

# The Wayth Story

A bundle of ancient documents has opened up a vivid window on  
Georgian and Victorian family life in one corner of Southwold

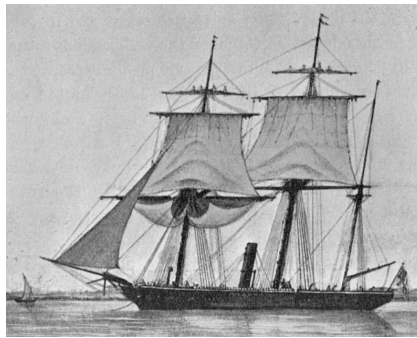
Barry Tolfree

I have long been mildly intrigued by the wording on a double gravestone a few yards to the right of the South door of St Edmunds. The left-hand stone memorialises Samuel Cooper Wayth, aged 33, three years married, Master RN of HMS *Surprise*, who died off Madeira “from the effects of fatigue and over-exertion on the Chinese Station, March 29<sup>th</sup>, 1859”. His parents whose deaths are recorded on the adjacent stone, both outlived him: Samuel Senior (Gentleman) died in 1864 and his wife Jane in 1877 aged 67 and 75 respectively.

What intrigued me was the use of the term ‘over-exertion’ which, to modern ears, evokes nothing more than, perhaps, some moderately injudicious weight training - an unlikely cause of death. HMS *Surprise*, however, was a gun ship involved in the Second Opium War and, according to RN records, Samuel was ‘Second Master’. It’s not hard to imagine that this had been a high-stress, high-risk and physically gruelling tour whose effects finally caught up with Samuel on the *Surprise*’s homeward voyage via Madeira where he collapsed. He was transferred to the transport ship *Princess Charlotte* to convey him to Plymouth, but he died *en route*.

The name Wayth cropped up again when Jane, one of the pharmacists at No 18 Queen Street, knowing my interest in local history, loaned me a considerable pile of title deeds, wills and other legal documents relating to their property, No 18 Queen Street. (The Queen in ‘Queen Street’, incidentally,

long predates Queen Victoria and may refer to Queen Anne 1702-1714.)\* The earliest of these documents is inscribed on a beautiful, perfectly preserved heavy parchment dated 11<sup>th</sup> April 1772 in the reign of George III, 17 years before the French Revolution started and three years before the birth of Jane Austen. It records, in antique script, the sale of the property by its freeholder, Excise Officer, William Sheppard to a 30-year-old ‘House Carpenter’ named Francis Wayth. (Later deeds suggest that the property was very much bigger than the current No 18 but more of that later.) The cost was £47 of “good and lawful money of Great Britain”, the equivalent of only about £7,000 today but quite a purchase for a humble tradesman. I wondered if I could connect this wood-working Wayth, born 1742 to the unfortunate captain who perished nearly 120 years later.

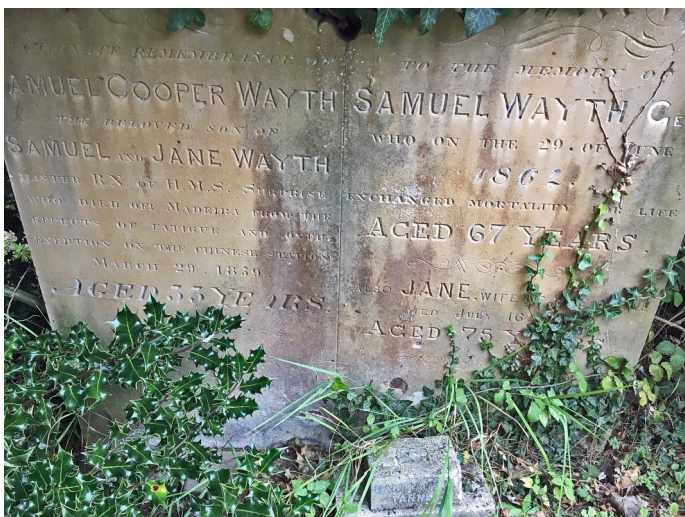


*HMS Surprise was a sail & steam gunboat and was launched in 1856 just three years before Samuel Cooper Wayth’s death.*

Two things I discovered early on were that nearly every first-born Wayth in history was christened either Samuel or Francis and that they were mostly merchants and mariners and staunchly non-conformist. The term ‘merchant’ is somewhat vague and may itself involve owning and/or sailing merchant ships. The key to Francis’s unlikely wealth may have been his parents, Samuel and Mary who had a very nice house on South Green, described in the sale particulars as “A Genteel Modern-built Brick’d House” with a washhouse, pantry and stables, “a garden finely planted containing 32 rods of land” (about a quarter of an acre) and an adjacent ‘tenement’ which was leased.

At the time young Francis moved into Queen Street his dad had retired from a career as a merchant and, at 65 was enjoying a more leisurely intellectual life as a schoolmaster. His library was packed with books on divinity, mathematics, mechanics and philosophy as well as terrestrial globes and a working clockwork replica of the Southwold Jack.

His carpenter son Francis was the oldest of nine siblings and was evidently a much more wild and volatile character than his father. He had married a Mary Coleman some seven years before moving into Queen Street with their three young children, but he had certainly not settled down. Ten years on, in 1782, now aged 43 and still a carpenter, he was up before the town Bailiffs on charges of breaking into Thomas Pott’s stable in “violent and aggravating circumstances” for which he pleaded guilty and was sentenced to ‘Durance Vile’ in gaol for six months and fined £30 (nearly £5000 in today’s money, almost as much as he’d



*Double gravestone in St Edmund’s churchyard for Samuel Cooper Wayth and his parents, Samuel and Jane*

\*‘Southwold Street Names—a speculative history’, Jenny Hursell, 2011

paid for his house) . He was also found guilty of being “a nuisance” in one of Southwold’s streets which incurred a further fine of £10 with the condition that he stayed in gaol until it was paid. I can find no record of where he was incarcerated but the likelihood is that it was in Southwold’s own notoriously porous gaol. Apparently he did manage to escape and if this was via the normal route over the rear wall into the town shambles from where it would have been just one more leap into his own back yard. As to the fines, we can only speculate that Dad must have come to rescue.

But perhaps Francis learned his lesson because, in due course, he graduated from carpenter to timber merchant, mariner and finally ‘Gentleman’ who was elevated to the position of Town Bailiff himself. The mischievous and ‘entitled’ streak remained, however. One of his first acts after taking his seat as a Bailiff was to rip those pages out of the Town Book (Southwold’s Hansard) that covered the record of his indictment, trial and imprisonment. Someone afterwards wrote in Latin on the following page a possibly ironic explanation of this

vandalism: *si non erasset fureat ille minus* which translates very roughly as “If this record had not been destroyed his reputation would have been compromised”. As part of the process of laundering his record Francis, now one of the Corporation’s elected administrators of justice himself, arranged that the extortionate fines levied on him by his predecessors should now be reimbursed out of corporate coffers. One of his chief adversaries, Southwold’s Collector of Customs, William Revans, wrote in 1806:

*...we admit Mr Wayth have been chosen one of the Bailiffs of this Town but Truth oblige us to confess that we do not consider that choice to be in consequence of any respectability attached to him either from situation, circumstances, Abilities or Integrity of Character.\**

The late 1700s and early 1800s were certainly not the proudest chapter of Southwold’s civic history. Local historian, Thomas Gardner, wrote in 1754: “The Body Corporate ran warmly into Parties, whereby private interest became the principal end of every action, and public good became totally neglected.” It was this widespread self-serving corruption in local and national governance that led eventually to The Great Reform Act of 1832 when Southwold Corporation had

to ditch the Medieval Bailiff model and become a mayorality.

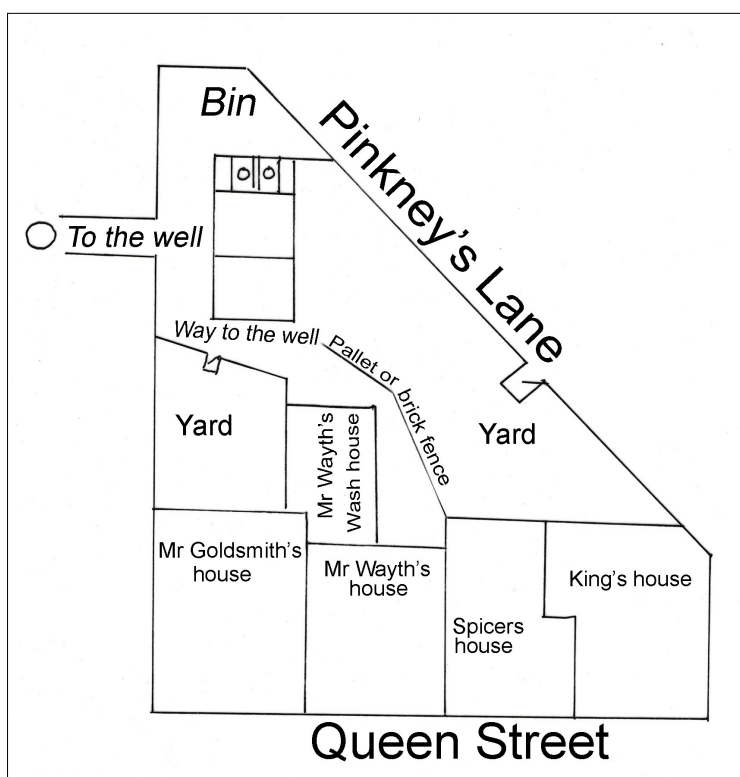
To his sons, Francis must have been far from the ideal male role model. Little wonder that Samuel and Francis Junior, proved to be chips off the old block. At any rate, in 1817, they certainly colluded with their reprobate father in a fraudulent trick which he played on the Fen Reeves, the official guardians of the Common. Francis senior had a small herd of three cows which he kept on the common. As a way of subsidising the town’s poor, the rules of pasturage laid down that the charge for one cow was just five shillings per year. For two cows it was £1 per cow per year. For three it was £3 per cow. Any more cattle than that attracted the top rate of £5 per cow. Francis Senior had no intention of forking out £15 per year so he registered two of his cows in the names of his two sons so that each cow would attract the lowest rate. The Fen Reeves took a dim view of this and confiscated the two extra cows and impounded them. Francis junior proceeded to sue the Reeves in an action known in legal parlance as ‘replevin’, demanding return of

the cow, claiming that although his father owned her he hired her from him for two guineas a year. The jury were not convinced and had no hesitation in finding for the Reeves. Francis’ brother Samuel, who had brought a similar action, promptly withdrew it. The fate of the two impounded cows is not recorded! Francis Junior and his Newcastle-born wife, Isabella, had six children but Francis died only three years after the cow incident at the age of 50. Isabella outlived him and ran a successful business, renting out several lodging houses.

Francis Senior died at the age of 80 in 1822 and it was his elder son, Samuel, who appears to have inherited the bulk of his wealth, Francis jnr

having pre-deceased him.

Samuel continued to live at the Queen Street address until his death in 1840 at the age of 70. His wife, Elizabeth, nee Archer, had died 18 years before and the property, plus other properties in the town, were left jointly to his six surviving children. It was valued at £265. In a subsequent conveyance, the five younger siblings agreed to sell their shares to the oldest, Samuel junior, for a concessionary discount of five sixths of the valuation, namely £220-16s-8d. It’s at this point that it becomes clear from the documents just how extensive the property in Queen Street was. It consisted of four large houses, three of which had been leased or ‘mortgaged’ to Mr Goldsmith, Mr Spicer and Mr King while the Wayths lived in the fourth. In total, the freehold appears to occupy most of the East side of Queen Street and extend to the rear more than half way down

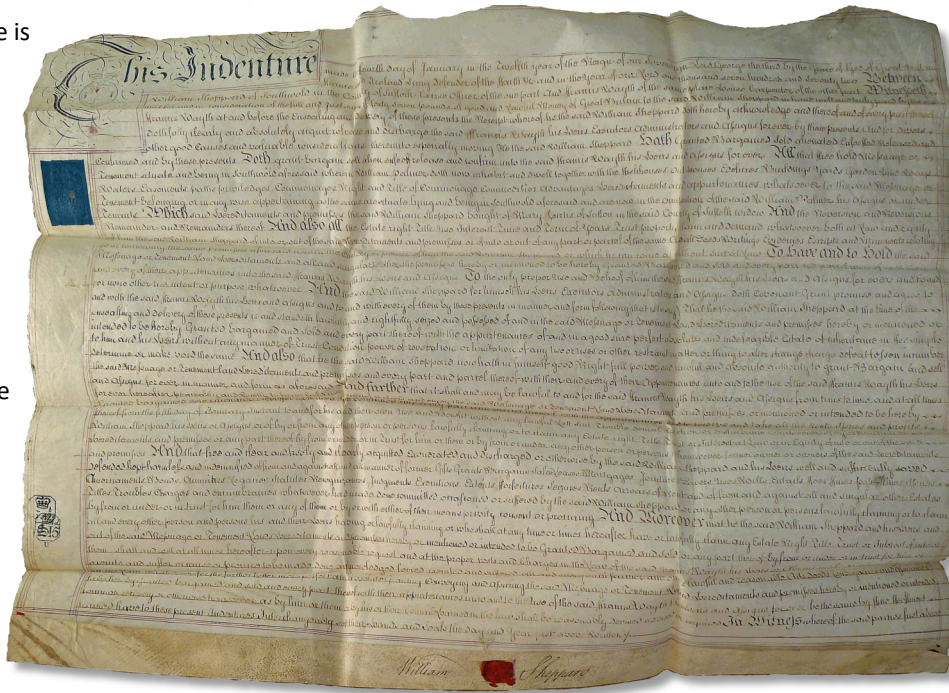


*'Plan of Premises the property of the late Samuel Wayth deced' Redrawn copy of a sketch plan in a conveyance document dated 1841*

\* Quoted by Rachel Lawrence in her book 'Southwold River—Georgian Life in the Blyth Valley'

Pinkneys Lane. There is a plan showing the site in 1841 with all its 'Messuages, Tenements, hereditaments, Premises and appurtenances'. Most of the site was taken up by a communal yard which had a separate entrance in Pinkney's Lane. The Wayths had their own fenced-off portion of the yard containing a large wash house. Mr Goldsmith also had his own allocated mini-yard but no wash house. At the rear-most corner of the yard were a communal toilet block and what the sketch plan calls a 'bin' but which is referred to in the deeds more graphically as a 'muck heap'. There was no water on the site at all but a right-of-way passage led to a draw-well whose use and upkeep was shared with a neighbour.

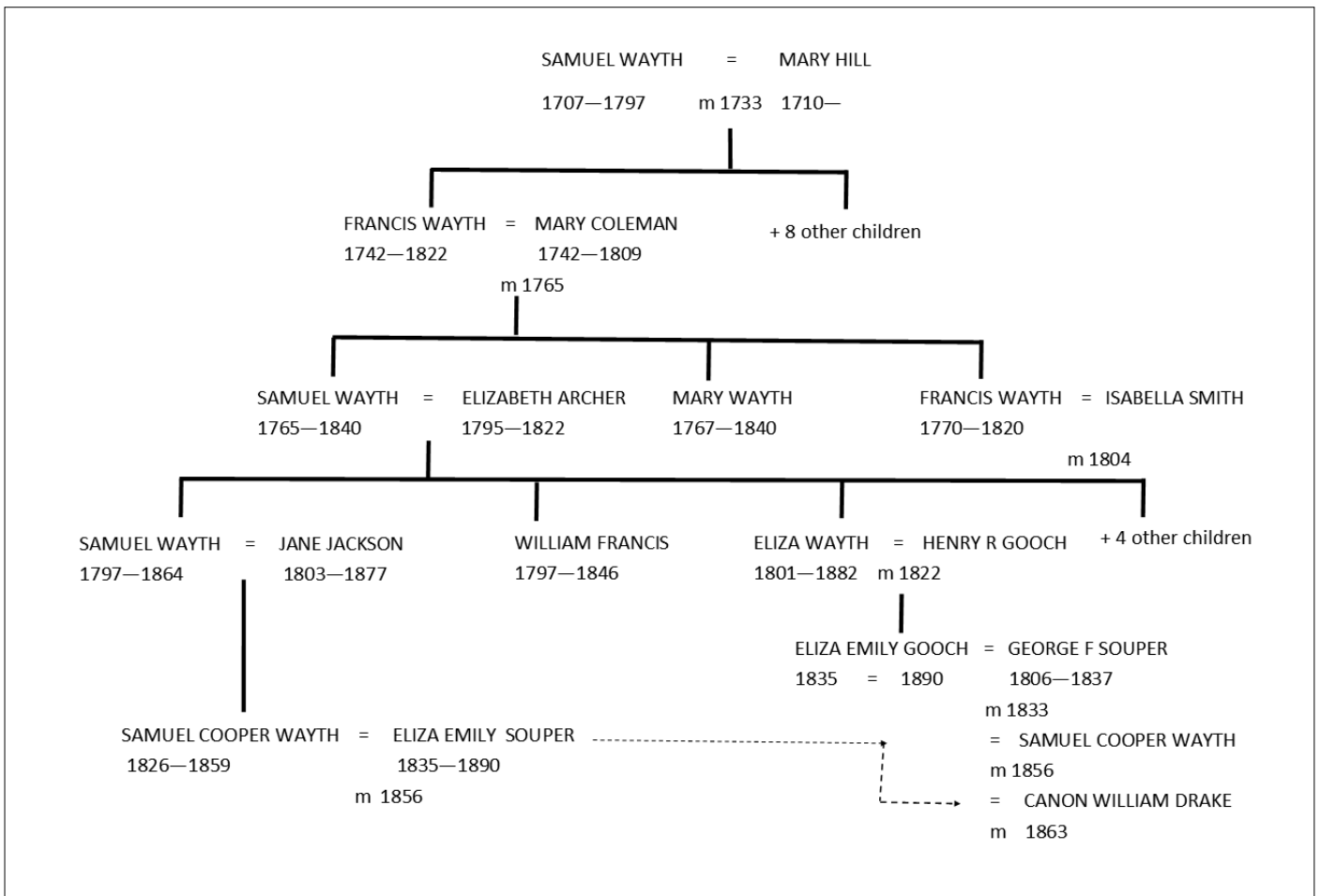
Samuel Jnr, the firstborn son of the deceased and himself a Master Mariner, now owned the Queen Street estate



The Indenture dated 4 January 1772 by which Southwold Excise Officer, William Sheppard "Granted Bargained Sold alienated Enfeoffed Released and confirmed unto" the House Carpenter, Francis Wayth the property in Queen Street. It would stay in Wayth ownership for the next century.

outright but no longer lived there. Four years previously he had bought, for £124, the Non-Conformist Chapel in Meeting House Lane, (later renamed Lorne Road). The chapel had become redundant and Samuel demolished it to make way for a house which became a home for him and his wife, Jane (nee Jackson). They owned several other properties in Lorne Road which

Jane managed as lodging houses. The couple had two sons: the younger, William Echline Wayth, became a Trinity House Pilot based in Lowestoft while the elder, Samuel Cooper Wayth, joined the Royal Navy and earned his Master's Certificate. He married his 21-year-old, widowed first cousin, Eliza Emily Souper in 1856 and, after three years, most of which he must have spent on active service in the RN China





Left: staff of International Stores posing outside No 18 in the early years of the 20th C. Right: the corner of Queen Street and Pinkney's Lane today

Station, he perished aboard the gunship *HMS Surprise*. Twice-widowed Eliza Emily must have been distraught. However, she was still only 24 and she did remarry – Canon William Drake, the Rector of Sedgebrook in Northamptonshire – with whom she had 4 boys.

Having finally made the connection with that double stone in St Edmund's graveyard, I had also discovered a mysterious inconsistency on Samuel Cooper Wayth's father's half of the memorial. This gives his death as 29<sup>th</sup> June 1862, aged 67 which would put his birth at 1795, whereas it is actually 1797. An appended note on a handwritten copy of his will states that he died on 15 July 1864. The register of his death confirms that the latter is correct. I surmise that the double gravestone was erected some time after Samuel's death and that the inscription relied partly on someone's flawed memory.

In 1864, on her husband's death, Samuel's widow, Jane inherited the freehold of the entire Queen Street site, now occupied by various tenants. However, it seems that Jane had also inherited debts. Her husband had evidently taken out loans from a wealthy land-owning Halesworth family, the Crabtrees, putting up the Queen Street properties as collateral. In 1873 the two surviving Crabtree sisters

demanded repayment which resulted in Jane relinquishing the freehold to them after 101 years in the family. Jane Wayth died in 1877.

The houses on Queen Street were largely rebuilt one by one in different styles in the latter half of the 19th century.

Subsequent occupants of no 18, which at one time became named 'Durban House', have included the two Debney brothers, Henry J and Edward O, who ran the large department store on South Green, now 'The Homestead', The International Tea Company Stores Ltd, Christopher Rowan Robinson's sports shop, 'Pinkneys', afterwards taken over by Ann Lawson who also added toys and gifts to the range and, finally, in the year 2000, the Patels with the Queen Street Pharmacy.

B Tolfree 2019

Sources: Original deeds, wills etc loaned to me by the Patels of 18 Queen Street; 'The Southwold Diary of James Maggs 1818-1876, edited by Alan Bottomley; 'Southwold River—Georgian Life in the Blyth Valley' by Rachel Lawrence; 'Southwold Street Names—A speculative history' by Jenny Hursell; Ipswich Journal, 5 August 1771, 4 February 1797 and 13 April 1782; Bury & Norwich Post, April 2 1817 (all via British Newspaper Archive); census returns, birth, marriage and death records (all via ancestry.co.uk)