shall be the acting Feoffees during the ensueing year. Also that the Vicar be requested to write to the Charity Commissioners and ask for their approval of this."
18 names were signed as present.

Vicar

P.V.2. Page 19.

At a vestry meeting held in the Vestry room of the parish of Luppitt in the County of Devon on Tuesday the 8th day of March 1859 after due notice — — and also about the Feoffee money, the Vicar in the chair

It was proposed by Mr Richard Burrough seconded by Mr Joseph Burrough carried unanimously that it be left to the two Churchwardens, the two Overseers and the Guardian for the time being to dispose of the Feoffee money as the majority of them shall see fit in accordance with the resolution passed on the 16th day of December 1858 and that they render a yearly account to the Vestry.

Overseers

Feoff.

The Dictionary gave me as a definition of Feoff. — To grant possession of a fief. or property in land.

Ency. Britt. 9 — P221.
Fief. a feudal estate in land, land held from a superior.
In English as Fee. or Feu.

" " 9 — P 140.
Fee. An estate in land held of a superior Lord on condition of the

performance of homage or service.
In English law "fee" signifies an estate of inheritance (i.e. an estate descendable to the heirs of the grantee so long as there are any in existence) as opposed to an estate for life.
It is divisible into three species
1/ Fee simple
2/ Conditional fee
3/ Fee tail
A fee farm rent is the rent reserved on granting a fee farm, i.e. land in fee simple, to be held by the tenant and his heirs at a yearly rent.

Ency. Britt. 9 — P 204.

Feudalism — Relation of vassal and lord.
The principle that every holder of land is a tenant and not an owner.
Mutual obligations of loyalty, protection, service.
Foundation of feudal relationship proper was the fief, usually land, but might be an office, a revenue in money or kind, the right to collect a toll, or operate a mill.
In return for the fief the man became a vassal of his lord. Held the fief as his property.
Promise of fealty and service.
Services were 'general' and 'specific'
General — loyalty, keeping his secrets, betraying plans of his enemies, protecting his family.
Specific — Military service, guard the lords castle, court service.
All sorts of service — a form of rent paid for the use of the land.

Ency. Britt. 13 — P677

Land Tenure. At Conquest all land was vested in the King. Grants to Barons. Knights. etc. to be 'held' by them subject to dues or rendering of services.

King

Manor — Unit of grant. — Manor — Lord

Tenant classes. Free tenants Villeins Serfs or Cottars.

Free tenants — yeomen. Condition of liability to military service.

Serfs and Cottars Occupiers of cottage and garden Perhaps 5 acres of grazing land and grazing rights on common land. Livelihood mainly on labour for Lord.

Villeins Modified servitude Unfree. Tied to manor.

Hide Hide of 120 acres — holding of "free" tenants Yard land 30 acres — " " villein

Ency. Britt. 23 — P605

Will — General term.

Testament — Dispositions of Personalty Until the Administration of Estate Act 1925 an owner of an estate in 'fee tail' had no testamentary power over it.

Realty could not be disposed of (technically 'devised') by will of the owner.

Personalty — could dispose of (technically 'bequeath') subject to limitations.

P. 606. — the common law estate to a friend to hold in trust for (or as the original phrase was 'to the use of') the owners will.

When this was done then on the death of the owner the trustee (or 'feoffee to uses')

as he was called) was compelled by the Chancellor to allow the persons for whom the deceased owner directed the use or benefits of the land to go to receive the rents and profits.

1540 Statute of Wills 1540 allowed owners in 'fee simple' to devise all of land..

1837 Wills Act 1837 — must be in writing.

1925 Estates Act 1925 — whole property realty and personalty forms a common fund.

'Fees tail' did not become devisable till 1926 (Law of Property Act 1925)

Conclusions

See Vol I P. 154-158 Feoffees 1859

Obviously the Luppitt Feoffees were the Trustees of the Church Lands charity up to 1859 when the Charity Commission ruled that by an order of the County Court of Devon on the 22nd September 1859 the Charity was to be administered by the Churchwardens.

See P.C.C. meetings file

This also ties up with the Vestry meeting minutes of 8/3/1859 — Disposal of Feoffee money.

1960 By letter dated 30 May 1960 when the Luppitt Churchwardens enquired of the Charity Commissioners about the proceeds from a possible sale of trees dated 10th May. the following reply was received.

Trees See Church Lands file

From. Charity Commission 14 Ryder Street St James's London S.W.1.

Charities Church Lands

Ref WCO-5584-E

It is stated in the Reports on the Endowed Charities for the Parish of Luppitt in the County of Devon published as a Parliamentary Paper in 1911 that by an Order of the County Court of Devon, held at Honiton, dated the 22 September 1859 (which was approved by the Charity Commissioners) it was directed that the land in question should be vested in the Official Trustee of Charity Lands and that the Church-wardens should administer manage and dispose of the rents and profits of the charity as a majority of the Parishioners in vestry assembled (in pursuance of a public notice for the purpose) should from time to time direct.

For the information of the trustees I enclose a memorandum which explains the position of the Official Trustee of Charity Lands.

The administering trustees of the charity would appear to be the Churchwardens of the Parish of Luppitt who should apply the rents and profits as a majority of parishioners in vestry assembled should from time to time direct in accordance with the Order of the County Court of 1859 referred to above. The trusteeship of the charity would not appear to have passed to the Parochial Church Council and, similarly, the position of the vestry is expressly preserved for this purpose by Section 4 (I)(1) of the Parochial Church Council (Powers) Measure, 1956.

Ch. Lands. Re Church Lands Charities

DRO Lists Charities noticed in Devon County Record Office List of Deposited Material

P. 14. 1302 A and Add.

P.F. 1 Premises:
A plot of ground formerly several dwelling houses gardens and fields called the Parish Plot (1A) at
1818 Shelve in Luppitt 1818

P.F. 2.
One cottage and one close at Shelve and another dwelling house and two closes formerly one close
1825 called Long Croft all in Luppitt 1825

P. 18. P.F. 3.
Church lands comprising the parish plot at Shelve (on which a poor house formerly stood) and the messuage and closes called Long Croft or
1820 Windwhistle 1820

Choir stalls Chagford From P.C.C. Minutes. Choir stalls purchased from Chagford including transport for £13-18-6. P.C.C. Meeting 1/5/1923 Page 266.

From Luppitt Church Registers
First Motor Wedding

William Quick — Alice Mary Daniels 31/1/1905

Poem — From an unknown source

See P. 84.

If you can make a promise and by that
promise stand,
If you can take a beating then shake
the victor's hand,
If you can do a deed without looking
for the glory,
If you can hold your tongue when you
hear a gossip's story
If you can make good better and try
to make bad good
If you can keep your soul alive with
the grace of God as food
If you can carry on until life's craggy
road should end
Then here's my hand my comrade you've
made a lifelong friend.

Rhyme and Reason — R.D. July 1988 P 79.

From a 200 year old stone in a country cemetery.

If your nose is close to the grindstone
And you hold it there long enough
In time you'll say there's no such thing
As brooks that babble and birds that sing
These three will all your world compose
Just you, the stone and your poor old nose.

Noised Abroad — RD Aug. 1988 P42

Births, Marriages, Deaths.
Hatches, Matches, Dispatches.
Yells, Bells, Knells.

118

29/6/88

P.C.

At the Parish Council AGM 5th May 1988 the question was asked by Mr George Rosewell of Frankyns whether I could identify the Gittisham Poor Lands mentioned in the Church allocation of March 1827.

I 186

Referring to the notes made from the Apportionment lists in conjunction with the Tithe Map I found that the Feoffees of Gittisham held the area called Bullake near Barn Farm and that the area totalled 22 acres-2-22.

Tithe Map Feoffees Barn

Further reference to the apportionment list held by the Parish Clerk, Mrs Ann Clapp gave the tithe nos. of the fields concerned. These were 1018 1016 1001 1152 1151 1298 1149 1148 1150 997.

The group of fields between the land of Pitt Palmerhayes and Rollshayes, and the stream on the Wick side of Barn Cross, plus 997 an isolated plot below Buthins by the river.

Asking Mr Eric Manley what he knew about Bullake, he once owned Barn Farm which I thought would have included this area, he told me that Mr Hancock had told him that there was once a cottage there and that on investigation he had found the cobbled pitched path leading to it from the garden gate. In Tithe nos 1150

Refer to Vol I Rate Assessment no 29

Vol I 284

Vol III 4

Vol III Tax " no 120

DRO

Shelvin

See also IV 132

The following are odd notes taken at Devon Record Office on 9th May 1988 when searching for any documents concerning Shelvin Farms. Having failed to find any among Dunnings papers about the purchase of Lowel Shelvin. Oct 1917.

Ref nos. 282 M. Title Deeds L1 - L5 Legal and Estate

Worth Pkg

1 Will of Jane Mary Worth otherwise Wade (heretofore Lee spinster) 21/11/1846
Certificate of contract for the redemption of Land Tax 5/4/1799

2 Samuel Lott William John Tucker Lands of Mr Hannah Lee Blackenfields Skittisland Field late Paynes

3 John Francis Worth Washfield Lord Granworth 16/6/1851
In the parish of Broad Clyst 7/4/1852 Worth Mackenzie Register of Burials

4 Declaration of Mrs Elig. B. Mackenzie 22/12/1876

5 In Lunacy Francis Worth a person of unsound mind I Alexander Mackenzie. 18 pages

6 Burial in parish of Andover 1819
Joseph Wakeford about William Steele Wakeford

7 Affidavit Worth v Mackenzie
Identifying late Rev. A. J. Clarke

8 Worth — Mackenzie decree 8/5/1852

9 Jane Mary Worth Declaration of merger
Part of Shapcombe 133 acres. Commutation of Tithe

Shapcombe

10 Public Record Office copy. Certify 23/4/1851
Deeds by married women. Alexander Mackenzie and Elizabeth Bickley his wife

11 Declaration of John Francis Worth Esq. 22/12/1876
Schedule of Shapcombe 320A-0-15. Already recorded.

12 Decree 11/5/1853 J.F. Worth Alex Mackenzie Elis Bickley about Lunatic

13 Apportionment of Rent Charge in lieu of tithes. 19/9/1840
Extract from tithe award referred to in Hoopes and Woollen 30/9/1885

Certificate of payment of succession duty John Francis Worth 1872.

Worth

Solicitors of Sir John Lewis Duntz Baronet surviving Trustee of Settlement on marriage of Mr and Mrs Mackenzie 6 Aug 1823

see IV 110

Appointment by Mr Worth of £3000 charged on Manor of Shapcombe

Will of William Steele Wakeford.

Boxes of Papers from Dunnings 282 Mdagala Estate

Appointment and Conveyance of a moiety of the Manor of Shapcombe and other hereditiments 17/4/1851 Alexander Mackenzie and Elizabeth Bickley Mackenzie to George John Newton

Shapcombe

Dated 18th June 1853
Joseph William and Robert Wakeford and others Assignment to Rev John Hurgshe and Transfer of Mortgage Rev J Hurgshe to William Storey 13/9/1856

~~Dated~~ Five Large sheets of parchment.

Dated 30th Dec 1876 John Francis Worth and others to William Storey
Conveyance of Manor and Lordship of Shapcombe and Estates in parish of Suffitt

Shebbear

Six sheets with map as I have at Shebbear and with schedule.