Arts.

According to Weaver's *Somerset Incumbents*, based, not on the original Bishops's Registers, but on transcripts of them in the British Library (Hugo MSS), and consequently according to the list of Hutton Rectors on a plaque in the church, the next Rector was one John Smyth, instituted on April 20th 1428 upon the presentation of "Joan, the widow of Thomas Brook, knight". Bishop Stafford's Register however shows the parish church to which John Smyth was instituted as rector was that of Lutton and in a subsequent entry of 1440 he was said to have been deprived of his office at "Lucton". Therefore it seems probable that John Bouche was still Rector of Hutton at the end of this period.

## Hutton's Parish Church

The will of Roger Walsh in 1425 and that of his father in 1404 provide the first clues to the individual identity of Hutton's parish church and reflect some of the religious ideas and practices of devout Englishmen over a century before the Reformation. The earlier will includes the first recorded evidence of this church's dedication to St. Mary the Virgin, for Roger Walsh senior bequeathed his body "to be buried in the Church of the Blessed Mary of Hotton", and it is confirmed by his son's bequest of his body "to be buried in the chancel of the Blessed Mary in the parish church of Hotton". This phrase also illustrates for the first time in Hutton's records the custom of burial inside the church, particularly inside the chancel.

The fact that the elder Roger Walsh specifically left 40s. "to the fabric" of the church may well indicate either that it was in need of repair in 1404, or that some extension or alteration to the building was then desirable. He also bequeathed an indecipherable amount "for the maintenance of a wax candle (or taper) burning before the image of the Blessed Mary there". The description of the church, in his son's will, as "the parish church of Hotton where I am a parishioner", is also interesting. It suggests a change of relationship between manor and church, or at least in the attitude of the manorial lord since the day when his predecessor, probably his ancestor, assigned a portion of his demesne to provide a place of worship for his use whenever he happened to be resident in Hutton and a living for some junior member of his or a friend's family.

Both Rogers were greatly preoccupied with the need for prayers to be said for their souls. The eldest Roger left not only 20s. to the rector for this purpose, but also "14 marks (£9.6s.8d) for the wages of two priests celebrating for my soul and the souls of all the faithful deceased in the said church of Hutton for a year". The clearly specified use of the church for this purpose would seem to suggest that there was no private chapel in Hutton Court. Certainly no licence for the use of one is recorded in the Bishops' registers throughout the Middle Ages, although omission from such incomplete records is not in itself convincing proof that such a licence was never granted. Since no separate chantry within the church is mentioned and no trace of one from this period has survived, it may be assumed that the chancel and its altar were used by these two priests for their daily requiem mass. Similarly it would be used in 1426 and 1427 by Roger Gebon, the chaplain, to whom the second Roger Walsh left 10 marks (£6.13s.4d) "to celebrate for my soul for one whole year after my decease". He also commissioned Robert Gebon and his fellow executor, John Giles, "to ordain for the burial of my body and to dispose as shall seem best to them to please God and to profit the health of my soul".

Such was the preoccupation of this last Roger Walsh in November 1425, not long before he died. According to the notes on the descent of the manor, he was childless and it had apparently been his father's intention that his sisters Joan and Agnes should be joint heiresses. However, by 1426 only Agnes, by that time married to Thomas Sambroke, survived and Joan's share was claimed equally by her daughters. It was this situation which led to a series of law suits between 1427 and 1430 and which also caused the double partition of the manor. These events were of such importance and the documents relating to them are so informative, that they require a separate chapter of Hutton's story.

## Seven: The Fifteenth-Century Partition of the Manor

So far, in this story of Hutton, the main difficulty has been the scantiness of documentary evidence. Now for the first time, in dealing with the dual partition of the manor during the first half of the fifteenth century, one is faced with the problem of sifting the true facts from more than ample but not wholly consistent records of that single episode. For no fewer than seven documents among the Ashton Court papers, varying in date from 1427 to 1442, are solely concerned with some aspect or other of the partition and three of these, at great length, provide the details.

The earliest of these consists of two parts. The first (Part I) is a 1430 schedule of the division of Roger Walsh's whole estate into two halves (a) and (b). Part II details the subdivision of (b) into two halves, (c) and (d), and document No.2 is a more clearly arranged and perhaps later version of this. Document No.3 - an account of pleas submitted in a case before the King's Bench at Westminster in 1442 - quotes details of (c) and (twice!) of (d). Despite its repetition and its length, No.3 is invaluable for it is the only document which explains both the object of the dual partition and how it was devised.

### **Circumstances Leading to the Partition.**

Roger Walsh, the last of his line in Hutton, died probably early in 1426 and his will makes no mention of his real estate, for it must have been arranged by his father that if Roger died childless, as he did, his sisters, Joan and Agnes Walsh, would jointly be his heiresses. Of these sisters, only Agnes was still alive when Roger Walsh died and by then she was the wife of Thomas Sambroke of Compton Martin, and so Thomas and Agnes were entitled to half of the whole estate. Agnes's sister, Joan, the wife of Robert Oldmixon, had previously died without any sons and her two daughters, also called Agnes and Joan, were her co-heiresses, each therefore due to inherit a quarter of the whole Walsh estate. By 1430 however, only one of these, Joan (nee Oldmixon), had survived to share her quarter with her husband, William Dodesham, junior, of Cannington, and the remaining quarter, in the right of her sister Agnes, was justly claimed after her death that year by her surviving husband, Richard Payne of Ludwell.

Apparently, no arrangements for such a division of Roger Walsh's estate into one half and two separate quarters had been made when he died. In more modern times the entire estate might have been put up for sale and the proceeds proportionately divided, but land was then the most desirable of possessions which its inheritors were reluctant to exchange for cash unless it was urgently needed; and so some form of partition was required. The most valuable part of the estate was the manor of Hutton, consisting of "the Court" with its complex of domestic and farm buildings, the demesne lands, the rents and services of its tenants and the revenues of its manorial courts. With the manor went also the advowson, or right of appointing the Rector of Hutton whenever a vacancy occurred. In addition there were properties elsewhere in Somerset and in Gloucestershire.

A full three years elapsed after Roger's death before any form of partition of this diverse estate was agreed but it is probable that, in the meantime, Roger Walsh's

reeve or bailiff continued to manage the manor of Hutton and to share its revenues, after deducting his remuneration, among the three parties - Thomas Sambroke, William Dodesham and Richard Payn - in their due proportions. Although no manorial accounts for this period have survived to prove this, the three earliest Hutton manorial court rolls among the Ashton Court papers show that these courts continued to be held during this period in the names of these joint lords of the manor. Strictly speaking, the first two of these rolls (1427 and 1428) bear the names of Thomas Sambroke, Richard Payn and a certain John Stodeley (perhaps a representative of William Dodesham), and the third roll (1430) bears the names of all three inheritors.

Meanwhile Thomas Sambroke ensured that his (and his wife's) right to half of the Walsh estate, however assessed, was established in law, for, shortly after Easter in 1427, his case against a certain Thomas Davyntree, claiming half of the manor of Hutton and half of the advowson, was begun before the Judges of the King's Bench at Westminster and by the summer of that year he had won it. The obscure Thomas Davyntree claimed to have received this property as a gift from Thomas Sambroke and Agnes, but on their acknowledging his claim he restored it to them. Almost certainly, this was one of the many law-suits contrived solely for the purpose of having one's rights legally recorded and so made virtually indisputable. It is strange however that Thomas Sambroke made no claim on that occasion to any share of Roger Walsh's estate outside Hutton.

A less costly, but less public device for the same purpose was employed by William Dodesham and his wife Joan in 1428. By a deed drawn up at Cannington they appointed four trustees - William Dodesham, senior (his father), Robert Oldmixon (her father), Richard Payn (their brother-in-law) and William Gascoigne of Brockley, perhaps a friend. In a second deed of the same date, they conveyed to these trustees a fourth part of the entire Walsh estate, including his property in Clifton, Oldbury and Axbridge. One year later this deed was superseded by another, but this time only to two of the former trustees, William Dodesham, senior, and William Gascoigne .

No hint is given in any of these transactions of the way in which particular halves and quarters of the Walsh estate were to be defined and, according to the evidence which Richard Payn gave to the King's Bench in 1442 (document No.3), there were various boundary disputes between him and William Dodesham and also with Thomas Sambroke concerning the partition. Eventually, however, at least before the end of 1429, these three agreed to submit the task of dividing the estate to three arbitrators of their individual choice - William Dodesham, senior, chosen by his son, William Gascoigne, chosen by Richard Payn and a certain Richard Geyton, the choice of Thomas Sambroke. By the beginning of 1430 these arbitrators had made their award, dividing the entire estate into what they considered to be two equal portions and allowing Thomas Sambroke to choose one of these as his half. William Dodesham was then to divide the other half similarly into two equal parts, to allow Richard Payn to choose one of them and to keep the remaining part as his quarter of the estate.

The first step, the partition into (a) and (b), was completed early in 1430 for the document which provides its details (No.1, Part I ) is dated " the Friday next before Palm Sunday in the eighth year of the reign of King Henry the Sixth", that is 1430, when the King was barely ten years old. The subdivision of (b) into (c) and

(d), detailed in the two documents (No.1 Part II and No.2), which refer to the provisions of the first partition as having been made “formerly”, was probably effected before the end of the same year. However, disputes over the custody of the original documents and about certain discrepancies in their details - even about a sum of 8s.4d - persisted for another twelve years and culminated in the action which William Dodesham brought against William Gascoigne in 1442, recorded in Document No 3.

### **The Actual Partition**

Such were the peculiar circumstances which led to the partition of the Manor of Hutton and the rest of Roger Walsh’s estate, and such was the odd method by which their division into one half and two quarters was arranged. Even more strange and complex were the ways in which this partition was effected, varying from one item of the estate to another. Here again there are discrepancies among the three manuscript sources of information described and numbered at the very beginning of this chapter and so, in the detailed account which follows, it will be necessary to make occasional references to these documents, using those numbers.

### **Partition of the Walsh Estate outside Hutton, and of the Hutton Advowson**

All of Roger Walsh’s estate outside the manor of Hutton was divided, according to its location, into two lots, both valued at 40s. Surprisingly, the advowson - the right of presenting Hutton Church with its rectors - was linked in the partition documents with these properties outside Hutton and no estimate of its monetary value was given, in marked contrast with the high valuation of this right in the *Extent* of 1309, and despite the fact that this form of patronage was long to remain as a property to be coveted.

The partition of the advowson was achieved by regarding it as a right to be exercised in turn within a cycle of four vacancies, the first and third turns being allotted, together with the Clifton property, to the Sambrokes, leaving the second and fourth turns to be divided between Payn and the Dodeshams. According to document No.1 Part II, the second turn, linked with property in Axbridge and Oldbury (in Stapleton parish), was subsequently allotted to the Dodeshams and the fourth, linked with some land in Elborough, to Payn. It is reasonable to suppose that whoever had the choice would have preferred the second turn to the fourth as the one more likely to be exercised during his own lifetime, and so it would seem that for this item of the estate William Dodesham, not Richard Payn as had been arranged, had the first pick.

Both documents No 2. and No 3. apparently confirm this although they state that Dodesham had the first turn (probably meaning the first of the two remaining turns) and make no mention of the turn allotted to Payn. However, in practice, over a period of roughly one hundred years spanning the service of the next four rectors of Hutton, the first and third presentations were made by the heir of Agnes Sambroke, the second by William and Joan Dodesham, and the fourth was made on behalf of a descendant of Richard Payne. These presentations and the circumstances in which they were made will be described later.

## Partition of Hutton Court and its Premises

In the partition of the Hutton Manor estate, one might reasonably assume that the manor house itself, 'the Court', and all its domestic and farm-buildings would have been handed over intact to one of the parties concerned, but it was actually divided, in a complicated manner and without any specified valuation into what the arbitrators judged to be two equal parts. That allotted to Thomas and Agnes Sambroke included the hall, chambers (bedrooms, sometimes used also as private sitting-rooms) to the south and west of the hall with work-rooms below, a brew-house, a cloth-house and a barn for storing barley. They also had the southern half of the garden and three bartons (enclosed yards), one between the hall and the previously mentioned work-rooms with free access through "the doorway leading from the Court towards the great wood" (Hutton Wood), another barton "on the west side" and the third "still further west with the Culverhey", that is, the enclosure containing the dovecote.

The dovecote itself, however, was one of the items assigned to (b) according to document No.1, Part 1, together with a fishpond, all the chambers on the north side of the hall, a pantry, a dairy, a second brew-house, a stable, a granary, a sheep fold, the northern half of the garden, "a little garden on the west side of the hall", a barton between the sheep fold and the west wall of the little garden, a wide open space to the north and east of the churchyard, and a little courtyard on the west side of the second brew-house. The latter building, perhaps, was used to brew ale only for the farm and domestic workers for in document No.1 Part 1 it is given the English name of brewery in French guise as "le bruerie", whereas the first mentioned brewhouse, belonging to the Sambrokes, bears the Latin name, 'pandoxatorium'.

Later, instead of any further division of the Court and its out-buildings, the whole of (b) described above was allotted to Richard Payn, but certain discrepancies among the documents concerned may suggest that some re-arrangement of the original partition had been made. Not one of the three versions of Payn's share includes the fishpond and only one (No.3) includes the chambers on the north side of the hall and makes detailed mention of the remaining items, but substituting "ox-house" for the "sheepfold" of No.1 Part I.

The other two versions merely refer in general terms to Payn's share as "all the work-rooms gardens and bartons which were formerly assigned to (b)". If such indeed was the final division, then the Sambrokes, with a home at Compton Martin, acquired the more residential part of the manor-house, and Richard Payn of Ludwell had more of the farm, although this complicated partition must have presented difficulties for any one family in residence at the Court. Perhaps the manorial bailiff, or even a tenant farmer, occupied these premises, or part of them, at this time.

One cannot help wondering if any of the present buildings, gardens and bartons of Hutton Court and Farm can be identified with those listed in these early-fifteenth-century documents, but it is a completely baffling exercise. Even to produce an intelligible plan of the lay-out described so fully in the first document is impossible because no dimensions are stated, no location is given to some of the items, such as the barn, the granary and the stable, and some locations, such as "at the end of the hall" are imprecise and confusing.

In at least one instance the unpunctuated Latin text may be translated in two entirely different ways, so that one of the bartons assigned to the Sambrokes may have been only vaguely located “on the west side” and “the new chambers” may have constituted the next item on the list, or the barton may have been more precisely located “on the west side of the” (one and only) “new chamber”, but whichever was intended, there is no indication of where the new chamber or chambers stood. There is something odd too about the number of items lying “to the west” with none “to the east” except the “open space on the north and east sides of the churchyard”. This, the earliest known reference to Hutton’s churchyard, does at least provide a still recognisable western limit to the Court and its gardens in 1430, although the barton “still further west with the Culverhey” and the dovecote could have been situated to the south (the woodland side) of the churchyard, which may then have consisted only of the plot lying on the south side of the church, for what is now the northern part of the churchyard must then have provided most of that “open space”.

The wall which provided a boundary for the barton adjoining the sheep-fold (or the ox-house, whichever it was) was said to be on the west side of the little garden as it stretches from the hall as far as the church through the little doorway”. It would seem certain then that this was also the eastern boundary wall of the churchyard, and “the little doorway” may very well have been the one which still provides access to the churchyard from the Court, although some of its original stonework must have been replaced much more recently. A now barely recognisable eastern limit to the Court complex of 1430 is provided by the mounds which mark the site of three ponds, filled in several years ago, at the east end of the walled enclosure (formerly an orchard) lying on the east side of Court Farm’s milking-shed and of the east wing of Hutton Court; for at least one of those ponds is shown on earlier Ordnance maps, and the single enclosure containing them is named “Fishpond” in the schedule of Hutton’s Tithe map of 1838.

It seems likely then that the complex of Hutton’s manorial buildings, bartons and gardens in 1430 stretched mainly eastwards from the churchyard, and therefore occupied roughly the site of the present Court and its grounds but beyond that all is uncertain. It cannot be taken for granted that the hall at that time was basically the magnificent great hall which forms most of the south wing of the present buildings, for, with a barton, a set of chambers and work-rooms and a little garden all apparently lying between it and the churchyard, it could well have been situated further east and may well have had a north-south axis instead of the east-west axis of the present hall. If, however, the site of the hall has remained unchanged, despite any subsequent architectural alterations, then those chambers and work-rooms on the south and west sides must have stood in what are now the gardens and part of the drive, and those on the north side may have occupied the present north wing. Almost certainly, there was no tower in 1430 for no mention of it is made in any of the partition documents.

In considering if there is any surviving architectural evidence of the manorial buildings of that period, one should bear in mind that the solitary mention of “the new chamber” or chambers suggests that all or most of the rest were probably erected before the fifteenth century and that their most recent stylistic features would therefore be those of the fourteenth century. Yet no architectural features which could positively be assigned to such an early period have been found so far. In his paragraph on Hutton Court in *Buildings of North Somerset and Bristol*, published

in 1958, Pevsner made no mention of any features of that period or earlier. He recognised however “considerable parts of a C15 or early C16 manor house” especially the tower and the hall, but regarded “the back of the house” as Jacobean and the west front as very early eighteenth century. By “the back of the house” he probably meant the north wing, for at the time of his visit the east wing (opposite the “west front”) was the farmhouse, Court Farm. However, Pevsner may not have had the opportunity to observe some of the odd corners of the whole Court and Court Farm group of buildings and, naturally, he could not have seen some of the doorways, roof timbers and other features which came to light during subsequent repairs and alterations. Many of these, however, were examined in 1980 by EHD Williams and RG Gilson who found traces of a fifteenth- or early-sixteenth-century origin, particularly in the north and south ranges, but nothing earlier.

It would seem, therefore, that not one of the present buildings was standing at the time of the Partition, though some of the masonry and roof timbers of that period may have been re-used subsequently. Also, a drainage trench dug in 1979 from the building in the south-west corner of the south garden down to the gateway into Church Lane revealed masonry west of the present north garden and at least one wall beneath the turf of the south garden, possible traces of those puzzling westerly buildings of 1430.

### **Partition of Demesne Arable Land**

After the Court and its outbuildings, the next major item of Roger Walsh’s estate to be divided between (a) Thomas and Agnes Sambroke (50%), (c) Richard Payn (25%), and (d) William and Joan Dodesham (25%), was the demesne land - the various parts of Hutton and Elborough directly farmed by the lord of the manor. Here again there was much variety in the methods by which this complex partition was effected and some discrepancies of detail between the versions given in the three documents previously described. However, the main interest these provide is the general picture they present of Hutton’s landscape in 1430 and the changes in the occupation, lay-out and use of land since that last comprehensive survey was made in 1309.

Most conspicuous of these changes is the reduction in the total area of the demesne from 480 acres in 1309 to 401 acres in 1430. One-sixth of the ‘home’ lands had most probably been converted into tenements to provide an annual cash income, as indicated by a few early fifteenth-century deeds, although some land may have been permanently alienated from the estate by completely freehold conveyances. An even greater shrinkage can be observed in the total arable area of the demesne from 355 acres in 26 plots of various sizes to 269 acres in 22 plots, the most remarkable share of the reduction being in Elborough where only 28 acres out of 115 survived.

Not one can positively be identified as belonging to one of the seven arable furlongs named in the 1309 Extent, although the 6½ acres in the ‘Combe below Bentell’ (i.e. Benthills, above the factory) may be the 1430 remainder of the 30 acres in the 1309 Benetesfurlong, and not one acre of 19 demesne acres in Middelfurlong remained, but the partition documents show that at least 6½ of those acres were then held by tenants. However, another factor accounts for the loss of some of the demesne arable - the increasing demand for pasture. Of the 29 arable acres in

'Benethull' (the higher past of Benthills) in 1309, 20 had become pasture in 1430 and so too had all 9 acres of the adjoining 'Langlond'.

The 16 acres of 'Doneacre' (Down Acre, above the eastern end of Hutton Wood) and the 30 acres of 'Chelmerscroft' (so far unidentified, but probably close to the moor), all former demesne arable, had also been converted to pasture by 1430. Within the broad red-marl arable belt of Hutton, 76 acres of demesne land in 1309 had been reduced to 46 by 1430. Of these all the 9 acres at 'Hankesbury' and five of the 7 acres in 'Radeweysfurlong' (both still not located) were retained by the lord of the manor, but if the 1430 'furlong on the west side of the Culverhey' (which was west of the Court) can be identified with the 1309 field called 'Biwestethecourt', then that had been reduced from 16 to 9 acres, probably the area comprising the present Home Field (formerly Great Horse Close) and most of the paddock on its east side (Little Horse Close), part of which may have been 'the Culverhey'.

The most probable explanation for this reduction is that, at some time during the latter part of the intervening 120 years, the northern part, roughly half, had become tenements, separated from the remaining demesne land by what is now the southern (east-west) stretch of Church Lane. One instance is a 1430 tenement called 'Kyngeshous' (King's House), which may have become two pieces of Church land, named Upper and Lower King's Close respectively in the schedule of the 1838 Tithe map. The upper one, adjoining Church Lane, now forms most of the present Rectory garden, and the lower one adjoining the Main Road, is the present site of most of the temporary classrooms of the primary school and part of its playing field.

Strangely, there is no trace in the Partition documents of any demesne arable land that can be positively identified with the two furlongs 'Biestcombe' (8 acres adjoining Canada Combe) and 'Binethecourt' (20 acres) of 1309. Instead, there are two new names for furlongs which, according to their high valuation, must have been part of the same belt of red marl - 'Above the heyes' or 'Westfurlong' (7 acres) and 'Above the Court' (12 acres "with the headland", i.e. space for the plough teams of oxen to turn round). A possible location for the former is the 'Seven Acre' field adjoining Upper Church Lane just below the quarry and the second must surely have included the present 8-acre field just above the outbuildings of Court Farm. It must then have extended southwards across the present track and a little way into what is now woodland.

Four more acres of demesne arable land of poorer quality (2d per acre) lay at 'Northerill', that is, the North Hills, now almost hidden from travellers to and from Uphill by the houses along Oldmixon Road. In the level expanse of moorland beyond them, the demesne holding of arable land had actually increased from 160 acres in 1309 to 170 acres in 1430, contrary to the trend previously noted. Of the nine 'crofts' named there in 1309 only three had survived by 1430; 'Schortecroft' and 'Denescroft' were still demesne arable, but 'Leveresmeresfurlong' was probably leased to tenants - for one, at least, held 7 acres there in 1430.

The remaining six enclosures were replaced in the Partition documents by thirteen new names, indicating not so much that a larger area of moorland had by then been enclosed, as that it had been divided into more small units. Only four of these bore names which can be identified in the Tithe Map Schedule of 1838, and can therefore be identified on the map, although they are now indistinguishable parts of the airfield. 'Marencroft' (later 'Marycroft'), 'Horethorn' (later 'Hawthorn')

and 'Langcroft' ('Longcroft') were all wholly or partly demesne land; and in 'Hutteryssham' (the outer part of the later 'Rusham') at least one manorial tenant held an acre. The rest of the moorland enclosures have so far defied positive location.

This fragmentation noticed in the moorland was further increased by the methods of partition. Each separate furlong or croft was first divided into halves (usually east and west), the first half being given to the Sambrokes and the other being divided again in the same way between Richard Payn and the Dodeshams, although sometimes a whole group of half-furlongs was allotted to Payn (e.g. half of all the best arable land in Hutton), and other property regarded as its equivalent was awarded to the Dodeshams (e.g. all the Walsh lands outside Hutton).

Few such divisions and subdivisions of the arable land can now be traced even on a map. One of the clearest examples, however, is that of Marencroft's 30 acres. The eastern half, allotted to the Sambrokes, must have comprised the two fields named in the 1838 Tithing map schedule as 'Hay's Seven Acres' and 'Laney's Seven Acres'. The other half must have consisted of two fields sharing the name of 'Marycroft' (an indication that they were originally one), the eastern one being Payn's quarter and the western one, adjoining the continuation of Moor Lane, being the Dodesham's. Before the construction of the airfield, these fields were clearly separated by ditches, but elsewhere other types of boundaries, more easily removed, may have been used and may since have disappeared to form larger fields again.

At Elborough, the field just east of the nurseries on the south side of Banwell Road (opposite the turning to Locking) probably coincides with the Dodesham's quarter of the 20-acre furlong called 'Underaysshwode' (under Ash Wood) in 1430. In 1838 this field was called 'Western Five Acres'. The huge arable field next to it on its east side now embraces not only Payn's quarter (called 'Eastern Five Acres' in 1838) but also a strip of what was formerly woodland.

A possible example of consolidation in Hutton village is the field called 'West of the Culverhey' in 1430, which had then been divided between the Sambrokes and Payn but is now a single field again, the one crossed by the footpath from Church Lane to Hutton Woods. However, at times when the grass is short and the setting sun picks out the broad ridge and furrow pattern of former ploughing up and down its slopes, one furrow is more pronounced than the rest. Running down towards the top of Orchard Road, it divides the field roughly into two halves, and it may well be the last trace of the 1430 Partition boundary in the demesne arable land.

### **Partition of Demesne Meadow Land**

The reduction in size of demesne land between 1309 and 1430 was far less noticeable in its meadowland, for the manorial holding in 'Elboroughmede' had actually increased from one to four acres, and that in the Hutton meadows had only fallen from 46 to 39 acres. Whether the total area of Hutton's meadowland, including that held by tenants, had also decreased or not it is impossible to determine because although the partition documents show that the tenants of 1430 held some 57 acres of meadow, no corresponding figures are given in the 1309 Extent. Again it is not possible to make a comparison by identifying areas by their names, because not one of the fourteenth-century names for Hutton's meadows had survived by 1430. Instead there appear in the Partition documents the two names

that were to remain until well into the nineteenth century - 'Estmede' (East Mead), already seen in a 1408 document, and 'Westmede', here mentioned for the first time.

In Estmede (now six long narrow fields stretching northwards from behind the eastern length of Moorcroft Road), there were only 2 acres of demesne, the eastern half of which was awarded to the Sambrokes, and the western half probably to the Dodeshams, though Document 1 attributes it to Payn. The partition of the 37 acres which formed the demesne holding in Westmede (lying between North Hills and what is now the airfield) is far more complex and confusing. The whole meadow had previously been divided into two rough halves, the northern part of 18 acres and the southern part, of 19 acres, called 'Southmede'. The half share first allotted to the Sambrokes consisted of the eastern half (9 acres) of the northern part, 5 acres on the west side of the eastern half of Southmede and 4½ acres on the west side of the western half, together with "one rood beyond".

The subsequent partition of the rest of Westmede between Payn and the Dodeshams is recorded not only with more confusing expressions, such as "the eastern half of the western half", but with some glaring discrepancies between the two relevant documents, such as who was awarded the extra "one rood beyond"; and, if their separate items are added up, their total acreages of meadowland in Westmede not only do not tally, but conflict with the acreage of what must have remained after the Sambrokes had taken their half-share of the whole.

That strange additional "one rood beyond" was said to be included "for the maintenance of the ditch between the aforesaid meadow and Oldemyxen's Drove". It was most likely a linear strip along the bank to provide access for the scouring of the ditch along the east side of what is now Winterstoke Road. It may be recalled that for neglecting to scour what was probably a more southerly stretch of this same ditch, Robert Oldmixon had been fined by the manorial court in 1408.

The demesne land in Westmede also included a 3-acre bed of reeds, half in the northern part and half in Southmede, and this too was partitioned in a similarly complex manner, though without any discrepancies. This reed-bed was almost certainly the rush-bed of almost exactly the same size located in 'Boggepole' in the 1309 *Extent*. If so, its annual value had risen spectacularly from 2s.6d to 4s. per acre, although that of the adjoining meadowlands had fallen from 2s.2d to 1s.6d per acre. Evidently, reeds were more valuable in the fifteenth century because they were being used, not only as the best local material in thatching, but also as the base for a lime-and-sand plaster to cover interior walls and even ceilings in the "new room" or rooms of Hutton Court, for such reed-based plaster was found in the north wing of the present building during alterations in 1979.

### **Partition of Demesne Pasture**

Almost certainly the area of pasture within the Hutton demesne had increased considerably by 1430, although the absence of measurements for nearly all the pastures listed in the 1309 *Extent* and the Partition documents makes an accurate assessment impossible. However some 75 acres of former demesne arable land, much of it of the best quality, had been converted to pasture by 1430. In Elborough, the eastern half of Bentall's 20 acres and the western half of Langland's 9 acres were allotted to the Sambrokes, and the rest to the Dodeshams. In addition, the Dodesham's share included "the ronciable way there" - a puzzling phrase which

probably meant a track for pack-horses, and it was most likely the one winding up from Elborough Farm to Bridewell Lane, closed in 1856 but still discernible.

Within the old manorial area of Hutton, i.e. the central and western part of the parish, the Dodeshams were awarded the eastern half of Chalmerscroft's 30 acres, and Sambroke the western half, together with the whole of Dounacre (Down Acre) above the east end of Hutton Wood, which had been a 16-acre arable field in 1309.

Another patch of former ploughland converted to pasture by 1430 was a level piece of land, curiously named "Lovenell" (i.e. Lovenhill), now divided into three fields lying to the east of Moor Lane between the long curving ditch that marks the northern boundary of the old Estmede and the straight east-west channel of Cross Rhyne, the southern boundary of the airfield. In 1309 'Lovenhulle' had included 17½ acres of pasture and 12½ acres of ploughland, but in 1430 the whole area, reckoned to be 26 acres, was pasture and was divided equally between the Sambrokes, who had the southern half, and Payn who had the northern half. There now appears to be no trace of that Partition boundary, which would have run east to west, for the present three fields which are shown on the Tithe map of 1838, are separated by hawthorn hedges running north to south.

Besides these new pastures there were the hill-top areas which had probably been grazed for hundreds of years. Only one of these was a 'separable' pasture in 1430, i.e. fenced off at times for the exclusive use of the manorial lord's animals, and its annual value (2s.) suggests that it may have been the same pasture as one given the same value in the Extent of 1309, but at that time unnamed and unlocated. According to one of the Partition documents of 1430, when it was allotted to Payn, it lay between Down Acre and the Bleadon boundary and stretched westwards above the full extent of Hutton Wood.

The two remaining hill-top pastures were common lands shared by the manorial lords and their tenants. Consequently they were not partitioned in 1430, but it was left to the various parties concerned to reach an agreement for their use throughout the year in proportion to their 'rights of common'. The larger of these pastures (140 acres) called 'Comedowne', was said to be on the east side of 'Bidecombe' and must have stretched eastwards along Elborough Hill from Canada Combe to Benthills. Incidentally, its specific designation as a 'sheep pasture' is one of the earliest indications in Hutton records of this specialised branch of farming which was at this time increasing rapidly throughout the country to satisfy the demands of the developing woollen industry. The smaller common pasture (30 acres) lay "above the hill over Westwode between the two lord's woods".

### **Partition of Demesne Woodland**

Though the two lord's woods were unnamed in the section of the Partition documents dealing with the demesne pasture, they were evidently those named 'Estwode' and 'Haywode' in the woodland section. The latter, having the same name and size (20 acres) as it had in 1309, is readily recognisable as the Haywood which still stretches along the hillside between Oldmixon and Hutton, but it must then have been a narrower belt of woodland, being only two-thirds of its present size. 'Estwode', described as the "great wood above the Court", is also easily identified as Hutton Wood and it too must have been much smaller, probably narrower, than it is

today. The 1430 estimate of its size (30 acres) corresponds to that of the wood called 'Oflokeston' in 1309 and they are almost certainly identical.

The omission of 'Westwode' from the list of demesne woodland indicates that it was tenanted, being most probably the two acres held by Thomas Newman. If so, its size corresponds to that of the little wood called 'Underclyve' (Undercliff) in 1309, and its position "between two of the lord's woods" suggests that it was somewhere near the present quarry at the top of Upper Church Lane, where a much more extensive and recent plantation now virtually joins Haywood with Hutton Wood.

In Elborough there was one demesne wood of 4½ acres, probably the wood of that size mentioned but not named in the *Extent* of 1309. Its 1430 name, 'Aysshewode' (Ash Wood), indicating the commonest species of trees there at that time, as now, was replaced in the eighteenth century by its present name, Elborough Wood. This is the wood above the garden centre and its adjoining fields on the south side of the Banwell road, but, like the other woods mentioned in 1430, it was then much smaller, probably narrower.

It is surprising to find that these woodlands were divided and sub-divided in as complex a manner as the much more easily divisible meadowland, and their partition too raises problems. To compensate for one acre of Haywood which was added to Payn's quarter of that wood, the Dodeshams were assigned one acre in the western half of Aysshewode, the Sambrokes having all its eastern half. No further mention is made of the 1¼ acres which apparently remained unallotted in the western half of Aysshewode, but since one of the Elborough tenants, William Slye, had 1½ acres of woodland in 1430, it would seem that yet another piece of demesne land (its size only roughly estimated) had been transferred to a tenement, and that this transfer was effected after the first stage of the Partition.

What is most likely the clearest surviving evidence of a Partition boundary was found a few years ago by Chris Richards in Hutton Wood. It is a straight bank, with a shallow ditch on one side, running south to north down the steep slope of Hutton Hill to the south-east corner of the pasture or paddock, later known as Nick Paddock and still later as the Walnut Field. In 1430 it must have marked the boundary of the Sambrokes' share of Estwode's 30 acres, but, unless this wood then stretched further eastwards than it does today, Thomas Sambroke must have had less than his due half of it.

### **Partition of Manorial Tenements**

The lord's tenements, i.e. the lands and houses of the tenants, were the last part of Roger Walsh's estate to be partitioned, and this was done in the simplest way but once again with some distortion of arithmetic. Although the thirty tenements differed considerably in size and value, exactly half of them were first allotted to the Sambrokes. Then Payn and the Dodeshams were each awarded seven of the rest of the tenements and the odd one remaining was shared equally between them. However, when the annual rents of all the individual tenements were added together, the Sambrokes' share is seen to be less than its stated total, and Payn's share more than the Dodeshams'. In compensation therefore, the Dodeshams were awarded an additional 2 acres of meadow in Elborough and 4½ acres of arable in three different places, but even these left them one shilling per annum short.

This list of tenements, compared with that made in 1309, shows the changes which had occurred in little over a century. Their number had been reduced from 45 to 30 and the number of family surnames from 37 to 22, roughly indicating a fall in population of more than one-third, although the statistics are not adequate for more precise calculation. For one thing, the 'free tenants', who owned 'suit of court' but paid no rent for their holdings, were consequently omitted from the Partition and yet the families of at least two of them (the Oldmixons and the Payns) were certainly living in Hutton.

The manorial court-roll of 1428 shows that Roger Oldmixon came to the court to do homage, for his lands at Oldmixon, to the lords of the manor of Hutton. The latter included Richard Payne, he himself being also a 'free tenant' for his lands at Ludwell, whilst his father-in-law, who had been one of Roger Walsh's trustees involved in the Partition, was Robert Oldmixon. In 1309 the two free tenements of the Oldmixons and the one of the Payns were said to amount to one hide (probably 120 acres) and half a hide respectively, and there is every reason to suppose that their successors in 1430 still held those lands which, being rent-free, were not included in the estate to be partitioned, perhaps even including much of Hutton's East Mead.

As for the tenants named in 1430, all thirty were then paying rents to the lords of the manor, but it is probable that some of them still also performed certain labouring services, especially at harvest time, for the first Partition document assigns "seven autumn days" (i.e. of work) to the Sambrokes and leaves "two autumn days" to be divided between Richard Payn and the Dodeshams, although no subsequent mention is made of those services. It is evident from other sources that some tenants were subjected to such feudal dues as attendance at the manorial court and the payment of 'heriot' upon a tenant's death; other tenants had merely to pay their rents; some inherited their tenements, others had only life tenancies; but there is no indication of these differences in the Partition documents.

So too, there is nothing in the arrangement of the tenant's names in the list to suggest the great difference in the size and rent of their holdings. Robert Sutton headed the list with  $7\frac{3}{4}$  acres of arable land and two acres of meadow for a rent of 8s. a year; Payn Fitz came eleventh with 13 acres of arable, 4 acres of meadow and  $3\frac{3}{4}$  acres of moor for 16s.; his kinsman, John Fitz, with only  $4\frac{1}{2}$  acres of arable and 1 acre of meadow for 5s. was fifteenth; John Romley, with two tenements amounting to 32 acres of arable, 5 of meadow, 1 acre of woodland and  $27\frac{1}{4}$  of moor for 16s. was as low down the list as twenty-second, and last of all came Robert Newman with three tenements comprising 28 acres of arable, 7 of meadow and 33 of moor for 9s.8d per annum.

Like earlier lists of tenants, this 1430 list reveals a much higher rate of change among the inhabitants of Hutton than one would expect in a small agricultural community of that period, perhaps because there were many other settlements so near. Of the twenty-two family surnames in the Partition list only three had survived from 1309 (Payn, Fitz and Newman), one of them (Edward) had first appeared in 1327, three more in the late-fourteenth century Pykott Rental (Turnepenny, Ive and Yeo) and three in the 1408 manorial court roll (Sutton, Malsell and Iles). The remaining twelve families had first appeared in Hutton records within

the previous twenty years, five of them (West, Coleman, Boevyll, Romley and Cutte) in 1428 and two of them (Wattes and Slye) as late as 1430.

There is evidence too of yet another previously observed change in what is all too commonly regarded as the static nature of mediaeval village life, namely the frequency with which tenants change their holdings, or at least parts of them, within the manor. Such are the reference to “7 acres of land in Levermere which John Yeo formerly held”, “one acre of meadow which Roger Coleman formerly held”, “one acre of land at Hanksbury” (as yet unidentified) “which Thomas Newman formerly held”, “one acre of land below Hat Wode which John Wattes formerly held”, and so on, all these persons named being Hutton manorial tenants still in 1430.

### **Hutton Place Names in 1430**

Apart from the separation of those in the village of Hutton from those in Elborough, no details of location are given in the Partition documents for most of the manorial tenements in 1430. It is mainly in references to former holdings that the mediaeval names of particular areas or individual enclosures are recorded. These, and the names of the lord's demesne holdings, provide invaluable evidence, like pieces of a jigsaw from which it may be possible eventually to assemble a map, however imperfect, of mediaeval Hutton.

Some places named, such as Bentell, Langlond, Dounacre, Binethecourt, Biestcombe, Marencroft, Horethorn, Langcroft, Hutteryssham, Underaysshewode, west of the Culverhey, Oldemyxenis Drove and Northerill, have already been identified. The last mentioned of these, one or both of the later-named North Hills, north of Oldmixon Road, was evidently one of the open fields in which various tenants must have had their strips as well as the lord's four acres. Some years ago, on more than one occasion, the growing grain on the southern slope of the more northerly hill provided clearly visible crop-marks indicating those mediaeval strips.

Other names such as Hanksbury, Jathonyscroft, Cokerscroft, Jonettisclose, Brusshecroft, Denysscroft, Mancroft, Stevenyscroft, Berecroft, Walterscroft, Overbradenham and Middlebradenham, denote fourteenth or fifteenth century enclosures which have so far defied individual identification, although all except the first of these lay most probably in the long northern stretch of moorland.

Two names are of special interest and both appear among the scattered patches of land which constituted the tenement of William Cornwall. The first of these was one acre of land adjoining ‘le Milstede’, a name which serves as a reminder of the remarkable omission from the lists of Hutton manorial premises given in all the Partition documents. There is not a single mention of a windmill, or indeed of a mill of any kind, yet such an almost indispensable manorial asset had first appeared in the *Extent* of 1309.

It would seem then that this mill was no longer in operation in 1430, but that the plot of land on which it stood was still remembered as its site, perhaps because some of it was still visible. No clue, however, is given to its location, and even the fact that William Cornwall was a Hutton, not an Elborough, tenant, does not necessarily preclude him from having that one acre at the very top of Hutton Hill, or even on Elborough Hill, somewhere near the site of the later windmill, whose stump can still be seen from the heart of the village.

The other specially interesting reference is to an acre of land next to 'le Medeweeye' (the Mead Way). Apart from Oldemyxenis Drove, running along the parish boundary with what was then Bleadon, this is the first of Hutton's roads to be recorded, although the Partition document of 1430 is not quite its earliest mention. It first appeared in the second surviving Hutton manorial court roll, that of October 1428, where its condition was reported to be "ruinous", owing to the failure of the manorial tenants to maintain it. The Court therefore ordered it to be mended before the Feast of Pentecost - that is Whitsuntide 1429 - under threat of a fine of 6s.8d, no mean sum in those days.

This collective responsibility for its maintenance, and its classification in the court roll as a 'via Regis' (King's highway), are indications that the Mead Way was a public road, perhaps roughly cobbled, although its very name suggests that it was not a main road, and perhaps not even a road linking Hutton with a neighbouring village, but a road which led into what was originally open-field meadow land where manorial tenants had their individual strips. Although no fifteenth-century documents reveal which of Hutton's meadows, east or west, it served, a much later (1604) manorial court-roll records a similar order for one of the tenants to scour his ditch "against the meade way from Widow Dowlins corner to the meade gate" and, in the margin beside this order are the abbreviated Latin words "prat(um) occident(ale)", i.e. west meadow.

If as seems most likely, this early-seventeenth-century "meade way" was the same road as the 1430 "Medeweeye", then it must have led into Hutton's West Mead, lying just below and north of the North Hills. It was therefore probably an access road running west from Moor Lane, most likely from near the line of the modern Elizabeth Close, for a short lane is shown in that position on the 1838 Tithe map. However, there now appears to be no trace of it on the surface.

## **Eight: The Fifteenth Century After 1430**

In English history this was, on the whole, a very unsettled period. In 1430 the King, Henry VI, was only nine years old, and although he lived until 1471, he was physically weak and of a gentle and scholarly disposition, rendering him incapable of controlling the powerful and ambitious nobles and claimants to his throne. Although he had been crowned King of France in Paris, he began to lose one after the other of his French provinces till by 1453 only Calais remained in English hands. In that year too, the rivalry between the royal houses of Lancaster and York broke out into a particularly savage civil war which continued through the rest of Henry's reign and the short reigns of Edward IV and Richard III, until Richard was defeated and killed in the battle of Bosworth and the victor, Henry Tudor, became Henry VII.

Though his accession marks the beginning of the new, Tudor, era of English history, even he had to suppress two attempts at rebellion before the end of the fifteenth century. Despite all this violence, however, much of this period, particularly its latter part, saw the establishment of many schools and colleges, the building or rebuilding of churches and cathedrals, the start of printing in England and the first contacts with the New World, John Cabot sailing from Bristol to Labrador in 1497.

Fortunately for Hutton, this parish seems to have escaped most of the violence. Though the King's (Lancastrian) armies passed through Somerset and Bristol, the nearest major encounter in the Wars of the Roses was the fierce battle of Tewkesbury in 1471. However, since this manor was a fee in the Honour of Gloucester (i.e. a feudal dependent), its lords may have had to make some financial contribution towards equipping and maintaining a knight or his attendant squire for a period of active service. No Hutton names appear among those of persons known to have fought either against the French or in the civil war. Only the name of an obscure manorial tenant, Nicholas Bonevyle, may provide a very slender link between Hutton's peaceful story and some of the more stirring episodes of English history in this period.

In the Partition deeds of 1430, Nicholas appears as one of Thomas Sambroke's tenants, holding one tenement, 1½ acres of arable land, 1 acre of meadow and one close of pasture in Elborough. Although his surname is spelt in the Hutton manorial court-rolls as Bondefylde in 1427 and as Bondevyle in 1430, anyone acquainted with the vagaries of mediaeval spelling would not think it unreasonable to suppose that he belonged to a family of Norman origin, the Bonvilles, well-known in north Somerset. In 1442, Lord Bonville of Chewton was called upon to serve Henry VI in one of the last disastrous campaigns in France. Some nine or ten years later he was engaged on the Lancastrian side in the civil war, at the siege of Taunton and following the King as he moved about this region - Bridgwater, Glastonbury, Wells, Bristol and Bath. In 1455 Lord Bonville's force was defeated by that of the Yorkist Earl of Devon just outside Exeter and, in 1460, his son William was killed in the battle of Wakefield. Barely a year later, Lord Bonville himself, having joined the forces of the Earl of Warwick in temporary support of the Yorkists, was captured by the Lancastrians at the second battle of St Albans and shortly afterwards was beheaded. If Hutton's inhabitants did indeed remain untouched by the violence of these events, they were very fortunate, but it is just

possible that Nicholas Bonevyle left his tenement at Elborough to become involved in the fortunes of his kinsman (however remote), Lord Bonville. Certainly the name of Bonvyle does not occur again in Hutton's records after 1430, but then the next surviving court-roll, containing only a few of the tenants' names, is dated October 1444 and there is no subsequent list of tenants until one compiled in 1482.

What was possibly a closer connection with that civil war has been claimed in some quarters on behalf of the John Payne who died in 1496 and was buried beneath the chancel floor of Hutton church. The fact that his fine memorial brass before the altar depicts him as wearing full plate-armour, with a shirt of chain-mail, and also armed with a dagger and a long two-handed sword, led Francis Knight in his *Seaboard of Mendip* to observe that it might have been worn at the Battle of Bosworth. Others, noticing the Beaufort and Tudor badge of a portcullis hanging from John Payne's collar, have suggested that he actually fought on the side of the victorious Henry on that historic occasion. Unfortunately, no muster-rolls, private letters or diaries survive to confirm or deny this assumption.

### **Hutton's Manorial Lords - the Sambrokes and Cokers**

A more authentic version of Hutton's story during this period, relying on a few manorial court rolls, a few manorial deeds and a single rental of John Payne's land in 1482, necessarily concentrates on the circumstances of manorial ownership and, more particularly the rise of the Payn or Payne family, though, from architectural evidence, it must also have much to say about the building of Hutton's present church. The earlier part of the fifteenth century was the final period of the existence of the manor of Hutton (incorporating Elborough) in its entirety under a single manorial lord. Throughout the last twenty years of the same century the manor had two manorial lords but was dominated by one of them, John Payne, who then held the lion's share. For the intervening fifty years between 1430 and 1480 it was divided into three parts, one half and two quarters, and held by three separate families in accordance with the terms of the Partition of 1430.

It was Thomas Sambroke and his wife Agnes (nee Walsh) who, in 1430, held one half of the manorial demesne and tenements in Hutton, including the hall, some bedrooms, a few out-houses and the southern half of the garden of the Hutton Court of those days, but it is doubtful if they actually lived at the Court or anywhere else in Hutton. In a Feudal Aid record for the Honour of Gloucester in 1431, Thomas is styled "Thomas Sambroke de Bikefold, armiger" (esquire), which implies that his seat was Bickfold, an interesting house which still bears mediaeval features, in the parish of Compton Martin; and in his will of 1443 his abode is given as Compton Martin. The fact that his son, Thomas Sambroke junior, was subsequently named as his heir but did not succeed to his Hutton estate indicates that, like Agnes (who was probably his wife by 1419), he had been married before.

He may, in fact, have had at least one other son by his first marriage, for a Richard Sambroke was a witness to a Hutton deed in 1436. Thomas Sambroke senior was evidently regarded as a person of substance and reliability by 1420, for in that year he shared in presenting a clergyman to the living of Bechenstoke as one of the trustees for the estates of John de St Lo. An entry in Bishop Stafford's register in 1441 gives his name alone, that is unaccompanied by that of his wife Agnes, as the patron exercising the first turn in the shared right of presentation to the living of Hutton in accordance with the Partition agreement of 1430. This probably indicates

that his second wife, Agnes, had died before 1441. Certainly she must have been dead by 1442 when, in the document recording the proceedings in a law-suit between William Dodesham and William Gascoigne, she is mentioned in a reference to events in 1430, as the “then” wife of Thomas Sambroke. He himself did not long survive Agnes, for his will was proved in September 1444. Since Edmund Warcop, whom he had presented, was still Rector of Hutton, it is perhaps not surprising that Thomas Sambroke’s will includes a bequest to the church, namely the sum of 6s.8d to provide the church with “a torch”. It is clear however that his greater concern was for the church of Compton Martin, for he left money not only to provide it with two torches, but also for building its tower.

His successor as lord of half of the manor of Hutton was John Coker, the son of Agnes and her first husband, Walter Coker, for the Hutton manorial court on October 10th, 1444 was held in his name, as were the courts held in 1445 and 1446. Between then and 1475, only five Hutton court-rolls have survived and none of these bears his name. Certainly by 1476 and probably some time before, he had been succeeded by Robert Coker, perhaps his son or his younger brother, for in a manorial court-roll of that year reference is made to what had formerly been Thomas Sambroke’s half of Haywood as “Robert Coker’s wood”, and the 1477 court-roll mentions an earlier grant of transfer of tenancy made by “Robert Coker, armiger”.

Apparently there were at least three branches of the Coker family during the fifteenth century, in north Somerset (especially this area), in south Somerset and in Dorset, and the Christian names John and Robert were to be found in all of them. According to Nathan’s *Annals of West Coker*, a Robert Coker Esquire who, together with his wife Agnes, was involved in a law suit in 1414, had been previously married to Joanna, daughter of John Wallys of Worle, but although both he and Joanna were very probably related to Hutton’s Coker and Walsh families, it is most unlikely that he was the Robert who succeeded John Coker as lord of half of the manor of Hutton at some time after 1446. It is possible however that he was the Robert Coker who had to pay 40 marks (£26.13s.4d) in 1432 to obtain a royal pardon for marrying Margaret, the widow of Sir John Luttrell (a tenant-in-chief) without having previously obtained the King’s consent; and also the one who claimed a debt of £10 from the parson of Congresbury in 1439. Almost certainly he was the Robert Coker listed among the free tenants of the manor of Norton Beauchamp adjoining Worle in 1472, who also held lands in Brentmarsh, Wembdon and Rolestone.

Although none of the surviving Hutton Court Rolls bears evidence that a manorial court was held in his name, he certainly took his turn (the third since the partition) in 1484 of exercising his right as a manorial lord of presenting Hutton with a new Rector, John Thowre. However, neither he nor his immediate predecessor, John Coker, seems to have made any recorded bequest to the church or to have left any still visible trace of their presence in Hutton. Perhaps they did not even reside in the half of Hutton Court which was their share.

### **Hutton’s Manorial Lords - the Dodeshams**

We have seen that the other half of the manorial lands and tenements of Hutton was divided after the death of Roger Walsh, into two quarters, one of which was held by William Dodesham junior and his wife Joan (nee Oldmixon), whose mother had been the sister of Roger and Agnes Walsh. William lived at Cannington

before his marriage (which apparently had occurred by 1426), and even perhaps for some time afterwards; for in the course of the evidence he gave before the King's Bench at Westminster during a lawsuit in 1442, he claimed that he had delivered a certain bond to Richard Payn's representative, William Gascoigne, "at Canyngton on the next day after the feast of the Epiphany" in 1430. Strangely enough, on that very day, a manorial court was held at Hutton in the names of the three lords of the manor, including for the first time that of William Dodesham.

Yet in the previously mentioned Feudal Aid record for the Honour of Gloucester in 1431, he is named "William Duddesham de Hutton, gentelman", which implies that Hutton was then regarded as his official place of residence, and it would therefore seem that by this time he and Joan were living somewhere within the parish of Hutton. Certainly they could not have occupied any part of Hutton Court, unless they had merely rented rooms from either Thomas Sambroke or Richard Payn, but there are no records of any such lettings during this period. Again, in the list of the demesne lands in Hutton allotted to William and Joan by the Partition agreement, there is no mention of a 'messuage' or dwelling in which they could have lived; but they could have had a house built wherever they chose on any of those lands, or they could have occupied one of their tenants' houses whenever a vacancy occurred. It is much more likely that they lived for a time in the premises of Joan's father, Robert Oldmixon, probably on the site of the present Oldmixon Manor.

Quite soon, however, they acquired more lands in Hutton in which they might have found a home, for in 1433 Robert leased to them, for an annual rent of 40 shillings, all the lands and tenements in Hutton and Oldmixon (unfortunately not specified) which he had received from William Style, Rector of Uphill, and Richard Frye of Barton (near Winscombe), who were probably only trustees for some other free tenant of Hutton. Three years later William and Joan received more "lands in the parish of Hutton" from the trustees of a certain Edith Elyot, but again the deed of conveyance does not give any details of the property. One of the three persons entrusted with the duty of seeing that these lands were actually put into the possession of the Dodeshams was Joan's father, Robert Oldmixon, and this deed of 1436 is the last known document in which he is mentioned as a person then alive, for the subsequent reference to him in a law-suit document of 1442 concerns only the lands he had held in 1430. It is reasonable to assume therefore that Robert Oldmixon died at some time between those two dates, 1436 and 1442, and that his lands and the free tenement including the house in which he lived would then pass either to Joan alone, or jointly to her and her brother-in-law, Richard Payn.

The 1442 lawsuit is a long, rambling and inconclusive account of the pleas submitted by William Dodesham in a suit before the King's Bench at Westminster against William Gascoigne who had been arbitrator on behalf of Richard Payn in the Partition settlement of 1430. This law-suit concerned the terms of that settlement, as well as the failure of Richard Payn to pay his brother-in-law, William Dodesham, an annual sum of 8s.4d (in recompense for the Duke of Gloucester's seizure of William's Oldbury revenues) and also the reluctance of William Gascoigne to hand over to William Dodesham the bond of £20 by which Richard Payn was pledged to make the annual payment. The terms on which this dispute were eventually ended are not known, but the case is also interesting for the indirect evidence it provides of the fact that William's father, William Dodesham senior, of Cannington, was no longer alive by 1442; for although he had acted in 1430 as the arbitrator on behalf of

his son, he was not called upon in 1442 to give evidence as one would expect, and in the frequent references to his son the term "junior" occurs only rarely, and it then refers to the past. National records (the Patent and Close Rolls) suggest that the elder William died about 1439, for their last mention of him is dated September 1438 and from the following July onwards until 1477 it is the name of his son, Joan's husband, which occurs in them not infrequently, sometimes as that of a witness, sometimes as that of a trustee, but also as the owner of various lands in Cannington and other parts of West Somerset. It is very likely therefore that from 1439 onwards, William and Joan Dodesham lived in his father's house in Cannington.

Yet they continued to act as joint lords of the manor of Hutton. In 1445 they took their turn, the second since the Partition, in presenting the parish with a new Rector; in 1454 a manorial court was held in their names, and in 1470 they transferred the tenancy of one of their tenements in Elborough. However, they must certainly have been living in Cannington for some time before 1472, for when Joan died on September 30th of that year, a brass plate to commemorate her work was placed in the chancel of the parish church of Cannington, not of Hutton. It was nearly eight years later, on August 11th 1480, that William Dodesham died, and for him too a brass tablet was placed in the same chancel and he was described as a benefactor of that church. As far as is known, neither he nor Joan made any bequest to Hutton church, nor left any memorial in the village - but there is little evidence to determine whether they did so or not. Apparently they died without any surviving children. If so, their quarter of the manor of Hutton would then, in accordance with a court agreement made in 1430 pass to "the right heir or heirs of Joan herself". By 1480, Joan Dodesham's right heir would be her sister's grandson, the John Payne whose memorial brass lies in the chancel of Hutton church.

### **The Rise of the Payns or Paynes**

It is now time to consider that family - the Payns or Paynes - who were to be remembered in Hutton long after the Sambrokes, the Dodeshams and even the Cokers. The Partition award of 1430 had allotted the third turn of presenting a rector and the remaining quarter of the manor, including half of the Hutton Court premises, to Richard Payn in the right of his wife, Agnes (nee Oldmixon). The 1442 law-suit revealed that Agnes was still alive in 1430, for it states that, at that time, "Richard Payn chose for himself and the aforesaid Agnes, his wife" the first of the two parts into which one half of Roger Walsh's whole estate had been divided. Yet some fifty lines later the same document says that Richard was to hold the specified property "for himself and the heirs of Agnes, formerly his wife" and only a few lines further on it refers to the Duke of Gloucester's seizure of the Oldbury property as having taken place "after the death of the aforesaid Agnes, wife of Richard." It would seem then that she had died during the course of the year 1430.

The 1431 Feudal Aid record names Richard as "Richard Payn de Lodewell, gentelman", the first of his family, so far as is known, to bear that title, indicating the lowest rank of gentry. Like his father-in-law, Robert Oldmixon, he was a free tenant of the manor of Hutton, but he was also a substantial landowner elsewhere for in 1419 he and Agnes had received from his father, Matthew Payn, many lands and tenements in various parts of North Somerset. His name appeared among those of other witnesses to deeds in 1433 and 1436, and as previously explained, he gave evidence in the law-suit between William Dodesham and William Gascoigne in 1442. In 1433, according to a list of Hutton manorial documents compiled in 1749,

he conveyed certain lands in Shipham, Kewstoke and elsewhere to two of his younger sons, Robert and Roger. The last surviving Hutton manorial court-roll bearing his name is dated October 1461, and one of the tenants charged with having neglected his property was his son, Robert, styled "gentilman" to distinguish him from a "Robert Payn, husbondman", similarly charged and presumably a more humble kinsman.

Five years later Richard transferred to his eldest son, John, all the lands which had been the inheritance of Agnes, that is her quarter of the manor, but he kept Ludwell and many of his outlying estates in his own hands. His last recorded, but undated, act is mentioned in a document of 1476: to appoint, jointly with his eldest son, John, four trustees and to convey to them most of the Payn estates throughout north Somerset. Since this document indicates that these trustees had acted on 1<sup>st</sup> October 1473, they must have been appointed before that date and therefore Richard Payn must have died at some time between 1466 and 1473. By then he must have been quite an old man by mediaeval standards for he was already married by 1419 and had therefore almost certainly been born before the end of the fourteenth century.

Little is known about his eldest son and heir, John. No record survives of any manorial court held in his name or of any clergyman presented by him to a living, or of any legal document witnessed by him. The only extant deed in his name was executed by him conjointly with his father. He was still in his minority when Agnes his mother died in 1430, and therefore he was probably little over fifty in 1466 when his mother's share of the Walsh estate was conveyed to him by his father. His wife, Elizabeth, is named in the will of their son and heir, John Payne, but neither her surname nor the dates of their marriage and death can be traced.

In 1473 he and his father had conveyed most of the extensive Payn estates in north Somerset to trustees, apparently with the intention that these trustees would convey the same property to John's son and heir, also called John, and so evade feudal dues. From this it would appear that not only Richard, but also his son John was then contemplating the possibility of no longer being alive when the younger John Payn would need to hold lands of his own. Such a need would especially arise on the occasion of his marriage when a settlement of property would have to be made upon his bride and their heirs. Although the 1473 deed of conveyance has not survived, it was most probably a marriage settlement, for the 1476 document specifically states that the same trustees had conveyed a part of the Payn estates - some lands in Hutton and Wolverhill - to "John Payn, son and heir of John, and his wife Marion, on October 1st, 1473". It was not however, until 16th October 1476 that the trustees transferred the rest of the estates to the younger John Payn, and Marion, his wife. By that time, evidently, his father, John, son of Richard, had died.

So it was that for the next four years, from 1476 to 1480, a quarter of the manor of Hutton and many lands and tenements scattered around north Somerset were held by the John Payn (or Payne), whose memorial brass lies in the chancel of Hutton church. According to AB Connor, author of *Monumental Brasses in Somerset*, his bride of 1473 was Marion Horsey, a member of a prominent and well-connected Somerset family. It was probably her grandfather, John Horsey, who had been Sheriff of Somerset and Dorset in 1409 and 1412, and a later John was to hold the same office in 1505. Certainly, her name was Marion and such a match would be in keeping with the ambitious nature of John Payn's family which is perhaps reflected

in the list of named witnesses to the deed by which the trustees had conveyed the Payn estates to him and Marion in 1476. They included two esquires - John Kenne and William More, two knights - John Newton and Michael St Loe, and even one lord, Edward de L'Isle, a member of the Earl of Shrewsbury's family, but not a single Horsey. Connor's unsupported statement, however cannot be wholly accepted for he wrongly named Thomas Payne's wife as Elizabeth Lovell. Marion may equally well have been a Mitchell for, in the 1476 deed, the name of Walter Mitchell comes second only to that of William Duddesham (Dodesham) in the list of trustees.

On 24th October 1476, only eight days after the signing of this deed, the first of many Hutton manorial courts was held in the name of this John Payn, described in the court-roll as "son and heir of John Payne". Incidentally this spelling of "Payne" with a final "e" was not used in any subsequent court-rolls bearing his name and it occurs only occasionally in other documents during his life. However, since 'Payne' is the spelling on his memorial brass and was used by his descendents, it will be applied from now onwards to this particular John, except in quotations from documents in which 'Payn' is used.

The earliest of these is a deed of February 22nd 1478, granting a certain William Pole a life tenancy of a Hutton tenement previously held by John Pole. This is the one and only surviving deed issued jointly in the names of "John Payne and Marion, his wife". The very next Hutton deed among the Ashton Court papers - a lease of property in Weston-super-Mare - was granted solely by "John Payne of Hutton, Gentryman" and was dated "at Luddewell on the feast of St. Mark" 1480. Only a few days later, he conveyed to trustees certain houses, lands and tenements in Ludwell, the marsh of Banwell and Marshfield in Gloucestershire, which had formerly been held for life by his uncles, Robert and Roger Payn, for the use of his "wife, Elizabeth". It is evident, then, that John Payne's first wife, Marion, had not lived long after the spring of 1478, and apparently they had no surviving children.

So by 1480 John Payne had married again, and his second bride, Elizabeth Stawell or Stowell, also belonged to a distinguished Somerset family. Her father, Robert Stowell of Cothelstone, had been Sheriff of Somerset and Dorset in 1467 and, according to one of his descendents - who wrote the family's history, *A Quantock Family*, in 1910 - he had led an adventurous life. In the closing stage of the Hundred Years' War, he had fought in Aquitaine under John Talbot, Earl of Shrewsbury, and had been taken prisoner. To enable him to pay for his ransom, he was granted a licence in 1453 to export goods in a 200-ton vessel. In 1461 he was one of several West Country gentlemen commissioned to array a force at Hereford for defence against Welsh rebels. Elizabeth's mother was the daughter of Sir William Wadham, an ancestor of Nicholas the founder of Wadham College, Oxford. Although, as shown by one of the deeds mentioned above, John Payne was still living at Ludwell early in 1480, his second marriage must have brought him in touch with an even wider circle of Somerset society. This marriage and his inheritance of William Dodesham's quarter of the manor of Hutton, as previously related, mark the beginning of a particularly well documented period of Hutton's history, the last two decades of the fifteenth century.

In the story of the Payne family, 1480 begins a new phase. The death of William Dodesham in that year, and the consequent transfer of his quarter share of the manor and advowson to John Payne, ended the tripartite division which had followed the death of Roger Walsh about 1425. The whole manorial estate was now

shared equally between John Payne and Robert Coker, and this division of the manor into two parts was to continue throughout the following centuries. Almost from the start, however, the locally resident Paynes were the more prominent lords of the manor. In the Hutton Court Roll of May 1481, John Payne was the first member of his family to assume the title of 'armiger' (literally 'arms bearer') usually translated as 'esquire', only one step below knighthood. In August 1482, he obtained, probably by purchase, the Cokers' half of all the premises which had constituted Hutton Court in 1430, so that he now held the entire 'capital messuage' or manor house, its outbuildings, yards and gardens, including the land on which stands the present Hutton Court, much of it probably built by him. In Hutton, therefore, he must have seemed to be the sole lord of the manor, residing there until his death in August 1496.

Although Robert Coker was of greater consequence than John Payne in the county and far beyond it, he must have been much less well known to the parishioners of Hutton for he was an absentee landlord, and did not live very long after his sale of his Hutton Court property. The deed of this conveyance was issued in the name of "John Coker, esquire, son and heir of Robert Coker, esquire", but it refers to and confirms a no longer extant deed of his father dated only sixteen days earlier in July 1482. However, Robert did in fact not die quite so soon. Even in this deed he is not mentioned as "deceased", "late" or "former", and indeed as late as 1484 he exercised his manorial right of advowson by presenting a new Rector of Hutton, John Thowre. If, as seems most likely, he was the same Robert Coker who had lands in Shepton Beauchamp and elsewhere in south Somerset, then according to the *Victoria County History (Vol IV)*, he died in 1488 and was succeeded by his son John, who resided at Mappowder in Dorset until his death in 1513; a manorial court was held in John's name at Hutton in November 1500.

That sixteenth-century court-roll is the earliest surviving Hutton document to bear the name of this John Coker, apart from the previously mentioned deed conveying half of Hutton Court; and that same deed, an account-roll of 1482 and a court-roll of 1484 are the only post-1480 Hutton documents with references to his father, Robert. In marked contrast, some ten deeds, three court-rolls, three account rolls, one list of fines and one rental, all dated between 1480 and 1495, bear the name of John Payne.

### **The Building of Hutton's Church**

So far only a few references have been made to Hutton's church throughout this period, yet it was probably then that much of the mediaeval part of the present building was at least begun, if not completed. Although no precise dates can be assigned to any of this work for no documentary evidence of it has survived, its architectural features clearly relate it to similar work in several neighbourhood churches, some of which can be more confidently dated. From the records of other parishes, it is evident that their churchwardens paid special visits to other churches within a reasonable travelling distance to inspect what had already been completed there before commissioning similar work on their own churches. In this way fashions in design soon spread among local masons and, where delicate and elaborate carving was required, the same skilled craftsmen were engaged by various parishes to undertake it, perhaps in their own workshops at places such as Dundry or Doultling where the stone was quarried. Most of the actual rebuilding, particularly

of village churches such as Hutton's, was done by local masons, using mainly stone obtained from nearby quarries and only roughly dressed.

It is in the naves of Somerset's churches, and their aisles, porches and towers, that most of the fifteenth-century rebuilding in the Perpendicular style may still be seen, for those parts of the edifice, but not the chancel, were regarded in those days as the special responsibility of the lay parishioners. In the market towns, there were enough prosperous burgesses at this time (owing to the booming woollen trade) to finance such work on a grand scale, but in small rural parishes the cost of even more modest rebuilding schemes would be borne mainly by the local manorial lords and a few of their most prosperous tenants.

At Yatton, for example, where the present nave and aisle were built about 1440 and where a mason named William Stonehouse was building the upper stage of the church tower in 1446, the work was most probably instigated and largely financed by the Newton family of the Court de Wyck within the parish, especially by Sir Richard, a Chief Justice, who died in 1449, and his son Sir John, who died in 1488. Certainly the latter's widow, Isobel de Cheddre, had the de Wyck chapel and the north porch added in his memory shortly afterwards. At Banwell, where the lord of the manor was then the Bishop of Bath and Wells, the arms of Bishop Beckington, formerly in the stained glass of the east window (according to the late-eighteenth century Somerset historian, Collinson) probably indicate that much of the rebuilding there was undertaken during his years of office, 1443-1461, and at his expense. He was certainly responsible for the building of the adjoining mediaeval manor house, Banwell Court, which was almost completely transformed during the nineteenth century into the present private house called 'Banwell Abbey'.

Most probably, the rebuilding of Hutton's church followed and was influenced by such neighbouring examples and others during the second half of the fifteenth century, and it would seem that members of the Payn family were the most likely of Hutton's manorial lords and free tenants to have had both the motivation and the means to instigate the project and to defray the greater part of its cost. In particular, responsibility for much of the undertaking probably rested upon the younger John Payne who, by 1473, was a married man with a good prospect of becoming lord of half the manor and who, in 1496, was to be buried before the altar there.

The tower is thought to be the oldest part of the present building, and its first stage may well have been built before or during John Payne's childhood. Perhaps Thomas Sambrook's bequest of £2 in his will of 1443 towards the building of a tower for the church of Compton Martin was prompted by the work then being undertaken at Hutton, towards which he may have previously made an unrecorded contribution. Dr Allen, author of *Great Church Towers of England* (1932), included Hutton's tower in his 'West Mendip Group'; about which group (although he does not specifically mention Hutton) a more recent writer, AK Wickham, in his *Churches of Somerset* (1965), says "we may be sure that they were designed by one man" and "we may put their date about 1380 to 1440".

Another authority on architecture, Peter Poyntz-Wright, regards Hutton's tower as one of the earliest of its kind (c.1403), which would imply that it had been built when the first Roger Walsh was still alive, though his bequest of forty shillings to the fabric of the church makes no reference to a tower, but Harvey is probably

nearer the mark in suggesting that it was built in stages over a period beginning about 1430. However, such dated grouping of church towers is arbitrarily based on their possession of certain common features of design, but there are also considerable individual differences, and this is certainly true of Hutton's tower. Unlike those of Winscombe and Bleadon, but like Locking's, its upper stage has only two, not three, belfry windows abreast; like Bleadon's, but unlike Banwell's, its pinnacled buttresses are set diagonally; like Banwell's but unlike Bleadon's, it is capped by a trefoil-pattern pierced parapet with a spirelet covering its stair-turret in one corner. As at Banwell too, the arches of its outside doorway and of the window above it have hood mouldings which end in sculptured forms; those above the door, now badly disfigured, are probably busts of angels, but those over the window clearly represent a king on one side and a bishop on the other, perhaps King Henry VI (died 1461) and Bishop Beckington (died 1465).

Inside, as at Banwell, the ceiling of the first stage of the tower provides a fine example of beautiful fifteenth-century stonework, with its lierne (short-ribbed) vaulting and its sculptured cherubs as corbels. In the nave, only the north side remains virtually as it was built in the fifteenth century, with its three Perpendicular windows of a pattern widely followed since it was used (unglazed) in Bishop Beckington's cloisters at Wells. The windows in the south aisle are faithful nineteenth-century copies of those which would have been in the south wall of the nave in the fifteenth century, and they even include parts of them. The wagon roof of the nave, divided into squares with carved bosses at their points of intersection, may also belong to this period for it closely resembles that at Burrington which completed the rebuilding of its nave, said to have been undertaken about 1429.

The best surviving feature of fifteenth-century craftsmanship in Hutton church is its stone pulpit, one of a group of fifteen or more in north Somerset usually dated 1450-1480, with a recognisable family likeness in spite of individual variations of pattern. Together with those at Banwell, Bleadon and Wick St Lawrence, it is rated by Lawrence Jones in his countrywide survey, *The Beauty of English Churches* (1978), as a very good example of this group, with its delicate double-light pattern of tracery and bands of foliage. That at Wick St Lawrence, which Hutton's most closely resembles, is thought to have belonged to Woodspring Priory until the dissolution of the monasteries in the following century, and the commissioning of Banwell's has been attributed to Bishop Beckington, so Hutton's pulpit was in good company.

Most of the other stone pulpits are either hexagonal or octagonal, but only four and a half sides now remain of what were probably its six sides when Hutton's pulpit was first erected, not in its present lofty position and perhaps not even on the north side of the nave where it now stands. The tall plain shaft which now supports it is almost certainly of later date and a shorter hexagonal panelled column of this period, now standing in isolation in the garden of one of the houses in the village, may well have been the original support. It would be wonderful if the panel, or even the half panel, probably removed from the pulpit during the sixteenth century, were to turn up somewhere in the village after all those years.

Another good example of mid-fifteenth-century stonework in Hutton is a richly carved canopied niche now affixed high up on the east gable wall of the south aisle, but evidently removed from elsewhere when that aisle was built in 1849. It closely resembles one over the west door at Banwell and that over the outer door of

the south porch at Bleadon. Since Hutton's mediaeval south porch was demolished in 1849, it would be reasonable to suppose that this niche was originally situated, like Bleadon's, over its outer door. However, it does not appear on a sketch of the south side of the church made in 1828 (i.e. before the demolition) by John Buckler, an artist-architect whose collection of drawings of many Somerset churches is preserved in the library of the Somerset Archaeological Society at Taunton. Most probably, therefore, this fifteenth-century niche, then housing a statue (perhaps of St Mary the Virgin) was originally placed over the inner door on the south wall of the nave, which was also demolished in 1849 and replaced by the present pillars.

As for the chancel, despite the alterations of 1849 and later, it still retains much evidence of its mediaeval origin. Fortunately, its east end and south side were also depicted in Buckler's sketch of 1828. This reveals three architectural features which very closely resemble their counterparts in the present chancel, namely the three-light Perpendicular east window, identical in pattern with those of the nave, the two-light window, with a slight variation in pattern, on the west side of the south door, and that doorway itself with its narrow pointed arch. These three features, therefore, have most probably survived from the mediaeval chancel.

And so, apart from the fact that there seems to have been no window on the east side of the doorway, it is reasonable to assume that in the mid-fifteenth century the exterior of the chancel would not look so very different from today. The south doorway, which dates from the fourteenth century at the latest, has already received adequate attention in Chapter IV, but the great east window and the smaller one west of that doorway, both in forms of the Perpendicular style, can be confidently assigned to the fifteenth century. Since they match those of the new nave, their construction is likely to have been prompted by those who commissioned the major project of rebuilding, most probably the Paynes, and some financial help towards it may have come from the same source. For in those days, the prime responsibility for the upkeep of chancels rested upon the clergy and, unless the manorial lord was a cleric as at Banwell or the incumbent was a man of private means, not much was likely to be spent on chancels beyond the cost of necessary maintenance. From the little that is known of Hutton's rectors during the fifteenth century, speculation concerning which, if any, of them was responsible for the two windows would be pointless.

### **Hutton's Rectors**

The last Hutton Rector named in this history was John Bouche, who was presented by Roger Walsh in 1419 and was presumably still Rector when Roger died six years later. From then on the right of advowson was due to be exercised in turn by his three joint-heirs, the first being Thomas Sambroke. We have also noted that – despite the list in Weaver's *Somerset Incumbents* – it is unlikely that John Smyth was the next Rector.

There is no doubt however that Edmund Warcop was instituted in June 1441 on the presentation of Thomas Sambroke. The relevant entry in Bishop Stafford's register not only refers to the church specifically as "the parish church of St. Mary the Virgin, Hutton", but states that the Bishop had ordered an inquiry into the rights of patronage and that Edmund Warcop was only to be instituted "if there be no impediments". Although it could be argued that such care could be the consequence of Joan Brook's unlawful presentation of John Smyth, it was probably

due to the fact that there were three lords of the manor of Hutton and patrons of the living and that two of them were even then engaged in a legal wrangle which culminated at Westminster in 1442. Thus we could regard Edmund Warcop as the immediate successor of John Bouche. If so, the latter must have served as Rector of Hutton for nearly twenty-three years, without leaving his name on any surviving document other than the record of his institution.

Little too is known of Edmund Warcop, but then his rectorship was of comparatively short duration, for in November 1443 he was granted a licence to be absent for five years "in the service of Master John Somerset". He was allowed to receive the tithes "and other fruits of the office" and also to let the living for a rent "to an ecclesiastic or other fit person, provided that divine service and the cure (i.e. care) of souls be not neglected, that a suitable proctor be left there to answer duly in his behalf to the bishop and his ministers, and that compensation be made for his absence by a distribution of alms among his poor parishioners according to the Bishop's award".

How this arrangement worked for those "poor parishioners" of Hutton and for their better-off neighbours will never be known, but it was not to last long for Edmund Warcop must have resigned at least two or three months before July 3rd, 1445, when according to Bishop Beckington's register, "William Dodesham and Joan his wife, kinswoman and co-heiress of Roger Walsh, late lord of the manor of Hutton, presented Sir (a courtesy title) John Wylton, chaplain, to the parish church of Hutton, said to be vacant by the resignation of Sir Edmund Warcop". One cannot help wondering about the type of service Edmund was rendering to John Somerset - perhaps as tutor - whether that service was so much more lucrative or more attractive in other ways than the benefice of Hutton that he decided to give up the latter, and whether the timing of his decision to resign was influenced by the taxation of the clergy in response to the demand by Pope Eugene for "one-tenth of all profits and rents of ecclesiastical benefices for the launching of an expedition against the Saracens and Turks" which was to be the disastrous last Crusade. After considering "the very heavy charges for the defence of the Church and the wars which have lasted for so many years and are not ended", the Wells diocesan clergy agreed to pay 1d in the mark (i.e. one-eightieth) of the valuation. Hutton, like Weston and Uphill, was to pay 10d, between Locking's 6d and Banwell's 15d.

Like his predecessor four years earlier, Bishop Beckington ordered an inquiry into the vacancy and the right of patronage, and only when William and Joan were declared the true patrons did he order the institution of John Wylton (or Wilton) as Hutton's new Rector. This incumbent certainly had a long term of office, remaining Rector until his death in 1484. He was also probably more than a fleeting visitor to Hutton for in 1454 he apparently increased his holding of land in the village, paying 6s.8d for a life tenancy of one tenement in Hutton, formerly John Forster's. Also in the Payne estate conveyance, he was one of the four trustees appointed by Richard Payne and his son John in 1473 to eventually convey lands to the younger John Payne. John Wilton, therefore, must have been Rector of Hutton when most of the re-building of the church was in progress and was probably the rector responsible for putting the two fifteenth-century windows in the chancel, perhaps at the prompting and with the support of the same John Payne.

## The Payne Rental of 1482

For the last twenty years of the fifteenth century, there is a comparative wealth of documentary evidence. One of these documents, a 1482 rental of John Payne's estates, is the first record of this kind since the Partition of 1430 to provide something of a picture of Hutton, its people, their lands and homes, during this period. This picture emerges all the more clearly when the information furnished by the 1482 rental is supplemented by the more fragmentary evidence provided by the other documents, not only of these final twenty years of the century, but also by the more scanty court rolls and deeds of the previous fifty years.

Yet it is important to recognise the limits to the usefulness of the Payne rental to the local historian, and to realise that it allows only a severely blinkered view of Hutton. Being concerned entirely with John Payne's income, it records only the names, holdings and rents of his tenants, several of whom had lands and homes elsewhere, and no mention is made of those inhabitants of Hutton who were sub-tenants of the 'free' tenants of the manor (occasionally named in the court rolls), or who were merely hired labourers without rented property and consequently without any recorded name, and there were certainly many of those throughout England at the close of the fifteenth century. The Partition deeds of 1430 were similarly limited but the 1482 rental has a far greater handicap; it concerns only John Payne's half of the manor and, possibly, any other property in Hutton which provided him with a revenue.

The same applies to the lists of fines and account rolls, but the usefulness of the rental is still further restricted by the form it takes. Although it gives the names of thirty-one tenants occupying property within the parish - twenty in Hutton and eleven in Elborough - as well as two in Oldmixon, possibly within the parish, it also lists another thirty assorted pieces of property, varying in size from one to 19 acres, all within John Payne's half of the manor, yet it does not reveal the names of their occupiers. Fourteen of these were in Hutton, five in Elborough and another twelve specifically in Ludwell. One possible, though not wholly adequate, explanation for this strange omission of those tenants' names is that their properties formerly constituted William Dodesham's quarter of the manor, which had only recently been acquired by John Payne, whereas he had inherited the rest from his father in 1476. The remarkably high proportion of Ludwell properties in this category requires a different explanation; it may be due to the inclusion in this rental of the rents paid by the sub-tenants of John Payne in his other capacity as a 'free' tenant of the whole manor.

It may well be for the same reason that earlier records have failed to present so clear a picture of Ludwell as distinct from the rest of what was so very long ago part of the separate manor of Elborough. Altogether then, the Payne rental of 1482, unlike the *Extent* of 1309 and the Partition deeds of 1430, can hardly be used, even with the help of other fifteenth-century documents, as a basis for calculating the population of Hutton towards the close of that century. Nevertheless it makes a valuable contribution to the story of Hutton.

Some thirty-three individuals are named in the 1482 Payne rental as tenants within John Payne's half of the manor of Hutton, four more than the total number of tenants of the whole manor named in the 1430 Partition documents. However, many of those on John Payne's list held quite small pieces of land and only a third of

all his rented properties are specifically described as 'tenements', whereas every tenant's holding in the Partition lists is called a 'tenement' and three such tenements were held by a single tenant. This difference would seem to indicate that, by the late-fifteenth century, some of the original tenements had been sub-divided into several small holdings. There is evidence too that some new holdings were still being created out of the lord's demesne lands, for in 1476 Roger Oldemyxen - a 'free' tenant - and his wife Alice paid an 'entry fee' of £2.6s.8d for a "close of pasture called 'Bradenam' from the lord's demesne" to be held for an annual rent of 11s. Of the eleven Hutton tenements in the 1482 list, only four were located in the village, six in Elborough and one in Oldmixon, but none in Ludwell. Presumably the single Ludwell tenement of 1430 was still held in 1482 by John Payne himself, and so no rent was paid to him for it until a life tenancy was granted by him to John ap Howell in 1484.

It is clear from the document which records this letting, and also from several entries in the court-rolls, that the previously noticed practice of converting customary tenancies into single-life or three-lives lettings had become well established by the end of the fifteenth century. At the same time, some vestiges of the old manorial system lingered on. The levy of heriot on the death of a tenant was still being exacted, usually by the bailiff's seizure of some farm animal, as, for instance, an ox upon the deaths of John Shephurd in 1477, of Walter Crede in 1481 and of Thomas Edward in 1484, but only one sheep ("called a wether") when John Colman died in 1477.

Even rents were not paid exclusively in cash. For his tenement and six acres in Elborough, Richard Crede paid not merely 10s. per annum but also 'two autumnal days', that is two days unpaid labour in the harvest field. 'Free' tenants merely owed the duty of 'suit of court' (attendance at the manorial court) although some of them, especially those who were themselves lords of other manors, such as John Fitz-James and Richard Walsshawe (both esquires) and the Prior of Worspring, preferred to be 'amerced' or fined a trifling sum for non-attendance. However, one of them, Nicholas Lange, or Long, paid an annual rent of pepper, half a pound of it according to the 1482 rental, but a whole pound of it according to a 'comptus' roll (i.e. a roll of manorial accounts) of the same year, for his land in Elborough. This latter roll also reveals that another free tenant, John Andrewe, who is not named in John Payne's rental, paid an annual rent of half a pound of cumin for his Elborough land.

As for the cash rents, it would seem that they had increased between 1430 and 1482, but this generalisation is based on the slender evidence of those few instances where it is possible to make a comparison between the Partition deeds and the Payne rental. Even so, the amount of increase varies considerably and seems sometimes to be quite arbitrary, though on occasions it may be due to a change in the use of the land. For instance, the 1430 annual value of land in most of the various crofts in Hutton Moor, then used as arable, was 4d an acre, but in 1482, when it was used as pasture, John West paid 4½d an acre for Marencroft ( Mary Croft), John Fyrth paid 5d an acre for land in 'le Horethorn' (Hawthorn) and Roger Freeman paid 6d an acre for Walterscroft, but John Yeo paid 3s. for his five acres - just over 7d an acre.

Even where there was no change in the use of the land, the increase seems to have been quite common, though with some marked exceptions. The value of

meadow land in Estmede rose from 1s.4d per acre in 1430 to 1s.8d in 1482, and that of good pasture in Lovenell from 1s.2d to 1s.6½d. On the other hand, the arable land 'Above the Court' remained unchanged in use and value at 1s. an acre and, most surprisingly of all, the very high 1430 rent for arable land in Radewaysfurlong - 1s.8d per acre - had dropped spectacularly by 1482 to a mere 8d. Perhaps this contrast between the fall in the value of arable land and the rise in that of much pasture in Hutton reflects a national change of values during this period due to the increasing importance of the wool trade and the consequent demand for good sheep pastures.

### **Hutton's Families**

At first sight, this Payne rental appears to confirm the previously noted high rate of change among the manorial tenants of Hutton and consequently it may be assumed, although not necessarily in the same proportion, among the inhabitants of the parish. Out of the twenty-nine Hutton and Elborough families whose surnames occur in this rental, eleven of them made their first appearance in Hutton records during the first three years of the 1480s, five of them being first mentioned in the rental itself.

Although one can never be sure that such a sudden influx of John Payne's new tenants was matched in Robert Coker's half of the manor, this remarkably high rate of change is borne out by the manorial court rolls of this period, despite their erratic nature due both to the many breaks in continuity of the surviving rolls and to the element of chance determining which tenants are named in them. Within the same space of three years (1480-1482), they record another eleven new families; in an earlier period of three years (1476-8) eight new families, and five more in the two years 1482-4. Some of these family names do not occur again during the fifteenth century, but a few of them, such as Younge, Robyns and Hosyer, crop up again during the next two centuries and some re-appear, although perhaps spelt differently, much nearer today - such as Tripp, Borde (Board) and Bisday (Bisdee).

Considerably more stability in the population of Hutton is, however, to be observed in the earlier years of the fifteenth century and again at the very end, for in the next surviving court-rolls after 1484, those of 1498-9, only two new families are recorded. Particularly is this stability noticeable when the Payne rental and other records are examined from a different angle, that is, tracing the survival of Hutton's earliest families. Out of the forty different surnames recorded in the *Extent* of the whole manor made in 1309, four still appear in the 1482 list of John Payne's half of the manor - Payn, Oldemyxen, Luddewelle and Lang. Each of the two Payns in the list, John and Roger, had a tenement in Elborough, where their predecessors in the 1460s had included two Robert Payns - one described in the court-rolls as a "gentylman" and the other as a "husbondman" - and a William Payn who died in 1464. Their relationship with each other and, more remotely, with John Payn their lord of the manor, cannot be determined but they must all have had their origins in the same Ludwell family.

So too, most probably, did Robert Luddewell, another Elborough tenant in the 1482 rental with an ancestor in the 1309 *Extent* and an even earlier one - Payn de Lodewell - in the deed of about 1270. Yet another name occurring in that same late-thirteenth-century deed - Hordewell - is also found in Hutton records of the

fifteenth century, the latest being Richard Hordewell who is mentioned in a court-roll of 1484.

As for the Oldmixon family, who were 'free' tenants in 1309 with extensive lands in Hutton and Elborough, two members, William and Robert, are named in the 1482 rental, but only as holders of a few small pieces of land in Elborough. Both appear also in a court-roll of 1476, but William's name occurs among witnesses in several manorial deeds between 1476 and 1495, when he was one of the trustees to whom John Payne conveyed his estates. (See pencilled note in margin) Yet in a court-roll of 1461 it is "John, son of Roger Oldemyxen" who is described as a 'free' tenant, and Roger himself is mentioned again in 1483. Clearly he, and perhaps also William, held other lands within the parish of Hutton for which only 'suit of court' was paid, or else which were part of Robert Coker's share of the manor and consequently were not included in the Payne rental. Not one of these Oldmixons apparently occupied the 'capital messuage' or manor house of Oldmixon, and which, if any, of them actually lived in Hutton is doubtful.

Certainly Nicholas Lang, the last mentioned of John Payne's tenants with an ancestor named in the 1309 *Extent*, was not a Hutton resident for in a deed of 1491 he is called "Nicholas Lange of Bristol". Like his fourteenth-century ancestor, William Lange of Burnham, he paid the unusual rent of one pound of pepper for a small piece of land in Elborough, but he too evidently held other parts of the parish as a 'free' tenant, for by the same deed of 1491 he conveyed to John Payne all his "lands, tenements, meadows, pastures" in "Hutton and Elborough".

Another three families named in the 1309 *Extent* and still to be found in Hutton in the late-fifteenth century are those of Andrew(s), Edward(s) and Newman, whose names appear in the court-rolls but not in the rental. Unlike their 1309 ancestors, both John Andrew and Richard Nyweman (Newman) were 'free' tenants and may not have lived within the parish; in fact, in a court-roll of 1484, either the same John or his successor is named "John Andrewe de Penceford" (Pensford). Richard Nyweman's 'free' tenancy ended in 1483 when, like Nicholas Lang's, it was acquired by John Payne, together with "all his lands, tenements, pastures in Hutton, Ellebarogh and Lockynge". Thomas Edward's fourteenth-century predecessors had been 'customary' tenants and their tenement (probably including their home) in Hutton would, when they died, have passed on to their wives and their issue after payment of 'heriot'.

However, when Thomas died in 1484, his wife's successful claim to the tenement and certain other lands was based on a deed which had been issued by the manorial court in 1462; but another two acres of land and an acre of wood held by Thomas had not been included in that deed, and so Alice, his widow, was told that unless she could produce before the next court written evidence to support her claim to these few acres, they would be forfeited to the lord of the manor. Unfortunately no record of the very next court has survived and so what actually happened is not known, but the incomplete story is sufficient to illustrate the process by which the feudal 'customary' tenure was being replaced by 'copyhold' tenure and the system of life tenancies, which helps to explain why holdings changed hands more frequently.

Although not mentioned in the 1309 *Extent*, one other family represented in the 1482 rental by Thomas and John Pers (Pearce?) most probably had an early-

fourteenth-century ancestor in Humphrey Perys, one of the seventeen landholders in Hutton who had to pay the Exchequer Lay Subsidy of 1327. According to the Payne rental, Thomas held 6½ acres in Elborough and John had a dwelling “of ancient auster” with about 9 acres mainly on the Oldmixon side of Hutton. A court-roll of 1481 records that he and his wife, Joan, were then taking over the life tenancy of the ‘capital messuage’ of Oldmixon “together with all lands, meadows, pastures and woods”, making a down payment of £4 and agreeing to an annual rent of £2.6s.8d for the tenement and a further 6s.8d for various additional lands.

Of the thirteen other families named in the 1482 rental, two had first appeared in the Pykott rental of the late-fourteenth century - West and Yeo, two more in the Partition deed of 1430 - Crede and Gent, three in the court-rolls of the 1440s - Ewen, House and Sheppard (variously spelt), two more in those of the 1450s - Pole and Freeman, one other - Offre - in the 1460s, and the last three - Slyde, Boure and Gance or Ganx - in the late 1470s. At least two of these however were probably not Hutton residents, William House more likely living in Uphill and John Sheberde appearing in the court-rolls as John Shephurd of Wulfareshull (Wolvershill). John Ganx was the predecessor of John Pers as the life tenant of the “capital” tenement of Oldmixon, but in May 1481 he and his wife Joan became life tenants of what was evidently a smaller tenement, formerly Roger Oldmixon’s, at the “western end of the village”, for a down payment of £2 and an annual rent of 11s.0d. However, he must have died within the next six months for a roll of manorial court accounts dated 9th October 1481 records that 13s.4d (the price of an ox) was paid before then as his ‘heriot’.

Many other surnames occur in Hutton court-rolls during the course of the fifteenth century, some for only a year or so, others for the greater part of that period. Turnepenny, for example which had also appeared in the late-fourteenth century Pykott rental, is found as late as 1463, Fitz occurs from 1408 to 1481 and Cornewall from 1430 to 1499. This last surname would seem to indicate that an earlier member of the family had migrated from that county. Another surname, clearly not of Somerset origin, is that of ap Howell, which occurs in the last court-rolls of the fifteenth century, John ap Howell having acquired a tenement in Ludwell in 1484. Although, both of these immigrant families must have come from other parts of the kingdom long associated with various forms of mining, they appear, like the other tenants, to have lived by mixed farming and there is nothing in Hutton records from Domesday Book to the end of the fifteenth century to suggest there was any mining within the parish.

### **Hutton’s Court-Rolls and other Manorial Records**

It is time to say more about Hutton’s court-rolls and other manorial records (apart from the Payne rental and some deeds) to which several references have already been made. In the Ashton Court collection there are records of three Hutton courts held early in the fifteenth century (1427-1430), eight held between 1444 and 1461, but fourteen between 1476 and 1484 and two in 1499, as well as many held in the same years in other parts of the Payne estates. There are also two lists of *Exactiones Curie*, that is, records of fines and other compulsory payments made to the manorial court, one for 9th October 1481 and the other for 23rd October 1487, and three *comptus rolls* (summaries of manorial accounts) for 1482, 1483 and 1485. These purely financial records mainly confirm much of the information given in the court-rolls, though they occasionally provide a useful supplement, as in the case of John

Ganx mentioned earlier, and they reveal the fact that the manorial bailiff who compiled these records was Richard Collins, who probably presided over most of the courts and whose annual stipend was merely 13s.4d.

The court-rolls usually began by naming the particular lord or lords of the manor on whose behalf the courts were held – John Payne for example, from 1476 to 1485 - and they then listed the free tenants of the manor who were not present and were therefore ‘amerced’ (usually 3d on each occasion) for their failure to fulfil their feudal obligation of ‘suit of court’. In the last twenty years of the fifteenth century, the regular defaulters were John Fitz-James, Richard Walsshawe and Nicholas Lange as well as unnamed persons who were formerly tenants of William Dodesham and Thomas Milward or Millard. Most of the court proceedings, however, must have been occupied with the various complaints made by the ‘homage’ (the small group of tenants present) and the warnings or penalties concerning them issued by them and the bailiff who constituted the court. Many of the complaints were about stray animals, mainly horses, sheep and cattle, which had been impounded by the manorial ‘messor’, or about the neglected condition of the tenants’ premises, about which more will be told later; but the most serious offence, for which the heaviest fines were imposed, was the deliberate intrusion of animals upon land belonging to the lord of the manor or his tenants.

So, for example, in 1444, William Pawley was reported to have pastured his oxen, cows and “many other animals” in the lord’s coppiced wood, and Henry Colman to have done the same with his sheep; in 1481 John Piers “de Oldmyxen” was charged with allowing his sheep to trespass in the tenants’ corn “in the field of Hutton”, and five persons including “John Piers de Bledon” were said to have unlawfully seized the pasture of the lords and tenants in the fields and meadows of Hutton and Elborough “where they had not right of common”. The increasing size of individual tenants’ flocks of sheep and the consequently increased demand for pasture is reflected in 1484 by the court’s imposition of a fine of 6s.8d. each on five tenants (including John Payne and Robert Oldmixon) for allowing their sheep to trespass whilst merely fining eight others sums between 1d and 6d for letting their unspecified animals trespass over the lord’s corn in Hutton Moor, and in 1499 Thomas Hosyer was fined for having overloaded the common pasture in Elborough with his sheep, probably having exceeded some quota, a local indication of the national expansion of the wool trade at this time.

The most common type of offence recorded in the court-rolls, however, was the failure to maintain in serviceable condition hedges and other boundary fences, gates, ditches, roads and bridges, and the courts passed many orders for individual tenants, groups of tenants and sometimes “all tenants” to carry out the necessary repairs. So in 1476 tenants were ordered to place boundary stones between the Coker and Dodesham parts of Haywood, in 1482 to repair the gate called Kyngesgate, and in both 1479 and 1482 the Elborough tenants “to scour the ditch between Bartonysclose and Litelmorebrygge” and in 1499 “to make good Donryde-is-lane as far as Barton-is-hey”. Typical too is the complaint made in 1461 that water from the spring called Elbarrowell had caused a ditch to overflow through the garden of Sely-is-hey “to the great annoyance of the lord’s tenants”.

## Hutton's Place Names

Most of the place-names mentioned in the last paragraph had already appeared in Hutton documents by 1430 at the latest but, in general, the names of fields and of other topographical features in the parish of Hutton were as much subject to change between 1430 and the end of the century as were the surnames of the tenants. Altogether some thirty such place-names occur in John Payne's rental of 1482 and a further fifty-four in various Hutton Court-rolls between 1430 and 1499, and out of these eighty-four no fewer than forty-seven had not appeared in the Partition deeds of 1430 nor in any extant earlier document. One of these forty-seven 'new' names is still readily recognisable today, despite its different spelling, as one of the most familiar road-names in Hutton - 'Morelane'. This name first appeared in a Court-roll of 1445 when several tenants were ordered to repair the wall on its east side, and in 1499 others were charged with neglecting to scour a certain length of the ditch which also ran along its east side, as it still did until a few years ago when it was culverted. Two field names among the forty-seven have also survived to this day, though in the form of road names, namely 'Litelmede' - off Moorcroft Road - and 'le Barwys' (Barrows).

Several other fifteenth-century field-names survived at least long enough to be in current use when Hutton's Tithing map was published in 1838, and so they can be positively located. Six of them are in Elborough: 'Old Downe', almost at the south-east corner of the parish, adjoining Bridewell Lane; 'Whitch' (Great Witch) on the Banwell boundary, much of it now occupied by the aircraft engineering factory; 'le Culverhey' - indicating the presence of a dovecote - on the north side of Banwell Road, opposite the easternmost buildings of Elborough Farm; 'Dunryde', the second field to the west of Culverhey on the same side of Banwell Road; Barton-is-Crofte or Bartonyclose, the last field on the north side of Banwell Road west of the Banwell boundary; and Burgemeade, the second field towards Locking on the east side of the Locking lane and on the Hutton side of the rhyne which separates the two parishes.

The last two such names are 'Proutewode' (Prout's Wood) and 'Buckney'. The former was the name for the 'batch' or low hill rising above the field through which the footpath runs from Court Farm to Canada Combe, and now only wooded on its eastern steep escarpment above the combe. In the fifteenth century, 'Buckney' probably included at least three of the present fields to the north of the Oldmixon North Hills and adjoined Hutton's West Mead.

Inevitably, many fifteenth-century place-names in Hutton cannot be identified today, such as a hill or slope called 'Smaledowne', a lane called 'Scurryggalane' and a field called 'Overledacre' in 1481 and a spring called 'Maplederwyll' in 1499. Even though 'Alysdyché' (1470) or 'Alice Dyche' (1481) was said to be east of Moor Lane, it cannot be positively located as the one, now culverted, that used to run alongside the footpath from 'The Chestnuts' to Elmhurst Road. Oddly enough, a field - or part of it - that was named in the 1309 Extent as 'Biwestethecourt' and, centuries later, as 'Great Horse Close' and more recently as 'Home Field', on the south side of Church Lane, is identified in a Court-roll of 1483 not by any name but by its location "on the west side of the church of Hutton". Evidently, this field, like those to the west of it now separated from it by Upper Church Lane, was then part of Hutton's West Field where both the lords and their tenants had strips of ploughland, for it is described in the Court-roll as the "common cornfield", and access to it was taken by a gate "next to the churchyard",

that is, to the east of the present gate. The manorial court imposed the duty of repairing the gate upon “all those tenants having easement” (i.e. right of passage) “of a certain way” to the cornfield. Unfortunately, that ‘way’ is not named but it must have been part of Church Lane.

A second Court-roll of 1483 calls upon “all those tenants of Elborough, Ludwell and Hutton having the duty of repairing it” to “amend and repair the church path between Swyneswyll and the . . . of the churchyard”. Unfortunately a hole in the manuscript accounts for this gap and the location of the spring or well called Swyneswyll cannot be established. The reference however is possibly to the footpath which runs churchwards from either Hutton Hill or Canada Combe Road, and whose primary purpose, at least in the fifteenth century, was to provide access to the church.

### **Hutton’s Houses and other Buildings**

The mention of such lanes and paths as these, of springs or wells and hedges, and even of a single orchard at Ludwell - the earliest in Hutton’s records - provides an occasional glimpse of how this parish must have looked during the latter years of the fifteenth century; but without any knowledge of its buildings, apart from what can still be observed in the church as previously described, only a very imperfect picture can be formed. Fortunately, more is known about Hutton’s houses and farm buildings during this period than at any earlier time, partly from the architectural features that have survived, but mainly from documentary sources, especially the manorial court-rolls and John Payne’s rental of 1482. It must be remembered, however, that this rental records only the property which lay within John Payne’s half of the manor and which provided him with an annual revenue, thus excluding property which was rent-free, that which was occupied directly by him or by close members of his family, and that for which rent was due to the Cokers, the lords of the other half of the manor.

This document mentions four cottages and three messuages, all within the village, and another messuage at Oldmixon, probably in the eastern part of that hamlet, lying within the Parish of Hutton. Although the distinction between ‘messuage’ and ‘cottage’ at this time is not clear, having been originally one of tenure, it is likely that most cottages were small buildings, perhaps consisting of a single room. However, they must have varied considerably for John Ganx paid an annual rent of 13s.0d for his cottage but Roger Freeman only 8s.0d for his - both according to the 1482 rental - and evidently the word for ‘cottage’ (cotagium) could sometimes imply more than the actual dwelling, for in 1483 John ap Howell succeeded Philip Pawelle as tenant of a “cottage containing one messuage and 15 acres” in Ludwell for an annual rent again of only 8s.0d.

As mentioned earlier, there were also eleven tenements in John Payne’s share of Hutton, according to his 1482 rental. Then, like ‘cottage’ and ‘messuage’, the word ‘tenement’ could imply not merely a tenant’s holding of land but also a house for some kind, often with its own patch of ground and sometimes with various outbuildings. Here again the ambiguity of a word makes the interpretation of documents difficult, for the Latin word ‘domus’, which was often used during the fifteenth century to denote an outbuilding such as a barn, frequently meant a single room, especially a work-room such as a dairy, inside or outside a house. However, it is reasonable to assume from these various records that there were at least twenty

dwellings of some kind or other within the parish of Hutton during the second half of the fifteenth century, eleven of them situated in the village itself and that eighteen of them, or the outbuildings belonging to them, were “ruinous” and had to be repaired.

Though not one of these buildings is described, or even precisely located, in the surviving documents, it is possible to form some idea of their structure. The outbuildings and internal work-rooms can be visualised vaguely from their functions which are normally indicated by their names. For example, the barns of William Pavely, John Forster, John Piers, Richard Crede and John Bakkewyll (Backwell), which were all said to be “ruinous”, would be readily recognisable if they were still standing today, though they may have had wooden walls, and, more probably, thatched roofs. It is more difficult to picture Thomas Younge’s bake-house, Robert Ludwell’s cart-house or John Bakkewyll’s waggon-house, and it is impossible to say whether the dovecote of John Piers at Oldmixon was round, square, or multi-angular.

Sometimes, particular features of these buildings were specified as in need of repair, such as the walls of Robert Card’s cottage, the roofs of Robert Payne’s “wenehous” (waggon house) and of John Turnepenny’s fishery or fisherman’s house (a remarkable building to be found in Hutton!) and the doors of Roger Freeman’s barn and ox-house and of Richard Crede’s hall. That ‘hall’, incidentally, was almost certainly not a huge separate building but a single room within a house. So too were the halls of Richard Offre, John Pole, Philip Pawelle and Joan Robyns, the “chamber above the parlour” of William Paveley, the “little chamber” of John Payne the husbandman, and perhaps the “kitchen” of John Piers, though kitchens were then more usually separate buildings.

Details like these provide some indication of the kind of houses, both old and new, in the late-fifteenth century, but it is also necessary to consider the little architectural evidence that has survived. Some of the dwellings said to be “ruinous” at that time may have been built centuries earlier and may have consisted of a single room with an open hearth on an earthen floor and a hole in the thatched roof as an outlet for smoke. As far as is known, no trace now remains in Hutton of any such hovels.

There is, however, evidence of the type of house which must have been built during the thirteenth century or possibly even earlier. This type would still be of a single-room width and have earthen floor, open hearth and thatched roof, but it would be taller, with external stone walls about two feet thick, and with a through passage from front door to back door, dividing the ground floor into two parts of unequal size. The larger of these parts was the single-storeyed lofty ‘hall’ or general living and dining room and the other had various uses; often its ground floor was subdivided into two small rooms, one of which may have been a ‘parlour’, and above these one or two chambers. The internal walls or partitions necessary for houses of this type were usually made of wattle and daub between timber uprights pegged to beams.

From the references to a ‘hall’ and to “the chamber over the parlour” it is evident that such buildings not only existed in Hutton during the late-fifteenth century but were even then in need of repair; yet traces of them remain to this day. The basic house-plan, together with the original external walls about two feet thick,

can still be observed in part of Lodewell Farm and also in a few houses along Hutton's Main Road, such as Old Post Office Farm and Valley View, Centre Farm and Wistaria Farm. In the latter house, one of Somerset's experts in recording its vernacular architecture, EDH Williams, observed, in a transverse beam running along what was originally the west side of its cross-passage, the peg-holes where the upright timbers of the mediaeval partition must have been fixed and, in the wall - now stone - on the opposite side of the passage, he perceived indications that the present square-headed wooden doorway had previously been a two-centred arch of a style which originated in the fourteenth century. Although altered considerably in the course of subsequent centuries, these Main Road houses, and perhaps even others, must have been some of the village's tenement dwellings during the fifteenth century.

Naturally, the most extensive evidence of fifteenth-century domestic architecture in Hutton has survived in the present complex of buildings comprising all four wings of Hutton Court, concerning which Williams reports that "no feature of the present building can be attributed to a date earlier than the late fifteenth century, perhaps when John Payne acquired the whole complex". Although this too has been subjected to many alterations down the ages, it still retains external walls from 66 to 78mm thick in all four wings, a lofty hall with arch-braced collar-beam roof in the south wing, and a wattle-and-daub-filled timber partition and a single hammer-beam truss at the eastern end of the upper storey of the north wing.

Several other features still visible, and others which were temporarily exposed during alterations in 1978/9, may be of very little later date but they will be more suitably considered in a later section of Hutton's story together with the earliest documentary account of the structure that was the basis of the present four-winged building. That account is provided by an inventory made in 1604, well over a hundred years after John Payne began the building to replace the older 'Court' which he did not fully acquire until 1482.

However, there does not appear to be any trace of positively identifiable fifteenth-century work among the present outbuildings of the Court, or indeed elsewhere in Hutton, although some of them, such as the old barn of Court Farm, occupy, no doubt, the same sites as their mediaeval predecessors. Apart from the previously quoted references to unlocated "ruinous" barns and waggon-houses, documentary evidence for the outbuildings of this period is also scanty. The 1482 deed transferring half of the Court premises to John Payne merely mentions its outbuildings under the general term of "domus" and even the name 'Culverhey' (i.e. dovecote enclosure), which is applied in the same deed to an adjoining piece of land, does not necessarily indicate that the dovecote known to have been there in 1430 was still standing in 1482. There was however a "ruinous" dovecote belonging to John Piers's "capital messuage" at Oldmixon, according to a court-roll of 1483, and also the previously mentioned 'Culverhey' at Elborough, but no trace now remains of any of these dovecotes and their precise situation is not yet known.

Only one non-domestic building is mentioned in John Payne's 1482 rental, but it is one of special interest. Immediately following an entry in the Ludewell section for "a close of pasture newly made on top of the hill" (i.e. above Lodewell Farm) there follows this item: - "one windmill, newly built, worth in average years 20 shillings". It seems probable therefore that this late-fifteenth century windmill occupied, or stood very near, the site of its nineteenth century successor whose

stump still stands on Windmill Hill. It may well also have reoccupied the site of its predecessor of 1309.

### **Hutton's Constituent Sub-Manors**

It is perhaps surprising to learn that there were three mediaeval dovecotes within the Parish of Hutton and that at least two of them were probably in existence at the same time during the fifteenth century. It is even more surprising to know that all three dovecotes were within the same manor. For, although a dovecote was almost a necessity to provide fresh meat for the manorial lord's table, the presence of pigeons near the grain fields must have been a sore trial for the tenants of the manor and even for the lord's bailiff concerned with his crops. Consequently it was the normal practice to have only one dovecote within a single manor, usually situated not too far from the kitchen (often a detached or lean-to outhouse) of the 'capital messuage' or manor house. In Hutton, therefore, one would expect a single dovecote situated in the Culverhey, a field close to the Court.

It must be remembered, however, that there had formerly been two separate manors, Hutton and Elborough, and therefore presumably Elborough would once have had its own manor-house and dovecote, the latter being situated in the earlier mentioned Elborough field which still bore the name of Culverhey in 1837. Even as late as 1431, after the partition of the Walsh estates, the three manorial lords, Thomas Sambrooke, Richard Payn and William Dodesham, were said to possess "the manors of Hutton and Ellebergh", yet the partition deeds of 1430 make no mention of a 'capital messuage' or a dovecote at Elborough, nor even does the *Extent* of 1309, though both documents clearly include the manorial demesne lands and tenements in Elborough.

It is less easy to account for the dovecote of John Piers at Oldmixon, mentioned earlier, or for the 'capital messuage' to which it belonged. The latter building must have been the predecessor of the present Oldmixon Manor, the oldest part of which appears to belong to the seventeenth century, and it probably occupied roughly the same site, that is, just within the Hutton parish boundary that divides the old hamlet of Oldmixon into East and West. Although the term 'Manor of Oldmixon' occurred at least as early as the eighteenth century, it certainly did not exist at the time of the Domesday Book nor during the next three centuries when it was merely one of the 'free' tenements of the manor of Hutton, held by the Oldmixon family who took their name from the hamlet.

However, the Oldmixons were no ordinary tenants. They certainly held other lands in Hutton and Elborough and probably also in West Oldmixon (which then belonged to Bleadon) and elsewhere. About the beginning of the fifteenth century, Robert Oldmixon had married Joan, the sister of the second Roger Walsh, and each of their two daughters, who married Richard Payn and William Dodesham respectively, subsequently inherited a quarter of the manor of Hutton. Perhaps significantly, the earliest documentary reference to a 'capital messuage' at Oldmixon occurs in a deed of 1433, only three years after the final partition, by which Robert Oldmixon conveyed some of his lands in Hutton and Elborough to his daughter Joan and her husband.

According to an almost illegible deed of 1470, Joan and William leased a 'capital tenement' and property including a dovecote in Hutton to Walter Crede.

This could not have been Hutton Court - for they did not own it - but the 'capital messuage' and dovecote in Oldmixon, for an entry in the court-rolls of 1481, recording the transfer of the lease from John Ganx to John Piers, states that it had formerly been held by Walter Crede. This was evidently the tenement 'of ancient auster' which is recorded in John Payne's rental of 1482 as being held by John Pers (Piers) for an annual rent of 26s.8d.

It would seem then that it was the status of the Oldmixon family and their relative wealth (in terms of land) that led to their residence being described as a 'capital messuage' and to their possession of a dovecote. It is surprising, however, that the name persisted after the tenement and dovecote had been inherited by John Payne and leased to ordinary tenants, so no longer belonging to the Oldmixons.

Though Ludwell was called a 'manor' in the eighteenth century, there are no fifteenth-century or earlier references to a 'capital messuage' or to a dovecote there. However, the fact that the windmill mentioned in John Payne's rental is included among his Ludwell property may indicate that the 'free' tenement of Ludwell had by then a status similar to that of Oldmixon. Certainly the ownership of a mill of any kind was considered to be a manorial lord's prerogative, but it is impossible to determine from the rental whether John Payne owned his windmill as lord of half of the manor of Hutton or as free tenant and virtual lord of Ludwell where he, like his forebears, had formerly lived. If indeed, Ludwell was still the home of a close relative, as seems most likely, no rent would be paid to John Payne and it may be for this reason that there is no mention of a 'capital messuage'.

Whatever the status of Ludwell, there can be no doubt that John Payne regarded himself as manorial lord, not merely in Hutton which he shared with the Cokers, but in several other places. He had largely inherited and, in some cases, purchased lands in north Somerset and even beyond, and his rental shows that about 46% of his total annual revenue was derived from his leased landholdings in no fewer than twenty-one different places outside the parish of Hutton, the respective amounts being £30.6s.6½d from his property in Hutton, Oldmixon, Ludwell and Elborough and £26.5s.8½d from the rest.

Many manorial lords in this period had similarly large and scattered landholdings outside their own manors but few, probably, practised a form of manorial lordship over some of these 'outside' territories as John Payne did. For manorial courts were held in his name on three of his estates outside Hutton, namely Uphill, Shipham and 'Paynesbarne-juxta-Huish' (probably near Rolstone), where tenants of these and of some neighbouring Payne lands made their presentments and received instructions concerning the repair of their buildings or ditches as the manorial tenants of Hutton did at Hutton Court.

One item of John Payne's property outside Hutton is, perhaps, worth a separate mention, not only for its almost local interest, but because it involved John Payne in a lawsuit. This item was listed in the 1482 rental, under the name of its location, 'Weston-super-Mare', as follows: "John Sheter holds one messuage and half a virgate (rood) of land together with five several (private) fish-stalls with appurtenances for a rent of 6s.7d". This property had been leased to the Sheter family in 1480 by a deed which was the first to refer to John Payne as "Gentylman". This 1480 lease to "Welthiana Sheter, former wife of Nicholas Sheter, and to John Sheter, son of the same Welthiana, and to Alice, wife of the aforesaid John", located

the fish-stalls more specifically than did the rental as “in a certain place called Ankyrsetyn-super-mare”, i.e. Anchor’s Head.

Subsequently, in 1492, John Payne, acting through his attorney, John Colyns, began an action before the King’s Bench at Westminster against John Arthur, lord of the manor of Weston, complaining that, on November 30th 1491, John Arthur and ten of his servants “had fished in his Several Fishery” and had taken “by force and arms, namely with sticks and knives, a hundred horse-loads of fish called Barons (probably sprats), four hundred Tubbelyns (young cod), three hundred Haddokks and two hundred Whitynges”, causing damage to the amount of £26. John Arthur’s defence rested upon his claim that the whole foreshore belonged in perpetuity to the manor of Weston, of which he was the lord, and that John Payne had therefore no right to private fish-stalls on this tide-washed land.

Apparently, there is no record of how this action ended, but it is interesting to note that the same John Arthur, who had formerly witnessed deeds for John Payne in 1490 and even as late as August 1491 (three months before the fishing raid), did so again in 1495. It is doubtful if John Payne was much interested in the lawsuit and its outcome, for there are clear indications that by then John Payne must have felt that he was approaching the end of his life. Perhaps his bailiff, Richard Colyns, zealous in his office, pressed by the trustees of the estate, and even with a possible family interest in the choice of John Colyns to represent his master before the King’s Bench, had strongly urged the action.

### **John Payne’s Two Wills**

Even in April 1490 John Payne was clearly anxious to make arrangements for the transfer of his estate if he should die before his heir would be old enough to succeed him, for he assigned his half of the manor of Hutton and of the advowson of its church and all his property outside Hutton to five trustees, “Robert Stowell, gentleman, Master John Thowre, Doctor of Laws, George Sturvey, William Oldmixon and William Harryes”. Five years later he made a fresh conveyance of the same property to a larger group of trustees including John Thowre, William Oldmixon and Robert Stowell, gentleman (his brother-in-law), the others being John Vele (Vicar of Winscombe), Sir John Newman (a cleric), William Poxwell and John Payne of Bridgwater, merchant.

In the same year, 1495, John Payne made a ‘declaration of his will’ (the earliest complete Hutton document in the Ashton Court collection to be written in English as opposed to Latin) which begins by reciting this conveyance of his estate to these trustees. One of these, John Thowre, was then, as far as is known, one of the most academically distinguished of Hutton’s Rectors. He had been presented by Robert Coker, lord of the other half of the manor of Hutton, and instituted on October 25th 1484, when he was still a Bachelor of Laws, following the death of his predecessor, John Wilton.

That John Payne was favourably disposed towards him seems likely, not merely because he chose him to be one of his trustees (not an uncommon position for a rector to occupy), but because, as early as October 4th 1488, John Payne acted as proctor for John Thowre on the occasion of his institution to another (additional) living as Vicar of Worle. What went wrong with this arrangement is not known, but it lasted barely three weeks for, on October 30th, John Thowre resigned from this

vicarship. He remained Rector of Hutton however until his death in 1529, but it is not possible to say whether or not he resided permanently in the village.

What connection John Payne had with Winscombe and why he chose its vicar to be another of his trustees are other unsolved mysteries. The only property he had in that parish would be the single messuage in Barton, held from him by a 'free' tenant, John Fry, for military service and/or a rent of 2s. Nor was Winscombe church one of the nine neighbouring churches (i.e. Locking, Banwell, Bleadon, Uphill, Weston, Kewstoke, Worle, Shipham and Axbridge) to which he left money or property in his final will dated August 4th 1496.

These two wills, little over a year apart, present problems, especially if one assumes that the second would cancel the first. That would appear not to have been so in this case. The first provision of the 1495 'declaration', confirming the conveyance of his property to the trustees for them to transfer it to his son and heir, Thomas, when he should come of age, was certainly not invalidated by the later will for the trustees eventually carried out that transfer. Yet the 1496 will makes no mention of this provision, but in it he declares: "the residue of my goods not bequeathed I give and bequeath to Elizabeth my wife, William Oldmixon and John Payne the elder, whom I make my executors". It is very likely that some of the other provisions of the 1495 declaration were also observed by the trustees for no separate executors for them had been named. Most of these provisions were bequests to members of his family - £60 each to his daughters, Agnes ("for hir mariage"), Mary and Margaret, and also for the child his wife was then carrying; an annual income of £12 for his wife and the right to occupy and dwell in his "princepall manor of Hutton" during her life; and £6 annually to Nicholas Payne, his third son during his life "at such tyme when it please god the said Nicholas come to full age", all the residue of his estate to go to his eldest son and heir, Thomas.

No mention is made, in either will, of a second son, nor of the remaining unnamed fourth son and four daughters depicted in his memorial brass, although one of all these was presumably the then unborn child mentioned in the 1495 declaration. The most probable explanation for this omission is that at least five of his children had already died in their infancy.

One provision of the 1495 declaration is repeated, but modified, in his final will. In the earlier document, he charged his unnamed executors "to fynde a prest (priest) or prestes to synge for me and Elizabeth and Marion my wyfis (wives) and for the sowles (souls) of myn ancestres yerely at Hutton as longe as the saied service or services will endure". In the following year, his executors were told to "provide a man, prudent and discreet, and of good conversation, to celebrate in the church aforesaid (i.e. Hutton) for the space of two years, for me and the souls of my ancestors, in honour of the Holy Trinity".

The first arrangement suggests that John Payne had then in mind the engagement of one or two chantry priests to sing masses daily, perhaps in a specifically built chantry similar to, even if smaller and less ornate, that of Bishop Beckington in Wells Cathedral. Although basically the same purpose lies behind the corresponding provision made in his final will, the changes are significant, especially when one considers that this will was made only the day before his death. For one thing it is on a more modest and less expensive scale, providing only for one priest for only two years, and the specific requirements concerning his qualifications

suggest that it was intended that he should live in Hutton Court, perhaps with the additional duty of providing suitable companionship and advice when required by the widow. Although he would be called a chaplain, there was probably no intention of having a private chapel either within the Court or in the church (as at Yatton) for such a short period, and it is quite possible that the late Perpendicular recess built into the north wall of the chancel was originally designed for such a purpose, though it now houses the clearly ill-fitting memorial to his son, Thomas.

In the earlier document, the 1495 declaration of his will, John Payne specifically named the ancestors for whose souls the chantry priests were to pray as “John Payn of Hutton and Elizabeth his wief, my fader and moder, Richard Payn and Agnes his wief (his grandparents) and Matthew Payn and Jone his wief (his great-grandparents)”. This awareness of his family history was one of John Payne’s characteristics and it is also evident in a curious portion of a manuscript written in English (unlike the rest of the document, the Payne rental of 1482, which is in Latin) to which reference was made much earlier in this history. This portion traces the Payne family history three generations back, showing, with evident pride, that Matthew Payne’s wife Joan had been the granddaughter of one Richard Morys (Morris) and niece of Ymyn, the wife, first of Sir John Raleigh, and then of Sir John Borowashe who was the father of the Duchess of Suffolk and father-in-law of Thomas Chaucer, the poet’s father.

It seems likely that this portion of manuscript, in English resembling that of John Payne’s declaration of his will, was actually written by him; if not, he must certainly have preserved it. The omission from the final will of any such details and of any reference to his two wives, as well as the changes already mentioned, may well reflect the influence of his surviving wife, Elizabeth, and, perhaps too, of his trustees, at that late hour.

Another characteristic of John Payne which emerges from these documents is his piety, not only in his bequests to so many churches and his wish to be buried before the high altar, but also by his adding, after prayers for the souls of his ancestors, the words “and for all the sowlys whiche in especial I the seid John am most bounde to praie for and for all crysten (Christian) sowlys”. On August 5th 1496, the day after making his final will, John Payne died and, as he requested, he was buried before the altar in the chancel of Hutton church. Although this has been much altered since then, the slab bearing his memorial brasses is still before the altar on the more modern chancel floor.

## Nine: Early Sixteenth Century

Few periods of our national history have been more intensively studied than the Age of the Tudors (1485-1603), and it has generally been regarded as the first stage of our modern, as opposed to mediaeval, history. For Hutton, however, there is a comparative dearth of records surviving from that period: the previous century had been much more fully documented. Although Hutton's manorial courts must have continued to be held twice yearly throughout the sixteenth century, only the records of thirteen separate years are now extant, and even these occur in oddly distributed groups: 1500-1501, 1510-1516, 1523-1524, 1528, and then 1596-1598. Similarly scarce and maldistributed are the surviving manorial deeds. So far discovered are two of 1510, two of 1511, two of 1528, and then only one for each of the three years 1562, 1563 and 1583.

Another six Hutton deeds which are known to have been seen in 1749 and may therefore still come to light include two for 1594 and one each for the years 1563, 1589, 1595 and 1598. Although the Tudors placed much responsibility for local government upon churchwardens, no churchwarden's accounts for either the sixteenth or the seventeenth century have survived in Hutton, and although the keeping of parish registers was prescribed by Thomas Cromwell in 1538, nothing has survived of Hutton's sixteenth-century registers except a single copy (a 'Bishop's transcript') of the entries for 1598. Consequently it is not altogether satisfactory either to treat the whole of the sixteenth century as a single chapter of Hutton's history or to divide it into two or three clearly defined sections. In practice, therefore, the main account is set out chronologically in three stages but consideration of some aspects of sixteenth century Hutton is deferred until the final stage. The first of these three stages - the early-sixteenth century - covers roughly the first thirty years.

The first four Hutton manorial court-rolls of the sixteenth century, those of 1500 and 1501, like their predecessors of 1498 and 1499, are in the names of "Robert Stowell, Esquire and other feoffees of the former John Payne, Esquire", that is the trustees into whose hands he had committed his estates during the minority of his eldest son, Thomas. The roll for November 1501 also includes the name of John Coker, Esquire, who had evidently succeeded Robert Coker at some date subsequent to 1484 as lord of the other half of the manor of Hutton.

It was presumably during the last three years of the fifteenth century or early in the sixteenth century that the magnificent group of memorial brasses commemorating John Payne was executed and placed over his tomb in the chancel of Hutton Church. The cost of this work would most probably have been borne by his widow, Elizabeth, who was receiving an annual income of £12 from the estates and living at Hutton Court. She was evidently still entitled to reside there in 1510 when the deed, dated May 12th of that year, conveying from the trustees to Thomas Payne the whole of his father's estates held by them, specifically exempted "the manorial mansion of Hutton", that is Hutton Court. At some unrecorded date, probably during or not long after 1510, Elizabeth Payne married again, taking as her second husband a certain John Cayleway or Kellaway, about whom little is known except that he was one of the witnesses to a deed signed by Thomas Payne in 1511.

The 1510 deed gave formal recognition to the fact that Thomas Payne had by then come of age, though whether he was then eighteen, twenty-one or even older it is impossible to determine. Some three weeks earlier a manorial court had been held at Hutton in his name for the first time and it had been attended by almost all his tenants, except such free tenants as John Fitz-James and Richard, the Prior of Worspring, who owned lands elsewhere. Less than four months later, on August 4th, Thomas took the first step towards establishing his own family household by signing an agreement with John Whytyng (Whiting) of Woode in Devon whereby he promised to marry John's sister, Elizabeth Whytyng, "before the Feast of St Martin next" i.e. before November 11th 1510.

The financial terms of this marriage settlement were that Thomas should grant to Elizabeth from his estates in Somerset sufficient lands to provide her with an annual income of £20, and that in consideration of this John was to pay Thomas a sum of £100 in two equal instalments, £50 on the actual wedding day and £50 on the very first wedding anniversary. This deed of settlement was written not in Latin but in English - a local indication of the change from mediaeval to modern - and on its dorse are recorded the two payments of £50 sterling made by John Whytyng on October 16th 1510 and on October 15th 1511. There can be no doubt therefore that it was on the first of these dates that Thomas Payne actually married Elizabeth Whytyng, and, to cover his side of the bargain, on July 28th 1511 he conveyed to a group of trustees all his "manors of Uphill and Shipham" together with various lands in other parts of North Somerset and those lands and tenements in Hutton which were then in the tenancy of Roger Mareys and Philip Polwelle.

On August 7th all these properties were reconveyed by the same trustees to Thomas and Elizabeth jointly. Among the trustees, in addition to the local John Colyns who was John Payne's bailiff, were John Row, Serjeant-at-Law, and members of two distinguished Somerset families, William Wadham, Esquire and John Horsey, Esquire, who were related to John Payne's two wives. Nothing is known, however, about the remaining trustee, George Tanner, but neither he nor any one of the others was Rector of Hutton or indeed a clergyman at all. Nor was there any cleric among the witnesses whose names were recorded on these deeds, but they included two knights, Sir Peter Eggecumbe of Devon and Sir Amice Pawlet of Somerset, and two esquires, Humphrey Walrond, evidently related to Henry Walrond who married John Whiting's daughter, Agnes, and John Brent of Cossington who was a fellow trustee along with John Whiting in a deed of 1522 concerning the manor of Compton Pouncefoot.

The last witness to be named was John Cayleway who had either married or was about to marry Thomas Payne's widowed mother. Perhaps the most useful service unwittingly rendered by these two deeds is their indisputable identification of Thomas Payne's wife as Elizabeth, "the daughter of Robert Whiting, Esquire, deceased".

Little more is known concerning Thomas Payne during the eighteen or nineteen years when he was lord of half of the manor of Hutton, apart from the fact that records have survived, among the Ashton Court papers, of some ten manorial courts held there in his name, but with complete blanks for the years 1517 to 1522 and 1524 to 1527.

In or about the year 1526 Thomas Payne's mother, Elizabeth Cayleway, died. Her will, along with so many others from Somerset, was destroyed in the raid on Exeter during World War II, but according to the version previously published by the Somerset Record Society it was dated 20th October 1526 and proved on 30th January 1527. Since she was styled in this document "Dame Elizabeth Cayleway, widow of the parish of Hutton", it is evident that her second husband had died previously and also that she was then living in Hutton. This is confirmed by the fact that two of the three witnesses to her signature, John Tilly and William Yong, appear as tenants in Hutton manorial court-rolls. The other witness was Thomas Hanson, "clerk" (i.e. clergyman), whom Elizabeth called "my goostly fader", that is her spiritual father, probably her confessor. Although this title may seem to denote a private chaplain, it was sometimes applied to the incumbent (or his curate) of the parish, or even of a neighbouring parish, for whom the person concerned had a special preference. Such a preference is clearly indicated and perhaps partly explained by Elizabeth Cayleway's statement that Thomas Hanson was "chosen at this present time" and that he was a "notary publique" i.e. a lawyer. However, no other mention of him appears to have survived in any Somerset records and he was certainly not the Rector of Hutton for John Thowre still held that office, although for only another two or three years.

From her ecclesiastical bequests Elizabeth Cayleway appears to have been as generous and almost as devout as her first husband, John Payne, but there are possible indications in her will that her relationship with Hutton's church and rector was not as close as his had been. True, she expressed a wish to "to be buried within the chauncell of the parish church of Hutton" and bequeathed 3s.4d "to the high awter" (altar) as well as 40s "to the reparacion" (repair) "of the said church", but the first sum was left in recompense, she said, "for my offeryngs and tithes" (payments to the rector in those days) "negligently forgotten" and she evidently trusted her son's judgement, rather than the rector's, in considering whether the sum left for the repair of the church should be applied instead "to the use of the said church as my son, Thomas Payne, shall think best to Godds pleasure and my soule helth". She also left the larger sum of 5 marks (£3. 6s.8d) "to the howse of Worspryng" (Woodspring Priory) as well as 6s.8d each to "the monastery of Mynchin Bucklonde" and "the charterhouse of Wittam" and 3s.4d "to the mother church of Wells". Dr John Thowre, Rector of Hutton, was not mentioned in the will, but perhaps by 1526 he was already suffering from some infirmity for he probably died before the end of 1528.

By the middle of that year, Thomas Payne had evidently become concerned about his own health and, like his father before him, was facing the prospect of having no heir old enough to succeed him, for, by a deed of July 1st 1528, he conveyed all his "manors, lands, tenements, rents and services" etc. to nine trustees who were charged with the task of implementing his last will. The 'declaration' of this will - like his father's, a long, rambling document in English - followed on July 6th and his death occurred barely five weeks later. According to his memorial brass in the chancel of Hutton church, Thomas died on August 12th 1528. Thomas Payne's trustees were John Row, Hugh Malet, John Whiting (presumably his brother-in-law), Roger Blewett, John Kenne, Thomas Michell (members of well-known Somerset families), James Hadley, John Cave and John Payne (probably his previously-mentioned brother).

Apart from an annual sum of £1.6s.8d to each of these trustees “for their labor in execution” of his will, and after the settlement of his debts, all the rest of the income derived from the estates which Thomas Payne had conveyed to them was to be used exclusively for his family. First of all he provided that his widow, Elizabeth should have during her life his “manner place or capitall manse of Hutton” i.e. Hutton Court, which he then probably occupied. She was also to have the income from all his manorial lands in Hutton and from as much of his lands “next adjoynng” as would together provide her with an annual income of £20, the amount of her original marriage settlement. From the income derived from the remainder of all his estates, the trustees were to provide a sum of 100 marks (£66.13s.4d) to each of his daughters for a marriage portion and a sum of £20 to each of his sons except his eldest, Thomas Payne II (as it will be convenient to call him) who would eventually inherit the rest. An additional “convenient” sum of an unspecified amount at the discretion of the trustees was also to be given to his eldest son and to each of the others as an “exhibition” (i.e. allowance) during their minority whilst they pursued some course of study or what would now be called vocational training.

In such provisions of his will, and even in the very phrasing of his declaration, it is possible to perceive several distinctive features of Thomas Payne’s personality, and a comparison of this document with the corresponding declaration of John Payne’s will reveals differences not only between two individuals, father and son, but also in some respects between one era and another. In the 1528 declaration there is not the slightest trace of that veneration of ancestors nor of the piety so evident in the document of 1495. Thomas Payne apparently left not one penny to his parish church of Hutton, nor to any other church or religious community; he made no provision for masses to be sung or prayers to be said for his soul and did not even request a place of burial within the church. Although he was most probably buried in the chancel, perhaps beneath his memorial in the recess on its north side, and although the inscription requests the reader to “pray for ye soules of Thomas Payne squier and Elyzabeth hys wiffe”, these arrangements and words would most likely be chosen by his widow.

The only clergyman concerned with his will was Thomas Hanson, Elizabeth Cayleway’s “goostly fader”, who was one of its witnesses, along with William Oldmyxon and John Collins, but by then the Rector of Hutton was almost at the end of his life or perhaps already dead. All this may seem merely negative evidence of a lack of religious feeling which would not be remarkable in a later age, but there would appear to be a more positive dislike of religious devotion, or at least of monasticism, in his provision that, if any of his daughters refused marriage or “take on them the Order of Religion”, they should forfeit the sum of 100 marks, their marriage portion, and receive only £10.

Another aspect of Thomas Payne’s personality, more positively revealed by the declaration of his will, is his concern for the future of his family, particularly for the financial security of his surviving children and the preservation of their inheritance, the Payne estates. It was this concern that lay behind his insistence that his daughters should marry according to the advice of his trustees and that his children should be “put to scole (school) or els to be sette forthe to other Articles of servis Arts or learnynge” as the trustees “shall thynk convenyent they be applied unto”.

This is certainly the earliest documentary evidence in Hutton of a desire for education. The same regard for education, together with a particular respect for legal training, is also to be seen in his provision for an “exhibicion” for his eldest son “to exercise his diligent and substancialle studie to the learnynge of the lawe offe (of) this land of England till he be sufficiently larnyd”, that is, perhaps, to be less completely dependent on lawyers than his grandfather, John Payne had been during his protracted litigation with John Arthur over fishing rights. Probably for the same reason, Thomas Payne chose John Row, Serjeant-at-law, to be the first-named of his trustees and - perhaps partly also from some fear of the cunning ways of Tudor lawyers - he provided that any subsequent conveyance by his trustees of any part of his estates to any of his sons or their heirs should include a condition “to be devised bie substancialle larnyd men” to safeguard the estates against alienation of any part of them “bie collusion or otherwise or anny other Arte . . . wherebie the Reversion or Remynder of the saide premises may be discontinued, alieneyd or putte awaye otherwise thenne (than) for terme of life or lives”.

It is clear that Thomas Payne was determined that his offspring should do only what he considered right for them, a reflection in Hutton's family life of the paternalistic attitude which, on a national scale, characterised the Tudor monarchy. A still more striking manifestation of this attitude in the declaration of his will is his insistence that the exhibition to be granted to his eldest son should be withdrawn if he “use hym selfe soo obstynate that he will nott learne or use hym selfe after (i.e. according to) the good entent and will of me his seide fader”. Further, he was evidently anxious to retain as long as possible the dependence of his children upon him or his trustees for he stated that the exhibition granted to each of the other children should continue until each was “of the full age of xxiiij (24) yeres”.

Concerning the number and names of Thomas Payne's children there is almost as much confusion as there is concerning those of his brothers and sisters, the offspring of John Payne, and in both cases it stems partly from their respective memorial brasses, each depicting eleven children, four sons and seven daughters for John and eight sons and three daughters for Thomas. In his *Memorial Brasses of Somerset*, Connor, without specifying the source of his information, stated that there were records of seven of Thomas Payne's children - five sons whom he named John senior, John junior, Thomas, Nicholas and George, and two daughters, Agnes and Dorothy, but he also quoted the mention of only two of them in Thomas Payne's *Inquisition Post mortem*, his daughter Dorothy and his oldest son and heir Thomas, then (in 1528) aged only 17. The Ashton Court document called the *Declaration of Thomas Payne's Will* however, specifically names his five sons, then living, in order of seniority as Thomas (the eldest), John, George, Richard and William (the youngest), and gives the name of only one daughter, “Dorothee” with a hopeful reference to “alle such daughters as I shalle happen to have hereafter”. Since he died just over five weeks after signing this document, it seems highly unlikely that he had any more children, unless the odd one posthumously and presumably the rest of those depicted in his memorial brass had already died, perhaps in infancy.

A still more puzzling feature of this brass is the heraldic significance of the arms on its shields, that is, the information they convey concerning Thomas Payne's family history. This is particularly puzzling when these arms are compared with those engraved on the brass of his father, John Payne, and those depicted in the fragments of late mediaeval glass now to be found in the upper part of the more westerly window on the north side of the nave of Hutton's parish church. Although

Woodforde in his *Stained Glass in Somerset* dated these fragments between 1495 and 1500, and although John Payne's memorial was probably executed shortly before the end of the fifteenth century, these surviving treasures of Hutton's past need to be considered together with the later memorial to Thomas Payne.

Four heraldic shields are engraved in John Payne's memorial and two of them, at diagonally opposite corners, top left and bottom right as they are viewed - although 'dexter' (right) and 'sinister' (left) in heraldic terms - contain only three crosses, each with its four arms ending in rectangular crosslets, although they are described by Connor as 'crosses botonny', i.e. having clover-leaf shaped extremities. These shields clearly represent John Payne himself, the first member of his family known to bear arms, being first styled 'armiger' (arms-bearer) in a deed of 1481. The shield in the top right corner of his memorial is quartered, the first and third quarters bearing only the Stowell family's 'cross lozengy', that is, made of diamond shapes, and the second and fourth quarters displaying two 'bends' or broad diagonal stripes. Apparently there should have been three of these 'bends', for they had been the device of the Martyns of Devon since the fourteenth century when Sir Matthew Stowell married Eleanor, the daughter of Sir Richard Martyn and this quartered shield, combining the Stowell and Martyn devices, had been the arms of Elizabeth Stowell's great-grandfather, Sir Thomas Stowell. The remaining shield, bottom left, of John Payne's memorial is divided 'in pale' (vertically) into two halves, the right side bearing the quartered Stowell and Martyn arms and the left side bearing the three Payne crosses. This shield, therefore, represents Elizabeth Stowell as the wife of John Payne.

According to GD Stowell, Elizabeth's brother Edward died shortly before John Payne. If so, and if no other brothers survived, Elizabeth Payne would be entitled to inherit her father's arms (though not necessarily his lands) and her new arms as displayed in the bottom left shield of John Payne's memorial described above (combining the Payne, Stowell and Martyn devices) would normally be adopted by their heir, Thomas Payne, on his coming of age, and in turn by his heirs. However, although there is a great resemblance, there is not an exact correspondence between Elizabeth Payne's arms and those displayed in Thomas Payne's memorial, which must have been executed in 1528 or shortly afterwards. Small though the differences between them may appear, they raise questions which concern also the arms in the stained glass window and which involve the history of the Payne family.

Like his father's memorial, although considered to be of inferior craftsmanship, Thomas Payne's originally had four armorial shields which had the merit of being in their true heraldic colours. Unfortunately, this memorial has suffered much damage, probably from the late-nineteenth-century heating system; the colours have faded and the metal has disappeared from the two shield-shaped beds on the right hand side as well as from the bed at the top, which is thought to have housed an emblem of the Holy Trinity. From its position, the top left of the two shields still intact must bear the arms of Thomas Payne himself, and indeed it resembles the earlier shield of Elizabeth Payne, his mother, but with some marked differences.

For one thing, on its 'sinister' side (right as viewed), both the Stowell and Martyn devices are displayed, but, instead of being quartered as in Elizabeth's, they are 'dimitiated' (halved) horizontally. In the upper half is the Stowell 'cross lozengy

argent' (silver) on a field of 'gules' (red) and below this on an azure field, instead of the two Martyn 'bends' of Elizabeth's arms, are, more correctly, three 'bendlets or' (gold). The most surprising alterations however occur on the 'dexter' side (left as viewed), bearing the Payne devices. Here the three Payne crosses 'argent' occupy only the lower two-thirds of the shield on a field of 'gules' and above them an azure 'chief' (a broad horizontal band) bears an entirely new device, two 'escallops or' (shells of gold) the possible reasons for which will be examined later.

The other intact shield of Thomas Payne's memorial is in the bottom left corner of the group and, as this location implies, it bears the arms of his wife's family, impaled with those of his. Again on the 'dexter' side, are the three crosses argent on a field of gules and above them the two 'escallops or' on an azure 'chief', but without the Stowell and Martyn devices that one would expect from the shield above it. On the 'sinister' side, on a 'sable' black field is a single 'bend nebuly' (a diagonal band with one edge composed of roughly oval loops). These the Somerset historian, Collinson, took to be the arms of the Cotterills, but it was also a device of the Whittings, and there can be no doubt that these were the arms of Elizabeth Whiting, who was Thomas Payne's wife.

Four more armorial shields, with their heraldic colours still more clearly visible, are to be seen among the fragments of stained glass which fill the tracery of the more westerly of the two windows in the north wall of the nave of Hutton church, but their present position and arrangement are relatively recent. In his *Delineations of North Somerset* (1829), Rutter stated that there were many armorial bearings in the windows (note the plural) of Hutton church, and in Knight's *Seaboard of Mendip* (1902) they were said to be in the south window - perhaps due to an error made in his note-book. Certainly Woodforde, in his *Stained Glass in Somerset* (1946), quite confidently stated that they had formerly been "in the tracery lights of a window adjoining the pulpit on the north side of the nave." This statement was confirmed by the oral testimony of the late Henry Hains, Rector of Hutton 1947-1974, who declared that these fragments had been removed from that window and put into an old chest, where he had subsequently found them and had them reassembled and placed in their present position. The PCC minutes for September 1951 and January 1952 record that this was done within that period.

All four of these heraldic shields are halved 'in pale' (i.e. vertically), the 'dexter' side (left as viewed) of each of them bearing the Payne arms, but the 'sinister' sides of all four being entirely different. This suggests that these shields record alliances by marriage between the Paynes and four other families. The Payne arms in this glass are the same as those in Thomas Payne's memorial brass, that is, having the 'chief' with its 'escallops' above the three crosses, but not including the Stowell and Martyn devices. The latter, however, do appear on the 'sinister' side of one of these shields (the second from the west) but, unlike those in that brass they are quartered like Elizabeth's in John Payne's memorial, yet with the three Martyn bendlets of Thomas Payne's brass replacing the two 'bends' of his father's. The stained glass shields, therefore, must be later than John Payne's memorial (1496 at the earliest), though not necessarily as late as his son's (1528 at the earliest).

Far from solving the mystery of the 'chief' and 'escallops' of Thomas Payne's arms, their inclusion in the stained glass shields only gives it a new twist. When Connor in *Monumental Brasses of Somerset* remarked that "it would be interesting to know the reason for the augmentation to the Payne shield", he was probably making

the natural assumption that it was an addition made to the Payne arms between the death of John Payne in 1496 and that of his son, Thomas, in 1528, but if these features were already incorporated with the Payne crosses in the arms of Elizabeth Payne before her second marriage, then another problem arises - the reason for their omission from the shields on John Payne's brass. The most probable explanation is that this omission was a simple mistake, like the two Martyn 'bends' subsequently corrected in the stained glass and in Thomas Payne's brass, although how so conspicuous a mistake came to be made in a work of such fine quality and so near the lifetime of John Payne himself is yet another complete mystery.

There still remains the baffling problem of that 'augmentation' whenever it came to be included in the Payne arms. The most common origin of a 'chief', whatever device it may have borne, was a grant by the sovereign as a reward for some special service rendered, or as a mark of royal favour towards the individual concerned or his family. There is no record that any such grant was made either to John Payne or to his son, Thomas, and neither legend nor record of any meritorious exploit performed by either of them. Even if John Payne had rendered outstanding service to Henry Tudor in the battle of Bosworth in 1485 - a possibility suggested by the Beaufort Tudor portcullis on his collar in his brass - such an award would surely have been made shortly after the battle, not after his death eleven years later. Another possible and early use of a 'chief' was an alternative to 'impaling' to incorporate into one's family arms those of another family related to it by marriage, as the Martyn arms were incorporated (by impaling) with the Stowells.

Ever since Rutter in 1829, referring to the device on the 'chief' of Thomas Payne's arms, called them "the Cheddar escallops" it has been assumed that they indicated a marital link with the family of Sir John de Cheddar, whose daughter, Isabel, married Sir John Newton of Court de Wyck, but there is no surviving record of any such marriage with any member of the Payne family. Besides, in the Cheddar arms there were three 'escallops', not two, of silver, not gold, and divided by a chevron ermine on a black, not azure, field. No known arms appear to correspond exactly with the device on the 'chief' of Thomas Payne's arms, but those of the Malets of Enmore (three escallops or on azure) come nearest. Being connected with the Dodeshams of Cannington and the Stowells of Cothelstone, the Paynes could easily have become acquainted with the Malets and indeed, at some time before 1531, an Agatha Malet married a "T Payne", but he could not have been the Thomas Payne whose arms are being considered; no earlier Thomas Payne is known, nor is there any Agatha among the wives of his ancestors as far back as Mathew Payn (c.1360) although Thomas's son, John, was to marry an Agatha. So this puzzle, too, remains unsolved.

Finally, there is the problem of the three families whose arms appear on the 'sinister' side (right as viewed) of the three other shields in the stained glass window. One of them has clear glass in its lower half, but in the upper half is a 'bend sable' (black) on a field of ermine, the device of the Walsh or Waleys family, formerly lords of the whole manor of Hutton. The only known fifteenth century connection between the two families is the marriage of Richard Payn (John's grandfather) to Agnes Oldmixon (whose mother was Joan Walsh) early in the fifteenth century; and it is possible that the lower half of this shield formerly bore the Oldmixon arms. In another of these shields, three silver battle-axes with red handles are erect on a blue field, possibly a device of the Oldmixon family, although only a single axe appeared on the arms granted to them in 1573. In addition to the previously mentioned

marriage of Richard Payn, it is known that Thomas Payne's niece, Dorothy, married John Oldmixon, perhaps a son of the William Oldmixon who was one of Thomas Payne's trustees, and there may well have been other marriages between these two families in the intervening hundred and fifty years or so.

In the third shield there is still one more to be considered. Its right-hand side (as viewed), which should display the arms of the wife of one of the Paynes, has three gold leaves on a red field divided by an ermine chevron. Woodforde regarded these emblems as probably those of the Malherbe family, although his own description of that family's arms shows their colouring to have been completely different. However, in another part of his book, he also quoted "gules a chevron ermine between three leaves vert" (green) - a little closer to the Hutton shield - as the arms of Edmund Roe who died in 1555. A John Row (or Roe) was the first-named of Thomas Payne's trustees in 1528 and so the Roe family may well have been related by marriage to the Paynes before then.

Yet another interpretation, considered by a descendant of the Paynes who visited Hutton Church several years ago and who mistook the leaves for 'garbs' or sheaves, is that they represent the Hills of Pauncefoot and Taunton. Golden sheaves also appear in the arms of the Newton family but, again, other features of these arms do not correspond to those on the Hutton shield, and there is no known link between the Paynes and either the Hills or the Newtons.

So there are not as yet, and there may perhaps never be, any complete clear-cut answers to the problems of these Payne arms. The stained-glass shield displaying both the Payne and the Stowell arms is the key to a partial solution. If it belongs to Thomas Payne who died in 1528, but not to his mother, then its 'chief' with the three escallops must indeed have been an 'augmentation' acquired, somehow, by him, and the remaining three stained-glass shields must represent the marriages of three Paynes younger than this Thomas. Only one of them could have been a younger brother, for he and Nicholas (John Payne's third son) were the only sons alive in 1496. Among the five surviving sons of Thomas Payne in 1528, his eldest, Thomas, and his second, John, must be ruled out for their wives are known to have been Margaret Ken and Agatha Malet respectively, and their families' arms do not match any in Hutton's stained-glass shields.

As for his two nephews and heirs, Christopher is not known to have had a wife but, as late as 1590, Nicholas married a widow, Alice Williams, who apparently had no family arms. It is not possible, therefore, to assign the arms in the other stained-glass shields to the wives of any individual Paynes younger than Thomas, but it is equally hard to explain the absence of the arms of the wives of his two eldest sons, Thomas (II) and John, and indeed those of his own wife, Elizabeth Whiting. It should be noted, too, that the earliest of any such window memorials could not have been installed before 1528 and the latest not much before the end of the sixteenth century, whereas Woodforde dated the glass to the last five years of the previous century.

If, however, Woodforde's dating was correct, the shield impaling the Stowell arms with those of the Paynes must have represented John Payne's widow, Elizabeth, before her second marriage and whilst her son, Thomas, was still a minor. If that is so, then the Payne 'chief' with its escallops can only be regarded as a correction to the arms on John Payne's brass, and the arms in the other three shields must be those of earlier Paynes. A possible explanation for this may be found in the

wish expressed by John Payne in his will that a priest should sing for the souls of himself and his wives, his father and mother, his grandparents and his great-grandparents. Perhaps these heraldic shields were installed in the church as an additional means of fulfilling his wish for the commemoration of himself and his forebears. Certainly his grandparents, Richard and Agnes Payn, could be represented by the shield bearing the Walsh arms in one quarter.

The surname of John Payne's mother, Elizabeth, is unknown and so either the arms with leaves (possibly Roe) or those with battleaxes (possibly Oldmixon) could be hers. However, John Payne's great-grandmother, Joan, the wife of Matthew Payn, is known to have been the daughter of Pers of Bratton and his family's arms bear no resemblance to any of those in the Hutton shields. As for the omission of John Payne's first wife, Marion, even that cannot be ascertained. According to Connor, her maiden name was Horsey, and certainly the arms of that well-known Somerset family are not to be found in the heraldic stained-glass now in Hutton Church, but there is no documentary proof that she was a Horsey and, in fact, no member of that family was among the trustees named in a certain deed of 1471 (now lost) which was most probably John Payne's first marriage settlement. If the arms of Marion's family, whatever it was, are indeed, like those of Matthew Payn's wife, not now displayed in Hutton Church, it should not be forgotten that there may once have been other pieces of heraldic stained-glass besides those still to be seen in that one window.

So far the Paynes of Hutton Court have dominated this account of the first thirty years of the sixteenth century to the exclusion of other landowners and inhabitants of the parish. Half of the manor, and with it alternate turns in the right of presenting a Rector of Hutton, was still held by the Cokers, and the manorial courts were nominally held jointly by the Paynes and the Cokers. It is John Coker whose name appears in the Court Rolls from 1501 to 1524, but in the next surviving record (1528) he is replaced by Thomas Coker. In fact, according to a deed of 1528 by which Thomas Coker (who lived at Mappowder in Dorset) conveyed several lands, including his share of Hutton, to certain trustees, he must have succeeded John Coker not later than October 26th 1524 when he conveyed the same lands to a mostly different body of trustees.

Another change, with perhaps a little more impact on the inhabitants of Hutton, was the institution of a new Rector in January 1530 to fill the vacancy caused by the death of Dr John Thowre. The new incumbent, "Master John Payn, priest" was most probably a member of the Payne family but could not have been John Payne, the second son of the late Thomas, for he would then be too young. The fact that the new Rector was presented by William Oldmixon when it was the Payne's turn to exercise that right, indicates that in 1530 Thomas Payne the younger was not then of age. Although William Oldmixon was not one of the trustees to whom Thomas Payne the elder had delivered his lands and his share of the advowson, he was one of the witnesses of Thomas's will, and since the trustees lived in various parts of Somerset, they may have appointed him, a local gentleman, to act on their behalf.

Another Oldmixon, John, also described as 'gentleman', is mentioned in a deed of 1506 concerning property at Knightcott in Banwell. So the Oldmixons, like the Paynes, free tenants of the manor of Hutton at least since the thirteenth century, were still prominent in this district in the early sixteenth century. Other free tenants,

such as John FitzJames and the Prior of Worspring, are merely noted in the manorial court rolls for their absence. Among ordinary tenants whose names appear in Hutton records of this period there are about sixty different surnames, but some of these would belong to people living in neighbouring parishes - as, for example, the recognisable Banwell names of Bussel (Bustle), Kene and Blackberghe (Blackborough). Some would have no successors as tenants with the same surnames, and there would be other tenants who did nothing to cause their names to be recorded.

Only three of the sixty surnames go back as far as the beginning of the fourteenth century - Lodewell, Hordewell, and Payn. The last name belonged to humbler members of the large local Payne family, such as Roger, whose tenement house was in need of repair in 1500, and John of Elborough, whose roof was defective in 1515. Four more surnames - Pers or Pyers, Gille, Frie and Yeo - survived from later in the same century; five from the first half of the fifteenth century and twelve from the second half, including several which were to appear much later in Hutton's records, such as Yonge (Young), Hosyer, West and Offer.

Altogether, however, well over half the total were newcomers in the sixteenth century. Those which will be encountered again in Hutton's story include Tilly, Squyer, Warde, Stebys (Stebbing), Burge and Burman or Boureman. Two other surnames which will be met later do not occur in the early sixteenth century court rolls but in that previously mentioned deed of Thomas Coker's in 1528. Written on the back of it is a note recording that possession of the Hutton part of his estates was taken on behalf of his trustees on October 4th 1528, and among the local witnesses, together with John Frie and John Warde, were David Arnold and William Trobrigge (Trowbridge).

## Ten: Mid-Sixteenth Century

This stage of Hutton's history covers the thirty-five or so years after 1530, a period which was dominated by the Reformation. This term is rather loosely applied to a series of ecclesiastical measures, often inspired by a sincere desire for reform or by strong doctrinal convictions, but occurring or put into operation mainly to satisfy royal whims, the ever-increasing demands of the Treasury, the political ambition of some of the sovereigns' ministers, and the financial greed of others. It is difficult, perhaps, to understand the bitterness, the cruelty and wanton destruction with which some of these steps were enforced and opposed, and to assess their impact on laymen throughout the land. Although no one in Hutton is known to have been involved in the violence of this period, few of its inhabitants could have failed to be affected, in some way or other, by the changes it wrought.

Unfortunately, very few Hutton documents have survived from these eventful years - no churchwardens' accounts, no manorial court-rolls, only two manorial deeds and the printed transcripts of a mere handful of wills whose originals were lost for ever in the blitz on Exeter in 1942. These, and the fragments of information to be gleaned from other county and national records, provide only a pale reflection of the changing conditions of that time and of the various reactions to them throughout the country.

One, at least, of Hutton's parishioners, its Rector, (though his residence within the parish cannot be taken for granted) could not have been unaware of the ecclesiastical changes which occurred during the last years of Henry's reign, and he probably viewed them with misgiving, if not aversion. According to the Register of Bishop Clerk, John Payn was instituted as Rector of Hutton in January 1530. By the end of that year a breach with Rome was imminent, but in all other respects the King and most of his subjects still clung to the Catholic faith and practice of their forefathers.

Even without any further information about John Payn, one can be sure that he would have held to that faith and, in accordance with its tradition, would have been unmarried. He, or his curate if he had one, would have heard confessions and would have said the usual liturgical offices every day and celebrated Mass at least four times a year in Latin. Almost certainly, since Hutton's parish church is dedicated to the Virgin Mary, there would have been at least one image of the Virgin in addition to the statue which may have occupied the fifteenth-century niche, now situated on the east wall of the nineteenth-century south aisle, but then most probably above the south door of the nave.

Indications of other features in Hutton church at this time are provided by the recorded wills of some of Hutton's yeomen farmers who asked to be buried within, or in the churchyard of, "our Lady of Hutton". John Tylle in 1542, Thomas Pyers in 1544 and John Benet in 1545 all left sums of money "to the high altar", an expression which suggests the existence of at least one other altar in the church. John Benet's additional bequest of twelve pence "to the high cross light" is unmistakable evidence of a rood-loft, that is, a piece of staging usually behind and near the top of a screen, stretching across the chancel arch and supporting a tall cross. Its existence is confirmed by certain architectural features of the present building. Near the pulpit, the wall above the arched entrance to the pulpit steps has

a curious flattened Z-shaped indentation. This originally supported the north end of the rood-loft, and the steps which then led up to it occupied part of the space now used by the pulpit steps, enclosed within the small battlemented turret which projects outside the church in the corner between the nave and the vestry. A small quatrefoil window, now partly hidden by a downspout, would then have cast a little daylight upon the rood-loft steps. From the design of the turret and the external signs that it was added to the north wall of the nave, it seems likely that it was not erected until late in the fifteenth century or early in the sixteenth century, a time when rood-lofts were still being constructed in many English churches.

The progress of the Reformation during John Payn's term as Rector of Hutton would have made little, if any, change in the pattern of worship and the appearance of the church. It was not until 1533 that the King eventually married Anne Boleyn, and in the following year the Act of Supremacy compelled all holders of ecclesiastical offices to acknowledge Henry as Supreme Head of the Church in England. Respect for this measure was ensured by a dreaded new Treasons Act under which even the Chancellor, Sir Thomas More, was executed in 1535. Presumably John Payn, Rector of Hutton, like most clergymen, duly conformed, with inward reservations and in the hope that the breach would not last long.

Even Bishop Clerk of Bath and Wells, who had earlier protested against the attempts to annul Henry's marriage with Catharine, now meekly acquiesced. So too did Roger Tormenton, Prior of Worspring (Woodspring), though he had previously sold some of the priory lands to Thomas Horner of Wells, perhaps as a precaution against their confiscation by the Crown. Although he had no direct connection with Hutton, the Prior was a neighbouring land-owner, his predecessor's name had been called, along those of other free tenants, in Hutton's manorial courts as late as 1516, and in 1526 Elizabeth Cayleway, formerly the wife of Hutton Court's John Payne, had bequeathed five marks (£3.6s.8d) "to the house of Worspring".

Cromwell's survey of all Church property, the *Valor Ecclesiasticus*, took effect in 1535. The main purpose of this survey was to assess the wealth of the Church in England as a basis for future taxation to replenish the Crown's coffers. It assessed among other items, the annual value of every single 'living', i.e. the expected income which each incumbent then derived from the glebe (church lands) in his parish and from the tithes paid by other land-owners.

Unfortunately the printed abstracts from the *Valor Ecclesiasticus* do not include details of the property which determined the value of each living, and so the only positive information it provides about Hutton is that the annual value of its living in 1535 was £14.11s.4d, a modest but by no means small income in those days, just over half that of Banwell, nearly 40% more than those of Bleadon and Kewstoke, and two and a half times as much as Locking's. However, one fact this survey establishes beyond doubt is that, despite a still persistently current misbelief in the former existence of a nunnery at Hutton Court, there was no religious house of any kind, either there or anywhere within the parish of Hutton, in 1535.

The parts of the *Valor Ecclesiasticus* which were to prove most immediately useful to Thomas Cromwell were those evaluating religious houses and the lands with which they had been endowed. Early in 1536 an act was passed for the suppression of the smaller religious houses, those valued at less than £200 per annum, including Worspring Priory. Its closure in September of that year could

hardly have been unnoticed by its neighbours, including the Rector of Hutton and some of his flock, though there is no evidence of any such adverse reaction in this area as the disturbances which broke out in Bridgwater or the more dangerous risings in the north of England. Roger Tormenton, Prior of Woodspring, complied peacefully and soon secured his own future by obtaining a rectorship in Berkshire. Certainly no one in Hutton at that time stood to gain from the dissolution of the monasteries by acting as an agent for the Crown in the disposal of their property, as Sir John St Loe did with the Worspring Priory estate, and twelve years were to elapse before some members of the Payne family were tempted to dabble in the market for similarly acquired Crown property.

Meanwhile, during the four years whilst the dissolution of the religious houses was proceeding, other ecclesiastical changes had occurred, less disturbing, but affecting every parish. In 1536 a royal injunction was issued that volumes of the Bible, both in Latin and in English, were to be placed in the choir of every parish church for everyone to read. This reform must have pleased the Protestants, especially when it was followed in 1539 by the official approval of Miles Coverdale's translation of the Bible into English. Presumably this injunction was eventually obeyed in Hutton, but copies of these early English Bibles have survived in very few churches and Hutton is not one of them.

One cannot help wondering how much use was made of this opportunity to read the Scriptures at this time. Apart from the Rector and the young Paynes then living at Hutton Court, few people in the parish would have been able to read. Since the original wills of John Tylle and others have not survived and the printed records of them do not reveal whether they bore the genuine signatures of their makers and their witnesses, one cannot be sure that those Hutton yeoman farmers of that period were even capable of writing their own names.

About the same time (1538) another measure affecting every parish was introduced: a mandate of Thomas Cromwell that each parish church should be provided with 'a safe coffer' and that inside it there should be kept a record of every baptism, marriage and burial in the parish. These first 'registers' were usually mere sheets of paper and it is surprising that those of Wrington and of well over a thousand other parishes throughout the country have survived, but unfortunately Hutton again is not one of them. However, in our church there is a parish chest, small and plain, of unstained oak, with three locks for the Rector and churchwardens. If this chest is not actually the one acquired in the mid-sixteenth century to comply with Cromwell's mandate, it is certainly of that type.

The last few years of Henry's reign and also of John Payn's rectorship of Hutton – to the end of 1545 or early in 1546 - saw no further overt progress of the Reformation. It may have been the Rector's incapacity through illness that caused John Benet (the Hutton farmer who left money to both the high altar and the high cross light) to have Richard Williams, the curate at South Brent (now Brent Knoll) as witness to his will made in March 1545, for John Payn had been the principal witness to the earlier wills of William Oldmyxton, John Warde, Thomas Pyers, Henry Shalmon and John Crede in 1544, and even to an Uphill parishioner, Stephen Cogan, in January 1545. All these wills bear evidence of local adherence to the old faith. Even late in 1546, two Winscombe parishioners, John Frie and John Mors, both members of families holding land in the parish of Hutton, left money "to the

maintenance of Our Lady service at Winscombe". By the end of January in the following year Henry VIII had died.

It was on April 1st 1546 that Thomas Webbe was instituted Rector of Hutton, having been presented by Robert Coker of Mappowder in Dorset, lord of half of the manor of Hutton. Apart from the fact that he must have been only about twenty-two years old at that time, so little is known of Thomas Webbe that his attitude towards the Reformation then in progress can only be a matter of conjecture, but during his seven years in Hutton more noticeable changes probably occurred in the appearance of the church and in the forms of service held there than during the much longer stay of his predecessor, John Payn. Before the end of 1547 an Act had been passed for the suppression of all chantries, banning all services and prayers for the souls of the dead as 'superstitious practices', and confiscating for the Crown all lands and buildings which had been bequeathed to the Church to provide for such obits, or even for the provision of 'lights' to be burnt before crosses and images, within churches.

During the next six years such images and even crucifixes and 'high crosses' with their rood-lofts and rood-screens were ordered to be removed from churches, brightly coloured paintings on their walls were to be erased or white-washed over, altars were to be replaced by plain tables, the wearing of vestments was forbidden, and the discarded robes, as well as any church plate other than a simple chalice and paten, were to be confiscated for sale by officials of the Crown.

In the same period, the long-established use of palms on Palm Sunday, ashes on Ash Wednesday and candles at Candlemas (the Feast of the Purification of the Virgin Mary, February 2nd) was forbidden, Protestant treatises were to be placed in every church for those who could to read, and two Books of Common Prayer, both in English and embodying much Protestant doctrine, were successively (1549 and 1552) ordered to be used.

Such sweeping changes must have caused, at the very least, bewilderment among ordinary parishioners, but how many of these changes were actually effected here in Hutton whilst Thomas Webbe was Rector will probably never be known. It may be useful, though not entirely reliable, to consider the well-authenticated experience of a near-by parish. From the sixteenth-century Churchwarden's accounts at Yatton it is known that during the year 1548-9 the image of "our Lady in the Chaunsell" was removed, that the silver cross was taken down from the rood-loft and sold, and that the proceeds were used by the Yatton churchwardens for the purely secular purpose of "makyng of a sirten (certain) sklusse (sluice) againste ye rage of ye salte water".

In the course of the next few years the altar at Yatton was removed, an inventory of the plate and vestments was made by the "Kyng Commissiners" and "two hundeth weight of brasse of olde candelsticks" was sold for 32s, but expenses were incurred in the removal of images, in having a table made by a carpenter to replace the altar, and in purchasing a book called 'Paraphrases of Erasmus', a Bible "of the largyst volume" and the 1552 Prayer-Book. It is most probable that it was at this time that Hutton lost its high cross and rood loft, leaving its mark on the north wall of the nave, along with its mediaeval altar, its images and any murals it may once have had but of which there is now no trace.

How the parishioners of Hutton reacted to these changes will also probably never be known. There appear to have been no risings in this part of Somerset such as occurred further south and west upon the introduction of the first Book of Common Prayer and Hutton may have felt little of the shock-wave throughout the diocese upon the installation of its first married Bishop, William Barlow, in February 1548. A much greater stir in the parish must have been made some time in 1552 when Thomas Webbe at last followed the Protestant trend and married, particularly since his wife, Elena Hosyer, was most probably a local girl, related to John Hosyer of a 1510 manorial Court Roll, or to William Hosyler who witnessed a Hutton will in 1544.

However, at least one member of this parish, John Burman or Boureman, a husbandman, would seem to have held the Rector in high regard, for in his will, dated January 3rd 1553 - one of the few whose details have been preserved - he left "to Thomas Webbe, parson of Hutton, xxd" (1s.8d). This handsome sum may, of course, have been intended to discharge a debt for tithes unpaid, though such a purpose is not expressed in the will as it often was, and since he also made smaller bequests to Wells Cathedral (following the mediaeval tradition) and to "the poor of Hutton" - a substitute, perhaps, for the banned obits and bequests for lights in the church - the "xxd" may very well have been a personal gift to the Rector. Unfortunately, perhaps, for Thomas Webbe, John Burman's will was not proved until August 16th 1554, by which time England had a new sovereign, its Church a different regime, and, consequently, Hutton a new Rector.

Meanwhile another Hutton family, that of the Paynes of Hutton Court, was affected in a completely different and indirect way by one of the other changes which were part of the Reformation. One consequence of the Chantries Act of 1547 was that commissioners were appointed to sell the former chantry property confiscated by the Crown, not all at once but at various times over a long period according to the Crown's needs for ready cash. The first batch of such property to be sold in Somerset was purchased on July 18th 1548 by "John Payne of Hutton, Somerset, gentleman" for the not inconsiderable sum of £126.9s.4d reckoned as 28 years' purchase of three separate properties - in Sandford, Christon and Churchill - with a total estimated annual value of £4.10s.4d.

Incidentally, two of the six acres at Christon were then already tenanted by "John Payne, gentleman", and in November 1548 "John Payne of Christon, Somerset, gentleman" purchased for £140 the "manor place, dovehouse and orchard" at Christon together with the manorial tenements and the advowson of the church there. Without doubt these three references to John Payne are to one and the same person, the second eldest of the four surviving sons named in the will of the Thomas Payne (I) whose memorial is in the north wall of the chancel in Hutton church.

A far larger batch of former chantry properties was purchased in December 1549 by John Payne's next younger brother, "George Payne, of Hutton, Somerset, gentleman" for just over £265. These included lands and buildings formerly belonging to seventeen different chantries in north Somerset. Finally, a much more indirect and less significant connection between the Paynes of Hutton and former chantry lands is revealed by the record of a sale in the same month (December 1549) to Thomas Willett of land "out of the Brotherhood in Banwell", charged with an annual rent of 3d "to Thomas Payne and his heirs for free rent as of his manor of

Rolston". This Thomas Payne (II) was the eldest brother of John and George, and was then lord of half of the manor of Hutton, holding Rolstone and probably one or two other local manors as his grandfather, John Payne, had done fifty years earlier. Further details of the financial and legal problems of the Payne brothers will be considered later.

The death of the young King Edward VI on July 6th 1553 and the accession of Mary brought an abrupt check to the progress of the Reformation. Parliament repealed most of the Protestant measures passed during Edward's brief reign; the services of the Prayer Book were replaced by the Latin Mass, and altars, high crosses, crucifixes, images, lights and various vestments were restored. In some parishes some of these items, hidden during the past reign, were brought into open use again; in other parishes, such as Yatton, the church was put to the expense of purchasing some replacements, but total restoration may have proved impossible in many parishes during Mary's short reign. What actually happened in Hutton it is again not possible to determine but there must have been at least a return to the old form of worship.

One way which the accession of Queen Mary was to affect the English Church almost immediately throughout the land was by the deprivation or dismissal of all its married clergy and the annulment of their marriages. Some, like Bishop Barlow, escaped abroad with their wives; others without sufficient private means sought other ways of earning a livelihood. Altogether in this diocese, according to Dunning, "ninety-three parishes and at least eighteen chapels lost their priest within a few days" and replacements were not so readily found.

However, some priests who were deprived of one living were able to obtain another, even in the same diocese, if they acknowledged the error of their ways and had their marriages annulled. This is what happened to Hutton's Rector, Thomas Webbe, who in April 1554, after being deprived of this living, signed a declaration that his marriage had been contrary to ecclesiastical law and who was subsequently instituted as incumbent at Stratton-on-the-Fosse. On September 4th of the same year the vacancy at Hutton was filled by Simon Hopkins, aged about 56, who similarly had been deprived of the living at West Coker for having married about two years earlier. In April 1554 he too had confessed his 'sin' and had made a vow of perpetual chastity. What subsequently became of Elena Webbe and Alice Hopkins, the discarded wives of these two clergymen, remains unknown.

Fortunately, this part of the country seems to have escaped the worst of the persecution of Protestants which marked the latter years of Mary's reign, including the burning of Cranmer, the former Archbishop, Bishops Latimer and Ridley and some three hundred other persons, clerics and laymen. Even so, when Mary died on November 17th 1558 and Elizabeth, the Protestant daughter of Anne Boleyn, ascended the throne, there must have been many who feared yet another swing of the pendulum within the Church. However, Elizabeth herself shared this fear and she set out to establish in England a Church broad enough to embrace some of the ways and beliefs current during the last years of her father's reign and those of moderate reformers such as Cranmer. A new English Book of Common Prayer, preserving various forms of worship, carefully worded so that different interpretations were equally possible, was found acceptable by many clergymen of both Catholic and Protestant sympathies.

A degree of uniformity in practice was the aim of a series of royal injunctions regarding the services, the wearing of correct vestments and the regular (quarterly) preaching of sermons. Nevertheless, there was much variation in practice between one parish church and another, and it is quite impossible to determine how services were conducted here in Hutton. Once again there was some replacement of clergy in this diocese as throughout the country. At Wells, Bishop Bourne was quickly replaced by Gilbert Berkeley who had been in exile during Mary's reign, and at least twenty parishes in this diocese lost their priests. In Hutton, Simon Hopkins, over 60 years old, was evidently allowed to continue as Rector, but he could not have lived long after the accession of Elizabeth, for on May 20th 1559 John Danyell was instituted to the living which was said to be 'vacant by the death of the last Rector'.

The only remarkable feature of this new appointment to the living of Hutton is that John Danyell was presented, not by a member of the Coker family whose turn it should have been, but by the same Thomas Payne (II) who had rightly presented the previous Rector, Simon Hopkins. (Owing to an error in reading the Bishop's register, Weaver's *List of Somerset Incumbents* names John Evans de Wyncanton as the presenter of John Danyell). As far as is known, this irregularity of presentation was not disputed by the Cokers nor investigated by the Bishop. Perhaps, in such troublesome times for the Church, when bishops themselves were in a precarious position, the 'man on the spot' - in this case Thomas Payne of Hutton Court - was better able to act quickly.

At this point it is appropriate to turn from the ecclesiastical aspect of Hutton's story, and return to the legal and financial affairs of Thomas Payne (II) and his brothers. It is evident from details of the purchases of former chantry lands that in 1548-9 both John and George Payne regarded Hutton as their normal place of residence, and it seems most likely that they had continued to live with Thomas at Hutton Court since their father died in 1528.

There is no record of the death of their mother, nor of any marriage in the family before the middle of the century when Thomas, then about 40 years old, married Margaret Kenn, the widow of John Kenn of Kenn, who had died in October 1549 leaving four sons, the youngest of whom, Edmund Kenn, must have accompanied his mother when she came to live at Hutton Court. At least until then these Payne brothers appear to have been a closely-knit family and even afterwards Thomas was much involved in the affairs of his next younger brother, John. Almost certainly Thomas provided some of the financial backing, or at least security, for the ventures of John and George in the market for the new Crown property, the former Church lands.

Nothing further is known of Thomas's youngest brothers, Richard and William, mentioned in his father's will, although a William Payne, along with a John Payne, appears in a fragmentary record of a lawsuit in the Court of the Star Chamber thought to be of Henry VIII's reign. However, this single piece of parchment also mentions a Henry Payne, yet no Henry is known to be related to the Hutton brothers, and since it mentions no date and no location, it may well, like many another of the fifty or so surviving records of sixteenth-century Star Chamber suits involving a Payne, concern a different family of that name in some other part of the country. Nevertheless, one phrase which occurs in this document - "excessive and intollerable expences and charge in the lawe" - could most appropriately be

applied to the experience of the Hutton Paynes, for they were involved in at least four separate Star Chamber cases within six or seven years.

The earliest of these cases is recorded on several sheets of paper and pieces of parchment, only one of which is headed with a date, "11th November the second year of the reign of Henry VIII" i.e. 1511. Consequently it at first seemed that the Thomas Payne mentioned in the case was the one who died in 1528 (Thomas Payne D). However, a close examination of the full text of this particular Star Chamber suit has revealed that the alleged abduction occurred "in the monyth of July the xxxviij yere of the raigne of the late king of famos memorye Henry the viij" i.e. 1546, for Henry died in January 1547. Evidently the clerk to the court, or the scribe who penned this heading, had suffered one of those not unfamiliar lapses of memory and had written down 'Henry the viij' instead of 'Edward the vj', the relatively new boy-king. This lawsuit must have then been in progress in the year 1548 and perhaps even later.

It is far from easy to ascertain the basic facts from the surviving records of Star Chamber cases. Some records are mere fragments and, even in their most complete form, they do not include the ultimate award of the Court. The 1548 suit was brought by William Hill and others of Banwell against John Payne of Hutton, John Mors (e) of Banwell and others. William Hill was a 'servant' (a term then applied to persons who performed very different duties) in the household of John and Elizabeth Blandon of Banwell, almost certainly those of that name whose death in 1554 is commemorated in Banwell Church by an inscription plate, all that now remains of their memorial brass.

It appears that William had been betrothed to their daughter, Joan Blandon, but her father must have had fresh plans for her marriage for on July 11th 1546 he visited John Payne at Hutton Court and later that night John Payne, John Morse and several other "ryotous persons", said to be armed with "daggers, staves and other weapons", entered the home of the Blandons, seized Joan and carried her off to Winscombe where she was held in the house of one John Stone for three days, at the end of which she was married to John Morse without any publication of banns.

It would seem then that John Blandon had arranged, or at least connived at, this 'abduction' of his daughter by John Payne, although in his deposition John Blandon declared that the purpose of his visit to Hutton had been to complain to Thomas Payne, "being a Justice of the Peace in that countie", that "William Hill, his servant, had robbed his wife of vij li (£7) in money and certen clothe and other things". How true this allegation was will never be known; it may have been merely John Blandon's excuse for preventing Joan's promised marriage to William Hill for there is a suspicious discrepancy between his statement that Thomas Payne was then (July 1546) a Justice of the Peace and the entry in the Patent Rolls which dates the commission including Thomas Payne of Hutton as 26th May 1547.

In the other three cases before the Court of Star Chamber, Thomas Payne was far more closely involved. The earliest of these was begun in 1551 by Thomas Payne and Joan Parker, the complainants, against a certain Thomas Curteis and others, and it concerned the grazing of 28 acres in a patch of summer pasture called Frogmore, lying in the north-east corner of what was then the most northerly part of the parish of Hutton, east of what is now Hutton Moor Road and half of it now separated from the parish by the main railway line. According to Thomas Curteis,

this piece of land had been leased for an initial sum of £4 by the trustees of Thomas Payne (I) in 1534 to John Bennett, his wife Joan and their daughter Elizabeth for 24 years to begin upon the death of John Parker, the tenant at that time, or upon the surrender of his lease. This John Bennett was probably the one who died in 1545, leaving money to Hutton Church, and subsequently Thomas Curteis had married his daughter Elizabeth, hence this defendant's involvement in the case.

If his statement is correct in fact and in date, then the trustees of Thomas Payne (I) must still have held the manor when Thomas Payne (II) was about 23 years old. This would accord with the wish he expressed in his previously mentioned will in 1528 that his sons should not be regarded as of full age until they were 24. The complainant, Thomas Payne (II), however, claimed that this land was part of his demesne and that he had granted lease of it to Thomas Parker for three lives including that of his daughter Joan, the present tenant and fellow complainant. Thomas Payne alleged that Thomas Curteis and others "with force and arms" and "in riotous maner" had driven onto this land twenty-eight cattle belonging to him and to his mother-in-law Agnes Bennett, and had stayed there overnight to guard them.

In reply, Thomas Curteis counter-claimed that Margaret Payne, Thomas's wife, accompanied by seven or eight persons "with bills, staves and other weapons", had subsequently arrived to drive out these cattle and had "multiplied words" with Curteis, so that John Collings, the 'tithingman' (a sort of annually-elected, part-time local constable) for the parish of Hutton, who was working in a ditch nearby, had to be called in to warn them against committing a breach of the peace.

Unfortunately no records of these alleged leases have survived to enable one to assess the merits of the conflicting claims and, as usual, the outcome of the lawsuit is unknown. It appears, however, to have been the prime cause of animosity between Thomas Payne and Thomas Curteis that was soon to lead to further incidents and lawsuits, and it is evident that Curteis had the backing of a richer and more influential landowner than his opponent was, for he is described in one of the records of this case as servant to Sir John St Loe, the purchaser of much of the former Worspring Priory land, and the very man who was appointed to receive the depositions of local witnesses in this case on behalf of the Court of Star Chamber.

Meanwhile, at the end of July 1551, whilst the previous case was probably still in progress, an incident occurred which involved Thomas Payne in a conflict and subsequently another Star Chamber suit with Richard Morgan, yet another servant of Sir John St Loe. This time Thomas Payne, his brother John and seven of his servants were the defendants and, although Thomas Curteis was not concerned on this occasion, it would appear to have been a copy of the Frogmore episode in reverse. The piece of land in dispute was a mere six-acre field called Cock's or Cox Close within the parish of Banwell, but part of what the Payne family called their 'manor of Paynesbarne', including parts of Rolstone, Puxton and Huish. Thomas Payne's assertion that his father had leased the close to a certain John Coke, his wife and son (John) for their lives is proved true by an entry in a manorial court roll of 1523, but no record survives to support his further contention that the younger John Coke had surrendered the close to him in January 1551.

The complainant, Richard Morgan, who was said to have held the close from "a poor widow", alleged that, on two successive days, the servants of Thomas

and John Payne, at their masters' instigation, had forcibly entered the field, assaulted him (Morgan) and his servants and driven them out. On the second day, Morgan sent for Richard Cupper of Winscombe, a Justice of the Peace, who made a formal proclamation in the King's name, and so the "rout" left, but not before one of them, Henry Day, had called the worthy Justice "a knave and a vyllene". The contention of Thomas Payne was that he had merely sent his servants, equipped with pitchforks and rakes, to make hay in the close, which was his, and, on the next day, to carry the hay away. Although the incident may seem fairly harmless, it was presented to the Court of Star Chamber around November 1551 as an instance of a "riotous assembly" deliberately organised by Thomas Payne, even though he himself was then a Justice of the Peace for a second term.

The suit must have continued for at least four years for local depositions were still being taken "before James Bisse and John Rouse Esquires, at Wells" from Richard Cupper and from persons living at Worle, Churchill and Yatton "in the reign of the kynge and queenes maisties" namely Philip and Mary, and therefore in or after 1555. Also, according to one of these depositions, the defendants had already been "indicted of the said ryott at a Sessions holden at Bruton", that is, on a criminal charge.

In the meantime the ill-feeling between the servants of Thomas Payne and those of Sir John St Loe had led to three more serious incidents and yet another suit before the Court of Star Chamber. Although the complainants in this case were four named servants of Thomas Payne of Hutton, there can be no doubt that, as alleged by Richard Morgan and Thomas Curteis (two of the fifteen defendants), their suit had been instigated and maintained by their master and his brother John. Even their bill of complaint refers to the last-mentioned suit (Morgan v Payne) then in progress, but alleges that "the said suite in the lawe is now betwene them a quarrell of the swords".

The first instance of this was said to have occurred on July 7th 1552 at a fair at "a Towne called Mere in the Countie of Somerset", where thirteen of the defendants assaulted two of Payne's men, James Hill and Richard Stone, and drove them out of the fair under threat of being killed. The location is puzzling. No fair is known to have been held in Meare near Glastonbury, although some east Somerset villages no larger than Meare occasionally had fairs. Perhaps this fair was held at Mere, just over the border in Wiltshire, and the complainants mistakenly thought it to be in Somerset. Wherever this incident occurred, and despite the absence of bloodshed, there is an ugly significance in the fact that William Hill and Richard Stone, after travelling some distance from their homes and upon being recognised or discovered as Thomas Payne's men were threatened with death by St Loe's men if they stayed at the fair to pursue their lawful business there, no apparent cause for dispute having arisen.

The next two incidents were much more serious. On August 5th of the same year "in the Towne of Melles" John Jeffreys, another servant of the Paynes, was "so cruellie beaten" by several of the defendants that he was unable to appear, as was his duty, before certain commissioners there who were assessing surplus "church goods" on behalf of the Crown, one of the commissioners being Sir John St Loe. Yet another complainant, Thomas Payne of Axbridge (clearly having a common ancestry with his master), while he was standing "bare hedded as a stranger for to aiske for the Comyssoners", was so severely struck on "the hedde with a dagger" by

one of St Loe's servants, merely on account of his name, that several pieces of bone had subsequently to be removed from his head and he nearly died.

Five days later (August 10th) on the day of Priddy Fair, Thomas Curteis was heard to say that that day "wolde be a bloody Daie at Prydie", and indeed two of Payne's men attending the fair, Richard Stone and Thomas Avery, were still more savagely attacked by several of St Loe's men who did not know them personally but had heard "whose men they were". Thomas Avery was wounded in "three places of the legge" and then, as he lay on the ground, so "cruellie beaten with the flatte of their swordes" that he subsequently died, The complainants naturally described this deed as murder and it would almost certainly now be regarded as a serious instance of manslaughter, yet there is no reference in the records of this case to any prosecution at a sessions or assizes.

Not surprisingly, the violent incidents alleged by Thomas Payne's men, the complainants in the last-mentioned Star Chamber suit, were said by Sir John St Loe's men to be entirely fictitious but, from the circumstantial detail, one suspects that the allegations had a substantial basis of fact. What emerges indisputably from the records of all these law-suits is the bitter animosity between the two parties. One source of this bitterness has already been mentioned, namely the relatively harmless incident at Frogmore.

A far more serious cause was convincingly suggested by Richard Morgan in his answer to the bill of complaint concerning the incidents at Mere, Mells and Priddy. He said that John Payne had "of late" (ie probably in 1551) owed the Crown "a great somme of money wich was dewe and payable in his graces Cort of ffirst fruits and tenths", Thomas Payne of Hutton and others became sureties and were "bounden by their dede obligatorye with the seid John Payne". Because this sum had not been paid on the appointed day, writs for their appearance before the Court of First Fruits and Tenths were served upon John Payne and his sureties by Richard Morgan, "then being deputie Sherif to Sir John Seintloo knight then highe Sheriff of the Counties of Somerset and Dorset . . . for wiche cause the seid Thomas Payne and John Payne doe beare malice and displeasure towards the deffendaunt Richard Morgan". Evidently the ill-feeling was mutual, but the facts revealed in this contention are indisputable and they throw light upon the unhappy financial ventures of the Paynes.

Since Sir John St Loe was Sheriff in the year 1551-2, John Payne must have incurred his debt to the Crown before or early in that year, but the precise amount of that "great somme" and the property for which it was due have so far not been ascertained. It must have been about June 1551 when he acquired from the Crown the lease of the "free chapel" of Blackford, including its tithes of corn and hay, for an annual rent of £6 which he evidently failed to pay, for, after he surrendered it to the Crown on May 12th 1557, it was eventually re-let on December 18th 1562 to another lessee who had to pay £69, 11½ years rent due from John Payne, the farmer (lessee) of the chapel. This debt, however, could hardly have been the cause of John Payne's summons to appear before the Court of First Fruits and Tenths for it could not then have amounted to more than £12 (two years' rent), not a "great somme" even in those days, and the Court would have had to be extraordinarily quick off the mark in issuing its summons.

What is quite clear, and may well account for John Payne's inability or reluctance to pay this relatively small annual rent, is that by this time he had already incurred heavy expenditure, even apart from the cost of the law-suits in which he was involved. In 1548 he had invested over £260 in the purchase of manorial lands and buildings at Christon and of various former chantry lands, although the grant of this latter property was not finally recorded until May 13th 1551. It may not be entirely irrelevant to note that one of these properties, at Stoke in Churchill, was subject to an annual rent due to none other than Sir John St Loe. The fact that Thomas Payne was John's principal surety for his debt to the Court of First Fruits and Tenths confirms the close relationship between these two brothers that is suggested by evidence in the Star Chamber cases, and it seems likely that Thomas had assisted John in his other acquisitions of property.

However, it is clear that John Payne had overstretched his resources, for in August 1553 he was ordered by the Chancellor of the Court of First Fruits and Tenths to surrender "the manor of Cryston and all his other lands in Uphill, Cubstock (Kewstoke) and Worrell (Worle) . . . in discharge of his debt to the Crown". His pardon was duly published in January 1554, in the middle of Queen Mary's one-year reign as sole Sovereign before her marriage to King Philip of Spain. This was far from the end of Payne's legal and financial problems. At some time during the joint reign of Philip and Mary (1554-8) he was apparently involved in proceedings in the Court of Requests for his name appears in two sets of documents among the records of the Court for that reign.

Later on in the same joint reign, John Payne's younger brother, George, encountered similar difficulties. His purchase of many former chantry properties in May 1549 had cost him £265.15s.6d. In addition, in April 1551, he had paid £35 for the lease of Wedmore parsonage and must have spent more in the following month when he acquired the leases of several other former chantry lands in Cheddar, Westbury and Burnham. How George Payne raised the whole amount of cash required for these purchases (a considerable sum in those days) is not known, but he must have resorted to borrowing some of it for in 1556, or shortly before then, he was sued before the Court of Common Pleas by Walter Kimys of Gloucester for a debt of £10 and £1.1s damages. He failed to appear before the Court but eventually in January 1557, he surrendered himself to the Fleet prison in London and was conditionally pardoned.

The will of Joan Wadham of Merrifield made in November of that year, reveals another means whereby he had raised cash, for in it she states that "my cosyn George Payne hath laid certain lands unto me in mortgage upon condition that if he or his executors paid not £103.6s.8d at a day appointed . . . then the said lands to remain to Joan and her heirs." In those days the word 'cousin' was used to denote a variety of relationships, and the fact that George Payne's great-grandmother, the mother of Elizabeth Stowell, was the daughter of Sir William Wadham, Joan's ancestor, may have been sufficient to explain its use in this case. It seems doubtful that George Payne was ever able to redeem these mortgaged lands. At some time before July 1564 he must have surrendered his former chantry properties in Wedmore, Westbury and Burnham for these were then included in a fresh grant by the Crown.

Meanwhile Thomas Payne too had had his share of legal and financial troubles in addition to those Star Chamber suits. Although he himself does not

appear to have dabbled in the market for former chantry properties, he had, unfortunately, been a surety for his brother John and it seems likely - despite the lack of positive evidence - that he had given further assistance to John, and perhaps even to George. Certainly at some time before 1555 he had incurred a debt of £100 to one "Francis Stradling, Esquire", for, having failed to discharge it, he was sued for this sum and for £3.18s.5d damages in the Court of Common Pleas, but he too failed to appear before that Court. Strangely enough, the chief of the Justices on that Bench was Sir Richard Morgan, the namesake of his old enemy.

Similarly John Payne, who also received yet another pardon in 1559, is described as "late of Criston . . . alias late of Hutton . . . alias late of Stroude Inn in the parish of St Clement Dane's without the bars of the New Temple, London". Despite these removals and his previously mentioned involvement in litigation, he must have been married by then, probably as Collinson asserted in his *History of Somersetshire*, to Agatha, a daughter of Hugh Malet of Enmore. Certainly deeds of 1580 and 1592 reveal that her name was Agatha, and since John Payne was one of the trustees named in will of Richard Malet in 1557, he must have had a close connection with that family at that time, perhaps even by marriage.

His first son, Christopher, must have been born before the middle of 1559, for on April 6th 1560 the name of his second son, Nicholas, was entered in the Baptism register of Christon Church, although the actual christening ceremony was performed at Banwell. Although he had surrendered Christon Court to the Crown in 1553, he was probably still living in Christon in 1560, perhaps even at the Court as a tenant, and he apparently held some land in the neighbouring parish of Loxton as late as 1570. However his financial troubles were not over. At some time before 1566 it was his turn to be sued in the Court of Common Pleas for not discharging a debt, but this time one of £100 plus £1.12s damages to Michael Sowdley or Sudley, an apothecary of Bristol. In April 1566, once again described as "late of Criston", he received a further pardon after having surrendered himself to the Fleet prison in London and having satisfied his debtor.

## Eleven: Late Sixteenth Century or the Elizabethan Age

For many people 'the Elizabethan Age' is more than a plain label; it is an evocative term. Although it is not improbable that exotic items of news and strange travellers' tales may occasionally have reached this parish from the neighbouring ports of Bristol and Bridgwater, it is less likely that any inhabitants were so imbued with the Elizabethan spirit as to seek adventure and fortune overseas, and still more improbable that any were even aware of the great burgeoning of poetic and dramatic talent that constituted the greatest glory of that age. However, the inhabitants of Hutton could not have remained wholly unaffected by some of the less glamorous but still memorable achievements which distinguished that period of nearly half a century.

One of these, the establishment of a broad Reformed national church which could win the loyalty of most of the clergy and laity throughout England, has already received some attention for it was begun shortly after Elizabeth's accession to the throne to solve the most urgent of the problems then confronting her after the conflicting regimes of Edward and Mary. It can be safely assumed that most, if not all, of Hutton's parishioners complied with the injunction imposed by the Act of Uniformity in 1559 that everybody should attend church once a week for some of divine service prescribed in Cranmer's Book of Common Prayer, or else pay a fine. Similarly it is almost certain that John Danyell, the Rector presented by Thomas Payne in 1559, duly subscribed to the Thirty-Nine Articles of faith imposed on the clergy in 1563 and he very likely preached his statutory quota of four sermons a year.

At some time too during the early years of Elizabeth's reign Hutton's churchwardens must have obeyed the instruction to instal an alms box or poor box in the church, for although it has not actually survived, nor have any churchwarden's accounts of the period that may have recorded it, evidence of its existence is provided by the will of David Walker, husbandman of Hutton, in 1577. In this, a list of his debts to be discharges includes a sum of 22s.9d "to the poore mens box". This item seems to indicate also that he had fallen into arrears with the contributions expected of him by the parish collectors of alms who were instituted in accordance with Elizabeth's first Poor Law Act of 1563 to deal with a problem which stemmed from the dissolution of the monasteries for they had provided a measure of poor relief throughout the Middle Ages. David Walker also continued the old practice of making bequests to the Church, for he left 12d to "the parish church of Hutton" and 4d to "the mother church of St Andrew, Wells" - the cathedral.

Significantly he did not specify that the money he left to Hutton church should be used to provide lights as had been customary in wills of the early-sixteenth century and in fact he was one of a diminishing number at this time who made any bequest at all to the church. Nevertheless, outward conformity in attendance and worship was probably the general rule in Hutton, as throughout most of the country. Only here and there, but not apparently in Hutton, were there staunch Roman Catholics, or members of new sects such as the Unitarians, who were obliged to worship secretly, or flee abroad or even suffer death, but all in all the Elizabethan religious settlement was achieved with far less concentrated violence than had been used in the preceding reigns of Edward and Mary.

Another, not wholly unrelated, great Elizabethan achievement was the forging of an English nation more united than ever before in defence of its native land and imbued with a spirit of patriotism. As early as 1545 Henry VIII had appointed Lord Russell as Lieutenant and Captain-General to take command of the combined levies from the south-western counties (including Somerset), Wales and the Welsh Marches, and in 1557, near the end of Mary's reign, a new county officer, a Lord Lieutenant, received royal appointment. It was this officer and his deputies who were used by Elizabeth to organise a trained and equipped militia throughout each county.

Although for practical reasons it was mainly from the ranks of gentlemen and yeomen that horsemen were recruited and their mounts and arms provided, the bulk of the force was raised from a proportionate number of the able-bodied men in each tithing (usually a parish), selected for service according to fitness, and it was the tithing as a whole that was charged with the provision of some of the necessary equipment. In addition, any landowner of moderate substance in the tithing, whether lord of the manor or not, had to supply further equipment according to a scale based upon the estimated value of his property.

Early in Elizabeth's reign an observant parson, William Harrison, wrote that "there is no village so poor in England, be it never so small, that it hath not sufficient furniture (i.e. equipment) in readiness to set forth there a few soldiers, one an archer, one a gunner, one a pike(man) and one a billman at the least". In practice local contingents varied considerably from one tithing to another, not only in numbers of men but even in their roles and their equipment; however, with frequent musters and training under 'regular' officers, a well-constituted force was ensured in each county. Its general effectiveness was demonstrated in 1570 when the Percies, Nevilles and other old feudal families of the northern border with their adherents made their last attempt at rebellion against the powerful Tudor monarchy. Without a single encounter, this rising collapsed in the face of its overwhelming force of 26000 militiamen, 6000 of whom had been raised and trained in Somerset.

Fortunately there has survived a record of how this Somerset force was constituted under William Pawlet in 1569. This document, known as the Somerset Muster Roll, is "the certificate of the musters taken by Hugh Paulet, Maurice Berkeley, Raffe Hopton, knights, and John Hornor of all the able men as well horsemen as fotemen, with their armour and weapons . . . within the saide county of Somerset". Arranged in hundreds and tithings, it gives the name of every single member of each local contingent and his particular function.

The tithing of Hutton in the hundred of Winterstoke supplied six 'ablemen', four of whom, Thomas Burnam (more probably Burman), Robert Younge, John Porter and Walter Harris, were pikemen. The other two had more specialist functions, Thomas Daye as a 'light horseman' and Peter Pryer as a 'gonner' or gunner. The pikemen, carrying stout staves about fifteen feet long with pointed steel caps and armed also with swords and daggers, were regarded as the bulwark of the force, and the light horsemen, armed with either lances or spears, were used particularly for skirmishing. Peter Pryer must have been a strong but nimble young fellow for the type of gun he had to carry and fire is revealed in the list of Hutton's armour as "one harqebut" or arquebus. This was a muzzle-loaded barrel about a yard long with no recoil system to take up the shock when the powder was ignited through the touch-hole.

The rest of the equipment in Hutton's list was armour of various kinds. The tithing collectively provided "one corslet" usually of steel, to protect the trunk and "one paire of almain" (i.e. German) "rivets", providing more flexible steel covering for the thighs. Thomas Payne, esquire, evidently the owner of Hutton Court, had to provide three corslets and two pairs of almain rivets as well as one 'morion', a helmet without any visor or other protection for the face. In addition, it was he who had to supply the 'harquebut' for Peter Pryer and "two geldings for a light horseman", mounts for the use of Thomas Daye.

To anyone who imagines those six 'ablemen' of Hutton, named in the Somerset Muster Roll of 1569, to be the Elizabethan equivalent of the first LDV of 1940, they must appear to have been an even more inadequate and ill-assorted local defence force, despite the relative superiority of their equipment. So too would the levies from the neighbouring parishes. Locking for example, raised only four men - one archer, one pikeman and two billmen, the latter, like the pikemen, carrying long staves but with sharp-edged and pointed hooks. Weston's contingent consisted of one light-horseman, one archer, one pikeman and four billmen, Worle produced one pikeman, one gunner and ten billmen, Bleadon had two archers, one pikeman and nine billmen, Loxton and Uphill jointly supplied four archers and seven billmen, and even Banwell only raised three archers, one gunner, one pikeman and four billmen. Christon is not even mentioned in the Muster Roll and John Payne, who formerly held that manor and who may by then have recovered it from the Crown, is shown as supplying Churchill's contingent with one gelding for its light-horseman and one corslet.

However these small local bands were not raised for the defence of their individual parishes but, together with many others from the rest of the county, they formed a fairly well balanced force of 6000 light-horsemen, pikemen, billmen, archers and gunners. Nor is it likely that this 1569 muster consisted of wholly untrained and inexperienced men, for similar, if smaller, levies had been trained and assembled in Somerset at various times during the previous ten years and many had seen service in Ireland. Among the "cappetaynes", each appointed to lead at least 100 men in a Somerset force of over 4000 in September 1559, was Thomas Payne of Hutton, (recently pardoned after outlawry for debt) and in the following year, when he must have been nearly fifty years old, he was a captain in charge of 300 men in a county force of over 5000.

Between 1556 and 1580 at least 800 Somerset men had been dispatched to Ireland in expeditions of various sizes, and among the experienced gentlemen serving as 'trainers' for one of these was Edmund Kenne, almost certainly Thomas Payne's stepson, about whom there is more to be told later. Various circumstances, particularly illness, age and death, would naturally cause changes of personnel in Somerset's militia throughout these years, but in each expeditionary force and in its reserves at home there must have been a good number who had seen previous active service. Not until 1583 were the last of these Somerset men withdrawn from Ireland.

By this time it had become evident that Philip II of Spain was preparing for an attempt to obtain by force of arms the throne of England which he had once nominally shared with Queen Mary, Elizabeth's step-sister and immediate predecessor. Even as early as 1580 arrangements must have been made for beacons

to be lit at high points as soon as a hostile fleet was sighted, so that the warning could be rapidly spread inland and throughout the country, and so that the local contingents of the county militias could be mustered for service as and where they were required. The churchwardens' accounts at Banwell record that on July 1st that year they paid five shillings "for one load of Wood for the Beaken and for carrying of the same to Croke peke" (Crook Peak), clearly visible from Banwell Hill and from the east end of Worlebury Hill from which, perhaps, a similar signal would rouse the men of Hutton and other parishes. In the same year some 4000 men were mustered in Somerset, 600 of them from the Winterstoke Hundred which included Hutton.

At the end of September 1583 a fresh list of the property owners who were to provide lances, horses and horsemen for the cavalry of the Somerset militia included "Mistress Margaret Payne, widow, late wife of Thomas Paine, esquire, deceased". Thomas Payne had in fact died six months earlier and had been succeeded as lord of the manor of Hutton (or, more strictly, of half of it) by his nephew, Christopher Payne, a young man, probably in his twenties. There is much still to be told about these Paynes, but at the present it is enough to note with surprise that it was not Christopher Payne who undertook what had previously been Thomas Payne's contribution to the Somerset militia, but his aunt Margaret. It was, however, a reduced contribution, for she provided only one demi-lance and the horseman to wield it, but his 'light horse' was supplied by Henry Newton, a gentleman of another parish, in addition to his own quota.

The Hutton horseman named by Margaret Payne was Allyn Hill to whom a tenement in Elborough had been leased by Thomas Payne very shortly before his death. Even as late as 1586 a return of "those which are sett at lances and light horses within the Este part of Somerset Shire" includes "Mrs (Mistress) Payne, widow", who was to supply one lance. Similarly, in both of these returns, another Hutton parishioner, John Oldmixon, gentleman, was shown as providing one lance. The name of Christopher Payne, however, does not appear in the 1586 list, but in October 1584 he had been one of the Somerset gentlemen included in an 'Instrument of Association for the Preservation of Her Majesty's Person'.

Whatever services or financial outlay this involved is not clear but it is an indication of the prevailing fears of conspiracies for the assassination of the Queen which were to lead to the execution of Mary, Queen of Scots, in 1586 and to the death or imprisonment of an increasing number of Catholic priests and Jesuits. Christopher Payne also contributed £20 in 1586 in response to the Queen's appeal for loans to help to pay for coastal and sea defences. These defences probably included the round towers, perhaps to house cannon, which were constructed at various points along the Somerset coast including Knightstone and Uphill, according to an undated map, once thought to have been made in the reign of Henry VIII, but more likely belonging to this period.

Also in 1586 clergymen throughout the country were called on to provide money for a further supply of weapons, and "the parson of Hutton" (then Christopher Whittle) contributed £3.2s.6d. Surprisingly, a list issued in 1588 of "Names of Nobility and others who have contributed to the defence of the country" does not include the name of Christopher Payne, nor that of anyone in Hutton or its immediate neighbourhood. One of the few gentlemen of Somerset named on the list however, was Christopher Kenne of Ken, Edmund's eldest brother. Perhaps only

those who had contributed to a final appeal in 1588, or had provided a substantial sum, were eligible for such special mention.

Meanwhile musters of the Somerset militia had continued to be held. Among the officers named as present at a muster held at Wells in October 1584 was one 'Edmond Ken' with the contingent of the Bemstone Hundred (south of the Axe), most probably the previously-mentioned Edmund Kenne, the youngest son of Margaret Payne and her first husband. Just two years later another country muster was held and its roll, like the Muster Roll of 1569, has survived and includes the names of all the 'ablemen' in each hundred, but unfortunately it does not disclose their parishes.

However, among those of the Winterstoke Hundred, it is possible to recognise a few which almost certainly were those of Hutton men. Edmund Edgell, for example, who was apparently a gunner, for his name was among those listed under the heading of "Shotte", was surely the one of that name who, in 1565, had obtained the lease of a house and twelve acres in Hutton from Henry Coker, lord of half of the manor, and whose name still appeared in the last Hutton manorial court-rolls of the sixteenth century. Robert Daye, a fellow gunner, and John Daye, a pikeman, though theirs was a more common surname, may well have been the men whose names occur in the copies of Hutton's Church register which the Rector made for the years 1597-1599, and were probably related to the light-horseman, Thomas Daye, of the 1569 Muster Roll.

So too Thomas and Walter Neades, both gunners in the 1586 muster, may at least have been closely related to William Neades, a Hutton tenant in 1596. During 1587 arrangements were made for preliminary local musters to be held at appointed places within smaller areas than counties, or even hundreds, as soon as an alarm of threatened invasion was raised, and Axbridge was the nearest such place for the contingents from Hutton and its neighbouring parishes.

At last, in July 1588, the long-expected Spanish Armada, of nearly 150 well-armed vessels, carrying a total of 20,000 soldiers in addition to their crews, set sail from Lisbon on its mission to protect and reinforce the Duke of Parma's army of 17,000, waiting at Dunkirk to cross the Channel in flat-bottomed boats. It was on July 19th that the Armada was first sighted and the coastal beacons were lit to send their warning throughout the land. Presumably, the Hutton 'ablemen' set out to meet their fellows at Axbridge, and within a day or so, whilst Drake's smaller fleet of eighty vessels was harrying the Armada on its course up the Channel, the whole Somerset force had been mustered. On or about July 23rd 3000 of these Somerset men, with a hundred light-horsemen and fifty lances, set off for London "to attend Her Majesty at St James", in other words to join the considerable army then being assembled to form the final protective barrier for the Queen, her ministers and the capital. Fortunately their services were not required.

Any Hutton men in this force from Somerset would probably be the first from this village to hear the news of Drake's success on July 28th in his fire-ship attack on the Armada, then anchored off Calais, and the subsequent beginning of its disastrous attempt to return to Spain around the gale-torn coasts of Scotland and Ireland. By August 6th the threat of invasion had clearly passed, and the county militias were sent home and soon stood down. Perhaps for the first time in its history, Hutton, like so many other small villages throughout the country, had been

involved, however insignificantly, in a great national event, and one may be sure that its inhabitants meaningfully participated in the prayers of thanksgiving offered in its church and in whatever activities marked its public rejoicing.

At this stage it is necessary to go back roughly a decade from the defeat of the Armada to the closing years of the life of Thomas Payne (II). It is evident that his next younger brother, John, had died some time before the end of August 1580, for a mortgage deed of that date, executed by “Christofer Paine, gent of Christon”, describes him as “son and heir to John Payne, deceased, and Agatha, his wife”. Two more of their children also outlived their father, namely Nicholas, christened in 1560, and Mary, who was apparently unmarried as late as 1592.

No record of the precise date of John Payne’s death, nor of his place of burial, has yet been traced, but he had spent at least the first thirty years of his life at Hutton Court and it is possible that he was buried beneath the chancel of Hutton church like his father and grandfather. On the right hand side as one enters the church by its west door are three tombstones, standing upright against the south wall of the tower, and these were removed from the chancel floor in 1885. The middle one of these cannot be positively identified for it is much worn and has evidently lost at least five inches of its right hand side, including its marginal inscription band. However, although only a few words and odd letters of its English inscription are still legible, measurements support the conjecture that part of it originally read: “the body of John Payne, Esq., who dyed the 2 day of . . .”, the month and year being inscribed on the lost portion of the stone and so indeterminable. Certainly no other names of former residents of Hutton Court, as those on the two adjoining tombstones were, will fit so well the spacing, spelling and style of lettering on this stone.

It must have been about 1580, if not earlier, when Thomas Payne found the behaviour of his step-son, Edmund Kenn, and his companions so intolerable during their visits to Hutton Court that he felt obliged to increase the number of his household servants for his personal protection and eventually, when he was “of the age of three score and tenne yeres or thereabout” (i.e. 1581-2), to start legal proceedings against Edmund in the Court of Star Chamber. Unfortunately, the only surviving document concerning this case is Thomas Payne’s undated bill of complaint in which he describes his step-son as “not having the feare of god affore his eyes” and as being “of a wicked and evill disposed minde”.

Only one specific instance of the “viollent mysdemeanour” committed by Edmund Kenn and two of his companions is related in detail in this document. Thomas Payne alleged that, on the “twentieth day December last past” (presumably 1580 or 1581), these three men, “in raging riottous and forcible manner”, entered his “dwelling house at Hutton and there and then did furiouslye, riottouslye and in most raginge manner, as well with cruell vile words and threteninge speches as with his and there daggers swords and weapons drawen, viollentlye assaulted, terrified and sett upon” him. As usual, the outcome of this case is not known. Perhaps proceedings were ended by the illness and eventual death of Thomas Payne, or the Court decided not to act upon his bill of complaint, regarding it as a timid old man’s reaction to the boisterousness of a youth who, as previously mentioned, was an officer in the Somerset militia.

Certainly no record of any replication or answers by the defendants has survived and, more remarkably, 'Edmonde Kenne' and two of his brothers were witnesses to a deed dated 4th March 1583 by which Thomas and his wife, Margaret, leased a tenement in Elborough to Allyn Hill. Thomas Payne's signature on this document looks like the work of a rather shaky hand, and indeed by then he was probably a very sick man. Perhaps the pathetic self-portrait he drew in his last bill of complaint as "a poore man of the age of 73" and also "greatlie troubled with sins comityed of his bodye and therebye verye desirous to live quietly and in gods peace" was not, as one might suspect, a mere ploy to win the sympathetic hearing of the court, but a genuine reflection of Thomas Payne at this stage or, at least, of how he regarded himself.

On March 23rd 1583, less than three weeks after he had signed that Elborough lease, Thomas Payne died, and it was on the very same day that he impressed his seal on his will in the presence of several witnesses including his younger brother, George Payne, and his step-sons, John and Thomas Kenn, elder brothers of Edmund; not surprisingly, he made no attempt at a signature. The will, written in English, is remarkably short and contains few bequests. The bulk of his property, including half of the manor of Hutton and many Payne lands elsewhere, which he had inherited from his father, Thomas Payne (I), in 1528, was subject to a provision in the latter's will by which, if Thomas Payne (II) should die without issue (as he did), all that property should pass to his brother John and his heirs; consequently it was all transferred to Christopher Payne without any mention in his uncle's will.

However, any other property that Thomas had acquired could be disposed of as he wished, and so he bequeathed to his brother George (last mentioned in this narrative as having discharged a debt and been pardoned in 1557) certain lands and tenements at Uphill which he had recently purchased from one John Wykes and other lands and tenements at Loxton, together with the right of advowson, that is, of presenting the rector of that parish. Apparently, Thomas Payne was particularly fond of his sole surviving brother George for he further bequeathed to him his "chayne of gold", the only personal ornament mentioned in his will. Apart from "ffourtie shillings a piece" which he left to every one of his servants, the residue of all his disposable possessions was bequeathed to his wife, Margaret, whom he made his sole executrix, and he also stipulated that during the rest of her life she should receive all the revenue arising from the lands in Loxton and Uphill that he had bequeathed to George Payne and his heirs.

There is nothing remarkable about any of the provisions of this will but its omissions are certainly surprising. Despite the trace of religious feeling apparent in such phrases as "troubled with sins" and "the feare of god" used in his bill of complaint against Edmund Kenn, this Thomas Payne, like his father before him, made no request for burial within any church or churchyard and left not one penny to his parish church of Hutton, nor to any other church, and not even to any form of charity. As far as can be ascertained, the witnesses to his will did not include any clergymen, certainly not the Rector of Hutton at that time, Christopher Whittle, who had been presented by Henry Coker in 1579. However, the wording of the first provision in this will goes beyond the mere requirements of convention and does seem to be evidence of his personal faith, for, after bequeathing his body to earth, he adds: "and my Soule to the Allmightie my Redeemer".

Perhaps this concern for personal salvation had been more acceptable to the previous Rector, John Danyell, whom Thomas Payne had presented, than to Christopher Whittle. Again, unlike his father, who had specified in his will that his widow should continue to live at Hutton Court, Thomas Payne (II) apparently made no provision of a home for his widow, Margaret, although he must have been fully aware that, after his death, Hutton Court would pass into the legal possession of his nephew, Christopher Payne. Of course, it is possible that some arrangements for this contingency had already been made before the will was drafted.

Finally, considering the fact that he had no children of his own and also the close bond which had apparently existed between him and his brother John, one might reasonably have expected him to have made some small bequest, perhaps of a personal nature, to John's children, or at least to Nicholas and Mary, even if he thought that Christopher would be more than adequately endowed from his inheritance of the two estates. Certainly Christopher Payne must have felt that he had good reason to be dissatisfied with his uncle's will, for he challenged it before the Prerogative Court of Canterbury. The Court decided that Thomas Payne had been of sound mind and that probate should be granted to Margaret, his widow and sole executrix.

Thomas Payne was duly buried beneath the chancel of Hutton Church but, unlike his father and grandfather, he had no memorial brass. His plain tombstone, with an inscription band along its margin, is now one of the previously mentioned stones standing within the church tower and is the nearest to the west door. Although some letters of its Latin inscription are now quite illegible, its wording, or part of it, has been reproduced on a small brass plate which was affixed to the tombstone after its removal from the chancel floor. Translated, this inscription reads: "Thomas Payne, Esquire, who died the 23rd March AD 1582", the correct year according to the old calendar though according to our modern calendar it was 1583.

There is no means of knowing how soon Christopher Payne came to live at Hutton Court, if indeed he did. The earliest known reference to him as "Christopher Paine of Hutton" is from his previously mentioned subscription of £20 towards the defence preparations in 1586, but then in 1589 he was still described as "late of Christon". It is more than likely that Christopher Payne was not greatly concerned whether he lived at Hutton Court or not. He was almost certainly a bachelor with no family to provide for, and it would seem that he regarded the estates he had inherited merely as a source of income. For, although it may never be known whether he was addicted to gambling or to some extravagant way of life, it is quite clear that he was constantly seeking ways of raising money.

For several generations, the Paynes of Hutton had not merely lived within the limits of their income, but had used part of it to purchase still more land in various parts of north Somerset. Even Thomas Payne (II), despite his expensive litigation and his lapse into debt in 1555-6, apparently died solvent with his inherited estate intact and had been able to purchase, shortly before his death, the lands in Uphill which he bequeathed to his brother George. His successor, Christopher Payne, however, evidently found his annual income totally inadequate for he converted into cash much of his double inheritance. As early as August 1580, when he must have been in his early twenties and had probably only recently inherited from his father the manor of Christon, he mortgaged it, together with its manor-

house and the advowson of its church, for £1000 - a considerable sum in those days - to Francis Mynne, a London gentleman who was subsequently described, in a deed of 1581, as the 'tenant' there.

In January 1584, less than a year after he had acquired the major Payne estate from his uncle Thomas, he obtained a further sum of £1000 by selling outright all the Payne "messuages and lands in Banwell, Clewer, Wedmore, Axbridge, Worle, Samford, Churchill, Kewstoke, Rolleston, Huyshe, Congresburie, Berington, Puxton, Wryngton, Rowebarrowe, Shipham, Wynescombe, Blagdon, Langford and Wolvareshill" to Christopher Kenne, his aunt's eldest son by her first husband, yet he certainly did not use this second supply of money to clear the Christon mortgage.

Only four and a half years later, Christopher Payne made a preliminary arrangement with his brother Nicholas to circumvent any possible feudal reliefs or other charges that Nicholas might eventually incur on inheriting the entailed manor of Hutton from Christopher. Although this agreement is only mentioned in a later document and so no details have survived, Christopher's subsequent transactions lead one to suspect that his motive for making this arrangement was not so much concern to spare his brother some expense, or even to provide further documentary sanction for the ultimate transfer of this estate from Christopher to Nicholas, as the prospect of obtaining from him some immediate payment.

In May 1589, in accordance with this agreement, a 'deed of uses' was drawn up, by which Christopher conveyed his share of the manor of Hutton and of the advowson of its church and all his property in Hutton, Elborough and Oldmixon to certain trustees including Christopher Kenne, but retained the income from this property to the use of "Christopher and his heirs" and, only subsequently, to Nicholas. It seems likely that this arrangement - a common practice during the fourteenth and fifteenth centuries - was found to be contrary to the Statute of Uses of 1535 and was not put into effect, for in November 1590 Christopher obtained a loan of £200 from Thomas Jackson, a London haberdasher, by mortgaging the manor of Hutton and Hutton Court with its grounds and farm buildings, at a rate of £50 a year. Yet at some time within the next three years he had to borrow more money from John Sayer and Robert Eyres, two gentlemen of Wells, and in June 1594 he and his brother Nicholas jointly became bound to Edward Lenning, Vincent Delabarre and Nicholas de Crasste, merchants, in a further sum of £200.

In the same month a new 'deed of uses' was drawn up solely between the two Payne brothers. By this deed Christopher conveyed to Nicholas all his "manors of Hutton and Ludwell", the advowson of the church and certain specified lands and buildings, but reserved all their annual revenue to himself, during his "naturall lyfe", and then afterwards to Nicholas, for which Christopher agreed to pay Nicholas twelve shillings yearly without default. Christopher also promised to have this agreement confirmed by an action in a royal court and to sell Nicholas all the deeds and documents he possessed concerning this property.

Two considerations are stated to account for these commitments by Christopher; one was his "brotherly affection", but the other - and, one suspects, the over-riding consideration - was the sum of £500 to be paid to him by Nicholas. Accordingly the brothers resorted to another old legal practice. Nicholas brought a fictitious action against Christopher before the King's Bench, leading to a 'fine', or court-guaranteed agreement, dated Michaelmas 1594, by which Christopher

acknowledged that the whole property specified in the previous deed of June 1594 lawfully belonged to Nicholas. For this recognition Nicholas paid his brother a further £240.

Despite this apparently inviolable agreement, Christopher evidently held on to his Hutton property for another six months, and two more legal documents were required to complete the transfer, namely deeds of 'lease and release' dated 29th and 30th May 1595. By the second of these, Christopher's 'warranty' or guarantee of Nicholas's title to the entire property, a certain Robert Maundrell, yeoman of Rode, was appointed to take 'delivery of seisin', the actual handing over, on behalf of Nicholas. According to a note made on the back of this deed, this ceremony - probably of presenting a piece of turf - was eventually carried out on 19th June 1595 in the presence of Christopher Whittle, the Rector of Hutton, and seven of the Hutton tenement holders.

So the manor of Hutton or, more correctly, the Payne half of it, including the whole of Hutton Court and its grounds, had at last passed into the hands of Nicholas Payne. It so happened that in the same year, 1595, the ownership of the other half of the manor and of the advowson also changed, for Henry Coker of Mappowder in Dorset was succeeded by Sir Edmund Ludlow of Hill Deverill in Wiltshire, the husband of Bridget Coker, Henry's daughter and sole heir. This change must have occurred before October of that year for *A Survey booke of all the Lands and Tenements of Edmund Ludlowe, Esq*, dated 1st October 1595, includes some seventeen tenements in Hutton, Elborough and Oldmixon.

It is unlikely that the occupiers of these tenements were affected in any way by their transfer from one absentee landlord to another, nor for that matter would the succession of Christopher Payne by Nicholas have much immediate impact on the Payne tenants as such. However, they and all other inhabitants of Hutton must have been much more concerned with the affairs of the Paynes, one of Hutton's oldest families and the long established owners and occupiers of Hutton Court, than with those of the Cokers and Ludlows, and it is to the Paynes that the story of Hutton must now return.

That deed of warranty of 30th May 1595 is the last surviving document to be signed and sealed by Christopher Payne, and by 24th March 1596 it was Nicholas, not Christopher, who was named as a vouchee in a deed concerning the manor of Christon which Christopher had mortgaged in 1580. It seems likely, therefore, that Christopher had died at some time within those twelve months, although no record of his death or of his burial has apparently survived.

Whatever degree of "brotherly affection" - the phrase used by Christopher in the deed of June 1594 - had actually existed between them, Nicholas could hardly have been insensitive to the bitter irony of his situation upon Christopher's death so soon after he had finally surrendered his Hutton estate, for, in spite of an obscure reference to a potential "jointure" in the 1589 'deed of uses', Christopher had apparently remained single and childless and Nicholas would indisputably have been his legal heir without any effort or expenditure on his part.

Yet, for obtaining possession so little earlier, Nicholas had paid his brother back at least £724, as previously recounted, and perhaps far more, for on the back of the June 1594 deed an undated and unsigned record, apparently of expenditure

amounting to £2850, includes the items : “To my brother in moneys - £700” and “By this disbursement - £500 ”. It is impossible to determine who was the instigator of these transactions. It may have been Christopher, the spendthrift, who coaxed his brother into parting with substantial sums of money, perhaps with the threat of marrying and having heirs who would exclude Nicholas from the Hutton estate. It may equally well have been Nicholas who had been alarmed by his brother’s prompt sale of the other Payne lands and thought it worth while to gain immediate possession of the deeds and to have his eventual ownership of the Hutton property further guaranteed by a court of law, and so exploited Christopher’s insatiable appetite for ready money by prompting such measures.

More puzzling than Nicholas's motives are the means by which he was able to make such a financial outlay, for very little is known of him before his negotiations with Christopher. Born in 1560, he must have been still a minor when his brother inherited John Payne's Christon estate and then mortgaged it to Francis Mynne. By 1592 their mother had married William Mynne, the nephew and heir of Francis, and they were living in Christon with her daughter, Mary Payne, but Nicholas, apparently, lived elsewhere. In the deed of June 1594 he is merely described as “gentleman of Wadley in the county of Berkshire”. This would seem to imply that he had a residence and probably an estate of some size in Wadley, a hamlet within the parish of Faringdon. One cannot help wondering if he had acquired such a property, and at least some of the money he paid to Christopher, by marriage with an heiress whose name is unknown and who presumably died before 1594.

Unfortunately, this can be no more than idle speculation, the name of Payne is not in the index of the Berkshire Record Office and no Faringdon parish registers of this period have survived. The earliest extant indication that Nicholas Payne came to live in Hutton, presumably at Hutton Court, is a document of 1598 which refers to him as "of Hutton", although the first known record of a Hutton manorial court to be held in his name is dated 1st August 1596 . However, in February of that year he evidently found himself in financial difficulties similar to those of his elder brother, if not worse, for he was obliged to obtain a loan of £600 from one "George Crooke of the Inner Temple, London”, with the manor of Hutton as security, and on several occasions between then and 1612 he borrowed from various sources a total of £1430.

Most surprisingly, in January 1598, when he was thirty-seven years old, he followed the example of his uncle, Thomas Payne (II), by marrying a widow with children, a certain Alice Williams, probably of Bristol.) Far from acquiring any financial advantage from this match, Nicholas was bound by the deed of the marriage settlement to pay a sum of 1000 marks (£666.13s.4d) to two Bristol merchants, Matthew Haveland and Thomas Aldworth, junior, as trustees "for the benefit of the children of Alice Williams by her deceased husband, Walter Williams", with "the manors of Hutton and Ludwell" etc again as security.

In fact the unhappy Nicholas, who appears to have over-reached his resources by making all those payments to his brother to make sure of acquiring the Hutton estate intact, was eventually driven to the expedient of removing part of that estate from Payne ownership for ever. On 24th October 1604 he sold "the Manor house of Hutton", Hutton Court, with its out-buildings and gardens and several adjoining fields and woods, to John Still, the Bishop of Bath and Wells, for £2100.

Two documents concerning Bishop Still's purchase of Hutton Court from Nicholas Payne provide a suitable starting point for a review of Hutton's buildings and tenements and their occupiers throughout the sixteenth century. Concerning Hutton Court, the deed of conveyance in 1601 merely lists without details, the "Mannor house, Barne, Stable, Dairy house, Backhouse (bakehouse?), two gardens, one orchard conteyning fower acres with three fishponds, and Barton." On the whole this layout is more readily recognisable today than that given in the Partition documents of 1430; the mediaeval dovecot is no longer included and the single fishpond replaced by three, although these are now only distinguishable on the 1936 Ordnance Survey map.

Attached to this deed of 1604, however, is a much more informative document, "A Note of the implements at Hutton to be left by Mr Nicholas Payne taken March 30 1605." This 'note', signed by Bishop Still, is virtually an inventory of various rooms in Hutton Court and it provides the most detailed description of that building known to have been made before an auctioneer's brochure of 1935, as well as the earliest mention of the tower and the stairs, presumably the surviving stone spiral staircase; both of these features may therefore have been built during the sixteenth century, Unfortunately, since it bears no plan or diagram, and includes no measurements or compass points, this inventory presents a tantalisingly confusing picture. Not only is it now impossible to identify with certainty many of the rooms mentioned, but it is even hard to reconcile some of the information given with other items included; and the bishop, or his agent, was apparently preoccupied with the latches, locks and bolts on the doors and the glazing of the windows to the total exclusion of such features as fireplaces.

As one would expect, a hall is included in this list. The present hall contains fine arch-braces and collar-beam trusses in its roof and its Tudor stone fireplace with its row of blank shields, unmistakeable architectural products of the sixteenth century, so this must have been the hall seen by Bishop Still or his agent, though no mention is made of such features and it must have then looked very different in other respects. At that time it had four windows, all glazed, two of them probably being in the north wall and overlooking the then much larger inner courtyard, as well as two in the south wall as there are today, though these are almost certainly not the original sixteenth-century windows despite their imitation-Tudor stone frames.

As recently as 1978, before an entrance was made into the new hotel kitchen, the present hall had only two doors, one in the middle of the south wall with a Tudor-styled stone frame and one in the north-west corner, but in 1605 it had three doors, one of them being described as a "double dore with a good spring lock". One of these three, perhaps the one said to be "going into the parlor" may have been the blocked-up doorway at the east end of the hall, now only discernible in the east wing of the Court, the former farmhouse. At the "upper end" of the hall, probably again the east end, the wall had new timber wainscotting up to a yard high with "a bench of the same fixed", and there was another "wainscot bench at the lower end"; in the middle "a paier of dormans", that is trestle tables, served "for a table".

Almost certainly too at the lower (west?) end was the "skrene" (screen), a partition, usually of timber or of timber-framed wattle and daub, forming a through north-to-south passage. No trace of such a screen now remains, no space wide

enough for it is available between the end wall of the hall, either east or west, and its nearest window nor is there now any vestige of a former doorway in the south wall at either end. However, a blocked-up four-centre-arched doorway in the north wall of the passage which now leads to the north-west corner of the hall may have been the northern end of the screen-passage, but, if so, this passage must have occupied part of the present tower block and the narrow screen must have been later replaced by the present 33 inch thick stone wall. Finally, the absence of any mention of floor boards among the details of the hall in Bishop Still's list indicates that the hall floor then consisted of either stone paving or merely beaten earth, as was discovered in 1978 when the more modern wooden blocks were removed during alterations to the Court.

It is not possible, within the limits of this history, to indulge in further detailed speculation concerning the other enigmatic features of Hutton Court included in the list of 1605. Somewhere, normally at the upper end of the hall, was the "parlor" which was then wainscotted "round and up to the top", and had a boarded floor, three glazed windows, and at least five doors, including one "wainescot dore into the parlor chamber", this room having its own glazed window with "a little casement".

Even more puzzling than the number of parlour doors is the fact that one of them is described as "an inner buttery dore", for one would expect the buttery, which, according to the list, had a "hatch", a window, an "outward dore" and a "dore within", to be beyond the lower end of the hall and near the kitchen. In the description of the kitchen however, no clue is given to its location relative to the rest of the building; it is merely said to have had "two dores out of the Court with bolte and barres, one dore with a good latch, the larder dore" and "one window glazed".

The list continues with a confusing number of "chambers", presumably upstairs, for the first of these was "the chamber over the parlor" which also contained within it both a "little" and a "great chamber"; these three rooms had altogether six windows glazed with four casements and four doors, but no mention is made of any stairs by which they could be reached. There was however another "great chamber", with only one door and three windows, one of them being "at the stayer (stair) head". If this location corresponds to the first landing of the present stone spiral staircase, this "great chamber" must be the present bedroom, with a half-hidden Tudor stone fireplace, above the present drawing room in the south-west corner of the Court, and the little room now entered down a step or two from the south-east corner of that bedroom may have then been "the Tower chamber", the next item on the list, though that room then had three windows, not one as now.

Probably too within the tower block were the next rooms on the list, namely "the little dining chamber" which had a "casement into the hall", "the next chamber" with "a good double dore" and two windows, "the chamber next within it" with only one window, "the little closet" also with one window and with "three shelves fixed" and "a little study above It" with two windows. Altogether, the number of windows, almost all of them glazed, mentioned in this list is surprising, particularly so in the tower block where now there is only one on each floor, even though they would then be smaller than most of those visible today. The last items in this list of the Hutton Court premises were a brewhouse, dairy house, cheeseloft, a stable with two racks and mangers, all unlocated, as was the "yelding house";

unfortunately the nature and purpose of this last-named room or building have so far eluded identification.

Perhaps the finest feature of sixteenth century domestic architecture still to be seen in Hutton, however, is the Tudor stone doorway at 'The Old Barn' on the north side of the Main Road. Although this doorway appears to have been adapted to fit into its present position adjoining 'East Wing' and although it matches neither of these two houses in style or even in its type of limestone, it is most probably a relic of the house which stood on this site in the sixteenth century and which belonged to the tenement later to be known as Middle Farm. Fortunately, the doorway bears a clear indication of the family to whom it originally belonged, for the dripstone at its head, instead of following the usual straight horizontal line, has a raised portion in the middle, like a battlement, to house a coat of arms, three crescents amid several beetle-like figures.

These arms roughly correspond to those described in heraldic terms as 'Ermine, three crescents gules', the arms granted by the Queen Elizabeth in 1561 to Christopher Kenne, the eldest son of Thomas Payne's widow, Margaret, by her first husband. In 1614 when Edmund Kenn of Hutton, Christopher's youngest brother, made his will, he mentioned "my house and grounds which I bought of Henry Coker Esq lying in Hutton" and indeed this house must have belonged to the tenement which Henry Coker had leased in October 1590 to "Edward Kenn, Margaret his wife and Ann their daughter" for £104 down and an annual rent of 25 shillings. The name 'Edward' used here is apparently a mistake, for 'Edmund' is used later in the document and, at some time later in 1581, Edmund had certainly married a Margaret, the daughter of Sir John Strode of Parham, Dorset, by his second wife Margaret (nee Hadley), the widow of Thomas Luttrell of Dunster. Edmund's wife Margaret had not only inherited £500 from her father, but had received an "annuity . . . or jointure of three score pounds by the year" for life from her brother-in-law Christopher Kenne, who had also made her a present of a gilt cup.

It seems most probable, therefore, that the house and tenement of Edmund and Margaret Kenn can be identified with that later to be known as Middle Farm and that the Kenns rebuilt at least part of the house during the last years of the sixteenth century from which only this fine doorway has survived.

Only a few fragments now remain to provide one other probable example of sixteenth-century domestic architecture in Hutton, but no documentary evidence for it has so far come to light. In what was formerly the north wall of the extensive garden of Sutherland House, there is a now unglazed window frame of chamfered stone, probably at one time admitting light to a garden shed but almost certainly not in its original position and not now strictly corresponding to the style of the Tudor period, or indeed of any other. It appears, however, to have been constructed from the remains of a window frame which would more appropriately have been part of a gentleman's, or even a yeoman's house of the sixteenth century.

Another piece of stone, which narrowly escaped being buried under the drive of a modern house near the former east wall of the same property, can be much more confidently assigned to that century. It is a single, weathered, right-angular block with traces of a recessed spandrel, which must have once formed the top right-hand corner of a Tudor doorway, and, unlike that at The Old Barn, it is of the locally more common grey limestone. Together these architectural fragments

would seem to indicate that a house was built, or partly rebuilt, during the sixteenth century on the site of the present Sutherland House, but its owners or occupiers at that time remain unknown.

For other buildings in Hutton during the sixteenth century, there is now only documentary evidence, and only a single authentic reference has survived to vouch for the long-unexpected existence in Hutton at that time of a very special type of building, a church house. Such buildings, usually quite plain single-room structures, were erected in many villages throughout the country before the Reformation to serve as centres for the social and fund-raising activities of the parish church, but later when feasting and dancing met with Puritan disapproval, they were closed, put to other uses or even sold.

In Somerset only one church house remains, still belonging to its church and still serving its original purpose, though with the additional accommodation provided by an upper floor. That is the one built in 1514 in the Quantock village of Crowcombe. One had been built in Yatton as early as 1475, according to the churchwarden's accounts of that parish, but since Hutton's surviving accounts date only from 1720, there is no means of knowing precisely when a church house was erected in this village. It is clear, however, that by 1590 it had become a dwelling and had ceased to belong to the church, for it was included with the tenement which Henry Coker then leased to the Kenn family. In the deed of that transaction it was described as "one house with a backside (back garden or yard) in Hutton . . . commonlie called and knowen by the name of the churche house", and its annual rent was set down as two shillings. With the exception of the Court, houses in Hutton were for centuries known only by the names of their occupiers or, more often, by those of their previous occupiers.

It seems probable, therefore, that the sale, or perhaps reversion of lease, of the church house to the Cokers had occurred not many years before 1590, perhaps soon after Christopher Whittle had become the Rector in 1579. The precise location of this building presents problems. One would expect it to have been built somewhere on the patch of glebe land between the church and the south side of the Main Road, but if the Kenn tenement was indeed the one known later as Middle Farm, then the "adjoyninge" church house must have stood on the north side of the Main Road, and if the word "tenement" in the relevant passage of the 1590 deed was applied in its narrower and not unusual sense to the tenant's dwelling house itself, then this sixteenth century centre of Hutton's social life must have been situated immediately east or west of the house with that magnificent Tudor doorway. If so, it is probable that the churchwardens had held its site on a lease from the Cokers, lords of half of the manor of Hutton - although no record of this has survived - and that it had reverted to them by 1590.

Another building within the parish which was evidently in use during the sixteenth century, and which few people would now suspect to have ever existed, was a water-mill. Along with a windmill and a dovecote it was included among the items listed in the two deeds of 1594 by which Christopher Payne pledged the eventual transfer of "the manors of Hutton and Ludwell" to his brother Nicholas. Although no location within the parish is given for any of these items, there can be no doubt that the water-mill was situated at Ludwell, where even today, despite the constant extraction of water elsewhere from the same underground sources, the spring very rarely runs dry. Here too there is still a small irregularly shaped hollow

that was probably the former mill-pond, and the present road leading eastward from Lodewell Farm to the Banwell Road runs over what may well have been its dam with a considerable perpendicular drop on its north side, suitable for the operation an over-shot mill-wheel.

Documentary confirmation of a Ludwell site for the water-mill is provided by a few notes written at the back of the Hutton manorial court roll for May 12th 1524. These notes, of subsequent date and only partly legible, are mainly in English with a few Latin phrases, a mixture characteristic of the late-sixteenth century, and they appear to be a list of the enclosed fields belonging to the Ludwell tenement. These include “the groundes beyond the milles” and “Duckmeade and the ground below the milles”, Duckmead being still the name in the 1838 Tithe map schedule for the meadow to the north-east of the Ludwell Farm plot.

Also listed in these notes about Ludwell is “the close above the Smithes house and hopyard”, a possible indication of a blacksmith’s home (if not his ‘shop’), but more probably the house had been occupied by Thomas Smythe and his family whose names appear in the manorial court rolls for 1523 and 1528. As for the other items mentioned in the 1594 deeds, the windmill was most likely the one included in the 1482 Payne rental and probably stood on the hill above Ludwell near the site of the present ruin, and the dovecote could have been either on the ‘Culverhey’ at Elborough or the one formerly belonging to Hutton Court but not included in the transfer of that property to Bishop Still in 1604.

The two 1594 deeds between Christopher and Nicholas Payne also provide evidence of the number of dwelling-houses then standing in Hutton, Elborough, Ludwell and (east) Oldmixon, but without any indication of their age, their precise location or their occupiers. Standing on Payne lands alone were thirty ‘messuages’ (i.e. tenement-holders’ houses), ten of them with gardens and orchards, as well as eight cottages, and from Nicholas Payne’s manorial court-roll of March 1602 it would seem that at least thirty-four persons with different surnames were then Payne tenants, although one of them, Thomas Boureman, or his son of the same name, also held another tenement leased by Edmund Ludlow in 1598 and two other persons, William Oldmixon and Thomas Sheppard, fined for absence from the same court, were said to be tenants of Edmund Ludlow. Three other persons were mentioned in the same court record but it is not clear whose tenants they were, Payne’s or Ludlow’s, and there must certainly have been more tenants of Edmund Ludlow whose names were not then recorded.

Unfortunately it is not possible to determine how many dwellings within the parish stood on lands belonging to the Cokers or Ludlows for, although the 1595 *Survey of Lands and Tenements of Edmund Ludlowe Esq* lists a further seventeen leases of properties then in his share of the manor, at least two of these clearly do not include houses or cottages, and three of them, all with Edmund Younge as the first-named lessee probably refer to the same tenement. As usual, some of the Payne tenants’ houses and barns were reported to the manorial court as being in need of repair, especially in their timbers and their roofs, and in the roll for August 1596 there is mention of a tenement house then being newly built or rebuilt by Thomas Creye on two acres of ‘meadow and pasture’, but unfortunately no more precise location, if given, is more legible. Altogether, however, it would seem that the number of dwellings in the parish must have increased by at least fifty per cent during the

sixteenth century and that several of the older ones had been rebuilt and probably enlarged.

To obtain a general picture of what these houses looked like, how they were furnished, and what varied objects in and around them indicated the way in which their occupiers lived during the sixteenth century, one must read the works of social historians based on innumerable details collected from all parts of the country. However, it is possible to snatch a glimpse inside a few of Hutton's individual homes from the meagre details provided by the handful of wills that have survived to have been recorded. From the contents of their respective bedrooms John Crede, in 1544, left a "tester" (canopy) "of a bed and a pair of sheets", John Burman, in 1553, "a flock bed, a pair of sheets, a pair of blankets and a coverlet", and David Walker in 1577, "a feather bed of my own and a bedstead".

Among utensils bequeathed by John Tyllie in 1542 were "a panne, my great panne, two platters and two porringers". John Burman also left two platters and two porringers as well as two brass pots, including "the biggest that came from Lymphsham", two saucers, two candlesticks and three silver spoons "- a great luxury, although John Crede had left twice as many. Articles of clothing in these wills are "a russet coat" left by Thomas Pyers in 1544, "a black frieze coat, a shirt and a pair of black hose" left by John Burman, and "all my apparel except my coat to my man Richard Valye" by David Walker.

Tools and farmyard equipment bequeathed include John Tyllie's axe, spade and "brand yron", David Walker's "new wheels", and John Burman's "wain wheels, putt-yokes, ropes and all my plough gear". Animals, kept close to their owners' homes, were among the commonest possessions bequeathed, especially colts and cows, including John Burman's "sparked heifer" and David Walker's individually named cows, "one called Sainct and the other Difference".

These bequests, and the standard of life they reflect, show that some of Hutton's tenants enjoyed a good measure of prosperity during the sixteenth century, and manorial court rolls reveal that, in the closing years of Elizabeth's reign, at least two tenants, Edmund Kenn and James Langton, were styled 'gentlemen'; but, with no surviving records of the Poor Law administration in the parish at that time, nothing definite is known of the circumstances in which other inhabitants lived.

A comparison of the few leases still preserved from this period with the details given in the 1430 Partition documents and the 1482 Payne rental suggests that, despite the probable increase in the population, the size of some holdings had increased, partly perhaps, as in the previous century, at the expense of the manorial lords' demesne lands. Unfortunately, this can only be conjectured for no comparable survey of these lands was made during the sixteenth century, and in the two 1594 deeds between Christopher and Nicholas Payne, listing the Payne properties in general terms, the acreages are not only expressed in suspiciously rounded figures but, with the sole exception of those for the woodland, do not even tally. According to the June deed, written in English, there were 400 acres of arable land, 140 acres of meadow, 300 acres of pasture, 100 acres of woodland, 500 acres of heath and furze and an annual income from rents of only "Tenne shillinges".

Even if one ignores a glaring clerical error made twice in the Michaelmas deed, written in Latin, - "quadraginta" (40) for 'quadringenti' (400) acres of arable

and also of furze and heath - this last acreage and its 100 acres of meadow and 500 acres of pasture are discrepancies which impair the validity of both deeds as records of the extent of the Payne lands. It would seem that these conflicting figures were very rough estimates of the acreages of lands held by both Nicholas Payne and his tenants, for the land he sold to Bishop Still in 1604, along with Hutton Court and its gardens etc, amounted only to 82 acres of arable, 103 acres of meadow and pasture, and 40 acres of woodland.

A less doubtful source of the increase in the size of some tenants' holdings was the enclosure of more of the former common land, again continuing a process evident in the previous century, but not on as great a scale as in many other parts of the country during the sixteenth century. For example, among the lands leased to William Small in 1563 were two acres of arable "under Haywood", and therefore in what was formerly part of Hutton's west field, and Allyn Hill's tenement in 1583 included several separate acres in the "myddelfylde" and "lower furlong" of the formerly extensive Elborough Field.

The manorial court rolls, particularly of the closing years of Elizabeth's reign, also reveal much concern for the maintenance of "friths" or hedges between the closes of various tenants, such as William Crossman's hedge at Luscombe (just west of Elborough Field) "agaynst Christopher Whittells (the Rector's) acar" and John Hosier's hedge "betwene his close at northe hills and the fylde" in 1601, and also for the correct placing of bounds between the lands of Edmund Kenn, Thomas Arnold and Edmund Trowbridge "at Welland" in the west field in 1603 .

By the end of this period most tenements were probably held on leases for three lives, their tenants having bought them for a lump sum but continuing to pay an annual rent. For most tenants, however, the feudal obligations of 'suit of court' twice yearly and 'heriot', due at death, still obtained, although the tenements of Matthew Sheppard in 1597 and of Edmund Edgill in 1598 were declared "not heriettable" and both Edmund Kenn and Robert Phelpes, despite the specific terms of their leases, appear to have been absent from Hutton manorial courts between 1597 and 1603 without being fined or even excused.

It is just possible that one or two of the more prosperous sixteenth-century tenant farmers in Hutton may have specialised, though not exclusively, in keeping sheep, but there is no evidence that arable land in Hutton was converted into sheep pasture on anything like the scale which prevailed in many parts of the country during this period. In fact there appears to have been some reversal of this process, for the tenement which Thomas Payne leased to Allyn Hill in 1583 included three separate closes of arable land "uppon Elbrowe Hyll" - for centuries an area of common sheep pasture - and among the lands adjoining Hutton Court sold to Bishop Still in 1604 were a 20-acre meadow of which two acres were said to be "now arrable" and a 30-acre pasture of which four acres were similarly described.

Although one piece of land in the parish was specifically named "Sheepcrofte" in a manorial court-roll of 1598, its exact location is not given and its earlier use cannot be ascertained. Indeed the court-rolls of this period abundantly testify to the continuation of mixed farming. As in the previous century, the stray animals impounded included horses, sheep, cattle and poultry, and in 1501 there was even a donkey. Pigs too must have been kept by most inhabitants for in 1577 and 1598 all tenants were told to ensure that their pigs were ringed and yoked. Even deer

must have been kept by at least one tenant, for when Alice Arnold died in 1597 the heriot demanded was one small fallow deer worth fifty shillings. This is just one instance of how the manorial court-rolls provide a rough indication of the relative monetary value of certain animals.

The price of an ox seems to have varied, perhaps according to age, size and condition, between 12 shillings (1515) and £1 (1602), a bull calf was worth 8 shillings (1515) and one cow was valued at only one shilling in 1515, but “a ruby coloured cow” was worth 40 shillings in 1601. Perhaps the clerk’s “xl” (40) was a slip for “xj”; even so there would seem to have been considerable inflation during the sixteenth century. The value of a sheep, ram or wether, however, appears to have been usually 8d throughout this period, although one was reckoned at a shilling in 1512 and another in 1602, the price of a colt in 1515.

Cattle of all kinds, not merely oxen for ploughing, must have been numerous, for in 1515 there was a complaint that “the common pasture and moor herbage” was overburdened with “oxen, cows and other cattle”. In 1598 it was ordained by the court that no tenant should “overburden the lord’s common by keeping there more draught animals (mainly oxen) in the summer time than his tenement will support in the winter time”, which could not have been many in those days when only hay was available for feeding. More specifically it was ordained in 1602 that no tenant or sub-tenant of the manor should pasture in the common fields more than two oxen for each acre that he held there. Henry Merefield was fined 3s.4d in 1603 for breaking this rule, and Richard Squyre paid the same penalty for pasturing a single cow in the west field “where by right he had no pasture for it”.

Similarly, the number of sheep kept by tenants presented problems. In 1515 there was a complaint that, because three tenants had left their closes “against the hill open and deserted”, sheep belonging to the lord and tenants of the manor had broken into the cornfield. All tenants were reminded in 1528 that their sheep were only allowed to enter “the field” (i.e. the common arable land) for grazing between All Saints’ Day (November 1st) and St David’s Day (March 1st). Certainly by the end of this period definite restrictions on the number of sheep to be kept on the common pasture by individual tenants must have been imposed, for in 1601 William Crossman and Edmund Trowbridge were accused of exceeding their quotas by as many as 30 and 120 sheep respectively and were fined 4d for each sheep in excess.

These quotas were evidently not all equal according to a list entitled “An note of Everie mans Shepe taken the third daie of November 1604”, found among the manorial court-rolls. This “note” is apparently a record of a spot check of the number of sheep grazing on the hill pastures on that day, noting whose sheep they were and whether or not their number exceeded their owner’s quotas. The numbers vary from John Morse’s six to Edmund Trowbridge’s 104 (said to be an ‘overcharge’ of 29) but William Kenn’s 40 and William Goodenofe’s 43 were evidently within their permitted limits.

Indications of other uses of land within the parish during this period are provided by some of Hutton’s field-names. Two of its principal grain crops, wheat and barley, are indicated by “the Whetefield”, part of Elborough Field (1515), and “the Maltland”, not precisely located (1601), whilst “the Wythay” and “the Rushe in the Middle Field” (1592) show that reeds and withies were still being grown for use, especially in thatching. Hops were also grown in Hutton, for a hopyard was included

in the Ludwell property list of the late sixteenth century and part of a former paddock near Hutton Court was described in the deed of sale of 1604 as “now a hopyard”.

It seems probable that the area of woodland in Hutton had not diminished since the previous century and certainly the court-rolls suggest that timber was in great demand; apparently the lords of the manor laid claim to all trees growing, even upon the tenants’ lands, and were concerned not to lose them by unauthorised felling. In 1517 Roger Payne, who held two “parcels of wood in Ayshewode (Ashwood) above the west field” of Elborough, was charged with felling six elms growing on his land “without the lord’s licence according to the custom of the manor” and the court ordered that no tenant should “cut or fell any elms, oaks or ash-trees growing on their tenements without the lord’s licence” subject to a penalty of 6s.8d.

Again, in 1602, the court found William Urche guilty of felling several trees, namely an elm “about 30 foote longe” which he had “squared and sawn” by “William Frie, carpenter”, who sold half of it for 8s.4d to “Mr Whitle, Clarke” (the Rector), another elm “about 2 foote timber in lengthe” which he sold “for a peare of wheles”, four ashes which he converted “to fier wood”, and yet another elm of unspecified size which he gave to “Christofer Whitle, Clarke” and which was then still “lying in the Strete”.

Those last few words, quoted from the manorial court-roll of April 1602, reveal for the first time the name, “the Strete” (Street), by which the road through the village, now called Main Road, was to be known for most of the next 300 years. They also seem to suggest that the elm had been felled by the side of the road and that therefore the road may have been lined with elms, at least on the south side where the rector’s land lay. Clear indications that the “highway” from Hutton to Banwell then followed at least the upper part of its present course up Hutton Hill are provided by the Hutton Court deed of conveyance of 1604, which describes a meadow east of the house and orchard as “abutting on the north upon the highway” (i.e. lying south of it) and a close called “Brimblefurlong”, evidently including the land now occupied by the east part of the Vereland estate and the whole of Hillside West, as “abutting south upon the highway”.

What this does not establish is whether its route from the east end of “the Strete” was a gradual climb around “the batch” by way of what is now Eastfield Road, reaching the middle of Hutton Hill about the present entrance to Vereland Road, or whether the present direct route had by then been opened by cutting through the rock still visible above the houses which were later built on the north side of the road below Barrow Road. Evidently, at some points on this highway, and on other Hutton lanes, there were gates to impede the progress of stray animals, for in 1500 all tenants in the village were ordered to mend “the king’s highway” between two “*hesas pendabiles*” i.e. hatches or light hanging gates, perhaps at each end of “the strete”.

Another, but more substantial gate, called “Kyngesgate”, was near the churchyard and in 1528 the manorial court directed that the Rector, “according to custom” should make a “*portam saltabilem*” there, i.e. a gate that could be leapt over, and the two lords of the manor, Thomas Payne and Henry Coker, should find as much timber and whatever else was necessary). This appears to have been done but

by 1597 the gate was said to be in decay and that it "should be repaired by the lord of this manor and the Rector of the church of Hutton".

Among nearly eighty such place names as "the Strete" and "Brimblefurlong" to be found among the scanty Hutton records of this period, over forty of them, including these two, were then making their first documentary appearance but few of them were to be seen again and only seven of them may be recognised among the field-names in the Tithe map schedule of 1838, namely "Ducke mead" (after 1524) as Duck leaze, "the Yorke" (1583) as Yorks Mead, "Burgemeade" (1598) and probably "Dunmeade" (1601) as "Mead below Dunride" (276) - all north of the Banwell Road in Elborough - "Westhayes" (1598), just west of Elborough Farm, and "Luscombe" (1598), between Benthills and Elborough Hill.

The seventh, and the only one not in Elborough, is "Frogmore" (1515), the name for the wet moor pasture in the very north-east corner of the parish, now crossed by the railway line, where a "stone way" and another "leapable gate" were ordered to be made in 1528. Among those nearly forty place-names which had been recorded before the sixteenth century, some of them with slight variations, two originated in the thirteenth and ten in the fourteenth centuries. "Chemyescroft" (1528) and "Chimmescrofte" (1591), for example, may be variants of "Chalmerescroft" (1309), and both "Medelfield" (1561) and "Myddelfyld" (1583) almost certainly denote the same part of Elborough's great arable field as the "Middelfurlong" of 1309. As in previous centuries, the remaining names include several of special interest to the local historian but defying identification; such are "Stanchiard" (1500), "Surfmeade" (1512), "le Roweducke" (1515) and "Voxavell" (1592)..

As with place-names, so with the personal surnames occurring in Hutton's sixteenth-century records. Most of them were new, and many, such as Vallye, Malybrooke, Hireinge, Bastion and Brins, were odd and non-recurring. It has already been observed that over half of those appearing before 1530 were new to Hutton, but that high proportion was exceeded during the rest of the century for out of sixty-five surnames as many as fifty-five were then making their first appearance.

Of the ten older names, five originated in the fifteenth century, three in the fourteenth and only two, Payn(e) and Oldmixon, as far back as the thirteenth century. Apart from the lords of the manor, the only Payne recorded in this period was a William Payn whose daughter was christened in 1598, but there were at least three Oldmixons, a Robert who died in 1553 and who was the son and heir of a previously mentioned William who had died in 1542, a Christopher who was a tenant in 1596 and another William, probably Robert's younger brother, who held a Ludwell lease of unrecorded date. This William must have been one of the very few inhabitants of Hutton to flout the Elizabethan Act of Uniformity, for in 1577 he was the subject of a complaint before the Diocesan Court "for not comeinge to churche and for not receaving the communion at Easter". This and other items of information from the same source, the Diocesan Court records, deserve further consideration before this survey of Hutton surnames and of those who bore them is resumed and completed.

The ecclesiastical court records of the Diocese of Bath and Wells during the reign of Elizabeth provide valuable information, not only about the attitude of parishioners towards the established Church of England - as in the previously

mentioned item concerning William Oldmixon - but also about the condition of church buildings, about the way in which clergymen and churchwardens conducted themselves in office and even about the suspected moral failings of both clergy and laity in the eyes of their contemporaries.

There are however, severe limitations to their usefulness. More like the manorial court rolls and most unlike the records of the royal high courts of Chancery and Star Chamber, those of the Diocesan Court contain no detailed evidence and give no indication of the source of the accusations, but consist only of the charges and the court's decision, summarily expressed, partly in English and partly in abbreviated Latin. Unfortunately too, the records of this period are incomplete, many are on frail and even tattered sheets of paper, and most are written in a cramped hand so they are not entirely legible. Although some parishes, as in Wells, Taunton and Yeovil, had cases before the Diocesan Court in almost every year, the name of Hutton appears on very few occasions.

The earliest mention of Hutton in the Elizabethan records of the Diocesan Court occurred in the year 1569-1570 when John Danyell was the Rector of Hutton, and he himself was the subject of two charges, both implying neglect of his duty. It was alleged that the parishioners "have not ther parsons sermons nor the parson dothe not distribute the fortieth parte of his Benefice to the pooer." One of the churchwardens was also apparently neglectful for it was said that "William Smale did not make his Accompt" (account) "when he was Warden." It seems likely that the correct spelling of William's name was 'Small' and that he was the William Small to whom Thomas Payne had leased a Hutton tenement in 1563. However inefficient or careless he may have been, he was certainly the earliest of Hutton's churchwardens to be named as such in records that have survived.

Eight years later, near the end of John Danyell's term as Rector, similar instances of his negligence were alleged. Not only was he charged again with failing to distribute his fortieth to the poor, but it was also said that "the chauncell windowes are in decay, also that the parson keepeth no hospytallytye." Presumably, the many wandering beggars of those days sought relief at the Rectory in vain. It is interesting to note that the fabric of the chancel was then still regarded as the incumbent's responsibility. If these charges applied only to the year 1577, or even to 1576, much of John Danyell's negligence may have been due to illness, as he must have died long before April 1579 when his successor was instituted. Together with the earlier charges however, they seem to indicate either a long-standing attitude of indifference on his part or of hostility towards him from some quarter.

It is now appropriate to consider William Oldmixon's failure to attend church and to receive Communion at Easter in 1577. Neither William Oldmixon nor any other inhabitant of Hutton was among those whose names were recorded in Somerset in 1593 -1596 as those of 'recusants' i.e. persons who deliberately refused to attend church on conscientious grounds. A particularly puzzling feature of this recorded charge against William Oldmixon is that it concludes with the clause "because he ys excommunicate." Excommunication was a relatively rare penalty for a serious offence, and William Oldmixon is the only Hutton parishioner known to have suffered it, although for what precise reason will remain a mystery.

On the same occasion a further charge of a different nature was brought against William Oldmixon but it is still more unlikely to have been the cause of his

excommunication. The record runs :- "and also he keepeth John Rouse . . . and Joan . . ." (the surname is illegible) "his servaunte in his sayd house who live verye suspiciouslye". Similarly, in 1569, Richard Holcombe of Hutton and another Joan, whose surname is also illegible, were said to be "living together and not married," and in 1600 even the vicar of Uphill was "suspected vehementlie and defamed of incontinent life with his late servaunte . . . and suspected to be the father of her child". How justifiable in fact such suspicions may have been will probably never be known, but what emerges all too clearly from these charges is the dangerous extent to which suspicion and hearsay were admissible in the judicial proceedings of those days.

It is not surprising that such conditions led to the witch-hunts that were prevalent in the early years of the seventeenth century. Indeed, in the similar case of Thomas Tilly and Mary Pither of Hutton, begun in 1583 but continued until 1586, the child-burdened Mary had apparently to leave the parish, for in 1588 she was living in Meare where, it was alleged, she was "vehementlie suspected to be a witche". Thomas, however, appears to have purged his offence in 1586, thanks to the support of his 'compurgators' from Hutton, John Harris, John Squier, John Symon(d)s and John Shepperd. Further, in the year 1588-9, yet another case of suspected immorality in Hutton was brought against a Joan Welsshe and a William Phelpes and again by 1590, when the case was reviewed, Joan was no longer in the parish but at Uphill. Probably both Mary Pither and Joan Welsshe had not been born in Hutton and were sent back to their native parishes so that their children would not be a burden upon Hutton's poor rate. However not all instances of such misconduct were brought to the notice of the Diocesan Court, for in the year 1597-8 both Doris Shuter and a Joan whose surname is illegible had their 'base sons' christened in Hutton church although their fathers' names do not appear in the Court's records.

Although Christopher Whittle became Rector of Hutton in 1579, no complaints concerning him or his church were made in the Diocesan Court during the rest of Elizabeth's reign, not even in 1600 when a thorough visitation of this part of the Diocese was authorised by Bishop Still. Some of Hutton's neighbouring parishes, however, did not escape adverse comments; of Locking it was said "their church is out of reparation" (repair), and of Uphill church that it was "faultye in tylinge." By implication, therefore, it may be assumed that Hutton's chancel windows had been repaired and that the fabric of the church was in satisfactory condition. So, too, apparently, was the Rector's conduct, unlike that of two of his neighbours, for of Weston-super-Mare it was said that "theire parson Mr Barker is not resident" and at Uphill it was alleged that "theire parson hath not catechised nor wiled his parishioners to sende their children to be catechised", that is instructed in the faith of the Church of England according to Archbishop Cranmer's Prayer Book.

On other grounds and in other courts, however, Christopher Whittle had his share of criticism. Apart from the mildly unfavourable references to him in the manorial court-rolls quoted earlier, he was also the subject of a long suit in the High Court of Chancery between 1592 and 1594 concerning his collection of tithes. Roger Lewes of Hutton and Edward Morse of Churchill (who must have held land in Hutton) alleged that he had not accepted the due tithes "of corne, hay and cattle" as in the past but had "commenced suite against" some of the tithe-payers "in the ecclesiastycall and spiritual courts for certain tythes in kinde contrarye to the

auncyent custome". The Rector's reply was merely a complete denial couched in similar general terms. Unfortunately again, there is no record of any specific evidence concerning the nature of his alleged innovations, nor of the outcome of this suit.

For one thing at least Christopher Whittle should be remembered with gratitude. The copies which he made from Hutton's parish register of "all such as have byn christened, wedded and buried in the parish of Hutton" for the two years 1597-8 and 1598-9 are the earliest such records to survive from this parish. There is no trace of the original register but fortunately since 1539 it had been the duty of the incumbent of each parish to send a transcript or copy of each year's entries to his bishop, and only these two of Hutton's transcripts from then until the end of the sixteenth century have been preserved among diocesan records. Each is signed by the Rector - who, incidentally, spelt his name "Christofer Whittell" - and each bears the names of his two churchwardens, Thomas Bourman, senior, and Richard Arnol(d) in 1597-8 and Edmund Symon(d)s and John Porter in 1598-9.

These are the first two pairs of Hutton's churchwardens whose names are known today. Three of the entries in Christopher Whittle's transcripts must have had a special significance and poignancy for him. Although it has not so far been possible to discover the exact relationship between him and a Richard Whittell, who was buried in July 1597 and whose son, Stephen, had been christened in the previous April, and also a Robert Whitell, who was buried in April 1598, it must have been a close one for the surname 'Whittle' or 'Whittell' did not appear in Hutton records before the arrival of Christopher as Rector.

For the local historian these transcripts serve as a useful supplement to the manorial court-rolls of 1596-1600, and together these two sources provide almost all the new Hutton surnames of the second half of the sixteenth century. Unfortunately, the narrow space of two consecutive years covered by the transcripts makes any general observations based on them of limited value. However, the previously noted trend of an increase in population seems remarkable when one considers that during those two years there were only fifteen christenings and eleven weddings but as many as thirty-four burials. The figures for the single year 1597-8 are still more remarkable - only six christenings and four weddings but twenty-four burials, a third of them occurring during the two winter months of December and January. Since no ages are recorded in the transcript, it is not possible to make an accurate assessment of the level of infant mortality, but it would seem to be high, for out of those twenty-four burials eleven were described as sons, and one as a daughter, of persons presumably then still living, and two of them had been christened during the same year in which they died.

Mainly as a result of this single transcript, together with one or two details from the few surviving wills, mentioned earlier, more is known about some of Hutton's families in this period than about any, apart from the lords of the manor, during the previous centuries, the two best examples being those of the 1597 churchwardens, the Bourmans, variously spelt, and the Arnolds. John Burman, husbandman, who died in 1553, has already been mentioned for his interesting will and, like his biggest brass pan, he probably came from Lympham. His son, 'Thomas Boureman the elder', was the principal lessee in two rather odd three-life leases of the same Hutton tenement, one by Henry Coker in 1594 and the other by Edmund Ludlow in 1598.

In the first of these the other two lives were those of a Joan Godfrey and his brother, John Boureman, but in the second they were those of his wife, Alys, and his daughter, Elizabeth. These changes within four years are made intelligible by Christopher Whittle's transcript. Apparently Thomas must have married Joan after that first lease had been signed but she died in October 1597 and, in the following April, he took Alys Parker as his second wife and negotiated a new lease. A John Burman who was apparently a tenant in 1596 was probably Thomas's brother but as yet unexplained is his relationship with 'Thomas Boureman the younger', whose wife, Agnes, died in 1597, with Richard Boureman, whose sons, John and Thomas, died early in 1598, with an Elizabeth Boureman, who was a widow and a Hutton tenant in 1561, and with a probably younger Elizabeth who married Thomas Arnold in 1599.

The earliest of the Arnolds to appear in Hutton's records was a Richard who purchased the leases of a Coker tenement in 1548 along with Elena Arnold, perhaps his sister, to whom John Burman left his biggest brass pan. Richard Arnold, his wife Isabel, John Burman's daughter, and their children were also beneficiaries of her father's will in 1553, and it was probably their son Thomas (whose first wife Alys died in July 1597) who took as his second wife an Elizabeth Boureman in February 1598, eleven days after the burial of his son, also called Thomas.

It is just possible that the Richard Arnold who was churchwarden along with Thomas Boureman the elder in 1597-8, and whose wife Margaret (perhaps his second) died early in 1598, was the same person as the first-named Richard and that his fellow lessee, Elena Arnold, was still a tenant in 1597, and another tenant, Robert Arnold, had a daughter christened in 1598. Both the Arnolds and the Bourmans, as well as the Kenns, the Symonds, the Amners and several other families whose names appeared in Hutton records during the latter part of the sixteenth century will be encountered again in the next section of Hutton's story concerning the early seventeenth century.

## Twelve: The Early Seventeenth Century

This chapter covers the seventeenth century up to 1640, a period for which original sources are reasonably plentiful. During those first forty years of the century the Payne influence, however much diminished, was still felt in Hutton; until at least 1636 manorial courts were still held there in the name of Nicholas Payne, and from 1638 to 1640 in the names of his heirs.

On 24th October 1604, Nicholas Payne signed the deed by which Hutton Court and its surrounding lands were conveyed to John Still, Bishop of Bath and Wells. In one respect this marks the beginning of a new phase in the history of Hutton; for the first time in over 170 years the premises of its manor house, or part of them, were no longer occupied, or even owned, by a member of the Payne family. Although there is no positive evidence that Nicholas Payne and his wife Alice were actually living in Hutton Court in 1604, they were certainly entitled to do so, and in the deed of conveyance Nicholas was designated as “of Hutton”.

Similarly, it is clear from the *Note of the Implements Taken at Hutton Court*, signed by Bishop Still on 30th March 1605, that the Bishop had not by then taken up residence there, if indeed he ever did. He must, however, have taken sufficient interest in the premises to have inspected them thoroughly. From this inventory it is tempting to imagine the Bishop walking around and pointing out the wainscotting, the glazed windows and the doors “with good locks” or bolts to be booked down by a clerk as items “to be left by Mr Nicholas Payne”. Yet it is unlikely that he was looking for a house solely for his own immediate use, for whilst in office he had not only the Palace at Wells but a magnificent house at Wiveliscombe and another at Banwell (now ‘The Abbey’).

It is true that his immediate predecessor, Bishop Godwin, had preferred to live in a new house which was built for him at Towerhead, Banwell, but when Hutton Court came on the market at the turn of the century John Still must have been about sixty years old and he may well have been looking for a suitable home in this part of Somerset for his eldest son, Nathaniel, even though the latter, then about twenty-five years old, was still single. As it happened, on 26th February 1608, less than three years after he had signed that inventory of Hutton Court, the Bishop died.

Although Bishop Still had such a short-lived and slender connection with Hutton, there are good reasons why it is desirable to include further information concerning him in the story of this parish. For one thing he figures prominently in the chapter on Hutton in Knight’s *Seaboard of Mendip* where the general impression is given that he was “a church dignitary” whose claim to fame (based on slight evidence) was as the possible author of a crude early Elizabethan comedy called ‘Gammer Gurton’s Needle’ which included a song in praise “Of jolly good ale and old”.

Bishop Still was born in Grantham, and pursued his academic career at Cambridge, first as an undergraduate and then as a fellow of Christ’s College from 1561, when he also took holy orders. In 1570, when he became a Bachelor of Divinity, his strong support of the Elizabethan Act of Uniformity and his inclination

towards the Catholic tradition in the Church of England won him, at a surprisingly early stage of his career, the appointment to the Lady Margaret Professorship of Divinity in the University, yet it was not until 1575 that he became a Doctor of Divinity. Meanwhile, he had also become the (mainly non-resident) Rector of Hadleigh in Suffolk, where, in 1574, he had married Ann Alabaster, the daughter of a wealthy clothier. In the same year too, he was made Master of St John's College and three years later he took up the same position at Trinity College; during his occupation of these two Masterships he twice served as Vice-Chancellor of the University.

It was in February 1593 that he was instituted as Bishop of Bath and Wells and in the April of that year his wife Ann died, as recorded on her magnificent monument which he subsequently erected in the parish church at Hadleigh. Altogether she had borne him nine children, but three had died in infancy. Two of his four sons, Nathaniel (born in 1579) and John (born in 1588), both graduated at Cambridge where Nathaniel became a Fellow of Trinity College. In 1594 Bishop Still took as his second wife Jane Horner, with a handsome dowry from her father, Sir John Horner of Cloford, and by her he had yet another son.

John Still was not merely an academic and a theologian, but also a shrewd administrator and handler of finances who built up a small fortune for his family. He derived a handsome income from the 'fines' or capital charges he imposed for the renewal of leases, raising over £371 in 1597 from his Banwell tenants alone. As bishop of Bath and Wells he also received a considerable share of the revenues from the lead mines at Priddy, which had become increasingly profitable towards the end of Elizabeth's reign. Thomas Fuller, a seventeenth-century divine and author, wrote in his *Worthies of England*, "It is almost incredible what great summes were advanced to the Bishops of Bath and Welles by the benefit of Lead since the later end of Queen Elizabeth . . . Bishop Still had the Harvest, Bishop Montagne the Gleanings and Bishop Lake the Stubble".

The wealth of this family is indicated by the huge memorial to Bishop Still, displaying his effigy under a marble canopy, which was erected in Wells Cathedral. In fairness, however, it must be recorded that he made generous bequests in his will, including substantial sums for distribution amongst the poor of Wells and for the erection of almshouses there and of a new building at Trinity College, Cambridge.

It is not surprising, then, that in October 1604, apparently without any recourse to a money-lending merchant, Bishop Still was able to lay out £2,100 to purchase Hutton Court and its adjacent lands from Nicholas Payne. It would appear that the Bishop had been negotiating with Nicholas Payne for several months, for a later document states that on 13th May 1604 "there was a defeazance made" between them, i.e. an agreement to cancel or render void some earlier agreement, the details of which were not disclosed. It is, therefore, remarkable that he failed to ascertain whether Nicholas alone could rightfully dispose of that property. For one thing, in 1598, when Nicholas Payne was arranging to marry Alice Williams, he had conveyed all his Hutton estate to two Bristol merchants as trustees for the immediate use of himself and Alice with financial provision for her children by her first husband. According to the terms of this marriage settlement, Nicholas and

Alice jointly were allowed to grant leases of tenements and lands within the estate “other then (than) the Capitall Messuage Mansion House and Demaynes of the said Mannor”, i.e. Hutton Court and its adjoining lands. However, in the deed for the conveyance of this property, Bishop Still, or his lawyer, had wisely included a provision that Nicholas Payne should hand over to him all documents relating to the property or at least “true copies” of them made at Payne’s expense. It was probable from one of these documents that the Bishop discovered this particular circumstance which threatened to invalidate the conveyance, for on 20th November 1604, barely a month after the signing of that deed of conveyance, another document, specifically referring to that marriage settlement of 1598, was signed. By this, both Nicholas and Alice Payne and also the two Bristol merchants disclaimed “all interest in the manor house of Hutton” and the rest of the estate that had been conveyed to the Bishop. The discovery, however, that other parties might have a legitimate interest in the same property, deriving from a series of mortgages (begun in 1590 by Christopher Payne), seems to have been left to his heir and executor, Nathaniel Still.

It must have been at some time after the death of Bishop Still in 1608 that his eldest son, Nathaniel, examining the Hutton manorial documents delivered to his father by Nicholas Payne, could have first become aware that his tenure of Hutton Court and its lands was still threatened by the bonds previously made by Christopher and Nicholas Payne. However, during the next few years he was probably occupied with more urgent matters, not only with administering all his father’s bequests but with changes in his domestic life. According to Connor, it was in 1610 that Nathaniel Still married Jane, the daughter of William Whitmore, an alderman of the city of London. Nathaniel may well have been living at Hutton Court before his marriage, and certainly he and Jane must have made it their home soon afterwards, for their first child and only son, John, was christened in Hutton church on March 31st 1611, only to be buried on July 28th of that year. It is not, therefore, surprising that it was not until March 1612 when Nathaniel succeeded in freeing his tenure of his Hutton estate from the threats of the Payne bonds, although he had evidently taken the first steps to achieve this long before then.

From a document dated 25th March 1612, citing three of the bonds by which the Payne brothers had borrowed money with their Hutton property as security, it is clear that by then Nathaniel Still had not only discovered them and got in touch with some of the Paynes’ creditors, but had already successfully concluded a suit in the Court of Chancery against Nicholas Payne. The Court decreed that the latter should pay Nathaniel Still the sum of £420 and it was evidently agreed that payment should be made in two equal instalments on June 21st and September 29th, 1612. According to the document of 25th March, the second instalment of £210 was the ‘consideration’ upon which Nathaniel Still acknowledged that the manor of Hutton (that is, the Payne half of it excluding the portion of the demesne previously sold to Bishop Still) now rightly belonged to Nicholas Payne and two other creditors of his - Robert Eyres of Wells and John Tynte of Bristol. Presumably, the money paid to Nathaniel Still, perhaps including the first instalment, was used to clear the outstanding demands of the Paynes’ creditors, Nathaniel Still being the banker and negotiator, since it was in his interest that his tenure of Hutton Court and its lands should be quit of all claims.

On the same day that this deed was signed, another agreement was concluded solely between Nicholas Payne and Nathaniel Still. Nathaniel, as the

Bishop's executor, agreed to cancel the previously mentioned 'defeazance' of 1604 between Nicholas Payne and the Bishop, now replaced by this new agreement, and Nathaniel also promised to return the cancelled document of 1604 to Nicholas Payne. However, in a note, written apparently by Nathaniel himself and attached to the second 1612 document, Nathaniel confessed that he could not find "the former defeazance" but acknowledged it "to be voided".

Almost a year later, on March 17th 1613, Nicholas Payne and his wife, Alice, were apparently free to act alone, without directly involving any other former creditors, in conveying to Thomas Bythesea of Axbridge and John Sheppard of Bleadon some seventeen tenements and closes of land within the parish of Hutton for a total sum of £887 13s. 8d. The deed of this conveyance (303), which includes a detailed schedule of all Nicholas Payne's previous commitments, makes no mention of Nathaniel Still, not even as a witness, but he may well have played some back-stage part in arranging this transaction by which Nicholas Payne could find cash to settle his outstanding debts after having paid Nathaniel Still £420 during the past year. It could hardly be a mere coincidence that Thomas Bythesea had been one of the witnesses to both of the 1612 documents and that an Edmund Sheppard (probably related to John) had been another.

Still more significant, perhaps, is the fact that, attached to what must have been Nicholas Payne's copy of this 1613 deed of conveyance, there is a note, signed by Nathaniel Still, which has no apparent relevance to the transaction. This second personal message is, in effect, Nathaniel Still's receipt for Nicholas Payne's payment of £420 "by virtue of a decree in Chancery".

Also attached to this 1613 deed is another personal note addressed to Nathaniel Still. It concerns a certain "Clarks tenement" in Hutton that had not been specifically included either in the schedule of Nicholas Payne's commitments or in the list of Hutton properties being conveyed by him. According to this note, written by Margaret Kenn, Mr Kenn (i.e. her husband, Edmund) had delivered to Nathaniel Still, at some unspecified date in the past, a bond of Christopher Payne's involving Clark's tenement. Evidently, however, this bond had been mislaid and Nathaniel must have made enquiries concerning it. It is not known whether or not it was eventually found, but the outcome appears to be a deed, dated 4th November 1613, by which Nicholas Payne conveyed Clark's tenement to Nathaniel Still for a sum of £235. Included with this deed is a copy of the schedule of Payne commitments which had been annexed to the earlier deed conveying seventeen other Hutton properties. Together, these two documents and their attachments clearly indicate Nathaniel Still's involvement in freeing most of the Payne's share of the manor of Hutton from its complicated financial ties.

That note to "Mr Still" about Clark's tenement also sheds a glimmer of light on another aspect of Nathaniel's life, his relationship with at least one of his fellow parishioners in Hutton. The note ends with these words: "by one who wisheth ye both all good, Margaret Kenne". Not only is its tone friendly yet respectful, but the extension of its writer's good wishes to "ye both" suggests that she was more than a casual acquaintance of Nathaniel and Jane Still. This impression is strengthened by the fact that when Edmund Kenn, her husband, ratified his will in March 1614, shortly before his death, he appointed "my neighbour Nathaniel Still Esq to be a joint executor" along with one of his sons, Edward, and one of his daughters, Ann. With such different backgrounds, however, it seems unlikely that a very close

relationship could have been established between the two families, for this Edmund Kenn was none other than the one who, as a young man, had plagued his step-father, Thomas Payne, with his "riotous" behaviour, though by now (1614) it would appear from his will that he had undergone a remarkable transformation into a God-fearing man of Puritanical inclinations.

Nevertheless, living in Hutton's main 'Strete' in the house with a magnificent Tudor doorway, later to be part of Middle Farm, the Kenns were near neighbours of the Stills and, further, they were among the very few Hutton residents - perhaps the only ones at that time - who would be regarded as being on the same social level as the Stills. For Edmund, brought up at Hutton Court, was a brother of Christopher Kenn and a grandson of Sir Thomas Baynham, and his wife, Margaret, was a daughter of Sir John Strode of Parnham, Dorset, and so both were connected with several leading West Country families.

Although during this period there were four other men connected with Hutton who, like Edmund Kenn, ranked as 'gentlemen' - Nicholas Payne, James Langton, Christopher Oldmixon and Robert Maye - it is unlikely that they were as well acquainted with Nathaniel Still. It would be surprising if the business transactions between Still and Nicholas Payne had led to a more friendly relationship between them and indeed they were probably not living in Hutton at the same time. In those Payne documents of 1612 and 1613, and again in his lease to Samuel Manship in 1616, Nicholas Payne is described as "of the Citie of Bristol" where he may have been living since his marriage there to Alice Williams in 1597, for his only son, Henry, was baptised in the Temple church there in 1599 and his daughter, Grace, in 1602. Certainly, even if he had continued to live also from time to time at Hutton Court, he could not have done so for long after Bishop Still made his inventory of the Court in 1605.

This is borne out too by an entry in the Diocesan Court record for October 1606, when Alice Payne was reported "for not receaving the communion at Easter last or since", the presumption being that she was a Hutton parishioner during the church year 1605-6. Her case was dismissed when her fine of 18d was paid by Walter Williams, her son by her first husband. Another Hutton 'gentleman', James Langton, one of Nicholas Payne's tenants, whose actual dwelling is not known, cannot be traced beyond 1605 owing to a gap in Hutton's manorial court-rolls, but must have died not later than 1613 for his wife, Margaret, was then described as a widow.

Although "Christopher Oldmixon, gentleman" appears in those court-rolls from 1603 to 1640 as one of the free tenants of the manor, he may have had little contact with the village for he did not attend the manorial courts there and probably not its church. He must have lived within the parish of Bleadon, perhaps in the western part of Oldmixon, but his attendance at the church there was evidently far from regular; for in 1626 he was reported to the diocesan court "for seldom coming to church on sabbath dayes". Only Robert Maye, who, in his will made in 1638, is described as "of Hutton, gentleman", might possibly have been almost as closely acquainted with Nathaniel Still as Edmund Kenn. Like him he had been one of the witnesses to that note of receipt for £420 in 1612 and his brother, John Maye of Hinton Charterhouse, was one of Nathaniel's fellow justices, but nothing is known of where Robert and his wife, Elizabeth, were living at the time when the Stills occupied Hutton Court.

As for Nathaniel Still's relationship with the rectors of Hutton no positive evidence has survived. Christopher Whittle, who had been Rector since 1579 could not long have experienced (whether with pleasure, equanimity or uneasiness) the novel situation (in Hutton) of having his bishop almost on his doorstep, for he probably died late in 1607, not so long before Bishop Still, and perhaps before Nathaniel had made Hutton Court his home. Early in March 1608 his successor, John Hanmer, was instituted on the presentation of Nicholas Payne "de Bristol" (311). From the little that is known of John Hanmer's academic background and subsequent career it would seem likely that he could have proved a most congenial neighbour and friend of Nathaniel Still, if only for a few years. Only about three years older than Nathaniel and, like him, a graduate - though of Oxford, where he was a fellow of All Souls - he seems to have had some of the qualities of Nathaniel's father. In 1614 he was appointed chaplain to King James I and, presumably, it was then that he left Hutton; in 1615 he obtained his Doctorate of Divinity and by 1624 he had become Bishop of St Asaph.

However, human relationships depend much less upon the qualities indicated by such a career than upon personal characteristics and interests which are rarely revealed in documents, and perhaps these two graduates, such close neighbours in Hutton, had little else in common. Certainly the name of John Hanmer does not appear in any of the deeds and notes involving Nathaniel Still, nor, for that matter, do the names of Hutton's next two rectors, John Cottington (1615-1616) and Robert Bagnall (1616-1638).

Of course Nathaniel Still's circle of acquaintances and friends must have extended far beyond the confines of Hutton. He would certainly have been well known throughout Somerset for he played an active part in the public life of the county. In one of the documents recording a Chancery suit in 1613 concerning payment for repairs to one of Banwell's church bells, he is addressed as 'vicomes' i.e. Sheriff, and for most of the years when he was living at Hutton Court he was one of the county's Justices of the Peace. Even though most of his activities as a JP were confined to the north-western part of Somerset, including Hutton, and although his attendance at the Quarter Sessions was usually at Wells, where he first appeared on the Bench in January 1612, he also served at Bridgwater, Taunton and even Ilchester and so associated with such locally eminent Justices as Sir Robert Phelips, Sir Nicholas Halswell, George Luttrell, Maurice Berkeley, Robert Hopton and Edward and Francis Popham.

Among the decisions which Nathaniel Still and his colleagues had to make were those relating to poor relief. One of the provisions made by the Elizabethan Poor Law was that those in dire need - the old and infirm, widows with young children, and illegitimate children whose fathers had made no financial provision for them - were the responsibility of the particular parish in which they were born or could claim settlement. Consequently it was the policy of the overseers of the poor or the churchwardens (often the same persons but in different years) in every parish to ensure that they did not spend the product of their own parish rate on someone who might be deemed to be the responsibility of another parish, whatever hardship the removal of such a person from their parish might cause.

So it was that in March 1613 at the Quarter Sessions in Wells a petition was presented to the Bench from one of "the collectors of the poor at Bledon against

keeping of Ralfe Benet and his wife". It was said that Bennet, "an old impotent man, being a smyth by his profession or trade", had been "for ten years or more quietly settled in a dwelling- house of his own within the parish of Hutton" and that "he had worked in Bledon about one year and then departed again". Nathaniel Still and two other JPs were appointed to examine the conflicting claims for his settlement, but their decision is not recorded. Similarly, in January 1624, a complaint was received from "the churchwardens and overseers of Hutton that Agnes Longe of Banwell, widow, has forty pounds by the year at least and yet denieth any relief to her poor daughter (unnamed) living at Hutton, very sickly, with five small children in great necessity".

This appeal, of course, was for compassion, not so much on this poor family as on the ratepayers of Hutton (including Nathaniel Still), and it is not surprising that the Justices ordered that "the said Agnes should allow them one shilling every week". It was partly the fear lest those who appeared to have 'no fixed abode' might claim a settlement in some parish and become a financial burden there, as well as the suspicion that such persons must also be rogues, that led to the harsh treatment of 'vagabonds'.

A consequence of this may be seen in the case of Nicholas Yeomans, "a poor musician, dwelling with his wife and children in Hutton", who, in January 1616, brought a petition before the Bench against being treated as a vagabond because, he said, he had "lately travelled to the house of one Marten and other places not above two or three miles from Hutton to such persons as have sent for him, and did in short time return home orderly again". The intervention of Nathaniel Still on his behalf is indicated by the order of the Bench that "upon submission to Mr Still", Yeomans should "be no farther troubled for the said matter by the constables, tithingman or other officers". It is interesting to note that the inhabitants of Hutton and their close neighbours had the services of a resident musician in those days - a richly productive period for English music - and one hopes that he continued undisturbed for many years.

It is particularly in cases involving childbirth and illegitimacy that the policy of keeping down the parish poor rate at all costs, together with the belief, then prevalent, that the woman deserved the greater punishment, had consequences that seem appalling today. To those unacquainted with the penal code of that period, Nathaniel Still and his colleagues must appear to have been harsh and sometimes brutal in dealing with such cases. For example, in 1619, "upon a complaint by the parishioners of Keynsham", the Bench ordered "that Elizabeth Zealey of Hutton, whose child was born at Keynsham whilst she was travelling that way, shall forthwith be sent to Hutton where the child was begotten".

Even worse was the treatment prescribed for Margaret Bagnall of Hutton who had a 'base-born' child in 1621 and whose case came before Nathaniel Still and John Maye. With due regard for the welfare of the child and consideration for the ratepayers of Hutton, they justly ordered the "reputed" father of the child, John Neades, husbandman, also of Hutton, to pay the churchwardens sixpence weekly, the money to provide eventually for the child's apprenticeship. However, Nathaniel Still and his colleague further ordered that Margaret Bagnall, the mother, "be whipped through the nearest market town" (Axbridge?) "as soon as she be able to travel abroad."

Against this it is only fair to set the record of a somewhat similar case in 1615, that of Joan Lewis, another unfortunate Hutton mother. Again the usual arrangements were made for weekly payments by the "reputed" father, John Cox of Sandford, but upon hearing that they had agreed to marry, the Bench, including Nathaniel Still, decided to "forbear to set down any order of whipping but do refer her punishment thereon to be censured by the ecclesiastical laws", and the same decision was made concerning John Cox. From this case it is clear that Nathaniel Still and his fellow Justices were not motivated by any brutal impulse but sought to administer the law in a manner that seemed to them fair and just. The ultimate punishment of Joan Lewis and John Cox seems to have been a fine, as the Justices in July 1616 ordered that Cox's weekly sum of eightpence should be paid to "Richard Lewis, clerk, of Dundry", Joan's father, "if he shall give sufficient security to the churchwardens of Hutton for the discharge of the base born child."

Similarly, John Doulting and his wife, Margaret (nee Backwell), were fined because their child was born before their marriage in 1628. A possible indication that Nathaniel Still personally carried out his duties conscientiously, and even perhaps with some concern for the unfortunate woman, is provided by one item among the records of the Diocesan Court. In 1623 it was reported concerning "a certaine married woman dwelling mor neare to Bathe", that she had "byn with Mr Still one of his maiesties justices of Peace to apprehend" John Edgell of Hutton, accused of "incontinency" with her, "to bring him before his worship aboute the same".

As a Justice, Nathaniel Still must have become very familiar with such cases in north-western Somerset, besides the few in Hutton which have so far been mentioned, although many others, like that of John Edgell, were dealt with only in the Diocesan Court. It must, however, have been somewhat embarrassing for him to discover a similar instance under his very roof, though this case was not brought before his colleagues on the Bench. In the Diocesan Court record for December 1621, William Cannington, "formerly clerk of the venerable man Nathaniel Still gentleman", was reported for "incontinency with Francisca (Frances) Norman of the same household in the house of the said venerable man". The term "venerable" was not an indication of Nathaniel's age (then only about 42), nor of a virtue that was almost saintly, but of the great respect with which he was regarded.

William Cannington's position in the Still household is uncertain; according to the usual significance of the word 'clerk', he was probably a clergyman, perhaps employed as a tutor for Nathaniel's children. It is clear, however, from the word 'formerly' that he had been dismissed by the time his offence was reported to the Diocesan Court, probably as soon as it was discovered. His loss of livelihood and his shame must have been a bitter blow to him and no further punishment was inflicted on him by the Diocesan Court, for, as a brief note in the same court record sadly explains, "moriatur apud Stogursie" (he is dying at Stogursey).

Frances Norman was more fortunate. Nothing is known of her position at Hutton Court but she evidently had another admirer there, for less than a month later, on the 8th of January 1622, it was further reported to the Diocesan Court that "Christofer Langlye" of the household of Nathaniel Still "is latelie married clandestinelie to ffrances Norman of the same place. The phrase "of the same place" could refer to Hutton Court but probably means "of the same parish"; at least it indicates that Frances had not left Hutton and may have been allowed to remain at

the Court until her elopement. Although the secrecy of her marriage to Christopher Langley may have offended Nathaniel Still, it was probably some doubt concerning the legitimacy of the ceremony that caused him (presumably) to report the matter to the Diocesan Court. Fortunately, surviving copies of the entries in Hutton's parish registers for 1622 and 1623 reveal that, as far as Frances is concerned, her melancholy tale appears to have had a happy ending. On January 25th 1622 she and Christopher Langley were lawfully married in Hutton church; on February 19th her earlier case (with William Cannington) was dismissed in the Diocesan Court; and on January 6th of the following year, "Margaret, daughter of Christopher Langlee" (and presumably of Frances) was baptised in Hutton church.

Although the previously mentioned case of John Edgell shows that Nathaniel Still continued to carry out various duties as a JP until at least 1623, and although his name was among those of Justices for the County of Somerset in the first Commission of Peace under Charles I, on April 1st 1625, he apparently sat on the Bench for the last time at the Quarter Sessions held at Ilchester in April 1618. Since the records show him to have been until then a regular and conscientious Justice, it would seem that his subsequent absence was due to illness which prevented him from travelling.

It may well have been a further deterioration of his health that led him in May 1622 to put all his real estate in Somerset into the hands of several trustees for 99 years. More significantly, on January 2nd 1626 he limited the terms of this transaction to specify in detail the ultimate division of this property among his four daughters and co-heiresses, Ann aged thirteen, Jane eleven, Mary nine and Elizabeth eight. Perhaps he thought that he had made sufficient provision for the future of his family, or, more probably, within a few days he became too feeble to make and sign a will, for only one month later, on February 2nd 1626, he died intestate at or about the age of forty-seven.

Owing to a gap in the copies made from Hutton's church registers between 1623 and 1629, there is no record of Nathaniel Still's burial, but he was most probably interred beneath the chancel floor of Hutton Church, for it was on the north wall of the chancel (later breached for the organ recess) that his memorial tablet was first erected, although it is now high up on the west wall of the south aisle. Incised on a slab of dark grey stone, set in a white marble surround of Jacobean classical design, are the effigies of Nathaniel and his family, all in costumes of the period. In the middle he and his wife, Jane, face each other as they kneel in prayer at a fald-stool and, kneeling on both sides are their children, their dead son behind his father and their four daughters behind their mother. Below is engraved this simple epitaph: "In memory of Nathaniel Still of this parrish Esq., who dyed the second Day of Febrvary Anno Dno 1626", followed by these four rhymed couplets of conventional praise:

*"Not that hee needeth monvments of stone  
For his well gotten fame to rest vppon  
But this was reard to testifie that hee  
Lives in their loves yt yet srving bee  
For vnto vertv who first raised his name  
Hee left the preservation of the same  
And to posterity remaine it shall  
When brass and marble monvments shall fall".*

The composition of Nathaniel Still's family at the time of his death had consequences which seem barely credible today, relics of mediaeval feudalism that had survived the fragmentation of the manor. Because he had no surviving sons and his four daughters and co-heiresses were under age (i.e. under 14) and unmarried, there were no males left in the immediate family to perform the knight-service due to the King on account of the lands that Nathaniel Still had held. Earlier such a situation would have created a practical military problem, but a purely financial solution had long since been found for this; the heiresses became wards of the King during their minority and their estates provided a revenue for the King, theoretically to pay for the hire of equivalent service. By the early seventeenth century it had become usual for the control of such wards and the income from their estates, after valuation, to be sold outright, often within a short time and to someone related to the wards.

Even an estate of only a few acres, formerly part of a knight's fee, could be treated in this way. For example, in 1617, upon the death of John Buck of Hutton, his only child, Mary, being then only three years old, was made a ward of the Crown and the small annual revenue from his little estate of a house and twenty-two acres was paid to the King until 1625 when the wardship was sold to James Jeffery for £5. All Nathaniel Still's lands in north Somerset were subject to knight-service, those in Hutton assigned to Ann, being described in the valuation as "held of Sir Theodore Unton, knight, of his manner of East Chapere" (probably a mistake for 'Harptree') "part of the Honour of Gloucester". In little over three months of Nathaniel's death all four wardships had been purchased by Jane, his widow, for £666 13s. 4d.

Presumably, Jane Still and her daughters continued to live at Hutton Court for several more years although no local records reveal their presence. In 1632, when Ann was about twenty years old, she married John Codrington, of Codrington and Didmarton in Gloucestershire, not in Hutton Church but at Pucklechurch. About the same time when her uncle, John Still, was making his will, (proved in 1634), he assigned a small bequest to her as "my cousin" (i.e. close relative) "Ann Still, eldest daughter of my brother Nathaniel".

By then, or perhaps soon afterwards, her mother had become the second wife of Henry Dennis of Bath, and when she died in 1639 she was buried there, her memorial tablet being placed in Bath Abbey. At some time between 1632 and 1639 Elizabeth, the youngest of the Still daughters, also married a member of the Dennis family, and Jane, the second daughter, married a baronet, Sir Francis Pile. Only Mary was still unmarried when her mother died but where she was living is not known. Hutton Court, whether occupied or not, had then been owned by John Codrington and his wife for the past seven years.

When Nathaniel Still was living at Hutton Court, surrounded by his own lands, the greater part of the former manorial demesne in Hutton, he must have seemed to many people in the neighbourhood to be lord of the manor of Hutton, and perhaps it is not surprising to find that this mistaken notion was once apparently held by his fellow Justices or at least by the clerk to the Bench. In 1615, when an application was made for a Hutton labourer, John Standfast, to build a cottage within the manor, it was stated that he had "obtained the consent of Sir Edmund Ludlow, knight, and Nathaniel Still, Esq, lords of the manor". Sir Edmund Ludlow of Hill Deverill, Wiltshire, whose wife was previously Bridget Coker, was indeed

lord of the former Coker half of the manor until his death in 1625, when he was succeeded by his son, Henry Ludlow.

The Payne half of the manor, however, though much diminished in the area of its lands, was still held by Nicholas Payne. It was in his name and, until October 1617, that of his wife, that manorial courts continued to be held somewhere in Hutton, even though they were presided over by his stewards, John Adams from 1603 to 1605 and Mr Cox from 1613. So too in October 1616 it was upon the presentation of “Nicholas Paine and Alice his wife” that Robert Bagnall was instituted Rector of Hutton after the resignation of John Cottington, although, curiously enough, a “Robert Bagnall of Norton St Philip” (a parish adjoining that of Rode where Hutton’s new incumbent had until then been the rector) is named in the Bishop’s Register as acting on behalf of the Paynes whose address is not given.

Again in December 1616 Nicholas Payne, still described as “of the Citie of Bristoll, gent”, and his wife conveyed a close of pasture in Hutton, called the Five Acres, to Samuel Manship, yeoman, of Locking. Presumably Alice Payne died between December 1617 and March 1618 when a manorial court was held in the name of Nicholas Payne alone, for the first time since his marriage. In June 1618 too, according to the list of Hutton deeds held by Joseph Matthews in 1749, it was Nicholas Payne alone who granted a lease of land in Elborough to Joseph Gryffen, but the deed itself has not apparently survived and its brief description in the list does not disclose Nicholas Payne’s place of residence at that time.

On 20th August 1628, however, when two messuages and various lands in Elborough were conveyed to John Tylly of Wrington by Nicholas Payne, John Box and his wife, Grace, “daughter and heire apparent of Nicholas Paine” for the use of John and Grace and her heirs, Nicholas was described in the deed as “of Elborow within the parish of Hutton in the countie of Somersett, Esquire” and his son-in-law as “John Box of Crawley within the parish of Whitney in the countie of Oxon, gent”.

It would appear from this that Nicholas Payne was no longer living in Bristol but now regarded Elborough as his true home. His daughter’s marriage to John Box must have occurred either in or shortly before 1626 for in October of that year “Grace Payne alias Box” was reported to the Diocesan Court “for not receaving the holy communion at Easter last, she being latedie of there parishe” (i.e. Hutton) “but nowe living in Oxfordsheare as they heare”. Apparently then she had been living, perhaps with her father, somewhere within the parish of Hutton in 1625 but had left, probably upon her marriage, before or about Easter 1626.

The fact that no mention was made of her father in the Diocesan Court record suggests either that he had received Holy Communion in Hutton church at that Easter or that he was not then regarded as a permanent resident of the parish. Unfortunately there is a gap in the surviving copies from Hutton parish registers between 1623 and 1629 and so no record has been traced of the actual date and place of his daughter’s marriage to John Box or of the subsequent baptisms of their daughters, Elizabeth and Grace.

A gap of nearly ten years occurs in Hutton’s manorial court rolls between October 1622 and March 1632 and from then onwards, as even for some time previously, their proceedings seem to have been confined almost exclusively to

matters concerning Elborough and Ludwell. Within the next few years several references in these records to “Mr Payne” seem to indicate that he was still living within the parish. In October 1632 it was recorded that Edward Yonge acknowledged that he had sold to Mr Payne the reversion of his mother’s tenement. Again, in April 1633, it was reported to the manorial court “Susan Manshipp, widow, hath given licence unto Mr Payne to take three trees uppon her ground, parcell of this Mannor, out of the sale of which trees Mr Payne hath promised to allowe unto her ten shillings in part payment of a debt of 19s. 6d “to Mr John Box”. Nicholas Payne also arranged with the widow that she could further pay off her debt at the rate of 2s a year by giving him two capons (cockerels) every Christmas. Evidently he was then still living in Hutton, or visiting it often, and was expecting to do so for the next few years. The nature of his dealings with Widow Manship further suggests that he may have been living in rather more straightened circumstances than one would expect of a lord of the manor.

Finally, in April 1635, a remarkable story concerning Nicholas Payne and his son-in-law, John Box, was told to the manorial court by John Hawkins, a tenant, who was then living in a house in Elborough previously occupied by Robert Burrowes. About six or seven years earlier, he said, (i.e. 1628-9) John Box had removed from this house a “greate chest bound with iron bonds in which were many evidences and writings” and had carried it to “the house wherein the said Box then dwelt”. In the same court John Hayne, who had since purchased the house of John Box, confirmed that when he came to live there he found the chest and that John Box had “alleged that it was his owne but did not carry it away” and so it still remained there in 1635. However, John Hayne also confessed that “Mr Payne” was “now clayminge the said chest” and that he (Hayne) “believeth it to be his” (ie Payne’s). This seems hardly a suitable matter for consideration by the manorial court, especially one held in the name of Nicholas Payne.

It is not therefore surprising that nothing further concerning the chest is recorded in the court-rolls that have survived. However, this case has a threefold significance for the story of Hutton. In the first place, the “evidences and writings” in that iron-bound chest were most probably old Hutton manorial documents and, if so, they came eventually into the possession of the Smyth family of Ashton Court, and so, later, of the Bristol Record Office, providing the authentic source of so much of Hutton’s history. Secondly, the evidence in this case establishes the fact that John Box was living in Elborough about 1629, only two years or so after his wife, Grace, had removed to Oxfordshire, and that he had occupied two different houses there. Finally, it suggests that the relationship between John Box and his father-in-law was less than frank, and that in 1635 and for some time earlier Nicholas Payne had no satisfactory place of residence where he could keep his last few valued possessions.

The last surviving record of a Hutton manorial court held in the name of Nicholas Payne is dated 23rd October 1636; at some time between then and October 1638 he must have died. The death of Nicholas, the last male of his line, must have occurred at about the same time as that of his daughter, Grace Box, and by the marriage of his two grand-daughters, for the Hutton manorial court of October 1638 and those of the next two years were held in the names of "William Kidgell, gentleman, and Elizabeth his wife, and Thomas Bainham" (or Baynham) "gentleman, and Grace his wife", the new joint lords of the former Payne half of the

manor of Hutton. Unfortunately again, no records have been found of Grace Box's burial, nor of the marriage of her daughters.

So far this section of Hutton's story has been occupied mainly with the affairs of Nathaniel Still and Nicholas Payne and their families for the very good reason that there is much more documentary evidence concerning them than concerning any of their contemporaries in Hutton with the possible exception of Edmund Kenn, (or Kenne), who died in 1614, and some members of his family.

The first of the Kenn records is Edmund Kenn's will which he drafted on April 16th 1611 and which he modified and ratified on March 26th 1614, not long before his death, for probate was granted on July 7th of that year. The provisions of this will, and even the manner in which some of them are expressed, reveal something of the personality of Edmund Kenn during the last stage of his life. The main impression made by the will is that of an apparently sincere religious man who had changed beyond all recognition from the young man described earlier by his step-father, Thomas Payne, as "not havinge the feare of god affore his eyes" and "of a wicked and evill disposed mynde". Now, over thirty years later, he commended his "soul to God the maker of all things, and to his son, Jesus Christ by whose death and passion", he wrote, "I only hope for eternal life and salvation, and to the Holy Ghost the sanctifier of all the elect, three persons and one God coequal and coeternal together".

The liturgical ring of this opening clause of Edmund Kenn's will could arouse the suspicion that it had been penned by a cleric, but since its underlying faith is reflected in other passages in the will which are more prosaic and more personal in tone, it seems more probable that the wording of the whole will was Edmund Kenn's own choice. Besides, the will gives no indication that he had a close friendship with any particular member of the clergy. He made no bequest and not even any reference by name to the Rector of Hutton, John Hanmer, nor to any other cleric, and, as far as can be ascertained, none of the four witnesses to his will was a clergyman, though one of them was John Still, son of the deceased Bishop and younger brother of Nathaniel, and another, William Minterne, had witnessed Thomas Payne's will in 1583.

Indeed, although he must almost certainly have been a regular worshipper in Hutton church at this stage of his life, he apparently had no strong predilection for this or any other particular place of worship. He asked "to be buried in the church or chancel of Hutton or in the church or chancel of the parish where I shall depart this life", and, in marked contrast with his bequests to the poor, he left only the modest sum of 3s. 4d "to the repairing" of that church, whichever it might be.

However, certain provisions of Kenn's will concerned three specific parishes, Banwell, Hutton and St Michael's in Bristol. It was probably out of respect for what he knew to have been the wishes of his "very good mother, Margaret Payne, widow deceased", that he bequeathed half of the profits from "all the tithe corn of Wolfershill and Towerhed in the parish of Banwell" to the poor of that parish and the other half to the poor of the other two parishes (Hutton and St Michael's, Bristol), "equally divided". It is not known how Edmund Kenn had originally acquired these tithes and the parsonage of Banwell to which they belonged, but, according to his will, his mother had bought the tithes from him "for the sum of one hundred pounds . . . for the said poor". Most probably, the

distribution of the profits from these tithes had begun before Margaret Payne's death and had been continued afterwards by Edmund, for in his will he asks for "a great care to be taken for the equal and upright distribution of my mother's gift without any partiality". Almost certainly then, the choice of these three parishes must have been made by Margaret Payne, not by Edmund Kenn.

A further provision for the use of the profits from the Banwell property seems more likely to have been Edmund's own idea, expressed in his own words, and if so, it reveals another aspect of his religious nature at this time of his life. "Out of the profits of the parsonage at Banwell", he directed, "I give . . . 13s. 4d yearly . . . to be bestowed upon some good and sufficient preacher, being neither vicar nor curate of the said parish, for the making of two sermons there at Banwell every year, viz the first upon one of the holy days in Easter week, the second upon one of the holy days in Christmas". Further, Edmund Kenn declared specifically that it was his wish that the chosen preacher "should specially move his audience for the helping and relieving of the poor . . . and also . . . admonish all housekeepers to be careful of their families that they break not the sabbath daye, neither offend God in swearing, curseing and lying which are vices that the country people think to be almost no sin". Here, in his abhorrence of these specific "sins" and even in the somewhat self-righteous tone of his disparaging reference to "the country people", one may detect a puritanical strain in his apparently sincere religious outlook.

In this respect, however, Edmund Kenn was probably in accord with most churchgoers throughout the land at this early stage of the seventeenth century. Many breakers of the Sabbath Day were brought before the Diocesan Court at this time and, not surprisingly, some of them were parishioners of Hutton. For example, in 1622 William Chappell was reported "for usuallie grindinge of corne at his mill uppon the Sabbath Daie"; and ten years later Thomas Neale and Samuel Arnold were accused of "drinkinge in the house of Thomas Symonds of Axbridge uppon Sunday the 9th of September at both morninge and eveninge prayer-times". Similarly prevalent was the high regard for preaching shown by Edmund Kenn in his will, for by this time the sermon had become the dominant feature of the church service and the pulpit was now the focus of attention inside most churches.

Even to this day some churches still retain their high-standing Jacobean pulpits, often of good oak, elaborately carved, and sometimes capped with matching sounding-boards to give more resonance to the preacher's ringing tones. Here in Hutton it was probably during this early part of the seventeenth century (if not in the reign of Elizabeth I) that its beautiful fifteenth-century stone pulpit came to occupy its present exalted position, and perhaps at the same time it was fitted with a wooden sounding-board, for one was certainly repaired in 1827 although no trace of it now remains.

Reverting to Edmund Kenn's will, one cannot fail to observe in it, in marked contrast with the insolence and "riotous" behaviour of his youth as described by his step-father, Thomas Payne, a more agreeable measure of consideration for others and a more loving relationship with his family. His provision for the poor included ten shillings annually for the four years following his death "to the poore people of the parish" in which he should happen to be residing when he died. To each of his household servants he left "one quarter's wages over and above such wages as are due to them", a provision which would then have been considered fairly generous;

and to each of his "good friends", the four overseers of his will, he bequeathed "a ring of gold to the value of 10 shillings "as "a token of love".

Towards his own mother, who had died some years earlier, he evidently felt more than the previously noted sense of filial duty, for he referred to her fondly as "my very good mother". Similarly he referred to the surviving Margaret Kenn as "my well-beloved wife" and, in addition to the house and grounds they then apparently occupied, "bought of Henry Coker Esquire, lying in Hutton", he left her an annual income of £40 "out of the profits of the parsonage of Banwell", the gilt cup given her by one of his brothers, and "£20 worth of my household stuff (furniture and furnishings) "as she shall make choice of ".

He was evidently anxious to provide for all his children, including the youngest, for he left revenues from various leases to each of them by name except his eldest son, Edmund, who would automatically inherit his 'fee simple' or freehold property; he also requested the overseers of his will to use this land during the minority of his heir "to the bringing up" of his children and to use the revenues from some of his copyhold "for the benefit of the children". Towards two of them, John and Catherine, he seems to have shown particular affection for, at some time between 1611 and 1614, he had sold two of his tenements to raise money to provide (in his own words) a "testimony of my love to my said children".

All four of the overseers of Edmund Kenn's will were related to him by marriage. Lady Florence Stallinge had previously been the second wife of his deceased eldest brother, Christopher Kenn; Sir Robert Strode was his wife's brother, and John and George Strode were, presumably, her cousins. Originally, Edmund had appointed two of his children, Ann and Edward, to be his executors but on March 26th 1614, when he ratified his will, he included Nathaniel Still as a joint executor. It was in the name of Ann Kenn alone, however, that his will was proved on May 7th 1614. It is clear that he must have died near the end of March or early in April 1614, and almost certainly in Hutton where he was living when he ratified his will. Consequently, if his executors fulfilled his requests, he must have been buried in Hutton church, probably in the chancel, with only "a fair freestone" laid over him "with the time of his death engraven thereon". No trace of this tombstone, alas, has survived.

When Edmund Kenn died in 1614 , he left behind his wife, Margaret, and nine children - three sons, Edmund, John and Edward, and six daughters, Ann, Margaret, Catherine, Elizabeth, Alice and Mary; another daughter, Dorothy, an infant, had been buried in Hutton fifteen years earlier. The ages of his children in 1614 are not known, but, according to his will, the eldest son, Edmund, must still have been a minor and all of his daughters still unmarried. It seems likely therefore, that they were all then living together in Hutton with their mother in the house which her husband had left to her for life and then afterwards to Ann. This was the house on the north side of the main road, which was eventually to be replaced by other buildings as part of Middle Farm. Only its handsome stone doorway, of late Tudor style and bearing the Kenn arms, now remains, quite incongruously and probably not in its original position.

During the next six or seven years several changes in the Kenn family occurred. Perhaps only shortly after her father's death Elizabeth must have left Hutton, for her aunt, Lady Florence Stalling, at some time before her death in 1620,

had told a friend that Elizabeth "for many years together lived with her uncle, Sir John Strode". It was probably in 1619, if not earlier, that Edmund came of age and inherited his father's freehold in various parts of Somerset, and in a 1620 deed he was described as "of Burrington . . . gentleman" .

As his younger brothers, in turn, came of age they too left the family home in Hutton. John Kenn was described in his will as "of East Brent" and he certainly died there in 1667. Edward, whose place of residence is not known, must have survived him, for John bequeathed half of all his goods to him. At least four of their sisters married. Margaret's wedding to Henry Morgan of Sudbury must have taken place long before 1626 by which time she had six daughters and Henry had died, she too dying only three years later. Eventually Elizabeth Kenn married Strode Allen of Evershot, Dorset, Catherine married Christopher Greene of Sussex, and Alice, George Prowse of Tiverton. What happened to Mary is not known, but Ann remained in Hutton with her mother.

Although young Edmund Kenn was evidently living in Burrington by 1620, he may also have had some property in Hutton and was almost certainly in touch with other members of his family there. Consequently some of the remarkable events involving him, but occurring elsewhere, are far from irrelevant to the story of Hutton.

By this time this young man had acquired a reputation for 'riotous behaviour' at least equal to that of his father in the early 1580s, and indeed his father must be considered fortunate to have died before the resemblance between them became too uncomfortably apparent. Young Edmund may have been reacting against the too repressive regime of his reformed and elderly father; on the other hand he was, perhaps, unfortunate to have been without his father's guiding and restraining hand when it was most needed. As in his father's case the main evidence for his wildness is provided by the incomplete records of a suit before the Court of Star Chamber and must be regarded with caution; but the number of instances quoted and the many details given are impressive.

During this suit, apparently begun on May 26th 1620, it was first alleged that Edmund Kenn had "conceived some causeless malice against John Payne of Banwell, gentleman, a man of good worth and credit". It is most improbable that this John Payne was a close relative of the Paynes who were lords of the manor of Hutton, although, like so many others of that name in surrounding villages, he was probably an offshoot of that family. It is more likely that he was the Banwell churchwarden who had been involved in a Chancery suit concerning the repair of their church bells in 1613 when Nathaniel Still was Sheriff of Somerset. Whatever the origin of young Edmund's malice, it apparently led him one day to "riotously" assemble at his home in Burrington several of his friends and acquaintances, including a Hutton husbandman, Maurice Jennings.

They all then proceeded to Banwell where they caused such an uproar outside John Payne's house that the Hutton tithingman, or constable, was sent for, but when he arrived armed with a warrant for Edmund Kenn's arrest Edmund refused to go with him. Later, however, he appeared before a court at Wells, but then still more arrogantly he told the prosecuting attorney that he would "teach him . . . to make a difference between a gentleman and a clown" (i.e. a simple illiterate

countryman), and he even invited the lawyer to step outside so that he could teach him better manners.

According to the evidence produced before the Court of Star Chamber, another instance of this young gentleman's violent behaviour concerned a Wrington lawyer called John Cox, perhaps the unhappy victim of Edmund's wrath at Wells. One day as Cox was journeying towards London, Edmund Kenn attempted to assault him in the Bear Inn at Marlborough and then challenged him to a fight, but the lawyer wisely refrained. Subsequently he took out a summons for assault against Edmund Kenn but Edmund and his followers rode openly into the market-place at Wrington, brandishing naked swords and daggers and challenging the bailiffs to arrest him and then, when they attempted to do so, attacking them so that, it was alleged, they would have been "slain if the concourse of people had not prevented it". On several other occasions this wild young man evaded arrest, once actually snatching the warrant from the constable who had been sent to arrest him and stuffing it into his pocket.

Most discreditable of all, however, was Edmund Kenn's treatment of William Poulett, a member of an influential Somerset family to whom the Kennes were related by marriage. Indeed this episode began one Christmas (probably 1619) whilst Edmund was a guest of his cousin Elizabeth and her husband, John Poulett, at their early sixteenth-century manor house at Hinton St George. There a quarrel arose between Edmund and William Poulett, a kinsman of his host, out of a wager about the flight of a hawk. Edmund challenged William who was lame, to a duel, and when the handicapped man wisely declined, Edmund scorned him and taunted him about his lameness. In Bristol, shortly afterwards, "persisting in his inordinate desire of revenge and waste of blood", he challenged William again to fight him "with a single naked rapier and a case of charged pistols".

However, William failed to turn up at the appointed time and place and so, "vainly assuming and usurping a kind of glory to himself", Edmund made "divers insulting and threatening speeches against the said William Poulett". As so often the surviving records of this Star Chamber suit do not reveal the Court's final judgment, but the wealth of evidence produced does present the young Edmund Kenn as at least an insufferably arrogant swashbuckler. This impression is confirmed by an entry in the records of the *Heralds' Visitation to Somerset* in 1623 to the effect that "Edmund Kenn of Burrington, Gent., stands in contempt, questioning our authority".

Relations between the Kennes and the Pouletts must have become even more strained during the next few years. It appears that at some time before the death of the elder Edmund Kenn, his sister-in-law, Lady Florence Stelling, the mother of Elizabeth Poulett, had promised to pay him and his family the considerable sum of £1000 and by about 1620 she had paid out £800 of this "unto them or some of them". However, in that year, before she could pay the remaining £200, she died, leaving most of her wealth to her daughter, Elizabeth, and her "figured satin gown with the doublet and kirtle thereto belongyng" to her sister-in-law, Margaret Kenn. Since there was no mention in the will of the outstanding £200, Margaret later applied for this sum to Elizabeth's husband, John Poulett, but she received from him only one payment of £50.

By 1626 she had begun proceedings against him in the High Court of Chancery but with what result is not known for the records of the suit are incomplete. Evidently Margaret Kenn was then still alive and, presumably, still living in Hutton with her daughter, Ann. Incidentally, in 1627 John Poulett was created a baron, the first Lord Poulett.

By that time Edmund Kenn must have been living in Uphill, for when his brother-in-law, Henry Morgan, made his will at the very end of 1627 he appointed "Edmund Kenn of Uphill" to be one of his overseers, and it was Edmund who proved this will in May 1629. In the following January Edmund once again brought disgrace upon his family, but in a different way, for he was presented before the Diocesan Court on a charge of 'incontinency' with Joan Standfast of Hutton. The entry in the Court records first gives "Hutton" as his parish; but this name is crossed out and replaced by "Uphill", thus indicating that he was still living there though he was evidently associated also with Hutton.

In 1631 he had the opportunity of obtaining a knighthood but, like several other gentlemen in the Winterstoke Hundred of Somerset, he declined the offer, preferring to pay four guineas 'composition' in lieu of acceptance to the possible expense and obligations associated with the title, which was not so much a reward for honourable service as a source of revenue and support for a King already in need of both. Edmund's last known offence, which must have occurred at some time during the next three or four years, was described as "inadvised behaviour . . . at the election of Knight of the Shire" (i.e. county MP) "and scandalising Sir Robert Phelips" of Montecute House. For this, or perhaps for failure to pay a fine imposed on him, he was committed to the Fleet prison in London, from which, after he had submitted a petition to the Privy Council, he was released in 1635.

Throughout this early part of the seventeenth century there was at least one other family of the name of Kenn living in Hutton, and it included another John and Edmund. In February 1612 a William Kenne of Hutton made a will which was proved in June 1613 by his son and heir, John Kenn. The will had been witnessed by "Edmund Kenne, Esq", the elder Edmund who died in 1614 and who was probably a distant kinsman of William.

Certainly it is apparent from his bequests that William was a man of modest means and was a widower, for to his only daughter, Elizabeth, he left "one cove called by name Collye, one bedstead bed and boulder, and all her mothers wering apparell and one piece of Red Cloth". To his son, John, he left his "Leases chattels etc". Apparently he made no request for burial nor any mention of the church, but he showed considerable generosity in bequeathing twenty shillings "to the Poor of Hutton".

It was probably about six years after William Kenn's death that his son and heir, John, married Agnes Leaste, the daughter of a Bleadon yeoman, for their eldest son, Edmund, must have been born before May 1620 and their daughter, Agnes, was baptised in Hutton church in February 1623. John Kenn must have prospered before he in turn died on April 15th 1632. In his will he described himself as "John Kenn of Hutton . . . husbandman". He would seem to have had a tolerably good relationship with his parish church, for he requested burial "at Hutton", and left twenty pence "to the Church of Hutton".

He also left forty shillings to William Bagnall, who was almost certainly related in some way to Robert Bagnall, the Rector of Hutton since 1616. Further, it is most likely that he was the John Kenn who, as a Hutton churchwarden in the year 1622-3, signed Robert Bagnall's copy of the entries in the parish register for that year, recording the baptism of John's daughter Agnes, and the burial of William Bagnall's son, Thomas. To each of his four children, one son and three daughters, John Kenn left £40. He also left the girls small plots of land in Hutton, five acres ("purchased of Samuel Manship") to Sarah, another five acres ("purchased of Thomas Bythesea") to Agnes, and six acres (also "purchased of Thomas Bythesea") to Mary. His only son, yet another Edmund Kenn, who was then only twelve years old, would eventually inherit the bulk of his estate.

Including the Paynes, the Stills and the Kenns, more than two hundred individual adults, closely connected with Hutton and mostly living within the parish, are named in the various surviving records of the first forty years of the seventeenth century. At least fifteen of these persons had been mentioned during the last decade of the previous century and there were probably many more survivors of Elizabeth's reign whose names cannot be traced. Among those whose names appear in Hutton records for the first time, about 120 have different surnames. Only three of these surnames - Payne, Ludwell and Frye - had survived from the thirteenth century, though one more - Oldmixon - was represented by Christopher Oldmixon first named in 1595.

Despite some variations in spelling, seven of the 120 surnames may be traced back in Hutton records to the fourteenth century, fifteen to the fifteenth century and twenty-six to the sixteenth century. Among the latter the names of Arnold, Bowerman or Burman, Edgill, Merefield or Merryfield, and Trowbridge were still well represented in the early part of the seventeenth century. However, no less than sixty-four surnames - over half of the total - made their first appearance at this time. Although some of these, such as Dyer, Hawkins, Morse, Tripp, Tucker and Tuckey, were already well established in neighbouring parishes, this large proportion is evidence of the increasing mobility of the population in north-west Somerset.

Only two of the seventy-five names of tenants in the Hutton manorial court-rolls of this period appear for almost the whole span of forty years. William Nades or Needes is recorded as having attended most of the courts held between 1595 and his death in 1638; Henry Robins appears to have attended all except two of the courts between 1601 and 1640. Samuel Manship, though according to his will a resident of Locking, also held a tenement in Hutton for about thirty years (1602-1632) and was succeeded for a further six years by his widow, Susan. The name of Edward Younge appears in the court-rolls from 1611 to 1640, and those of at least six others - Stephen Amner, Edmund Squyres, John Martyn, Thomas Younge, James Phelpes and Samuel Howlett - for a space of roughly twenty years. However, most of the names of individual tenants in Hutton manorial records of this period appear for only two or three consecutive years and are not apparently followed by the names of other members of the same family.

This suggests that many tenancies were of very short duration, although the custom still prevailed for tenants to be succeeded by their widows or their adult sons or daughters, as William Nades and Samuel Manship were. So too when William Crossman, a tenant since 1601, died in 1616, he was succeeded by his widow, Agnes,

and she in turn by their son, Henry, who died without heir in 1639 when the tenement reverted to the lords of the manor. However, it is often impossible to recognise daughters if they married and changed their surnames. Most new leases granted during this period were for a term of ninety-nine years or the lives of three named persons including the primary lessee. In 1626, for example, Henry Ludlow, one of the lords of the manor, granted a lease to Thomas Gosse and his sons, Thomas and John ; in 1627 he granted one to Thomas Geathen, his "new" wife, Elizabeth, and her son by a previous marriage, Edmund Edgill; and in 1638, more unusually, one to Judith Morse, spinster, her mother, Joan, and her brother Edmund.

Few continued tenancies such as these can be traced in the manorial court-rolls of this period; this raises some problems concerning the holdings of some families. William Kenn, for example, whose death in 1613 has been mentioned, is named in the court-rolls from 1595 only until 1604, and the name of his son and heir, John, who died in 1632 with land in Hutton, does not appear in them at all. Similarly, Thomas Arnold is named in the rolls from 1601 to 1618, but Robert Arnold, a tenant in 1597, is not mentioned subsequently in the rolls, yet he was buried in Hutton in 1623; Edmund Arnold's name occurs only in a roll of 1604, although he was a churchwarden in 1611 and did not die until 1627. It is clear then that the evidence provided by these surviving records is not entirely reliable. For one thing, there are two considerable gaps in them, 1605-1613 and 1622-1632, and also, as previously noted, those of the later part of this period reveal a much-shrunken 'homage', Henry Ludlow's tenants apparently being omitted after 1619 and the names of absentees being less frequently recorded.

Consequently, some of the tenancies may have continued far longer than they appear to have done: besides those of William Kenn and Robert Arnold, there are at least two very probable instances of this. Edmund Symons, a Ludlow tenant, whose name appears in the rolls from 1598 to 1619, must have continued his tenancy until 1635 when a new lease was granted to his widow, Grace; and Edmund Payne, who is mentioned only in the rolls of 1614 and 1615, was most probably the Hutton churchwarden named Edmund Paine in the year 1635-6 (335) and may therefore be presumed to have still held land then in this parish.

This conjecture is based on the assumption that all Hutton's churchwardens were then men of moderate substance having houses and several acres of land in the parish, as they all were a century later. Unfortunately it is for only ten of these first forty years of the seventeenth century that the names of the churchwardens of this parish have survived, too narrow a basis for generalisation. It would seem, however, from this scanty evidence that these officers of the church were then elected annually but, unlike those of later centuries, served for not more than one year at a time, although some certainly had more than one turn of duty during the course of their lives. Edmund Symonds, for example, who was one of the churchwardens for the year 1611-12, had previously served in 1597-8, and Richard Larder, a churchwarden in 1623-4, held the same office again in 1626-7.

It was during the term of office of Edmund Symonds and Edmund Arnold in 1611-12 that there occurred a most important event in the history of the English-speaking world, namely the publication of the Authorised Version of the Bible, the translation that was to be the standard text used in English churches for the next three centuries. Unfortunately, there is no known record of the date when Hutton

church received its first copy, nor has that valuable first edition remained in its possession.

There is a gap of ten years in the transcription of Hutton's parish registers after the year 1611-12, but the names of both churchwardens for each of the three years following that gap have been preserved. Those for the year 1621-2 were William Neades, whose long record in the manorial court-rolls has already been noted, and Richard Boureman, whose name does not appear in them but who was almost certainly related to the manorial tenant Thomas Bourman. The same may be said of one of his immediate successors as churchwarden, Christopher Bourman, whose colleague for 1622-3 was John Kenn the husbandman who died in 1632. Neither of the wardens for the following year can be traced in the manorial records though one of them, Thomas Griffin, was probably related to Joseph Gryffen, a tenant from 1613 to 1619.

His fellow warden in 1623, Richard Larder, soon held office again in 1626-7 when he was joined by Humphrey Clark, again not traceable in the court-rolls but probably related to the known tenants, Joseph and John Clark, and to the Bartholomew Clark whose tenement was purchased by Nathaniel Still. It must have been during the wardenship of Richard Larder and Humphrey Clark, or of those who took over from them in 1627, that the oldest of the five bells still hanging in the tower of Hutton church was cast, for it bears that date, though it was re-cast in 1915.

It would be reasonable to think that the risk of appearing before the Diocesan Courts upon some charge would have been much less for a churchwarden than for any ordinary parishioner, but from the relatively few entries concerning Hutton in the records of those courts during the early part of the seventeenth century, it would seem that the opposite was then true. Of course human frailty is not limited by office or status and so it is not altogether surprising (although it must have caused some consternation in Hutton at the time) that, in 1622, within six months after the end of his wardenship, William Neades had been charged with 'incontinency'.

Even as late as 1627 he was said to "stand excommunicated in the Archdeacon's Court at Wells". In the case of Richard Larder, however, it was on account of his being a churchwarden that he was first brought before a Diocesan Court, for in his year of office he and his colleague, Humphrey Clark, together with the Rector, Robert Bagnall, were reprimanded because they had "noe terrier" (i.e. land inventory) "of the glebe lands belonging to the parsonage" and in March 1627, at the very end of their term, the two wardens were ordered to produce "the book" at the next month's sitting of the court; despite this, the earliest known Hutton 'terrier' is dated 1635.

More trouble, however, was in store for Richard Larder. In 1628, no longer a churchwarden, he served as Hutton's parish clerk, and in December of that year it was reported to the Diocesan Court "that hee executed the office beeing not sworne", i.e. without taking the solemn oath, a common omission at that time. Much worse, in the same month, one Joyce Larder, probably Richard's sister or daughter, was charged in the Diocesan Court with bearing the child of Christopher Harvie (Harvey) - who had been Hutton's unsworn parish clerk in 1626 - and Richard Larder himself was also charged with "consenting" to their offence.

When Christopher Harvie appeared "in the lord bishoppes consistorie" so the record runs, "the said Larder" (Richard) "with a loude voyce called unto him", and then when the judge "admonished" Harvie "to take his oathe to answer to certaine articles that were in the counte against him, the said Larder with a loude voyce said that hee sholde not take his oathe, doe what you canne". It is not known what sentences were passed on Richard and Joyce Larder, but Christopher Harvie, who produced Samuel Arnold, John Tripp and John Howlett as his "compurgators", paid a fine of eight shillings in February 1629. Since there is no mention of this case in the records of Somerset Quarter Sessions, it may be assumed that the parish overseers considered Joyce Larder and her child unlikely to become a burden on the parish.

No complaints were made concerning the next pair of Hutton's churchwardens whose names have survived, namely James Phelpes and John Morse, both manorial tenants, who served in the year 1629-1630, but after a gap of four years, Edmund Paine (or Payne) and Henrie Boorman (yet another member of the Burman or Bowerman family), the wardens for 1634-5, were in serious trouble. It appears that they had the somewhat rare experience of going to Wells for a Visitation "held and kepte for the most reverend father in God, the lord Archbishop of Canterbury", who would be none other than the staunch High Churchman, William Laud, who had been Bishop of Bath and Wells for a short time, 1626-8. One of the persons who should have been named in the Hutton wardens' bill of presentment was a certain John Jefferies for "suspicion or fame of incontinence with Elizabeth Sayer" but Edmund Paine and Henrie Boorman evidently did not believe he was guilty and omitted his name "because they knowed noe cause". However, Doctor Duck, the Diocesan Chancellor, "forced them contrarie to their consciences" and forced "the sydesmen alsoe" to present the "fame and suspicion . . . otherwise he would not receive their bill of presentment".

In July 1635 these two wardens were brought before the Diocesan Court to "openlie acknowledge and confesse that" they had "offended the divine Maiestie of Almighty God and the laws ecclesiastical of this realme of England". Their case was dismissed in October 1635, but that against John Jefferies was still being considered by the court in 1637. Another incident that occurred during the wardenship of Edmund Paine and Henrie Boorman was a disturbance in Hutton church, for in October 1635 Elizabeth Bartlie was charged "for disturbing of Joyce Larder of the same parishe in the church uppon alsaints daie last" (i.e. November 1st 1631).

The names of Hutton's two churchwardens for the year 1635-6 are known from the 'glebe terrier', the list of the Rector's lands and property which was at last produced during their term of office. One of them was Robert May who had been a witness to Nathaniel Still's note of receipt to Nicholas Payne in 1612 and who died in 1638; he was the only 'gentleman' churchwarden to be found in the records of Hutton during this period. His colleague, Stephen Younge, named in the manorial court-rolls as a tenant from 1636 onwards, was one of the 'compurgators' of John Jefferies before the Diocesan Court in June 1637. The wardens for the year 1636-7 were Henry Robins, a Ludwell tenant and long-serving regular attender at Hutton's manorial courts, and George Eades, about whom nothing further is known apart from the fact that he and his wife, Margaret, had a daughter, Agnes, baptised in 1640.

At some time during their term of office, or during that of their successors whose names are not known, the second oldest of Hutton's present church bells was cast, for it bears the date 1637. Between then and 1640 there is another gap in the surviving transcripts of Hutton's parish registers. Meanwhile Robert Bagnall died and was succeeded as Rector in March 1638 by Hugh Bennet, an Oxford MA. One of the churchwardens for the year 1640-41 was William Bagnall who cannot be traced in the manorial records. It seems likely, however, that he was closely related to the former Rector and was the William Bagnole who was bequeathed 40 shillings by John Kenne, the husbandman, in 1632; if not, he was the "William Bagnall, Jnr" (probably the other's son) whose son, also William, was baptised in October 1640.

One or other of these two adult William Bagnalls, probably the elder, had been charged at the Diocesan Court in 1635 but for what offence is not known. The fellow churchwarden of William Bagnall for the last year of this period was Walter Neades, probably related to the previously-mentioned William Neades.

Most of Hutton's inhabitants during the early seventeenth century must have been engaged in mixed farming. Although the leases granted at this time indicate that most tenants still held patches of arable land, meadow and pasture in various parts of the parish, the manorial court-rolls suggest that for some tenants the keeping of livestock, especially of sheep, cattle and even horses and geese, was more important than the growing of crops and that there were times when the interests of these two types of farming were in conflict. It was still found necessary in 1617 for the manorial court to reiterate the customary regulation concerning the use of the common arable lands for grazing, namely "that noe man shall put any cattle in the field, whether horses or other cattle, after the first rudge" (furrow) "is sown untill the last sheaffe be carried away". It is in various documents of this period that the word 'husbandman' is first used to denote a working tenant farmer, usually with a modest holding of land. Such was Maurice Jennings, who first appeared as a tenant in 1598, accompanied the wild young Edmund Kenn in that affray at Banwell in 1620, and purchased a 99-years lease of his 18-acre tenement at Elborough from Henry Ludlow in 1633.

Another Hutton husbandman, although he had "common for fourscore sheep on Banwell Hill " was William Jennings, evidently a close relative of Maurice for when William made his will in 1624 he appointed Maurice to be one of his overseers and witnesses and he left Maurice's son a ewe and a lamb. Also described as husbandmen of Hutton were the previously mentioned Edmund Kenne, son of William, and Christopher Harvie, the parish clerk of 1626, who was charged at the Quarter Sessions in 1630 with the surprising offence of "shooting in" (presumably 'with') "handguns".

There must, of course, have been many men in Hutton at this time working on the lands of others and living in their households or in small cottages with little or no land of their own, but they were not named in deeds and court-rolls and they cannot be identified in the few surviving transcripts from the parish registers for these did not usually record occupations. The solitary exception among these men was John Standfast who had applied to Quarter Sessions in 1605 to build his own cottage and was described in the court's records as a "labourer".

Also revealed in Hutton's records of this period are two other occupations associated with agriculture, those of the smith and the miller, probably undertaken

by men who were also farmers. The only smith named was Ralfe Bennet who in 1613, according to Quarter Sessions records, had been living in Bleadon for about a year but for ten years or more had lived in Hutton. However, during the first forty years of the seventeenth century five or six persons in the parish appear to have had something to do with milling and at least two of them, Henry Robins and Edward Younge, were certainly also tenant farmers. In 1632 it was reported to the manorial court (308) that the roof of Henry Robins' "mill" was "unrepaired", and in 1635 Edward Younge was brought before the Diocesan Court for working his mill on Sundays.

So too, in 1622, William Chappell had been fined by the Diocesan Court "for usuallie grinding of corne at his mill uppon the Sabbath Daie". In these three cases there is nothing to indicate which type of mill, windmill or watermill, was involved. More specifically, in 1634, John Rodwaie was fined by the Diocesan Court for grinding "att a windmill uppon Sabbath daie when there is some winde", and in 1619 Christopher Merrifield had been ordered by the manorial court to repair "his windmill" and Nicholas Yeomans to clean out the "spring" in the "Milpounde", though perhaps that is not necessarily an indication that he was a miller.

Nicholas Yeomans, who also attended manorial courts as a tenant from 1613, was one of several parishioners in this period known to have had additional employment for he was the man described at the Quarter Sessions in 1616 as a "poor musician" who travelled about locally. Temporary employment for two, possibly three, Hutton parishioners at this time was in the army. The doubtful one, James Langton, who may have served as an officer before becoming a tenant farmer in Elborough, was first described in a 1598 manorial court-roll as "gentleman" but was called "Captaine Langton" in 1604.

There is no doubt about Peter Cobb whose wife, in January 1628, accused another Hutton man, John Burnell, of being the father of the child she was then carrying, "her husband being a souldier latelie come home". Perhaps poor Peter had served among the 500 'pressed' men from the County of Somerset who had been ordered in December 1624 to march to Dover, presumably for service in the Netherlands, or else in the Somerset levy of 1627 for the expedition to raise the siege of La Rochelle. At the last Hutton manorial court of this period, held in September 1640, the wife of one tenant, Henry Badman, asked for his absence to be excused "because", says the record, "the said Henry is in the King's service", presumably in the army either attempting to suppress rebellion in Ireland or withstanding the militant Covenanters in Scotland.

Other occupations hardly to be expected in Hutton, whether temporary, part-time or full-time, are also to be found in the records of this period. The former work of one Hutton tenant, Thomas Geathen, could not, one would think, have occupied all his time or have provided him with an adequate income for the support of his family, for in the deed of the lease he purchased in 1627 of the tenement previously held by Humphrey Edgell, he is described as a "ferryman" of St George's. Where he plied his trade, perhaps across the Yeo between Wick St Lawrence and Kingston Seymour, and for how long he continued to do so after he acquired his Hutton tenement will probably never be known.

Another occupation that could hardly have been full-time in Hutton was tailoring, but in the Rector's transcript of the parish register for 1636 John

Merryfield, whose daughter, Anne, was baptised in October of that year, was described as "taylor" to distinguish him from the John Merrifield whose son, Henry, had been baptised a few months earlier.

Two other Hutton men of this period were engaged in occupations, possibly part-time, which must have necessitated a surprising amount of travelling far beyond the parish. At a Quarter Sessions held in Wells in 1625 Nicholas Staple, described as a "husbandman" was granted a licence "to be a badger" (travelling salesman) "of Butter and Cheese for one year to bye in this County and to sell againe in Wiltes, Southampton, Dorsett and Devon, and to travell for fower (four) horses and himself". The other trader was James Reade who declared before the Court of the Exchequer in 1632 that he frequently bought cattle in Wales and shipped them from Aberthaw to Minehead. These enterprises of Staple and Reade indicate that by the early seventeenth century even this small village had been affected by a trend away from the local self-sufficiency of the mediaeval manorial system.

Equally surprising is the absence of any documentary evidence that any masons, carpenters, thatchers or other craftsmen of the building trade were living in Hutton during this period for, there must have been much demand for their skills at this time. As in the past, the manorial court-rolls of this period constantly record buildings which were defective, but there appear to be stiffer fines imposed for failure to carry out the necessary repairs within a stated time; even so the court's order was evidently not always obeyed. In 1604 the walls, timbers and roof of Captain Langton's barn were reported to be in decay and in 1613 Margaret, his widow, was said to have felled timber on her tenement, without permission, to repair her bake-house.

In the following year Edmund Chappell was ordered to repair his house by a certain day or incur a penalty of five shillings and he apparently complied, for no further complaint is recorded, whereas Joseph Gryffen, who lived at Hill End just beyond the eastern boundary of the parish, and Stephen Amner ignored similar orders to repair their houses and had their penalties of 20 shillings each increased in 1615 to 30s. and 40s. respectively. Even so, Joseph Gryffen's house was still to be repaired in 1617 with a penalty of only 20 shillings, and in 1622 James Phelpes' house, "called Amners" and therefore certainly the one previously occupied by Stephen Amner who died that year, was the subject of a similar order under a penalty of only 3s. 4d. Perhaps some repair work had been done on both houses. Several other houses and barns, as well as a windmill and a mill-house, were reported in the court-rolls of this period to be in need of repair.

In addition to the work carried out to comply with such orders of the manorial court, alterations to buildings, especially to enlarge houses, must have been undertaken in Hutton, as elsewhere, during this period or later in the same century, and some may have had their windows glazed for the first time. Indeed, apart from the tiled roofs which not so very long ago replaced the earlier thatch, and the occasional larger window on the ground floor, several houses still fronting Hutton's Main Road have, or had until quite recently, changed little in external appearance since the seventeenth century. In some of them internal features of that period or even earlier, such as wide fireplaces spanned by stout wooden beams, have been exposed during recent alterations.

The finest examples of that century's craftsmanship still to be seen in Hutton are, not surprisingly, at Hutton Court. There, in a first-floor bedroom in the south-west corner adjoining the tower, an unmistakable Jacobean overmantel and surround with classical pilasters and caryatids almost completely masks the late Tudor stone fireplace. There is a similar, but rather less elaborate, mantelpiece in the middle bedroom of the west range and the walls of both rooms have Jacobean panelling. The tie-beam trusses in the roof of the west range also show that this part of the building was re-roofed during the seventeenth century and most of the stone-mullioned windows on both floors of the north range probably date from the same time. Since there is no evidence that any of the Codringtons actually lived in Hutton Court between 1632, when it passed into their ownership, and the early part of the eighteenth century, it is most likely that all these alterations to the building were ordered either by Bishop Still or by his son, Nathaniel, and were completed during Nathaniel's lifetime.

It is probable, too, that the house formerly described as the "capital messuage" in Oldmixon was also partly rebuilt during this period, for the east block of the present much-altered building called Oldmixon Manor still has several seventeenth century windows and a wooden beam supporting the ceiling of one of the bedrooms still bears the date 1636. In one room on the ground floor there is also a fine example of seventeenth century panelling decorated with lozenge-shaped shields, one supported by dolphins and another by dragons and bearing the initials 'W.P.E.' Unfortunately the name represented by these initials cannot be identified and neither can the occupier of this house at that time.

Although members of the Oldmixon family, its former tenants, were almost certainly still living in the neighbourhood and Christopher Oldmixon was named, like his forebears, as a 'free tenant' of the manor of Hutton from 1595 to 1640 (293), it is not at all certain that any of them occupied the house. In 1481 it had been occupied by John Piers who died in 1499 and no further mention of it is recorded for over two centuries. Meanwhile a Robert Oldmixon, who died in 1554, had been described in his will (347) as "of Bleadon", which included the part of Oldmixon to the west of the Hutton boundary, and at some time before 1636 Christopher Oldmixon had mortgaged what he called "the Manor of Oldmixon", that is his estate there but not necessarily including the house so named, to a certain John Leman.

There is also documentary evidence that at least three new dwellings were built within the parish during the early seventeenth century. We have seen that in 1615 John Standfast was granted a licence to build a cottage for himself and his family; the fact that he had obtained the consent of Henry Ludlow and Nathaniel Still, not of Nicholas Payne, suggests that it was to be built near the village, not in Elborough, and so probably on the furze-covered edges of the common pasture of Hutton Hill. It may well, therefore, have been one of the first of the little cottages to be built either on the lane to Canada Combe or in Hutton Wood. The glebe terrier of 1635 also provides evidence of house-building during this period as well as revealing the existence of earlier buildings for which no previous documentation is known.

At the head of this inventory was a group of buildings consisting of "a dwelling house, two other houses, a barne and a little house newlie erected by the same". The "dwelling house" would be the Rectory at that time, the home of the

Rector whenever he was resident in Hutton, and its adjacent barn - not the manorial barn on the opposite (east) side of Church Lane - would be his tithe-barn. It will probably never be known what led Robert Bagnall, the Rector since 1616, to have the “little house newlie erected” in 1635 within two years of his death. What is almost certain is that the plot of land on which these buildings then stood, together with the Rector’s “garden and a little orchard”, must be that now occupied by the present Rectory and its garden, the two modern houses along the eastern arm of Church Lane. Some of the stones from these earlier rectorial buildings were revealed when the foundations of the most recent of the new houses were being laid and stones from the same source may have been used to face the lower part of the adjacent house.

The other house known to have been built within the parish during this period was definitely situated in Elborough. The deed of 1628 by which Nicholas Payne conveyed some of his property there to John Tylly of Wrington specifies one newly built messuage, “late in the tenure or occupation of one Henry Newman, gent, and now . . . of the said John Box”, i.e. the son-in-law of Nicholas. The same deed also mentions another, but older, messuage with an orchard, a garden and seventy-three acres of various types of land which had been “latelie . . . letten to Mary Haine, the wife of John Haine”. This older house was almost certainly Elborough’s ‘capital messuage’ and was probably the one depicted on an estate map of 1759 as then three-gabled and, if so, the predecessor of the present Elborough Farm.

The distinct preoccupation of the manorial court-rolls during the latter part of this period with the Elborough and Ludwell parts of this parish is also reflected in the high proportion of fields, lanes and other topographical features in these two areas named in Hutton’s early seventeenth century records. Despite the many Hutton village field-names supplied by the Hutton Court deed of 1604 and the Glebe terrier of 1635, only twenty-eight, just over half a total of fifty-four such names from the whole parish can be definitely assigned to its Hutton and East Oldmixon parts, whilst Elborough and Ludwell, with a combined area of only about one third of the parish as it was then, can claim at least twenty-one such names including Elborough Field, Elborough Mead, Elborough Hill, Benthills, Ashwood, Barton’s Croft, Burgemead and Rewens, all with variant spellings.

Three names, Maltlands, Draw Batch and Ricke Close are completely unidentifiable, but two others, of doubtful location, seem unlikely to belong to Elborough. One of these, Drove Lane, would appear to be a tautological alternative to Oldmixon Drove (often called simply ‘the Drove’) but for the fact that in 1604 a gate there was to be made “on the east side of the west field”. The other one, Townesende, where the boundary between John Bucke’s land and William Kenn’s was in dispute in 1602, must surely have indicated either the east or west end of Hutton’s village street.

There seem to have been more disputes about boundaries between the lands of individual tenants during this period than in earlier times and more instructions issued by the manorial court for hedges and ditches to be “made sufficient” or for “stancils” or “postes and barres” to be erected, Joseph Gryffen being constantly told to do so in various parts of Elborough from 1614 to 1619. Most such boundaries were between separate closes held entirely by individual tenants, such as the hedges between Susan Manship’s close of pasture called the Fyve Acres and the lands of

Edmund Arnold and Samuel Trowbridge in Hutton, or the hedge and ditch between Joseph Gryffen's Longcrofte and Robert Burrowes's Willens in Elborough. Other bounds enclosed even quite small pieces of land. In 1604, for example, the 'homage' at the manorial court asked for a penalty "uppon the widdowe Harvye that she make a sufficient defence betwixt her back syde and Thomas Bassets yarde", that is between their back gardens, and in 1633 there was even a dispute about particular trees between Edward Yonge and Henry Robins who held very small portions of Elborough's Ashwood.

This profusion of field boundaries is an indication that the practice of enclosure, noted particularly during the sixteenth century, was continued during the early part of the seventeenth century. Although there were evidently still some strips or small portions of arable land, meadow and moor pasture, there is even more direct evidence that larger portions of the original common fields, meads and moorland crofts were by now enclosed as individual holdings. In 1603 it was ordered that whoever had made "closures between the west field and the hill" should fence them in, and the Glebe terrier of 1635 reveals that the Rector's holdings in that same stretch of arable land below Haywood included "a close that was inclosed and planted by one Mr Whittle", that is, before 1607 when he died; this was probably the plot now occupied by the allotments, and in addition the Rector had eight acres "lyinge in divers (various) places of the same".

In Hutton's "Eastmeadow" the Rector also had "four acres of meadow inclosed and fyve lying abroad not inclosed", and in Elborough he had "one acre of arable land lying in the common field" and "a little parcell of meadowe ground above one yarde (probably a rood, quarter of an acre) lying in Elborow meadow in a plott of ground inclosed by John Hanes", almost certainly John Hayne or Haine whose wife, Mary, had first become the lessee of former Payne lands in Elborough in 1628; this enclosure must therefore have been made after that date. In Hutton Moor, too, both within the larger mediaeval crofts enclosed by ditches and on their fringes, smaller portions had evidently been enclosed by this time. Edmund Trowbridge had 6½ acres "in a shortlease called Horethorne", a small part of an enclosure first so named in 1430, and the Rector also had a close of four acres there; William Urche had a close called Morelise, clearly an enclosure within the moor, and John Sheppard held four acres called Frogmore, only a small part of an area of that name in the north-east corner of the parish, a stretch of poor low-lying pasture and the most likely part of the whole parish to have been submerged during the great flood of January 1607, though there is no mention of that extensive inundation among Hutton's surviving records.

Similarly, in the north-west corner of the parish, John Hosier held a plot of twenty acres called Pipers Lease and in 1601 he was ordered to make his ditch between it and Edmund Arnold's land at Horethorne seven feet wide. The name Pipers Lease, which suggests an unrecorded earlier lease to a person called Piper, is one of no less than twenty-three place-names of locations that make their first appearance in Hutton's records during the first part of the seventeenth century, almost half of the total number of such names. Like Broadlands and Duck Lease (later Duck Mead) in Elborough, Jeames Croft (James Croft) in East Oldmixon, and Pascroftes (Pass Croft), the part of Hutton Moor assigned to the Rector of Hutton during the thirteenth century but then unnamed, Pipers Lease is also one of the early-seventeenth-century field-names which can be recognised in the schedule to Hutton's 1838 Tithe map and can therefore be positively identified.

## Thirteen: The Mid-Seventeenth Century - Civil War and Commonwealth

A short span of barely twenty years, 1641-1660, is the part of Hutton's story now to be examined, not because these dates have any special significance among the few surviving mid-seventeenth century records of this parish, but because of the importance of the period in the history of the whole country. It began with Charles I apparently secure upon his throne; it embraced the bitter civil war between King and Parliament, the execution of Charles I and the virtual military dictatorship of the Commonwealth under Oliver Cromwell; and it ended with the restoration of the monarchy under Charles II. This brief but traumatic period was to make a lasting impression upon the attitudes of Englishmen towards the forms and instruments of government, towards religion - particularly that of the established Church - and towards the army. For although probably most parishes throughout the land, including Hutton, saw no actual fighting and suffered little or no violence, none could have been unaware of such occurrences in their neighbourhood or have remained completely unaffected in some way or other by the vicissitudes of those two decades.

Much of our knowledge of events in Hutton during the Civil War derives from the various petitions and demands for loans made by one side or the other. During 1641 many petitions, poured in to Parliament from various parts of the country. One of these from Somerset, presented by the Marquis of Hertford, whilst advocating moderate reforms, expressed loyalty to the King, deplored attacks upon the established practices of the Church and condemned pamphleteers for stirring up "confusion and rebellion". Among the 14,000 persons in Somerset who signed this petition were the Rector of Weston-super-Mare, the Vicar of Uphill and Hugh Bennet, who had been Rector of Hutton since 1638. Although Hugh Bennet's action was probably prompted by his churchmanship and, perhaps, by his alarm at the punishment meted out to his Bishop and Archbishop, who had been imprisoned by the Long Parliament, his stance, and that of his fellow-petitioners, is likely to have been shared by Hutton's tenant farmers who would not have welcomed the increasing bitterness of divisions in Parliament and other signs of the conflict which was to start in the following year.

By a rare piece of good fortune, there has survived among national records an undated document which provides details of the loans raised in this parish, probably towards the end of 1642. This manuscript is entitled: 'An accompte of what money was lent upon the proposition of Parliament' in 'Hutton in the Hundred of Winterstoke'. Only nine individual contributors are named but together they raised a sum of £17 17s. which was paid to "Mr Latch Treasurer", almost certainly the gentleman of that name who lived at Upper Langford in the parish of Churchill and who was the son of John Latch, Sheriff of Somerset in 1627.

At least five of the nine Hutton contributors can be clearly identified from local records of the early seventeenth century. The largest individual sum (£5) was lent by John Haines, the yeoman of Elborough whose name was variously spelt as Haynes, Hayne or even Haynde, and who, in 1633, had paid Henry Ludlow £60 for a 99-year lease on a twenty-acre close of arable called Benthills. John House, another yeoman, who had a tenement with about 40 acres in Hutton as well as, perhaps,

some land in Worle, lent £3; Edmund Payne, who had been a churchwarden in 1634 and who was described in 1633 as yeoman, of Hutton, contributed £1; William Bagnall, probably the elder William Bagnall, lent 15 shillings, and John Merifield, perhaps the tailor of that name, just five shillings. Among the other four Hutton contributors was a "Mr Stringer" whose loan of £3 10s. was, for some undisclosed reason, "paid at Worle". Nothing further concerning him is mentioned in any surviving Hutton records, but at that time the prefix 'Mr' was generally used to indicate a gentleman; sometimes, however, especially in Low Church or Puritan usage, it also denoted a minister of religion.

Two other names which cannot be identified on this Hutton list are those of Mary Leakes, a widow, who lent £3, and Mary Boorke, another widow, who lent £1, although it is just possible that the latter may have been the Mary Bucks who, in 1626, had obtained a lease on 12 acres in Elborough. Finally, a certain 'Mr Bennett' contributed £2 and, though no further indication of his identity is given, it is most probable that he was none other than Hugh Bennet, the Rector of Hutton.

It is natural to wonder what induced these persons particularly the Rector, to lend their money, probably with little hope of recovering it, to maintain an army engaged in open warfare against their King. One is tempted to suspect that these were 'forced loans' which the contributors had no chance of evading, but the fact that there were only nine of them in Hutton, varying considerably in the sums they paid and therefore, probably, in the value of their possessions, suggests that the loans were made voluntarily. Although few local records of 1643 have survived, the scanty manorial court-roll of 1640 alone suggests that there were probably at least nine others with land in this parish at that time who were as well able to raise £1 as Edmund Payne, or at any rate 5 shillings as John Merifield. However, it is hard to believe that Hugh Bennet, the Rector, who had signed that mainly Royalist petition in 1641, would have eagerly offered any sum, let alone £2, to the King's opponents and it therefore seems likely that considerable pressure had been exerted on him and, perhaps, on the other contributors.

The total amount of Hutton's contribution to the loan "upon the proposition of Parliament", £17 17s. 0d, would not have gone very far towards maintaining in the field anything like the number of men that Parliament required from the county. At the rate of 8d a day - paid in 1624 (361) to each of the "presse" of 500 Somerset men under Hopton during their march to Dover en route to the Netherlands - Hutton's modest sum could have done no more than provide 535 men with a single day's conduct money. If the contributions of other Somerset parishes were on the same scale, it is not surprising that Parliament soon found the loan an inadequate means of raising the necessary funds. Consequently, in January 1643, the County Committee for Somerset was ordered by Parliament to take further financial measures. Those known to have been taken during the first three months of 1643 included a levy of one-twentieth of the value of the property owned by 'malignants,' i.e. those who had failed to contribute adequately to the earlier 'loan', the sequestration of the estates and revenues of known active Royalists such as Hopton and Stawell, and a variable charge assessed weekly upon all landed property.

Only two of these measures probably affected Hutton at this time, for among those so far known to have been landowners in this parish in 1643 none apparently was an active Royalist with estates to be sequestered. There must,

however, have been several yeomen and others who were judged to be 'malignants' although no record of their names has survived, nor has any list of those persons in Hutton who were subjected to the weekly assessed charge. Indeed little seems to be known about this last form of fund-raising. It is highly unlikely that it took the form of a poll tax - that most hated levy upon every head, irrespective of estate or income, that had provoked the Peasants' Revolt against Richard II in 1381 - yet there appears to be evidence of something like it in another Hutton manuscript that has survived in national records. This piece of paper bears the heading: "An accompte for Pole monye" and, without listing individual payments, its brief record runs as follows: "Collected in the parish of Hutton for the Pole tax the sum of £14 10s. 0d". Although this Hutton account bears no date and does not state over how long a period the sum was being collected, its position among the other records suggests that the collection was made later than that for the previously mentioned loan but before the end of July 1643.

Perhaps it was a special effort at fund-raising for a particular occasion such as that on March 27th 1643 when, according to the surviving Churchwarden's Accounts at Axbridge, a sum of 12s. was "given by order towards the setting forth of soldiers to assist Bristoll". It was then that Royalist forces under Prince Rupert attempted to seize this Parliamentary stronghold but they were foiled. However, in the absence of any specifically named record of a collection in Hutton for the weekly assessed charge, one is tempted to speculate that this "Pole Tax" account records one such collection, perhaps from every household. If so, its name, though not strictly appropriate and possibly not official but one by which it was generally known, may indicate both how nearly universal and inescapable this levy seemed to be and how bitterly it was resented.

Despite the fluctuating fortunes of the opposing sides in the Civil War, it can safely be assumed that much of the normal life of the parish and manor went on as usual in Hutton. The absence of court-rolls after 1640 is more likely to be due to the fragmentation of the lordship of the manor than to the unsettled conditions of the period which more generally affected church records. Manorial courts were probably still held twice a year if only to hear complaints of neglected buildings, ditches and hedges.

From a deed dated June 1st 1642 by which Edmund Ludlow sold some of his Hutton tenements to his brother, William Ludlow gentleman of London, it is evident that Ann Snigg, Henry Boureman, Strode Allen and John Hayne were among his tenants just before the outbreak of the Civil War, and as for what still remained of the former Payne half of the manor, mostly in Ludwell and Elborough, half of its ownership was conferred on February 7th 1643 upon the young Adam Baynham of the then Gloucestershire parish of Yate by his widowed mother, Grace Baynham, one of the daughters of John and Grace Box (then both dead) and granddaughter of Nicholas Payne. Hutton still had its rector, Hugh Bennet, and so it is likely that weekly services of some kind as well as baptisms, marriages and burials were still conducted here. One burial about this time in Hutton was that of Henry Robins, a former churchwarden, farmer and miller, whose tombstone in the middle of the nave of the church records his death in April 1643, shortly before this part of Somerset came under Royalist control.

In many parishes too, but not in Hutton, the clergy suffered. Those of markedly Puritan persuasion were displaced, some fleeing for safety; others,

temporarily at least, retained their benefices by signing articles which upheld the use of the Book of Common Prayer and declared resistance to the King to be unlawful. It is not surprising that Hutton's rector, Hugh Bennet, remained at his post for, despite his earlier 'loan' to Parliament, he had signed that mainly Royalist petition in 1642 and was probably by conviction a monarchist and Anglican.

Shortly after their capture of Bristol, the Royalists demanded from the whole county of Somerset a weekly contribution of £1,500 - increased to £2,000 at the end of September 1643 - to support their troops from Bristol to Devon. The collection of this sum appears to have been organised through the normal channels of hundreds and tithings, and it must have been just as burdensome to most of the contributors as the earlier 'weekly assessment' imposed by the Parliamentary County committee. Oddly enough, among the national collection of 'special papers' of the 1640s which include that Committee's accounts, are three brief records of sums collected in Hutton. Although these slips of paper bear no actual dates, they can confidently be assigned to the period from the end of July 1643 to the end of March 1644. They must therefore record Hutton's contributions at this time for the upkeep of the forces, not of Parliament but of the King.

The earliest of these Hutton accounts is worded as follows : "Paid in contribution for the first two months since the takeing of Bristoll the sum of £14 0s. 0d. This money was paid to Thomas Millerd of Bleadon, Constable of the Hundred, for Winterstoke Hundred". The use of the word "contribution", rather than "loan", "tax" or "levy", and the reference to the "takeing" of Bristol, rather than to its "fall" or "loss", clearly indicate that this collection in Hutton was made as part of the county's contribution demanded by the Royalists after their capture of the city at the end of July 1643. The sum contributed by Hutton is very similar that raised earlier by the 'loan' for the Parliamentarians; this time unfortunately, there is no record of the names of the individual contributors nor of the individual amounts. This first contribution was presumably collected during the two months of August and September 1643, and so the average weekly contribution for this parish must have been approximately £1 15s.

The next Hutton account is entitled "three months contribution more", and must therefore have been for the months of October, November and December 1643. Its total of £20 15s. represents an average weekly contribution of between £1 12s. and £1 14s. 7d, a slight decrease. This time the collector was named as "Thomas Jenings tytheingman", probably the same Thomas Jennings who first appears in the Hutton manorial court-rolls as a servant of Stephen Amner of Elborough in 1601. The final contribution from Hutton was a sum of only £14 10s. "for three months more," i.e. from January to March 1644, averaging out at between £1 2s. 4d and £1 4s. 2d per week. Clearly it was becoming increasingly difficult to raise this money despite the fact that, according to the record, this collection had not been just another duty imposed on the tithingman - who was not a full-time paid official - but had been made by two "collectors appointed", presumably for their reliability or their sympathy with the Royalist cause. One of these, Thomas Porter, was probably the man who in 1641 had purchased land in Hutton from Edmund Ludlow and who in 1652, then styled "the elder", witnessed the will of Richard Heale, and in 1675 that of John Oldmixon.

The other collector, John Jervise, was probably the John Jervis who was a Hutton churchwarden in 1670, and he may well have been related to a Captain

Jervis, one of the Royalist officers wounded during the battle at Bristol, or, perhaps to a William Garvis of Hutton whose estate was later to be sequestered by Parliament.

Although throughout 1644 the Royalists still held most of South-west England, their fortunes fluctuated in local encounters with the Parliamentarians as they did in major battles in other parts of the country. Once again Hutton, and much of this north-west corner of Somerset, was by-passed by these events but it must have been affected at least by the further demands for men and money. The fact that there are no accounts, for over a year after March 1644, of any payments made from the parish of Hutton to either side in the conflict does not necessarily prove that no such payments were made.

In addition, Hutton may well have been called upon to provide or at least pay for men and arms, for there is positive evidence that at some time during 1644 the Rector of Weston-super-Mare, Christopher Sudbury, furnished horse, men and arms for service under the Royalist Captain Keene, and made similar provision in the following year for service under Captain Watkins. In fact, among the national collection of 'special papers' to which reference has been made previously, there is a curious undated document which records a somewhat similar experience in Hutton. This states that the sum of £4 6s. 4d was "paid in the parish of Hutton for the setting forth of a dragoon horse and for Armes to furnish the horse", but it does not reveal the names of the collector and contributors. Compared with Hutton's earlier contributions to both Parliamentarian and Royalist forces, this sum is quite modest, less in fact than John Hayne's individual 'loan' in 1643, and it may have been made to meet a particular emergency, irrespective of other more regular demands for larger sums.

The most interesting feature of this brief account is its statement that the money was delivered to Colonel Cooke. One might at first suspect that this colonel was related to Joseph Cooke, the constable of Winterstoke Hundred who had received the last recorded three-monthly payment from Hutton for the Royalists, but the surname was even then too common to provide a reliable basis for such an assumption. The high rank of colonel however, was sufficiently rare to be a fair clue to identification, and it seems almost certain that this Colonel Cooke was no other than the Gloucestershire Puritan, Edward Cooke, who, leading a regiment of 600 horses, was sent into the west country by the Parliamentarian general, Sir William Waller, in April 1645 and who was later to be the second in command of Massey's brigade in which John Fitz-James, the Dorset free-tenant of Hutton, also served as a colonel. Consequently, it would appear that this modest contribution from the parish of Hutton was made not this time to the Royalists but to the Parliamentarian army, perhaps in April 1645 or shortly afterwards.

During 1645, largely owing to changes in the command and organisation of the forces on both sides, the control of Somerset gradually passed into the hands of the Parliamentarians. It was at this stage of the Civil War in Somerset that the parish of Hutton made yet another modest payment for the cause of Parliament and may even have participated to a greater extent than has so far been recorded. For, in that bundle of national 'special papers', there is one short note which reads "An Accompt of the Charge were at in the tyme of the Leager against Bristol for maintenance of ten men eight dayes and some (sum) of £4". If this sum had been collected on behalf of the Royalists, the occasion would probably have been described as "the

defence of Bristol", not "the leaguer against" it. It is almost certain that this "charge" or levy was imposed by Fairfax towards the end of August 1645. Unfortunately this brief Hutton account does not record the names of the inhabitants who contributed to the sum nor that of the collector, but he was most likely one of Fairfax's officers. Something of wider interest, however, is revealed by this local account, namely the fact that the daily rate of maintenance money demanded by Parliament in August 1645 was one shilling a man, a considerable advance on the eight pence formerly paid for each of those who served the king.

There are, however, records of still more money being squeezed out of some of Hutton's inhabitants during the latter part of 1645. Among the 'special papers' recording payments made by Hutton is one entitled "an accompt of the Charge that was laid out going into the west by the command of Sir Thomas Fairefax". The extent of Hutton's support on this occasion however was minimal, a mere ten shillings, only enough to keep one man in the field for ten days. With such an indication of reluctance to lay out money, it is hardly surprising that this account reveals no names, either of the collector or of the contributors.

In marked contrast yet another paper gives the names of the collector and of the local men who certified the accuracy of a record of what was probably the payment made by Hutton in support of the Parliamentary forces. Unfortunately, however, the figures of both the actual sum collected and the year of the collection have either been omitted or somehow deleted or faded from the original manuscript, and it is therefore impossible to guarantee its date. Since this collection was "for coate and conduct money" (the traditional term for supporting troops in the field) "by William Bagnall senior then tything man", that is through the usual channels of local government, it would appear to have been imposed, not by Fairfax or any other military commander, but by Parliament itself, or at least by the Parliamentary County Committee for Somerset, probably towards the end of 1645 or early in 1646 before the Royalists were completely driven out of the South-west. This account, however, seems to have been written down at some later time for it refers to William Bagnall as "then" tithingman, as though the office had since passed into other hands, and it goes on to state that it "was given to" and "certified by" those "whose names" were "underwritten on the first day of July", most probably of 1646.

All these persons named in this document however can almost certainly be identified. The name of the collector, more commonly spelt "Bagnall", appears in Hutton records from 1622 until 1677. In 1643, he had been one of those in Hutton who contributed to the Parliamentary "loan", as also did two of those who certified this last account, John Haine (or Hayne), originally of St George's (1628) and then of Elborough, and Edmund Payne, one of the Ludlow tenants, first mentioned in 1614. The other two certifiers were Thomas Jennings, probably the elder of that name, who, as tithingman, had collected the Royalist "contribution" for the last three months of 1643, and Richard Thetcher (or Thatcher).

Almost at the end of 1645, Hutton had the surprising, but not very welcome, experience of providing accommodation for a body of Roundhead cavalry. Some of the relevant circumstances are known from contemporary sources. In that bundle of 'special papers' there is one item totally different from the rest because it is an account of money owed by Parliament to this parish. It is in effect a bill submitted by some unnamed parishioners "for free quarter of Collonel Gipsons Company December the 11th 1645" and it goes on to state that "they quartered with us 12

dayes” and that “the sum of men and horse was 34”. The people of Hutton, who had so far escaped the rigours of war except for financial exactions and, perhaps, the impressment of some of its young men, must have considered themselves particularly unlucky to have had this unexpected burden thrust upon them at such a time, almost the end of 1645 when fighting was virtually at an end throughout Somerset. This event, however, was not strictly connected with the Civil War, for the troops quartered in Hutton were about to engage in a military operation not so much against a specifically Royalist threat as, like so many expeditions before it and since, to suppress violent disorder in Ireland.

This fact and the identity of “Collonel Gipson” are established by the diary of John Harrington of Kelston, Somerset, who became a knight of the shire, representing Somerset in Parliament early in 1646. In his entry for “Monday 11th of May 1646”, he recorded that the House of Commons had voted that “the war in Ireland be managed by Parliament” and two days later he noted that “Colonel Jepson” had “obtained an order for £17,000 to pay his officers gone into Ireland”. Clearly by this time (May 1646) the cavalry quartered in Hutton during the previous December were already serving in Ireland.

The most probably explanation for their choice of Hutton is that their point of embarkation was the port of Uphill and that the whole force was temporarily dispersed among several villages within easy marching distance of Uphill, and perhaps too of other Somerset ports even as far west as Watchet. From the use of “us” and “our” in the wording of this account it was apparently drawn up by several of Hutton's leading parishioners, and the amount which they claimed from Parliament seems to have been based on an average of only 6d a day for each man and his horse and the total then being rounded up in Hutton's favour from £10 4s. to £10.10s. However, the true number of Roundheads accommodated in this village was probably very much smaller than the 34 for which Hutton claimed about the end of 1646. This will be apparent from the sequel to this episode during 1648/9.

Another consequence of the re-establishment of Parliament's control over Somerset was a further series of sequestrations of estates, this time those of active Royalists or known supporters of the King. It is surprising that the list of sequestrations does not include the name of Christopher Sudbury, the pro-Royalist rector of Weston-super-Mare, but one Weston man named in it held property also in Hutton. He was William Winter, who in 1641 had purchased land here, as well as in Weston, from Edmund Ludlow. He had been imprisoned by the Parliamentarians though he denied having taken up arms against them, and died in prison in 1649. No other person with a definite Hutton connection is named in these particular accounts.

There is, however, a reasonable possibility that one other Hutton landowner suffered the sequestration of some of the property he held outside this parish, for there is a record of an attempt made at the end of November 1645 by a Somerset copyholder, William Garvis, to avoid handing over all his estate by offering some ‘composition’ or payment in cash. In the much later printed Calendar (list and summary of the proceedings of the Committee for Compounding), Garvis is definitely described as “of Hutton”. If that is correct, he may well have been related to John Jervise, one of the two collectors of Hutton's last contribution to the Royalists, who is known from a later source to have held land at Ludwell. Unfortunately, the original documents concerning the case of William Garvis (or

Jarvis according to one of them) make no mention of his connection with Hutton, and the schedule of his sequestered property includes only his lands in Puriton, Bawdrip, Huntspill and Lympsham. Perhaps the compiler of the Calendar made a mistake or, more probably, assumed from another source that William Jarvis was living in Hutton in 1645; but, in any case, this particular record provides an illuminating example of what other Somerset Royalists may have experienced at this time.

It was on November 29th 1645 that William Jarvis first addressed a “humble petition” to the “Honorable Committee for Compositions” sitting at the Goldsmiths’ Hall in London. He claimed that “not out of any disaffection but merely out of the pressing power of the Kinges Army”, he had “unhappily fallen within the notion of a Delinquent and his estate had been sequestered by the Committee sitting at Axbridge for the County of Somerset”. Further, he begged them “to take such reasonable composition from him” as he could “without utter ruyne (ruin) be able to pay”.

There must have been quite a number of instances in which such a plea would have been perfectly valid, but it will never be known whether William Jarvis was telling the whole truth or was merely fighting a legal battle against his former enemies to salvage what he could of his possessions both for himself and for his sons. Certainly he appears to have openly forsaken the Royalist cause, for he ended his petition by declaring himself to be “ready to conforme himself to all ordinances of Parlyament”, and, in an undated note appended to his petition, a certain SA Gibson, “minister of St Margarets, Westminster”, certified that “Mr William Jarvys hath taken the National Covenant and subscribed thereto”.

This petition seems to have achieved at least a temporary success, for a note added to it on December 9th 1645 records that “the Fine sett upon William Garvis is £60”, and a further note of January 31st 1646 states that it was “accepted by Parliament”. Unfortunately however, nearly two years later, an order was issued on November 16th 1648 for his estates “to be sequestered for not suing out his pardon”. Even so, it is just possible that this order was not carried out, for in Thomas Dring’s *Catalogue of Royalist Compounders*, printed in 1855, his name, given as “Will. Jarvys of Hutton”, appears with the amount of his composition as £60. This penalty seems quite steep for a copyholder to bear, especially when it is compared with some compositions recorded by Dring as having been imposed on members of the gentry, such as £10 on Francis Wyndham and £20 on Henry Coker of Mappowder in Dorset (one of the family of former lords of Hutton), but it is small compared with the £280 imposed on another member of the same party, William Coker, the £582 on Samuel Gorges of Wraxall and the £692 on Sir Hugh Wyndham.

Although by the end of October 1648 the force that had been raised in Somerset had been disbanded by order of Parliament, the fear of fresh risings in reaction to the execution of Charles I led the Army to station units up and down the country. Although the evidence for this assertion is admittedly vague and indirect, it is certain that Hutton received a demand for money from the Standing Committee for the County of Somerset about the time when the newly established Commonwealth despatched Cromwell and more troops to Ireland, and therefore probably as a contribution towards the cost of that expedition. No records of the names of individual contributors or collectors have survived, nor of any specific

sums of money being demanded or paid, but an unmistakable reference to such a demand in general terms occurs in just one of four documents concerning that earlier occasion in Hutton's history when a detachment of Parliamentary cavalry was provided with quarters in the village before embarking for Ireland.

The first of these documents, although it bears no actual date, is a note addressed to the "Honourable Standing Committee" of the County of Somerset, politely reminding them that the inhabitants of Hutton had still not been paid for quartering some of "Col. Jephson's regiment of horse which about three yeeres sithence (since) went for Ireland". There are several interesting differences between this second request for payment, presumably made towards the end of 1648 or early in 1649, and the first one of 11th December 1645, which has already been described. Although both agree that the troops concerned belonged to Col. Jephson or Jepson and that they spent twelve days in Hutton, there is a glaring discrepancy in the number of those accommodated. The earlier document claimed that there were "thirty-four men and horse" and called them a "Company", but in this second account six leading inhabitants of Hutton whose names were written below it positively certified that the actual number was only "eight men and horse". Clearly Hutton's experience of quartering troops must have been nothing like as dreadful as the earlier figure suggests.

All of them could easily have been accommodated with their horses in the stables and other outbuildings of Hutton Court alone, at that time belonging to an absentee landlord, John Codrington, whose tenant, if any, is unknown. The unnamed person or persons responsible for making that earlier account of 1645 had clearly exaggerated the true figure and had claimed the specific sum of ten guineas but, after three years of waiting in vain for repayment, there appears to have been a change of tactics. The true facts were presented, no specific sum was requested, and the necessary explanation was given for the absence of the customary 'tickets', namely that the troops "had departed from thence without leaving Tickets for the same". Above all, Hutton's second application for payment is marked by a distinctive style and tone; it is lucid, direct and firm, yet polite and respectful, "humbly" certifying to the "Honourable" Committee the relevant facts and pointing out, with no trace of rancour, "that we (i.e. the inhabitants) yet remaine unsatisfied in that behalfe".

It is surely not too fanciful to detect in the drafting of this 1648/9 claim the wise counsel of one person and, further, to conjecture that this person was the first of those who signed it, namely "Hugh Bennet, Cler(k), minister of Hutton", the Rector, not so much because this Oxford graduate was almost certainly the most literate of those six men and so may well have written the note, but especially because it reflects the tact of this man who had come to Hutton in 1638 as its priest under the High Church Bishop Piers, the supporter of Archbishop Laud, and was still serving as its "minister" under the Commonwealth after both the monarchy and the episcopacy had been abolished. Despite this, it seems likely that he would have been one among the vast number of beneficed clergy who failed to comply with Parliament's demand for an "engagement" of fidelity to the republic with its implied approval of the execution of the King.

The names of four of the other five signatories of Hutton's second claim have made separate appearances earlier in this story of the parish and, although the same combination of Christian name and surname does not necessarily indicate the

same individual, it is possible to make a reasonable attempt at identifying these men. One of them was Robert Paine, a tenant of the Ludlows, who, about 1643, was said to be then thirty years old; he was a son of the Edmund Paine (or Payne) who had contributed £1 5s. 0d to the Parliamentary 'loan' of 1642/3 and who had been one of those who had certified the statement of Hutton's collection of 'coat and conduct' money in 1646. Another signatory was John Howse, probably the elder, who had contributed £3 to that 'loan' of 1642/3. The third, William Bagnall, was the only one of the six who was unable to sign his name and therefore obliged to make his mark; he, again, was probably the elder of his name and the one who, as tithingman, had collected Hutton's 'coat and conduct' money in 1646.

There is rather more doubt about which John Hayne acted on behalf of the parish on this particular occasion. Although it was almost certainly the elder John Hayne of St Georges and later of Elborough who had contributed £5 to the Parliamentary 'loan' and so, perhaps, was another of those who had certified the 'coat and conduct' money statement, there are good reasons for suspecting that it may have been his son John (also with a wife called Mary and a son called John) who dealt with this second quartering claim in 1648/9. As will be evident later, this John Hayne (II) could sign his name, was on good terms with the Rector of Hutton and had had his son baptised in Hutton church in 1634, whereas his father, who made his will as late as 1669, could only make his mark, had no recognisable Hutton witnesses, described himself as "yeoman of Banwell" and requested burial there. Finally, the only new name among those appended to Hutton's second claim is that of Richard Snygg, perhaps closely related to Ann Snigg who, as will appear later, was almost certainly the daughter of Hutton's elder Edmund Kenne and occupier of the tenement that was eventually to be known as Middle Farm.

The next stage in this matter of Hutton's quartering claim is revealed by a note, dated 28th October 1649, from "the Standing Committee for this County at Somerton" authorising "Mr Thomas Wrentmore, Trer (Treasurer) of the British money", to "paye the some of foure pounds sixteen shillings unto the Inhabitants of the said parish of Hutton . . . for and in discharge of the quartering mencioned in the said Certificate", i.e. Hutton's second claim. It is evident that Hutton's entitlement to reimbursement for this service was now officially established, despite the failure to produce the customary 'ticket', and also that obligations earlier incurred by the agents of Parliament were now being honoured under the Commonwealth, for the Standing Committee's authorisation was declared to have been issued "by vertue of an order from the honorable the House of Commons dated the 9th of September 1645". Although the sum now offered (in 1649) is considerably less than that originally claimed, its basic rate was evidently the Parliamentarian standard one shilling per man (even with horse!) per day, nearly twice as much as that calculated by those first claimants.

Presumably, Thomas Wrentmore passed on the Committee's message to some of Hutton's parishioners, for the next 'special paper' of this series is an undated declaration that "We, the Inhabitants of the Parish of Hutton . . . doe hereby authorize our good friend Mr John Hayne to receave yhe some of foure pounds sixtene shillings from Thomas Wrentmore in discharge of the said quartering". The personal reference to John Hayne as "our good friend" in what is otherwise a formal document seems to betray once again the hand of one who was on good terms with his fellow inhabitants, who could speak for them and had their interests at heart, in other words, most probably, "Hugh Bennet, minister of

Hutton”, whose signature once again is the first on the manuscript, followed by only two others, those of Richard Snygg and John Howse. The final stage of this matter is disclosed by the last of these four documents, a declaration by John Hayne, dated May 18th 1650, to the effect that he had received the sum of £4 16s. 0d. His use of the phrase “by th’appointment of my neighbours”, resembling the spoken word, suggests that this receipt may have been drafted by John Hayne himself, although it may have been prompted by Thomas Wrentmore who was the sole witness to John Hayne’s signature.

At this juncture it is necessary to examine a few features of Hutton during the mid-seventeenth century that are not directly connected with the national history of that period.

The lordship of the manor of Hutton, and the various rights which belonged to it, now concerned far fewer inhabitants than in previous centuries, but still most occupiers of land in the parish held their various ‘parcels’, usually on 99-year or three-lives leases, from one or more of those non-resident owners who shared that lordship. It is, therefore, important to note the changes that occurred in the divided lordship before 1660, particularly since its ownership was to become still more complex and subject to dispute in the following century. There are no records of manorial courts at any time during the mid-seventeenth century, the last one before it having been held on the last day of September 1640 in the names of William and Elizabeth Kidgell of Wimborne Minster in Dorset and Thomas and Grace Baynham of Yate, then in Gloucestershire. Elizabeth and Grace were the daughters of Grace Box and the grand-daughters of Nicholas Payne; they therefore jointly held (together with their husbands) the former Payne moiety of the lordship and of the right of presenting a new rector of Hutton whenever a vacancy occurred.

However, since Nicholas Payne had long ago sold off most of his demesne land and some of his tenements in Hutton, their portion of the estate lay mainly in the eastern part of the parish and, according to the headings on the court rolls, they were entitled lords of “the Manors of Hutton, Ludwell and Elborough”, although the term ‘Manor of Hutton’ had long embraced all three areas as well as the eastern part of Oldmixon. The Kidgells and the Baynhams continued to hold this moiety of the lordship throughout the mid-seventeenth century, although in 1643, upon the death of her husband, Grace Baynham put her share into the hands of trustees for her use during her life and subsequently for her son, Adam Baynham.

It is rather surprising to find that, during a period of such fierce civil conflict and constitutional uncertainty, private transfers of property were being affected normally, some of them even involving lawsuits heard near the seat of Parliament, yet this was certainly the case concerning the other half of the lordship of Hutton which belonged to the Ludlow family and had been held in the 1630s by Henry Ludlow of Tadley in Hampshire. As early as 1640, Henry’s eldest son and heir, Edmund Ludlow of Hill Deverill in Wiltshire, was sued in Chancery by his three brothers and four sisters and, in November of that year, was ordered to pay each of them £4000. Consequently he had to mortgage, and even sell off, some of his lands which lay in Rolstone, Worle, Weston-super-Mare, Uphill, Oldmixon and Locking as well as in Hutton, and some of these transactions involved litigation. In the following autumn, when war clouds were beginning to threaten, a lawsuit in the King’s Court at Westminster ended with his sale of several messuages and lands in both Weston-super-Mare and Hutton for £100 to Thomas Porter, Thomas Gosse

and William Winter, the one who in 1645 was to have his estates elsewhere sequestered by Parliament.

Then in June 1642, barely six weeks before the first Somerset blood was shed below the Polden Hills, Edmund and his wife Elizabeth sold more lands, particularly in Hutton, to his brother, William Ludlow of London, for £1,050. When Edmund died towards the end of 1645 or early in 1646, he was evidently still in debt for, in his will, he empowered his widow Elizabeth to make further sales of his property. Not long afterwards she became the wife of John Rideout of Pilehill in Hampshire and in November 1647 they, with the agreement of his other brother and sisters, sold “all those Mannors of Hutton, Rolestone, Worle” etc to one of the Ludlow sisters, Anne, and her second husband, John Diggle of Chittingfold in Surrey. He, in turn, found it necessary to mortgage this property in February 1648, but even as late as November of that year, only shortly before arrangements were begun for the trial of Charles I and barely two months before their half-cousin, another Edmund Ludlow, was to sign the King’s death warrant, there was a lawsuit between the Rideouts and the Diggles concerning these manors.

On May 15th 1652, the surviving multiple absentee lords of this moiety of the manor of Hutton, John and Ann Diggle, Katherine Ludlow and Elizabeth, daughter of Edmund Ludlow, and her husband, Henry Coker, conveyed “the Manor of Hutton” in trust to William Prowse of Axbridge and John Hayne, probably the younger, of Elborough to sell it on their behalf. These trustees, about a month later, arranged the sale of the Ludlow share of the Hutton advowson to Wadham Wyndham, a lawyer of Lincoln’s Inn, London, who also purchased most of the remaining Ludlow property in the adjoining parishes. Finally, at the end of October 1657, William Prowse and John Hayne sold “the Manor of Hutton”, that is, the Ludlow moiety of the lordship and the little property still belonging to it, to Augustine Spalding of Wrington.

Throughout this period, Hutton Court and its surrounding lands, which Nicholas Payne had sold in 1604 to Bishop Still, remained in the ownership of John Codrington of Codrington and Didmarton in Gloucestershire, whose second wife Anne was the bishop’s grand-daughter. After her death in 1642 John Codrington decided to sell his Hutton property to provide for their four daughters and in March 1653 he reached an agreement with Augustine Spalding for the latter to purchase it for £3800, paying £2000 down, £1000 six months later and the balance in six monthly instalments. From evidence given in a lawsuit of 1672, it would appear that a dispute arose about some of Codrington’s goods in Hutton Court, that Spalding failed to keep to the terms of the agreement, but that “in the absence of the said John Codrington’s servants” he got possession of the premises and was still occupying Hutton Court in 1660, by which time he was already holding the titular lordship of the former Ludlow moiety of the manor of Hutton.

It is now time to examine what is known of other Hutton families. Among about seventy persons living in or connected with Hutton mentioned for the first time in the records of this short period from 1641 to 1660, fifty of them have different surnames, and of these only two, Payne and Oldmixon, first appeared in Hutton during the thirteenth century, four (Squire, Hosier, Shepherd and Robbins) in the fifteenth century, ten in the sixteenth and nine in the early seventeenth century; the rest, just over half of them, were newcomers. In addition, about thirty persons first mentioned in the early seventeenth century appear again in records of

this middle period, and at least nine others whose names are not found in those records evidently lived hereabouts throughout this period, for their names appear again after 1660.

Only the barest details of leases granted by the Kidgells and Baynhams, the Payne heirs, have survived in a 1749 catalogue of documents, and these merely reveal that John Hayne, probably the younger, of Elborough acquired Western Ten Acres in 1648 and “a message 3 acres and 3 yards in Elborow” and a close called Piplarys in 1654, that John Robins acquired Easter(n) Ten Acres in 1653 and William Dover, a newcomer to Hutton, 1½ acres in Elborough’s Lower Field and 1½ called Dunride in 1655, which he shared with Samuel Howlett from 1657.

Particularly rich in information, however, are two documents concerning the Ludlow property in this parish, one the deed of conveyance between Edmund and William Ludlow, dated 1st June 1642, and the other an undated document comprising at least two distinct parts. The first and larger of these parts is a tabulated survey of Ludlow tenants in Hutton, giving the size of their holdings and the amount of their annual rents, and this part must have been compiled in 1642 or 1643, for it gives the age of Edmund Edgell as twenty and he was baptised in 1622. The latter part gives information regarding a few other properties “now Ludlows”, and its references to “Mr Diggle” and “Mr William Ludlow” suggest that it was added at some time between 1647 and 1652. These two documents, therefore, span most of this short period of the mid-seventeenth century.

Three of the four tenements detailed in the 1642 deed of conveyance - one of 14 acres held by Henry Boardman (probably the Henry Boorman who was a churchwarden in 1634), another of 20 acres held by Strode Allen (a newcomer) and one of 40 acres whose tenant is not named - show the survival of the scattered and diverse units of mediaeval farming. Each tenement consisted of one house with orchard, garden and backside, probably situated along what is now Main Road, together with small pieces of arable land in Westfield or Eastfield (or even in both), and of meadow in Westmead, several closes of pasture, mainly on the moor, and portions of woodland, varying considerably in size.

Although detailed information is lacking, it is likely that this too was the pattern of the seven ‘tenements’ listed in the first part of the later document : those of Elizabeth Payne, aged 50 (totalling 16 acres), “Widow Gennings” (40 acres), John House, who had contributed to the Parliamentary ‘loan’ (41¼ acres), Thomas Gethinge, “Geathen” in 1627 (31 acres), Katherine Trobridge, “alias Widow Harvie” (36½ acres), Richard Lewis (16 acres), a “Mrs Clarke” (36 acres) who may have been the wife or widow of a certain “- Clarke” who, in the 1642 deed was said to have held “in the right of his wife An” the odd one of the four tenements.

This was unusual, not only in having a name, “Roughlise” (for Rough Leaze), but also because it apparently had no dwelling, consisting only of 10 acres of meadow and pasture and 21 acres of woodland. In addition, “one message 17 acres and a rod of land” constituted a tenement mentioned in the final part of the second document as “sometime” held by Thomas Boreman, probably the younger one of that name whose wife had been buried in 1597. Both the deed of conveyance and the list of Ludlow tenants also include holdings of land with no mention of a message, where the tenant, perhaps, held other lands including a house from the Kidgells and Baynhams, as did John Haine of Elborough who rented 20 acres called

Benthills from the Ludlows. Alternatively, such a tenant may have lived outside the parish as, almost certainly, did Mary Manship of Locking, with 7 acres in Hutton, or even may have been like Robert Payne who held 2½ acres but probably lived with his mother Elizabeth.

The other similar tenants listed were John Wilsheer (8 acres), Thomas Jennings (18 acres) and John Hosier (8 acres “called Pigs”). In addition, these two documents record a total of seven cottages, most having “garden plots”. The only one of them mentioned in the 1642 deed, as exempted from the conveyance, was occupied for one shilling per annum by Richard Hele (or Heale) whose will of 1652 reveals that he was a blacksmith; it is not unlikely, therefore, that his services were demanded by some of the Parliamentary cavalry quartered in Hutton in 1645.

The occupiers of the other cottages, all listed in the later document, were John Morse, aged 60, who had been a churchwarden in 1634, (rent 1s. p.a.), Bartholomew Clarke, who had married Margaret Morse in 1623 (rent 6d p.a.), Elizabeth Trobridge, one of that well-established Hutton family (rent 6d p.a.), two newcomers, Thomas Hobkins (rent 1s. 4d p.a.) and Agnes Cradock (rent 5d p.a.), and lastly “Mrs. Snygge” (paying only 6d p.a.) The rents for these cottages, presumably based on the assessed value of the actual buildings, would appear to bear no relation to either the social status of, or the amount of land held by, their occupiers. Though their interior furnishings may have been very different, the cottages of John Standfast and Mrs. Snygge bore the same rent.

The last of these names, Snygge, demands particular attention. Despite the difference in spelling, it most probably signifies the same person as “An Snig”, whose holding with an annual rent of 28s. was mentioned in the 1642 deed as exempted from the conveyance, and whose tenement and 41 acres, with 28s. rent and 30 acres of wood with 26s. 8d rent, are stated in the final part of the second document to have been “late” in her tenure, most likely indicating that she was dead by that time (1647-1652). The mention of this property in the earlier deed refers to a previous lease of the same in 1590 which had been granted to the elder Edmund Kenne for the lives of himself, his wife, and his daughter Anne. Consequently, it is possible to identify Ann Snig or Snygge as the former Anne Kenne, and her tenement as the one later to be known as Middle Farm, with the site of its messuage still traceable on the Main Road by its surviving sixteenth-century stone doorway bearing the Kenn arms.

Various other items of interest concerning Hutton during this period are to be gleaned from the second of these documents. One is a reference to new building, for, in the list of the earlier part, Margaret Esquire (probably a variant of ‘Squire’), is recorded as holding “a new house and two gardens” for 1s. p.a.; unfortunately, there is no means of identifying this building which is most likely to have been somewhere along the Main Road. A rather surprising item to find in this period is the fact that each property in the list was subject to the early mediaeval feudal due of ‘heriot’, payable to the manorial lord upon the death of a tenant. For some of the larger holdings, the heriot was the traditional ‘best beast’, but from most holdings a sum of money was due, varying from £2 to 1s., the latter being imposed on the ‘new house’ and on every cottage. The Ludlow share of the advowson of Hutton’s church, “every second turne”, is also listed but with no indication of its financial value; we have seen that in 1652 this was sold to a London lawyer, Wadham Wyndham.

The later part of this second document begins with a request, perhaps by William Ludlow, addressed to a “Mr Jefries”, presumably his land agent, to “enquier whether all this be Mr Diggles, also whether it be of the value above and whether it lyes all together or dispersed and scattered and what timber ther is therin”. Here can be seen the strictly financial interest of the absentee landlord, perhaps already contemplating the sale of this property, and probably his dislike of the traditional scattered holdings. The value of timber, of which there was a national shortage at this time, is also indicated by some notes, perhaps inserted later, in the earlier tabulated list, such as “Timber worth £40 and better” (Widow Gennings), or “£20” (Thomas Gethinge), and also by the annual rent of 26s. 8d on what was formerly Ann Snig’s 20 acres of wood “called Cokers Wood and Hocks Wood”. The name ‘Cokers Wood’ may have originated in the fifteenth century partition of the manor, but there is no other record of ‘Hocks Wood’.

Finally, three wills of this period provide a few more intimate glimpses of some of the Hutton tenants already mentioned. The earliest is that of Richard Heale, the blacksmith, who probably died about the middle of 1653, for probate was granted in September of that year. He asked to be buried “in the churchyard of Hutton before the chancel window on the north side”, but nearly two hundred years later that window must have been removed when the vestry was built, and there is now no trace of his grave. He left all his goods and chattels in trust for his wife, “Jone”, but apparently had no children. Among the friends who witnessed his will were Isabell Trobridge, widow, William Trobridge the elder, William Bagnall senior, the tithingman, and Thomas Porter the elder who had collected one of Hutton’s “contributions” for the Royalists in 1644.

At some time between May and September 1654, Grace Jennings, probably ‘Widow Gennings’ of 1642, died having made a much more informative will. Among her bequests to her daughter Alice were “a colt, all my spare linen, my spruce chest and two other coffers, also all my pewter and brass and bedding, except the flock bed, one bolster and one pair of blankets and one white coverlet” which she left to her servant, “Joice Hotken”. She further left £20, her “joint-stools, one heifer and one livery-board” to Alice, her “best waistcoat and red coat” to her daughter-in-law, Mary Symons, and the rest to her executor, John Symons, who was presumably her eldest son by her first husband.

Last of all, early in 1659, came the death of “Thomas Jennings of Hutton, husbandman”, not, as far as is known, closely related to Grace. The son of Maurice Jennings (one of the graceless Edmund Kenn’s companions in youth) he had been baptised in Hutton church in 1621, and in 1642 he held 18 acres in Hutton. He also held, however, a tenement in Locking which he left for the use of his mother to bring up his three children, Thomas, William and Frances, and he further instructed his trustees, John Robins and Samuel Manship, to sell his goods and with the money to buy land in Locking for these children. Among his witnesses was Richard Thetcher (Thatcher) who, along with Thomas Jennings, had certified that account for “coate and conduct money” in 1645, but nowhere in his will, nor in those of Richard Heale or Grace Jennings, is there any reflection of the troublesome times through which they had lived.

## Fourteen: Late Seventeenth Century

Although, in the absence of any specific local event, the 'Restoration' of the monarchy under Charles II in 1660 provides a recognisable starting-point for this section, there is nothing comparable, locally or nationally, to mark its end. This period almost covers three reigns, those of Charles II (though it was legally reckoned to have begun with the death of his father in 1649), James II, his brother, and William III, the Dutch husband and cousin of James's daughter, Mary, and joint sovereign with her until her death in 1694, but then ruling alone until he died in 1702.

Far less stirring and eventful than the two preceding decades, this period was not without some dramatic occurrences which left their mark on our national history, such as the Great Plague and Fire of London, the war against Holland, the flight of James II and the landing of William of Orange, and at least one of great significance in Somerset, the Monmouth rebellion. However, scarcely a ripple of these disturbances was probably felt in Hutton and not one of them is mentioned in any surviving records of this parish.

Except for the bare information supplied by the 1749 catalogue description of two leases granted in 1662 and 1663, the first glimpse of Hutton near the beginning of this period is provided by three sheets of paper which came to be enfolded with a mediaeval roll of parchment recording the details of the Partition of the Manor in 1430, over 230 years earlier. The first two of these are records of the two Hutton manorial courts held in 1662 and 1664 respectively; on the third sheet are some notes and queries concerning the advowson of Hutton. Together with a Bishop's transcript or copy of the Parish Register for the year ending in March 1664, these papers are the earliest Hutton documents to survive from the effective reign of Charles II.

Both manorial court records differ conspicuously from the court rolls of the past, even from that of September 1640, their latest surviving predecessor. Not only are they written in English with not even any part in Latin, but they lack the usual heading of manorial court-rolls, which bore the names of the manor and of the lord or lords on whose behalf the courts were held. Instead, both of these post-Restoration manorial records open with declarations by the 'homage', the small group of tenants whose complaints and reports provided the agenda for each session. The preamble for the first half of these two rolls reads: "We, Hugh Bennet, George Snygge, John Haine and Thomas White, beinge the Homage in this Court held the 1 day of Maie 1662, Doe present these Customs and Defaults followinge", and that of the second roll is roughly similar but with the names of "John Hayne, William Dover and Thomas White" as the homage and dated "ye day of Aprill Anno Dni 1664".

Some of these names alone, particularly those of Hugh Bennet the Rector, and John Hayne, are sufficient to indicate that these courts were held within this parish, and various items in the proceedings further suggest that their scope was restricted to the areas of Ludwell and Elborough and that so, like the courts of the late 1630s, they were held on behalf of the Payne heirs, Grace Baynham and William Kidgell.

The matters dealt with by these two courts were not very different from those of the past, and they reflect the traditional concerns of a little-changed agricultural community. In 1662 the court found it necessary to define the limited right, belonging to the holders of certain lands in Ludwell, of grazing in Locking Moor, even though that lay outside the parish. This right, which had probably existed at least from the thirteenth century when the Paynes were free tenants of Ludwell, allowed a total of only “twentie fower oxen shut”, that is, grazing for only twenty-four oxen, the animals used for ploughing and hauling wagons with heavy loads. By 1662, this right had evidently been divided among the holders of four properties, “twelve oxen shut” being allotted to “the farme of Ludwell”, and four each to “the ten acres lately in possession of John Haine” (i.e. the Western Ten Acres on the west side of Locking lane), “the easter(n) ten acres” (on the east side), and an unidentified “ground called Youngs tenement”. This court also established, after examining a witness upon oath, that there was no right of way for the general public across the plot of land behind the house of “Widdowe Phelpes, which was probably in Elborough.

As usual, various defects were reported and ordered to be remedied, such as “two gates anciently kepte and now wholly taken away” which were “to be set up againe upon the penaltie of five pounds” (a considerable fine) in 1662, and a certain “water corse running down to ye highway” to be “clensed and fenced by those who of Right ought to doe yt upon ye payne (penalty) of 5d a peace” in 1664. In this latter court, Mary Symmons, an Elborough tenant, was reported to have cut down two elms “upon a grounde called 12 acres being held of ye lord of this Manor” and to have used them to “build upon another lords land” - a reminder of the great value of timber to landlords at that time.

One thing remarkable about the faults reported in these two courts is that they do not include any structural defects of houses, barns or other buildings, as are recorded in almost all earlier court-rolls including that of 1640. This omission may indicate that much repairing and rebuilding had been carried out during the past twenty years despite their troubles, but there is no positive evidence to support this assumption.

In both of these post-Restoration court records, it is the last part, not one near the beginning as in almost all earlier rolls, that concerns the fines to be imposed on all who had failed to fulfil their obligation to attend. The amount was fixed by two members of the ‘homage’ chosen to be the ‘affeerers’ or assessors. In 1662, Hugh Bennet and John Hayne decided on 6s.6d collectively for three ‘free’ tenants, perhaps to compensate for a lapse in the collection of earlier fines, but only 2d each for the four ordinary tenants who were absent; however, in 1664 John Hayne and Thomas White imposed the stiff fine of 6d each upon all seven defaulters alike. As for Hutton’s ‘free’ tenants, only one of four names in the last previous court-roll of 1640 was still an absentee in 1662 and 1664, namely John Fitz-James, who in the meantime had served as a Parliamentary colonel and, in 1645, had been sheriff for the county of Dorset.

Another ‘free’ tenant of 1640, George Fry, had evidently been succeeded by William Frie in 1662, although according to an isolated note on the third sheet of paper enclosed with the two court records in that mediaeval deed of partition, George Fry died in May 1663 or 1665 - the final figure being obscure; but neither

Christopher Oldmixon, whose name last appears in a Kidgell deed of 1649, nor Edward Popham, the other 'free' tenants of 1640, seems to have had a post-Restoration successor with the same surname. In fact, the only unfamiliar 'free' tenant named in these two late-seventeenth century court records was Henry Backwell, and even his surname had appeared as that of an ordinary tenant as long ago as 1476.

In 1662 and 1664, then, it was not merely the 'free' tenants of the manor who were presented and fined for failing to attend the court. From each of these courts four ordinary tenants were absent, including even "George Snygg, gentleman", one of the 'homage' in 1662 but absent in 1664, and William Dover, absent in 1662 but one of the 'homage' in 1664. Altogether, no more than twelve persons, three of them women, are named, apparently as ordinary tenants, in these two court records and it seems likely that few others held tenements at that time in the eastern, former Payne, portion of the manor of Hutton. Only two of these twelve, William Yorke and Thomas White, had surnames which were then making their first appearance in the Hutton records that have survived, and six others, though all new as individuals in the records of this parish, had surnames already familiar. These were Widow Phelpes, Alice Davis (who was to witness the will of Thomas Lewes of Elborough in 1685, Mary Symmons (grand-daughter of John Hayne the elder, wife of Thomas Symonds of Elborough and another witness to the will of Thomas Lewes), John Beard, Thomas Cooke and George Snygg.

The last of these names needs further scrutiny for it was borne by at least three members of the same family during this period. The George Snygg of these two manorial court records was almost certainly the one, who, as a churchwarden, signed the copies of Hutton's Parish Registers for the two years ending in March 1664 and 1676 respectively. Nothing is known of his probable connection with Sir George Snigg, Knight, who had been a Recorder of Bristol in the reign of Elizabeth, or with Ann Snig and Richard Snygg, both named in Hutton documents of the mid-seventeenth century, but he was most probably the "George Snygge, Gent." whose wife was Joan (almost certainly the daughter of one "Jervis" with land in Ludwell) and whose daughter, Mary, was buried in Hutton in November 1668, followed by his son George in May 1669. Seven years later, in August 1676, his wife Joan was also buried in Hutton, and so too was he in December 1679. They left behind, however, yet another son called George, who was evidently born about 1674 and who died in 1703, his tombstone still lying in the nave of Hutton Church.

The remaining four of the twelve persons named in these post-Restoration manorial records have all been mentioned earlier. They were John Robbins, who had land in Ludwell, William Dover, with land in Elborough, John Hayne, almost certainly the younger, of Elborough, who in 1649 had been chosen to receive the quartering money on behalf of the parish, and by far the best known of all, Hugh Bennet, the Rector of Hutton, the first named member of the 'homage' and one of the 'affeerers' in 1662. It is fully in accordance with what has so far been related concerning him that he was still playing a prominent part in local affairs, but the active presence of a rector in a Hutton manorial court is apparently without precedent.

According to the 1635 glebe 'terrier' four small pieces of Elborough then belonged to the Rectory, but glebe lands do not ever appear to have been held subject to service in the manorial court. It seems likely, therefore, that Hugh Bennet

also held some property personally from the heirs of Nicholas Payne, although there is no surviving record of any such lease. This supposition would seem to be supported by an entry in the record of the court held in April 1664 reporting that "Hugh Bennett, clerke" was dead, but adding that it was not known whether any heriot was due or who would take over the tenancy after its reversion to the lord of the manor.

So, after serving this parish, in both its religious life and the conduct of its mundane affairs, for over a quarter of a century in one of the most difficult periods of its history, Hugh Bennet had died. The actual date of his death is not known but it was probably only a short time before the manorial court was held in April 1664, for his burial (almost certainly in Hutton) was not recorded in the transcript of the Parish register for the year that ended on March 25th of that year. That same transcript, however, provides one with the only glimpse into his family life for, from an entry recording the burial of "Joan the daughter of Hugh Bennett minister" on January 18th 1664, it may be inferred that he had been married but, since his wife is not mentioned in this entry, that she had died some time earlier.

There is still a little more to be told concerning Hugh Bennet who had survived as Rector of Hutton for nearly four years after Charles II had been welcomed back to England and proclaimed its King. It is these last years of Hugh Bennet's ministry that remain to be examined against the background of what was then happening throughout the country, particularly in the Church of England. The re-establishment of the monarchy was not immediately accompanied by sweeping religious changes, for the mainly Protestant 'Convention' Parliament, which had invited Charles to return, favoured retention of the ecclesiastical status quo whereby many parishes were served by Presbyterian or even Independent ministers and relatively few, such as Hutton, by Anglican clergy who had given no trouble to the Commonwealth.

However, it seems likely that there was a shortage of clergymen who had been ordained before 1648 and yet were active and eager to resume their benefices and duties, and this may well account for the presentation of Hutton's Hugh Bennet to the living of Christon in September 1661. No-one will ever know whether it was merely the financial reward or some other inducement that persuaded this apparently conscientious Rector of Hutton, so late in his life, to take on the additional burden of an adjacent but not easily accessible parish, but, as the manorial court record of 1662 suggests, he did not allow this to prevent him from fulfilling his obligations in Hutton.

The 1662 Act of Uniformity prescribed that the newly issued Book of Common Prayer should be used exclusively for all public worship, that every minister in the Church should accept it in its entirety, and that only those ordained by a bishop could be regarded as in Holy Orders within the Church. One consequence of this Act was the immediate exclusion of nearly eighteen hundred clergymen from churches throughout England, over sixty of them in Somerset; many of these and their followers came to be known as Nonconformists and continued to hold services in private houses or even outbuildings.

No such consequence, however, occurred in Hutton at this time, for Hugh Bennet would have had no difficulty at all in conforming to the new Act, but one almost certain result of the Act was that at some time, probably before his death,

Hutton would have acquired a copy of the 1662 Book of Common Prayer. Unfortunately, like Hutton's first copy of James I's Authorised Bible, this first edition of the Prayer Book has not survived in Hutton, both apparently having been replaced early in the nineteenth century after their long and constant use.

Usages, even if they have been established for only twenty years or so, are not readily changed and so it is, perhaps, not surprising that in the last surviving reference in Hutton records to Hugh Bennet, made, presumably, whilst he was still alive, he was described as "minister". That was the entry in Hutton's Parish Register recording the burial of his daughter, Joan, on January 18th 1664, copied up later in the surviving Bishop's transcript for the year 1663-4. By the time that transcript was made (after March 25th) he was either already dead or too ill to sign it; instead it was signed by John Hellier, the man who, about six months later, was to be his successor.

John Hellier had been Vicar of Locking since 1643; he was instituted at Hutton in September 1664. It would seem therefore that in the mean time he had been undertaking unofficial duties in Hutton during the vacancy there, as, perhaps, Hugh Bennet may have done earlier in the parish of Christon. Certainly there is evidence of good neighbourliness between him, or perhaps his father, and one Hutton tenant for, in 1658, a "John Hellier, senior" had witnessed the will of Thomas Jennings, "husbandman of Hutton", who admittedly appears to have had a predilection for Locking and may have then been worshipping there.

Like Hugh Bennet, though about twelve years younger, John Hellier was an Oxford graduate and probably therefore a basically Royalist sympathiser; he too had evidently accepted the 1662 Act of Uniformity for he still retained his office as Vicar of Locking. It is not known whether or not he continued to live in Locking, but he served both parishes, apparently without a curate, and in 1670, when he signed the Hearth Tax returns (which will be considered later), he was incorrectly, perhaps inadvertently, styled 'Rector' on Locking's list as well as, correctly, on Hutton's. This signature and the one on the Bishop's transcript for the year 1669-70 are the last surviving indications of his being still active as Rector of Hutton, but it was probably not until well into the next year that he died, for he was only replaced at Locking on September 29th and at Hutton on October 18th 1671. The entry of "Anne Hillier vidua" among the burials at Hutton recorded in the 1679-80 transcript from its Parish Register almost certainly refers to his widow, evidently at that time resident in this parish.

The next Rector of Hutton was William Crofts, yet another Oxford graduate though probably a much younger man, who also may have been previously acquainted with this neighbourhood, for either he or a namesake had been Vicar of Winscombe between October 1670 and March 1671. His term of office in Hutton lasted from 1671 to 1710, but despite his long stay very little is known about him, for few Hutton records of this period have survived, and still fewer provide any evidence of his presence, yet it is quite probable that he resided in Hutton. He is not even mentioned in any of the extant or recorded wills and leases of this time, and only his name on a Hearth Tax return for 1674, and his signature on three surviving Bishop's transcripts, those for 1677, 1680 and 1705, suggest that he was active in the parish at least intermittently during the period. No one bearing his surname is recorded among the baptisms, marriages and burials recorded in the transcripts, and

so it is not even possible to conjecture whether or not he was married or had any family in Hutton.

One significant local event during his term of office was the hanging of a new bell, bearing the initials of the two churchwardens, George Snygg and Luke Bennett, in the tower of Hutton Church in 1675, where it has remained until this day.

A major national event in 1685 was the Monmouth rebellion after the accession of James II to the throne. Few people, if any, in Hutton could have failed to hear of the slaughter on Sedgemoor, and, whatever their views, to have been appalled by it, yet it is almost certain that no-one from Hutton actually fought in the battle or even gave Monmouth any support. So dreadful, no doubt, was the prospect of another civil war, that most people in this area and throughout most of the county shrank from taking part in open rebellion and were probably relieved, even if shocked, when it ended so quickly. Recent research on Monmouth's rebellion has shown that most of Monmouth's followers came from south or east of his route from Taunton to Bath.

Out of nearly four thousand whose names have been traced, almost four hundred came from Taunton alone, fifty-two from North Petherton, and even thirty-two from the two small neighbouring villages of Ruishton and Thornfalcon, whereas from this neighbourhood no more than three each came from Axbridge and Banwell, only one each from Christon, Worle and Locking, and none at all from Hutton, nor from Weston, Bleadon, Uphill and Winscombe.

There must, however, have been some people in Hutton who were more emotionally involved through being acquainted with some of the neighbouring participants such as William Plumley, resident lord of the manor of Locking, and Francis Vaughan of Christon Court who held some land in Hutton, certainly in 1692 after he had purchased his pardon in 1686. Still more inhabitants of this parish must have been filled with horror at the savagery with which the fleeing rebels were hunted and butchered by Colonel Kirk and his ironically named 'Lambs', and above all by the merciless sentences of death or of transportation to the West Indies as virtual slaves, subsequently imposed by the infamous Judge Jeffries upon captured rebel troops, and of imprisonment, floggings and other brutal punishments upon their non-combatant supporters, even women. In particular, the story of William Plumley, whose hiding-place was unwittingly betrayed by his dog, and who was hanged at Wells, must have been a subject of awed conversation in Hutton for a very long time.

Discontent with the rule of James II increased, and eventually most hoped that James would be succeeded by his Protestant daughters, Mary and Anne. To this end, various approaches were made independently to Mary's husband, William of Orange, by several prominent Lords and Commoners, Church dignitaries and high-ranking officers of the Army, and on November 5th 1688, William landed at Brixham with 13,000 Dutch troops. It is, perhaps, not surprising that he was not greeted in the south-west with the same enthusiastic support that Monmouth, three years earlier, had at first received, but at least he met with no resistance, Exeter and Bristol in turn opening their gates to him.

King James, faced also with risings against him in the north of England, and unable to rely on his own army, from which many officers, including John Churchill, had deserted, did all he could to disrupt the means of government, disbanded the army, and with his wife and young son fled to France. This swift succession of national events must soon have provided a topic for animated conversation in Hutton as in, probably, every other village, at least in this part of the country.

February 1689 saw the establishment of the joint sovereignty of William and Mary, following his acceptance of a declaration which stated that James II, by his deeds, had virtually abdicated and so vacated the throne, and which laid down the principles for a Protestant constitutional monarchy. This declaration, with other provisions, formed the basis for a Bill of Rights which was soon passed by a newly convened Parliament. A virtually 'bloodless revolution' had thus been accomplished but it is doubtful if many people other than some of the active participants realised it at the time, and most of Hutton's inhabitants would certainly have been unaware of it. Parliament soon passed a Toleration Act which granted full freedom of worship to all sects (excluding Roman Catholics) on condition that they registered their meeting places at the Bishop's Court in each diocese and that their ministers took oaths of allegiance to William and Mary.

This measure delighted many Nonconformists, especially the long-persecuted Quakers, and was particularly welcomed in many parts of Somerset, but it is unlikely that any Hutton parishioner was affected by it apart from its Rector who, along with all Church of England clergymen, was obliged by the Act to take the oath of allegiance. However, some Anglican clergy, including even the Archbishop of Canterbury and Bishop Ken who had suffered under James II, regarded themselves as still bound by their previous oaths of allegiance to James as long as he remained alive and were therefore unable to swear allegiance to William and Mary. These churchmen, known as the 'Non-jurors', were consequently deprived of their offices and replaced, Bishop Ken ending his days in retirement near Frome. Evidently, however, William Crofts was not a 'Non-juror' for he remained as Rector of Hutton and, from 1693 onwards, he must also have looked after the parish of Locking where, following upon the deprivation of John Millar, its rector since 1671, there was a vacancy lasting until 1732, throughout which "the Rectors of Hutton served the cure of souls".

During the late seventeenth century some changes also occurred in the ownership of the manor and of the advowson, that is the right to present the new Rector of Hutton on the two occasions when there was a vacancy. In 1663 the death of Hugh Bennet, about twenty-five years after his institution as Rector of Hutton and after a considerable gap in the records of this diocese, resulted in some doubt and confusion concerning the right to present his successor. Evidence of this confusion is provided by two pages of that post-Restoration manuscript which somehow came to be mixed up with a mediaeval document.

These two pages consist of a series of notes on the advowson of Hutton, and they reveal that an enquiry was conducted, presumably at the Diocesan Registry, which eventually established that by tradition the right of presenting had long been exercised by members of the Payne and Coker families alternately, and that the Payne title had descended jointly to the Baynhams and Kidgells, and that of the Cokers to the Ludlows. It was concluded that the actual holders of the title, presumably in 1663 or 1664, were Grace Baynham jointly with Thomas Kidgell and

“Sir Waddom Widham” respectively, for in 1652 Wadham Wyndham, a London lawyer had purchased the Ludlow’s family share of the advowson of Hutton, as well as lands in Rollestone, from their trustees, William Prowse and John Hayne.

According to a deed recording his further purchase of a house and garden in Axbridge in June 1663, Wyndham had by then achieved knighthood and had been appointed to the King’s Bench. Although the enquiry into Hutton’s advowson correctly concluded that Hugh Bennet had been presented at the Ludlow’s turn, it had also to consider a claim from an unexpected quarter, namely from “one Spalding whose Tytle is as Lord of ye Royalty and derives it from Mr Diggle”.

Clearly this claimant was Augustine (or Augustus) Spalding, formerly of Wrington but since about 1653 the occupier of Hutton Court, and who in 1657 had purchased all that remained of the Ludlow portion of the Manor of Hutton from William Prowse and John Hayne by arrangement with John Diggle, husband of one of the Ludlow heiresses. Unfortunately, the actual deed has not survived and only a summary of its contents is given in the previously mentioned list of Hutton deeds but evidently, as a late-eighteenth century Somerset historian, John Locke, stated, it had included the vague term ‘Royalty’ which Spalding regarded as covering ‘advowson’, whereas the latter by then had been sold to Wadham Wyndham. Spalding’s claim was rightly rejected by the enquiry of 1663/4, though for the odd reason that “Mr Diggle . . . did never present as wee can finde”, and, since it was the turn of the Payne heirs, the next Rector, John Hellier, was presented by Grace Baynham of Yate and Thomas Kidgell, not of Wimborne in Dorset as his father had been, but of “Charlefield in the county of Gloucester”.

The presentation of William Crofts in 1671 should therefore have been straightforward, but the last two paragraphs (evidently added in 1671) of those remarkable notes on Hutton’s advowson show that the title was again debated at Wells. By this time Sir William Wyndham had been succeeded by his son, John, and after “ye Register Bookes was produced the Bishop” (Robert Creighton) “did conceave that Winham had a good title”. Accordingly, John Wyndham made the presentation on this occasion.

Far more complicated than the question of the advowson, especially towards the end of the seventeenth century, was that of the lordship of the manor of Hutton. As late as 1664, the former Payne half of the lordship belonged jointly to Grace Baynham and Thomas Kidgell, whilst the former Ludlow half was held by Augustine Spalding, who was also then occupying Hutton Court (although that former manor house and its demesne lands was still lawfully owned by John Codrington by right derived from his wife Anne, nee Still). By April 1669, according to a lease of land to Mary Symons, his share of the Payne half of the lordship was then in the hands of trustees acting on behalf of Adam’s young son, Thomas Baynham.

From a schedule of Hutton leases attached to a deed of 1686, it is evident that the same Baynham trustees were granting leases as late as May 1677 and it must have been at some time later that Thomas Baynham came of age. Similarly uncertain is the date of the death of Thomas Kidgell who shared the Payne half of the lordship. However, it is certain that by the beginning of March 1683, according to another lease cited in the same deed of 1686, this right of lordship was being exercised jointly by Thomas Baynham and Catherine (or Katherine) Peaseley, Thomas Kidgell’s widow, who had remarried and was acting on behalf of their three

daughters, Anne, Catherine and Elizabeth, his joint heiresses. This was still the situation in 1688.

Meanwhile, as revealed in a Chancery suit of 1672, Augustine Spalding, owner of the Ludlow half of the lordship, had died intestate in 1667 and the lawful owner of Hutton Court and its estate, John Codrington, had died in 1670. It was his widow, Frances Codrington (his third wife) who brought this Chancery suit against the wife and trustees of the late Augustine Spalding to recover possession of the Hutton Court estate, which, according to the Court record, was regarded (although, in fact, incorrectly) as “the manor of Hutton”. It would appear that Frances Codrington won her suit but was obliged to recompense the defendants, for Alexander Dyer of St Mary of Savoy, Middlesex, one of the Spalding trustees, recorded in his will of 1677 that on June 6th 1672 he had received £100 “of Mrs. Codrington, now deceased, Executrix of John Codrington of Didmarton . . . out of the sum of £1600 left in the hands of Mr. Codrington for the Manor of Hutton”.

Although nothing definite is known concerning the ownership and occupancy of Hutton Court during the remaining twenty-three years of the seventeenth century, it may be confidently presumed that the whole estate passed directly to Robert Codrington, the eldest son of John and Anne, as soon as he came of age. He, at some time before his death in 1717, allowed his youngest son, William, to live at Hutton Court.

At some time between 1672 and 1688, Samuel Spalding, the son of Augustine, became the lawful holder of the former Ludlow half of the lordship of Hutton, for in January 1688, whilst James II was still on his throne, he sold his share along with a few tenements in the parish, to Thomas Baynham for £67. In 1688, therefore, Thomas Baynham held three-quarters of the whole lordship, that is, half of the former Payne half and a fourth share of the advowson, together with the entire former Ludlow half, but without its share of the advowson. According to the eighteenth-century Somerset historian, John Locke, Thomas Baynham, the son of Adam, was an “attorney-at-law in the City of Bristol” and at the end of 1686, “in consideration of . . . a marriage portion of £800”, he had married “Silvestra, daughter of Thomas Saunders, a Haberdasher of that city” and “had made her a jointure” of half of his share of the lordship of Hutton and the property belonging to it.

Fortunately, the actual deed of this transaction has survived and in it his share is described as “a Moiety of the Manors of Elborough and Ludwell in the parish of Hutton and a Fourth part of the advowson of Hutton Church, together with all the tenements, cottages, closes and all premises thereto belonging”. Thomas, who now held a larger part of Hutton than that finally held by his ancestor Nicholas Payne, was evidently ambitious and one cannot help wondering if he had hoped to acquire even more of the manor of Hutton; perhaps if Frances Codrington had lost her suit, he would have purchased the Hutton Court estate as well from Samuel Spalding.

However, his partial success was short-lived for, again according to John Locke, “before he had been married two years” (i.e. towards the end of 1688), “he dyed, not without a violent suspicion of becoming a Felo de se”, that is, of having committed suicide, “which for family reasons was kept a secret”. Locke also asserted that Thomas’s only issue, his daughter, young Silvestra Baynham, “became entitled

to his lands” but that when she died “about four years of age”, presumably about 1691/2, “it became a question in the law who was her heir”; yet Locke also revealed that her mother, Silvestra, was still alive, even at the end of the century, and that she had married a London brewer, Shem Bracebridge, and had become a widow for the second time.

Concerning the Kidgell share of the former Payne half of the lordship, two surviving deeds, dated respectively May 1691 and June 1692, show that by then the two younger daughters, Katherine and Elizabeth, both, like their mother, the widow Catherine Peaseley, living at Chipping Sodbury, mortgaged their “third parts” of “the Mannors of Hutton and Ludwell”.

No surviving seventeenth-century records mention the name of their eldest sister and co-heiress, Ann, but at some unspecified date, probably towards 1690, she married Elias Ferris and, according to Locke, “upon the death of Sylvestra Baynham” (the child) “without issue”, she began a suit against Sylvestra (the mother) claiming “a third part of one moiety of Elborough”, that is, of the late Thomas Baynham’s portion of the manor of Hutton. This suit was still in progress at the end of the century, by which time Katherine Kidgell had become a Mrs Bullock and her unmarried sister, Elizabeth, had died, devising her third share to their mother, Catherine, by then Mrs Bracebridge. So, as the century came to its close, the lordship of the manor of Hutton, confused, apparently, even in the minds of lawyers, with separate territorial parts of the parish, had never before been so fragmented and complicated.

After this close examination of Hutton’s rectors and manorial lords during the last forty years of the seventeenth century, it is time to consider the little that is known from surviving records about other persons connected with this parish, especially its inhabitants. In the first place, an analysis of their surnames shows that in marked contrast with the 212 individuals named for the first time for the first forty years of the century, there were only 77 during the next twenty years (those of the Civil War and the Commonwealth) and only 120 in the final period of forty years. These figures probably reflect, not so much any change in the mobility of Hutton’s population throughout the century, as an accidental decrease in the amount of documentary evidence.

Well over half the number of persons first named during the last forty years of the century now under review, seventy-four of them in all, bore different surnames, though many of these were acquired by marriage. Twenty-four of these are surnames which had not previously appeared in Hutton’s records, although several, such as White, Yorke, Hardwick, Masters, Hooper, Partridge and Knight, will be encountered again in the next century. Only three of the fifty other surnames surviving from an earlier period were first found in Hutton in the thirteenth century, namely Frie (Fry), Paine (Payne) and Oldmixon; only one, Day, in the fourteenth century, but eight in the fifteenth and eighteen in the sixteenth, whilst twenty had first appeared earlier in the seventeenth century, eleven of them during its first forty years.

More remarkable, perhaps, than the difference in totals between the inhabitants of Hutton during the first forty years of the seventeenth century and those during the last forty years, is the contrast in the number of those who were described as ‘gentlemen’, a fall from five to two. For most of the latter period,

perhaps, there was only one, as was certainly the case in 1690, according to an index of Somerset villages compiled for that year. This difference cannot be solely due to the paucity of the later records. The only persons in Hutton bearing the surname of Payne in the late-seventeenth century were members of the more humble branches of that family, namely Robert Paine, who in 1643 had certified Hutton's claim for quartering money and who was buried in 1688, a John Paine, perhaps his son, who had a son (also Robert) baptised in 1676, and a "Widowe Paine" who in 1692 was said to have formerly "held eleven acres".

Similarly, the only Kenne recorded in Hutton in this period, Samuel, who was buried in 1677, was probably a descendant of John Kenne the husbandman, for the last 'gentleman' of the Hutton branch of that family, John, the son of the elder Edmund Kenne, died in 1667, being then described as "of East Brent". No one bearing the surnames of May or Langton apparently remained in Hutton, and there is only a slight possibility that an indirect descendant of Nathaniel Still, William Codrington, took up residence in Hutton Court before the end of the century.

As for the Oldmixon family, who, like the Paynes, had been free tenants of the manor in the thirteenth century, it is doubtful if any of them actually lived within the parish beyond the first few years of this period, though John Oldmixon certainly owned property within it and may have lived at one time only just outside it in the western part of the hamlet of Oldmixon, which then belonged to the parish of Bleadon. In 1663, his son, Anthony, was buried in Hutton and in the Hearth Tax return for 1664/5, John Oldmixon was rated for a house with five hearths within the parish. Yet in a lease of some Hutton land that he granted in 1669, he was described as "of Bridgwater . . . gentleman". It is clear from this lease that he regarded himself as the manorial lord of Oldmixon, for one of its provisions demanded that his tenant should do "suit of Court unto the Court of him the said John Oldmixon to be holden for his Manor of Oldmixon".

However, there is no record of any such court having ever been held in Oldmixon (which was formerly part of the Manor of Hutton) and it is possible that this clause was inserted in the lease by a lawyer unacquainted with Hutton to encourage the tenant to maintain his property satisfactorily or, perhaps, to give John Oldmixon scope to increase his revenue. Finally, in 1675, when John Oldmixon made his will, he described himself as "of Bleadon", as if he then lived in that part of Oldmixon, and although he bequeathed twenty shillings to be distributed at the time of his death to the poor of Hutton, he also left the same sum to the poor people of Bridgwater, his former place of residence and the birthplace of his wife.

In September of the same year (1675) he also transferred "the capital messuage and manor house of Oldmixon", which he must therefore have still owned even if he did not actually occupy it, along with the rest of his estate (which he called "the Manor of Oldmixon") to several trustees, one of whom was William Plomley of Locking, later to be hanged for his part in the Monmouth rebellion. John Oldmixon instructed these trustees to sell off his estate, after his death, to provide for his wife and children and for his various legacies, which included £500 to each of his daughters when they reached the age of twenty-one. His son and heir, another John Oldmixon, who had probably been born about 1673 and who may well have been baptised in Hutton church (although no records have survived to prove this), was eventually to achieve a small measure of fame in London literary circles as the author of *The History of England during the Reign of the Royal House of Stuart* and as a

minor poet who was one of the victims of Alexander Pope's scornful wit in his *Dunciad*.

However, by then this younger John Oldmixon bore no trace of his early upbringing in or near Hutton but claimed to have lived as a boy in Bridgwater with Admiral Blake's brother, Humphrey. Certainly, in 1689, when his father's will was proved, the trustees began to sell portions of the Oldmixon estate, and it seems likely that by then his family had removed to Bridgwater where his mother's sister lived as the wife of Sir John Bawden, merchant.

The only other Hutton family with members who were styled 'gentlemen' during the late-seventeenth century was also one of the most recent arrivals in this parish, the Sniggs or Snygges. They have been considered in the section dealing with the manorial court rolls, but a few more details, especially concerning the elder George Snygge, are due at this stage. According to the Hearth Tax return for 1664/5, he then owned and, perhaps, occupied a house with four hearths in Hutton, and it is probable that he then had the tenement, formerly held by Ann Snig, which was later to be known as 'Sniggs tenement' and eventually as 'Middle Farm'. In addition, in 1674 he was granted a lease by the Baynham trustees and Thomas Kidgell of a messuage and 44 acres at Ludwell for 99 years or the lives of his son, also called George, and William Bagnall.

This younger George, evidently born after his elder brother of the same name had died in 1669, probably remained at Ludwell or elsewhere within the parish after his father's death in 1679, for his name appears as "George Snigg, gent" in a list of Kidgell tenants in 1692. Finally, to revert to the elder George Snygge, it is known that he witnessed the will of John Howse, yeoman, of Hutton in 1670 and that of John Oldmixon in 1675, and also that he signed Hutton's Hearth Tax return in 1670 as one of the overseers of the poor. In undertaking this office in the parish, as well as that of churchwarden, along with other tenants described as 'yeomen' or even without any specified status, George Snygge was different from the other Hutton 'gentlemen' of this period and, as far as is known, from those of any earlier times.

One of those who must have been regarded as 'yeomen' of the parish of Hutton in the early years of this period, although, unlike his father, he is not so described in any surviving record, was John Hayne (or Haine) of Elborough, whose action under the Commonwealth on behalf of the parish and whose position as an 'affeerer', at the manorial court in 1664 have already been mentioned. His name (spelt Haynes) last appears in Hutton's Hearth Tax list for 1664/5 and he must have died within the next four years, for in October 1669, when the elder John Haine made his will, the latter's only surviving son was Edmund Haine. As related earlier, this elder John Haine described himself in his will as a yeoman "of Banwell", and he requested to be buried there for he had retained his old home at St. Georges in that parish; he bequeathed his "standing bedstead now in the west chamber" of his house there to his grandson, yet another John Haine.

The last inhabitant of Hutton with that surname during this period was apparently Joan Haine, Edmund's daughter, who in 1666 purchased a lease of Western Ten Acres, a field on the Elborough side of Ludwell. She, according to the elder John Haine's will, was to share the rest of his property jointly with another of his grand-daughters, Mary, the wife of Thomas Symons, then said to be "of

Elborough” although his name does not appear in Hutton’s Hearth Tax list for 1664/5. In 1674, this Thomas Symons obtained a lease on a house and land there, perhaps the former Haine property, and as late as 1685 his wife, Mary, witnessed the will of another Elborough tenant, Thomas Lewes.

Thomas Symons too would probably have been regarded as a yeoman, although there is no documentary proof of this, and various other members of this farming family (with Banwell connections) were to play their part in the life of Hutton during this period and, more prominently, in the following century. At least two men of this family during the period now being reviewed were called John; one of them (whose wife was Mary) may have been the son of Grace Symons (later Jennings) mentioned earlier, although there is no proof of his survival; another John, possibly the son of Thomas, was named in a lease of 1664, and perhaps an even younger John (with his surname spelt Simons) married a Judith Bennett in 1679.

Finally, one John Symons, who was definitely classed as a yeoman of Hutton, is known only through the barely decipherable inscription on the tombstone of his wife, Hester, who died in 1669 at the then very remarkable age of ninety-seven. This tombstone, now much sunken, may still be seen not far from the tower on the east side of the main pathway leading to the church, with two lines of its inscription exposed:

*She prayed to God when she had breath  
So she was happy in her death.*

Like the Haines, two other yeomen of Hutton at this time were father and son bearing the same name, that of Thomas Porter. Much has already been told about the elder Thomas during the period of the Civil War and the Commonwealth, but he continued to be connected with this parish for the following thirty years, even if he did not actually live in it for the whole of that time. It was probably he, rather than his son, whose name was included in the Hearth Tax list for 1664/5, for in 1669 he was still described as a yeoman of Hutton in the deed of a lease he purchased from John Oldmixon of three closes of land and in 1675, along with George Snygg, he witnessed the will of John Oldmixon and was appointed one of the trustees of the Oldmixon family estate. However, in 1689, when he and his fellow trustees granted a lease of some of this property, he was then described as “of Kewstoke” and he may have died not long afterwards.

It was probably his son, the younger Thomas Porter, whose daughter was buried in Hutton in 1663 and who, in the same year, obtained a lease of a “messuage and twelve acres” in Elborough from Augustine Spalding. Certainly in his father’s lease of 1669 he was named, along with his brother William and his sister Hester, as one of the three lives covered by that lease, and it is likely too that he, rather than his father, was the Thomas Porter who in 1667 was sworn in as constable for the hundred of Winterstoke to replace Edward Steward of Locking who was “unable to travel”. In 1686 his wife, Jane, died, according to the still legible inscription on her tombstone which lies beneath the carpet in the nave of Hutton church. Four years later, Thomas Porter the younger died, aged 51, and his tombstone may still be seen beside the main churchyard path near that of Hester Symons.

Two other Hutton men during this period who were described in their wills as yeomen, and who were both named in the Hearth Tax list of 1664/5, were John Hows (or House) and Thomas Lewes (or Lewis). According to his will of 1670, John

Hows lived “in the Westfield” of Hutton and he must have been either the John House who had been granted a tenement and 25 acres in 1627 and had contributed £3 to the Parliamentary ‘loan’ in 1642, or else that John’s eldest son. He appears to have had no wife, at any rate when he made his will, but many relatives, and perhaps friends whom he chose to be his beneficiaries. These included his two brothers William (with a son called John) and Samuel (with three children, Richard, John and Susanna); also his sister (with the extraordinary Christian name of Anstons, who was the wife of Peter Day, a yeoman of Worle), yet another John Hows “of Banwell”, a kinswoman also called Anstons (who was the wife of John Borman, apparently the last of the Burman or Bowerman family in Hutton), a certain John Weekes “of Hutton”, and finally William and John Watts and the latter’s son, Edward.

Of all these, only two, John Borman (spelt Bourman) and, perhaps, the same Edward Watts, were named as householders in the 1664/5 Hearth Tax list, although that list also includes a Hannah Howse (Susanna?), and a Richard House is named as one of the two sub-collectors of the tax in Hutton, along with William Hooper, who acquired land at Oldmixon in 1686.

As for Thomas Lewes, who had come from Burrington and had first acquired his tenement in Elborough from Henry Ludlow in 1635, he obtained a Kidgell and Baynham lease on more land there and on Hutton Hill in 1667, but when he died in 1685 he too was without wife and children and he left his property to his brothers, John (of Burrington) and Richard (of Churchill) and to their sons, Samuel, John, James and Richard. Surprisingly, his name appears on a list of Kidgell tenants attached to a mortgage deed of 1692, but the most probable explanation for this is, not that yet another Thomas Lewes had come to Hutton since 1685, but that the list had been copied from a rental several years earlier. It is not clear whether a certain John Lewis, who in 1692 held 16 acres of land in Hutton from a Berrow “mariner” called John Bridge (sold in 1693 along with the rest of Bridge’s property to William Cook “of Bristol gent.”) was the brother, nephew or any relative of Thomas Lewes of Elborough.

Two other well-known Hutton tenants, who are not described as yeomen in any surviving records but could well have been so called, were William Dover and John Robbins, both named in the manorial court-rolls of 1662 and 1664 and in the Hearth Tax list of 1664/5. William Dover had been a Kidgell tenant since at least 1665 and he died in 1667, for in that year one of his leases was transferred to his son, Samuel, who in turn acquired further leases in 1674, 1676 and 1683 and was still a Kidgell tenant in 1692. He and his wife Mary had children baptised in 1668 and 1670 and she witnessed the will of Thomas Lewes of Elborough in 1685. John Robbins had also been a Kidgell tenant since 1653 and his land is mentioned as late as 1673, but his wife Elinor, who was named in a lease of 1667, was most likely the “Widow Robbins” in the 1692 list of Kidgell tenants and she may have died shortly afterwards for a deed of 1693 mentions land “late” in the tenure of “Mrs Robbins”.

It is likely that most of the yeomen farmers named above, or other members of their families, would have served in turn as churchwardens and overseers of the poor for the parish of Hutton, but their names are not among the few that have survived from this period, mostly in a handful of Bishop’s transcripts, the annual copies from the parish register sent to the diocesan office. According to the transcript for the year 1663/4, the earliest of these, the churchwarden who served along with George Snygg may have been Thomas Eades, about whom nothing more

is known, though he was probably related to the elder George Eades who had been a churchwarden in 1636 and who was most likely the man so-named in the 1664/5 Hearth Tax list both as a Hutton householder and as the tythingman.

Thomas may equally well have been related to the younger George Eades who, in 1689, when he was described as a yeoman of Hutton, obtained a long lease of a small portion of John Oldmixon's estate from the trustees. Similarly, nothing more is known about Thomas Heyes who, according to the next surviving transcript, that for the year 1667/8, served then as a churchwarden along with William Bagnall. It seems likely that this William Bagnall was the elder of that name who had been called 'senior' as early as 1645, when he was Hutton's tithing man, and who had previously served as churchwarden in 1640. He was also probably the William Bagnall named on the Hearth Tax list of 1664/5 and as late as 1674 he gave evidence in a lawsuit concerning certain lands in Uphill and Milton belonging to the manor of Norton Beauchamp, but early in 1676 he died and was buried in Hutton.

His son, called 'junior' in the transcript for 1640/1, when he and his wife Agnes had their son baptised as the third William, was still called 'junior' in the 1664/5 Hearth Tax list. It was probably this second William Bagnall who in 1674 was the person so named as the second life in the Kidgell lease of land to George Snygg, and it was most likely his daughter Agnes who married John Hellier in 1668. However, this William must have died within the next few years, for in 1678 his "widow" Agnes was buried in Hutton.

As for the third William Bagnall, it is just possible that it was he, not his father, who was named in the 1674 lease, but it could only have been he who in 1692 held 17 acres of land in Hutton from John Bridge, and he was also most likely the "one Bagnell" who in 1693 was said to have "lately" held a house and eleven and a half acres there. A widow called Mary Bagnall, who married Thomas Deane (named in the 1664/5 Hearth Tax list) in 1688 but died early in the following year, had presumably first married a member of this Bagnall family, probably connected with an earlier Hutton Rector, though the relationship cannot be ascertained.

One of the next pair of Hutton's churchwardens (for the year 1668/9) was William Trowbridge, who has been mentioned previously as a witness to the will of Richard Hele, Hutton's blacksmith, in 1652. In the Hearth Tax list of 1664/5 he is named both as a householder and as one of the collectors for 1665. In 1676 he died and was buried in Hutton only four days after the funeral of the elder William Bagnall.

His fellow churchwarden in 1668 had been a woman, Elizabeth Phelpes, almost certainly the "Widdowe Phelpes" mentioned at the manorial court in 1662, for she was described as a widow in the Hearth Tax list two years later. Exactly how she came to be chosen as Hutton's first known woman churchwarden will probably never be known. There may have been good personal reasons for her appointment but, more likely, it may well by then have been the practice, as it was in the following century, for the holders of certain tenements in Hutton to take their turn in serving as churchwardens and overseers of the poor, and it may have been normal for a woman tenement-holder in such a case to arrange for a suitable man to act on her behalf. However, since the name of Elizabeth Phelpes appears along with that of William Trowbridge on the copied extract from the parish register, she herself most probably carried out at least that particular duty of a churchwarden.

Only two more bishop's transcripts for Hutton have survived from this period and only the earlier one of these (that for the year 1675/6) bears the names of the two churchwardens, George Snygg and Luke Benet, whose initials are to be found on one of the bells still rung in Hutton's church tower. The installation of this bell, which unfortunately does not bear the name of its maker, must have been one of the memorable occasions of that year of office for these churchwardens.

Enough has been told already about George Snygg, the elder of that name, but all that is known about his fellow warden, Luke Benet (or Bennett), before that year is that he had a close of land somewhere in Hutton in 1670. Since his name is not in the 1664/5 Hearth Tax list, he was evidently not then a householder in the parish and there is just a possibility that he was a son of the former Rector, Hugh Bennett, or otherwise related to him, and perhaps living at that time in the Rectory. In 1689 he was one of the witnesses to a deed transferring Oldmixon property to the younger George Eades, and in 1692 he was a Kidgell tenant paying a rent of 10 shillings a year. It is not known whether he was related to Judith Bennett who, in 1679, married John Simmons in Hutton church.

It is unfortunate, that, apart from George Snygg and Luke Benet, not one of the churchwardens who served in Hutton during the last quarter of the seventeenth century can be named, for after 1676 the Rector, William Crofts, seems to have preferred to sign the annual transcripts from the parish register without adding the names of his witnesses. However, from another source, a Hearth Tax exemption certificate, the names of two earlier churchwardens, those for the year 1670/1, are known to have been John Jervis and William Smith. The first of these may have been related to (perhaps even the son of) the John Gervise who, in 1644, had collected one of Hutton's contributions to the Royalist cause, but it is almost certain that he was the John Gervise with a wife called Anne whose daughter, Joane, was baptised in 1677 and whose son, William, was baptised in 1679. As for William Smith, all that is positively known about him is that he and his wife Agnes had a daughter, Elizabeth, baptised in September 1677 and buried a month later.

It is high time to say more about the Hearth Tax records which have been mentioned so many times. This tax was levied throughout the land from 1662 to 1689 under the authority of an Act of Parliament passed during the first effective year of the reign of Charles II (1660/1) "for granting unto the King's Majesty £420,000 by an Assessment . . . for the disbanding of ye remainder of the Army and the paying of the Navy", but from then it became a regular source of income for the Crown. It was a standard levy upon each householder of one shilling half-yearly for each hearth in his house, unless it was also exempted from the locally assessed church rate and poor rate because its value was less than £1 p.a. or because the householder was in receipt of poor relief. A certificate listing those householders who were so exempted was submitted by each parish and signed by its parish clergyman and, usually, its churchwardens and overseers of the poor.

Few local records of this tax have survived: only two exemption certificates, for 1670 and for 1674, and a more comprehensive record, a full list of three collections made in Hutton in 1664/5. This latter document, for the first time in the whole of the seventeenth century, has provided a nearly complete list of the householders in the parish of Hutton, thirty-five of them altogether, excluding the unknown number, probably about a dozen, of those exempted. The contrast

between this total and that of the tenants named in the manorial court-roll for the same year, 1664, shows how inadequate is the picture of Hutton at that time presented by the manorial records alone, yet five of those named in the court-roll are not included in the tax list, the most surprising omission being that of Grace Symons, or perhaps by then Jennings, of Elborough. Some of those omitted may have been officially exempted, others, though manorial tenants, may have lived outside the parish, and some, though residents, may not have then been actual householders.

More than half of those named in the 1664/5 Hearth Tax list have already been mentioned, but at least one, George Lee, has not been named since the report of his being charged with a breach of the Sabbath in 1634. All that is known of him subsequently is that he was buried in 1676 and it seems likely that he was related to Mary Lee who held 9 acres of land in Hutton from John Bridge in 1692.

Five other persons named in the 1664/5 Hearth Tax list were last mentioned in the 'Mid-Seventeenth Century' chapter. One of these was Robert Payne, aged 30 in 1643, who, together with his wife Sarah, obtained a lease of land as late as 1662, but he was buried in 1668. Probably related to him, perhaps even his son, was John Paine whose son, Robert, was baptised in 1677, and it may have been the elder Robert's widow who was said in 1692 to have formerly held 11 acres of land from John Bridge.

Another of these five was Henry Howlett, probably the Henry Holet whose son had been baptised and buried in 1640, and almost certainly the Henry Howlett who in 1670 gave evidence before Francis Vaughan of Christon, JP, in a Banwell case brought before Somerset Quarter Sessions. Surprisingly, John Howlett, whose daughter was baptised in 1662, and Samuel Howlett, who was a Kidgell tenant in 1692, were not named in the tax list; perhaps they were then younger members of Henry's household.

It seems likely also that two John Merefields shared one house in Hutton in 1664; the elder, who had contributed to the Parliamentary loan in 1642, was surely the householder named in the tax list and perhaps too one of its collectors named along with William Trowbridge, for he lived until 1669 when he was buried in Hutton. If so, the younger John, whose children were baptised in 1640, must then have had to live elsewhere and to seek poor relief, for he was exempted from the tax in 1670 and 1674.

The fourth of these five was Edmund Edgell who had been 20 years old in 1643; it was, perhaps, his grand-son of the same name who was baptised in 1676 and his grand-daughter in 1679. Nothing further is known about the last of these survivors from the middle of the seventeenth century, John Heale, who has previously been briefly mentioned as the second life in a 1654 lease of land to John Haine, but he may well have been a relative, though not a beneficiary, of Richard Heale, the blacksmith, who had died in 1653.

Finally, eight of the names in the 1664/5 tax list were then making their first appearance in Hutton records that have since survived. One of these, William Hooper, who was also one of the sub-collectors of the tax, was later (in 1670) to witness the will of John Hows, and another, John Watts, along with his brother William Watts, was bequeathed the house and close of John Hows. Nothing else is

known about two others, Edmund and Christopher Younge, who were separate householders, nor can the relationship between them and with other members of that long established Hutton family be ascertained; similarly, no more is known about Joan Taylor, a widow in 1664, although another person was to become known in Hutton as Joan Taylor in 1679 when Joan Stanfast married John Taylor, whose connection, if any, with the first Joan cannot be traced.

Two other members of the Standfast family, however, were separate householders in the same tax list, Mary Standfast, about whom nothing more is known, and Samuel Standfast, whose daughter, called Susan like his wife, was baptised in 1663; Samuel was the overseer of the poor who signed the Hearth Tax exemption certificate in 1670.

Lastly, two householders in the 1664/5 list, Walter Partridge and Robert Mounseir, had surnames apparently new among Hutton records, though the latter may well be a variant spelling of Mounsheere, a Richard of that name having been the appointed heir of Richard Hele, the blacksmith, in 1653. Walter Partridge was later (in 1676) to obtain a lease of a large Kidgell tenement and apparently still held it in 1692.

The other surviving Hearth Tax records from Hutton, the exemption certificates for 1670 and 1674, are invaluable, in the absence of any Poor Rate books for this parish at this time, for they provide at least the names of some of Hutton's poor, though not those who were utterly destitute or homeless. The list for 1670 names thirteen exempted householders, and seven of these are also named in Baker's abstract from the 1674 certificate, though he adds that there were "six others", making the same total.

Only one of the individual names, John Merefieid, has been mentioned previously as the younger one of that name, but the surnames of eight or nine others are familiar to readers of this history. The uncertainty in number is due to doubt concerning the identity of John Tripp. In the 1670 list, a "John Trife snr" appears in the main group of nine names as well as a "John Tripp" certified, along with Walter Harris, as receiving "the constant almes of the parish", but only one "John Trip" is among those named in Baker's incomplete abstract of the 1674 list. It seems most likely that "Trife" is a misreading of 'Trippe', and perhaps it was John Tripp, senior, whose daughter Anne had been baptised in 1637, whose wife Agnes was buried in 1668, and who in turn was buried in 1676.

Although it is therefore possible that he was also the "John Trip" exempted from Hearth Tax in 1674, it is far more likely that the latter was the second "John Tripp" on the 1670 list and that it was he who had a wife called Hannah and a son Samuel who was baptised in 1669, and perhaps even the man of that name with a wife called Anne (a variant of Hannah?) whose daughter Sarah was baptised in 1678. Two years earlier, he had obtained a Kidgell lease of a cottage and two acres at an annual rent of 2s. for himself, his wife and their son, another John. As for Walter Harris, nothing more is known about him, though he may have been related to John Harris, a householder on the 1664/5 list. Similarly, despite her familiar surname, there is no more definite information concerning Alice Trowbridge, probably related to William, nor about Mary Williams, whose surname last appeared in Hutton records in 1636, nor yet again about Jane Morse, though presumably she was related

to Edmund Morse, who had been a Ludlow tenant aged 35 in 1643, and to William Morse, a Kidgell tenant in 1692.

Another of these exempted householders with familiar Hutton surnames was George Day, who had a daughter buried in 1679 and who married, apparently for the second time, in the same year, his bride on this occasion being Jane Gardner. Finally, Grace Thatcher was probably the widow of Richard Thatcher who had certified Hutton's 'coat and conduct' contribution in 1645, and she herself died intestate in 1680 when her son, Richard, was granted probate. This Richard married Elizabeth Wiseman in 1679, had a daughter, Grace, baptised in 1680, and held a cottage with garden in 1688. As for the four exempted householders whose surnames were new to Hutton, James Masters married Mary Walter in 1679, Alice Langley was perhaps related to George Langley whose son had been buried in 1664, but nothing else is known about William Hardwick and Laurence Ingram.

These three Hearth Tax records also provide invaluable information concerning the houses within this parish during the latter part of the seventeenth century. Altogether, thirty-six dwellings were taxed in 1664/5 and thirteen more, probably cottages, were exempted in both 1670 and 1674, so nearly fifty must have been occupied, not derelict, within that decade.

Unfortunately, the location of each dwelling in the parish is not disclosed, but it is possible to identify, or at least to locate roughly, six of them, and to form some idea of their size from the number of hearths, that is of heated rooms, on which assessment was based. Hutton Court is therefore easily identified as the house with the highest number of hearths, fifteen, for which Augustine Spalding was charged 15s. half-yearly. It is interesting to note that this total of fifteen heated rooms (one of which had not been included in the preliminary return) tallies exactly with the number of all the rooms listed in Bishop Still's inventory of the Court in 1604, most likely indicating that no major structural alterations had been made to the building during the interval of sixty years.

Augustine Spalding was also taxed for another house, one with six hearths, the second largest in the parish. This must have been the one at Elborough described in the deed by which Samuel Spalding, in 1688, sold his father's former Ludlow property to Thomas Baynham, as "the Mannor or reputed Mannor....messuage or tenement formerly in possession of Thomas Lewis and now of one Richard Lewis his tenant".

In 1664 Thomas Lewes was living in a building with only one hearth, a mere cottage, but in his will of 1685 he described himself as a "yeoman" of Elborough and his former home there, with its six heated rooms, was evidently the house that had been occupied early in the seventeenth century by Nicholas Payne and probably where he had held his manorial courts after he had sold Hutton Court. Almost certainly, this house occupied the site on which Elborough Farm now stands, and indeed it is very likely that, despite later alterations, much of the seventeenth-century structure is preserved in the present building. The next largest house in the parish at this time, one with five hearths, belonged to John Oldmixon and must therefore have been the "capital messuage" which in 1675 he was to transfer to trustees. This was the house which he evidently regarded as his "Oldmixon Manor" house, which survives, with some alterations, as the eastern part of the building of that name on the western boundary of the parish.

Three more houses on the Hearth Tax list may be roughly located, each of them having four hearths, which suggests that they may have been two-rooms-wide buildings of a pattern still to be seen in Hutton, having a pair of gables at each end, east and west, with a fireplace in each gable, at that time only downstairs. The one belonging to Hugh Bennett must certainly have been the Rectory at that time and, although no trace of it is now visible, it most probably occupied the site on which 'The Old Rectory' now stands, and may even have remained in use there until that house was built about 1870. As has been explained earlier, the house owned by George Snygg in 1664 was most likely the four-gabled building later altered and known as Middle Farm House, now divided into Orchard House and East Wing, although in 1674 he also acquired "a tenement called Ludwell".

The third of these houses, that owned by John Haine, must have been situated in Elborough, probably near Elborough Farm and perhaps the one which formerly stood facing it on the west side of the lane running south from the Banwell road. The only other house with four hearths on this list was owned by the widow, Elizabeth Phelpes, but its location can only be a matter of conjecture for, although she is known to have held at least one field in Elborough, it would be surprising to find three fairly substantial houses there as well as several smaller ones. Perhaps at that time she was occupying the main dwelling in Ludwell, the long house now called Lodewell Farm, almost certainly the one acquired by George Snygg in 1674, five years after her last appearance in Hutton records as a churchwarden.

There is not the faintest clue to the location of each of the remaining forty-two dwellings in the parish included in these Hearth Tax records. Three of them, those belonging to George Eades, Robert Payne and Thomas Porter, were houses with three hearths, fourteen of them had only two hearths each and the majority, twenty-five of them, were merely single-hearthed cottages, but even most of these were not exempted from the tax and must therefore have had a local rateable value of at least £1 per annum.

A few other details concerning some of these houses are provided by one or two marginal comments made in the Hearth Tax list of 1664/5. From these it is known that one of William Bagnall's three hearths had "fallen down", that Christopher Younge had "beaten up" one of his three, and that William Trowbridge won exemption from payment on one of his three because it was "a private oven and not a hearth", perhaps an indication that he was a baker. Similarly, a note in the 1670 exemption certificate reveals that John Trife (Trippe) had a forge and therefore, presumably, was a blacksmith. If so, the house in which he lived at that time may have been the one formerly occupied by Richard Heale, the blacksmith who had died in 1653. Incidentally, the only other occupations specifically known to have been followed by inhabitants of Hutton during this period are revealed in the recorded evidence of witnesses in a Banwell case at Somerset Quarter Sessions in 1670.

In this case, two Hutton householders were mentioned, Henry Howlett, a weaver (on the 1664/5 tax list), and William Watts, a husbandman, perhaps in 1664 living with Edward Watts. It is interesting to note, from the same source, that a Banwell carpenter, William Shepherd, and another man had been mowing a meadow in Hutton belonging to William Watts and, at the end of their two days' labour, had left their scythes at the house of Henry Howlett, the weaver. In those days, almost

every man in the parish must have spent much of his time working on the land, his own or someone else's.

A little more information concerning buildings in Hutton during this period is provided by other sources. Most of these buildings are dwellings which may well have been included in the 1664/5 Hearth Tax list but cannot be individually identified with any of those on that list; some of them, however, may have been built later on in the same century. According to two Kidgell deeds of 1691 and 1692, their Hutton property, mainly in Elborough and Ludwell, included thirty houses and eight cottages, exactly the same number as almost a century earlier, in 1594, when the estate belonged to their ancestor, Nicholas Payne. Perhaps, however, these figures had been repeated from earlier deeds without having been checked.

A more realistic schedule attached to a Kidgell mortgage deed of 1692 names only fifteen tenants, three of whom held only small portions of land in Hutton without any dwellings there; the others were householders in the parish and have all been previously mentioned. In addition, two other persons are known to have acquired houses from the Kidgells by leases earlier in this period, Joseph Cooke in 1666 and Samuel Dover in 1667.

The names of those who occupied four Hutton cottages formerly belonging to the Ludlows are also known from the 1688 deed by which Samuel Spalding conveyed his property to Thomas Baynham. Thomas Axford (or Ocford) and Mary Brown occupied two of these cottages, another, where Joan Collings had formerly lived, was then occupied by Elizabeth Knight, and the previously mentioned Richard Thatcher was then living in the fourth cottage, once the home of "Widow" Stanfast.

Although none of those dwellings can be located, something more definite is known about two houses in this parish which were occupied before the end of the seventeenth century. One of them is a building which still stands on the western boundary of the parish at the very corner of Oldmixon Road and the southern end of Winterstoke Road (formerly Oldmixon Drove) and which is now divided into two dwellings, Box Cottage and Fern Cottage. Despite the eighteenth-century appearance of the south-facing front of this building, with its symmetrically arranged windows and the date 1754 above its middle door, its deeds show that it existed in or before 1689 when it was conveyed on a remarkably long lease by the trustees of John Oldmixon to George Eades. It was then described as a dwelling house with garden and orchard of about half an acre "adjoining to the backside . . . between the pool and the wall there" and it was then "in the tenure or occupation of John House".

This John House must have been the son of William House and the one who was to receive a legacy of £10 under the will of his uncle, John Hows, yeoman, of Hutton, who died in 1671. The same will mentions the second of these two houses for he bequeathed his "house in the westfield" to William Watts and John Watts, the son of Edward Watts. This house, probably the one for which John Howse had been taxed in 1664, was most likely one of the three houses shown on the Tithe map of 1838 on the west side of the western arm of Church Lane (formerly the eastern boundary of Hutton's West field) and still to be seen there, though much altered and enlarged.

In fact, most of the houses shown on this early-nineteenth-century Tithe map, spaced out along the village street (Main Road) or clustered at the Oldmixon and Elborough ends of the parish, however much earlier in origin and however much altered since, would have been occupied at the end of the seventeenth century and many of them have survived to this day, still retaining features characteristic of that period.

Two other buildings, not houses, encountered in the deeds of this period, are the previously mentioned watermill at Ludwell and the windmill on the hill above it. In 1686 the windmill, together with “a messuage and nine acres of land”, was leased to Edmund Young, his wife and John Briant for an annual rent of £1, and in 1692 “one windmill in Elborowe” and “one watergrist mill in Ludwell” were included in the property mortgaged by Katherine and Elizabeth Kidgell.

Only a dozen field names in this parish are recorded in the surviving documents of this period and eight of these have been mentioned in earlier sections of this history. One of the four new names occurs in the deed of the lease in 1669 by John Oldmixon to Thomas Porter of lands in the Oldmixon part of the parish. Along with the familiar North Hills and the close of meadow just north of them known then and in 1838 as the Ten Acres, was “a close of land or pasture called the east Butterwells containing by estimation thirty acres”. Unfortunately, this delightful name does not appear to have survived and no single close of that size is known in that area, but most probably it then embraced the fields immediately north of Manor Farm, now occupied mainly by the Woodside estate, where the Tithe map field names of Well Close and Upper and Lower Splaish indicate the presence of water.

Another new name, that of Hutton Leaze, occurs in a deed of 1681 by which this close of “twenty-two acres of meadow” was conveyed to Peter Day, yeoman, of Worle, one of John Oldmixon’s trustees. Again, this name has not survived but, since it is described as being bounded on the west side by land of “the late Robert Payne” (who in 1662 had been granted a lease of Pipers Leaze in the extreme north-west corner of the parish), it can be identified on the Tithe map as comprising the two fields to the east of Pipers Leaze, lying north of what used to be the main Bristol to Exeter railway line and now covered by various stores and trading establishments west of Winterstoke Road and north of Herluin Way.

Both of the other two new field names come from the 1689 deed conveying the Box Cottage house to George Eades along with two pieces of land, part of the late John Oldmixon’s estate, and held at the time by John House. It is impossible to identify one of these names, “Stocker’s Parrock”, for it does not appear again in Hutton records, but it probably describes a paddock which had previously been held by a person called Stocker or had been used by one who held stock there, perhaps in transit from one distant place to another. It must have been somewhere within the area of Oldmixon but, perhaps, on its western side in the parish of Bleadon.

However, the other field named in this deed can be confidently located within the parish of Hutton for its name, “Clay pitts”, was still in use in 1838 to denote two fields below Haywood on the western side of Hutton’s West Field, and the particular close of six acres so named in this deed was most likely the one called Upper Clay Pits in the Tithe map schedule, lying south of the footpath that leads from Oldmixon to Church Lane.

It is interesting to note that this name was used in 1689 and could well have been in use long before then, for its location within the Oldmixon estate accounts for its omission from Hutton's manorial records. Evidently clay pits must have been dug there before the end of the seventeenth century, but probably not the large quarry-like pits later dug elsewhere to provide material for the manufacture of bricks and roofing tiles. The latter were not used locally until the nineteenth century, some Hutton houses still being thatched early in the last century. During the recent excavation for the construction of a reservoir across the southern part of Upper Clay Pits, several layers of clay were revealed in the depths of red marl and it seems likely that small pits were dug there to obtain this clay, perhaps to make pottery.

Unfortunately, no documentary records of such activities in Hutton during the seventeenth century have survived, nor of any quarrying or mining in the parish at that time, for though Samuel Spalding's deed of 1688 mentions quarries and mines in general terms as part of his Hutton estate, these items, along with "fishing, fowling, hawking and hunting", were included by the lawyer as potential sources of revenue, not necessarily existing at that time. However, stone must have quarried locally in this period, as it was long before and after, and, according to Gough's *Mines of Mendip*, calamine was mined on a small scale at various times during the seventeenth century on the borders of Banwell and Hutton above Elborough and Canada Combe.

## Fifteen: The Eighteenth Century: the first stage

The first stage of the eighteenth century in Hutton's story extends to 1730, thereby including material from Hutton's earliest surviving Poor Book (from 1720) and Churchwardens' Accounts (from 1724) which together provide a detailed picture of several aspects of life in the parish that have scarcely been glimpsed in the records of earlier periods.

From the little that is known of Hutton during the first ten years of the eighteenth century it would seem that this decade passed peacefully and saw few changes. The only purely local document that has survived from these years is the Bishop's transcript from Hutton's Parish Register for the year 1703/4, signed only by William Crofts, the Rector. Its fourteen items, which include five baptisms, five marriages and four burials, record eighteen different surnames but at least ten of these (eleven, if Pearce is not to be regarded as a variant of the earlier Piers, Pyers and Perys) had never previously appeared in Hutton's surviving records. Some of these new names, such as Coals and Stoaks, look odd as they were then spelt, but became recognisable later as Coles and Stokes, and at least one, that of Ann Herse who married John Fry, was to become prominent (as Hearse or Harse) in Hutton's records for more than two hundred years.

Of the other seven names, only one (Fry) made its first appearance in Hutton in the thirteenth century, one (Clarke) in the fourteenth, four (Morgan, Jones, Bennett and Taylor) in the sixteenth and surprisingly, only one (White) in the seventeenth century. The surnames of the other two Hutton inhabitants known to have died in the first decade of the eighteenth century are revealed by their barely decipherable tombstones inside the church. One of these, covered by the carpet in the middle of the nave, records the death on 14th September 1703 of Hutton's second George Snygge, son of the gentleman and churchwarden mentioned in the previous chapter, yet, most strangely, his death was not included in the Bishop's transcript for 1703/4 signed by William Crofts.

From the will of this George Snygge), proved at Wells in 1703, it appears that he was a fairly prosperous small farmer, for he left £200 to his daughter, Elizabeth, on her becoming twenty-one, and £100 each to his younger sons, John and Richard, to be paid to them by his eldest son and heir, George (III), out of his "tenements and lands in Hutton". However, his tombstone also records that Elizabeth died in 1710 aged only fourteen, as well as her younger sister, Mary, aged seven, in the same year, and that two infant sons had died in 1701 and 1702, and a widow, called Frances Prye, aged sixty-one, presumably a close relative or member of the household, in 1706.

The other tombstone, lying on the north side of the nave, close to the base of the pulpit, records the death in August 1705 of Mary Willis (a surname first appearing in Hutton in the fifteenth century), the 46-year-old wife of Robert Willis, whose separate memorial in the chancel will be mentioned later. Four lines of simple verse on Mary's tombstone invite the reader to "spend a tear" and to "Think on the Glass that runs for thee".

Yet another slender source of information concerning some of the inhabitants, or at least holders of land, in this parish during the first ten years of the

eighteenth century is Hutton's earliest surviving Poor Book, about which much more will be told later. Although this volume virtually begins with the Overseer's accounts for 1720, its first page records the names of those land-holders (usually two) who, from 1706 to 1735, were obliged to ensure that someone served as Overseer for the ensuing year. The two persons so named for 1706 were John Symons, senior, probably the man who had married Judith Bennett in 1679, and John Herse, who must have been related to Ann, the wife of John Fry. Those for 1707 were the unnamed trustees of Thomas Porter, who had died in 1690, and the pair for 1708 were Samuel Harvey, who actually served as Overseer in 1726 and so may have done so in 1708, and "Mrs Snygge", the widow of George Snygge.

Finally, those responsible for 1709 were John Lewis, known to have held sixteen acres in 1692, and Samuel Haise, first named in a deed of 1698, but destined to have a more remarkable and, perhaps, more enduring record of his name. For in 1708, when he and George Jones were Hutton's churchwardens, they must have presided over what was probably the most exciting occasion in the parish during that decade, the installation of the new church bells, the last of the five which are still in use in the church tower. The meagre inscription on one of these two bells ("E. BILBIE. 1708. S.H.G.I.W.") is explained by the much fuller one on the other bell: - "ED. BILBIE CAST ME 1708 SAM HAIS GO IONES WARDENS".

Evidently both bells had been made by Edward Bilbie, a famous bell-founder of Chewstoke, and had been hung whilst Samuel Haise and George Jones (more of whom will be heard later) were Hutton's churchwardens. They are the only ones of that decade whose names are known, for William Crofts, the Rector, did not follow the usual practice of getting his churchwardens to sign their names, or make their marks, on his Bishop's transcript for the year 1703/4. The bell with the longer inscription also bears a simple rhyming message: "WHEN I DO CALL, COM SERVE GOD ALL", and this bell is known to have been recast in 1872.

With the exception of one major event in the life of the parish, a change of Rector, Hutton's story during the second decade of the eighteenth century appears to have followed a pattern very similar to that of the first ten years. Once again, only a single year's record from the parish register has survived, that for 1715/6, not, however in the form of a Bishop's transcript, but as a single page of the oddly compiled earliest surviving volume of Hutton's parish registers, the next annual entry in it being the one for 1744/5. Again, too, the deaths of three more parishioners are known from their memorials inside the church, and the names of Hutton land-holders responsible for appointing an Overseer of the Poor each year from 1710 to 1719 are listed on the first page of Hutton's Poor Book, Volume I.

Hutton's new Rector, Henry Danvers, was instituted on August 15th 1710, following the death of William Crofts at some date earlier that year or, possibly, late in 1709. It should be noted that the name 'William Danvers' on the list of Hutton's Rectors engraved on a metal plaque near the belfry door of Hutton church, is incorrect, having been based on an error in Weaver's nineteenth-century standard volume on *Somerset Incumbents*.

The entry in the Diocesan Register also reveals some of the unusual circumstances in which he was presented to the living of Hutton. It is well to recall that when William Crofts was presented in 1671 there had been several claimants to the right of advowson making a Diocesan inquiry necessary. Consequently, when he

died, another Diocesan inquiry was made to establish who should exercise the right. A lengthy report of this enquiry follows the entry of Henry Danvers's institution in the Diocesan Register.

It was established that it was then the turn of the heirs or assigns of Grace Baynham and Thomas Kidgell, but by 1710 there were at least three of these, namely, John Goostrey of Todmarton, Gloucestershire, gentleman, who in 1706 had obtained a lease of two third parts of the advowson (as well as part of the manor of Hutton) from Katherine Peaseley (formerly Kidgell), widow, and her second daughter, Katherine Bullock; Silvestra Lyte, formerly the widow of Thomas Baynham junior and now the wife of Thomas Lyte, gentleman and lawyer, and finally Ann Ferris, a young spinster of Lechlade, Gloucestershire, whose mother, also Ann (by then deceased) the wife of Elias Ellis, had been the eldest daughter of Thomas<sup>1</sup> Kidgell.

Both John Goostrey and Thomas Lyte had agreed to present a certain Mountrich Hill, clerk, to the vacancy at Hutton and the Diocesan inquiry, evidently confused, concluded that "the said John Goostrey and Silvestra his wife or one of them" had the right to present in 1710, "no other persons making any claim.....thereto". However, the final sentence of that entry in the Diocesan Register, evidently a postscript, states (as translated from its Latin): "but afterwards the aforesaid Ann Ferris intervned on behalf of her own interest and presented the aforesaid Henry Danvers who was instituted as above".

An explanation for this remarkable intervention by Ann Ferris and its equally remarkable sequel is given, in his late-eighteenth century manuscript *History of Hutton*, by John Locke who heard the story from Ann's daughter. In 1710, Henry Danvers, the son of one Charles Danvers of London, gentleman, was a young man, about twenty-six years old, who had already held office in the Church, having entered Oxford at the end of 1701, taken his BA in 1706 and, apparently, become Vicar of Marlborough in 1707. Why he should wish to become Rector of the small parish of Hutton barely three years later and how he became to be acquainted with Ann Ferris, one of its patrons (although she had, in fact, mortgaged her right in April 1710) will probably never be known, but, according to John Locke, he was regarded by her as "her intended Husband" and so, ignoring the claims of Goostrey and Lyte, in August 1710 she duly presented him and had him inducted as Rector of Hutton.

Once that step had been taken, says Locke, he "could not be removed by the Reverend Mountrich Hill who was presented by Goostrey, neither could Ann Ferris herself get him discharged or silenced", but she evidently tried on the grounds that he had committed 'simony', that is, purchasing or attempting to purchase a holy office, for, after his induction, Henry Danvers refused to marry her.

Unfortunately for Ann, "his breach of promise" was not "deemed Simony by the Canon Law". Locke concludes his account of this episode by saying that Ann married "in haste . . . one George Selman a farmer", actually of Elborough, and by reporting the "merry story", told by their daughter in Locke's time, that when "the Parson" (Henry Danvers) demanded "Tithe of her Mother" she threatened to kill him and this "so alarmed his fears that he never more ventured to ask her for Tithe as long as she lived". When and whom Henry Danvers himself married has not been discovered but apparently, according to the Parish Register, her Christian name was

Sarah and their daughter, Mary, who may not have been their first child, was baptised in Hutton church on May 9th 1716.

The complexity of the advowson issue at this time is nothing compared with that of the lordship of the manor with which it was, partly, linked. By the end of the seventeenth century the elder Ann Ferris (nee Kidgell) was engaged in a Chancery suit against Silvestra, the widow of Thomas Baynham (Grace's grandson), claiming "a third part of the manor of Elborough" that is, a third of what had been Thomas's larger portion of the lordship of Hutton. In 1703, according to John Locke, it was decreed that she should be entitled to a third part of a moiety (half) of Elborough Manor and that a "Commission should issue to sell it without impeaching the other parts but the death of Ferris prevented it".

In 1706, Katherine Peaseley (formerly widow of Thomas Kidgell), who had been bequeathed a sixth share from her deceased youngest daughter, together with her second daughter, Katherine Bullock, both of Chipping Sodbury, mortgaged "two third parts of the Manors of Elborough Ludwell and Oldmixon", that is, their two portions of the manor of Hutton (along with those of the previously mentioned advowson) to John Goostrey with a right to redeem them for £6000. Similarly in April 1710, the younger Ann Ferris, by then evidently of age, had mortgaged "a third part of the manors of Ludwell and Elborough" to Thomas Weston of Westonbirt, Gloucestershire, a surgeon.

None of these documents relating to these and later transactions concerning these so-called 'manors', portions of the manor and lordship of Hutton, defined their boundaries or extent and there were apparently no estate maps or detailed schedules to go with them, though some documents continued to repeat the "thirty messuages, eight cottages . . . 100 acres of meadow" that had first appeared in 1691. It would seem that none of the lawyers who drew up these deeds, nor of the Baynham and Kidgell heirs on whose behalf they acted, had any acquaintance with the property concerned, with the exception of course of Ann Ferris who, in or shortly after 1710, as the wife of George Selman, must have been living in the farmhouse which, much altered, is now Elborough Farm.

Meanwhile, in 1710 also, according to Locke, "Richard Hebden of Bleadon and Richard Cupper of Wells, upon hearing that the relations of Silvestra Baynham failed in their claim" on her mother's side, "claimed to be her second cousins and heirs at law" on her father's side and accordingly "filed a Bill in Chancery against Lyte who, in the right of his wife, was in possession of the premises". Thomas Lyte, an "Attorney-at-Law", was supposed to have kept secret Grace Baynham's deed of settlement, by which Lyte's wife's first husband (the younger Thomas Baynham) was, wrongly, considered to have had the full right to make his wife "a jointure of one moiety of Payne Land", and he did not produce the deed before the Court of Chancery until 1717 when the claims of Hebden and Cupper were rejected.

As for the other claimants, in 1712 Katherine Bullock together with John Goostrey and three Gloucestershire men, William Raymond of Berkeley, Thomas Smith of Alveston and William Roach of Charfield, formed a trust for the sale of "the third part of the manors of Hutton and Ludwell", but soon afterwards, says Locke, "Roach and Smith agreed to purchase of Goostrey his two third shares", and in 1716, when Smith died, he "devised his interest in the premises to Roach and others in the trust.

Within three months”, Locke continues, “Roach had purchased of George Selman his one-third and in 1722 he employed one William Griffin to purchase the late Thomas Smith’s one-third so that he now became justly intitled to Kidgell’s moiety of the Manor”. However, according to Locke, “having understood that Selman’s wife was the real heir-at-law of Silvestra Baynham”, Roach “obliged them to execute a new Deed in consequence of their covenant for further Assurance in their former Conveyance”.

William Roach now considered himself entitled to the whole of the premises, and when he died in 1728 he left “the whole Manor of Elborough and one Moiety of the Advowson” to Daniel Lapley, Benjamin Hockley and others in trust for sale to pay off his debts. So, by this time the true concept of the manor and lordship of Hutton was virtually lost, the Elborough and Ludwell estates belonging to it were in the hands of William Roach’s trustees, many of its former Oldmixon lands were regarded by their holders, members of the Oldmixon family, as part of their ‘Manor of Oldmixon’, Hutton Court and a considerable part of the Hutton manorial estate (but not strictly the lordship of the manor with its right to hold manorial courts) belonged to the Codrington family, and there were already considerable portions of entirely freehold land within the parish.

So far we have only considered the actual inhabitants of Hutton and these land-owners who played some part in the life of the parish to the end of the first decade of the eighteenth century. It is time to revert to 1710 and deal with the second decade. Among those land-holders named in Hutton’s Poor Book as being responsible for providing Overseers of the Poor during these ten years, only two had been allotted the same responsibility during the first decade. One of these was John Symons senior, as in 1706, who was called upon twice, but with different partners, in 1712 and 1717; the other was Mrs Snigge, named for 1713, as previously in 1708. If, as seems likely, she was Elizabeth, the widow of the second George Snygge, then she was buried in the church in September 1718, and it may have been her intended third turn to provide an Overseer that was allotted in 1719 to “Mr John Snigge”, presumably her son.

Among the rest of these Hutton land-holders, at least seven had familiar Hutton surnames, such as Thomas Robins (named for 1710), probably the son of the third Henry of that name whose burial in 1719 is recorded on the Robbins tombstone in the nave of Hutton church; John Hervey, his colleague for that year, probably related to the previously mentioned Samuel Harvey; George Jones, who had served as churchwarden in 1708, for 1715; John Davies, named along with John Symons for 1712 and again in 1719 with John Snigge; and a Mr Oldmixon for 1718. The surname of Edmund Moss, Mrs. Snigge’s partner for 1713, may well be a mistaken spelling of the more familiar Hutton name of Morse, and both William and Samuel Sheppard, named for 1715 and 1716 respectively, clearly belonged to the family that had held land in Elborough since the fifteenth century, even though they may have lived in the parish of Banwell.

Two of the remaining three land-holders named in the Poor Book for this decade definitely lived outside this parish; Richard Laney (named for 1714) was the first member of that Locking family to appear in Hutton’s records and William Bagnell (named for 1718), though most probably related to the Bagnalls often mentioned in the seventeenth century, was almost certainly the ‘gentleman’ of

Newton St Loe who in 1717 had sold some of his Hutton property to a certain Joseph Wheeler. Finally, "Mr. Codrington", named for 1717, must have been William Codrington, evidently resident by then at Hutton Court.

Only one of these land-holders named in the Poor Book list for the years 1710 to 1719, namely George Jones, is mentioned among the seven baptisms, single burial and three marriages recorded on the 1715/16 page of Hutton's earliest surviving Parish Register. That single page is a curiosity in itself. It is, in fact, the twentieth page of a stout volume in which the first page contains just two entries for 1797 and the second all the entries for the year 1743/4; it is one of the few pages used upside down, and, although it bears the heading "Hutton 1715", it includes not only all the entries for the year 1715/16, but also three for May 1716 (i.e. the following year) and even one for August 1797, evidently a postscript.

These entries are not grouped into baptisms, marriages or burials, but are apparently arranged chronologically, though the first three and two late entries are without their day and month. Members of Hutton families already familiar in this parish history include George and Sarah Jones, whose daughter Anne was baptised in 1715; Jane Robins who married John Harse, not of Hutton but of neighbouring Bleadon, though both gave Hutton as their parish in 1716 when their son Samuel was baptised; John and Mary Webb and Jeremy and Ann Tripp, both couples having sons christened John; William Harris who married Ursula Rhodway, and Mary Day, the only person whose burial is recorded for the year 1715/16.

Finally, a James Hayne and Jane Jeffery, both of South Brent (now called Brent Knoll) were married in Hutton church and it therefore seems likely that James was a member of the former Elborough family of Hayne(s) or Haine(s). All four entries recording surnames which first appeared in Hutton during the second decade of the eighteenth century were of baptisms. John and Mary Star had a daughter Elizabeth; John and Sarah Bowdon had a son John; Anthony and Sarah Matthews had one son John, baptised in 1715, and another, William, in 1716; and finally, on May 9th 1716, Mary, the daughter of Henry and Sarah Danvers, was baptised, evidently the child of Henry Danvers who had been instituted Rector of Hutton in 1710.

The third decade of the eighteenth century in Hutton's story is characterised, not by any particular events that occurred during that period, but by the more detailed picture of life in the parish presented by two fresh sources, Hutton's earliest surviving Poor Book (from 1720) and Churchwarden's Accounts (from 1724). These were re-discovered in 1968, along with other Hutton parish records, in a small plain wooden chest which was used to support the church's iron safe and they were later deposited in the Somerset Record Office. In relating Hutton's story throughout the eighteenth century it will be necessary to make frequent references to the invaluable contents of that quite undistinguished-looking parish chest.

Overseers of the Poor were first appointed in each parish towards the end of the reign of Elizabeth I to impose a Poor Rate and collect it from certain land-holders in the parish and, out of the sum collected, to make some provision for the various needs of the poor. The practice of recording such accounts in separate Poor Books seems to have begun much later; certainly one of the earliest known to have survived in this neighbourhood is that for the parish of Weston (363), beginning in 1685. Evidently Hutton too had an earlier Poor Book than the earliest one to

survive for the very first item among the 'disbursements' for the year 1720 is the sum of 7s.6d for "a new Poore book".

Like most ledgers of that period, it is a narrow hard-backed volume, only six inches wide but nearly sixteen inches high and two inches thick. The thin parchment or vellum covering the boards of its binding is now much wrinkled and its 418 pages are now brown, and some are torn or dog-eared. Most commonly the names of the ratepayers and the sums they paid are recorded on the left hand pages and the disbursements on the right hand. Clearly written inside the front cover is the title: "The Poor Book Belonging to the Parish of Hutton. Bought in the year of Our Lord 1720."

The very first page of this Poor Book is headed as follows: "The Customary method of choosing Overseers of the Parish of Hutton is to be accounted from such Estates or Houses that have serv'd the office of Overseer the last fourteenth year. They follow in this order". Immediately below this heading and continued on page 2 is the list of two persons for each year from 1706 to 1735, except for 1711 and 1729 (omitted without any explanation) and an obviously later single entry for 1762. References to this list have been made earlier and the names on it for the years 1706 to 1719 have already been reported. As indicated by the mention of the fourteenth year in the heading, a rota of those who were to provide Overseers must have operated for a cycle of fourteen years, which suggests that, originally, this responsibility belonged to twenty-eight tenements in Hutton.

Unfortunately, even within a few years, the names of their holders (either owners or tenants) changed through death or purchase, and, with the sole exception of Ludwell, the tenements specified in the list (about half of the total number) bore only the names of their previous holders, as "late Hooper" or "late Symons's", so that it is almost impossible to trace most of the priorities concerned. Yet the fourteen-year cycle is recognisable in two instances; in 1714 and again in 1728 the persons responsible were "Richard Laney for Thomas Symons lower house" and "John House for his estate at Hutton", and in 1707 and 1722 (just one year out) they were "the trustees of the late Thos Porter at Hutton and Elborow".

This John House, and Robert Hayne, were the only persons named in the list who actually served as Hutton's Overseers of the Poor, John House apparently alone for the three years from 1720 to 1722 and Robert Hayne, also alone, for the next two years. For although the introductory list of the Poor Book specifically states that the Overseers of the Poor for each particular year are the persons then named, the annual accounts for the years 1720-1730 reveal that the actual Overseers for any particular year during that period were not the persons named in the list for that year.

In 1725 there were two serving Overseers, one of them being a woman, Mary James (a widow), and John Harvey, followed in 1726 by Samuel Harvey alone, whose disbursements are merely totalled without details and written in a different hand from that of his list of ratepayers. Two more Overseers, Benjamin Broadway and George Jones, served in 1727 and a different pair, Michael Pressey and John Jones, in the following year when, according to the list on page 2, John House was one of those due to provide an overseer. John Jones continued to serve as the sole Overseer in 1729 and was succeeded by Charles Taylor in 1730. More information concerning some of these persons and their holdings will be given later when the

Poor Book lists of ratepayers are examined together with those in the Churchwarden's Accounts.

The prime duty of Hutton's Overseers of the Poor was "making ye rate" for the year "and keeping ye accounts" for which they received two shillings in 1720 and 1721 and 2s.6d from 1723 to 1730, though John House charged only one shilling for "Booking ye a Counts" in 1722. These accounts were presented by the retiring Overseer at the annual parish meeting held nominally at Easter, though the actual dates range from April 13th (in 1722) to May 31st (in 1728), and were then signed by three or more of those present, usually led by the Rector, Henry Danvers. In 1725, however, when it was reported that "five pounds given upon an antient Benefaction to the Second Poor" had "by some means or other been lost", as many as seventeen parishioners either signed or made their marks in the book to record their instruction that the sum should be paid "by the Overseer for the time being".

Finally, the Poor Book was taken by the Overseer(s) to Wrington shortly afterwards to be examined and signed by two Justices of the Peace, one of whom was John Jones of Langford throughout this period, the other being first John Pigott (1721-1725), then his son John (to 1728) and last Henry Vaughan (in 1730) .

Although the disbursements of these Overseers include a wide variety of items, most of them are related in some way or other to the relief of the poor in the parish and so they provide valuable information concerning poverty and sickness, two closely connected aspects of life that have so far been barely glimpsed in Hutton's story because they so rarely appear in earlier records. It was the normal practice in each parish throughout the land to provide accommodation for some of its poorest inhabitants, particularly those with no close relatives able to take them into their homes, in one or more "poor houses" owned by the parish. Perhaps it was for this purpose that in 1724 Robert Hayne, the Overseer, "bought a House of Edmund Adams for ye use of ye P(ar)ish" and "also a Bed", all for £5.

Unfortunately there is no means of identifying this particular house and no record of its inmates; neither is there any mention at this time of any other 'poor house' in Hutton. There is ample evidence, however, of financial help being given to enable some needy parishioners to remain in their own homes. In 1720, the Overseer paid fifteen shillings "for Mari Daise" (Mary Day's) "House rent"; similarly, from 1720 to 1724 Widow Hebditch had her annual rent of 7s.6d paid by the Overseer, and in 1725 twelve shillings was paid for "the house rent and lodging" of Mary Adams at 3d per week, presumably therefore for forty-eight weeks.

At times too during this decade, the names of Mary Day "of Oldmixon" and Widow Hebditch appear in a list of some four or five persons designated "the Second Poor" who received various annual payments (from 1s. to 3s.6d), not out of the Poor Rate, but from the interest (or "use" as it is sometimes termed) on three benefactions, specified in the accounts for 1727 as "the antient Donation", "the late John Davis's Gift" and "a Benefaction consented to at Easter 1726". Other regular recipients during this period were Jeremy Rhodway, William and Ursula Harris, and Christopher Pierce. These payments were also made by the Overseers of the Poor but were recorded separately in the Poor Book after the lists of ratepayers, not among the disbursements.

For those who were too ill or infirm, or too old or too young to be left in their family homes, there was also provision for their lodging with a householder in the parish, even sometimes a relative, who was paid by the Overseer. In 1721, for example, John Day was paid 9d a week for three months for “keeping” George Day, presumably a close relative who had himself received direct payments in 1720, until George died. John Day was also paid 5s. in 1723 “for keeping James Tuckey” (Stuckey) “two weeks when he came to Hutton Parish”.

Similarly, from 1722 to 1727, payments were made for keeping Rachel Brown’s three children, and from 1728 to 1730 for keeping Christopher Pierce’s child. Financial help was also given by the Overseers to those temporarily incapable of working, as in 1720 when John Webb and his wife were both “sick”. In addition, a doctor’s bill was also met by the Overseers, as in 1730 when not only did the same John Webb receive seven shillings “when he was bad in his leg” but Robert Wallen, a doctor, was paid ten shillings “for a Cure perform(ed) on John Webb Legg”.

Various articles of clothing, and sometimes of bedding, were also supplied to several poor parishioners, some of them already receiving regular ‘relief’ payments or having their rents paid by the Overseers; particularly this provision was made for the young orphans until they were old enough to be apprenticed as servants to some local landowner who would then become responsible for their maintenance. So in 1720, after John Ingram died, his son James was provided with a pair of breeches, shoes and stockings, and in the following year, before he was apprenticed, he received another pair of shoes and stockings, a hat, a coat, two shirts and a cap. In 1722 Mary Webb, one of poor John Webb’s daughters, who was ‘kept’ by Mary James, was given linen and woollen, aprons, a pair of shoes and a pair of “hose”, and her sister Elizabeth was apprenticed to Mr Oldmixon.

Even the burial of the poor was the responsibility of the Overseers, who in 1720 paid for the shroud and coffin for John Ingram as well as for “Wringing ye bell and making ye Grafe”, and paying nearly three pounds for “what he did owe”, but they seem to have recovered most of this expenditure later from “what John Ingrams goods wear sold for”, nearly five pounds. Similarly, in 1721 when George Day died, the Overseer paid for making his grave, for the coffin, for ringing the bell and for the burial; he also bought the customary cheese and loaf of bread, presumably for those assisting in the burial, as well as “ale and liquer when he was confind”. For the funeral of James Stuckey in 1727, however, only sixpence was paid “for laying him out”.

Perhaps a clearer picture of the problems of those in need in Hutton at this time, and of how Hutton’s Overseers dealt with them, will be obtained from an examination of one or two specific cases, firstly with that of the Brown family. It is in John House’s Poor Accounts in 1721 that the name of ‘Wm Browne’ appears as one of four receiving a share of five shillings ‘Use money’, or interest from benefactions, and it may therefore be assumed that he had been regarded as one of Hutton’s ‘Second Poor’ at least throughout 1720. Most probably he was the William Brown, son of Peter and Mary, who had been baptised in Hutton in 1677, and would therefore be at least forty-three years old. It seems likely that he died in 1721 or early in 1722, but had no need of a pauper’s funeral, for his name is replaced by that of Rachel Brown in the list of those who received ‘Interest money’ in 1722; Rachel, presumably, was his widow.

In the same year, John House, the Overseer, recorded the payment of two shillings to Mary James “for keeping Rachel Brown’s three children when George Morse brought them to ye parrish till we went to ye Justices to know what to do with them”. This curious entry apparently indicates that Hutton’s overseers in 1722 were faced with the sort of “settlement” problem that so often arose during the eighteenth century as a result of the Settlement Acts of 1672 and 1687, by which ‘strangers’, that is persons from any other parish, could stay no longer than forty days unless they had a ‘certificate’ to show that their original parish, or the one in which they had established a ‘settlement’, would take them back if they became in need of poor relief.

Perhaps, after William’s death, Rachel had been unable, through illness or loss of income or both, to provide for their children and had sent them to a relative in another parish not far away, but, before they could stay long enough to claim a ‘settlement’ there, the overseers of that parish had insisted on their removal. Consequently George Morse, a Hutton tenant, had collected them, for which service he was in 1724 paid two shillings by Hutton’s Overseer, Robert Hayne. So the young Browns were ‘kept’ by Mary James whilst John House, and perhaps Robert Hayne, awaited a ruling from the Justices on which parish was responsible for the children.

Evidently it proved to be Hutton, for Mary James continued to keep the children until at least April 1723. There is no further mention of their mother, Rachel, after 1722 when she was apparently one of Hutton’s ‘second poor’ so it seems likely that she died soon afterwards but, like William, was not given a pauper’s funeral. In 1723 Robert Hayne spent six shillings on stockings and shoes and paid over two pounds “for Brown’s childrens cloaths”. He also paid out £3.7s.6d for “tableing” them for ten weeks early in 1724, and 7s.6d for “ordering and cleaning them”, but there is no mention of their lodging nor of who received these payments.

Their “tableing” was continued for a further eleven weeks until nearly the end of June 1724 when Anne Brown, presumably the eldest child, was apprenticed to Mr Roach, who lived at Charfield in Gloucestershire but whose property in Hutton included Ludwell. From then until April 1728 the other two children, Mary and John, were “boarded” and for the following thirteen weeks they were “kept” (by whom the accounts do not reveal) and both were supplied from time to time with various articles of clothing, especially shoes, or had their old ones mended. Mary was probably apprenticed at the end of June 1725, for from then until some time in 1727 when John Brown was apprenticed to Mr Codrington at the Court, he alone was “kept” and provided with clothing.

One further instance of poor relief in Hutton during this period, namely that of Hannah Tripp, is worth closer scrutiny since it involves the problems of pregnancy and childbirth. It seems most likely that Hannah was a younger daughter (or perhaps even a grand-daughter) of John and Hannah Tripp who in 1670 had no Hearth Tax to pay for their cottage in Hutton because they regularly received alms, and who also had a daughter, Sarah, baptised in 1679. However, no member of that family was named in Hutton’s earliest surviving Poor Book until 1729 when it was recorded by John Jones, the Overseer, that the sum of eight shillings was “spent at Langford when we had in Hannah Tripp”, then four shillings “for a mare to carry her in” and a further four shillings “for maintaining her eight days”.

Evidently Hannah had been living somewhere outside the parish of Hutton, perhaps at Langford, the place from which she was brought on horseback. Langford was also the home of another (probably unrelated) John Jones, one of the Justices who used to examine and sign Hutton's Poor Book accounts, and so Hannah may well have been brought before him by the overseers of the parish where she had been living to be 'examined', that is questioned concerning her right to settlement, and subsequently she may have been ordered to return to Hutton.

This conjecture is supported by a later entry among the same year's disbursements to the effect that she was "brought to bed", the normal term for a confinement. It seems most probable therefore that Hannah's pregnancy was the cause of her removal back to Hutton, for it was the common practice throughout the land for overseers to attempt to rid their parishes of those who were likely to have a child who would need parish support for many years. That is why, in 1725, John Harvey and Mary James, Hutton's Overseers, paid for a warrant (ordering removal from the parish) "for Mari Tutton when she ware thoft (thought) to be with Child" and, in the same year, gave 3s.6d to "a poor traveling wooman which ware with child and in travel (travail i.e. labour) as th'woomen thoft", not to maintain her in the parish but, more probably to assist her to move on before her child was born.

However, in Hannah Tripp's case there appears to have been no surviving child to maintain and the Hutton Overseers seem to have treated Hannah well, if judged by the standards of those hard days. After her arrival she was given two blankets, and was paid a shilling a week for nine weeks, a further sixpence "when she had no money" and two shillings a week for the last two weeks of her pregnancy as well as being supplied with 12 lbs of cheese, oatmeal and "a noggin of Brandy to waish her breast". Jane Davis was paid 2s.6d "for coming to" Hannah Tripp, presumably as a midwife, and when Hannah "was brought to bed" there were payments for "9 quarts of ale, bread, candles, currants, sugar, nutmeg and cheese" as well as faggots (for fuel) and a later payment of a shilling to keep her "in small beer two weeks". In 1730, Hannah was provided with a pair of shoes and she was regularly paid a shilling a week throughout that year. She continued to receive various payments from time to time until 1735.

Although the demands of one or two needy persons or their families accounted for most of each year's expenditure by Hutton's Overseers at this time, the remainder of the income from the Poor Rate was spent in a surprising variety of ways. There appears to be at least one instance of practical help being given to keep a skilled worker in employment. In 1720, "working tools" were bought for James Stuckey and in 1723, only four years before he died, he was given the fairly generous allowance for those days of £2.10s.0d "to sett up Trade with all". His trade must have been that of shoemaking or some other work with leather, for in 1727, after his death, the Overseers recovered £1.1s.6d from the sale of "Leather and Tools, the Goods of late James Stuckey" to Edmund Adams. Occasionally even strangers in need were given financial help on their way; in the previously mentioned case of Mary Tutton, the Overseers' motives were probably far from charitable, but only genuine sympathy could have prompted them in 1729 to give a shilling to a "man that had his ground drownd by water".

More regular and inescapable financial obligations of the parish were also met by the Overseers, such as "gole money" or "gole and mashell semony" (gaol and Marshalsea money), usually 3s. p.a., Hutton's contribution to the county gaol

and debtors' prison, which does not appear in the Overseers' accounts of this period after 1725. Two other such payments were "bridge money" or "County bridge money", usually 6s. per year, paid from 1727 to 1730 for the upkeep of bridges that were not a parochial or private responsibility, and "Hospital money", paid together with the bridge money "at Bleadon" in 1730; as will be seen later, this contribution, thought to have been for a hospital at the former Woodspring Priory, was more usually paid out of the Church Rate by the Churchwardens.

Warrants and writs of various kinds were regularly paid for by the Overseers, and sometimes payments for no specified purpose were made to officials, as in 1724 "to the tythingman" and in 1727 "to the high constable". Perhaps the most surprising disbursements to be made from the proceeds of the Poor Rate are those concerning roads and gates in the parish. Five of the annual accounts for this brief period include sums spent on "drink about ye highways" or, more specifically in 1727, "for a Barrell of Cyder for those who work'd upon the High Ways"; many, perhaps all, of these workers would have been in receipt of poor relief. So also, in 1721, 1s.5d was paid "for mending ye picax that was brooke about ye highways", whilst in 1721, 1723 and again in 1730 payments were made for repairs to "ye Moorlane Gate".

Finally, a recurring item throughout the Hutton Overseers' disbursements at this time was one of unspecified personal expenditure, merely recorded as "spent" on some particular occasion, such as at the Easter meeting when the accounts were presented or on visits to Wrington, Brockley or Langford to see the Justices. So from 1722 onwards, 10s. was regularly "spent at Easter" or "at Counts Day", and sums varying from 1s. to 3s.6d "spent at Wrington", or "going for ye warrant", or "at ye petty sessions", or "when we went to brockli"; but there was a sharp increase for the last three years of this period, when 4s. 6d was "spent when we went before the Justices" (1728), and "at Wrington" (1729), and even 9s. "at Langford" (1729 and 1730), though only 3s. on another visit to Langford in 1730.

Presumably most of this expenditure was on food and drink, much of it necessary when travelling involved a day's, or at least a half-day's absence from home, but even the Easter refreshment was hardly an outrageous reward for retiring Overseers such as John House, Robert Hayne, John Jones and Charles Taylor who seem to have carried out their voluntary duties conscientiously.

It is now time to examine the other rich source of information concerning the last few years of this stage of Hutton's story, namely the earliest surviving volume of Hutton's Churchwardens' Accounts, found along with the earliest Poor Book in that old oak chest. Like that volume it must have had at least one predecessor, for the first item of expenditure recorded, in 1724, is 'A new Church book – 6s.0d'. It is similar in appearance and in size, though not as thick, a ledger with a left-hand margin for dates and three columns on the right for pounds, shillings and pence, and it is bound with brown parchment-covered boards, now a little loose.

Similarly too, many of its pages are now brown-edged, dog-eared or even torn, and some are blank. From page 6 however, the contents are the annual lists of rates and ratepayers and the churchwardens' disbursements for the years 1724 to 1828 inclusive, but it is only with those for the seven years from 1724 to 1730 that this section of the story is concerned. Like those of the Poor Book, these

disbursements are of particular interest for they provide more detailed information about certain features of life in Hutton at that time than has been available for any earlier period.

As one would expect, most items of expenditure recorded in this volume of Churchwardens' Accounts concern Hutton's parish church; the very first Church Rate recorded in this book, for 1724, was made "for ye repairing ye parrish Church". Some of the payments recorded are for materials purchased or for so many days' work done, others for bills presented by various craftsmen, and it is only the occasional item that names the type of work done or specifies the part of the church repaired.

However, it is clear that the main cause of anxiety throughout the last six years of the 1720s was the condition of the roof. In 1724, William White had four days work tiling the roof, and purchases were made of two sacks of lime, a half hundred-weight of tiles, a similar weight of "lafts" (laths) and a shilling's worth of "pins and nails for ye tilling".

In the following year, however, when William White was actually one of the churchwardens, far more extensive repairs must have been carried out, for there were two separate payments for unspecified work, one for eighteen days, the other for seventeen, perhaps for two workmen, and that year "two thousand of lats", "eight thousand of nailes" and "21 sacks and a halfe of lime" were purchased. Some boards and "four pound of oak" were also bought, possibly for some other repair work, and payments were made both for "going to Bristoll to buy ye bords and other things" and for carrying "of bords and lats and nailes to William Hunt", who perhaps was a tiler working along with William White.

Again, in 1729, William White was paid not only for three days' work "about tilling ye church" but also "for mending ye ruffe (roof) of ye church", and more nails, laths, lime and tiles were bought. One cannot help wondering what repairs to the roof had to be carried out twenty years earlier after the great storms of 1703, but unfortunately no record of the expenditure for that year has survived.

There was evidently trouble too with the church windows at this time, particularly with one or more in the tower, for in 1725 2s. was spent on ale for an unnamed glazier as well as £2.4s.5d to meet his bill. In the same year, "the smith" (unnamed) was paid 2s. for "bars for the belfry window" and William Main 4s.6d "for putting in mullin (a mullion) in the window". Despite this work, William White had to be paid 1s. in 1728 "for mending the belfry window" and there was a plumber's bill of £3.1s.3d for "lead work done about ye Church", which might have included some of the windows.

For three successive years, money was also spent on the bells, beginning with the purchase of "a pound and a halfe of lether for ye bells" in 1724; then in 1725, more specifically, payments were made "for belopes" and to an unnamed person "for mending ye fourth bell wheels". Finally, in 1726, a shilling was spent on ale "for the bell carpenter" and 17s.9d to meet a bill presented by Thomas Bilbie, evidently one of the same family of bell founders as Edward Bilbie who had cast Hutton's newest bells in 1708. Fairly regular expenditure was also made on oil for the bells, a pint each year from 1724 to 1726 and a quart in 1729.

Work was also necessary at this time outside the church, especially on the gates of the churchyard. Apparently, new gates, or hatches as they were then called, had to be fitted in 1726, for in that year £1.2s.6d was paid to someone unnamed “for making Hachis and carting ye timber out of wood”, and in 1727 “Mr Codrington”, the owner and occupier of Hutton Court, was paid £1.4s. “for ye Oak for ye Churchyard Hachis”. These new gates then must have been made of oak which had come from Hutton Wood above the Court, but they were not left in their natural state, for “a pound of colloring” (colouring) was bought in 1726 and John Day was paid a day’s wage in 1727 “for Colloring ye Haches”. The hinges were made by Giles Hemens, probably Hutton’s smith, who was paid 10s.9d in 1726 “for ye Irons for ye Haches”.

However, barely three years later, John Day must have spent four days “mending the churchyard hatches”, for he was paid 6s. for the task in 1729. The only indication of the general state of the churchyard during this decade is the fact that in 1728 William Harris’s wage for being sexton covered, as if for a specific task, “cutting down the weeds in the churchyard”.

It seems likely that other work, inside or outside the church, was undertaken at this time though its precise nature is not disclosed in the Churchwardens’ Accounts. For instance, the “lead work done about ye Church” in 1728 very likely included work on the roof, for in 1729 William Main received a day’s wage “for puting up the lead”. It is also not clear what jobs required boards, especially “duck boards” bought in 1725, as well as “four pounds of oak” and another “fifteen foot of Tuck Board” in 1728. No explanation is given for ten days’ work by John Williams in 1726, or various amounts of work by William Williams, William White, James Butte and George Day in 1725, nor for the bills of James Haidon, Hester Bishop and William Chapman, paid in 1726.

Strangely enough, there is not one item of expenditure on the fabric or furnishings of the church, nor on the churchyard, recorded in the Churchwardens’ Accounts for 1730. Finally, one item among the disbursements for 1725, “two locks for ye Chest”, provokes some speculation. Was that chest, one wonders, the small parish chest in which this volume of Churchwardens’ Accounts and several other old parish books were eventually found in 1968, and were these new locks replacements on what was, even in 1725, an old chest?

At this point, it is appropriate to mention two pewter plates found in 1973, not in that small old parish chest but in the much larger one which then stood near the font but now stands (at the time of writing) near the pulpit. Although there is not a single reference to these plates in Hutton’s earliest surviving volume of Churchwardens’ Accounts, they were almost certainly used as collection plates in the church during the third decade of the eighteenth century. The slightly smaller, but better finished, of these plates has “HUTTON C” (presumably for ‘Church’) clearly stamped on its rim, together with four shield-like maker’s marks and the puzzling initials “BT” However, on its base there is a oval device, enclosing a crown and bordered by a scroll on which the letters “BEN T” are discernible, probably all that remains of “BENNETT”, which seems to indicate that the plate had been made by T Bennett, a Bristol pewterer, who was practising his craft about 1720.

The other plate has a completely plain rim, but on its reverse surface are stamped two labels, each bearing the word “HARD” (to indicate hard metal) above

a double-headed eagle, a device which was used by the same Bristol pewterer, T. Bennett. Also stamped on the reverse of the rim is the name "LONDON", not always an authentic indication of its place of manufacture. Most interesting of all are the letters "I M" with "W" just above them, clearly stamped in the middle of the base of this plate. It seems most likely that the "W" stands for "Warden" (i.e. Churchwarden) and that the other letters are the initials of John Morse who was Hutton's Churchwarden in 1724 and who made the first disbursements in its earliest known volume of Churchwardens' Accounts. It is strange therefore that there is no mention of pewter plates among those disbursements, but John Morse could also have served as Churchwarden a few years earlier and perhaps it was then that this particular plate was purchased.

These Churchwardens' Accounts also throw a little light upon how the church was used at the beginning of the eighteenth century. It will, no doubt, surprise churchgoers of today to learn that bread and wine for Holy Communion were then bought for only three occasions in the ecclesiastical year, namely Christmas, Easter and Whitsuntide, the amount spent on each occasion varying usually between 2s.4d and 2s.10d, although in 1728 it rose exceptionally to 3s.4d at both Christmas and Easter.

These sums seem small compared with the annual expenditure of 2s.6d for "Mr. Danvers his Dinner" (a special treat for the Rector?) and of amounts varying between 2s.6d in 1730 and 10s. in 1727 spent by the churchwardens "at the Visitation". The "surplus" (surplice), presumably the one worn by the clerk, seems to have been washed only twice a year, usually for Christmas and Easter, although in the accounts for 1725 there is an item for 2s.6d "for washing ye surplus at Whitsuntide last which was not paid by Richard Hill", probably a previous churchwarden.

The annual payment of 5s. for the usual two washings sometimes also included mending the surplice, though in 1726 it was increased to 6s. because the mending was done by the clerk's wife. In 1728, £2.7s.9d was spent on twelve and a half yards of Holland cloth "to make a new surplus", and in the accounts for the following year are two items, one of 10s.6d for "making ye new surplus", the other of 4d "for carrying ye surplus to be made and carrying it back". Evidently the work was not undertaken in Hutton but in some neighbouring parish, but certainly not as far away as Axbridge where, in 1726, some "bolsters" had been obtained. Regular annual payments of £1.6s.8d were made for the wages of the parish clerk and of the sexton (6s.) and also, on November 5th, of 5s. "for ye ringers" to commemorate the failure of the Gunpowder Plot.

The same fee was awarded for ringing the church bells on special occasions. There were two of these in 1728, the "Day of ye Fast" (an odd event for celebration by bell-ringing) and the "King's Coronation", that is of George II. Both of these events caused further expenditure, 1s.6d for a "Book of Fast" and 1s. for "a book of alteration of the Royal family", that is, altering the names and titles of those members of the Royal family mentioned individually in the regular church services. The overall impression of Hutton's church life in the early part of the eighteenth century given by the meagre evidence of these accounts is certainly not one of great activity inspired by religious fervour, but rather one that reflects the apathy widespread throughout the land at that time.

Just as the accounts in the Poor Book included several items not concerned with Hutton's poor, so these Churchwardens' Accounts show payments made for matters not directly related to Hutton's church. In fact, the previously mentioned "hospital money", occasionally paid by the Overseers, was paid every year from 1724 to 1730 by the Churchwardens, who were also just as prone as the Overseers to be moved to disperse charity by the tales of woe of distressed travellers, such as several men who had "lost by water" or "by fire", or "three men that was cast away and came ashore in naked condition" in 1728, or "a man that had a petition that came from Pitton near Wincanton had his home burnt by fire" in 1729, as well as "a Disbanded Soudier" in 1728, one of many who travelled the length and breadth of the whole country during the many years of peace with France when Robert Walpole was Prime Minister.

By far the most surprising items however to appear regularly among the churchwardens' disbursements are payments to local people for killing so-called "vermin", which included an occasional fox (worth 1s.), two or three martens (also 1s. each) and polecats (only 6d each), and from six to twenty hedgehogs (at 2d each). No doubt Hutton's farmers and smallholders heartily approved such payments, especially for the predatory animals, and they probably shared the widespread belief that hedgehogs milked their dairy cows. As for those who received the payments, such as Samuel White, William Taylor, John Harris, John Starr and "Mr Willis his man" in 1726, they were probably only too glad to get any small sum to supplement their meagre income, though it is surprising to find that "Mr Snygg" received two shillings for six hedgehogs.

If these disbursements made by Hutton's Churchwardens between 1724 and 1730 are considered together with those made by the Overseers of the Poor between 1720 and 1730, they present a far more comprehensive picture of the various commodities actually used by people in Hutton at that time than it has been possible to obtain for any earlier period. Most of the items comprised in this record, especially those from the Poor Book, concern articles of clothing and their cost. In 1720, young James Ingram was provided with a pair of "britches" (at 2s.), a pair of shoes (1s.), and a pair of stockings (6d), and, in the following year, another pair of shoes (only 1s. 9d) and stockings (6d) and a hat (2s.), so even a poor child was not expected to go always barefoot or even bare-headed.

The price of stockings seems to have been constant at 6d, but the cost of shoes apparently varied, perhaps (except in John's case) according to size. In 1724, the price of a new pair, together with that of mending another pair, for one of Peter Brown's children, was only 2s. whereas mending alone cost 7d. for another pair in 1725, yet as much as 3s. was paid in 1730 for a pair of shoes for Hannah Tripp, an adult, with presumably larger feet.

Shirts, aprons and even coats seem to have been made, or re-made, to measure and consequently varied in price. In 1721, a shirt for George Day, an adult, "and making it", cost 3s., but after he died, only 10d was paid for making a coat for young James Ingram out of George Day's coat; yet in 1725, a "new cote and apron for John Browne" (a boy) cost 8s.10d, and in 1729 6s. was paid for an unspecified number of "Wm Harris's Shirts", probably two of them. As for clothing materials used, an item of 1722 in the Poor Book reveals that an undisclosed amount of linen and woollens, together with a pair of shoes, for Mary Webb cost 11s.4d, and in 1728, the Churchwardens paid £2.7s.9d for twelve and a half yards of holland linen

to make new surplices. In addition, a pair of blankets was provided for Hannah Tripp, costing 11s.

Some odd items of information concerning food and drink are also supplied by these accounts. The staple kind of food, at least for the poor, would appear to have been bread, a loaf of which was bought for a shilling by the Overseer in 1727 for the funeral of James Stuckey, and again in 1729 when “Hannah Tripp was brought to bed”. This seems a high price, as much as a labourer’s daily wage, but the size or weight of these loaves is not stated. A cheese, again of unspecified weight, was also bought for 1s.8d for Stuckey’s funeral, and on two separate occasions Hannah Tripp was provided with a cheese, one weighing 8½ lbs at 3½d per lb, and the other 8 lbs at 3¼d per lb. She was also given 1 lb of currants costing 6d, two pennyworth of nutmeg and 1½lbs sugar costing 9d, though later in the same year (1729) she had a further 1lb sugar costing only 4d.

These last few items seem to suggest that Hannah, or someone on her behalf, may have made a cake. There is no mention however of such a staple ingredient as flour, not even anywhere else in these accounts, though Hannah also had two pennyworth of oatmeal, and perhaps some form of gruel was concocted for her. There is also no mention of any kind of meat; it is a pity that no menu was recorded for any of the Rector’s annual dinners charged up to the Church Rate at 2s.6d. each. In a rural parish such as Hutton, the poor probably relied on offal and the occasional bird or rabbit for meat and could obtain eggs and seasonal vegetables fairly cheaply, and for normal use bread was not purchased but baked, in the homes of rich and poor alike.

As for drink, although the vague words “liquor” and “drink” commonly occur in these accounts to describe refreshments supplied to workmen, there can be little doubt that either ale or cider is implied, for in 1721 the Overseer “gave ye people in ale about ye Highways 19s.6d”, and in 1726 the Churchwarden “gave ye bell carpenter in ale 1s.”, whilst in 1727 the Overseer paid 14s. for “a Barrell of Cyder for those who worked upon the Highways”. Again in 1729, when Hannah was confined, the drink supplied consisted of nine quarts of ale at 4d a quart, and shortly afterwards Hannah was kept for two weeks “in small beer” for a shilling, and given “a peck of malt and hops” costing 1s.2d, evidently so that more ale could be brewed, as it was in many households. For more strictly medicinal purposes, Hannah was also given “a noggin of brandy”, costing only 2d, “to waish her breast”, and in 1725 the Overseer purchased “half a bushell of malt” (for 2s.2d) “for John Webs diet drink”.

Although the few miscellaneous figures presented in these accounts do not provide sufficient evidence to warrant generalisations, they do not seem to indicate any marked inflation in prices during the third decade of the eighteenth century, and there seems to have been almost complete stability in the payments made for work done. Throughout these years, the parish clerk’s annual salary remained at £1.6s.8d and the sexton’s at 6s., both paid out of the Church Rate; in addition, the clerk received 2s.6d for washing the surplice, usually on two occasions each year.

There seems to have been a similar uniformity in payments made for skilled manual work, if one may judge from the sole instance during this period of the same person doing the same job on two different occasions. William White received 1s.6d a day for roof tiling both in 1720 and in 1729. This wage tallies with the £1.7s. paid

in 1725 to William Hunt for eighteen days' unspecified work about the church, probably involving carpentry, and the 3s. paid to William Main in 1727 for 2 days work on the church gates.

Further, these accounts kept by the Overseers and Churchwardens at this time, together with their occasional notes about the Easter meetings and supplemented by a few other relevant records, provide a little information about these parish officers and their servants on whom, in turn, so much of the corporate life of the parish depended. The poorest of these was the sexton of the church. It is not known whether he received, in addition to his other meagre payment, any remuneration at funerals, as, for example, all or any part of the 2s.6d paid by the Overseer "for Ringing the Bell and Digging the Grave" in 1727 when James Stuckey was buried, for the account does not state to whom the payment was made.

Although the sexton's name is not given in the Churchwarden's Accounts from 1724 to 1727, he may well have been William Harris who was certainly sexton from 1728 to 1733. It is known that he had married Ursula Rhodway in 1716 and he was probably a poorly paid labourer, for from 1722 to 1734 his name regularly appeared in the Poor Book among those of the 'second poor' who received charity 'interest money', usually 2s.6d.

Occasionally too the Overseers paid for his house rent, for fuel and even, in 1729, for his shirts. The parish clerk is also unnamed in these accounts but a payment of £1.6s.8d to John Harvey in 1729 for "his year's salary" reveals that he was certainly the clerk for that year and perhaps for the first seven years recorded in Hutton's Churchwardens' Accounts. Very little else is known about Harvey, but the fact that he was a regular Hutton ratepayer from 1720 to 1732 with a small property, assessed at £1 p.a., and also that he served as Overseer in 1725, suggests that compared with William Harris he was then a man of some substance. However, from 1732, when his property was transferred to John Demack, he too received 'interest money' from the Overseers as one of Hutton's 'second poor' and continued to do so until 1741, so he was then probably little better off financially than William Harris had been.

It would seem that even Hutton's Overseers of the Poor were themselves only persons of modest means. Although John House, who was Overseer for the three years from 1720 to 1722, had held since 1689 a little property in Oldmixon, including the house now divided into Box Cottage and Fern Cottage, and was a ratepayer with an estate assessed at £10.10s. a year from 1720 to 1732 when most of it was purchased, he too became a regular member of Hutton's 'second poor' from 1731 until his death a few years later.

The only other Overseers who were also ratepayers during this period were Mary James (or 'Widow James'), Hutton's only woman Overseer at that time who held property assessed at only £2.5s. p.a., and John Harvey, the parish clerk, with whom she served in 1725. Not one of the other Overseers between 1720 and 1730 was a ratepayer, though Benjamin Broadway, serving in 1727, held land that had formerly been part of Snigg's tenement.

Robert Hayne, serving in 1724, probably the elder of that name, presumably had some skill in joinery for he was paid in 1730 for mending the Moor Lane gate; Samuel Harvey (1726), perhaps closely related to John, received a payment for some

unspecified reason from the Overseer in 1736; and George Jones, Broadway's colleague in 1727, was a carpenter with a cottage and orchard (in 1730), whose mother-in-law, Widow Masters, was a ratepayer for a property assessed at £4 from 1720 to 1736, but he too had to receive regular payments from the Overseers from 1732, and both his wife (in 1735) and he (in 1738) were buried at the expense of the parish.

Little is known about John Jones, serving in 1728 and 1729 and probably related to George, nor about Michael Pressey, John's colleague in 1728, except that he had his house rent paid by the Overseer in 1733, nor about Charles Taylor (1730) except that he was one of the few who regularly attended the Easter vestry and approved both the Church and Poor accounts.

There was probably much more variation in means among the six persons who served as Hutton's Churchwardens at this time, whether they were ratepayers, as three of them were, or not. The first two Churchwardens named in these accounts, John Morse in 1724 and William White in 1725, paid no rates. Although John Morse is known to have been a tenant farmer with a house in Elborough and some forty acres of land in small closes scattered about the parish, he was in 1748 to end his days as one of Hutton's 'second poor', as also was his wife subsequently.

William White, his successor, was a craftsman, a tiler, who was paid for repairs to the church in 1730 and 1736, and although he is not known to have held any land, he does not appear to have needed help at any time from the parish. Neither did his colleague in 1725, John Day, who was evidently related to (perhaps a son of) Arthur Day, a ratepayer from 1720 to 1728, for he paid Arthur's modest rate in 1728; John served as Overseer in 1732 and much later, from 1744 to 1751, he himself was a regular ratepayer for what had been the property of Hannah Wilmott, assessed at £2.10s. p.a.

His successor, Isaac Kington, Churchwarden for 1726 and 1727, was also a regular ratepayer from 1723 when he acquired two portions of Widow Haise's property, assessed at £7 and £2 p.a. As for George Salmon, Churchwarden for both 1728 and 1729, who paid rates on property assessed at £2 p.a. from 1720 to 1742, he has already been described as George Sellman, the Elborough farmer who in 1716 had married the Kidgell heiress, Anne Ferris. Neither Kington nor Salmon received any help from the Overseers. Finally, Richard Hill, the third non-ratepaying Churchwarden at this time, who served in 1730 and had apparently done so in 1723, was also never in need of assistance from the Poor Rate, for he was the tenant of one of the best farms in the parish, Court Farm.

It is surprising to find how well on the whole these officials kept their accounts and managed the finances of this parish, particularly as they had no offices or clerical staff and no mechanical aids of any kind. Although they had some regular unvarying items of expenditure, it must have been a difficult task to budget for the next twelve months by setting a rate at the beginning of each financial year. Yet a deficit was rare, relatively small and apparently passed without comment when the accounts were approved, if one may judge by the Poor accounts of 1720, with a clear deficit of 7s.10½d, and the Churchwardens' accounts of 1725, with an apparent deficit of £1.15s.3½d.

More often there was a surplus, which was moderate unless exceptional sources of revenue were added to the income from a fairly high rate, as in the Poor account of 1721 when a rate of 1s.6d in the pound, together with £8.0s.9d from the sale of the late James Ingram's goods, produced a favourable balance of £11.10s.3d, making it unnecessary to set a rate for 1722. Normally, the Poor Rate was much higher than the Church Rate, the latter usually being about 6d and as low as 4½d in 1730, whereas the Poor Rate was only as low as 6d. in 1727, was 1s.6d in 1721 and 1730 and even 2s.0d in 1724. Only once, in 1726, was the Church Rate higher, being 1s.6d, twice as much as the 9d Poor Rate.

A closer examination of these accounts, however, reveals quite a number of inaccuracies or discrepancies in them, although usually of only small sums. One instance of actual loss of money is recorded in the Poor Book entry for 9th May 1725, either a delayed Easter vestry or a special parish meeting attended by the unusually high number of seventeen parishioners, who decided that "five pounds having by some means or other been lost" (which the Overseer should have paid out to the 'second poor'), should be "first by Rate put into the Overseer's hands" and then the interest should be distributed by him "as formerly" to "such Persons of the Second Poor as the Minister" (i.e. the Rector) and Parishioners shall judge proper".

A significant omission is that of the last three names of Hutton's ratepayers from Samuel Harvey's Poor accounts in 1726 and consequently of their payments and of the total sum he received. Perhaps the most conspicuous example of inaccuracy and repeated inconsistency in these accounts is provided by the various amounts of the payments received by the Overseers from the group of ratepayers described as "Kidgells Heirs", where the rates received from them suggest considerable annual fluctuations in the rateable value.

The Churchwardens' Accounts Book, with several unexplained blank pages in the part covering these few years, also presents some discrepancies. The recorded totals of the disbursements for both 1725 and 1726 do not correspond to the addition of the individual items, and at the head of the disbursements for 1726 on page 13 there is a mysterious sum of £16.8s.0d "brought over from the other side", although page 12 is blank and the total of the 1725 disbursements given on page 11 is only £15.7s.5d. These figures were approved only by the Rector and William Codrington and, unlike the Poor accounts, had not to be taken before the Justices or anyone else for further inspection.

However, when George Salmon was the Churchwarden in 1728 and 1729, the calculations were accurate and the accounts properly balanced, and on the income since in 1728 he scrupulously added to the revenue from the rate the balance he had received "from the old Churchwarden" as well as a sum of five shillings for "old lead", presumably when the roof was repaired. There are even a few discrepancies between the apparent valuation of some properties by the Overseer and that by the Churchwarden. For example, the rateable value in 1724 of Mr. Codrington's property called "Late Snyggs" was £9.10s.0d according to the payment recorded in the Poor Book, but only £7 according to that in the Churchwardens' accounts.

On the other hand, the unspecified property belonging to Kidgells Heirs in that year had the odd valuation of £7.1s.8d in the Poor Book but as much as

£10.11s.8d in the Churchwardens' Accounts. Altogether, Kidgells Heirs, whoever they were, must have been remarkably incurious and uncomplaining.

If the general degree of numeracy among these parish officials was less than perfect, that of literacy was probably very much lower, though this is more difficult to judge because one cannot always be sure who actually wrote down the entries in these account books. Certainly the general standard of handwriting was high, particularly in the Poor Book which seems to have been begun by John House, the Overseer for 1720, in his own beautiful hand, if one may judge from his use of "I" and "me" in the first line of his disbursement which reads: "An account of what I disbursed and laid out by me John House Overseer of ye poor". Only the ratepayers list of 1726, when Samuel Harvey was Overseer, stands out as a little shaky, ill aligned and written with a blunt quill, and, oddly enough, beside it at one point, in a much better hand and with a finer quill, is written: "John Amesbury his hand and pen, and so God save his soul, Amen".

Perhaps the writer and composer of this rhyme was the Rector or William Codrington, but there is no other evidence that John Amesbury, who was to be Overseer nearly twenty years later, had written down these accounts on someone else's behalf, and this odd inscription may even have been made much later by John Amesbury himself as he tried out his pen on an old page. There is evidence that some accounts were written up by others: George Salmon, whose Churchwardens' accounts for 1728 and 1729 are not only well kept but also well written, appears to have done the whole book-keeping work in 1728 when John Jones was Overseer of the Poor, for he was officially paid 2s.6d "for making the Rate and keeping the accounts that year".

It is not surprising that, however neatly presented these accounts were, they contained ungrammatical vernacular expressions and some remarkable variations of spelling, not only of people's surnames but even of commonly used words, for there was no generally accepted spelling for any words at this time among the well-educated. No writer of the Churchwardens' accounts, not even George Salmon, could spell 'surplice', invariably spelled 'surplus'. Yet certain outrageously distorted spellings, such as "spent when we wet (went) to brocli (Brockley) to sine (sign) Mari Browens (Mary Brown's) indenture" or "gole and mashell semony" (gaol and Marshalsea money), must surely indicate a lack of education.

Finally, 1725 shows that relatively few Hutton parishioners could even sign their names; apart from the Rector and William Codrington, only ten of the others present appended their signatures to the resolution in the Poor Book, the remaining five having to make their marks. Two of these five served as Overseers, John Harvey and Robert Hayne, though Robert's son, Robert Hayne junior, was able to make a signature with a flourish.

Hutton's earliest surviving Poor Book and Churchwardens' Accounts Book also provide their lists of ratepayers. These lists give the names of some fifty or so Hutton landholders, about two-thirds of whom probably lived in the parish; they also indicate approximately the years in which some of them died. It can be safely assumed, for example, that John Davis, Jasper Lane, Mr Goss, John Lewis and John Leker (or Lakey), all ratepayers in 1720, must have died before, and probably less than a year before, the names of their widows first appeared in the lists, namely Widow Davis and Widow Lane in 1723, Mrs Goss in 1725, Widow Lewis in 1728

and Widow Lakey in 1729. Similarly, Widow Clark must have died before 1727 and Richard Day before 1729 when their names were replaced by “Clarks Heirs” and “Days Heirs” respectively; but the replacement of “Richard Laney” and “Benjamin Griffin” in 1727 by “Late Laney” and “Late Griffins” does not necessarily imply their deaths, and the mere division of one ratepayer’s property among several ratepayers cannot be regarded as an indication of death unless there is confirmation from some other source.

For example, in the case of Widow Haise, replaced in 1723 by four ratepayers, the probate of her will in 1722 is mentioned in a later schedule of documents. However, it is less certain that George Snygg (the third of that name in Hutton’s records) died before 1723 when his name was replaced by those of Mr Codrington and Mr Roach, for the only positive indication of his death is a reference to him in a deed of 1730 as “deceased”.

Even the substitution of one Christian name by another, as in 1723 John Day replaced Arthur Day, is not a reliable indication of a death, for some changes seem to have been due to the vagaries of certain overseers. The name of Robert Bennett, for example, was temporarily replaced in 1726 by that of William Bennett, only to be resumed from 1727 to 1729: whilst that of William Shepherd was replaced by Edmund in 1725, resumed in 1726, replaced again in 1727 but this time by Edward, to be succeeded by “Mrs” in 1728 and by “Mr” in 1729, after which it was to remain as “Mrs Shepherd” for the next eleven years, so that one may presume that William or Edmund or Edward (whichever he was) had probably died about 1727.

In two cases, those of Widow Porter and John Symons, it seems likely on the grounds of age that the transfer of their property shown in the ratepayers’ lists was due to their decease, for Widow Porter, replaced by “Mr Bath” in 1721, was almost certainly the widow of the John Porter who was buried in 1690, and John Symons, whose property in Elborough was taken over by, or perhaps reverted to, “Kidgells Heirs” in 1726, had been married in Hutton in 1679. Such facts and conjectures concerning the deaths of some of Hutton’s ratepayers, together with those of John Ingram and James Tuckey (or Stuckey) reported in the Overseers’ payments for 1720 and 1721, serve in small measure to compensate for the complete absence of any Hutton parish register or even a Bishop’s transcript during this decade.

Altogether, with the names of those who received assistance from the Overseers and of those paid by the Churchwardens for their work about the church, it has been possible to compile a list of about a hundred inhabitants or landholders of Hutton between 1720 and 1729. If this list is examined together with the names, already mentioned, which appeared in Hutton’s records of the first twenty years of the eighteenth century, about ninety different surnames emerge, half of which were probably new in Hutton, among them being those of Phippen (from 1720), Kington (from 1723), Hemens (from 1726), Curry (from 1727) and Biggs (from 1728) which will recur in later sections of Hutton’s story.

Eighteen of the remaining surnames had survived from the seventeenth century, thirteen from the sixteenth, eleven from the fifteenth, four from the fourteenth, and two (Fry and Oldmixon), both of persons living outside the parish, from the thirteenth century, though the oldest Hutton surname of Payne was at least

represented by “Pains Takers”: not the conscientious, but probably those who held the few lands of the late-seventeenth century Widow Payne.

Since the 1720 list in the first volume of the Poor Book is the earliest surviving record of Hutton’s ratepayers, it deserves closer inspection as a basis for comparison with those of later years. Although these rates were based on the value of property held or occupied within the parish, not one such property is given an individual place-name or even a clue to its location in 1720, and only three such names appear in the lists for the next ten years, Ludwell in 1725, Brywell (for Bridewell) in 1729, and Benthill in 1730. Consequently, it is not possible to identify most of the properties represented by the fifty separate entries in the 1720 list with the houses or plots of land shown on the Tithe map of 1837 or, still less, with those still recognisable at the present day.

A few, however, can almost certainly be so identified. Mr Codrington’s property was, of course, Hutton Court and its relatively large estate, though in 1726 he was more specifically rated “for the Farm”, even though its lands were then probably occupied and used by Richard Hill, as recorded in a deed of 1730 . Mr Danvers was rated for the Rectory (now the Old Rectory) and its glebe lands, while Mr Oldmixon, the historian then living at Bridgwater held Oldmixon Manor and its estate, and Arthur Day, according to the 1729 list, held “Brywell”, an enclosed piece of land on the south side of Elborough Hill adjoining Bridewell Lane. Several other names in the ratepayers’ list for 1720 can also be associated, if rather less directly, with specific properties in the parish.

George Snygg owned both the Ludwell estate and the one later known as Middle Farm; William Shepherd almost certainly held Benthills, Thomas Symons probably had either Elborough Farm or the farmhouse then facing it and other lands in Elborough, and John House may have been rated for the dwelling that he occupied at Oldmixon, namely the one now comprising Box Cottage and Fern Cottage, though it was then owned by Susannah Masters. (She sold her long lease on it in 1724 but, as “Widow Masters”, continued to pay rates for other unidentified property in Hutton throughout this period.)

A few others gave their names to certain pieces of land for which they were rated and which can be identified on the 1837 Tithe map. Joseph Wheeler of Bristol, who acquired some Hutton property from the Bagnall family in 1717, was long commemorated for “Wheeler’s Orchard”, now part of Hutton Primary School’s playing field between Moorlands and the Rectory. Richard Laney of Locking, Hercules Comer and Mr Nurton had fields, now part of the airfield, named “Laney’s Seven Acres”, “Comer’s Ground” and “Nurton’s Seven Acres”, this last one being, in the nineteenth century, the site of Hutton Junction, where the Weston branch left the main line of the Bristol and Exeter Railway.

Finally, the Overseers of the Poor of Churchill parish held another portion of what is now the airfield, shown on the Tithe map as near the bridge by which Moor Lane passes over Cross Rhyne; this land had been purchased by earlier Churchill Overseers as an investment in accordance with the will of John Latch, to provide an annual Christmas gift of bread and money for Churchill’s poor.

The more closely one examines the 1720 list of ratepayers, with their widely different assessments, the more one is confronted by the baffling question of why

only certain persons or groups of people were charged with these rates. It has already been observed that several Overseers of the Poor and Churchwardens of the parish were not ratepayers, and at least fifteen other householders named elsewhere in these accounts between 1720 and 1729 were similarly exempt. Perhaps it would be more correct to say that only certain houses, farms and pieces of land, differing enormously in size and not always being the entire estate of any particular ratepayer, were subjected to this imposition for the benefit of the whole community. There was an enormous range in their rateable values.

Although some fifty different properties are represented in the 1720 list of ratepayers, more than one-sixth of the total rate was raised by only two of them, the Court, with a rateable value of £35, and the Rectory, assessed (for the Poor Rate only) at £20. Of the remaining properties, seven were assessed between £10 and £18.10s, eleven between £5 and £10, and as many as twenty-nine between £1 and £5, with one whose value varied according to the Overseer between £1 and 15s.0d., and the Churchwardens' Accounts for 1724 even included one property assessed at a mere 5s.0d per annum.

When the Poor Rate list for 1720 is compared with its successors during that decade and with the lists in the Churchwardens' Accounts from 1724 to 1729, three different tendencies may be observed which seem to throw some light on this problem of the selection of ratepayers or rateable properties. For one thing, it is most noticeable that sixteen of the fifty properties rated in 1720 were in the hands of only six families. William and Hugh Shepherd each paid rates for two different properties, and so too did Widow Haise, whilst three separate members of the Symons family (Thomas, John and Joan), three of the Masters (Edmund Masters' children, Widow Masters and James), two of the House family (William and John) and two of the Days (Richard and Arthur) paid separate rates.

This would seem to indicate that the number of ratepayers had increased over the years owing to the fragmentation of a family estate, perhaps originally consisting of only one tenement. Certainly this process may be observed in the rating list for 1723 when, after the death of Widow Haise, her larger property, assessed at £18.15s, was divided among Mr. Codrington (assessed for his share at £4), Isaac Kington (£7) and John Starr (£2.15s) - both of them being new ratepayers - and "Samuel Haises heir" (for the remaining £4.10s). In the same year, too, George Snygg's property, assessed at £17, was divided between Mr Codrington and Mr Roach, their respective assessments being £9.10s and £7.10s for the Middle Farm and Ludwell parts of Snygg's estate.

This last case however provides a clear pre-1720 example of the very opposite tendency, namely the combination of two separate, and therefore probably separately rated, properties into an estate with the combined total assessment recorded as a single entry in the rating list. The same process, of course, may originally have preceded some of the other examples of later fragmentation already noted. In fact, the separate rating of different properties owned by a single ratepayer seems to have been the normal practice followed by the Overseers and Churchwardens of the 1720s, for by 1728 Mr. Codrington, who had a single rating of £35 in 1720, was then rated for six separate properties, namely the Farm, late Snygg's, Haise's, Hugh Shepherd's and Trowbridge's, totalling £68.

Finally, the previously mentioned case of “Churchill Poor” probably indicates yet another practice. The piece of land concerned was a relatively poor pasture near the then unenclosed part of Hutton Moor and its previous ownership is unknown; it may even have been part of the common pasture of the moor. In other words, instead of its bearing a portion of the rating of some estate to which it may have formerly belonged, it seems more likely to have been subjected to a new rating being established between 1720 and 1730. Although the total number of entries in the rating lists rose from fifty in 1720 to fifty-four in 1724 and fifty-five in 1729 (when one rating formerly assigned to two joint ratepayers, Thomas Harse and Anthony Matthews, was equally divided between them in two entries), it was not because some previously unrated property had been given a rating, but on account of the process of fragmentation. On the whole, Hutton’s Overseers and Churchwardens seem to have been content to follow fairly closely the rating lists of their predecessors, making only such changes as were absolutely necessary and even those often belatedly. Their conservatism, too, has some bearing on the problem of how their rating lists were constituted.

Although the 1720 rating list is the earliest to survive in Hutton, the very first list must have been compiled well over a hundred years earlier when the system was established in accordance with the Poor Law Act of 1597 or at the latest the Poor Relief Act of 1601, though the Churchwardens may have drawn up a list of Church ratepayers some fifty or more years before that. Since Hutton’s parish officials were so conservative, it seems probable that the original Poor rating list is closely reflected in the 1720 list, and it may well have included the names of members of at least eleven families named, directly or indirectly, in the later list, i.e. Oldmixon, Payne, Clark, Watts, Shepherd, Bennett, Symond, Edgell, Lewis, Day and Porter, as well as, most probably, that of Trowbridge, part of whose original family estate was still called “Late Trowbridges” in a deed of 1730.

Also, if the tendencies noted in the previous paragraphs prevailed throughout the seventeenth century, it would seem likely that the original rating list was much smaller, probably representing not more than forty separately rated properties. It is significant that this number is not very different from the total number (36) of the houses in the parish that were charged with the Hearth Tax in 1664, twelve of their owners or occupiers having surnames found in the 1720 rating list.

Hutton’s very first list of ratepayers, then, may have been a much more easily intelligible one, consisting only of the names of all those who owned or occupied the two-hearthed houses in the parish, with their different assessments reflecting not merely the size of each dwelling but the value of the land belonging to it (not necessarily anywhere near it) that was then regarded as part of the same ‘tenement’. Subsequently, many such tenements were divided and in most cases their ratings were correspondingly shared, but in others small portions, some of them perhaps being plots for new houses, may have escaped the attention of the Overseers and Churchwardens.

Most of the changes made in the lists of Hutton’s ratepayers between 1720 and 1730 have already received attention, but a few more observations concerning them are necessary. Conspicuous among the families which died out or severed their connection with Hutton during that decade were the Snyggs, whose Middle Farm estate (to use its much later name) was acquired by the owner and occupier of

Hutton Court at that time, William Codrington, whilst their Ludwell estate passed to William Roach who had come to own most of the ‘manors’ of Ludwell and Elborough. Two other Hutton families whose names disappeared from the rating lists at this time were the Griffins and the Haises, although the latter family was represented for one of its properties by “Samuel Haises heirs”.

The names of the individuals who constituted “Pains Takers” and “Kidgells heirs” are not revealed, though the latter party (which may well have included the wife of George Selman, Ann, nee Ferris) actually acquired an additional property, that of John Symons, in 1726, only to part with it in 1729 to Mr Roach. Of the other new ratepayers besides Mr Roach during this decade, three, a Mr Bath (from 1721), John Starr (from 1723) and Mrs Lowns (from 1728) apparently made no other contribution to Hutton’s story. On the other hand, William Gill bore a surname cropping up at various times in Hutton’s records from the fourteenth century, Ann Card gave her name (lasting into the 1920s) to a four-acre piece of land near Hutton’s western boundary now occupied by factory buildings, and Mr John Pigott, of the Brockley Combe family, was to make a brief appearance in 1725 as the new owner of the former John Snygg’s property, only to be replaced in 1729 by Mr Biggs, his son-in-law, whose name, whether as a surname or a forename, was also to be linked with Hutton for another hundred years or more.

One more change in the ratepayers’ lists, namely the replacement of the name at the head of the list, ‘Mr Codrington’, by ‘Mr Brent’ in 1730, demands special attention, not merely because William Codrington owned and lived at Hutton Court, and was by far the greatest contributor to Hutton’s Poor and Church rates, but also because in his case alone the precise date of his death and that of the transfer of his estate to Humphrey Brent are known, and so the lapse of time between these dates and the appearance of his successor’s name in the rating list can be calculated.

The Latin inscription on William Codrington’s tombstone, which until 1885 lay on the chancel floor of Hutton church, but now stands inside the tower up against its south wall, gives the date of his death as 27th July 1728, and the dates of the deeds transferring his estate to Humphrey Brent are 26th and 27th March 1730, yet the name of Mr Codrington heads the 1729 rating list, only being replaced by Mr Brent after the Easter vestry meeting of that year, held on 10th April, eighty-eight weeks after William’s death. The continuation of a ratepayer’s name for well over a year after his death was probably quite common, but the promptness of the change of name after the legal transfer of the property (only a fortnight in this case) is most remarkable, perhaps being due to the size and rateable value of the estate as well as the local importance of its owner.

Unfortunately, little is known about William Codrington, but he seems to have taken an active interest in the affairs of the church and the parish for his signature frequently follows the Rector’s to show approval of the Churchwarden’s accounts and, less often, those of the Overseers, though the cynical may be tempted to attribute his concern to the size of his contribution to the rates. It is also evident from his acquisition in 1725 of property formerly belonging to George Snygg and Widow Haise, followed in 1726 and 1727 by that of Widow Trowbridge and Hugh Shepherd, that he was interested in extending his lion’s share of the parish and so, although not lord of the Manor of Hutton, becoming the village’s first squire. Certainly he was the first occupier of Hutton Court to deserve that unofficial title

though the term was not in general use until later in the eighteenth century. The inscription on his tombstone, rather uncommon at this period in using Latin and with some peculiarities of expression, reveals that he was an Oxford Master of Arts and the youngest son of Robert Codrington of Codrington in Gloucestershire.

As for references to named fields and other features of the parish, only four, and not one of them new, are to be found in the accounts of the Overseers and Churchwardens during this decade, namely Ludwell (1725), Brywell (for Bridewell - 1729), Benthill (1729) and Moor Lane (1723 and 1728) when the gate across it had to be repaired.

A few more such names occur in the deeds of this period, most of them having been encountered earlier, such as Haywood, Hutton Hill, Hutton Moor, West Field, East Mead, Shortcroft and, though only for the second time, Clay Pitts and Stockers Ground. There are only three new ones, Low Hayes (1717) and Huish (1724), both so far unidentified, and most surprisingly, Hutton's East Field (1717). Many more, several of them new in Hutton's records, appear in the 1730 deeds, transferring William Codrington's estate to Humphrey Brent but, although they were probably in use during this first part of the eighteenth century, they will more properly receive attention in the next section of Hutton's story.

## Sixteen: The Eighteenth Century: the second stage

The next three decades (1730-1759) of the eighteenth century do not form a clearly identifiable section of English history. They saw no change on the throne, for the reign of George II, which had begun in 1727, ended with his death in 1760, just beyond this period, but their span included the end of Walpole's twenty-one years as Prime Minister and virtual ruler in 1742, the second and final vain Jacobite uprising in 1745-46 to reinstate the Stuarts, and less than half of the Seven Years' War (1756-1763) that was to extend Britain's role as a mercantile and colonial power in India and North America. However, there appears to be no record to show that Hutton, or any one of its inhabitants, was in any way involved in these or any other major national events of this period and, indeed, it would seem from parish records that Hutton was mainly unaware of, or at least indifferent to, them.

Only the purchase, for three shillings, of "a Form of Prayer of Thanksgiving", recorded in the churchwardens' accounts for the year 1745/6, may be a pale reflection of the widespread relief at the defeat of the Young Pretender, whose advance from Scotland to Derby had temporarily caused near panic in London. Nor was it until almost the end of this period, in November 1759, that Hutton's church bells were rung for a special national occasion recorded as "ye Regoysing", most probably for the destruction of the French fleet in Quiberon Bay where it was thus foiled. In the same year, too, 1s.6d was spent on a "Prayer in Church concerning ye War".

It was often the church that supplied the parish with news. In 1751 the necessary alterations to the prayers for the royal family would have made some parishioners aware of the death of Frederick, Prince of Wales, but there would seem to have been little awareness in Hutton of the United Kingdom's belated adoption of the Gregorian calendar in 1752, causing September 3rd of that year to be reckoned as September 14th, a change which led to near riots in some parts of the country among people who thought they had been robbed of eleven days.

In fact, Hutton's Poor Book accounts for that year record disbursements made by "Farmer" Calcutt, the Overseer, on both the 9th and 12th of September (legally non-existent dates), and it was only after his accounts had been presented for approval, presumably at the vestry held on April 23rd 1793, that Hutton's most law-learned parishioner, Humphrey Brent, wrote a note dated April 29th, in the Poor Book to the effect that the late Overseer's accounts had been "computed wrongfully by the Old Style" and that, consequently, a certain regular payment was due to George Day on that date from which future payments were to be reckoned. Probably of more concern to most of Hutton's ratepayers, or their farming tenants, were certain "Proclamations concerning the horned cattle" for which John Hunt, the churchwarden, paid 4s.6d from the Church Rate in 1746; presumably these provided regulations and advice for farmers to cope with outbreaks of a cattle plague that had spread from Europe in 1745 and which was described in Kewstoke's parish records for 1747 as "distemper".

As for this next stage of Hutton's story during the eighteenth century, the continuity between this and the first stage is probably even more noticeable than it is in English history. Only one change of Rector occurred during this period; Henry Danvers, who had been Rector since 1710, died in 1745 but John Paine, who had succeeded him in 1744, was to survive until 1787. Throughout these thirty years, the Poor Book and the Churchwardens' Accounts continued to record their lists of ratepayers, their disbursements on so many similar items and the occasional special meetings of the 'vestry' to deal with urgent problems, especially those involving claims of settlement within the parish by persons in need of financial aid.

Every year the churchwardens spent 2s.6d on having the parson's surplice washed and the same amount on his annual dinner; the parish clerk's salary remained at £1.6s.8d and the sexton's at 6s.0d. Every year, too, there were purchases of wine for the Holy Communion and of oil for the church bells, and, of course, there were very few years when no money was spent on church repairs. Although the fifty-five items in the Poor Book's rating list for 1729 had grown to sixty by 1759, nearly half of the latter can be recognised as having ratepayers with at least the same surnames as their predecessors, and three individual ratepayers, John Starr, Michael Partridge and John Day, continued to pay their rates throughout these three decades.

However, a few distinctive features mark this period. A virtually new source provides still more information about individual persons and families in Hutton, namely the earliest surviving Hutton Parish Register in which regular annual entries of baptisms, marriages and burials begin in 1743. Also, detailed information concerning pieces of land in the parish, their location, their names and those of their owners and occupiers, is provided by three main sources, namely a deed of conveyance of 1730, an estate map of 1756, and another estate map, of 1759, with its explanatory schedule.

Finally, despite the various changes which occur in Hutton's rating lists during these thirty years, for almost the whole of this time, from 1730 to 1758, the name of one man, Humphrey Brent, heads the lists as Hutton's chief ratepayer, the owner of Hutton Court and of much of the parish, especially its middle part, the village and its immediate surroundings. Brent, a lawyer of London's Middle Temple, may have been a complete stranger to Hutton before 1730, though his grandfather had lived in Bristol, but certainly from 1737 onwards (when he first signed Hutton's parish accounts), he took an active interest in the affairs of this parish, where he had found a home for his retirement. His burial in Hutton churchyard did not occur until the end of February 1759, more than two months after his death, so that his connection with Hutton may be said to have lasted almost throughout the thirty years now being reviewed, and his name was to keep on recurring in Hutton's records, for deeds bearing it and the names of successive members of the Brent family were to be cited in Hutton documents, not merely during the rest of the eighteenth century, but even in the twentieth century. There is some justification, therefore, for regarding this section of Hutton's story as its Humphrey Brent period.

The first part of this section will be concerned mainly with Hutton's lands and tenements from 1730 to 1759, and its starting point will be the Poor Book's

rating list for 1730, beginning with the six items against the name of Humphrey Brent, namely “the farm” and five tenements called “Late Snyggs”, “Late Haises”, “Late Trowbridges” and (two of them) “Late Sheppards”. All these tenements had been so named and in the same order in the previous year’s rating list, as then belonging to William Codrington, but this is the first time that “the farm”, evidently Court Farm, was specified as the particular property for which the owner of Hutton Court was rated.

The rating list supplies only their names and the sum due on each of them but, fortunately, for Humphrey Brent’s property a much more detailed account is given in the deed of conveyance of 1730. This was when Humphrey Brent purchased from Robert Codrington and others Hutton Court and the various lands in the parish formerly held by William Codrington, for £5700. It is with the details provided in that deed of conveyance that the bare items of the rating list can be seen to represent actual houses and pieces of land, some of them still identifiable or at least to be roughly located.

The extent of Court Farm as described in the deed of 1730 will probably be surprising to present inhabitants of Hutton, even though it included most of the land now belonging to that farm. In the deed however, there is no actual mention of a farm as such but the farmhouse and its outbuildings must have included most of the items of property listed in the first clause of the deed’s schedule, except “the capital messuage or manor house of Hutton”, that is Hutton Court, though even then some part of that complex residence may have been used as the farmer’s domestic quarters. Certainly the farm buildings and their premises must have consisted of most of the “barns, stables, outhouses, outlets, bartons, courts, yards and backsides”, which, according to the deed, belonged to the Court, though probably not its “gardens and orchards”, the whole area being estimated as six acres.

Its property also included “several closes of arable land, meadow and pasture ground”, containing about 148 acres, all of which were said to have been “then or late in the tenure or occupation of Richard Hill”, who happened also to have been Hutton’s Churchwarden in 1730 but not a ratepayer. The “several closes”, twelve in all, which were the Court Farm lands in 1730, are specified in the same deed and can be fairly well identified on the 1837 Tithe map, a few of them even today being used by the occupier of Court Farm. However, their estimated acreage in the 1730 deed is sometimes so different from that given in the schedule of the professionally surveyed Tithe map that apparently considerable alterations must have been made to some field boundaries during the intervening hundred years or so.

The very first of these closes to be named in the deed, Horse Close, is an example of this and is one of the most difficult to identify in its entirety with absolute certainty. The deed gives its location as “South and East of the Messuage” (Hutton Court), and so one can be certain that it included the field, bearing the same name in 1837, which still exists as a separate field just south of the Court but on the east side of its south garden below the woods. In 1730 however, its estimated size was about 20 acres, whilst the Horse Close of 1837 measured only just under 8 acres as that field does today.

Even if in 1730 it then stretched further eastwards, as the deed suggests, to include the two adjoining fields called Paddocks (*c.* 7 acres) and Lady Well Orchard ( $\frac{1}{2}$  acre) in the Tithe map schedule, it would still have been more than four acres smaller than was estimated, but there is a more valid reason for doubting this eastward extension for it is very probable that the Tithe map's Paddocks was not Court Farm land in 1730 but a close, then called Parrocks, "lying under the wood" and belonging to Sniggs Tenement. On the other hand, if the compiler of the 1730 deed had mistakenly written "East" of the Court instead of "West", Horse Close may then have stretched westwards to include the most southerly part of the Court garden (*c.*  $\frac{1}{2}$  acre), the field adjoining it on the west (*c.*  $2\frac{1}{2}$  acres) and the one beyond that (over 7 acres) which lies between Church Lane and the woods, and adjoining Upper Church Lane, making a total of at least 18 acres.

Certainly the 1837 names for these two fields, Little Horse Close and Great Horse Close, suggest that they had earlier been part of a single Horse Close and though they had belonged to Hutton Court since at least 1309, they are not otherwise accounted for in the 1730 deed. One more difficulty remains. There is a wide dry ditch on the east side of the Court garden, effectively separating it from the Tithe map's Horse Close. It must have been, not an ancient hollow-way as was suggested earlier, but a 'ha-ha', deliberately constructed later than 1730 to keep horses or any other animals out of the Court garden.

The other Court Farm lands on the south side of the road to Banwell, climbing Hutton Hill towards Banwell, present fewer problems of identification. Rushey Close (8 acres) and Long Close, then arable land (12 acres), can be easily recognised on the Tithe map as the single field bearing those two names (then just over 15 acres) and today they are separated by the footpath from Court Farm to Canada Combe. Rushey Close is south of the footpath and east of Lady Well and the former mediaeval fishponds; Long Close is to the north, stretching along the road up Hutton Hill. Batchy Close (*c.* 12 acres), described as adjoining and North of Rushey Close", must surely have been the Tithe map's Ten Acres on the east, not north, side of Rushey Close, stretching between it and Canada Combe, whilst an unnamed close (*c.* 6 acres) "adjoining Long Close" was probably the Tithe map's Six Acres (actually *c.* 11 acres), the field north of Batchy Close and bounded on the other sides by Long Close, the road up Hutton Hill and Canada Combe Road, though the boundary between these two fields may have run differently in 1730.

On the north side of "the highway", the road up Hutton Hill, the Court Farm's closes of 1730 can be easily recognised on the Tithe map, but most of them have been completely obscured by modern development. Brimblefurlong (17 acres) and Lower Brimblefurlong (12 acres), which together had formed one close of about 30 acres in 1604, are clearly the Tithe map's Upper Furlong (13 acres) with perhaps some of the Ten-acre field on its west side, and Lower Furlong (12 acres) below it on its north side. The first of these two closes is now completely covered with the houses and gardens between Vereland Road and Hillside West, and along the north side of the road up Hutton Hill; the lower close is still recognisable as Springwood Recreation Ground and Allotments, crossed by the footpath to Lodewell Farm.

The field stretching north beyond the Recreation Ground, with the broad Hutton and Locking Rhyne along its east side, was the Eighteen Acres in 1730, divided on the Tithes map into Upper and Lower Nine Acres. Finally, the 30-acre Lovelands of 1730 (the Lovenhulle of the thirteenth century) was divided into three fields by 1837, and these can still be seen on the south side of Cross Rhyne with the Hutton and Locking Rhyne on their east side, and separated from Moor Lane on their west side by only one other field.

The remaining lands belonging to Court Farm in 1730 were mere strips which can be only roughly located. Westmead (4 acres), “near to the said Moor”, must have been one of the more easterly enclosed meadows lying north of the ridge that runs westwards from Grange Farm to the Woodside estate; “two and a half acres in Eastfield” would have been somewhere between what is now the lane leading northwards and downhill from Eastfield Road and the upper stretch of Vereland Road, now completely developed; the “six acres of arable in Westfield”, not necessarily together, would lie somewhere between Haywood and the footpath from Church Lane to Oldmixon, whilst the “one yard of pasture in a Ground called Clay Pitts” must have been a very small part of the land between Haywood and Oldmixon Road, and now partly occupied by an underground reservoir.

These then were Hutton Court’s lands which, in 1730, were farmed by Richard Hill, and were apparently the basis on which their owner, Humphrey Brent, was rated. The five tenements for which he also paid rates are similarly described in some detail in the 1730 deed of conveyance, though not in the order in which they appear in the rating list. Sniggs Tenement or “Late Sniggs”, the first on that list, consisted of a messuage or house with “barn, stable, orchard, backside and a plot of ground below it”, amounting to about four acres, together with various other plots of land totalling thirty-five acres.

This house must have been the one owned by George Snigge in 1665 when it was charged with Hearth Tax for four hearths. It can therefore be almost certainly identified as the double-gabled building, once the farmhouse of Middle Farm but now comprising Orchard House and East Wing, just east of Moor Lane on the Main Road. It is quite possible that it had acquired its present Georgian facade by 1730 or at the latest before the end of the eighteenth century.

Four of the pieces of land then belonging to Sniggs Tenement can at least be roughly located: “five acres in Westmead” (north of the North Hills ridge), a “close of arable in East Field” (part of the now developed area between the eastern arm of Eastfield Road and Moorcroft Road), “six and a half acres in West Field” (below Haywood) and “two acres of coppice wood in Haywood”.

The identification of the other parts of Sniggs Tenement presents problems. It would be natural to assume that “Nine Acres” “by or near the Moor” was the Nurton’s Nine Acres of the Tithes map, but this close lay near the west end of Longcroft Drive and is now occupied by some of the Westlands factory buildings east of Winterstoke Road, and so was hardly “near the Moor”. However, there is no mention in the 1730 deed of the field called Sniggs Twelve Acres in 1837, lying on

the east side of Nurton's Nine Acres and therefore a little nearer the Moor, so perhaps in 1730 this field was only three quarters of its later size and was Sniggs Nine Acres. As for the close called Paddocks in 1730, it must surely have been the field on the east side of the Tithe map's Horse Close, for not only was that called Parrocks (a variant of Paddocks) but it lies "under the Wood", that is Hutton Wood above the Court, for the wood to the west of the village is always called Haywood on the 1730 deed. Yet, if Court Farm's Horse Close then stretched eastwards as stated in that deed, it must have included Parrocks, leaving Paddocks unidentified. One can only suspect a mistake of direction in the 1730 description of Horse Close.

As for Haises Tenement, on which Humphrey Brent paid the rates, it is impossible to identify any part of it with absolute certainty. According to the 1730 deed, it had been held by Widow Haise until 1722, but from then on it was occupied by Isaac Kington, who served at intervals over a long period as Churchwarden and Overseer. Its messuage or farmhouse with "Barn, Stable, Garden and Orchard", covering only one acre, may have been anywhere along Hutton's Main Road, possibly what is now "The Grange", the farmhouse at the east end of the actual village, but it then had only eight small pieces of land amounting to a mere fifteen acres. One of these being a two-acre plot called Lane End, may have been about half of the Tithe map's plot of that name, the field on which the Scout Hall now stands behind Bridge Road.

Although the Longcroft area, now concealed in the western part of the airfield, can easily be seen on the Tithe map, the former Haise's plots called Long Longcroft (3 acres) and Little Longcroft (1 acre) defy identification and were probably mere strips; so too do the two acres called Little Buckney (probably towards the east end of Westmead), the three acres of arable in West Field (below Haywood), two acres of coppice wood "in Haywood", the "two little parrocks at Oldmixon Lands End" (i.e. Lane's End) also amounting to two acres, and finally, Acre Mead, perhaps a single strip of that size in the East Mead lying to the north of what is now Moorcroft Road. The small size of this tenement is perhaps due to the process of disintegration described in the previous section of Hutton's story.

On the other hand, Humphrey Brent's tenement called in the Poor Book "Late Trowbridges" (formerly occupied by Widow Trowbridge but in 1730 by William Haise) would seem to be an example of the opposite process, aggregation. Its widely scattered lands, amounting to fifty acres, probably belonged earlier to several different farms. Its farmhouse with the usual barn, stable, orchard and garden covering about four acres, sounds much like that of Sniggs Tenement but which of the houses now standing along Hutton's Main Road is its descendant it is impossible to determine.

Some of its lands can easily be recognised, at least on the Tithe map. Marycroft (14 acres), shown as two seven-acre plots on that map, was the western half of the mediaeval Marencroft as divided in 1430, and lay on the east side of the track across Hutton Moor (the continuation of Moor Lane), but is now an indistinguishable part of the airfield. Pipers Leaze (7 acres) must have been the eastern one of two closes with that name in 1837 on Hutton's northern boundary, and is now part of Weston-super-Mare's trading estate north of Herluin Way.

Further south, but now on Weston's side of the railway line, lay the 1730 Whorethorn (6 acres), most likely the Tithe map's Six Acres on the south side of Hawthorn Drove. Lastly, Stonebridge (3 acres) can still be seen, though it is no longer recognisable as a separate field for it is the part of the airfield immediately across the stone bridge at the end of Moor Lane on its eastern side.

The remaining parts of Late Trowbridges are the usual small pieces of meadow, arable land and woodland, scattered about the parish in the way that is typical of Hutton's old tenements: four acres in East Mead, one acre in Great Mead and half an acre in Little Mead (all parts of the former common East Mead, now pasture land north of Moorcroft Road); two acres of arable in the East Field and six in the West Field, and two acres of coppice in Haywood.

The last of the property for which Humphrey Brent was rated in 1730 consisted of two separately listed items both called Late Sheppards, (Late Hugh Sheppards in 1731), and their respective rateable values were £6.8s.8d and £2.16s.8d. The first of these two tenements is stated in the deed to have been commonly called Sheppard's Tenement or Farm, and its lands were separately occupied by George Day and George Morse. Day held the usual house with orchard and garden covering about an acre, which cannot be identified, together with several scattered pieces of land. These were two 3-acre closes called Westmead, one acre in "the Common Mead" (probably East Mead), one 2-acre close called North Hills (evidently a strip on the hillside now almost hidden by the bungalows along the north side of Oldmixon Road) and a single acre close called Cuckoo's Nest that has so far defied even approximate location.

Morse's part of this same tenement consisted of only three pieces of land which can at least be roughly located. Firstly a 3-acre close in Frogmore must have been part of the then very marshy area in the north-eastern corner of the parish, on the east side of what is now Weston's Hutton Moor Road and north of the second railway bridge from the Milton end. Another close (2 acres) called Rusham lay on the east side of the track continuing Hutton's Moor Lane and is now somewhere near the middle of the airfield, unlike the third piece of George Morse's land, Down Acres (10 acres), a field lying between Canada Combe and Hutton Wood which can still be seen below the footpath that leads from the combe towards Bleadon Hill.

The second Sheppard's tenement, as described in the 1730 deed, sounds hardly worthy of that name, for it consisted merely of "one little Messuage with Garden and Orchard in possession of Samuel Day, labourer", and about five acres of ground adjoining it "in the occupation of Joseph Dymock". Again, this property cannot be identified; the building was probably only a cottage as Samuel Day, who was parish clerk from at least 1740 until his death in 1746, would have little income from his casual labour to supplement his annual salary of £1.6s.8d.

As for Joseph Dymock, or Demack as he was regularly named in the rating lists, he was described as a 'yeoman' in another deed and had land elsewhere in Hutton, for some of which he paid rates from 1733 on. Incidentally, it seems appropriate at this point to remark on the fact that every 'messuage' mentioned in

the 1730 deed of conveyance, whether as large as Hutton Court or as small as Samuel Day's cottage, had its own orchard. How delightful the village must have looked when the fruit trees, mostly apples, were covered with blossom!

Hugh Sheppard's estate also included lands and rights of common in Elborough, Locking and Banwell, though these were not conveyed to Humphrey Brent in 1730. In the first part of the deed, Hugh Sheppard, described as "of Norton, Gentleman, eldest son and heir of Samuel Sheppard", together with his wife, was named as one of the parties involved in the conveyance along with Robert and John Codrington, the deceased William's brothers. So too was George Snigge of Rickford, a surgeon, "eldest son and heir of George Snigge of Hutton, Gentleman, deceased", together with his wife, and to both Hugh Sheppard and George Snigge Humphrey Brent had paid the paltry sum of five shillings each, in stark contrast with the £5700 which he had paid to Robert Codrington. It would seem that these two small sums were token payments made to confirm that the Sheppard's and the Snigge's tenements in Hutton, earlier sold to William Codrington, were lawfully conveyed to Humphrey Brent as part of William's estate.

That 1730 deed of conveyance also included several other lands and dwellings for which Humphrey Brent paid no rates, though two of them may have been included in the assessments of their tenants, John House and Widow James, whose names had appeared in Hutton's rating lists since 1720. The Brent property occupied by John House consisted solely of two closes of meadow, one of which, called Eleven Acres, was said to be situated at "the north end of Longcroft Drove". This location is puzzling for it does not correspond to either of two different plots in the Longcroft area called 'Eleven Acres' in 1838.

One of these lay well to the north of the east end of Longcroft Drove, and adjoined the south side of Hawthorn Drove and the west side of Broad Drove (a continuation of Moor Lane). The other lay on the south side of Longcroft Drove about half-way between Broad Drove and Oldmixon Drove. Perhaps the name 'Longcroft Drove' was used incorrectly in this document for the northern continuation of 'Broad Drove', since many plots in this area were often called 'Longcroft'; if so, it would now be indistinguishable on the west side of the airfield. An alternative plot, also called Eleven Acres on the Tithe map schedule, seems less likely to have been the one named in this deed, for it lay on the south side of the correctly named Longcroft Drove and in the middle of that area.

The other close rented by John House, called Nine Acres, lay on the west end of Longcroft Drove, bounded on the west by the land of Mary Symons", and must therefore have been the Tithe map's "Oldmixon Nine Acres", the second field to the east of what is now Winterstoke Road and north-east of the railway bridge, with its north-west corner cut by the curving railway line. Widow James's property, owned by Humphrey Brent, was even smaller, being only a cottage with garden and orchard and one 5-acre close of meadow adjoining it, for which she paid an annual chief rent of 4s. It has not been possible to locate this cottage, but it may well have been somewhere along Hutton's Main Road, for by 1730 the word 'meadow' seems to have been no longer applied only to lush well-watered land. Most probably John

House and perhaps even Widow James held other properties in Hutton to account for their respective rating assessments of £10.10s. and £4.5s.

Humphrey Brent's third property listed in the 1730 deed, but not in the rating list, was occupied by George Jones, who was not a ratepayer but was constantly in need of assistance from the Overseers. It consisted of another unidentifiable cottage with orchard adjoining (about one acre) and a few other pieces of land which can be roughly located east and west of the village. George's single acre in East Mead and his half-acre in Little Mead were evidently both parts of Hutton's East Mead, whilst his "four acres more bounded on the south by Hutton Rien (Rhyne) and in the west by Ann Card's land" must have been part of the Tithe map's Rushy Leaze and is now occupied by industrial buildings on the north side of Cross Rhyne, the older and narrower continuation of the wider, more recently constructed rhyne and the railway bridge. Finally, one considerable piece of land for which Humphrey Brent was not specifically rated, since it belonged to "the capital messuage", Hutton Court, but not to the farm, was almost the whole of Hutton Wood, then estimated to contain 54 acres. This was still conspicuous as an attractive feature of the hillside above the Court.

One other item in the 1730 conveyance to Humphrey Brent needs to be examined, even though it had no bearing on his rating assessment. It was not, in fact, a physical property such as a house or piece of land, yet in that deed it was given pride of place as the very first item to be listed: "the Manor or reputed Manor of Hutton". The word 'reputed' was probably used as a legal safeguard, for it is doubtful if the Codrington family, the vendors, had any rights of ownership of the 'manor', that is, all the rights and privileges of its lordship. Certainly, when Nicholas Payne sold the Court and its lands to Bishop Still in 1604, there was no mention of manorial rights in that deed of conveyance. Nicholas Payne, then living at Elborough, continued to hold manorial courts until his death in 1639, and there is no record of any such courts being held by the Stills or their descendants, the Codringtons. None of them ever exercised the right of advowson (to choose a Rector of Hutton) that had formerly belonged solely to the lords of the manor. However, the complex question of the lordship of Hutton must be considered; it cannot be dismissed by saying that its nominal conveyance to Humphrey Brent in 1730 was invalid.

The manorial courts of Nicholas Payne in the early-seventeenth century apparently dealt only with the Ludwell and Elborough areas of the manor, and certainly made no mention of Hutton Court's lands and dependent tenements. Later, in the course of a Chancery suit in 1672, it was claimed that "the late John Codrington was seized of (i.e. lawfully possessed) the manor of Hutton" in the right of his first wife, Anne, the daughter of Nathaniel Still. It is not surprising then that by the early part of the eighteenth century the term "Manor of Hutton" had come to be generally regarded, in practice at least, as applicable only to the middle part of the parish without any concept of lordship beyond the relationship between owner and tenant.

Consequently, in 1728 when William Roach, who had acquired the property of the Baynams and Kidgells, the Payne heirs, left that property in trust, it was

described as “the whole Manor of Elborough (not Hutton) and one moiety (half) of the Advowson” of Hutton Church. This information about William Roach is given in the manuscript *History of Hutton* written about 1788 by Richard Locke, who then tells the sad story of futile and prolonged litigation concerning the lordship of the manor that occurred during much of Locke’s lifetime. He says that Roach’s trustees were rather doubtful about the value of his title to the property, and so for a time made no attempt to sell it. However, the unsatisfied creditors began an action in Chancery against them in 1733 and so too did George Selman of Elborough and his wife, the former Ann Ferris, who claimed that they had been imposed upon in making their conveyance of their share to Roach.

Sadly for the Selmans, a claim to the other moiety of the manor, made by that cunning lawyer Thomas Lyte which showed that his recently deceased wife (formerly wife of Thomas Baynham) had exercised the manorial right of granting leases some forty years earlier, invalidated the Selmans’ bill of complaint which was dismissed with costs. Since George Selman, by this time a widower, failed to pay these costs, he was sent to the County prison where, says Locke without giving the date, the poor man died.

From entries in Hutton’s Poor Book it would seem that George Selman’s departure from Hutton occurred about September 1741 for, although his name continues to appear in the rating lists until 1743, there are clear indications that his last year of office (1741-2) as Overseer had been suddenly cut short. It was on April 11th 1741 that he had been chosen to serve as the next overseer, and on June 21st he received “the Book” and the balance of cash from his predecessor. A week later he made his first entry on a fresh page, but his second entry on that page, dated August 20th, was probably his last for the rest of the page is blank.

However, on the next page but one, below only one date, June 29th 1741, a few more disbursements are recorded and totalled together with the previous balance, showing that £1.3s.8<sup>3</sup>/<sub>4</sub>d was due to “Mr Salmon” (the usual Poor Book spelling of his name), and these entries are followed, still without any fresh date, by the approval of “Mr Salmons Disbursements”, signed by Henry Danvers (Rector), John Fisher (Churchwarden) and John Day. On the intermediate page, there is further confirmation of George Selman’s sudden departure, though again updated, for it is headed: “an a Count of what Has bin Disburst Sins Mr Salmon Bin Gone”, and, after several disbursements by his unnamed temporary successor is the undated entry: “Paid Mr Salmon £1.3s.8<sup>3</sup>/<sub>4</sub>d ”, the amount that was owed to him.

By that time George Selman must have been in the county gaol, probably at Ilminster, but these accounts do not reveal how the payment was made to him. Naturally, too, they are unable to reflect the reactions of his fellow parish-officers, but his sudden arrest must have shocked and saddened them and many other Hutton parishioners.

Before George Selman’s imprisonment, however, a further complication of the lordship dispute had arisen. According to Locke, in 1739 Roach’s trustees began a legal action against William Glisson and James Partridge, the husbands of Silvestra

and Jane Hebden of Christon, who, as the descendants of Thomas Baynham, also claimed a moiety of the manor, and subsequently (Roach gives no date) they were advised, together with their sister Mary, widow of Hugh Sheppard and by then wife of George Sheppard, to begin a suit against Thomas Lyte who had earlier obtained a decree against their father, Richard Hebden. Lyte so contrived to prolong this litigation (like that of Jarndyce v. Jarndyce in Dickens's 'Bleak House') that, says Locke, without giving names or dates, "one of the parties died and the rest were ruined".

Meanwhile, Roach's creditors succeeded in obtaining a decree against the trustees, forcing them to sell his estate, which they did in 1748 to an "attorney-at-law", Joseph Matthews of Lincoln's Inn, who had some indirect kinship with Roach's daughter and heiress Rachel, and who, shortly after the sale, married her, perhaps to clinch the deal. It is clear from the details in the deed of this sale that "the whole Manor of Elborough" embraced what had been described in earlier documents as 'the Manor of Ludwell', and so in practice, if not strictly in law, there had now been created a situation resembling that which had existed before the Norman Conquest, that is the existence of two separate Manors of Elborough and Hutton, each with its separate landlord, though these Manors were now merely estates, not feudal units.

As for the former manorial right of advowson, it continued to be exercised alternately by the heirs of the Paynes and the Cokers (subsequently Ludlows), and so in 1744, when it was the turn of the latter to find a successor to Henry Danvers, John Windham of The Close, Salisbury, a descendant of the Ludlows, was recognised without dispute as "the true Patron" and presented John Paine as the new Rector of Hutton.

It is appropriate that this digression from the Poor Book's rating list of 1730 should end with a reference to Henry Danvers, for his name follows immediately that of Humphrey Brent at the head of that list. The particular property for which the Rector paid a Poor rate, but not a Church rate, is not stated in this list but in 1743, between the death of Henry Danvers and the institution of John Paine, his name in the list is replaced by the words: "for ye Parsonage".

It would seem, therefore, that the Rector's assessment was based solely on the Rectory (approximately on the site of the present Old Rectory) and its surrounding land lying between the churchyard and the main road, most of it now occupied by houses and gardens and the village primary school and its grounds. Yet this property alone is too small to justify the Rector's relatively high rating of £20, over half of that for Court Farm and nearly twice that for Ludwell, so most probably the other odd pieces of glebe land scattered about the parish were taken into consideration. These are not known to have changed since the Glebe Terrier of 1635.

After Humphrey Brent and Henry Danvers, forty-three more Hutton ratepayers were named in the 1730 list, the same ones as in 1729 except for the single change from 'Mrs' to 'Mr' Cox, and these were rated for forty-six items of

property, the additional items being due to the fact that Mr Roach, Mr Kington and Mrs Sheppard had two separate ratings apiece. Although, as reported above, William Roach had died in 1728, his name still appeared in the lists for 1729 and 1730, both “for Ludwell” (the present Lodewell Farm and much of its adjoining land) and “for Mr Symons” which, since it was later described as “Mr Laneys and Mr Symons”, presumably consisted of more than one piece of land in Elborough, leased to them by Roach.

As for Mr Kington (Isaac), the lands he rented in what had been Haises Tenement have already been detailed above as the ‘Late Haises’ for which Humphrey Brent was rated, but it is not possible to identify or even locate the rest of his property in 1730, and so no distinction can be made between that called ‘Late Watts’ in the rating list and the other which bore only his name, though they must have differed considerably in size or value, for the latter was assessed at £7 and the former at only £2. The difference between Mrs Sheppard’s two rated properties was even greater. The one which bore only her name and was assessed at £12.10s. probably consisted mostly of lands in Elborough, though they cannot be placed more precisely, but the other, called Benthills and assessed at only £2, must have been in the arable portion of that south-east area of Elborough just north of its woodland.

Nine of the properties in the 1730 rating list apparently had either multiple or corporate ownership, with neither the names nor even the number of their constituent individuals being disclosed. These were: “Edmund Masters Children, Paines Takers, Samuel Haises Heirs, Bagnals Takers, Clark Heirs, Kidgells Heirs, Churchill Poor, Mr Nurtons Heirs and Mr Days Heirs”. Apart from the ‘Churchill Poor’, already dealt with, none of these properties can be positively identified, though a field still called Nurtons Nine Acres in 1837, now lying to the north-east of the railway bridge on Winterstoke Road and bisected by the railway, was probably part of the property for which ‘Mr Nurtons Heirs’ were rated at £5. As for collecting these rates from their multiple or corporate owners, it may well have been done through the individual occupiers, whether part-owners or tenants, of their Hutton lands.

Thirty more ratepayers, all individuals, are named in the 1730 list and only four of them have had at least some portion of their property identified earlier. “Mr Day of Weston” (John Day), a Hutton ratepayer since at least 1720, was rated only for “Brywell”, a field adjoining Bridewell Lane, assessed at £1.10s., and as for Ann Card, a ratepayer from 1724, her Four Acres (now mainly occupied by factory buildings east of Winterstoke Road) must have been the sole basis for her low assessment of £1. Mr Wheeler, however, a ratepayer from 1720, must have had other property in Hutton besides Wheeler’s Ground”, (now the west part of Hutton Primary School’s playing field), for his assessment was £4.

Fourthly, Mr Oldmixon (John Oldmixon, the historian, then living in Bridgwater) had a substantial assessment of £16, which must have been based not merely on the lands adjoining his previously mentioned ‘capital messuage’ (the older part of the building now called Oldmixon Manor), but on many of those lying on the north side of the main road, and on the east side of Oldmixon Drive (now part

of Winterstoke Road). Although these lands cannot all be identified for certain as they were in 1730, they probably differed little, if at all, from those shown on an estate map of 1756, to be examined later.

At least two other Hutton ratepayers of 1730, Widow James and John House, were tenants of Humphrey Brent; the lands they rented from him have already been detailed. Since these were not included in the tenements for which Humphrey Brent paid the rates, they may have been the main basis for their holders' ratings of £2.4s.4d and £10.10s. respectively, though John House is also known to have occupied the house (now divided into Box Cottage and Fern Cottage) at the east end of the parish, on Oldmixon Road, since 1689. It is possible too that the name of Thomas Haise, reported earlier as that of the occupier of Humphrey Brent's rated property called Trowbridge's Tenement, is a misreading of Thomas Harse, the name of a Hutton ratepayer from 1720, for there is no other record of a Thomas Haise. If so, then Thomas Harse must have held some other land as well in Hutton for which he was rated at £2.7s.6d.

Land belonging to two other ratepayers of 1730 is at least roughly located by boundaries cited in the Brent deed of conveyance of that year. James Smithfield, another ratepayer from 1720 but about whom no more is known, had land on the east side of the previously mentioned Eleven Acres (rented by John House from Humphrey Brent) "at the north end of Longcroft Drove" (now perhaps part of Broad Drove in the north-west part of the airfield), but it must have been only a small part of his holding in Hutton for he was rated at £7.10s. On the other hand, John Harvie or Harvey, the sexton, rated since 1720 at only £1, probably held little more than the strip of meadow on the east side of the half-acre in Little Mead tenanted by George Jones.

Incidentally, other boundaries mentioned in the same 1730 deed of conveyance reveal four Hutton landholders whose names do not appear in the rating list for that year. John Snigge, brother of George the surgeon and a ratepayer until 1724 when, presumably, he died, is said to have held land on the west side of House's Nine Acres. Mary Symons, whose relationship with the others of that family is unknown, had land nearby on the west side of House's Nine Acres; James Hardwicke, described as "Gentleman" in the deed, held a strip of meadow on the east side of George Jones's half-acre in Little Mead, and Robert Haines, who had been Overseer in 1724, had land on the east side of George Jones's Four Acres, that is, in the Seven Acres, now part of the airfield.

One other document of 1730 provides a little more information about some of the Hutton ratepayers. This document, dated November 12th, eight months after Humphrey Brent acquired his Hutton estate, records an exchange of small strips of arable land, amounting in all to not more than three acres, between him and William House, senior. The latter, a yeoman of Worle, must have held a little more land (unidentified) in Hutton, for he had been a ratepayer at least since 1720 and was probably the son of the William who in 1671 had inherited part of the Hutton property of his father, John House, yeoman, of Hutton. The pieces of land mentioned in the deed were approximately half-acre strips in both the East Field and the West Field, but an undated note on the back of the deed seems to indicate a

subsequent revision confining the actual exchange to the West Field. However, in all instances the owners or occupiers of the adjoining strips are named and so the whole document with its endorsement reveals at least some small part of the holdings of other ratepayers.

In the East Field the strip originally intended to be conveyed by Brent to House ran from what is now Eastfield Road to the East Mead, the area now on the north side of Moorcroft Road, and was bounded on the west by Brent's enclosed meadow land and on the east by the land of two men who had been Hutton ratepayers since at least 1720. One of these was Whitchurch Phippen, whose substantial rate assessment of £18.10s. suggests that he held much more land in other parts of the parish, though none of it has been traced.

The other man was Thomas Symons who, despite his relatively small rating of £3, was probably the son of the Kidgell tenant of this name holding seventy-five acres of land in 1671; perhaps Kidgells Heirs paid the rate for this property in 1730. In the West Field one strip, tenanted by Anthony Matthews, a carpenter and a ratepayer from 1720 assessed at £2.7s.6d, lay between three strips owned by Brent; the "one acre and a yard" of arable land finally given to House, according to the endorsement, lay between another strip owned by him and one owned by the previously mentioned Joseph Wheeler.

This same deed of exchange makes two further contributions to our knowledge of Hutton at this period. It provides a clear example of a process that had probably begun long before but was to continue more rapidly, namely the exchange of strips in the common arable fields so that several could be combined to form individually owned closes of a more suitable size for individual ploughing and harvesting.

Finally, it reveals for the first time in Hutton's records the names given to two large divisions of the West Field. These were the Upper Furlong lying between the wood (Haywood) and the field boundary along which there is now a footpath from Church lane to Oldmixon, and the Middle Furlong to the north of it, between those field boundaries and the main Oldmixon Road. These names quite probably had existed for many centuries, and the implication of the two names, Upper and Middle, for these belts of arable land is that a third belt, the most northerly, along the slopes of the low ridge on the north side of Oldmixon Road, was formerly known as the Lower Furlong.

It is now time to record the changes which occurred among Hutton's ratepayers and the lands they held, either as owners or tenants, throughout the thirty years from 1730. However, since there were some forty-five to fifty separate ratepayers in any single year during this period, it will be best to deal with these changes in separate decades.

The most striking stage that occurred in the 1730s was the increase in the number of properties in Hutton for which Humphrey Brent paid rates, from the six

he had bought from the Codringtons in 1730 to eleven by 1738. Yet there appear to be no surviving deeds of conveyance to explain these acquisitions, nor even any citations of such deeds, in schedules attached to later documents, and only one of these newly acquired properties can be positively identified.

As early as 1731 he had his first additional rating for a property with an annual assessment of £6 called Hardwicks, presumably connected with James Hardwick, gentleman, who in 1729 had been involved with property acquired by Anthony Matthews, carpenter, and his wife Joan, from James Comer, gentleman; as mentioned above, James Hardwick also held a strip of land in East Mead but he was not a Hutton ratepayer. It would seem from the rating lists, however, that this particular rate had formerly been charged against “Bagnalls Takers”, presumably for part of the former Hutton estate of William Bagnall of Newton St Loe, whose daughter had married Joseph Wheeler.

Next, in 1733 after the death of John House, Humphrey Brent acquired about two-fifths of House’s Hutton property (which had been assessed at £10), for which he was charged, unaccountably, £4.7s.4d, the other three-fifths going to Samuel House with a more correct rating of £6. In the following year, Humphrey Brent was given a further rating of £1.1s.8d for an apparently new rateable property called Egells, presumably a part of the late-seventeenth century Edmund Edgell’s estate, though Isaac Kington also continued to be rated for Late Edghills.

Although the number of Humphrey Brent’s rateable properties remained unchanged from then until 1738, the name of ‘late Ganes’ appeared among them from 1735 onwards, but this would seem by its assessment to have been merely a change of name for the smaller of the two ‘late Sheppards’ ratings described in the 1730 conveyance. In 1738, however, there were two more additions to the Brent estate, the first of them, called ‘late Hoopers’, turning out to be (from its rating assessment) exactly half of the property formerly charged to Widow (i.e. Susannah) Masters, described even in 1731 as “deceased”; the other half, also called ‘late Hoopers’, was charged from 1735 onwards to Mr Oldmixon.

Whatever connection this divided property originally had with Widow Hooper, who had also died in 1731, cannot be traced. The other Brent acquisition in 1738, a property called ‘late Rooks’ and assessed at £3, had been charged to a Mr Rook only since 1736, when he had apparently acquired it from ‘Nurtons Heirs’; it therefore probably included the north Oldmixon close known as Nurtons Nine Acres to which reference has been made earlier. So by the end of this decade the Brent estate included eleven separately rated properties with a total annual assessment of just over £95.

Some of the alterations that occur in the ratings lists between 1730 and 1739 merely give additional information to that supplied by the 1730 list, so helping to clarify it. For example, in 1731 one of the properties charged to the unspecified ‘Kidgells Heirs’, who replaced Mr Roach, is described as “for Laney and Symons”, indicating that it embraced at least two separate properties, perhaps leased to Richard Laney of Locking and Thomas Symons of Elborough.

Also in 1731, Mr Cox's rateable property is said to be "for Bennetts" and Mr Biggs's "for Jarvis", though next year it became "for Snyggs". In both cases these additions came from surnames of the seventeenth century and, at least in Biggs's case, make it clear that this property was located in, if it did not wholly comprise, the former Snygg's tenement at Ludwell. Occasionally it is the ratepayer's identity that is clarified by a minor alteration as, in 1732, the vague "Mr House", previously appearing in the list after "William House", is finally named as "John House". Perhaps even the change in 1735 from "Edmund Masters Children" to "William Gane and Jane Masters" may indicate the Jane was Edmund's daughter and William his son-in-law, a widower.

Other changes merely indicate an alteration in circumstances within a family, such as a death, as in 1731 when "Widow Haise" replaced "Thomas Haise", and "Widow Matthews" replaced "Anthony", or in 1733 when Samuel House was rated for at least part of what had been John House's property, and George Jones replaced "Widow Jones", perhaps his mother. Even the alteration in 1738 from "Ann Card" to "Mr Knox" is a family change, not an alienation, for Ann Card had married Joseph Knox in 1732. This particular instance serves as a warning that other changes in the rating lists which may appear to indicate alienation of the rateable property, either by sale or by change of lease, may be the consequence of marriage.

Most often, however, alienation of property is clearly indicated by the appearance in the rating lists of entirely new ratepayers, such as, in 1731, the replacement of "Mr Day of Weston" by "Mr Reppiteur" as the ratepayer "for Brywell" (Bridewell), a close adjoining Bridewell lane in the south-east corner of Elborough. This extraordinary new name, which baffled the Overseers and so appears in their lists in various guises (such as Rebeteir and Reboter) until 1773, denotes the rector of Axbridge, Elias Rebotier. Another new Hutton ratepayer was Mr Plomley, presumably a member of Locking's manorial family, who from 1732 to 1769 was rated for the unspecified property that was formerly charged to Mrs Lowns, perhaps somewhere in Oldmixon where Mr Plomley or Plumley had several plots of land in 1756 according to a map of that date.

Again, in 1733, Joseph Demack replaced John Harvey for a small unidentified property assessed at only £1, which he held until 1761, and Richard Andrews succeeded Widow Lakey for the next ten years. From 1735 to 1761, Samuel House's share of what had earlier been John House's rateable property was evidently taken over by Thomas Beard, described in a 1739 deed as a ship's carpenter, perhaps a member of that Banwell family, though the name had occurred in Hutton records of the seventeenth century and is often difficult to distinguish from Board.

Another newcomer, whose name had an even longer run in Hutton's rating lists, was Mr Keyball who appeared from 1736 to 1779 in place of the mysterious "Pains Takers", though they were mistakenly named again in 1739 when Mr Keyball appeared in the same list for a smaller property, assessed at £2, which was subsequently revealed to be "Late Watts", formerly belonging to Isaac Kington but

not identified; however, Mr Keyball is known to have held lands at Oldmixon in 1756.

In 1738, Thomas Norvill, perhaps a member of a family later well-known in Weston-super-Mare, first appeared in Hutton's Poor rating list in place of Hercules Comer, probably for the nine-acre plot still called "Comers Ground" in the 1838 Tithe map schedule, now in the eastern part of the airfield; Norvill was charged with its Poor Rate until 1785, though its corresponding Church ratepayer was still Hercules Comer until 1754. Also in 1738, Richard Laney of Locking was rated for "Late Matthews", that is, Widow Matthews's property, and Harriet Wilmot, whose land cannot be identified, was replaced by John Day, one of several persons of that name; he was most likely the one who regularly made his mark to show his approval of the Church accounts from 1725 to 1745. Finally, in 1739, Joseph Manship, another Locking farmer, was rated for "Late Davis", formerly the property of Widow Davis, probably in the Ludwell area.

One other feature of the changes in land ownership that is barely perceptible in Hutton's rating lists of the 1730s, but which began in that decade and was to be a marked trend later on in the eighteenth century, was the gradual acquisition of several properties by individual ratepayers to form the basis of family estates in the same way, if on a smaller scale, as the wealthier Humphrey Brent had done earlier.

The first and most modest instance of this process is provided by Isaac Kington, who was first rated in 1723 both for an unspecified property assessed at £7, the largest of four shares of what had previously been the main property of Widow Haise, and for her separate property called "Late Watts", assessed at £2. The earliest hint of a possible addition to Kington's little estate is given in the rating list for 1732 when the small property belonging to Widow Matthews (assessed at £2.7s.6d) was charged to "Widow Matthews & Mr Kington" jointly. He was evidently responsible for a third of it, for in the 1735 list, when they were named separately, Widow Matthews was assessed at £1.11s.8d and Kington at 15s.10d.

Next, in 1733, he was rated for "Late Edgels" (assessed at £3.10s.0d) which, from its description in 1735 as "part Edgels", appears to have been about half of that earlier Hutton family's rated property, the other half belonging to Humphrey Brent. Another small acquisition apparently made by Isaac Kington, according to the rating lists of 1736, was the previously mentioned property called "late Rooks", assessed at £3; however by 1738 it had been acquired by Brent. Finally in 1739, Isaac Kington ceased to be rated for "late Watts" and so his little rateable estate was reduced to only three properties.

It was possible, however, that he held other property for which he paid no rates, for he was involved in several land transactions in the 1730s. As early as 1730 Joseph Demack and his wife had apparently sold him some property and so too in 1731 had Anthony and Sarah Matthews. In the same year he had also been involved in a three-party transaction along with Humphrey Brent and John Starr, and in another with Robert Haine and William Combs, and in 1733 in a direct dealing with

Samuel House and in 1734 in a five-party transaction again including Robert Haine and Humphrey Brent.

An instance of estate building by the Symons family first appeared in 1738. From at least 1720 until then, Mr Thomas Symons of Elborough (described in 1733 as a gentleman) had been named in Hutton's rating lists only for a single unnamed property assessed at £3. In the 1738 list, however, he was rated for two additional properties, one called "late Days" (assessed at £7.10s.) previously Richard Day's, and the other, unnamed but probably belonging earlier to Mr Sheppard, assessed at £12.10s.11d.

There is no other record of the "late Days" acquisition, but a later reference to a 1737 document involving Thomas Symons mentions four abstracts of title, one of which concerned "lands part of the Manor" (of Oldmixon) "formerly Sheppards", and there is also a reference to a 1734 deed of assignment from Mrs M Sheppard to Mr Thomas Symons. It would appear therefore that Thomas Symons had thus acquired a fair amount of land in Oldmixon during the 1730s, the foundation of a considerable estate.

The next step was revealed in the 1739 rating list when, although Mr Thomas Symons was still rated "for late Days", it was the "Revd Mr Symons" who was named as the person charged. This was not only for the property assessed at £12.10s. (i.e. formerly Sheppard's) and for "more" (i.e. moor - assessed at £3 and therefore the original Symons's rateable property), but also for "late Knoxes" (assessed at £1.10s.8d and formerly Ann Card's), and as replacing Mr Oldmixon for his property assessed at £10 (presumably his so-called manorial holding in Oldmixon).

This "Revd Mr Symons" was Thomas, son of "Mr Thomas Symons of Elborough", who had entered Balliol College, Oxford in 1727 when he was sixteen, had graduated in 1731 and subsequently had evidently been ordained, though it was not known if he had obtained a living or a curacy. However, this property had been sold on 17 May 1738 to "Mr Thomas Symons" (with no clue as to which of them) by Mr Oldmixon (the historian) and his mortgagees. The acquisition of "Late Knoxes" is explained by another citation of a deed which reveals that on 2 June 1739 Joseph Knox (Ann Card's husband) had assigned her four acres of land at Oldmixon to Edmund Sheppard "in trust for Mr Thomas Symons, clerk (i.e. clergyman). So by 1739 the Symons estate included five rateable properties with a total assessment of £4.1s.8d.

More changes, but mostly minor ones, appear in Hutton's rating lists during the next decade ending in 1749, and only three of them are clearly transfers of holdings within families due to deaths. "Mr Phippen" was replaced by "Mrs" in 1741, and "Mrs Sheppard" (for Benthills) by "Mr" in 1744, "Mr Edmund" in 1745 and "Mr Edward" in 1746, all three probably denoting the same man, her son, and in 1749 "Joseph Hase" (not to be confused with Haise) replaced "Widow Hase", evidently "Harse", as it was spelt in 1748 when John Harse was the Overseer. At least ten instances of apparently complete alienation, that is, transfer to a different

family, are recorded in these lists, four of them to new Hutton ratepayers. In 1740 an added note by the side of “Mr Baugh” (or Bath) indicates that his unidentified property then belonged to “Mr Beaton”, whose name replaced Mr Baugh in 1741 and remained in the rating lists for the rest of this period. James House succeeded George James in 1741, James Brooks replaced William Gane and Jane Masters in 1743, and in 1749 William Champion’s holding was charged to James Partridge.

The replacement of the unfortunate George Selman by “Kidgell’s Heirs” in 1744 was probably not so much alienation as a change within a family for George’s wife, Ann, was a Kidgell heiress. In two other cases of alienation, additional properties were acquired by already established Hutton ratepayers, the first of them being Isaac Kington who in 1740 was rated for one assessed at £4.10s, previously “Hayses Heirs”, which had earlier belonged to Samuel Haise. This brought Isaac Kington’s small group of properties up to four again and so it remained throughout this decade though he must have died either late in 1749 or early in the following year for his will was proved on May 17th 1750.

The other instance occurred in 1743 when Mr Beaton apparently acquired from John Starr a property called Levermead, assessed at £2.15s, which in 1720 had belonged to Hugh Sheppard; this must have been meadowland that lay north of Hawthorne Drove in the north-west part of the west field, not in Hutton’s West Mead where Mr Beaton held land in 1756.

The two remaining instances of alienation revealed in the rating lists of this decade are more conspicuous examples of estate building by Thomas Symons and Humphrey Brent. In 1741 Revd Thomas Symons acquired a property called “late Porters” assessed at £3.9s.2d. Although no property so named, or having this valuation, is mentioned earlier in the rating lists, it almost certainly seems to have been the Oldmixon property which had previously belonged to Widow (Susannah) Masters and assessed at £3.10s. until 1736, when she was described in the Accounts as “deceased”. “Mr Thomas Symons” continued to appear in the rating lists for “late Days”, and so for most of this decade the total Symons estate included six rateable properties.

As for Humphrey Brent, it was in 1744 that he was first rated for his twelfth holding, that of “late Andrews”, formerly belonging to Richard Andrews and assessed at £9. Both the Symons and the Brent estates apparently remained unchanged from then on throughout this decade.

Few deeds of the 1740s have either survived or have been cited in later documents. Three of the citations, concern the lease or mortgage of land in Hutton in 1739-1747 between Thomas Beard (possibly Board), a regular ratepayer from 1735 to 1766, and John and Mary Wilcocks.

Two other documents of 1740, may record an apparent addition to Isaac Kington’s little estate, for one shows him to have been the plaintiff in a law-suit involving John Fisher and his wife, among others, and the other is a deed of either

sale or lease by the Fishers to Isaac Kington. There is also a pair of deeds (of lease and release) of June 1748, by which Joseph Matthews, gentleman, of Lincolns Inn, Middlesex (probably not related to the deceased Anthony Matthews), bought from the trustees of the late William Roach “the Manors of Hutton, Elborough and Ludwell”, with their various messuages and lands as well as half of the advowson of Hutton Church for the sum of £1600. According to Locke’s *History of Hutton*, Joseph Matthews was connected in some way to Rachel Roach, William’s granddaughter, and apparently one of his trustees, for she is named in the 1748 deed and Joseph married her in the following January.

Perhaps Locke’s unsupported information was the source of the unverified statement made by Collinson in his *History of Somerset* that Matthews was a descendant of the Payne family. Although he does not appear to have resided in the parish of Hutton, but to have been an absentee landlord, his 1748 deed of conveyance is a most important Hutton document, for it provides information concerning every piece of land he acquired in that year and it reveals that his new estate must have comprised more than two-thirds of the Ludwell and Elborough parts of the parish. It therefore demands close examination, together with two estate maps which belong to the next decade, the 1750s; besides, the change of ownership it records was not reflected in Hutton’s rating lists until 1751.

Not so many real changes of land holdings are reflected in the rating lists from 1750 to 1759, most of the alterations from one list to another being due to the vagaries of different Overseers as in the spelling of names, the omission of a ratepayer’s name from one list (e.g. Mr Rook in 1754) and its restoration later (e.g. Mr Rook in 1756), or the combining of a ratepayer’s several properties into a single rating at one time and their listing as separate entries at another (e.g. Mr Kington’s in 1751 and 1752).

There are only four clear instances of property passing to another member of a family as a consequence of death; in 1752, “Widow Partridge” replaced “James Partridge”, who in fact had been buried in December 1749, in 1754 a third of Widow Gill’s property apparently passed to George Gill, the other two thirds being acquired by Humphrey Brent, and in 1756 exactly the same partial inheritance and partial alienation occurred when John Harse was rated for a third of Joseph Harse’s holding and Humphrey Brent for the rest. The fourth instance, which occurred in 1759, was the appearance of “Dr Coopey for the Farm”, replacing his uncle, Humphrey Brent, who had died in December 1758, as will be told more fully later.

Some instances of the complete alienation of a property, either by sale or by change of lease, may also have been due to the death of a landholder, as in 1751 when Humphrey Brent acquired “late Wheelers”, in 1752 when “Mr Ozen” replaced “Mrs Lewis” and in 1753 when “Mr Rook” replaced “Widow Partridge”. However, the change from “Mr Symons for late Days” to “Mr Gillen” in the second list for 1751 most probably had nothing to do with a death, and certainly neither did the change from “Mr Oldmixon” to “John Amesbury” in that same list for the small property called “late Hoopers”, for John Oldmixon the historian had died in 1742 and his son John had died even earlier. Confusingly, the name “Mr Oldmixon” had continued to appear in Hutton’s rating lists until the first rating for 1751.

From several of the changes already mentioned, it will be seen that there were also examples of further estate building by Humphrey Brent during this decade, namely his acquisition of “late Wheelers” (assessed at £4) in 1751, most of Widow Gill’s (£1.6s.8d) in 1754 and most of Joseph Harse’s (£1.6s.8d) in 1756, so that before his death he held fifteen rateable properties with a total assessment of £88. On the other hand, the Symons estate apparently lost a small property, “late Days” (£1.10s) to Mr Gillen in 1751. This may have been the result of an exchange of land (perhaps for a plot in the Bleadon part of Oldmixon), as a decrease in the estate would seem to run counter to that family’s intentions at that time. However, no deed has survived to explain this transaction.

In fact, only two Hutton deeds are known to have survived from the 1750s and both concern William House, described in one of them as a yeoman of Worle, who was also a Hutton ratepayer from at least 1720 to 1760 for a small property assessed at only £2. Both deeds bear dates in July 1759 and record transactions concerning two Hutton properties between him and Thomas Jones, “yeoman of Weston-near-the-sea” who may well have been the man who had supplied timber for Hutton’s whipping-post and stocks in 1739, whose children were baptised in Hutton and who was buried there in 1763.

The land specified in the first deed is merely described as “ten acres of land” (i.e. arable), “ten of meadow and ten of pasture, together with common of pasture”, but no details of location within the parish are given; and it is not clear whether these acres were purchased or leased from Jones by House but a sum of £60 was involved. The other document, called a “Deed to Uses”, which refers to the earlier one, appears to have allowed Thomas Jones the use of “8 acres of pasture in Rushey Leaze and 1½ acres of arable in Hutton’s Westfield, part of which was recently” (nearly thirty years earlier) “had in exchange with Humphrey Brent”. This last item was apparently the Upper Furlong between Haywood and Oldmixon Road, as recorded in the Brent-House deed of 1730.

As for his eight acres in Rushy Leaze, they must have occupied nearly two-thirds of the plot of that name shown on the 1838 Tithe map as one of nearly thirteen acres, the third field to the east of what is now Winterstoke Road with the old Cross Rhyne on its south side, and now occupied by some of the Westland factory’s buildings. Both of these properties must still have belonged to William House when he died in 1760 or 1761, for in July 1761 his widow, Ann, sold them to Francis Hurditch for £280. Neither of these transactions is reflected in Hutton’s rating lists, for William Houses’s assessment of £2 remained unchanged throughout this decade.

Another transaction, the assignment or possibly the sale of the Box/Fern Cottages building adjoining Hutton’s western boundary at Oldmixon occurred in 1751 but is only recorded as an addition to a deed of 1724. The single message “in the tenure of John House” was transferred by Arthur Day and his wife to John Amesbury who, as reported earlier, became a Hutton ratepayer in the same year for “late Hoopers”, previously the property of Mr Oldmixon, and continued to be so

until Amesbury's death in 1782. Since it was merely the house and its small garden plot that he acquired in 1751 it would not be liable for rates and so there was no alteration in his assessment. More surprisingly, the stone tablet still clearly visible in the middle of the Oldmixon road front of the building, bearing the date 1754 (perhaps the year in which some building was completed) also bears the initials J and H, not JA.

It seems likely therefore that these initials represent John House, the tenant, unless John Amesbury's wife who was called Ann (nee Martin) at the time of their marriage in 1748, was also known as Hannah, in which case the initials would represent John (Amesbury) and his wife.

Five more Hutton deeds are briefly cited in schedules belonging to much later documents. One seems to have been merely a renewal in 1752 of the previously reported transaction between Thomas and Hester Beard and Mary Wilcocks, widow. Two others concern John Amesbury; in 1754 he was assigned a lease of some unspecified property in Hutton by a certain Richard Perrett, and in 1755 he was granted a lease for 300 years of a cottage and garden in Oldmixon by Revd Symons. Again, these acquisitions did not increase John Amesbury's assessment for rates. The remaining deeds also involve the Symons family. One of 1751 is a lease in reversion by Revd Symons to Mrs S Plomley, though the rating lists show no change from "Mr Plomley" to "Mrs Plomley" until 1767. The last of these brief citations of Hutton documents of the 1750s records the "Lease and Release" in 1753 of "the Manor of Oldmixon" by a certain Henry Conger, Esq to Thomas Symons, Esq, presumably the father of Revd A Symons, although the latter had already had the manor assigned him in 1738 by John Oldmixon and his mortgagees.

It is a pity that the two original deeds of this 1753 sale do not appear to have survived, for they would probably have given details of the lands involved. Fortunately however the Revd A Symons must have decided to have the family's entire estate, including his father's Oldmixon acquisition, professionally surveyed, for in 1756 an estate map (which has survived) was produced, bearing the title *A Survey of the Manor of Old Mixon in the Parishes of Hutton and Bleadon in the County of Somerset belonging to the Revd A Symons taken in Anno 1756 by John Hine*. Although most of this map covers only the Oldmixon property it also has three separate small insets; the largest of these is entitled "A Survey of an Estate in Elborough", etc, and the others are both labelled "In the Parish of Hutton".

This map therefore covers a fairly extensive area of the parish and it also names the land-holders of properties adjacent to those of the Symons family. Although no schedule appears to have survived to supply the names and acreages of its numbered plots, much of it can be interpreted with the help of the 1794 survey of the Oldmixon estate and even of Hutton's Tithe map of 1838. So from Hine's map of 1756 and the Matthews estate map of 1759, together with the details given in the Brent deed of 1730, the Matthews deed of 1748 and the rating lists and documents of the 1750s described above, it is possible to build up a picture of most of the parish of Hutton as it was about the middle of the eighteenth century.

## Seventeen: Mid-Eighteenth Century – some individual ratepayers

So far this stage of Hutton's story has been concerned mainly with Hutton's ratepayers and the properties they held or occupied in the parish. It is now time to look more closely at these individual members, especially those who served the parish as officials, beginning with the Overseers of the Poor. Although this period (1730-1759) provides instances of Overseers such as Charles Taylor, John Day, Isaac Kington and Edward Hicks serving for a second, or even a third, turn at intervals, there is no sign of the fourteen-year cycle of service that was noticeable in the first stage of the eighteenth century.

In contrast, it seems to have been a fairly regular practice during this stage for certain individual Overseers to serve continuously for several successive years as Isaac Kington did from 1736 to 1739, Michael Pressey from 1739 to 1741, John Amesbury from 1743 to 1745 and, more remarkably, Edward Hicks from 1754 to 1758. This practice is even more clearly discernible among those who served as Churchwardens, especially Isaac Kington from 1733 to 1736, and again from 1742 to 1745, and finally from 1754 to 1758. Similarly, John Fisher was Churchwarden from 1739 to 1742 and John Hunt from 1746 to 1753.

As in the past, most of Hutton's Overseers and Churchwardens at this stage held land as owners or tenants. Benjamin Broadway, for instance, Overseer from 1731 to 1732, who has been named earlier as joint Overseer with George Jones in 1727, was the lessee of Sniggs tenement in 1730 and was then the probable occupier of what was much later to be called Middle Farm, and Richard Hill, Churchwarden from 1730 to 1731, was Humphrey Brent's tenant occupying Church Farm.

Although nothing definite is known about the property held by Broadway's successor, John Day (1732-3), who served again as Overseer ten years later and was Churchwarden from 1736 to 1738, and even though he may have been the artisan, probably a carpenter, who had repaired the churchyard gates in 1729, it seems likely that he was the "Mr John Day" who paid the Poor Rate for Hannah Wilmot's unidentified property in 1738 and 1739; unfortunately it is not possible to establish his relationship with the previously mentioned George Day and Richard Day or any other members of that family.

John Starr, however, the Overseer for 1734-5, apparently held property in Hutton assessed at £2.15s. yearly and he, together with his wife, Mary, had also been involved in some land transaction with Isaac Kington and Humphrey Brent in 1732. He was a regular Hutton ratepayer from 1732 to 1768, when he probably died, for he was replaced in the Rate Book by "Mrs Starr" in 1769, though there is no record of his burial in Hutton, yet his daughter, Elizabeth, had been baptised here in 1715.

His successor as Overseer for 1735-6 is named in the Poor Book as "John Demack", but, even though this surname appears elsewhere in Hutton's records several times as "Dymock" there is no other apparent mention of John; it therefore seems probable that his true Christian name was Joseph, and, if so, he would have been the holder of part of Humphrey Brent's tenement called Shepperd's in 1730,

and also in the same year he would have been involved in some land transaction with Isaac Kington.

As for Isaac himself, whose long record of service has been given above, he has already appeared in this story as one who gradually acquired a small estate in this parish. Michael Pressey, his successor as Overseer in 1739 has also been mentioned earlier as one of Joseph Matthews's tenant farmers in Elborough in 1748, and it was, perhaps, his brother James Pressey who acted as Overseer in 1741 after the removal to gaol of the unfortunate George Selman, the Elborough farmer who had married a Kidgell heiress.

John Amesbury too, Overseer from 1743 to 1745, has previously appeared in this story as occupier of the Oldmixon house which now comprises Box Cottage and Fern Cottage. Further, John Sharp, Overseer in 1746-7, has also been named previously as the tenant farmer occupying Great Ludwell and adjoining lands in 1748, paying Joseph Matthews an annual rent of £33.10s.

In the 1750s too, several of Hutton's overseers and Churchwardens seem to have been farmers. William Horsington, Overseer for 1750-1, was certainly a tenant farmer, renting a messuage and lands in Elborough for £24 a year from Joseph Matthews in 1748; and so too, presumably, was Edward Hicks, Overseer from 1754 to 1756, though he is not recorded as a Hutton ratepayer until 1771 from which date he occupied Court Farm until his death in 1779.

Another probable farmer of substance, who served as Overseer for 1748-9 and as Churchwarden in 1759, was John Harse, although he was not a ratepayer until 1756 when he apparently succeeded Joseph Hearse for Lower Farm, the one on the road to Oldmixon now called Grange Farm. George Calcutt, Overseer for 1752-3, who does not appear to have been a Hutton ratepayer, was most probably the one described in the Poor Book as "Farmer Calcutt" who was paid in May 1752 "for ye Instructions", perhaps about the highways. Similarly, John Hunt, Churchwarden from 1746 to 1754, although not a Hutton Ratepayer, was described in 1752 as "Farmer Hunt."

However, not all of Hutton's chief officers at this time were substantial landowners, and certainly some, like those mentioned above, were not Hutton ratepayers and there are no surviving records of any property they may have held. Such was Charles Taylor, Overseer for 1730-1 and 1733-4, and so too was his kinsman (perhaps his son) Samuel Taylor, Overseer for 1751-2 and a Churchwarden in 1760-1. It would seem too that John Knibbs (or Nibbs), Overseer for 1747-8, had no property of rateable value and he may well have been an artisan, probably a mason, for in 1741 he was paid for "mending the church wall". The only other information concerning him (from the parish register) is that his wife's name was Jane and that they had a son John, baptised here in 1744.

Other parish officials were even in need of Poor Relief themselves during some of their lives. William Harvey for instance, Overseer in 1749 (and perhaps in 1719), had apparently been classed as one of Hutton's "second poor", receiving 'benefaction' money from the overseers in 1730; and Ann Harvey, who was probably his daughter, received regular weekly payments from them during the 1760s. So too William Hayne (or Haine or Haynes), Churchwarden from 1730 to

1732, was classed as one of Hutton's "second poor" from 1745 to 1760, and in 1737 he had been paid for a day's labouring at the churchyard wall.

Some, perhaps most, of Hutton's Overseers at this stage also served as "waywardens" i.e. officials concerned with the maintenance of the public highways in the parish. Among them certainly were Charles Taylor, Benjamin Broadway, John Fisher, William Horsington, John Sharp and Michael Pressey. The Overseers were also among those who regularly attended the annual parish meetings to witness the presentation of the Poor and Church accounts.

Two others who were regular witnesses at this stage, but who did not apparently hold any office, were William Gane, from 1729 to 1743, and James Brooks, from 1731 to 1754. Both of these were Hutton ratepayers, William from 1731 to 1742, and James from 1743 to 1757. The latter, however, may have been Hutton's parish clerk from 1749, on the death of John Morse, for he witnessed several marriages in the church and he was most probably the man of that name who is described as "parish clerk" in the entry in Hutton's register recording his burial in 1759.

### **A Most Influential Parishioner**

Most conspicuous among the names of those who regularly attended Hutton's parish meetings, although he was not a parish official, was that of Humphrey Brent, the owner and occupier of Hutton Court for most of this period, whose learning and experience as a lawyer of the Middle Temple must have enabled him to give invaluable advice and guidance to the other parishioners who attended these meetings, especially when they were confronted with legal problems. The extent of his contribution to the life of Hutton can best be traced in the chronicle of their activity recorded in the pages of Hutton's first Poor Book and book of Churchwardens' Accounts.

However, although Humphrey Brent had purchased Hutton Court from the Codrington family in June 1730 and his name appears in the Poor Book on the second rating list for that year, he does not seem to have taken up residence in the parish until 1737. Fortunately, no legal problems appear to have confronted Hutton's Overseers of the Poor during this period and one can only wonder whether, if he could have been consulted in 1735, the Rector and Churchwardens would have decided, as they did, to "exchange" their old chalice (probably Elizabethan) for "a new one", apparently by having it melted down and more silver added. This "new" chalice bears the initials "RG", probably those of Richard Gurney, a London silversmith of that period.

It was on April 18th 1737 when Humphrey Brent, along with John Selwood, a Somerset JP, inspected and approved the Overseer's accounts. In the same year he presented Hutton church with a small silver flagon, shaped like a tankard and having a domed lid. This vessel is inscribed with a shield, bearing the Brent coat of arms, and with the words: "This flagon is my gift to ye Parish Church of Hutton in ye County of Somerset; to be there used at the Sacrament of Our Lord's Supper; upon condition that ye same be, at all other times, in ye custody of me, my Heirs or Assigns, inhabiting there, for the use aforesaid. H Brent. Anno 1737". Perhaps this odd stipulation was made to ensure that this flagon would not suffer the same fate as the previously mentioned old chalice.

However, the earliest record of Humphrey Brent's active participation in the affairs of this parish appears to be the Poor Book report of the Easter meeting in April 1738, when, "by the consent of the Minister" (i.e. the Rector), "Mr Brent, the Churchwarden, the Overseer and the rest of the Parishioners", it was decided that "John Tripp, a poor child", should "be placed apprentice to the Estate of Mr Samuel Parfitt of Wells, now in the hands of John Mors of Elbarow".

At the same meeting Humphrey Brent paid in the sum of £4.13s. as the debt owed by the previous Overseer (John Starr) for rents "overcharged and miscasting of ye accounts". Although he does not seem to have attended the Easter parish meetings when the accounts for 1739 and 1740 were presented, his signature precedes that of Henry Danvers, the Rector, at the end of the report of the November 1739 vestry meeting, when it was decided to erect gates at the top of both East Lane and the lane leading to West Hill. At this meeting also two settlement cases were discussed, the first concerning a certain John Day, not the ratepayer of that name but "an Intruder" who had earlier been delivered to the Overseers of the parish of Portbury.

### **The Case of Rosanna Trow**

The second settlement case was far more complicated. It concerned Rosanna Trow, who had been in service at Hutton Rectory and was then (1739) living in Huntspill, but was claiming a right of settlement in Hutton, despite the Rector's declaration that she had no hiring to justify her claim. Her case is continued by a report in the Poor Book, signed only by Humphrey Brent and three other laymen of the parish, of a special vestry meeting held on July 7th 1740 "when the Minister of the parish promised his parishioners to attend but did not appear".

It was unanimously agreed at this meeting "that a writ of subpoena should be obtained" to compel Rosanna Trow to appear as a witness at the Quarter Sessions in Bridgwater, along with the Churchwarden and Overseer, who were to appeal against an order obtained by the parish of Huntspill for the removal of Rosanna and also of "her bastard child" back to Hutton.

It was also agreed at this meeting to consult counsel on this matter. However, according to an entry in the Churchwardens' Accounts, dated July 20th 1740 and signed by Humphrey Brent and the Churchwarden, John Fisher, Huntspill's removal order was confirmed, apparently because "Mrs. Mary Danvers", the Rector's daughter, had declared on oath "to the Bench of Justices" that she had made two separate hirings of Rosanna and that "Mr Danvers", her father, had been present on both occasions.

Despite this, the disbursements made by Michael Pressey, the Overseer for 1740 - 1741, include an item of 3s.6d paid "at the time when the agreement was made between us and the officers of Huntspill" and there does not appear to have been any further expenditure by Hutton in the case of Rosanna Trow, which seems to have cost the parish just under £9, mainly in travelling expenses and counsel's fees of four guineas.

It was still the normal practice at this time for parishes to make every effort to rid themselves of the financial burden of supporting anyone, especially with a

child, who could establish a claim upon another parish. Two other instances of this, occurring in 1740, are revealed by two Certificates of Settlement.

Both certificates were signed by Humphrey Brent, as a JP; one, dated August 11th, confirmed the right of settlement in Yatton for William Quire and his family; the other, dated August 27th, established settlement in Lymphsham for Thomas Wyn (born in Elborough) and his wife and daughter. However, Hutton's earliest parish register records that William and Mary Quire had sons baptised in Hutton Church, James in 1755 and Samuel in 1757, and that Thomas Wyn's wife, Elizabeth, was buried in Hutton in 1762.

### **The Rector's Problems**

It would appear that Humphrey Brent did not attend any of the parish meetings recorded in the Poor Book and the Churchwardens' Accounts during the years 1741 and 1742, perhaps because he was absent from Hutton Court, although there is no other evidence of this. His absence is all the more surprising because this must have been the beginning of a very trying period for Henry Danvers, the Rector. Even in the Poor Book accounts for the year 1740-1741 there is a mysterious reference to "Expenses in attempting to take MacQuestion", for which no explanation appears in Hutton's records until the Poor Book report of a vestry meeting on March 9th 1752 (signed by Humphrey Brent and others, but not by any clergyman) mentions "the bastard of Mr Danvers's daughter Mary, named James MacQuestion", as being old enough to be apprenticed. Evidently, Mary's unhappy affair must have begun about 1740, perhaps about the time when she contradicted her father's evidence at the Quarter Sessions in the Rosanna Trow case.

Anxiety over these matters may have affected the Rector's health, and even the removal of the Overseer, George Salmon, to gaol in 1741 may have added to his worries. His last Easter vestry meeting was held on April 4th 1743 when he signed his approval of the Poor accounts, and, shortly afterwards (but undated), he and Humphrey Brent signed for the items "Disburst since Easter". On May 7th of that year Humphrey Brent alone adjusted the Churchwardens' accounts for 1742-3 presented by John Fisher.

Barely five months later, on October 9th 1743, the Rector's wife, Elizabeth Danvers, was buried. She may have died during, or shortly after, the birth of their second daughter, Lucy, whose undated baptism is recorded immediately before the entry of Elisabeth's burial in Hutton's earliest surviving parish register.

There is a strange discrepancy between the name, Elizabeth, used here for the wife of Henry Danvers and that of Sarah, used in the entry for Mary's baptism on May 16th 1716 written on an upside-down page towards the back of this oddly arranged register. Perhaps in the meantime Sarah had died and Henry had taken a second wife, but there is apparently no surviving record of such events. Elizabeth's burial record is followed immediately by that of Henry Danvers himself, dated January 13<sup>th</sup>, presumably in 1744.

### **Hutton's Curates**

Despite his troubles and failing health, Henry Danvers had evidently been active and, probably, resident in the parish throughout his time as Rector of Hutton

and he does not appear to have had the assistance of a single curate. However, in the interval between his death and the institution of his successor, John Paine, MA, on June 27th 1744, a curate, named John Marston, apparently served the parish, for he signed his approval of Isaac Kington's Churchwarden's accounts for 1743-4 on March 27<sup>th</sup> 1744.

On the other hand, John Paine (whose relationship, if any, with the fifteenth century lord of the manor who bore that name is uncertain) seems to have been absent from Hutton on many occasions, perhaps even residing elsewhere. He certainly relied upon the services of several curates, including John Marston, whose signature appears for the last time in Button's Poor Book on April 16th 1745 in the entry recording approval of the previous year's accounts, and on the very same day, in the Churchwarden's Accounts Book, he signed a note appointing James Partridge to be the next churchwarden.

Yet Isaac Kington's disbursements for 1744 contain an item of 4s.0d for "Mr Stringer's Dinner at the Visitation" (normally an occasion for the Rector) and the fourth page of Hutton's earliest surviving Parish Register, headed "1744" bears the names of "Mr Paine, Rector" and "T Stringer, Curate".

However, the Poor Accounts for 1745 were signed on March 31st 1745 by "W Dark", described as "Minister", and the signature of "William Dark, Curate" (as he actually was) appears in Hutton's Poor and Churchwarden's Accounts for most of the years between 1746 and 1760 and even later, whereas the signature of the Rector, John Paine, only occurs during that period in 1751, 1754, 1755, 1757 and 1759.

Almost certainly William Dark must have resided in the parish, perhaps even in the Rectory, for the Parish Register records the baptisms, in June 1749 and September 1750 respectively, of William and James, the sons of "William Dark, Curate" and of his wife with the remarkable name of "Chrysogon".

### **More Activity by Humphrey Brent**

Significantly, the signature of Humphrey Brent precedes that of the Curate, and sometimes even that of the Rector, in the records of Hutton's vestry meetings when financial irregularities had to be remedied. In September 1744, for example, when John Amesbury belatedly submitted his Overseer's accounts for 1743, Humphrey Brent not only preceded Thomas Stringer, the Curate, Isaac Kington and John Day in signing that the accounts had been "examined and adjusted", but he also alone signed a separate statement that £1.3s.3d was owed to the Overseer, not the £6.7s.2<sup>1</sup>/<sub>4</sub>d that he had apparently claimed.

Again, on April 21st 1746, Humphrey Brent, together with Isaac Kington and James Partridge but no clergyman, signed approval of an amended balance and its delivery to the new Overseer, John Sharp. Evidently too, there were times when Humphrey Brent prescribed action to be taken by the Overseer and even when he met some parish expenditure temporarily out of his own pocket.

In March 1750, for instance, William Horsington, Overseer, "paid for Necessaries for Mary Woodruff" (one of Hutton's poor) "as Humphrey Brent Esqre ordered", and in the following November he paid to Humphrey Brent £1.4s.6d "as

he laid out on the parish account". Again, with his signature appearing before those of the Curate (William Dark), the Churchwarden (John Hunt) and two other parishioners, it seems likely that Humphrey Brent arranged the special vestry meeting held on March 9th 1752, "according to Notice given in the church the day before for that purpose", when three urgent matters were discussed, namely, the selection of a new Poor House, the education of the Danvers children, and the removal of "Intruders into the Parish".

The report of this meeting ends with the firm injunction that "all succeeding Overseers of the Poor of this Parish do carefully observe and execute the foregoing orders and resolutions with the utmost dilligence".

It was probably Humphrey Brent who, during the 1750s, took the lead in dealing with problems of settlement and bastardy. On August 23rd 1752 another special vestry appears to have been convened by him and by William Dark, the Curate, and others to deal with the problem presented, by Isabel Cox, who, having been made pregnant by Thomas Young, the servant of a Bleadon farmer, had been returned to Hutton by order of the Bleadon Overseers, but had refused to reside in Hutton's Poor House.

Certainly one is tempted to trace Humphrey Brent's advice in the decisions made at that meeting to refuse her relief "in accordance with a statute of George I" to seek counsel's opinion as to whether or not to appeal against the Bleadon order (which Hutton did), and to pursue the potential father, who had absconded but was eventually "taken at Pill". However, it was also Humphrey Brent, together with William Dark and Isaac Kington, who, at another vestry meeting, held on December 3rd of the same year, nine days after the birth of Isabel Cox's son, decided to allow her "half-a-crown a week for herself and twelve pence a week for her nurse" as from the time of her confinement, and to levy an additional Poor rate to meet all the expenses of this case.

As mentioned earlier, it was Humphrey Brent alone who, on April 29th 1753, made a note in the Poor Book concerning the change from the old calendar to the new one, and his signature is foremost again after the report of a vestry meeting on April 23rd of that year when it was agreed to pay a certain Mr. Preest £14.14s "for Law charges" and £10 "for Apprenticing out Mrs. Mary Danvers's bastard"; and yet again an additional rate had to be levied to meet these expenses.

### **The Death of Humphrey Brent**

For the next few years Humphrey Brent's signature regularly appeared, at the head of those who approved the Poor and Church accounts, the last occasion being on April 11th 1757. Its absence from the report of the 'next vestry meeting, on April 3rd. 1758, is therefore conspicuous and probably indicates that he was then too ill to attend, for, according to Hutton's Parish Register, he died on December 18th 1750, although he was not buried until February 27th 1759, seventy-one days later. Perhaps an exceptionally hard frost was responsible for this remarkable delay.

His grave, in the south-east part of Hutton's churchyard, is marked by a tall box-like structure, a table tomb, standing in a large rectangular enclosure with a low stone surround, only a few yards from the chancel door. Unfortunately, this memorial, which also served for several of his heirs, was once overgrown with ivy

and bramble, causing its surfaces to flake off, so that now hardly any trace remains of the inscriptions on them, but in 1973, when the tomb was cleared by Albert Isgar and Bill Willis, a few words were still discernible.

On its north face the date, December 18th 1758, clearly indicated that its inscription referred, to Humphrey Brent, and it was then possible to reconstruct and record the following sentence concerning him: "He retired at long last from public business to his Estate in this Parish and lived many years in much content under the care of two faithful servants". These were Theodore Sparks and his wife, Frances, and this picture of Humphrey Brent's contented life with them at Hutton Court is also borne out by his will, made in 1753 and proved in 1759.

### **Humphrey Brent's Will**

In his will, Humphrey Brent directed his trustees to make an annuity of £50 to Frances Sparks, his housekeeper, "in remembrance of and as a just reward for the friendly, affectionate and faithful services of Theodore and Frances Sparks to me and which in conscience I cannot forget". Further, because Theodore suffered "great infirmities" and was "incapable of being moved", they were granted for the rest of their lives the use of Hutton Court ("my mansion home I now dwell in") with all its "household stuff" and furniture (except "plate") and with such coal, wood and faggots necessary for their use and preservation, "the window tax and all necessary repairs to be paid out of the rents and property" of his estate.

Humphrey Brent also left £10 to "William Dark, Curate of Hutton, for a gown and cassock" and an annual sum of £2.12s "to the poor of Hutton receiving alms" directing that it should be paid by "the tenant for the time being of Hutton Farm" (probably Court Farm) and should be distributed by the overseers in instalments of 12s. every other Sunday.

Since he was "the last male issue in descent" from his grandfather, Charles Brent of Bristol, and had no children, he directed that the use of his estate should pass first of all to John Coopey of All Souls, Oxford, doctor of Physic, the third son of his cousin, Margaret Coopey of Wraxhall, and to John's sons, if any, and next to Margaret's fourth son, "Humphrey Brent Coopey, clerk", but being anxious to preserve his surname, he also directed that any who took possession of the estate should assume the surname of Brent.

### **Hutton's Poor**

Although Humphrey Brent's death and the proving of his will in 1759 marks the end of this stage in Hutton's story, there is still much more to be told, for so far it has been concerned mainly with the ratepayers of the parish and their lands, and with the lives of those who occupied the rectory and Hutton Court. Only incidentally has it provided brief glimpses of the lives of its poorer inhabitants, yet Hutton's earliest surviving Poor Book has much information concerning them.

Naturally, the same pattern of village life that was reported about the early eighteenth century is repeated, especially the same ways of providing for the poor, and even the same named individuals or at least other members of the same families

are to be found in this later period. For instance, it is interesting to trace the subsequent history of the five persons named in 1729 as "Hutton's Second Poor" who received shares of the "Interest Money" from various earlier benefactions.

William Harris continued to be one of these until his death in 1733 or 1734 when the overseer paid for his funeral expenses including the provision of cheese, liquor, cider, pipes and tobacco. John Webb and Jeremy Rhodway were included in the Second Poor lists until they too were buried at the expense of the parish in 1732 and 1733. Of the other two from the 1729 lists, Ursula Harris can only be traced as far as 1733, with no mention of her death, but Mary Day remains in the lists until 1746, and her burial in 1747 is recording in the parish register.

It is not surprising that in a parish the size of Hutton some people seemed to take the lion's share of charity payments. Hannah Trip, for example, first appeared in 1729: "8s. spent at Langford when we had in Hannah Trip, 1s. for a mare to carry her in, 4s. for maintaining her eight days", and then more payments for blankets, mending the kettle, a 12lb cheese, a noggin of brandy, and oatmeal – and the nine quarts of ale when she was brought to bed. By 1731 she was paid for tending Mary Adam, but also received payment for "her child's sickness"; in 1732 she tended William Harris before his death. She only appeared in the list of the Second Poor in 1734 when a 'spinning turn' was bought for her; she is last mentioned in 1735.

Betty House is another of the poor who received considerable help. In 1738, 5s. was paid for '2 horses and a man 2 days to fetch Betty House's goods from Pilton', and another 5s. was paid to Betty 'that she was in debt for bread and wood at Pilton'. In 1739, expenditure included two pairs of shoes for Betty House's children, 4½ ells of cloth for her children, a pair of breeches for her son, and two pairs of stockings for her children. A Mary Bragg was paid 1s. 2½d for making four shirts for Betty's children, but in the same year Betty was paid for keeping Rose Trow's child. Betty House received in 1740, in addition to her maintenance payments, money for breeches for her son, for two new hats for her children, 50 furze faggots and 4 yards of linen cloth.

The Overseer of the poor was also responsible for some less charitable activities: Thomas Jones received payment in 1739 "for timber for the whipping post and stocks", and for "fetching the timber". Red lead and oil, the smith's work, the lock, and making up the stocks meant that the total costs were £1.11s.3d.

In general, however, a great deal of good was done for the poor of the parish. One entry for 1747 makes an effective summary:

"400 faggots be provided for ye poor of ye parish  
That proper care be taken for keeping ye sheep upon ye hill  
Repairing ye East and West Gates  
That Mr. Danvers children be put to school to learn to read  
That ye boy be put in breeches  
That farmer Jones be allowed 2/- a week for maintaining his servant James from Lady Day  
Caring ye wounds of ye said James, and caring ye wounds of Isabel."

All of this was in addition to the regular payments to the poor of the parish: Hutton, by the mid-eighteenth century, was in many ways a caring society.

## **Eighteen: A Mid-Eighteenth Century Survey of the Parish**

The two estate maps which together form the main basis for this survey of the whole parish as it was about the middle of the eighteenth century, that is, the Symons (or Hine's) map of 1756 and the Matthews (or Stratford's) map of 1759, are quite different but equally valuable sources and it is important that their peculiar features and limitations should be noted.

The Symons map is concerned mainly with recording the perimeters of each enclosed piece of land belonging to that family and only the names of the owners of their adjacent properties, not their boundaries. Consequently it is a piecemeal product, comprising several different parts. The largest of these is a map of most of the Oldmixon area of the parish with a few outlying patches of Symons land shown, beyond gaps, in the parish of Bleadon. Another part presents most of the Elborough area (but excluding Ludwell) with a gap in the middle, labelled "Mr Matthews land". There are three separate small sketch-maps showing respectively four Symons closes on the east side of Hutton Drove, three more in Frogmore and a single strip, presumably in Hutton's Westfield.

All the Symons closes are numbered but not named, though they may have been in a schedule so far untraced, and, although the map displays "A scale of perches" (approximately one inch to five perches, i.e. 27½ yards or about 25 metres), this scale probably applies only to the Symons lands and not to irregular gaps between them, indicating lands belonging to others.

The Matthews map, on the other hand, is a complete continuous representation of all (except two) of the enclosed pieces of land within both the Ludwell and Elborough areas of the parish, drawn throughout to a scale of "25 perches in an inch" (i.e. one inch to 137½ yards or about 125 metres). Its accompanying schedule records not only their field names but also the names of the owners of those plots which did not belong to Mr Matthews. Roads, droves, tracks and access lanes are shown on both maps but, strangely enough, no rhynes or other watercourses, and although patches of ground containing trees, both orchards and woods, are clearly indicated, there appears to be no means of distinguishing arable land from meadow or pasture.

On the Matthews map all his lands are coloured, mostly green and a few yellow, but there is no explanation for this colouring and it does not appear to indicate the use of the land at that time. Finally, buildings are more clearly marked on the Symons map, particularly houses, which are represented by minute drawings showing one, two or more gables, indicating at least their relative size; unfortunately, with one possible exception (a windmill), no buildings are shown on land owned by others, as they are on the Matthews map.

In the middle of the eighteenth century, just as it still does today, only one main road traversed this parish, that is the road between Uphill and Banwell, entering the parish in the middle of Oldmixon and leaving it at the east end of Elborough. For the purpose of this imaginary survey it will be convenient to progress along this route from west to east in several stages with detours to the north and south of it at various points. The starting point, therefore, is the junction

of this main road (the old Oldmixon Road) with the south end of what was the Oldmixon Drove (now the detached southern uphill stretch of Winterstoke road), and the first section of the parish to be described is that part of Oldmixon lying south and east of this point.

According to the Hine map, this junction was not a T-junction as it is today but a crossroads, for a short lane then climbed uphill for about thirty yards as if continuing Oldmixon Drove but serving as an access road, with the parish boundary running southwards along its east side. On its east side two cottages, both with small back garden plots, stood in Symons land while they faced an orchard also belonging to the Symons family, but in the parish of Bleadon. No trace of these dwellings, nor even of the lane, has survived, for they are now covered by the west part of the garden of the modern building called Oldmixon Manor; the eastern end of that building, however, still retains much of the old manor house which stood there, a little to the south-east of those cottages, throughout the eighteenth century.

It is represented on the Symons map by three gables, and apparently had a formally laid out garden on its south side and a smaller detached building, perhaps a stable block, a few yards to the east with a few trees just above it. The occupier of this house whilst it was owned (but mortgaged) by John Oldmixon, then living in Bridgwater, is not known, but it seems probable that Revd A Symons, the ratepayer for the Oldmixon estate from 1739, made it his residence from about that time. This manor house group of buildings was contained within a roughly L-shaped enclosure, probably of pasture and certainly not then woodland, stretching uphill from the main road to meet what was then the western edge of Haywood. There was then no other house or building near the main road within this enclosure, as there is today.

Along the main road, immediately east of this enclosure lay the home orchard, and just above it, below the upper and eastern part of the manor house enclosure, was a small field, perhaps arable, a little smaller than the orchard. Next eastwards, as today, lay the large arable field, then known as the East Field, which sloped up southwards to the wood and stretched for over 200 yards along the main road. The name East Field reveals that this was initially all or part of the common arable field in which various Oldmixon land-holders had strips, but certainly in 1756 it was a Symons-owned undivided field, although the Symons map shows an avenue of trees running across it, a line subsequently followed by a footpath.

The next two fields eastwards adjoining the main road, Oldmixon Nine Acres and the smaller Lower Clay Pitts, were both owned by the Symons family. No more Symons land adjoined the road east of these fields and beyond them the estate map merely indicated that it was "Mr Brent's land". However, two narrow strips of land are shown on the 1838 Tithing map: one was called the Two Acres (presumably owned by Humphrey Brent in 1756) and the other, Old Mixon Acre, was glebe land held by the Rector of Hutton; each of these strips is now mainly occupied by a house and garden.

The eastern edge of Old Mixon Acre, due north of the detached Symons patch of woodland, would seem to be the boundary between the Oldmixon and Hutton parts of this parish and therefore the eastern end of this section.

South and above the two last-mentioned Symons fields, Oldmixon Nine acres and Lower Clay Pitts, was another Symons close, of about 5½ acres, called

Upper Clay Pitts, which lay between them and the curved edge of Haywood. The upper part of this field is now the site of an underground reservoir. However, in 1756, according to the estate map, a line of trees stretched parallel to its eastern boundary, as if it were a southward continuation of the west boundary of Lower Clay Pitts, marking off a similarly narrow piece of land, though this was not given a separate number and so was evidently not then regarded as a separate enclosure.

This line of trees, which no longer exists, must have been quite conspicuous from the field track or footpath between Church Lane and Oldmixon, if there was such a track at that time. According to the Symons map the land on the east side of Upper Clay Pitts belonged to the Rector of Hutton; the Tithe map confirms that it still did so in 1838 and that it was an arable field of about 3½ acres, also called Clay Pitts. Its eastern edge continues southwards the line of that of Old Mixon Acre and so this close may be regarded as within the Oldmixon area. Indeed, it seems likely that together with Upper and Lower Clay Pitts and the three neighbouring narrow closes, it had once been part of Oldmixon's East Field.

Above these fields along the steep scarp of the hill lay the belt of woodland still known as Haywood. According to the 1756 map, the western portion of Haywood was Symons property, and the next similarly sized part of the wood above Upper Clay Pitts is shown as belonging to Mr Blakeborough and Mr Benton, though the division between them is not clearly marked. Strangely enough Mr Blakeborough (a name associated with land in Banwell) was not a Hutton ratepayer at this time though he replaced Mr Gillen or Gilling in Hutton's Poor Rating List in 1785.

As for Mr Benton, there is no other record of this name and it therefore appears to have been a mis-spelling of Mr Beaton whose name occurs elsewhere on the map and who had replaced Mr Baugh or Bath as a Hutton ratepayer in 1732. Immediately east of this part of Haywood, the Symons map shows a gap marked "Mr Brent's land", followed by a narrow 2-acre patch of woodland numbered as part of the Symons estate. Its eastern edge would seem to be the boundary of this section of Oldmixon.

Above Haywood and above the manor house enclosure, the top of Bleadon Hill appears to have been still a mainly unenclosed pasture ground, though the Symons family had three small narrow strips on it further west in the parish of Bleadon according to the 1756 map.

More remarkably, this map also shows another small enclosure belonging to Mr Symons, almost triangular in shape, appearing to contain a small building. Apparently only a few yards away to the south-east of it there stood, most surprisingly, a windmill. This is represented on the map by a drawing of an unenclosed post-mill, that is, one with its wooden body pivoted on a stout post, the earliest type of windmill; however, this little drawing is probably a purely diagrammatic representation, for Greenwood used the same device for all windmills shown on his map of Somerset published in 1822.

Although the Hutton parish boundary is not shown on the Symons estate map, it seems almost certain that this windmill and the adjacent small enclosure (perhaps the miller's cottage and its garden plot) were within the parish of Hutton. Apparently, as reported in *Windmills of Somerset* by Alfred Coulthard and Martin Watts (1978), a windmill was shown almost at the west end of Hutton Hill on John

Stracey's map of 1736 and also on Bowen's county map of 1760, yet this Symons map of 1756 is the first Hutton document to record the existence of a windmill in this part of the parish, for there is no mention of this mill or of the enclosure in any earlier deeds or parish records and only a single possible reference later. In fact, they were not included in the detailed survey of the Oldmixon Manor estate made in 1794, but a 1787 description of "the bounds of the Lord's waste" (apparently the Symons portion of Bleadon Hill, by that time enclosed) mentions a "Mill Path" from which the boundary led to Haywood. No clear trace of this mill or of the cottage or whatever building it was, can now be seen.

The next section of the parish to visualise as it was in the middle of the eighteenth century is that part of Oldmixon lying on the north side of the main road and east of Oldmixon Drove. On the north of the main road, at the very corner of its junction with Oldmixon Drove, there then stood the single house now containing Box Cottage and Fern Cottage, with a small garden plot behind it. This was owned by Symons and tenanted from 1751 by John Amesbury.

Just to the east of this the estate map shows a much larger house, represented by four gables, that must be the present Manor Farm, with a small detached building to the east of it, probably the ox-house, recently demolished during the building of the Hutton Grange estate. Behind this farmhouse on its north side lay a formal garden, similar in its representation on the map to that of Oldmixon Manor house, in a small roughly triangular enclosure. Manor Farm was also part of the Symons estate but the ratepayers, presumably tenants and perhaps occupiers, were members of the Cox family throughout this period.

Further along the main road and just east of the farmhouse was a northward sloping pasture later known as Upper Plaish, and to the east of that lay a much larger enclosure (later called Wells Close) which is shown on the estate map as an orchard. Beyond that lay a narrower but longer close, the Six Acres, probably pasture, with its eastern boundary meeting the main road exactly opposite the eastern edge of the East Field, where the earlier bend in the main road is still shown at the lay-by. All this area has been completely transformed by the building of the Woodside and Hutton Grange housing estates and the Broadway.

The most easterly Symons close adjoining the north side of the main road was the hilly field called Upper North Hills, which has changed very little since then apart from its reduction in size due to the early-twentieth-century roadside bungalows and their back gardens.

The northern boundary of Upper North Hills and of the Six Acres was probably then, as now, a little stream, though that is not shown on the estate map, and to the south of its continuation westwards (now culverted) lay three small enclosures, all of which belonged to Mr Symons and are now part of the Woodside estate. The largest and most easterly of these was the Batch with two clusters of trees towards its hilly western end. Beyond this the little ridge was divided into north and south parts, and west of these as far as Oldmixon Drove lay the level Lower Plaish.

The southern end of Oldmixon Drove was then quite narrow and it had a line of trees on its western side. From Lower Plaish northwards the drove began to widen and bend slightly north-eastwards, and the next enclosures on its Hutton side

ran eastwards in a series of broad, roughly parallel, belts. At the west end of the first of these, a 9-acre close, lying just north of the Lower Plaish and the Batch, and now occupied by industry, belonged not to Mr Symons but to Mr Plomley who had replaced a Mrs Lowns as a Hutton ratepayer in 1732.

To the east of this close were more Symons lands, the Ten Acres and Lower North Hills with two small paddocks on its north side. Further north, in the next belt of land, lay three more Symons enclosures, from west to east the Nine Acres, the Four Acres and yet another Nine Acre close, alternatively called Lord's Mead, a name which indicates that it was then, or had been, meadow land.

The northern parts of the two last named Symons closes in this belt were cut off during World War I by the construction of a new, wider and more southerly course for Cross Rhyne between Moor Lane and Winterstoke Road. One more enclosure lay between this belt and the original Cross Rhyne but it is shown on the 1756 map as yet another of Mr Plomley's lands (known since the early seventeenth century as James Croft). Consequently its eastern boundary is not marked on the Symons map but it is known to have been the west edge of Hutton Moor, and its northern boundary was the old Cross Rhyne.

The next part of the parish to be considered is that forming the village of Hutton and the lands used by its inhabitants. It is more difficult to visualise this as it must have been in the middle of the eighteenth century, for although a few portions of the Symons map provide the boundaries of some Hutton closes, there is no map of the Brent estate and this area lies totally outside the scope of the Matthews map. It is convenient to divide this extensive area of the parish into several sections, south and north of the main road. The first section deals with all the land lying south of the main road as far as the western arm of Church Lane and its continuation southwards, Upper Church Lane.

In 1730, as the Brent-House deed of exchange reveals, the belt of arable land adjoining the main road and gently sloping up southwards to what is now the footpath to Oldmixon was then known as the Middle Furlong of Hutton's West Field, and somewhere along its length William House then held a half-acre strip with Humphrey Brent's land on its east and west sides. It is therefore most likely that in the middle of the eighteenth century much of this 'furlong' was still divided into narrow strips, but since no map of this area at that time has survived, it is impossible to determine precisely when some of these strips had been exchanged and combined to form the present lay-out of fields - which certainly existed in 1838.

Perhaps a few strips then owned by the Rector of Hutton later formed the nucleus of the four-acre field called New Ground in 1838 and then part of the Rector's glebe land, but now held by the Parish Council and used as allotments; and the fact that the six-acre field immediately west of it belonged in 1838 to Thomas Keyball Dean may indicate that it had belonged in the middle of the eighteenth century to his ancestor, Mr Keyball. It seems likely too that more of Humphrey Brent's scattered fifteen acres of land in the West Field, besides those two which adjoined William House's strip, may have been in this Middle Furlong, and that at least one of the two cottages (now much altered) on the west side of Church Lane's western arm was then on the eastern edge of this 'furlong'.

South of this area lay the Upper Furlong of Hutton's West Field, similarly divided into strips and, perhaps, some small enclosures produced by the exchange and combination of strips. The rest of Humphrey Brent's fifteen acres in the West Field must have been in this 'furlong', including the "one acre and a yard" of arable that he transferred to William House in 1730 with a strip already owned by William House on its west side and one owned by Joseph Wheeler on its east side, though these cannot be precisely located; at least seven such small enclosures, varying between one and two acres, were still in existence in 1838.

Although there is no eighteenth-century record of the footpath running across the north edge of this 'furlong', Humphrey Brent's Court Farm must have needed the present access track, part of which still runs between hedgerows, from Church Lane, and the inter-furlong boundary is still well marked by a ditch and hedgerow and a drop of a few feet on the north side of this track. Similarly well marked is the south boundary of Upper Furlong with, just above it, the track running westwards from the top of Upper Church Lane to the woodland above the 'furlong'. Again, in the absence of any documentary evidence, the existence of this track during the eighteenth century can only be presumed from the necessary access it provided.

The eastern stretch of Haywood, which ended near where the most westerly of the three houses in the wood now stands, was probably also divided into strips or plots of about two acres each, as it was still in 1838, and according to the 1730 deed of conveyance Brent had three such plots, belonging to Haise's, Trowbridge's and Snigg's tenements. One of these may have been the previously mentioned plot on the west side of the small detached piece of woodland belonging to the Symons family and so within the Oldmixon area, and another would most likely be that on the east side of the Symons plot, just within this Hutton area. How these plots were distinguished and what kinds of trees they contained are not recorded, but they are described as "coppiced" and it is most probable that ash, oak and hazel predominated there as they had done four centuries earlier.

The land between the eastern edge of Haywood and what is now the top of Upper Church Lane, as far south as the parish boundary, was probably then called the West Hill, the western part of the unenclosed Hutton Hill on which certain Hutton tenement holders had rights of common, particularly of grazing.

The second section of this purely Hutton part of the parish is that lying to the north of the main Uphill to Banwell road as far as Moor Lane. Behind the main road in the west is the ridge which continues the North Hills, and it seems likely that in the middle of the eighteenth century this area, perhaps earlier known as the Lower Furlong, was mostly arable land, divided into narrow closes, probably based on earlier strips. Certainly in 1730 Humphrey Brent had two acres in North Hills as part of his Sheppard's tenement leased to George Day, and as late as 1838 there were still five such closes, then called Inclosed North Hills, west of where the small toy factory now stands.

There were also probably then, as later, shorter orchard plots on the southern slopes of the ridge further eastwards, including Brent's two-acre Willin Close, just west of The Grange. This farmhouse was then most probably the 'messenger' described in 1730 as that of Haise's tenement "with barn, stable, garden, orchard and backside" only occupying about an acre; it was owned by Brent, leased

to Isaac Kington and may have been occupied by him or by his sub-tenants. Beyond this was another farmhouse, the most westerly of a number of similar dwellings of various sizes which lined the north side of 'the Street', the village stretch of the main road.

This farmhouse was later enlarged and transformed into the present Sutherland House, but in the middle of the eighteenth century it probably belonged to a previously mentioned Hutton ratepayer, Mr Biggs, though he may not have actually lived in it; certainly it was owned in 1838 by his descendant, Biggs Wetherill. Next eastwards was the farmhouse now called Wistaria Farm, whose ratepayers were Mr Baugh (or Bath) until 1739 and Mr Beaton from 1741 to 1783. Close beside it was the house now called Centre Farm for which Widow Haise paid the rates until 1731 and Mr Keyball from 1734 to 1777.

Finally there was a farmhouse at the west corner of Moor Lane, now almost completely disguised as the present Post Office and stores, though some of its earlier walling may still be seen on its Moor Lane side and an early-twentieth-century photograph has survived showing its lower height and thatched roof before it was rebuilt. The eighteenth-century ratepayers for this last dwelling and the land then belonging to it were John House (to 1731), Samuel House (1734) and Thomas Beard (1735-1761), but they did not necessarily live in it. It is likely that plots of land behind all these farmhouses extended northwards for many yards, some, perhaps, as far as the line of the present St Mary's Road.

Returning west, one would next see, below and north of the North Hills ridge, a belt of meadow land, Hutton's Westmead, probably divided into small closes or even strips, the most westerly part of which, adjoining the Symons meadows, belonged to Mr Beaton, according to the 1756 map. Within this belt, in 1730 Humphrey Brent owned altogether sixteen acres, consisting of one close of four acres, called Westmead, "near to the ... moor", belonging to Court Farm and so used by Richard Hill, a close of five acres, part of Snigg's tenement, farmed by Benjamin Broadway, two more of three acres leased to George Day, and perhaps the single Acre Mead, farmed by Isaac Kington or his sub-tenant. Humphrey Brent also owned, as part of Haise's tenement, a two-acre close of land at the eastern end of the Westmead, called Lane End.

This close was probably about half of the Lane End Paddock shown on the 1838 Tithe map as the field on the west side of what is now the parish football and recreation ground on the west side of Moor Lane. During the eighteenth century this area was the most southerly part of the unenclosed Hutton Moor in which certain Hutton landowners had rights of common for grazing, and access to it was provided by the Moor Lane gate, so often reported throughout this period as in need of repair, situated at what was then the bottom end of Moor Lane near the entrance to the modern Elizabeth Close, where a narrow stream flows slowly westwards in a culvert under the road.

From this point the rather erratic course of this stream marked the southern and western boundaries of the western side of Hutton Moor. From the Moor Lane gate during the eighteenth century, instead of the straight metalled road that now runs northwards, only an unfenced winding track crossed the open moor. Its course further north will be traced in a later section of this survey.

Meanwhile, the next section of the parish to be described is the area lying on the east side of Moor Lane and north of the 'Street'. East of the junction of Moor Lane with the main road was the garden of the farmhouse of Snigg's tenement (later to be known as Middle Farm), owned by Humphrey Brent but leased to Benjamin Broadway. Its outbuildings (some of them now transformed into houses), yard, garden and orchard covered four acres and were, perhaps even then, enclosed by the stone wall, parts of which may still be seen, including the fragment on the east side of Moor Lane. It is quite likely that by the middle of the eighteenth century the frontage of the farmhouse differed little from that of the present Orchard House and East Wing, though the adjacent Old Barn would probably then have been a single-storey outbuilding.

The two or three cottages adjoining the road east of the farmhouse, together with their own small garden plots behind them, would most probably have also been there then, though thatched and perhaps smaller, and one of them may have been George Jones's cottage with its orchard of about an acre, owned by Humphrey Brent. It is likely that the next building further east along the main road occupied the plot on which South View and The Chestnuts now stand, but it cannot be identified with either of those houses, nor can it be associated with any Hutton ratepayer of the eighteenth century.

Although there is no known contemporary reference to the footpath on its east side, it is almost certain that there lay just beyond it the farmhouse now comprising Valley View and Old Post Office Farm, probably little different in appearance, apart from its roof which would then be thatched. This dwelling and the plot of land behind it, and on its east side, may well have been the "little messuage with garden and orchard" which was part of Humphrey Brent's Sheppard's tenement, and was occupied by Samuel Day in 1730, "with ground adjoining of about five acres in the occupation of Joseph Dymock", assessed at £1.

Immediately to the east of this plot was the cart-track providing access to Hutton's East Field, the present Eastfield Road, but without any of its present cottages. Nor would there then have been any houses along the north side of the main road as it climbed up the hill. In fact, the whole length of the main road from the beginning of Eastfield Road to the south end of the present drive down to Lodewell Farm had then on its north side (now lined with houses and gardens and breached by Barrow Road, Vereland Road and Hillside West) only arable land. This consisted of two closes, the west one (unnamed) of about 20 acres, which included the two-acre Barrows acquired by Charles Biggs in 1750, and the other, Brimblefurlong (17 acres) belonging to Humphrey Brent's Court Farm. These two closes stretched well back from the main road.

There was no corresponding division of land on the west side of Eastfield Road, for immediately north of the back garden plots of the farmhouse and cottages just east of Moor Lane there stretched northwards the fourteen acres known throughout the nineteenth century and for half of the twentieth century as Middle Farm's Home Ground; however, its ownership and occupancy during the eighteenth century is not clear, for it was not included in the lands of Snigg's tenement conveyed to Humphrey Brent in 1730.

Except for the smaller part of it, north of the present footpath from Moor Lane towards Ludwell, almost all of this land is now covered with houses and

gardens as far north as those of Moorcroft Road. So too now is the area to the east of it, northward-sloping land which was then Hutton's East Field. By the middle of the eighteenth century this 'common' arable field was still divided into strips of various widths, running north to south and in 1730 Humphrey Brent owned several of them, namely 2½ acres as Court Farm land, 2 acres as part of Trowbridge's tenement, one 'close' of undisclosed size as part of Snigg's tenement and another separate acre as well as a 1½ acre close known as Eastfield Parrock, both being parts of Sheppard's tenement leased to Joseph Dymock.

In addition, William House had two acres in East Field originally intended to be exchanged for some land of Brent's, and there must have been several other holders of strips in it, probably including the Rector of Hutton who certainly had some there in 1838. East of this field lay Brent's 12-acre Lower Brimblefurlong, belonging to Court Farm.

The west end of the next wide belt of land further north has probably changed little in appearance since the eighteenth century, for the little stream which flows under Moor Lane then formed the north boundary of what was later known as Middle Farm's Home Ground, and even today most of this land (now north of Moorcroft Road) is still pasture. However, during the eighteenth century the most westerly part of the land beyond that stream, as far north as Cross Rhyne, was part of Hutton Moor.

To the east of the 'Home Ground' field, but north of the present footpath towards Ludwell, lay Hutton's East Mead, roughly divided into Little Mead on the west side and Great Mead on the east, with the northern stretch of that little stream in a great arc as its north-west boundary. Like the arable East Field, this meadow was parcelled into long narrow strips of various widths, lying north to south, some of which were combined later into long narrow fields which may be clearly seen from the top of the Woodspring Recreation Ground. The holders of several of these strips during the eighteenth century are known, although the exact location of their holdings within the East Mead cannot be identified. Humphrey Brent, for example, owned four acres in East Mead (which part is not specified, one acre in Great Mead and half an acre in Little Mead, all part of his Trowbridge's tenement, as well as another acre in East Mead on the west side of a strip belonging to James Hardwick, and another half-acre in Little Mead between strips belonging to John Harvey in 1730 (and perhaps Joseph Dymock later) on the east and the Rector of Hutton on the west, these being leased to George Jones.

It is likely too that the "one acre in the Common Mead", which Humphrey Brent held as part of Sheppard's tenement and leased to George Day, was part of the East Mead, for by then the West Mead was divided mainly into small closes rather than strips. Since a descendant of Mr Biggs held 2 acres in Great Mead in 1838, it seems probable that they were held by Mr Biggs in the middle of the eighteenth century, and even more probable that a much wider close of meadow, called the Long Four Acres, on the east side of Great Mead, which in 1838 was part of the Rector of Hutton's glebe land, was so a hundred years earlier.

Also in 1838, an even wider long close of meadow land, called Ash Hole, about 4½ acres in extent, lay still further east, but it is not known who owned or occupied it during the eighteenth century. Both of these last two closes were divided roughly into halves, north and south, as they still are today, and the northern half of

Ash Hole was (and is) bounded on the east by the northward flowing stretch of the Hutton and Locking Rhyne. The Locking boundary rhyne was also the northern boundary of Hutton's most easterly land in this area, that is, Humphrey Brent's Eighteen Acres, part of the Court Farm estate like the two Brimblefurlongs above it. Finally, within this particular section of Hutton, there was yet another part of Humphrey Brent's Court Farm land, the thirty acres of pasture called Lovelands (formerly Lovenell) adjoining Hutton Moor on its west side.

The next section of this middle part of this parish is that lying south of the main road, from the western arm of Church Lane and Upper Church Lane to Canada Combe. First at its west end, it seems likely that the cottage on the main road, at the east corner of Church Lane, was there throughout most of the eighteenth century, and it may have included at least part of the adjoining building now called Yew Tree Cottage. If so, it was part of the property for which rates were paid by Edmund Masters's children until 1734, and then by William Gane and Jane Masters jointly until 1762, but who actually lived in it is not known.

Possibly also standing at this time was the next building just east of it, rather unusually set at right-angles to the road, now comprising both Green Gate and Bonehayes Cottage, which appears to have been, like Wistaria Farm almost opposite, part of the property for which Mr Baugh or Bath was rated until 1739, and then Mr Beaton until 1783. Both of these premises had large back gardens, and beyond these, as far as the southern stretch of Church Lane, lay orchard plots, possibly not belonging to them.

In fact most of the area east of them, lying between the main road and the southern section of Church Lane, as far as the site of the present village school, was then mainly filled with orchards. One of these, then called Wheeler's Orchard, now part of the school's playing field, must once have belonged to Joseph Wheeler until 1751, but later became part of the Rectory land which was then bounded on the east by the whole eastern arm of Church Lane, the Rectory itself probably occupying most of the site of the present Old Rectory Nursing Home with outbuildings south of it.

On the east side of Church Lane and adjoining the main road, the group of buildings which now comprise a bungalow, a hairdresser's shop and a house that not so long ago was a post office and stores, then probably formed a small farmhouse and its outbuildings, apparently owned by John House until 1732 and from then until 1761 by Thomas Beard, for it was certainly part of their rated property. Immediately to the south and east of these premises were more orchards, whose ownership at that time is not clear, and beyond these, various parts of Humphrey Brent's Court Farm estate. These included its great barn (now transformed into a house) and some bartons adjoining the east side of Church Lane, and two of its great closes, the 12-acre pasture called Long Close and the arable field unnamed in 1730 stretching up along the south side of the main road to what is now called Canada Combe Road (a name which apparently did not exist in the eighteenth century).

South of Church Lane almost all the land eastwards from Upper Church Lane to what is now known as Canada Combe, apart from that occupied by the church and churchyard, belonged to Humphrey Brent.

As explained previously, his 26-acre Horse Close probably then stretched eastwards from Upper Church Lane behind the church and across what is now the southern part of the garden of Hutton Court and further east to adjoin his 10-acre Parrocks (not Court Farm land but part of Snigg's tenement), just south of his Rushey Close.

As for Hutton Court itself, little is known of its appearance and lay-out in the eighteenth century but most probably it had changed little at least externally since it was occupied by Nathaniel Still and his family early in the seventeenth century, though, according to Rutter's *Delineations of North Somerset* (1829) its parlour was then well furnished with portraits, especially of members of the Brent family, so perhaps some of them may have been hung there by Humphrey Brent. It is not known if and how this complex of buildings was divided when Humphrey, who was a bachelor, was living in it with his housekeeper, Frances Sparkes, and her invalid husband, whilst Richard Hill was the tenant of Court Farm, probably the one called Hutton Farm in Humphrey Brent's will.

However, it seems most likely that the separate building (now derelict) of Georgian design standing near the south-west corner of the Court garden, and including its fireplace and fuel store, was built by Humphrey Brent as a library to house his collection of books, for in his will he left instructions for his housekeeper to be provided with fuel for "the preservation of the furniture" (presumably inside the house) "and the books in the library".

On the east side of the Court lay its orchard with the medieval fishponds and Ladies Well at their east end. Still further east lay the Court Farm's Rushey Close and beyond that the sloping 12-acre Batchy Close, perhaps then including the five-acre plot of arable land known as Prouts Wood, for there is no mention during this period of that former piece of woodland, first so-named in the fifteenth century.

Further south, at the west end of this part of the parish, the track from the top of Upper Church Lane not only led westward to Haywood but also wound round eastwards to give access to the unenclosed pasture or 'waste' above, then known as the West Hill. It is not known if the quarry just beyond the top of the lane was there in the eighteenth century, but there was certainly a gate across the lane, for Hutton's earliest surviving book of Churchwarden's Accounts records a decision at a vestry meeting on November 7th 1739 that "posts and a gate be set up at the upper end of the lane leading to the West Hill with either walls or banks to the same, from Horse Close stile to the hedge opposite it".

The stile and gate with gateposts now at the top of Upper Church Lane are therefore the modern successors to those erected in the middle of the eighteenth century to keep sheep from straying from the hill pasture above to the arable fields below. Only a few yards to the south-east of this gate was the south-west corner of Hutton Wood, which from there swept eastwards along the curving scarp of the hill above the Court and its farm lands almost to the west edge of the Combe. This coppiced wood, covering 54 acres in 1730, belonged directly to Humphrey Brent, not being part of Court Farm, though six acres of it were leased to Joseph Dymock as part of Sheppard's tenements.

Between the east end of the wood and the west side of the Combe lay Humphrey Brent's ten-acre field called Down Acres, part of Sheppard's tenement

leased to George Morse, still visible on the north side of the present cart-track and footpath running eastwards from the upper part of Canada Combe Road, almost on Hutton's boundary with Bleadon. All the rest of the land in this parish above Down Acres and above Hutton Wood as far as its west edge was then unenclosed common pasture known as the West Hill. Similarly, on the east side of the Combe, which was perhaps then not wooded, the hill above it, now usually called Windmill Hill, was then known as the East Hill, and was another area of common pasture where those tenement holders or 'commoners' who had rights of common on Hutton Hill were able to let their flocks of sheep graze.

Much of it must also by this time have been covered with furze and bracken, for, from time to time, loads of this, usually called 'fern', were cut and brought down into the village for distribution as fuel for some of Hutton's poorest parishioners. Access to the East Hill was probably provided by the first (eastward) stretch of the lane or track, now called Canada Combe Road, and its continuation eastward and uphill (now non-existent) between the relatively modern bungalow, The Perch, and the older stone cottage, Dean Croft, from the point where the present road first makes a right-angled turn southwards.

There is apparently no documentary evidence to show if any 'squatters' cottages were built on the edge of the 'waste' along this lane or in the Combe beyond it in the middle of the eighteenth century, nor is there any record of calamine mining in this area at that time, but the quarry at the foot of the more recent Windmill Hill road may well have been in use then, as it was a few years later. Two things however are known for certain about the lane or track leading to the common pasture on the East Hill, although no trace of them is now visible: the lane, then called the East Lane, was walled on both sides and, like Upper Church Lane, it had a gate at its upper end, for at the vestry meeting of 7th November 1739, the parishioners had also agreed that "posts and a gate to be set up at the upper end of the East Lane leading to the Hill to prevent the sheep coming down the lane into the parish" and "as for the walling already built on each side 'tis agreed that Mr Brent who built it may be allow'd the expences in doing it".

There is one more area of the western and middle part of the parish to consider, namely its long stretch northwards from Cross Rhyne, between the old Bleadon boundary along Oldmixon Drove on the west and the Locking boundary on the east. This is an area which probably most people now living in Hutton hardly consider to have any connection with the parish, for it has virtually been cut off from the village of Hutton since the construction of the airfield in the 1930s and most of it has become part of Weston-super-Mare. Yet until 1930 land-holders living in the village held odd patches of land within that area, and Hutton's old documents are full of references to them. Although this is naturally a wet clayey moorland area, the greater part of it, since at least the fourteenth century, had not been open common moorland like Hutton Moor south of Cross Rhyne, but had been divided by ditches into closes of pasture or meadow land, some of them even being occasionally ploughed for crops of grain.

These closes appear on maps to lie within six roughly parallel 'belts' of land from west to east. The first, at the west end immediately north of Cross Rhyne, began in the eighteenth century with three adjoining closes, all part of the Symons estate.

The first two of these, nearest to Oldmixon Drove, were later (1838) known as Stars Seven Acres and Inner Stars Seven Acres, and so presumably their tenant in 1756 was John Star (or Starr), a Hutton ratepayer, assessed at £2.10s.0d, from 1723 to 1766. The smaller Symons close east of these was the Four Acres which had formerly belonged to Ann Card, whose marriage to Joseph Knox in 1732 and the subsequent sale of this close in 1739 have been mentioned earlier. All three of these closes now form part of the Westlands factory complex, and so too does the next close further east, which on the Symons map has no eastern boundary, but was merely part of the land bearing the name of its owner, "Humphrey Brent Esqre".

In 1838, and probably in the middle of the eighteenth century, this was a close of nearly thirteen acres called Rushey Leaze (an ominous name), but it does not appear, either by name or by its size, among the lands listed in the 1730 Brent deed of conveyance, and so it must have been among those acquired later by Humphrey Brent. A deed of 1761 states that William House had eight acres "in Rushey Leaze" in 1759, and so it is possible that Humphrey Brent then held only its other four or five acres on its west side, adjoining Card's Four Acres, though, as will be explained later, there is reason to believe that William House's Rushey Leaze lay further east.

On the east side of the 13-acre Rushey Leaze, the 1838 map shows two more closes, with a rather irregular northern boundary (perhaps denoting an earlier origin), then called the Seven Acres and Bailey's Seven Acres, but nothing is known about their existence and ownership in the eighteenth century, though Bailey, perhaps a tenant, may have been the James Bailey who had a son baptised in Hutton in 1744 and who was buried there in 1768. These two closes now form the south-west corner of the airfield.

Beyond these, eastwards, lay the southern part of a broad strip of common land, almost 100 yards wide, stretching northwards through three 'belts' of land and later known as Broad Drove, but named "Hutton Drove" on one of the small sketch-maps included in the Symons map of 1756. Within this drove, the previously mentioned track across Hutton Moor continued its northward course, after passing over Cross Rhyne by means of a stone bridge, perhaps the same one (though often repaired since then) that may still be seen at the north end of the present Moor Lane where it reaches the airfield.

The evidence for the earlier existence of a stone bridge at this point comes from the name 'Stonebridge' Three Acres applied in the 1838 Tithe map schedule to the very first close over the bridge on the east side of Hutton Drove, together with the fact that a three-acre close called Stonebridge was part of Trowbridge's tenement which Humphrey Brent had acquired over a hundred years earlier in 1730. The name 'Stonebridge' was also applied in 1838 to the next close eastwards on the north side of Cross Rhyne, although it was also called 'Churchill Poor' because it belonged to Churchill's Overseers of the Poor.

The close on the east side of the Churchill Poor land was called 'Hurditch Eight Acres' in 1838 and, although nothing definite is known about its ownership or tenancy in the middle of the eighteenth century, this may well have been William House's "eight acres in Rushey Leaze" in 1759 which his widow sold in 1761 to Francis Hurditch of Sandford, for the name Rusham (another indication of its earlier marshy nature) was still applied in 1838 to land on the north side of the Hurditch

close, and may formerly have had a wider application and have been confused with Rushey Leaze.

Finally, at the eastern end of this first belt of land north of Cross Rhyne, with the Locking boundary rhyne on its east side, lay more glebe land, the Rector of Hutton's 16-acre Pass Croft, which almost certainly had been the Rector's croft in the thirteenth century, the oldest known enclosed part of Hutton's moorland.

At the west end of the next belt of land northwards, only a fairly narrow stretch of land adjoining Oldmixon Drove belonged to the Symons estate in 1756. The Symons map shows that this stretch was then divided into two closes, the southern one of about 4 acres and the northern about 5 acres. This land is now part of the Westland factory area, and across it the main railway line now sweeps in a great curve just north-east of the bridge over it on the Winterstoke Road. Adjoining the whole length of this (Symons) stretch of land on its east side, the 1838 Tithing map shows a single close called Oldmixon Nine Acres (another one so named), so it must have been regarded as Oldmixon land, but because it was not part of the Symons estate it was not shown on the 1756 map, but was merely the east part of a wide area labelled "Humphrey Brent Esqre Land".

East of these three closes eastwards is the area known as Longcroft in 1838; it is not known if it was subdivided in the eighteenth century. On the east side of Hutton Drove, the first close was part of the Symons estate. The land on the east side of this square close is labelled on the 1756 sketch-map as belonging to Mr Matthews, and a gap separates it from the next Symons plot. According to the more accurate but later Tithing map, two closes then occupied this gap, the western one then being than one of just less than four acres called Jennings's Leaze. This name, and the fact that in 1756 it belonged to Mr Matthews, would seem to establish beyond doubt that it was the "three and a half acres of meadow ground in Hutton Moor Leaze", bought by Joseph Matthews in 1748 as part of Betty Caple's tenement in his Elborough estate and inaccurately represented on the Matthews map of 1759 as a small enclosure on Elborough Hill near the site of the later windmill. Nothing however is known of the eastern part of this gap.

Between this close and the Locking boundary rhyne lay the other Symons close, which was later combined with another Symons close on its north side to form one called the Sixteen Acres in 1838. Almost the whole of this belt, both east and west, is now part of the airfield.

In the third belt of land northwards, the Symons family owned the first two closes east of Oldmixon Drove, which were later called Oldmixon Five Acres and the Four Acres. The next piece of land eastwards, merely labelled on the 1756 estate map as belonging to Humphrey Brent, was another nine-acre close, later called Nurton's Nine Acres. It seems likely that this, rather than the Oldmixon Nine Acres to the south, was the "close of meadow called Nine Acres at the west end of Longcroft Drove, bounded on the west by land of Mary Symons" which, according to the 1730 Brent deed of conveyance, was then leased to John House. If so, the Four Acres on its west side would have belonged to Mary Symons, probably the wife of Thomas and mother of the clergyman, in 1730, about eight years before Thomas acquired the bulk of the Oldmixon estate.

At the north-west corner of Oldmixon Five Acres, Oldmixon Drove is shown on the Symons map as coming to an end, and its whole length of about 700 yards to this point from nearly halfway along the west edge of Stars Seven Acres is numbered as an enclosure belonging to the Symons estate, though the word "Parishes" (i.e. Parish's) was written along it on that map, probably much later, indicating that this strip of drove land was then owned by the parish of Bleadon, for Hutton's western boundary ran along the east side of Oldmixon Drove.

Both of the Symons closes at the west end of this third belt now lie on the west side of the main railway line and have some houses and industrial buildings on them, whilst the northern third of Nurton's Nine Acres is now cut off by the railway line. On the east side of this close was a larger one called Snigg's Twelve Acres in 1838, so in 1730 this must have been "the land of the late John Snigg". This, according to the Brent deed, lay on the west side of a close then called the Eleven Acres, owned by Humphrey Brent and leased to John House, though by 1838 it had been divided into two smaller closes.

Since the Eleven Acres was described in 1730 as "bounded on the east by the land of one Smithfield", it would seem that James Smithfield, a Hutton ratepayer from 1720 to 1740, then held the narrow close called Long Croft at the east end of this northern part of the Longcroft area, with the northern third of Broad Drove on its east side.

East of Broad Drove, there were four long closes, each of about six acres or more, all called Rushams in 1838, with the northern half of the previously mentioned Symons close, the Sixteen Acres, at the very east end adjoining the Locking boundary rhyne. The small Symons sketch-map of this area shows that in 1756 the most westerly of these Rushams closes was also part of the Symons estate, and that Mr Keyball then held the land on its east side, i.e. the second Rushams close, and 'Mr Brent' the fourth Rushams close, which must have been the Rusham that in 1730 was part of his Sheppard's tenement, occupied by George Morse. The owner of the third Rushams close is not revealed. All the land in this belt east of Nurton's Nine Acres is now part of the airfield.

In the next belt of land further north, the estate map of 1756 shows two more Symons closes at its west end. The more westerly of these, later called Outer Horthorne or the Five Acres, had then a line of trees along its north side, and the west side of the adjoining close, later called Inner Horthorne or the Four Acres, was similarly lined.

The Symons map also shows the west end of another unnamed drove (later known as Hawthorn Drove) running east from half way along the north boundary of Inner Horethorne. East of this close lay land belonging to Humphrey Brent, the six-acre Whorthorne close which was part of his Trowbridge's tenement in 1730, let to Thomas Haise (perhaps Harse), and later known merely as the Six Acres. These three closes are now covered with infill and landscaped, but they had had their southern parts cut off, in the middle of the nineteenth century, by the curve of the Weston branch railway line from Hutton Junction.

Further east within this belt, the Tithe map shows two more closes, Lower Nurton's Seven Acres and the Nine Acres, which would almost certainly have existed in the middle of the eighteenth century and perhaps even earlier, but they

may have had other names and nothing is known of their ownership during that period.

Beyond these closes eastwards lay more than eleven acres of glebe land belonging to the Rector of Hutton. The south-eastern edge of this land was the northern limit of Broad Drove, whilst its east side adjoined the trackway, the continuation of Hutton's Moor Lane, here later called Narrow Drove. Almost certainly, this close could not have been Humphrey Brent's Eleven Acres of the 1730 deed, and it is not known when it had been enclosed.

On the east side of Narrow Drove, however, lay one of Hutton's mediaeval manorial enclosures, Marycroft, which in 1430 when it was called Marencroft, had been divided into four 7-acre closes, and the two more westerly of these in 1730 had formed Humphrey Brent's 14-acre Marycroft. The ownership at this time of the next close eastwards (called Hay Seven Acres in 1838) is not known.

The fourth close, adjoining the Locking boundary rhyne, was called Laney's Seven Acres in 1838 and must have belonged to the Laney family of Locking throughout the eighteenth century, for one Richard Laney after another was a Hutton ratepayer from at least 1714 onwards. All the land in this belt east and south of the main railway line is now part of the airfield.

Although two more belts of land lay within Hutton's parish boundary, only the west part of the first of these, with Hawthorn Drove along part of its southern edge, is shown on the Oldmixon estate map of 1756. The Symons family apparently did not then own any land in the western part of the most northerly belt, which lay along the south side of the westward-flowing section of the Hutton-and-Locking Rhyne, here serving as the boundary between the parishes of Hutton and Kewstoke. It is probable that only the west half of both of these belts had been long divided into closes of various sizes, for their east half was entirely occupied by another large tract of moorland, called Frogmore, Frog Moor or sometimes Hutton Lower Moor.

In the western half only three closes are shown on the Oldmixon estate map of 1756, and only the first and third then belonged to the Symons family. The one adjoining Hutton's western boundary was probably that leased to John Starr in the middle of the eighteenth century and the next but one to the east, Hawthorn Four Acres, must have been sold at some time after 1756, for on the map a later hand had written over it "Not belong to this estate".

Sandwiched between the two Symons closes was "Mr Partridge's land" (whether James or Michael – both were Hutton ratepayers with land in Elborough in 1848 - is not specified), a small close merely known by the general name of Hawthorn. East of the Symons Four Acres lay land belonging to the Rector of Hutton, a close also called Hawthorn Four Acres. It is not known who, in the eighteenth century, owned the next close eastwards, shown on the 1838 Tithe map and then named as yet another Hawthorn Four Acres but on the east side of that on the Tithe map lay a larger close of about 11½ acres for which Mr Beaton paid the Poor rate of £2.15s. from 1743 to 1752. One more close of seven acres, whose eighteenth-century owners are again unknown, lay yet further east and adjoining Hawthorn Drove with a part of its south-east area now cut off by the railway. Beyond this close lay the southern half of Frogmore.

At the west end of the last belt of land in this northernmost part of the parish were two eight-acre closes, both called Pipers Leaze. One of them, probably the one at the very north-west corner of the parish, was part of Trowbridge's Tenement which Humphrey Brent had obtained from the Codringtons in 1730.

The next close eastwards, of similar size and bearing the same name, belonged in 1838 to Mr Keyball Dean, and so it seems likely that in the middle of the eighteenth century it was part of the property of his ancestor, Mr Keyball, a Hutton ratepayer from 1736 to 1757, for which he was assessed at £4 per annum. Only one large close, called the Twenty Acres in 1838, lay between the Keyball close and the northern half of Frogmore, and there appears to be no clue as to its ownership in the eighteenth century. All this part of the Hawthorn area north of the main railway line now forms the west part of the trading estate north of Herluin Way and east of Winterstoke Road.

Frogmore, at the north-east corner of Hutton's moorland, was probably the wettest land in the parish. It had a "stone road" across it early in the sixteenth century, probably for driving stock from Hutton Moor to Locking Moor where some Hutton landowners had rights of common. Most of this area now lies north of the airfield and is crossed diagonally from north-east to south-west by the main railway line which is bridged by the northern part of Weston's Hutton Moor Road.

A little sketch map apparently of the western part of Frogmore, included in the Symons estate map of Elborough in 1756 shows only four closes in this area, three of them belonging to Mr Symons, with a short length of a lane as their southern boundary, separating Frogmore from Marycroft. However, it seems likely that then, as in the 1838 Tithe map, there were seven closes within this part of Frogmore, three in its northern half and four narrower ones south of them, all lying to the west of a narrow track which followed the Hutton and Locking Rhyne.

On the east side of this rhyne lay the rest of Frogmore, about 36 acres of open moor. The most westerly of the four closes in the southern half of Frogmore was called Upper Frogmore in 1838 and then belonged to Mr Biggs Wetherill, so it seems likely that in the middle of the eighteenth century it belonged to his ancestor, Mr Biggs, a Hutton ratepayer from 1738 to 1777. Unfortunately, this close is not shown on the Symons sketch map of 1756, unlike the next one eastwards called Little Frogmore in 1838, which is numbered on the sketch map as a Symons property, with "Mr Brent's Land" labelled on its east side. This latter field was evidently the three-acre close called Frogmore which was a part of Humphrey Brent's Sheppard's tenement in 1730.

The next close eastwards, also called Frogmore in 1838, but one of 7 acres, was another Symons close in 1756. In the northern half of Frogmore, only the most westerly close, named Inner Frogmore in 1838, is shown on the Symons sketch-map of this area and is numbered as part of the Symons estate in 1756, but in 1838 it had the close called Lower Frogmore belonging to Biggs Wetherill on the east, and so this too may have belonged to his ancestor, Mr Biggs, in the middle of the eighteenth century. Still further east lay the larger close of nearly eight acres called Taggs Leeze in 1838, and then owned by James Partridge Caple, apparently related to two Hutton ratepayers of the mid-eighteenth century, James Partridge and Betty Caple, but the 1756 Symons sketch-map labels it (without its boundaries) as "Mr

Days Land”, presumably then belonging to John Day, a Hutton ratepayer who was assessed at £2.10s. in 1759.

The south-east corner of this close is now cut off by the main railway line, and so too is a large triangular portion of the land on its east side, the northern part of the unenclosed Frog Moor. It is probable that throughout the eighteenth century it had been unenclosed summer grazing, common land for those who held rights of common. It was probably in this part of Frogmore that in 1781 a post was “put up in Frogmore lake for a guide to pass through when ye land flood is high”.

It is now time to return to the Banwell road through this parish and follow its further course to look at the eastern parts of the parish, Ludwell and Elborough. It is certainly much easier to form a mental picture of the mid-eighteenth-century lay-out of these areas, for not only have they been subject to far less change than the Oldmixon and Hutton parts, but they are also better documented. A detailed Matthews deed of conveyance (1748) and an excellent professional Matthews estate map and schedule (1759) cover the whole area as do the Elborough parts of the Symons estate map of 1756.

Ludwell deserves to be regarded as a separate section of the parish. This area lies south of the eastward-flowing stretch of the Hutton-and-Locking Rhyne (Locking’s southern boundary), east of what was Humphrey Brent’s Eighteen Acres, Lower Brimblefurlong and Brimblefurlong (i.e. of the eastern boundary hedge of Springwood Recreation Ground and of the back gardens on the east side of Hillside West), north of the lower part of Windmill Hill (by the quarry) and north of the field boundary that runs across to the woods above the present Hutton Garden Centre, and west of that garden centre’s eastern boundary and of the road to Locking opposite it.

In the middle of the eighteenth century, adjoining the east side of Brimblefurlong and sloping northwards downhill, lay a narrow two-acre arable close called Home Close in the Matthews 1759 map schedule. Its north-east corner reached the little plot of land and group of buildings that then constituted Ludwell Farm, which was called Great Ludwell in the 1748 deed and described as a “messuage or mansion house with Barn, Stable and Garden”. Significantly, however, there is no mention of a water-mill, last recorded in a 1691 Kidgell deed, so it had probably by then fallen into disuse.

Immediately to the north and west of the farmhouse lay Home Mead (over 2 acres), one of three meadows unnamed in the 1748 deed, and east of the farm lay a small narrow 2½-acre meadow called Suggs Meadow in 1748, and Long Zuggs in 1759.

Further north, and adjoining the Locking boundary rhyne, lay the other two meadows, unnamed in the deed. The western one of over 7 acres was called Lower Mead in 1838; the eastern, 4-acre field was named Duck Leaze in 1759.

South of this low-lying meadowland and the farmhouse there stretched uphill towards the curving Banwell Road, as it does still today, the large pasture, which, both earlier and later than this period, was known as “Ruins” and which continued almost to the crest of the hill, well beyond the road. In 1748 it was apparently divided into two closes, for the deed describes this area as “those closes

of pasture ground called the Elm Hay and the Upper Ground thereto adjoining, containing about 20 acres". The name Elm Hay suggests that at least one of its boundaries was a hedgerow of elm, and certainly the west part of the northern boundary of Ruins and the hill pasture (roughly the line of the present footpath) was not many years ago marked by a magnificent row of elm trees. However, on the 1756 map both parts are named in its schedule as Rovends Pasture, probably a corruption of Ruins, and its total size is nearly 23 acres.

Further east but north of the Banwell Road lay two more meadows stretching eastwards towards the Locking road, but only the more northern of them, the roughly 7-acre meadow called Yorks in 1748 and Yorks Mead in 1759, is mentioned in the 1748 deed as part of the Ludwell tenement. The more southerly close, shown on the 1759 map as Matthews land, was then called Western Ten Acres (although actually about 8½ acres), a name which suggests that it had formerly belonged to a more eastern tenement in Elborough, though as one would expect by 1838 it was farmed by a tenant of Ludwell Farm. However, it was not included in the Ludwell tenement for which, in 1748, John Sharp paid an annual rent of £33.10s.

Between the west side of Western Ten Acres and the lower part of Rovends pasture (Ruins) the 1759 map shows a short lane (no longer in existence) running northwards from the Banwell Road apparently at the bottom of the hill where now a private road leads to Lodewell Farm.

South of the Banwell Road and east of the southern part of Ruins there lay another, much smaller, tenement, also held in 1748 by John Sharp for an annual rent of £3, based on "a little parrock" (paddock) "whereon there lately stood a tenement" (here meaning house) "called Little Ludwell with the orchard adjoining thereto containing one acre". Only thirteen years earlier, when the hard-pressed George Selman had mortgaged this tenement to Joan Comer of Cheddar, the building presumably existed and had 5 acres of arable or pasture adjoining it and 6 acres of coppiced wood on its south side, though these areas are given as 4 acres and 5 acres respectively in the 1748 deed. All three pieces of land are called Little Ludwell in the schedule of the 1759 map and they are now occupied by the western part of Hutton Garden Centre and the woodland immediately above it.

Finally, a close on the east side of Little Ludwell's arable land and now occupied by the eastern part of Hutton Garden Centre, is shown on the 1759 map and is named in the schedule as Dover's Western Four Stiles, and it must therefore be the 4-acre Western Four Stiles of the 1748 deed, described then as part of an Elborough tenement, formerly rented to John Morse but by then to Betty Caple. However, with its eastern boundary hedge continuing southwards the line of the road to Locking, this close may be considered as part of the Ludwell area. Its name suggests that it may then have crossed by footpaths running north-south and east-west.

For Elborough, despite the additional information provided by the Elborough estate sketch maps which were part of the Symons estate map of 1756, it is not possible to identify with absolute certainty all the items mentioned in the 1748 Matthews deed of conveyance. According to that deed, there were three larger tenements and three smaller holdings of the Matthews estate in various parts of Elborough.

That part of Elborough which lies north of the Banwell Road is a long, but narrow, stretch of fairly flat land, mostly between twenty and thirty feet above sea level, separated from the Locking boundary by little more than a strip or narrow belt of meadow land.

On the 1759 Matthews estate map, on the east side of the lane to Locking was Burge Mead (approximately 2½ acres) but, according to the 1748 deed, “a close of meadowland lying at a place called Burge Mead” (and therefore apparently only part of it) was only 1¾ acres and belonged to the second Elborough tenement listed in that deed, tenanted by William Horsington. However, the same deed mentions a close of meadow called Bird Mead as belonging to the first Elborough tenement, held by Michael Pressey, and since no such field name occurs in any other known records, this must surely have been the remaining part of Burge Mead, despite its small size (about two acres). Evidently, by 1759, there was no such division of this close.

East of this the 1759 map shows another Matthews meadow of about 3 acres, merely called Mead, and since this does not fit any of the items in the 1748 deed, it would seem to have been one of the estate’s subsequent acquisitions. Beyond this was a mere strip of meadow (probably less than an acre) called Davies’s Mead in 1759, and this may well have been the single-acre Orchard Mead in 1748 leased to Michael Partridge, but it had evidently once belonged to Widow Davies, a Hutton ratepayer from 1723 to 1738. However, the property for which she was assessed at £3.14s. then passed to Joseph Manship, not to Michael Partridge, but from 1752 onwards, Mr Matthews himself was charged with the rate.

Adjoining it on the east side was a strip of similar size, one of several pieces of land in Elborough belonging to a Mr Lewis, according to the 1759 map and its schedule, yet there was no such Hutton ratepayer at this time, though a Mrs Lewis (widow) had been a ratepayer until 1751 when she was apparently replaced by a Mr Ozen. She is also mentioned in the Matthews deed of 1748 as having strips adjoining his in “the common field”.

At the north-east corner of this close, the Locking boundary continues eastwards and so ceases to follow the upstream course of the rhyne which however continues as the southern boundary of the rest of Elborough’s meadowland.

The next two closes of meadow eastwards belonged to Mr Matthews, the first one, of 2½ acres, being called Clark’s Mead, perhaps having formerly belonged to Widow Clark, a Hutton ratepayer from 1720 to 1727, and then to “Clark’s heirs” until Mr Matthews started to pay the rates for it in 1752. The next field, a long, narrow close of about 5½ acres, was merely called The Mead in 1759, and was evidently a large part of the former Elborough Mead, a common meadow. It would seem, therefore, that Joseph Matthews had enclosed this part of the meadow for his own use or for that of his tenants exclusively.

Still further east lay another Matthews meadow of about 3 acres whose name, Hurn’s Mead, (not recorded before 1748), cannot be explained since it does not correspond to the surname of any known Hutton ratepayer. Beyond this lay a rather larger close belonging to “Mr Simmons”, according to the 1759 schedule and shown on the Symons estate map of 1756.

Finally, another stretch of meadow that had probably once been a single larger close, and certainly became so again by 1838 (then called Crossways Mead), is shown on the 1759 map as then divided into three unequal parts. First of these was a narrow strip belonging to Mr Lewis, next Crossways Mead of about 2 acres belonging to Mr Matthews, part of Betty Caple's tenement in 1748, and last of all was a 3-acre close belonging to Mr Symons, with its south-east corner adjoining the eastward bend of the zig-zag where the Banwell Road crosses the boundary into the parish of Banwell. Two or three possible old boundary stones were found near the field gate here and in the north-east corner of this field by the writer in 1973.

South of this belt of true meadowland lay several closes of fairly flat land, mainly pasture, with the Banwell Road on their south side. At the western end, adjoining the road to Locking, lay Western Five Acres, with Eastern Five Acres on its east side. These two closes probably formed the northern half of the four 5-acre "meadows" mentioned in the 1748 Matthews deed as part of William Horsington's Elborough tenement; they have been used over the years both as arable land and as pasture and one of them has more recently served as a football ground for a Locking club.

To the east of these lay the 6-acre Dean's Close, so named both in 1748 and 1759, though the origin of the name cannot be traced. Just east of this, according to the 1759 map, was another Matthews close of similar size, probably being then a recent combination of three small closes named in the schedule as Dunride (the Dunridge of about 4½ acres, part of Michael Pressey's tenement in 1748), Crab-Tree Acre (part of William Horsington's tenement in 1748) and Box Acre.

On the east side of this close in 1759 there was a narrow strip belonging to "Mr Simmons", also shown in the Symons sketch-map of 1756; in this field there now stands an old brick cattle-shed and at the south-east corner of the field the present footpath starts its north-west course towards Locking.

Three more Matthews closes lay east of this strip, the first one being called Longcroft (yet only just over 2 acres) with its south-east corner shown on the 1759 map as fenced off from the rest and named in the schedule as Longcroft Pen. The next one was called Willins Close, a name of obscure origin but also found east of Grange Farm in Hutton. In 1748, when this Elborough close was part of Betty Caple's tenement, its size was given as only one acre, but a half-acre of pasture, also called Willins, was held by Michael Partridge and this would appear to have been a roughly triangular area fenced off in the south-east corner of the close on the 1759 map and called Little Willin in the schedule. However the 1838 Tithe map shows both of these closes absorbed in an enlarged (4½ acre) Longcroft. The third Matthews close was Cutt's Croft which had also been leased to Betty Caple in 1748 together with a "pen". This pen may have been the one shown on the 1759 map in the south-west corner of the next close eastwards, Culverhay, which had in 1748 been part of Michael Partridge's tenement.

Adjoining Culverhay was a close belonging to "Mr Simmons" in 1759 and shown as such on the Symons map of 1756 but first named in 1838 as Andrew's Leaze. On the south side of this close the Matthews map shows a building, possibly a house, adjoining the Banwell road but none appears on the 1756 Symons map, nor on the 1838 Tithe map, though the latter shows a separate half-acre plot that could

well have been occupied earlier by a house and garden, perhaps one of the unidentifiable ones of the 1748 deed. For most of the twentieth century this close was occupied by Elborough's sewage works.

Finally, towards the east, there were two more Matthews closes which in 1748 were described as "Two closes of pasture ground called the Twelve Acres lying near the Bristol Road" (i.e. the Banwell road, their southern boundary) but in 1759 the first one was called "Four Acres Meade" and the second "Eight Acres Meade", their name suggesting that, like the area to the north of them, they too had formerly been water meadows served by the stream which flows into them from under the short northern arm of the zig-zag in the Banwell road. Formerly (since at least 1430), and again in 1838, these two closes were part of the single field called Bartonscroft.

The next part of mid-eighteenth-century Elborough is that lying south of the Banwell road and west of the line of Elborough Farm Lane. First, in the arable belt sloping up from the main road to the edge of the wood, were the two southern closes of the previously mentioned group of four 5-acre "meadows", which had been part of William Horsington's tenement. In 1759 they were called respectively Dovers Western Five Acres and Dovers Eastern Five Acres, the surname recalling the Samuel Dover who had been a Kidgell tenant as late as 1692.

East of these lay a Symons close, then of about 7 acres which reached up to the east end of the wood, and beyond this was a slightly narrower piece of Symons land divided into two plots, a northern one of about 2 acres adjoining the road, and a southern one (about 4 acres) climbing up to adjoin the south-westerly stretch of the hedge-lined lane leading further up the hill; by 1838, these three pieces of Symons land were united, as they are still today, into one large field called Westhays.

Between these Symons lands and Elborough Farm Lane lay a rather narrow patch of land belonging to Joseph Matthews, and similarly divided, north and south, into two not quite equal parts. The northern and smaller one of these, adjoining the Banwell Road and the farm lane, is described in the 1759 map schedule as "house and orchard". The map shows the house facing eastwards towards the lane and Elborough Farm, and to the north of the house, two other buildings on an east-west axis; no other building is shown on this plot, although by 1838, as today, a house stood at its north end fronting the main road.

The southern and larger part of this Matthews land, called Dover Orchard in the 1759 map schedule, had two buildings on it, according to the map, sited on the bend in the lane. Perhaps both of these plots of land had formerly been part of Dover's tenement and the house facing Elborough Farm (now barely traceable in a few hummocks of ground) may well have been its farmhouse; in 1748, it could have been leased to either Michael Pressey or Betty Caple, for each had several outbuildings and an orchard amounting to about 1½ acres.

Immediately above the Dover's Five Acres closes, a narrow strip of woodland - the eastern end of the Ash Wood which began at Little Ludwell - belonged to Joseph Matthews, though the only portions of woodland mentioned in the 1748 deed were 5 acres near John Sharp's tenement of Little Ludwell, and one acre as part of Betty Caple's tenement. A further stretch of woodland belonging to the Symons family is shown clearly on the Symons map of 1756, but it is not shown on the Matthews map of 1759.

Just south of the woodland, and above it, was then the west part of the unenclosed stretch of pasture and waste land of Elborough Hill, probably not separated formally from the eastern part of Hutton Hill. As mentioned earlier, the 1759 Matthews map shows a small rectangular enclosure, roughly corresponding to that which, from early in the nineteenth century, was to contain the windmill (now transformed beyond all recognition) and the miller's house, but the schedule incorrectly names it as Hutton Moor Leaze. There is, however, no record of an enclosure nor of any windmill there in the eighteenth century.

The next part of Elborough lies between the Banwell road and the lane to the south running parallel to it. Most of the closes in this belt stretch southwards from the road to the lane, but the first one lying immediately on the east side of the farm lane is an exception. About two-thirds of it belonged to the Symons family, and is described in the 1759 schedule as "Mr Symons Homestead", but the Symons estate map of 1756 shows it more clearly to have been divided into two parts, an orchard adjoining both the Banwell Road and the farm lane, and south of this the group of buildings and yards which formed what was then Elborough Farm (though no such name occurs in eighteenth-century records). One of these buildings, presumably the farmhouse, faced westwards on to the east side of the farm lane; the other, on an east-west axis, adjoined the orchard. Almost certainly, this farmhouse must have been occupied by Mr Thomas Symons, before the bulk of the Oldmixon estate was acquired by his son, the Revd Thomas Symons, in 1738, and he may even have continued to live in it until his death, the date of which is not known.

To the south of this plot of land, but still with its west side adjoining the farm lane, and its south side adjoining Field Lane, lay a small close belonging to Joseph Matthews and simply called, in the 1759 schedule, "house and orchard at lane corner". According to the map, however, this house, probably facing south, stood a little to the east of the corner on the north side of Field Lane and was apparently only part of a building which stretched eastwards into the next half-acre plot along the lane, described in the schedule as "house and bartons and waggon house", and having a small plot of less than an acre behind it on its north side.

This building which was still standing in ruinous condition several years ago was last occupied as two cottages earlier in the twentieth century. It is not shown in the 1756 Symons map and it cannot positively be identified with any of the dwellings mentioned in the 1748 deed, but the "messuage with garden and orchard containing half an acre" then leased to Michael Partridge, could well have been the more easterly of these houses, and the "messuage with barn, stable, orchard and garden containing one acre", then leased to Joseph Manship for £5 per annum would roughly fit the more westerly one.

The close immediately east of that occupied by Elborough Farm is shown on the 1759 map as belonging to Matthews, despite its description in the schedule as "Dovers orchard" and "Lewis's orchard and ox-pen". These names perhaps indicate the tenants. East of this lay a slightly narrower close, not owned by Matthews, with a building at its north end, adjoining the Banwell Road and described in the schedule as "Mr Lewis's house and garden". No trace of this house now exists, unless its stones have been used for part of some of the outbuildings of the present Elborough farm.

A still narrower strip of Matthews land, called Orchard Acre, lay on the east side of this close, with its orchard part at its south end adjoining Field Lane. Beyond this lay his Three-Acre, probably the “close of arable land adjoining the Bristol Road” which was part of Betty Caple’s tenement in 1748. Next eastwards lay a larger close, shown uncoloured on the map as if not part of the Matthews estate, but described in the schedule as “Mr Simmons’ exchanged”. It is also shown on the Symons map of 1756 as their land, but it cannot be traced in the 1748 deed, so perhaps the exchange had been made even earlier by Kidgell’s Heirs.

Immediately east of this close was another one belonging to Matthews, called New Tynning (about 3 acres), which in 1748 had apparently comprised three single acre strips, one “a close of arable” and one “a close of pasture”, both being parts of William Horsington’s tenement, and the third “one acre of meadow”, part of Betty Caple’s tenement, but there is no indication of such a division on the 1759 map. Beyond this lay what had probably once been a very large arable field with the curious name of Whitch or Witch, but on the 1759 map it is shown in three very unequal parts. Its most westerly part (of about 2 acres), adjoining New Tynning, is shown as “Mr Lewis’s Witch”, the middle and largest part was Mr Matthews’s “Whitch Close”, (described in the 1748 deed as an 8-acre meadow, part of Michael Pressey’s tenement) and the most easterly part, at the very east end of the parish, was “Mr Simmons Whitch Close” of about 2 acres. This adjoined on its Banwell side “Mr Sheppard’s land”, according to the Symons sketch-map of 1756. The same map shows that the Banwell Road, from the New Tynning to the parish boundary at the zig-zag, was then lined on both sides with trees.

The next section of Elborough to be considered is that mainly arable belt with the Field Lane as its northern boundary; this land rises gently to the 100-foot contour, roughly the southern boundary of this belt, before rising more steeply to about 300 feet above mean sea level. At its western end, almost opposite the south end of the farm lane, there was, in the middle of the eighteenth century, the lower end of a great irregularly-shaped tract of Symons land called Above Hays. This was probably pasture, climbing up the hillside almost as far as the 300-foot contour, with its lower part bounded on the west by the track leading south-westwards towards Elborough hill; on the 1756 Symons’ sketch-map, this lower part is shown as then being marked off, if not completely separated, from the rest by a line of trees running roughly east to west.

According to the 1759 Matthews map, but not shown on the Symons map, another track climbed up the eastern part of Above Hays, starting from about the middle of its northern boundary (opposite the farm lane) and following a mainly southerly and then south-easterly course beyond the southern boundary of Above Hays to reach, eventually, the parish boundary with Christon at Bridewell Lane. It will therefore be convenient to call this “the Christon track” (although its name during the eighteenth century or even since is not known).

About a hundred yards along this lane or track yet another lane branched off it eastwards to give access to some of Elborough’s arable land, much of it in the form of closes lying north-south between Field Lane and this latest mentioned unnamed lane, which it will be convenient to call Midfield Lane. The first four of these closes east of Above Hays all belonged to Matthews, the westerly one being almost certainly the 4-acre “close of arable or pasture ground lying next to field lane”, leased to James Partridge in 1748 for £2.10s. p.a., and its name (Dovers’s

Home Close) in the Matthews schedule of 1759 suggests that one of those two houses on the other side of the north-west corner had formerly been occupied by Samuel Dover.

The next two Matthews closes eastwards were little more than half-acre strips, perhaps an indication of their origin in a common field; the more westerly one was called The Laggatt in 1759, or The Lagett in 1748, when it was part of Betty Caple's tenement, and the other, rather smaller, was described in the 1759 schedule merely as "House and Garden", the building being shown on the map as set back a little on the south side of Field Lane. The name of its occupant is not disclosed, and the close cannot be positively identified in the 1748 deed, though it may have been the half-acre plot of house and garden leased to Michael Partridge. On the east side of this lay a larger Matthews close of arable land called Piplary, which in 1748 was leased to Michael Pressey.

The next three closes eastwards belonged to the Symons estate, the first two being of about four acres each and the third only about one acre. The middle close, according to the 1759 schedule, had been acquired by Mr Symons in an exchange of land, a process similar to the Brent-House exchange of strips in Hutton's East and West Fields. East of these lay two more Matthews closes belonging to Michael Pressey's tenement in 1748, the first being a single-acre "parrock" and the other a five-acre plot called Field Lane Close, for the Field Lane led into its north-west corner.

Finally, between this close and the Banwell boundary, lay two roughly 2-acre "Lotts in Eastfield". The one adjoining that boundary is described in the 1748 deed as "two acres of arable, part of a close called Eastfield inclosed . . . with land belonging to . . . Lewis, widow" (the previously mentioned Mrs Lewis) and this land, the other close, is described in the 1759 schedule as "Mr Simmons Lott in Eastfield". Yet on the map, both of these closes are coloured green as if they belonged to the Matthews estate. It is evident from this that at least a partial enclosure of Elborough's East Field and the consequent 'allotment' of parts of it had occurred before 1748.

In the next belt of land on the north slopes of Elborough Hill, reaching roughly as far up as the 200 foot contour, its western part, south of Dover's Home Close, was still an eastward extension of the Symons pasture. Above Hays, and on the west side of this irregularly shaped close (just on the south edge of this belt), the 1759 map shows a very small, roughly rectangular enclosure, numbered but not coloured, as if not part of the Matthews estate, and described in the schedule as "Cott and Garden on the Waste".

It was probably therefore a cottage that had been built, originally perhaps of turf, by its first occupant, and if so it was the earliest one of its kind to be mentioned in Hutton's records. Although this cottage and its plot are not shown on the Symons map of 1756, the omission does not necessarily imply that it had not been built by then, for the same map does show the west boundary of Above Hays making a distinct curve to the west at this point, with trees (at least a double row of them) around it, as if it were a separate piece of land.

On the east side of Above Hays, the north-west corner of the first close, lying on the south side of the Midfield Lane, was directly opposite the middle of the

south edge of the small house and garden plot adjoining The Laggatt. This first close, belonging to Matthews, is called Upper Hayes in the 1759 schedule and it marks the 4-acre close of pasture that in 1748 was part of Betty Caple's tenement, then called The Lays, for it also bore that name in 1838.

To the east of this lay three Symons plots, the first two of them being narrow ones which are shown on the Symons 1756 map as a single close, and the third a larger close (about 7 acres) called, in the 1759 schedule, "Mr Simmons Broadlands". Beyond Broadlands, as far as the Banwell boundary, there stretched an arable field of similar size called Elborough Field, a name which must have originally been applied to a far more extensive area. On the 1759 map, this field is divided into four unequal parts, called "Lotts", all coloured as if they were all part of the Matthews estate, though the most westerly one is described in the schedule as "Mr Lewis's Lott". The three other 'lotts' certainly belonged to Matthews, but the most westerly one (of about 3 acres) is not traceable in the 1748 deed and so, perhaps, was acquired later; the two others were single-acre strips, one having been part of Betty Caple's tenement and the other part of Michael Partridge's in 1748.

The remaining part of Elborough to be described is that lying above and south of this last, mainly arable, belt, but east of the hillside above Elborough Wood. Most of this area, certainly its east side, could well be called Benthills. On the west side, jutting out beyond the southern part of Symons's Above Hays, there were four small hill closes, three of them being merely so named in the 1759 schedule, and one called Long Close, all part of the Matthews estate. Two of these were most probably the "two hill closes of arable land" which were part of Michael Partridge's tenement in 1748, and perhaps Long Close, and the hill close lying just south-east of it, may then have formed the 4-acre close called Clark's Hill, with a 2-acre close adjoining, though if so their sizes must have been over-estimated in the deed.

East of these, lay the most southerly part of Above Hays, which the Symons sketch-map shows as having had a row of trees along its west boundary, and another row, parallel to it, nearer its curving east boundary.

Eastwards, and roughly in line with this south part of Above Hays, lay the woodland part of Benthills, which consisted of four separate plots on the 1759 map, all belonging to Matthews. The small size of these plots, which are named in the schedule "Woody Part of Benthills", "Benthills Coppice", "Coppice Acre" and "Benthills Little Coppice", and also the fact that they do not appear in the 1748 deed, suggest that these were successive plantations of new woodland undertaken during the ownership of the Matthews family, perhaps as an additional source of revenue from its coppiced timber.

Immediately south of Above Hays, lay yet another Symons close, also of an irregular shape, that differed considerably between the Symons sketch-map of 1756 and that on the Matthews map of 1759. Although this close appears to be omitted from the schedule of 1759, its number on that map probably indicates that it was the north part of Langlands, for the next two closes lying south of it, both belonging to Matthews, bore that name and, almost certainly, in 1748 these three had formed the "close of furzy ground late Dewlis's" (perhaps for Lewis's) "called Langleys containing twelve acres", then part of Michael Pressey's tenement.

All three of these last-mentioned closes had the open common pasture of Elborough Hill on their west side, and on their east side they adjoined a large unwooded enclosure, simply called Benthills and part of the Matthews estate. This enclosure was another large, irregularly shaped piece of land, for its most northerly and southerly parts were merely a strip on either side of the Christon track, but there was a wide stretch of the close between these two extremes.

The eastern boundary of both this large Benthills close and of two of the Benthills coppices is shown on the 1759 map as an almost straight line running southwards from the south-east corner of Symons's Broadlands, and the 1759 map shows only a blank area to the east of it. Yet this was certainly not the parish boundary, for the 1838 Tithe map shows two more Benthills plots on its east side, one of them being a 4½-acre arable plot called Benthills and the other, a continuation of the 13-acre Benthills Wood, sweeping round it in a great arc (north and east of it), and adjoining the parish boundary. The omission of these two plots from the 1759 map, together with the fact that they were not owned in 1838 by Sir John Smyth, who then possessed the former Matthews estate, clearly indicates that they had a different owner in the eighteenth century, perhaps one of the Sheppards (probably of Hill End), who, as reported earlier, paid Hutton rates for a property called Benthills.

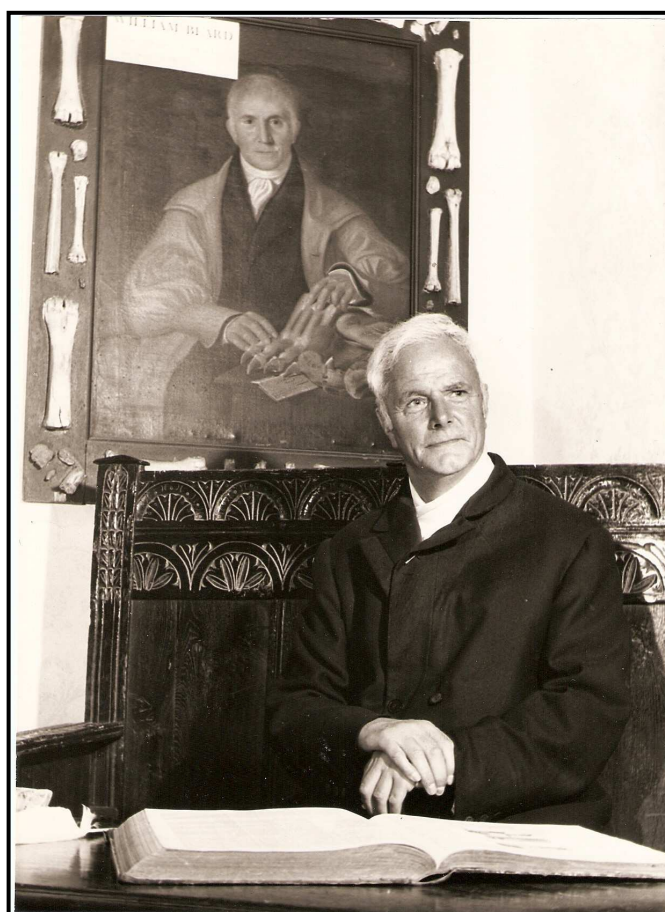
The most southerly part of Elborough, adjoining Bridewell Lane, then consisted of four closes, three of them belonging to the Matthews estate. The first of these, only reaching Bridewell Lane near its south-west corner, was called Bridewell and belonged to "Mr Repeater", the Rector of Axbridge and a Hutton ratepayer.

East of this lay the larger Matthews close called Old Down, shown on the 1759 map as unwooded and of about 13 acres, with the southern stretch of the Christon track roughly dividing it. However, in the 1748 deed, the only mention of Matthews land in this area was "one acre of pasture ground in the common called Old Down", so this close must have been originally part of the Elborough Hill common pasture, and the others must have been enclosed during the Matthews ownership.

Along the north edge of Old Down, the 1759 map shows a small wooded close called Old Down Bottom, most probably what had been in 1748 Betty Caple's "two acres of arable land below Old Down", and evidently planted with trees later.

Finally, in the most easterly part of Elborough, adjoining both the Banwell boundary and Bridewell Lane, lay the Matthews close called the Six Acres which cannot be traced in the 1748 deed and was therefore most probably a later enclosure or acquisition by the Matthews family. This completes the survey of the parish of Hutton as it was in the middle of the eighteenth century.





## About the Author

Harold was born in 1907 in Bolton, Lancashire, graduated from Cambridge and served in the Royal Artillery during World War Two.

He taught English, mainly at Rivington and Blackrod Grammar School near Bolton, and took an active role in amateur dramatics. He met his wife, Alice, whilst in secondary school and they retired to live in Hutton in 1967, living at 'Woodside' in Church Lane. Both Harold and Alice loved village and church life, and worked tirelessly for the construction of the Hutton village halls. One of the halls was named in his memory after his death in 1995.

The picture above, taken in 1969, shows Harold at a Banwell Castle exhibition dressed as William Beard (in the portrait), who in 1824 discovered Banwell Caves and their historic remains.