

EIGHTEENTH CENTURY DISPUTES IN THE MANOR OF MINSTER

BY
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This study was carried out under the scheme for the University of London Diploma in History or Diploma in Local History. The work is an introductory essay on one facet of life on the Manor of Minster in the eighteenth century. As such it provides a prelude to subsequent essays which will deal with the Alston involvement at Minster, beginning with William Alston's purchase of the Manor at the end of the eighteenth century.

Although not formally submitted for the award of the Diploma, the work was carried out under the supervision of the Department of Extra-Mural Studies of Birkeck College, in whom the copyright is vested.

ACKNOWLEDGEMENTS

I would like to thank Nigel Yates of the Kent County Archive Office for kindly agreeing to transfer the Minster records from Ramsgate to Maidstone where, for me, they were more accessible. I thank also his staff for their kind and cheerful help when using the records. My thanks are also due to the library staff of the Local Studies Centre at Springfield, Maidstone. I am especially grateful to Dr. Michael Harris of the Centre for Extra-Mural Studies, Birkbeck College for the patient and painstaking way in which he has helped me to handle the original material and present it in an acceptable form. My thanks are also due to my husband who first heightened my interest in history and who has offered helpful comments and advice on each draft I have produced.

Finally I would like to record my gratitude to the late Joy MacAskill. At a University of London Summer School at Westonbirt in 1987 it was she who taught me the rudiments of historical research and instilled the confidence to enable me to tackle this piece of work.

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Some Eighteenth Century Disputes Concerning the Rights of the
Manor of Minster in the Isle of Sheppey, Kent.

Introduction

The Isle of Sheppey is in North Kent, but is separated from the mainland by the River Swale to the south and the River Medway to the west. It was called "Sheppey" or the "Island of sheep" by the Saxons because of the "number of sheep feeding on it". (1) The island is about eleven miles in length and about eight in breadth. Of mainly London clay, the land rises to about two hundred feet towards the centre, around Minster, forming cliffs along the north-eastern coast. Over the centuries the sea has made great inroads into the soft clay and the Sheppey coastline has suffered from constant and severe erosion.

By the eighteenth century, Minster was the principal and largest parish on the island. Its focal point, the village and Abbey, was on the high ground in the eastern part of the parish. To its south-west was the ancient Borough of Queensborough, named after Edward 111's Queen Philippa, and granted its charter by him in 1368. On its eastern side was Eastchurch. The parish of Minster extended southwards from the Thames Estuary in the north to the River Swale in the south.

The Manor of Minster occupied the northern part of the parish and was much smaller. A map of the Manor of Minster in 1710 drawn by George Russell, surveyor of Rochester, shows that the estate was of about one thousand acres. (2) "The boundaries had been fixed from foundations granted to the Manor from time immemorial", but, as we shall see, in spite of their age, or perhaps because of it, boundaries could still be the subject of dispute. (3)

Parish and Manor were two separate entities unrelated either geographically or administratively. The parish was the ecclesiastical area administered by the Vestry. From the sixteenth century onwards it was used increasingly as the means for civil as well as ecclesiastical government. The civil powers which it acquired were eventually diminished throughout the nineteenth century, and then curtailed at the end of it. The manorial officers and courts were concerned with the maintenance of order and the effective management of the manorial estate and, throughout the same period, became of decreasing significance.

Parish government, therefore, was undertaken by the Vestry, which was made up of the principal inhabitants of the parish. Manorial officers were appointed by the Lord to look after the interests of his estate. At Minster the Manor was in the care of a steward.

The parish was the place in which a poor rate was made, and for which an overseer was appointed to collect the rate and administer the Poor Laws locally. But every aspect of parish life and communal affairs was dealt with by the Vestry. Overseers, constable, waywardens or surveyors of the highways were legally responsible to the Justices of the Peace in Petty and Quarter Sessions, but in practice they were nominees and servants of the Vestry. They, together with the church-wardens, submitted their accounts at Vestry meetings, for the Vestry to allow or disallow them according to the general wish of the ratepayers, who after all provided the funds. An example of the work of parish officers is provided in a letter of January, 1750 to Mr Taylor, Steward of the Manor of Minster. It was signed by the church-wardens, overseers and some parishioners of Minster and tenants of the Manor seeking advice on how a man with a large family might be dispossessed of his house and prevented from becoming a parishioner. Clearly the inhabitants were fearful that Mr Cheeseman and his eleven children might secure a right of settlement in the parish and become a burden on the rates. (4) Presumably they consulted Mr Taylor because he was a lawyer and because as steward of the Manor he was a man of some standing locally.

Although there was this distinction between the jurisdiction of parish and manor, the village of Minster itself belonged to the Lord of the Manor. There were a few cottages, a blacksmith's forge with stable and garden, and the Highland Public House. A hog pound and garden, slaughter house, stable and yard, in all about two acres, were leased to the Reverend David Martin and his heirs. Two very large farms of about three hundred acres each, were rented to Mr Allen and Mr Wyborne. Other dwelling houses with orchards, on the perimeter of the estate, were let to various tenants. (5)

There is no evidence of any great change in the Manor during the eighteenth century, but given that it had an absentee landlord and was managed by a steward, perhaps that is not surprising. For instance, the number of tenants in 1726 was forty-three. Nearly forty years on in 1763, the number was unchanged. (6)

The parish was also responsible for the unpleasant and unrewarding task of dealing with bodies washed up upon the shore. It was an environment which invited conflict and it was a conflict based upon the economy of the beach. Rights had to be guarded. For instance, the right to take shingle for the parish roads which certainly existed in the first half of the eighteenth century had been lost by the beginning of the nineteenth.

The sea, so important to Minster, took its toll though. In the accounts for 1746 it states "this house and land fallen into the sea" (7) The loss of land on the high cliffs of Minster was so great that sometimes almost an acre sank down in one mass, with the corn still growing on the surface. The corn would be allowed to grow to maturity and reaped with very little loss to the owner. (8) There was no manor house on the estate and the absent Lord of the Manor lived in Morvale in Cornwall. He appointed Mr Taylor and Mr Sheafe, attorneys, living in Rochester, to collect the rents and to take care of the estate. They in their turn were kept informed of the day to day happenings on the Manor by the tenants. Inevitably, certain of these events had to be relayed to the Lord of the Manor by the steward, who, of necessity, had to describe matters in some detail to make them comprehensible to his absent master. This was particularly so when events were complicated and a dispute was involved. Luckily many of these exchanges have survived in the Kent County Archive Office in Maidstone, Kent. The letters provide interesting and amusing insights into the lengths to which tenants and parishioners went to help themselves to the wealth of the foreshore of the Manor of Minster. They show how alive the steward had to be to their tactics and the counters he had to employ to preserve his Lord's rights against all comers. The account which follows has been compiled from those letters. (9)

Essentially the wealth obtained from the shore came from the exploitation of material thrown onto it by the sea, whether it was its marketable shingle, replenished by the motion of the tide, the more valuable coriers, the odd remarkable fish washed up on the beach, the material from shipwrecks on or just off the shore, profits from oyster beds leased out to fishermen, or any other piece of flotsam or jetsam landing on it. All these items were the property of the Lord of the Manor but opportunists were quick to seize anything and claim it as their own. Tenants on the Manor had no such rights but would, if they could, take, conceal and dispose of items thrown onto their land or the shore adjacent to it. The steward had to act quickly to prevent such action or to recover anything taken. The parish of Minster had no rights to flotsam and jetsam washed onto the beach. Its parish officers, the surveyors of the highways, could however take freely beach shingle for use on the parish roads.

Notes and References to Chapter 1 - "Introduction".

1. Edward Hasted, The History and Topographical Survey of the County of Kent (Canterbury: E.P. Publishing and Kent County Library. 12vols., reprinted 1972), vol.V1, p.164.
2. A map of the Manor of Minster in Kent - by George Russell of Rochester - Surveyor - 1710, K.A.O., U487/1 P.1.
3. Estate papers, 1731 - 1768 including abstracts of medieval charters concerning the manor of Minster, K.A.O., U487/1 E 4/2
Letter, 1st June 1741, from Mr Sheafe, Attorney, Rochester, to John Francis Buller of Morvale near Loo in Cornwall, K.A.O., U487/1 E 5/1.
4. Letter, 30th January 1757, to Robert Taylor, Steward of the Manor of Minster, signed by the church wardens, overseers and some parishioners of Minster, K.A.O., U487/1 E 5/5.
5. Documents confirming the sale of part of the estate to William Alston; and particulars of the five lots of the estate to be sold by order of Chancery, K.A.O., U487/1 E7(Bd1.2 and L2 (1 bdl.))
6. K.A.O., U54 M44.
7. K.A.O., U54 M44.
8. Hasted, Kent, vol. V1, p.208.
9. K.A.O., U487/1 E5 /1.

The Lord of the Manor's rights on Minster beach

Minster beach was some four miles long and faced north. When the winds were in the right direction they swept unimpeded across the length and width of the North Sea to hit with their full force the coasts of north and east Kent. Minster beach lay full in their path. Inevitably therefore wrecks, or material from wrecks, were washed onto the north shore of the Isle of Sheppey. Some landed on the shore of the Manor of Minster. They brought financial reward to the person entitled to the proceeds of wrecks, and on occasions, a dispute about who that person was.

One such case arose in the 1740's between Mr Herbert of Eastchurch who was Lord of the Manor of Milton and Mr Buller, the Lord of the Manor of Minster, over the latter's right to wrecks on Minster beach. The dispute was complicated by confusion over the precise location of the manor's boundary. Mr Herbert claimed that, the eastern boundary lay much farther the west. A contemporary map of the island put the Manor boundary a little to the east of Saunders Brook but a letter of 15 February, 1740, seemed to suggest that the Brook itself formed the boundary. Mr Herbert had a plan of a piece of land ten acres along the cliff to Saunders Brook which might have resolved the problem if much of the land had not fallen into the sea, illustrating, with some force, the vulnerability of the clay cliffs. Apparently, however, it had once been settled that Mr Herbert had the right to wrecks along the whole coastline, from Sheerness to Shellness. His claim was advanced with confidence for it was believed that vital papers concerning the Manor of Minster, which might have proved or disproved the point, were consumed in the Fire of London. The Steward of the Manor of Minster, Mr Sheafe, expressed his doubts by asking how it was, if Mr Herbert had the right to wrecks in Minster manor, he had not got the right to copperas also. To resolve the matter, Mr Buller went to Court and charged Mr Herbert with trespass. Village gossip had it that because of the absence of the Manor records Mr Herbert was quite confident that he would win the case. In the meantime, Mr Sheafe was busily rummaging through ancient records and histories about the foundations and grants to the Manor. He took copies of several of these records and histories about

/the foundations

the foundations and grants to the Manor
and saw no difficulty in fixing the boundaries of the manor, or of confirming its right to wrecks thrown on shore within those boundaries. He had a map of the island made for he believed it was impossible for a Council or Court to understand the information or judge the matter without a map of the island and the sea coast. He discovered that, in 1692, the Lord of the Hundred removed eighty bushels of hempseed which had been wrecked on Minster and his Master's grandfather had been mightily displeased by this. There survived nearly forty letters and instructions of the grandfather to his agents to watch carefully for wrecks and other royalties of the Manor, and to watch equally the activities of the ancestors of Mr Herbert, whom he regarded as enemies of the Lordship of Minster. (1)

On 1st July, 1741, Mr Sheafe informed Mr Buller that the case would be heard at the forthcoming Assize on the 16th July. He was prepared for the trial. Mr Sheafe had also moved that the case be tried by a special jury to prevent the wrong sort of influence being brought to bear over the "lower people". On the 10th, Mr Sheafe wrote again to his Master, Mr Buller, with heartening news of how things were going. Mr Buller was doubtless delighted to hear that the people in general were well disposed towards him. His cause had become of such interest and gained such popular support that half the people on the island were going to the Court to hear. The people who frequented his shores had been subpoenaed to attend to testify to the rights he enjoyed on the shore of the Manor. This was not withstanding the insinuations that had been made that support for the other side would bring them useful advantage. For Mr Herbert, now called by some "Lord Paramount", had declared that once he had proved his right to wrecks on Minster, he wanted nothing for himself but would leave all wrecks to the people for their own use. Mr Sheafe observed that the common people were wise enough not to be taken in by such promises. Mr Niro, who was the agent for those who leased the copperas rights from the Lord of the Manor, and who had great influence with the copperas pickers, had agreed to come from London. He was to ensure that the

/assembled people

assembled people kept calm throughout the proceedings and did not succumb to bribes while Mr Sheafe was in Court. Mr Jolly, one of Mr Buller's tenants, was to take them to the Assizes and was to do his part in ensuring that they were not approached by the opposition. The special jury had been settled and was a good one from Mr Buller's viewpoint. His lawyer and steward, Mr Sheafe, knew most of them and was particularly well acquainted and had done business with some. All in all, with large numbers from the Manor of Minster going, and careful preparations made to look after them, attendance at the trial must have been like a holiday outing, second only to a hanging. One can imagine the reaction of those from Minster when their Lord won the day and had his right to wrecks cast up on the shore of his Manor confirmed by the Court.

There was now no doubt about the right of the Lord of the Manor of Minster to shipwrecks, material washed ashore from shipwrecks, or indeed to anything washed up on the shore of his Manor. The established rights were meaningless however unless they could be asserted locally. There is ample evidence that his steward and his men had to move rapidly to do this. Deprivation by the locals had to be prevented for there ^{were} accusations that they destroyed everything they laid their hands on. The metal hoops of a buoy, for instance, were turned into ploughshares or horse-shoes unless secured from them. Given the opportunity, local farmers removed and concealed substantial portions of wrecks, a task not undertaken lightly because it needed horses, tackle and men, and the co-operation and secrecy of those involved. One example was unearthed and is documented in correspondence of March, 1740. A buoy was washed ashore on the farm of Mrs Hodges, which she rented from the Lord of the Manor of Minster. When Mr Sheafe, the steward of the Manor, went to inspect it, he discovered a large amount of wreckage hidden under the straw of her barn. Mrs Hodges could not read or write so, to retrieve her situation, she persuaded her good friends and neighbours, Jeremiah Rosewall and Bryan Bentham to write to Henry Sheafe on her behalf. She mentioned her expenses but gave up any claim to the wreckage and left it to the steward. Fears of a law suit, her neighbours confessed, were as great in her as they would have of the inquisition. The widow pleaded that, as long as she continued to pay her rent, as her honest husband always had, she be permitted to keep her farm. The steward was not impressed by the widow's surrendering a right she never possessed. As to her expenses,

/ Mr Sheafe had

Mr Sheafe had paid her cousin Richard for the time her horses and people were employed, and he had his receipt. He questioned the honesty of anyone who could conceal, as widow Hodges had, a large part of a wreck from her landlord, his master, with intent to defraud him. The terms of her lease allowed the Lord of the Manor to lay wreck upon her farm and having done so the rabble took part of it away. Apparently this must have been done with the widow's connivance for the Lord of the Manor, Mr Buller, clearly held her responsible. He himself was not taking action for the men involved were employees of Mr Herbert, the adjoining Lord of the Manor, but Mr Herbert could, and would, on Mr Buller's behalf. For these troubles which descended upon her, and now involved two gentlemen, Mr Sheafe, the steward, declared she had only herself to blame. (3)

While the dispute as to the right to salvage on Minster beach may have been settled there remained disputes, or at the least difficulties, in securing payment for the material saved. Much of the wreckage which came ashore was in the form of heavy baulks of timber and these had to be secured, measured, the value calculated, and a claim made against the owner for salvage. The records show that this was usually one third of the value of what had been saved. A useful account of what was involved, and of how difficult it could be to secure payment, is provided by a letter Mr Sheafe wrote to the Navy Office, London, on the 22nd September, 1740. He wrote on behalf of the Lord of the Manor of Minster and the Lord of the adjoining Manor, being Steward to the two. Timber, he explained, had been washed up within reach of the shores of both Manors, where the locals waded in the sea up to their shoulders to save it in freezing conditions, with ice forming. Then the timbers had to be hauled up the beach, secured against the efforts of the sea to reclaim them. A watch next had to be placed over the salvage to prevent the country people cutting up the timber and making off with it, something they were frequently guilty of unless extraordinary care was taken. The steward then had to take note of the quantity and the marks upon the timbers. His masters, the lords of the manors, had been put to considerable expense for they had to reward those involved for their time and trouble in such extreme conditions. The salvage was the right of his masters yet he had heard nothing about payment in settlement. Mr Sheafe's

/letter to

letter to the Navy Office, London, was to solicit payment for his masters through either the Chatham or Sheerness Yards. (4)

In order to assert his rights the Lord of the Manor could and did prosecute individuals for stealing wreckage cast up on the shore. In 1766 we find Mr Buller's new attorney writing to a tenant, Mr Rouse, to extract information from him to enable this to be done. We get some inkling of the customs of the age for he first thanked Rouse for the hare he sent him. The steward insisted that he had to talk to Rouse about the affair of the mussels but we are left guessing as to what this was about. His main concern was a recent wreck which had been stolen. He believed that the Lord of the Manor would prosecute those responsible and expected Rouse to provide the names of all those involved. (5)

As well as the contents of wrecks and their timbers a variety of other items were washed on shore. Two buoys landed on Mrs Hodges farm. Both were the property of Trinity House and valuable. The first was in February, 1739, and Trinity House wrote to her almost at once demanding that she deliver it up. Mr Sheafe, the steward of the Manor of Minster, was informed and it was he who replied. He explained that the buoy had been retrieved on the shores of the Manor of Minster and secured in the worst of the severe winter weather for the use of Mr Buller, the Lord of the Manor. The Lord of the Manor, he continued, was often put to considerable expense for men, teams of horses and other outgoings to retrieve items from scavengers, who would destroy them, and then had to protect ^{what} was retrieved. Owners had their property restored to them on the payment of proper salvage. The Corporation of Trinity House were required to satisfy the steward it was their property when, on paying the appropriate salvage money, it would be delivered to them.

Mr Sanderson of Trinity House replied. He described how they laid and placed all their buoys for the benefit of navigation, that they would not pay for its return, and, if Mr Sheafe did not agree he and the Manor would be taken to Court. The buoy was surrendered and a modest payment was made by Trinity House to cover the cost of conveying the buoy to Gravesend by wagon.

The second buoy was washed up in September 1740, when a similar routine followed. Mr Sheafe demanded salvage money and Mr Sanderson offered the same carriage money as before.

/The second

The second buoy had to be returned to London but Trinity House maintained that would cost no more than to Gravesend. In the meantime, Mr Chapman, the Lord of the neighbouring manor's steward, arrived with a posse of horsemen with ropes who then made off with the buoy. To legalise the proceedings they were accompanied by a bailiff who waived a letter of authorisation at Mrs Hodges, who could not read anyway. The buoy was retrieved from Mr Herbert, and, after several months during which Trinity House and the steward of the Manor of Minster exchanged letters, Mr Sheafe once more extracted some payment. It was a little better than last time but not as much as he would have liked. (6)

In 1756, a live whale was washed on shore at Minster and caused something of a sensation because of its size. It was described as being nearly three rods long (nearly 50 feet) and of a monstrous circumference. It was seized, made fast, and claimed for the Lord of the Manor, and negotiations begun for its sale through a Mr Thompson at Crickets Point, near London, who kept a blubber house. As so often happened when something of value was thrown onto the shore, the Lord of the Manor's rights were challenged. News of the whale had reached Julius Shepherd of Faversham who wrote to Mr Taylor, the steward at that time, to inform him that he, Julius Shepherd, had been appointed Deputy Vice Admiral of the County of Kent, by his Grace the Duke of Dorset. Whales and Sturgeons, he informed Mr Taylor, were royal fish and could not be claimed by the Lord of the Manor. They were the perquisite of the Admiralty, to be seized and accounted for to the Vice Admiral. In spite of the threats of the Deputy Vice Admiral of Kent, Mr Taylor continued his negotiations to sell the fish. He did so secure in the knowledge that, because of particular services in the past to the king of the day, the Manor of Minster had been granted the right to royal fish taken from its shores. (7)

Minster beach was also known for the quality of its shingle, much used on the parish roads, but scattered among the shingle were more valuable stones known as copperas. These provided the Lord with a regular portion of the wealth he derived from the beach. The poor of the neighbourhood were employed to collect the stones from between high and low water mark. The amount gathered varied from one to thirty bushels at a time. The largest and most valuable ones were found at the eastern end of Minster beach where the clay cliffs were at their highest. The stones were also known as gold or sulphur stones. The best quality ones were a bright shining silver colour, the next of a

rusty deep yellow, and the worst a sadder umber colour. The brightest variety were used for wheel lock pistols and fuses. Copperas were also used for dyeing wool, cloth and hats, making ink, tanning and dressing leather, supplying oil of vitriol, and spanish brown for painters. In the fourteenth century they were also used for sheep dressing. The first factory in England for the supply of copperas was set up in Queensborough, to the South West of the manor of Minster. Matthias Falcolner, a native of Brabant near Minster, extracted copperas and brimstone from the stones by using furnaces.

Disputes arose between the lord of the manor and local landowners as to whom owned the rights to copperas. On the 22nd July, 1708, one such difference led to a law suit which was heard at Maidstone Assizes. The Lord of the Manor appointed one Jennings to defend the Manor's right against the claim of Richards and others, and Jennings won the defence. Indeed it was the Court's view that much of the evidence offered by Richards and his fellow plaintiffs did more to support the Lord's right than advance theirs.

Salvage was a lucrative perquisite of the beach albeit at times a chancy one. It could start or end in dispute, involved heavy and at times dangerous work in arduous and unpleasant conditions, required vigilance to retain the spoils once these were saved, and finally, too often, persistence to secure just payment for the work done and the material saved. The income from copperas was more regular and less uncertain but as we have seen, that too was not free from strife. The economics of the Lord of the Manor's beach at Minster were such that regular conflict seemed unavoidable. Yet in all these disputes, whether tested in the Courts, or argued in correspondence, the Lord of the Manor won the day, except perhaps in his dealings with Trinity House. There he got no more than expences on the grounds that they provided a public service to shipping which others should not profit from.

Notes and References to Chapter 2.

The Lord of the Manor's Rights on Minster beach.

1. Letter 15th February, 1740, from Mr Sheafe, steward of the Manor of Minster to Mr Buller Lord of the Manor of Minster. K.A.O., U487/1 E5/1.
2. Letter 1st July, 1741, from Mr Sheafe, Steward of the Manor of Minster to Mr Buller Lord of the Manor of Minster. K.A.O., U487/1 E5/1.
3. Letter 18th March 1740 from Mr Rosewall on behalf of Mrs Hodges, to Mr Sheafe, and letter 20th March 1740 Mr Sheafe's reply to Mr Rosewall's letter of 18th March. K.A.O., U487/1 E5/1.
4. Letter 22nd September 1740, from Mr Sheafe to the Navy Office in London to solicit payment for salvage. K.A.O., U487/1 E5/1.
5. Letter 29th December 1766 from Mr Twopenny, Steward of the Manor of Minster, to Mr Rouse, tenant of the Lord of the Manor of Minster. K.A.O., U487/1 E5/6. Appendix 1 for transcript of letter.
6. Letter 19th February 1739, from Trinity House to Mrs Hodges. Letter 10th March 1739, from Mr Sheafe to the Corporation of Trinity House. Letter 25th March 1739, from Trinity House to Mr Sheafe. K.A.O., 487/1 E5/1.
7. June 1756, Letters to Robert Taylor, steward of the Manor of Minster, from various correspondents including letters concerning a whale cast up on the shore at Minster. K.A.O., U487/1 E5/5.

The Rights of the Parish

In contrast to the Lord of the Manor, the parish had hardly any rights along the foreshore. We have seen how individual parishioners, who were also tenants of the Lord, tried to profit from salvage. Their success depended on not being caught. They had no legal right to it. The parish had the right to remove shingle from the beach for the repair of the parish roads and could do so without paying for it. We know of this from correspondence about yet another dispute.

In an age of bad roads, at least until the second half of the century, when the introduction of toll roads improved certain sections of main routeways, the Isle of Sheppey had a reputation for good roads. This was due entirely to its ample supplies of fine shingle, which was mined in places from pits, and was also skimmed off the beach. Even though the parish could help itself to such shingle, the Lord of the Manor still held the overall rights to that which lay between high and low water mark. This was sold or the liberty to remove it leased by him. It was a common sight to see horse drawn carts along the beach at low tide being loaded with the beach shingle, or beached barges being similarly loaded, for the shingle was also used for ballast in ships.

The dispute which reveals the right of a parish to free shingle arose with neighbouring Eastchurch.⁽¹⁾ The clay cliffs of that parish were high and made access to the beach difficult and, for carts, impossible. Consequently parishioners of Eastchurch would trespass across Mr Buller's Manor of Minster to gain access to the beach, giving rise to complaints of the unacceptability of their behaviour and the damage they wrought to the Minster property. From the beach, they removed material for the repair of their parish roads. As the island is of London clay these would have become impassable in the winter without a dressing of stone and gravel. The correspondence which resulted showed that the Surveyors of the Highway were entitled to take gravel, without payment, from within their own parish for the repair of their roads but not to do so outside the parish as the Eastchurch parishioners were doing. Minster Surveyors of the Highways could help themselves to shingle from Minster beach but officers from other parishes could not.

/Against this

Against this limited right of the parish, one had to offset their responsibility for the gruesome task of burying the dead thrown upon the beach by the sea. The parish burial register for 1770-1836 shows that the number of drowned men thrown up was very high for a Thameside parish. Many of the deaths were due to naval executions. The entries tell enough to intrigue and to stimulate the imagination but leave the whole story untold.

- | | |
|-----------------|--|
| " August 1770 | Thomas Barham - drowned by jumping from the hulk of the ship into the sea to bathe himself. |
| April 1783 | A stranger who was dug out of the cliffs. |
| 5 November 1783 | William Whitehead-Killed by the stroke of a poker. |
| January 1788 | Thomas Maloney - hanged on Board the "Prince Edward". |
| August 1797 | William Gregory: Thomas Appleyard:
John Dunn: Richard Brown - excuted mutineers from the Nore. |
| September 1811 | John Brown and James Troop - who were killed on the saluting battery Sheerness by a gun going off unexpected." (2) |

One wonders why the bodies of executed men were disposed of in such a way that they would subsequently arrive on the beach of the Manor of Minster. Of all the articles that floated ashore, the dead bodies must have been the most troublesome and the least profitable.

Notes and References to Chapter 3

The Rights of the Parish

1. Letter 7th May 1741, from Mr Sheafe to Mr Buller concerning proceedings against Mr Chapman the Steward of the Manor of Eastchurch, and his 'riotious rabble' who attacked Minster Fair and took the profits, and, he continues 'because of his apprehension of an attack on the fair again this year' he has summoned several of the lords tenants to defend the fair and attend him when he declares the fair open. In the same letter he asks Mr Buller to speak to Mr Herbert, the Lord of the Manor of Eastchurch because his tenants are 'taking away the beach' from the manor of Minster. K.A.O., U487/1 E5/1.
2. Minster in Sheppey Parish Records. K.A.O., ...

Chapter

Conclusion

The correspondence discussed in this brief study shows that the rights along the shore of the Manor of Minster were vested in its Lord. The parish had responsibilities within the Manor but its one perquisite was the right to take shingle for the parish roads. Rights were always subject to challenge and embroiled the Lord of the Manor in disputes with his neighbouring Lord, official bodies, his tenants and parishioners.

What is surprising is the risks which local people were prepared to take when they were aware of the consequences and the harsh penalties. Widow Hodges provides a good example. She was prepared to risk the tenancy of her farm for the profits she might make from stolen wreckage. When caught she threw herself on the mercy of the Lord of the Manor. From the theft to the special pleading, the approach was probably characteristic. Daily life was hard for the majority and there were no or few luxuries. When pickings came some one's way they were seized notwithstanding the possible consequences. Throughout the country there were those prepared to risk transportation or even hanging to improve their lot. Tenants on Sheppey may have felt remote and therefore safer. The Lord of the Manor did not live on the island so they were free of his watching eye. His steward lived in Rochester.

An important feature of the disputes was that the rights of the Manor had been bestowed hundreds of years before. Their age and obscurity made them ripe for challenge. This is confirmed and illustrated by the conflicts over the manor boundary, the right to wreckage, and the entitlement to royal fish washed ashore.(1)

A further problem was that while these disputes were over the rights of the Lord of the Manor of Minster, the Lord himself no longer enjoyed the profits of the Manor. When Sir John Hayward, who was its Lord, died in 1636 he left all his property to James Buller and his heirs. They benefited on the condition that the rents, profits or sale of the Manor of Minster were to be given to the poor in the parish of St Nicholas, Rochester. A workhouse was to have been built for them.(2)

Ironically the association of the Buller's with Minster ended with yet another dispute. When the younger James Buller inherited the estate in the 1780's he found that the profits of the Minster Charity Estate were not being used according to the wishes of its founder,

/Sir John Hayward.

Sir John Hayward. The workhouse for the poor had still not been built. In 1791, therefore, James Buller decided to seek permission from Chancery to sell the estate and give the proceeds to the City of Rochester for them to build the workhouse. At the same time he stopped the charity payments to them. The Mayor and City of Rochester pleaded before the Master of the Rolls to have the payments reinstated and James Buller had to produce reasons for stopping the payments, and wanting the sale. He showed that payments for rents were irregular, in many cases from one to twenty two years in arrears.(3) Most of the forty three tenants did not pay rent but gave goods in lieu of rent. An example of this appeared in the accounts for 1726.

Recd of Thomas Randall for 15 years quit
rent for one house with barn and seven acres.

Three Hens	£ 0	2s	3d
Twenty six eggs			8½d
Two quarters of barley at 16s a quarter	£ 1	12s	0d
One bushall of barley			7d
Plus money to bring the whole to a value of	£ 9	8s	7½d

Besides the delays in rent payments profits from other sources had greatly diminished. The accounts for the years 1791-1794 read:-

Profits of Estate	£781	8s	3d
Outgoings			
Repairs, taxes, wages	£347	10s	2d
Charity and poor of parish	£374	11s	0d
	£722	1s	2d
Balance remaining	£59	7s	1d

(4)

The Court of Chancery ruled that the manor should be valued and put up for auction. Their decision permitted in Minster what had been happening and was still happening throughout the country to manorial property; it enabled the Manor of Minster-in-Sheppey to be sold to a commercially minded Lord of the Manor. The long drawn out demise of the traditional manorial lifestyle of its inhabitants was accelerated by such sales. Continuity of ownership was lost and customs and practices changed. In Minster, in 1799, the estate, with its title "Lord of the Manor" ^{was sold} to William Alston, a butcher and cowkeeper of Rochester who bought it as a business venture.

Notes and References to Chapter 4 "Conclusion"

1. Letter of 1st June 1741 from Mr Sheafe Attorney at Law and Steward of the Manor of Minster to John Buller Lord of the Manor of Minster. K.A.O., U487/1 E5/1.
2. Estate papers, Manor of Minster 1633-1713, including copy of the Will of Sir John Hayward, 1635. K.A.O., U487/1 E2.
Arrangements between the Trustees of Sir John Hayward and the Mayor, Aldermen and Recorder of Rochester concerning the use of money from the property for charitable purposes. Title Deeds 1660, 1681. K.A.O., U487/1 T5.
3. Estate papers Manor of Minster 1794-1807 including copies of Chancery proceeding relating to the Manor of Minster. K.A.O., U487/1 E7.
4. The Quit Rent accounts for the year commencing 1725 and ending 1726 made by Henry Sheafe, Steward of the Manor of Minster for the Lord of the Manor James Buller. K.A.O., U54 MM44.

Appendix I - Quit Rent Accounts, 1725-6

The Quit Rent accounts for the year commencing 1725 and ending 1726. Made by Henry Sheafe, Steward of the Manor of Minster for the Lord of the Manor James Buller.

The account ends thus:-

For 1725, 1726 the total Rents Recd	£36 16s 9d
Profits of the Shore ie Salvage of Buoy	7s 6d
The Lords share in an old boat	2s 6d

Expenses.

My Fee as Steward for making out warrants, holding the Court and taking the presentments of the homage which are very long and particular no Court being kept for many years before.	£2 2s 0d
--	----------

Expenses there for myself my Clerk and my Horse. We being there two days.	17s 6d
---	--------

Gave to Mrs Dyer for Dressing the Court Dinner.	5s 0d
---	-------

Gave to Rich ^d . Chalk Overseer of the poor of Minster to distribute among the poor old copperas Pickers.	5s 6d
--	-------

Gave to Mr Dyer and the persons who assisted him for their encouragement to secure wrecks on the shores and for their trouble in saving Mr Swifts boat the 5s I got of him for salvage thereof.	5s 0d
---	-------

Paid the Bayliffe for summoning the tennants and attending the Court.	7s 6d
---	-------

For collecting Quit Rents at 2s in the Pound as usual	£1 8s 0d
---	----------

	£5 0s 6d
	£37 6s 9d

Balance remaining	£32 0s 6d
-------------------	-----------

I have taken credit for this money in my account as Reciever of the Rents of the Estate. Lady Day 1726

Sent a copy of Acct^s. to Mr Buller 26th July 1726.

K.A.O. U54 MM44.

Strood 15 February 1763

Mr Rouse

I received yours by the Post boy of the 5th instant on Tuesday last and as I fully expected to see you here last Sunday I deferred writing to you and now it being Tuesday evening and your not coming makes me fear something extraordinary has happened, and desire that immediately after receiving this you will either let me see or hear from you. But I had much rather see you, for Misters Bullers have granted a lease of the shores of the Manor of Minster for Messrs. Chambers of Queensborough (father and son) and Messrs Alexanders of this Town (Brothers) in order to make an experiment for an oyster fishery and you are desired to attend them to put down stumps at low watermark to ascertain and fix the boundaries. This is a project which has been talked of many years and at last is brought to pass and firmly settled. The Mr Alexanders proposed to be with you this week, but one of them has just now been with me and says they have put it off till the next Springtide. And I hope it will suit with your affairs to be in the way at that time.

Since I wrote the above I received yours with the hare for which my wife returns you many thanks but is very sorry you received such a misfortune.

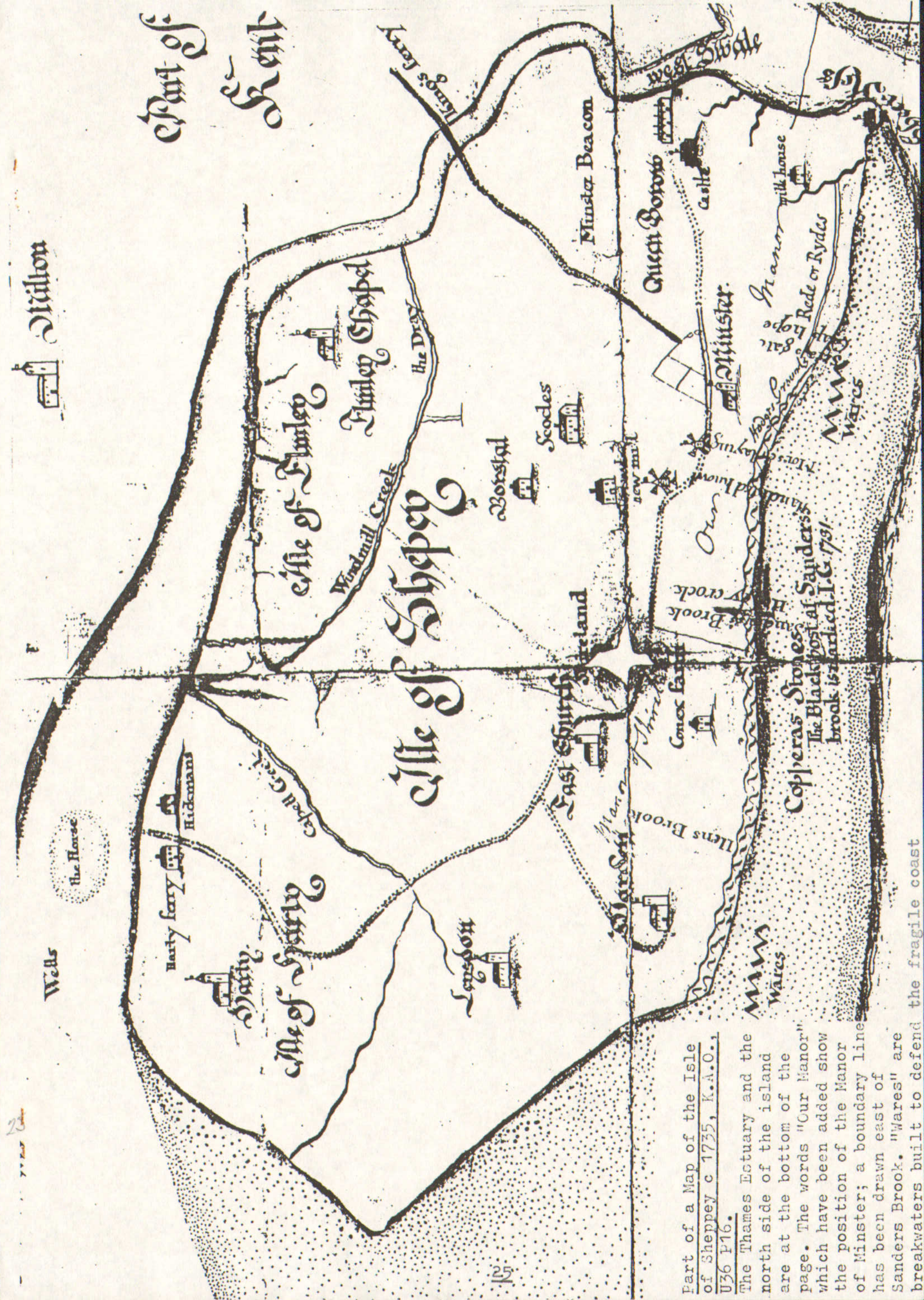
As (to) the return of the writ would have been out last Saturday and expecting you here on Sunday I did not send it out thinking it would be best to take it back with you, but I will now directly do it.

I have this days past received a letter from Mr Buller wherein he seems uneasy to have the affair of the wreck settled, so that I could heartily wish you will prepare your accounts and come over to me as soon as your health will properly permit you. Mr Buller does not seem to understand your last letter, so that the sooner this business can be finished the better for the satisfaction of all parties; and I am satisfied a quick dispatch will be most for your interest. I heartily wish a restoration of your health And am your sincere friend and humble servant
H Millott

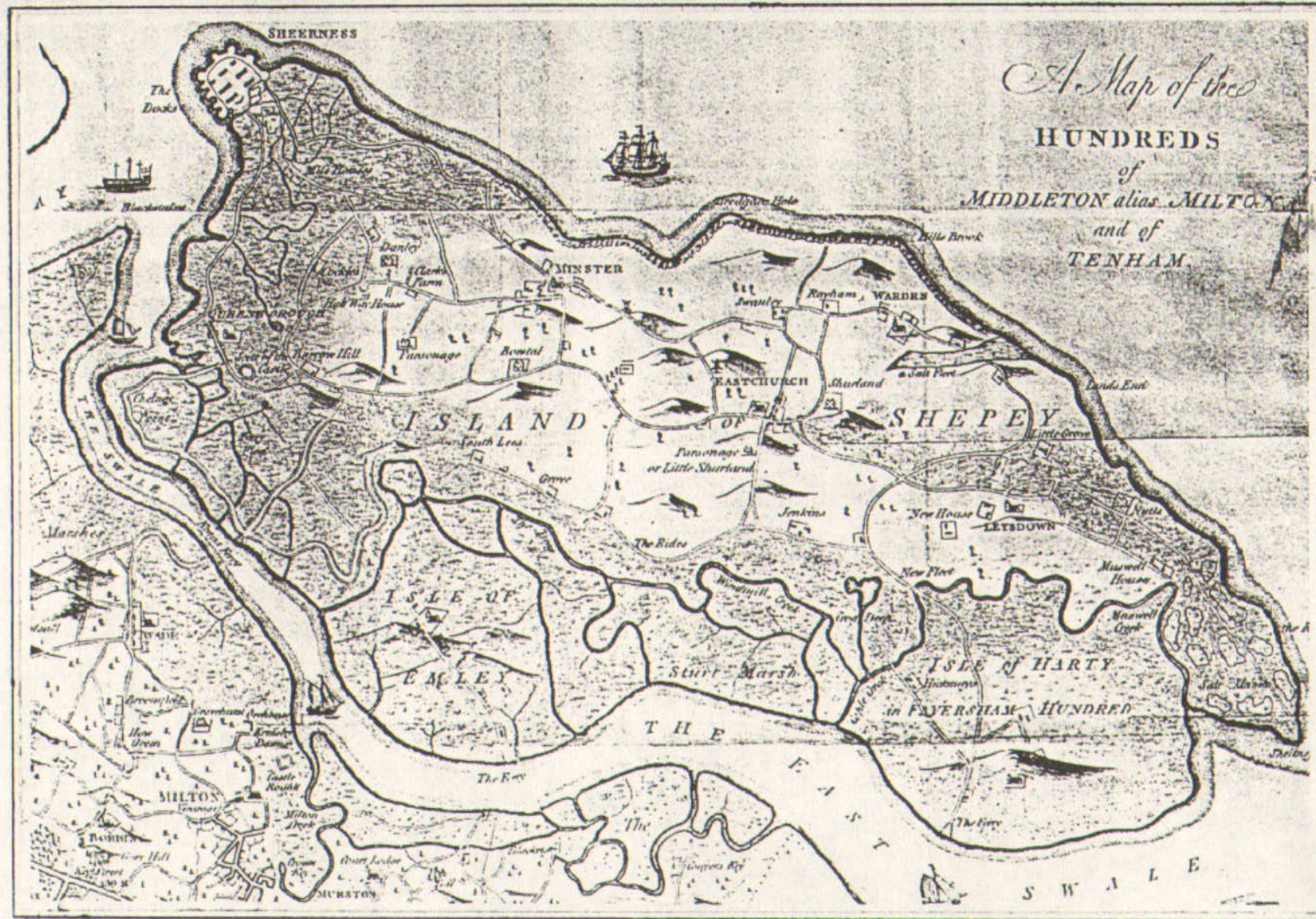
I am a great deal out of order myself and therefore shall be glad to see you soon. I wish Mrs Jolly knew how I am teased by the Rochester people. She would out of compassion give me some relief.

K.A.O., U487/1 T9

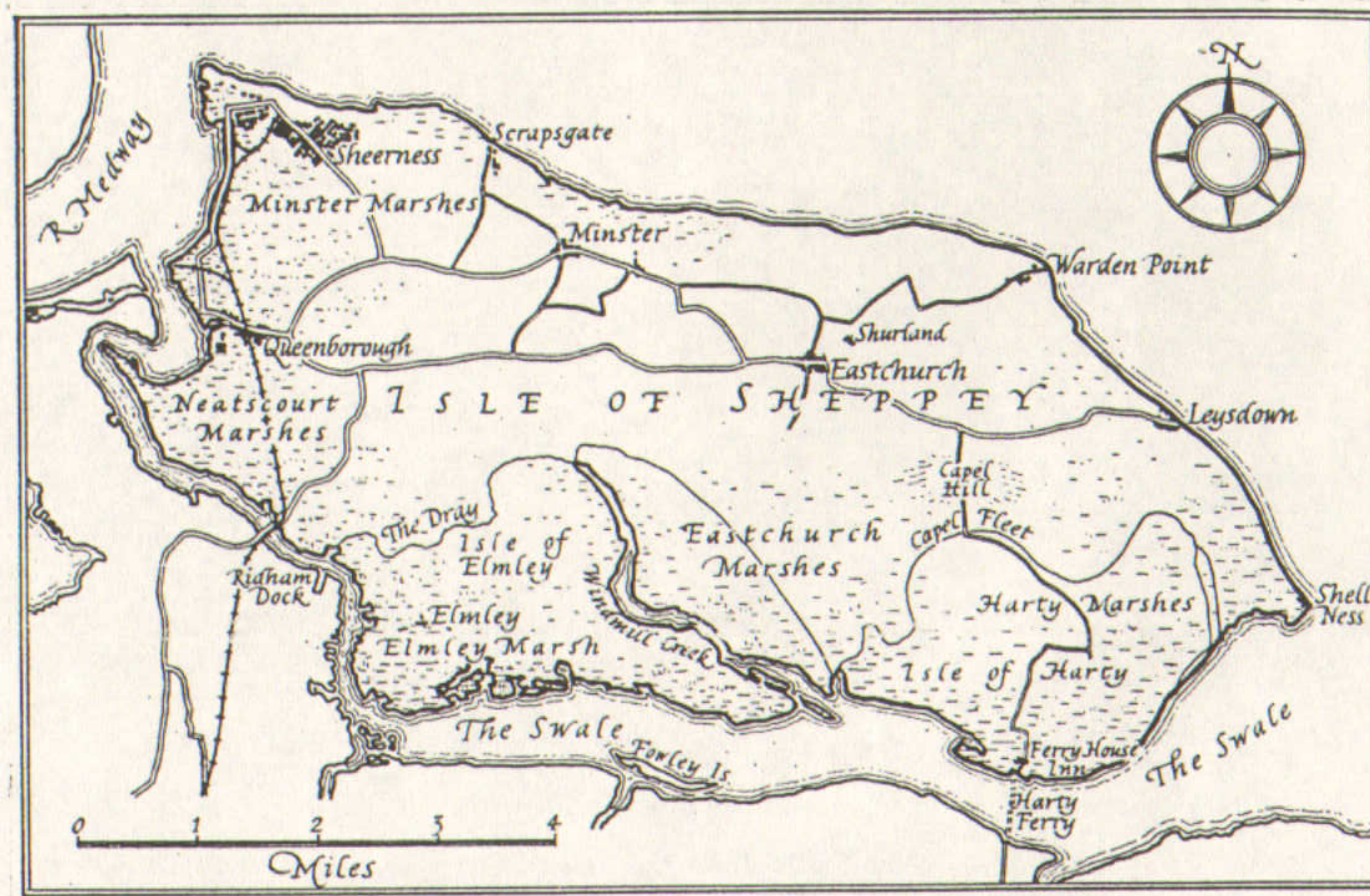
(Note:- This is not an exact transcription. Abbreviations have been expressed in full; where capitals were used inappropriately they have been written here in lower case; and some tinkering with the punctuation, e.g. full stops in place of dashes, has been undertaken. The marking of the establishment of an oyster fishery, which is referred to in the letter, took place almost at once - see the notice of 18 February, 1763, illustration 9.)



Part of a Map of the Isle of Sheppey c 1735, K.A.O. U36 P16.
The Thames Estuary and the north side of the island are at the bottom of the page. The words "Our Manor" which have been added show the position of the Manor of Minster; a boundary line has been drawn east of Sanders Brook. "Wares" are breakwaters built to defend the fragile coast



Edward Hasted's late eighteenth century map of the Isle of Sheppey.



A modern sketch map of the Island. Although the standard of accuracy of the two maps is not the same the straightening of the north shoreline in this map, and the position of Warden and Leysdown in relation to the coast, show the erosion since Hasted's map was drawn.

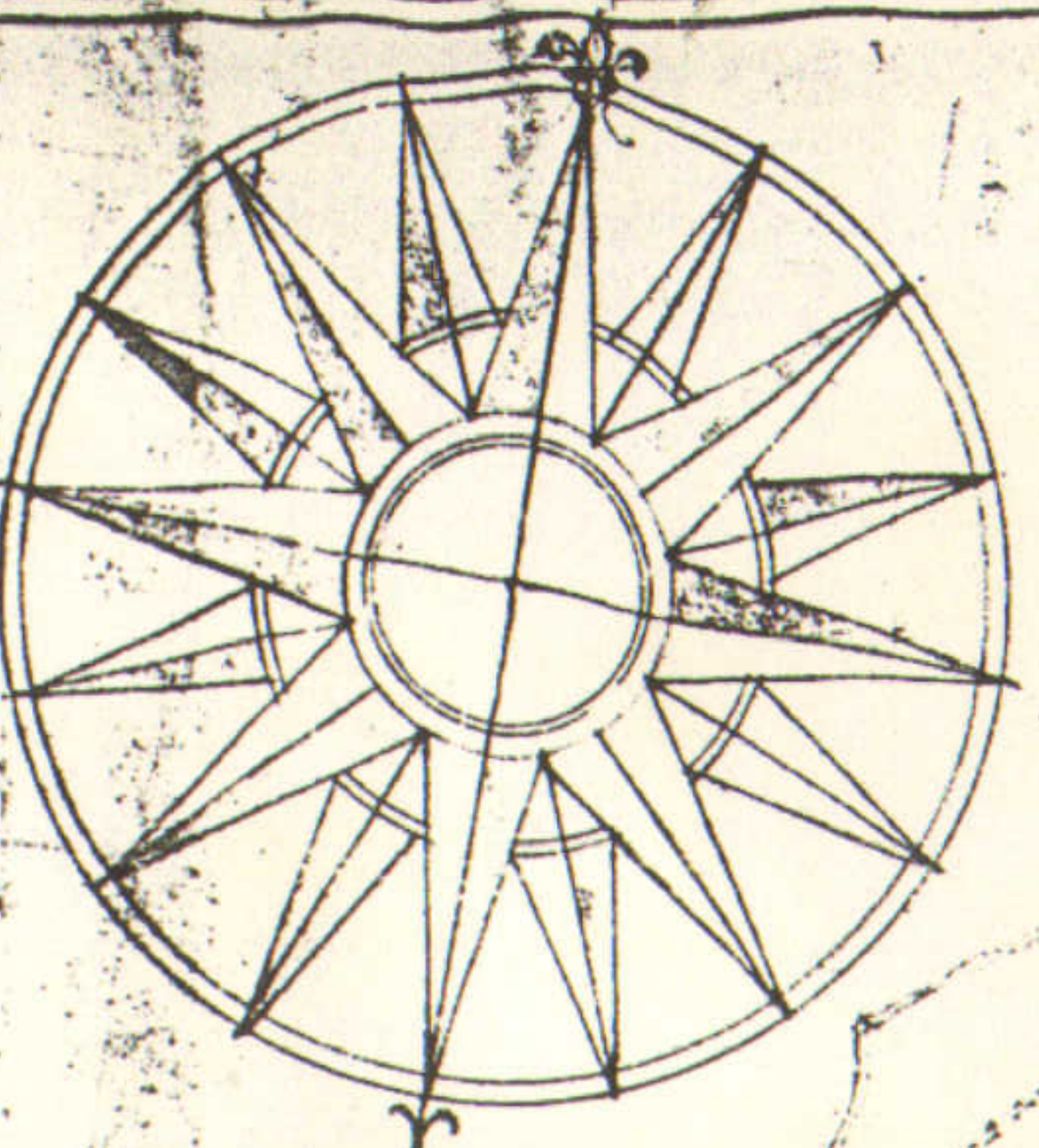
This early eighteenth century map shows the properties in Minster village, the Abbey, and the surrounding fields. The cartography displays little advance over sixteenth century maps, with sketches of individual houses, the church, and Templeman's mill drawn on their sides. The fields are identified alphabetically and two tables on the lefthand side of the map show their names and areas. That for "all farms" is hardly decipherable on the copy; the table for "Wyburns Farm" is better. Its large farmhouse is in field I with orchard adjoining. The list for Wyburns Farm (without the field areas) is as follows:-

- A Salts (on the coast)
- B Scrap-field (by Scraps Gate)
- C (no name given)
- D New ground
- E The 30 acres
- F The 5 acres
- G Werrymy hill
- H The 4 acres
- I Wyburns field (in which the farm is situated)
- K Orchard
- L Oxen pastures
- M a Tenement by ye Church Yard
- N Smiths Forge
Cliffe
- O Horsman field

Werrymy Hill and the adjoining fields to its south-east show signs by the wavy coastal boundary of the loss of land from erosion, notwithstanding the "Wares" prominently drawn on the beach. Continuing in that direction, lengths of the cliff and the land behind are identified as being in the ownership or tenancy of Earle, Webb, Lane, Gould, Finch, and Jennings Esq., but this, as we have seen, gave them no rights to products of the beach. Some indication of these is provided by the words "copperas" and "mines". The mines may have been the beach pits referred to at the end of the century by Hasted and used to extract shingle for the parish roads. Hasted also wrote of the the early difficulties that the Isle of Sheppey had in obtaining water before wells were sunk on the island. The map shows a number of ponds and two springs but not, as one would expect, a spring in Springfield, field Q. The large field opposite Wyburns Farm has not been measured or marked out and is identified as "Now Finch Tennant - Allen". Within the southern corner of that area is a house marked "The Pours".

Lands Names Contents
a r p

All Farm			
a 77 Acre	5	2	2
b 100 Acres	1	7	7
c 100 Acres	0	31	31
d 100 Acres	0	12	12
e 100 Acres	22	2	22
f 100 Acres	1	1	35
g 100 Acres	18	1	08
h 100 Acres	21	5	12
i 100 Acres	14	1	56
j 100 Acres			
k 100 Acres			
l 100 Acres			
m 100 Acres	35	1	16
n 100 Acres	5	0	12
o 100 Acres	1	2	08
p 100 Acres	1	7	55
q 100 Acres	7	1	11

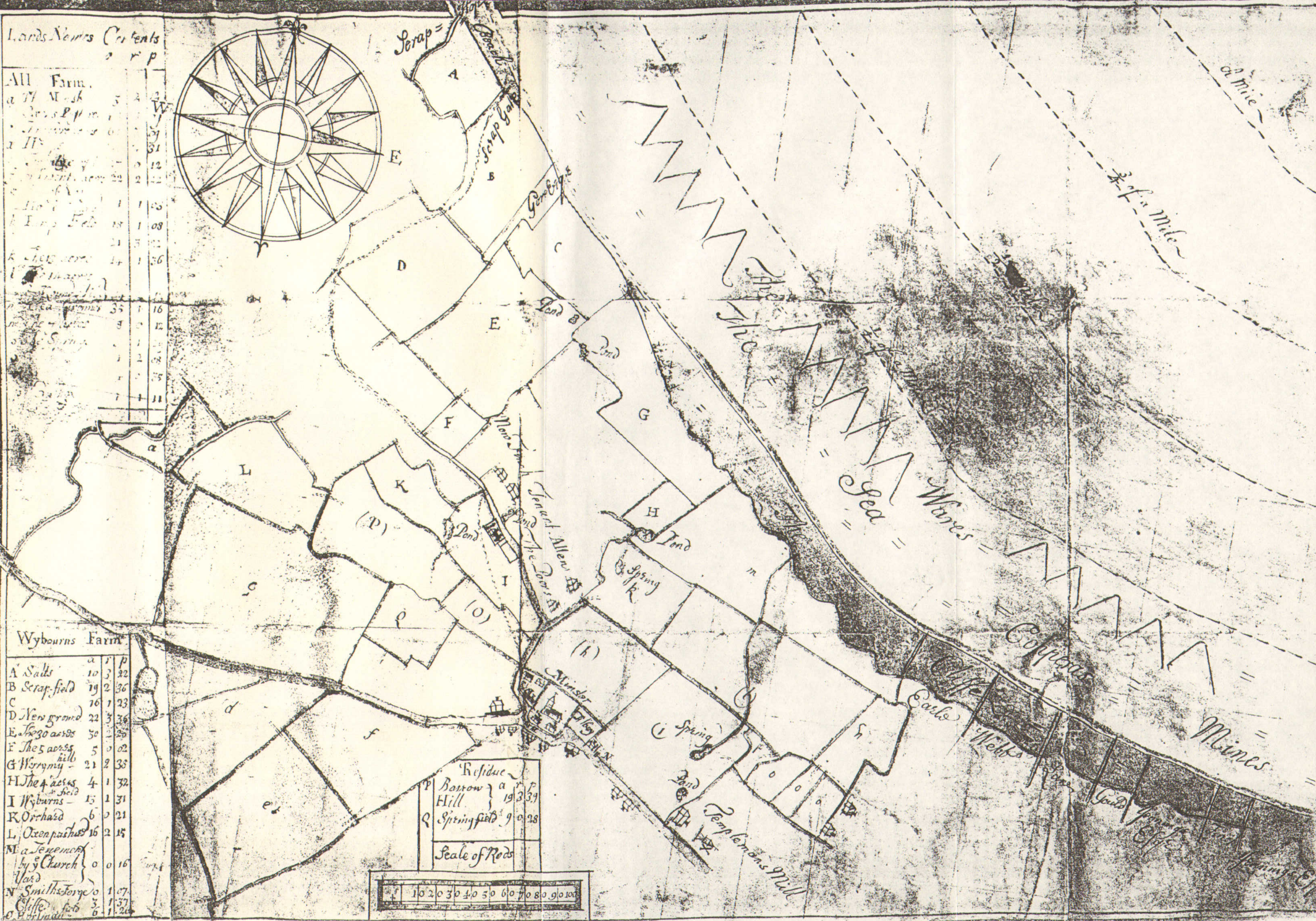
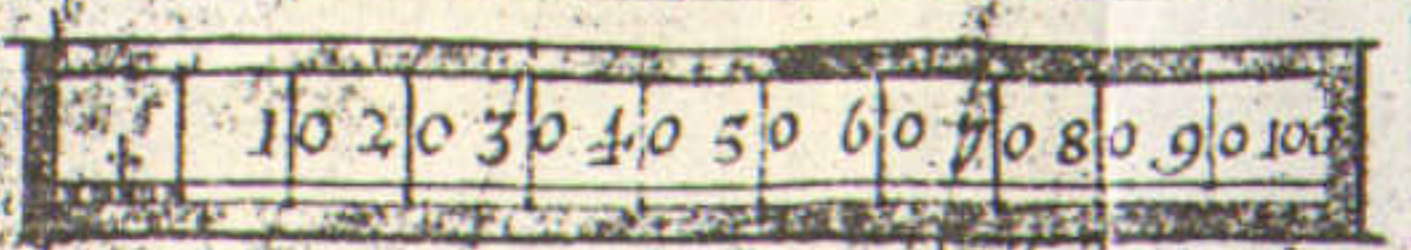


Wybourns Farm

A Salts	10	3	22
B Scrap field	19	2	36
C New ground	16	7	23
D New ground	22	3	36
E The 30 acres	30	2	20
F The 5 acres	5	0	02
G Worrying hill	21	2	38
H The 4 acres	4	1	32
I Wybourns field	15	1	31
K Orchard	6	0	21
L Oxen pathes	16	2	15
M a Tenement by Church	0	0	16
N Smiths Forge	0	1	07
O Cliffe	3	1	37
P 100 Acres	0	1	20

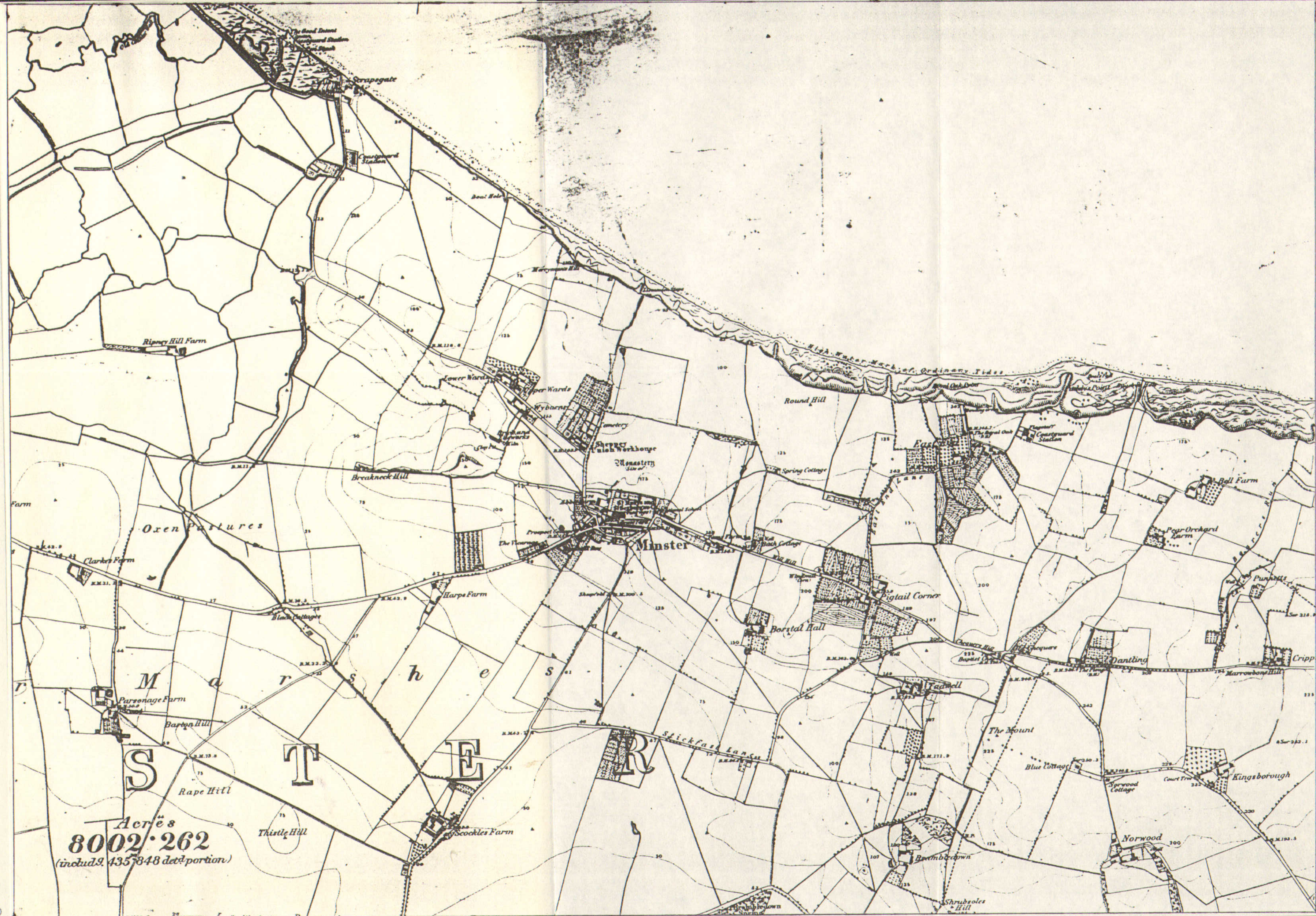
Residue			
P Barrow	19	3	39
Hill			
Q Springfield	9	0	28

Scale of Rods



First Edition, Isle of Sheppey Ordnance Survey Map. Scale:6":1mile.

This nineteenth century map includes the area surveyed by George Russell in 1708, which it depicts with the added precision and accuracy of a modern map. Many of the field boundaries are unchanged. Where they are it is generally by the enlargement of existing fields or the insertion of additional boundaries within the existing ones. Wyburns farm remains and is marked. The field pattern around it has changed within old field boundaries but the shape of what was its orchard is unmistakeable in both maps. The house marked "The Poors" in the earlier map is now the site of Sheppey Union Workhouse. "Oxenpastures" is a name straddling several fields to the south-west of the one so called in 1708. "Werrymy Hill" has become Merryman Hill but most of the old field which bore that name had by now tumbled into the sea; only two small triangular corners remain with the cliff forming their longest boundary. Careful comparison of the maps shows that all the coastal fields have been reduced in size, evidence of the continuing erosion mentioned in earlier manorial records. As they have become too small, the field boundaries running parallel with the coast have been removed to merge each with the adjoining field to create a larger one. What was Templeman's mill survives and is identified as a corn mill.



Scraggate

Ripsey Hill Farm

Lower Wards
Upper Wards

Sherry
Monastery

Round Hill

Oxen Pastures

Minster

East

Clarks Farm

Harps Farm

Pigtail Corner

Parsonage Farm

Borstal Hall

Dantling

M

T

E

R

Rape Hill

The Mount

Acrés
8002.262

(includ. 435.848 det. portion)

Thistle Hill

Scookles Farm

Stickfar Lane

Blue Cottage

Norwood

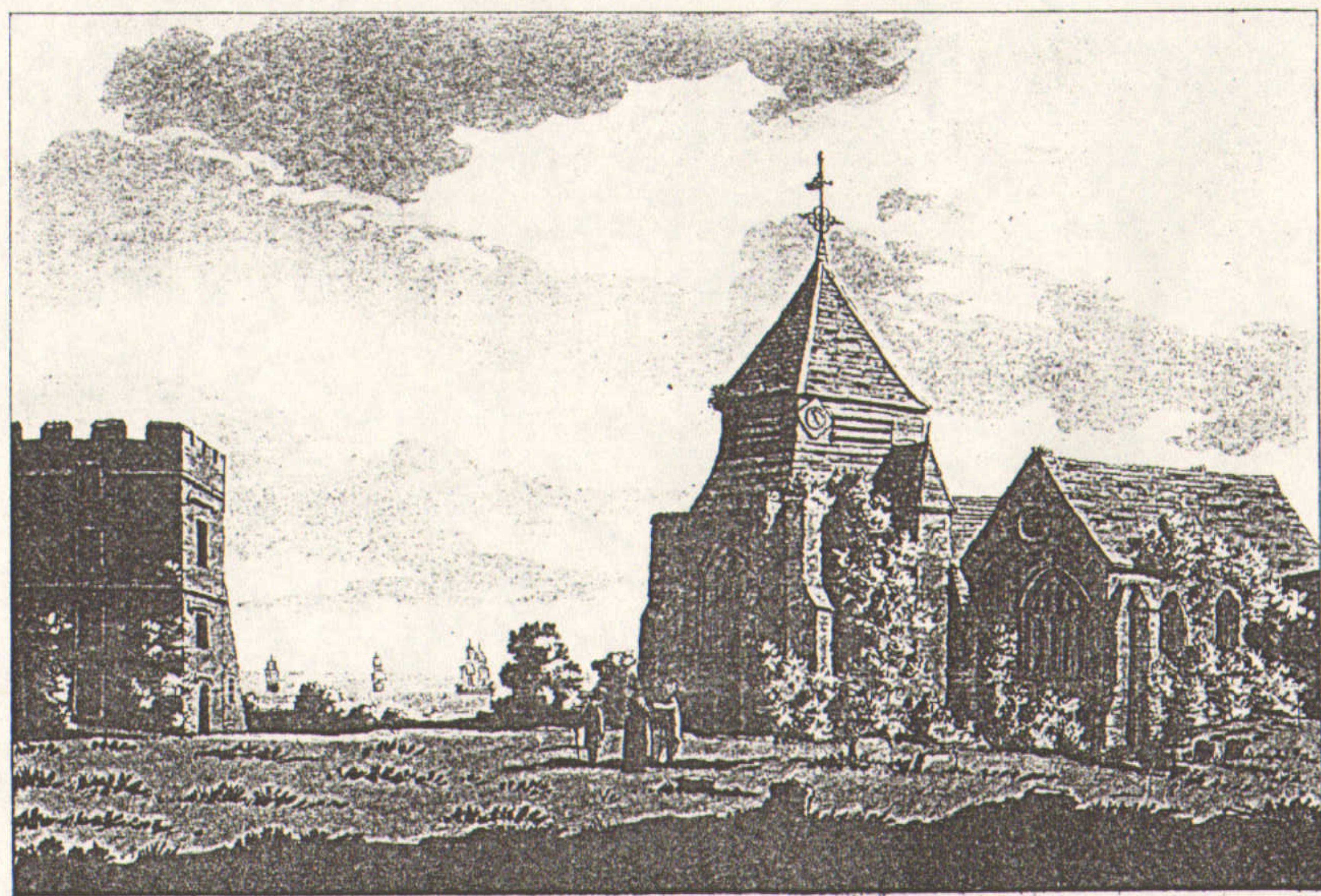
Bewbuckdown

Shrubsole Hill

Kingsborough



Minster village in 1828. The shop fronts are a recent addition, but in all other respects this is an eighteenth century village.



Minster Abbey. In the background ships sail out of the Thames Estuary.

1. Trood 15th Febry 1763

Mr Rouse

I recd yours by the Post-boy of the 5th instant on Tuesday last And as I fully expected to see you here last Sunday I desired writing to you and now it being Tuesday seeing you not coming makes me fear something extraordinary has happen'd, and desire that immediately after your receiving this you will either let me see or hear from you, but I had much rather see you, for the Butlers have granted a Lease of the Honors of the Manor of Minster to Messrs Chamberly of Quenbro (father & son) & Messrs Albroaders of this Town (Brothers) in order to make an Experiment for an Oyster fishery And you are desired to attend them to put down Stumps at low water mark to ascertain & fix the Boundaries — This is a project which has been talk'd of many years and at last is brought to pass & finally settled — The Mr Albroaders proposed to be with you this Week, but one of them has just now been with me and says they have put it off till the next Spring tide, and I hope it will suit with your Affairs to be in the way at that time —

Since I wrote the above I recd yours with the bare for which my wife returns you many thanks but is very sorry you recd such a Misfortune —

As the return of the Wit-wind have been out last Saturday & expecting you here on Sunday I did not see it out thinking it would be best to take it back with you, but I will now directly do it —

I have this days past recd a Letter from Mr Butler who claim he looks uneasy to have the Affairs of the Wreck settled, so that I could heartily wish you will prepare your Acc^{ts} & come over to me as soon as your health will possibly permit you, Mr Butler does not seem to understand your last Letter, so that the sooner this business can be finished the better for the Satisfaction of all parties And you satisfied a quick dispatch will be most for your interest — I heartily wish a restoration of your health And am your sincere friend &

Cham. Serot. J. M. Mott

I am a good deal out of order my self & therefore shall be glad to see you soon

I wish Mrs Jolly know how you treat by the Rochester people, she would out of Compassion give me some relief

Letter of 15 February, 1763, to Stephen Rouse, Bailiff of the Manor of Minster, about the establishment of the shore boundary of the Manor, preparatory to establishing an oyster fishery, and the settlement of matters concerning a wreck. The text of the letter is given in Appendix II.

Minster Febth 18
1763

Know all men that wee whose Names are
here unto subscribed then set; or caused to
be set; Stumps; or Peaces; at Low water
marks; the Moon being then Seven day
Old; as Posts or Boundaries for & Mannor
of Minster; for the use of the Lords of
the same, & Property of Hayward Chamber:
John Hayward Chamber, Robert Allexander
& John Allexander; in witness where of wee
have here unto set our Hands & Day & Date
above written

Witness

Thos. Houlst
Bailiff of Mannor

John Pankhurst

Jeffrey Horne

William Norris

John Rouse

There had been disputes over the boundaries of the Manor of Minster. This notice announced the establishment of its boundary along the shore with posts set at the low water mark. As well as the date, the 18th February, 1763, we are told, because its position affected the tide, that it was done when the moon was "then Seven days Old".

A. Manuscript Sources.

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Alston MSS U487/1
Diaries of Stephen Rouse, 1769-1814 U2567
Maps U36

B. Printed Sources.(i) Contemporary.

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(iii) Maps

Map of the Manor of Minster in the Isle of Sheppey surveyed by George Russell of Rochester, 1708, K.A.O., U36 P15.

Hand coloured map of the Isle of Sheppey c1735, K.A.O., U36 P16.

First Edition, Isle of Sheppey Ordnance Survey Sheets. Scale of 6":1mile.

First Edition, 1819, Kent Ordnance Survey Sheet. Surveyed 1801 Scale of 1":1mile.