

*This article was originally written for the Walberswick Local History Group Newsletter, August 2009*

*The views expressed by the writer are not necessarily those of the Charity.*

## **WALBERSWICK COMMON LANDS**

Three documents held by the Charity reveal a great deal about social conditions in the 19th Century as well as the history of Walberswick. The earliest dates back to 1815, the year of the Battle of Waterloo and two years before Jane Austen's death. That century saw the management and administration of rural communities develop from self-organising to more overtly democratic (and bureaucratic) systems.

The first Poor Laws, enacted during the reign of Elizabeth I, represented the beginning of a progression from private charity to Welfare State. Each town was responsible for the care and supervision of its poor and a Poor Rate was raised in every parish. Throughout this period the population of the country was increasing and provisions to help the poor were stretched to the limit. East Anglia was one of the poorer areas of the country as it did not benefit from proximity to the new industrial centres. Wages were low and contributions to the Poor Rate commensurately low or non-existent. Parishes became very defensive of their own resources, not having enough to share with 'incomers' from beyond their boundaries.

This article, based on extracts from the three documents, attempts to trace the evolution of the Charity from the earliest records of its meetings and accounts to its formation as a legally constituted charity.

**The Town Marsh Book 1815** has a sheet of paper, inserted and attached to the first page, that appears to explain the origins of the administration of the 'common lands'. At a meeting in the pub attended by the Elders of the community, "the principal Inhabitants", it was decided that some rules needed to be imposed to ensure the smooth-running of the agricultural aspects of village life.

The book is a record of annual income and expenditure kept by the Fen Reeves. The income is derived from fees paid by village people to graze their livestock on the Town Marshes (three marshes SW of the Blyth) and from ground rents, presumably due to the Parish as the 'owner' of communally-held lands. Expenditure includes the expenses of maintenance and improvement; and also regular contributions to the Poor Rate.

**From the Walberswick Minute Book 1871 – 1898**, it appears that the management of the Town Marshes worked very well at first so the villagers wanted to apply a similar system to the "waste lands" - the Saltings (Ferry Road car park and back of the beach) and the Common. The Minute Book details dates and times of meetings, attendees and resolutions relating to lettings and also to transgressions.

**Certificate to Her Majesty's Attorney General** *"In the matter of the Charity known as The COMMON LANDS, in the Parish of WALBERSWICK, in the County of SUFFOLK and In the Matter of 'The Charitable Charities Acts, 1853 to 1894'" Dated 16 December 1898* This document makes the case for having a proper "Scheme" to regulate the operation of the Charity. Times have changed since

the early part of the century and a formal system for directing charitable funds, in this case to support the poor, has become a legal requirement nationally.

### **TOWN MARSH BOOK 1815**

*(opening entry - inserted page)* "Whereas there are several of the Inhabitants of the Parish of Walberswick who frequently make a Practice of letting their Hogs go loose about the said Parish to the Detriment of the Parishioners thereof, and which is a great Nuisance to them and contrary to Law and also there are several Persons in the said Parish, who frequently make a Practice of getting Furze and Flag on the Common in the said Parish, who do not belong thereto.

We the undersigned, being principal Inhabitants of the said Parish, do hereby agree and determine to prosecute every Person who is found offending in future as the Law directs.

Walberswick 13 May 1808

Issac Whales

Wm Whiting

Ed Garrard

Wm Lawrence

Jn Easey *my mark*

F Robertson *my mark*

Ed Debenham

J Hobart"

The first proper entry, in 1815, is a list of the names of 46 owners of livestock and a description of the animals grazed: "cow", "bull", "colt", "horse". The entry for 1816 is very similar. It is interesting to note that names from two centuries ago are still to be found in the Village: English and Muttitt in 1815 and by 1822, Kerridge, too, were paying for grazing; also Palmer, Robinson, Thompson and Leverett. The Book also records the expenses of maintenance: in 1820 to "Blacksmith, Iron for Gate, Stocks Lane - 3s 6d"; "mowing Salts and Marshes - 12s"; "ditching - £2" and income received from the lease of land and buildings such as "Blacksmiths Shop - 2s 6d", "Granary - 2s 6d", "Cliff Land - £1" as well as "7/- per head of 42 Persons" for the grazing (the Fen Reeve got his free).

It appears that each year the children of the village were given cakes and some of the adults beer. The Poor Rate was paid annually to several, unnamed people. century, land was let, the village's assets were maintained and improved and money surplus to requirements could be passed on to groups and individuals who became the first beneficiaries. By the end of the 1800s the names Stannard, Bloomfield, Cooper, List, Cross appear as rent-payers and service providers. The Fen Reeve records in 1895 that a School Rate and a Highway Rate were paid and rents were being collected for beach huts; rent was also received from 1879/1880 for the Railway and the Station on the Common.

The last entry, explained in the *Certificate to the Attorney General*, is dated 1899 - 1900 and is a summary of legal expenses: to the Attorney General £222.13.1d; to Messrs Gowing and Co (presumably lawyers) £180.12.10d. £5.17.5d was transferred to a "New Book". The old regime was dead and Walberswick entered the 20th Century with a legally constituted charitable Charity/

## PARISH OF WALBERSWICK MINUTE BOOK 1871 - 1898

**12 April 1871** (*opening entry*):

"At a Vestry meeting held at the Parish Church on Thursday the sixth day of April for the appointment of a fenreeve (fen steward) and other purposes relating to the said Parish John Rimmington and Henry Cleveland were appointed to that office for the year now next ensuing at which meeting it was proposed to regulate the feeding (grazing) of the waste lands belonging to the said Parish at which meeting an adjournment took place to Wednesday the twelfth day of April at the Bell Inn Walberswick when the following propositions were agreed to by the majority of the meeting then present That we the Parishioners of the Parish Consider that the Pasturage of the Saltings and Common ought to be regulated in such a manner as to give every person belonging to the said Parish an equal right it is proposed that the number of Cattle depastured on the said lands that is the Saltings and the Common be limited to 60 head of cattle each to pay the sum of 21s/6d per head except weaned calves.

Weaned Calves belonging to a parishioner to go free on the Common the first year. Year olds and upwards to pay the regular price that price to be determined at each succeeding May meeting It is also proposed that a fenreeve be appointed over the said lands the same as one appointed for the town marshes with one share extra for the office and be allowed to turn one year old Bull on the said lands free for his use that a keeper be employed the summer months as usual and be paid out of the Common fund also gates bridges and fences on the said lands to be kept up by the Fenreeve and be paid for out of the Common fund as before stated and the remainder to be equally divided share and share alike to all persons belonging to and having a legal right in the said Parish the lands to be fed by sound clean and healthy Cattle in case of any disease among them the fenreeve be empowered to remove the same at the expense of the owners thereof that the keeper remove the stock unto the Common in course weather or wet nights or at any time the fenreeve thinks fit no person being allowed to take more than two goings except they are not wanted by any other Parishioner and if not wanted in the Parish then they shall be considered free for anyone to hire whether belonging to the Parish or not all stock belonging to nonparishioners to be removed by 20th day of October or the same as on the town marshes and that all persons belonging to the parish and having cattle on the above lands have the liberty to change them twice if they wish so to do also nonparishioners to change once if required it is also proposed that all persons belonging to and having a legal right in the Parish shall have the option of taking one right of feeding into his or her own hands to make what they can of the same by paying what trifling expense is incurred for keeping and other expenses as before named the fenreeve to manage for the remainder of the goings and for Widdows and old people and such as cannot manage for themselves so as to make an equal benefit \_\_\_\_

at the same meeting the foregoing propositions were made read and agreed to and signed by the majority of persons present there being but one dissentient Voice the following are the majority of the meeting

Robert English Snr

John Goddard

John Banks

Wm Crisp

Wm Sewell

Chas Haward

Henry Curdy

Benjn Cross

Benjn Marsh

Wm Knights

Henry Cleveland

Wm Cleveland"

*4 May 1871*

Another meeting at the Bell was attended by 20 men including most of the above-listed and

G Cadey

Lewis Cadey

Chas Stone

Jas West

Robt Kerridge Snr

Wm Balls

Robt Meadows

Jas Balls

Rt English Jnr

John Bloomfield

Chas Bloomfield

John Muttit

"... to regulate the feeding of the Saltings and Common in such a manner that each person having a right to the same shall have an equal share of the same any one acting contrary to the above to be proceeded against as the Law in the case directs \_\_\_\_\_"

and “..... it was agreed that the feeds on the Saltings and the Common be set at 21s/6d per head for the year now next ensuing £1 per head to be placed to the Common fund and 1s/6d per head be left for the keeper \_\_\_\_\_”

#### **15 May 1871**

“.....it was agreed that all keepers of geese do keep or cause them to be kept on the flats and greens till after the second goslings be sold or till after the month of August then they be allowed to go at large till the following spring acting contrary to this rule the person so acting to forfeit their right to the Common and Saltings fund \_\_\_\_\_ ....”

#### **4 April 1872**

At a meeting attended by 26 men, it was proposed “that a Secretary and Committee be appointed to perform the duties of the Fenreeve”; an amendment was added to the effect that they should continue to appoint a Fen Reeve, too. This year Mr Cleveland (Fen Reeve) was “.... empowered to repair the roadway (to the Old Town Marsh) out of the Saltings and Common Fund.” There were then 56 “goings” (or grazing lets).

#### **30 May 1872**

At a Special Meeting, the rules were being applied and Messrs Wigg, ?, Cleveland and Cullingford were threatened with having their cattle empounded unless they paid their dues.

#### **1873**

On 9 January, it was agreed that £1.17s6d, received for “litter now growing on the Fenn” would be spent on improving the Fenn. On 1 March John Lusher, John Baker, Henry Cleveland and Benjamin Marsh were duly paid £1 11s between them, presumably for work on the Fenn, - as was the publican of the Bell: 3s 9d for the 15 pints of beer consumed by the four attendees.

On 8 May Robert English was to “be summoned at the county court Halesworth” because he had not paid for some hay he bought over a year ago. A postscript to the minutes states that “the above relating to Mr English was this day (17 May) settled he paying £2.9s.0d for the hay and 14s court fees”.

**1887** – an intriguing entry states that “... it was agreed that Mr Pollard meet the Charity Commissioners ... on November 9 1887”. There is no record of that meeting but we do know that complaints about the running of the Charity were received by the Charity Commissioners on the following and subsequent years.

By 1891, the self-regulating system appears to have deteriorated somewhat: "... some of the shareholders have not paid up their share of the ground rents others say they will not pay theirs unless an understanding is come to by the 1 of May 1891 by who and whom it is to be paid": also "... the fenreeve request the vicar to fill up the hole that he had dug and if he refuse to do so that the fenreeve is to get it filled up and charge the vicar with the cost".

Many of the Minute Book entries are quite difficult to read but there is much more information to be had from them.

### **CERTIFICATE TO HER MAJESTY'S ATTORNEY GENERAL 1898**

"The Board of Charity Commissioners for England and Wales do hereby certify the case of the above-mentioned Charity to Her Majesty's Attorney-General in order that he may institute proceedings or take such steps, if any, as may appear to him, upon consideration of the circumstances, to be requisite or proper with reference to the Charity". The aim was to set up a formal 'Scheme' for the Charity.

It appears that, by the end of the century, the Charity Trustees had not applied for an order establishing a Scheme for the administration of the Charity despite the fact that, as early as 1830, formal arrangements existed for the registration of charities and there is evidence that the Walberswick charity did exist - in one of the parishes in the "Blything Union" in 1838.

Drawing on the 1815 Book and the Minute Book, the Charity Commissioners identify a series of key events. They note that rules for the management of the Common Lands, were originally agreed at a meeting held on 13 May 1828: they state in great detail who was allowed "feeds", when and where; and also that "no person whosoever is to be allowed to build a house, shed or any other byuilding upon the Town Land" and yet at a meeting held on 11th September 1884 it was resolved that "the Fen Reeve be empowered to let any quantity of land on the Common ...", and that "no more than two houses be built on each plot of ground". On 1 November 1887, the Fen Reeve, Lewis Cady, leased a piece of the Common to the Southwold Railway Company "in consideration of the yearly rent charge of £6".

In 1888 the Charity Commissioners sent a letter to the Churchwardens and Overseers of the Poor of the Parish pointing out that "the lands are property belonging to the Parish" and that it is the responsibility of the Churchwardens to ensure the just distribution of Parish funds but they seemed to be powerless in the face of opposition from the Charity Trustees. Complaints were made to the Charity Commission in 1888, 1889, 1890 and 1893 and "disputes arose as to the persons entitled to participate in the benefits of the Charity".

The inference is that the "principal inhabitants of the village" were a 'cosy club', looking after their own interests rather than those of the Poor and those originally entitled to grazing etc. The Scheme, when finally established, insisted that people in receipt of regular benefits should be identified by the Charity Trustees with "regard to the pecuniary circumstances of the recipient". Similarly, any "surplus income" could be applied "by the Charity Trustees at their discretion in pensions or temporary allowances to meet cases of sickness accident misfortune old age and poverty amongst such persons as in the opinion of the Charity Trustees are bona fide inhabitants of the Parish of Walberswick.

*(end)*