

THE MANORIAL COURT ROLLS OF UPTON ST. LEONARDS 1849-1883

As the interest of this exercise was centred around the village of Upton St. Leonards in the second half of the nineteenth century i.e. round the time of the final enclosure of the village fields, only the later collections of documents pertaining to the "Court Leet and Court Baron and other Lords of the said manor" were examined.

The first part of every record is the same: written in careful copperplate, and couched in the same legal phraseology it defines rights of common and reiterates obligatory duties. Then there follows in the second part, usually written in a different hand, less well formed and often difficult to read, a report of various derelictions and defaults and the resulting decisions taken to deal with them, e.g. failure to keep drains in good order or maintaining gates and hedges satisfactorily: perhaps more important were the decisions made about encroachments. In this section also are the re-appointments of the officials, usually the same people each year.

These records also are largely repetitive, but they do present some idea of the conduct of the affairs of the village. So, in 1849 a bill for £1. 3s. 11d. for the repair of the village pound was presented by the hayward; in the same year, several persons were in "default of keeping the grips and watercourses on their respective lands properly cleaned", and the hayward was instructed to give them three days notice and after that, he was to do the work: for this he was to be paid fourpence per lug by the "respective persons making default".

People do not appear to have been in a hurry to pay their fines. In 1851 it is reported that the steward has gone through the rentals of several of the encroachments and found considerable arrears due by several parties, and it was "unanimously considered and resolved only fair and honest that all should be paid before December 1st., or prompt and legal proceedings taken".

One gets the impression that encroachment on the various common lands was a continuous process. So in 1852 it is recorded that the proceeds of the enfranchisement of the several encroachments shall be applied "for some public purpose within the powers of their trust". It is also recorded that "thirty years purchase should be the terms upon which any encroachment should proceed."

These last records give the impressions of a system that is breaking down. Year after year the same defaults are noted:- instructions to mend hedges between Curtis Orchard and Stanley Common, (Thomas Brown's responsibility), a gate across the lane leading from Murren End, (Mr. James), and other gates at Whinney-croft and across the Portway Road, are all reported year after year as needing attention, and each time the bailiff is instructed to carry out the work if it is not done, but apparently nothing happens. The work is reported as not done and each year the fines for non-completion are increased. In 1854 it is noted "As no person interested in the same attends to complain of the non-

compliance with the said order, we rescind the same." But the gate problems are still being noted in 1866. In 1867, however, a fence enclosing land in the Stanley Field by Wm. Field is ordered to be removed, and in 1868 it is recorded that the fence has been dismantled.

One tale of villainy begins in the year 1853, when George Miles is reported as having "encroached on the common field called Wheatridge by erecting a cottage or building. Its removal by November next is ordered. If it is not dismantled after seven days' notice by the steward, action is to be taken. In 1854 however, George Miles and his building is still there, as he is in 1855, although in that year he definitely promised to remove same. In 1856, however, not only has Mr. Miles not budged from the field called Wheatridge, but he has encroached further by making an obstruction in the path leading from Camp House to Brimpsfield to Clappers Leaze, by setting up a dry hedge across the same". Again the bailiff receives his instructions, but it is not until 1857 that the flagrant George Miles is removed, at a cost of twenty-five shillings, and one is left wondering if he ever paid up.

From 1870 to 1882 the records become merely formal with a brief half-hearted complaint about "non-commoners" in 1871 and the gates continue still to be in question.

It is interesting to note the names of the various people connected with the records. In 1849, James Wintle is named as the Court Baron and remains so until 1860 when Henry Hyett takes his place; he is followed by Charles Brooke-Hunt in 1866 from whom Henry Blissett takes over in 1882. John Webb and Robert Freeman are noted as hayward and bailiff respectively until 1865 when George Witcombe replaces Webb. Next year, Edwin Davies takes over as hayward, and there is no other change until 1875.

Each record concludes with the signatures of all jurors present: it is interesting to note that only in one or two rare instances are there jurors present who sign with a cross. Very few names persist more than four or five years, so that the list for 1849 is totally different from that of 1883. Among the more recurring names there are Witcombes from 1849 to 1882; H. Morris appears from 1852 to 1883; W. Nicholls appears from 1849 until 1870. Among the names of families still in the village today, the name Barnard first appears in 1870, Tombs in 1881, Rumsey and Townsend in 1883.

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