

NEWSLETTER

Updating Hampshire's History

No. 14

Autumn 2019

VICTORIA
COUNTY
HISTORY



Hampshire

Family and Local History Day

Basingstoke Discovery Centre, 19 October 2019

As usual, **VCH Hampshire** appeared at this annual event. This year was particularly successful. There was a wide variety of local societies and organisations with subjects ranging from genealogy to archaeology, and the event attracted a great attendance of local people. The library staff arranged an excellent display of their own material, which added to the day.



Pictures show **VCH** volunteers Joan Wilson, left, and Diane Kelly visiting the Wymering exhibition.

And, below, the *Mary Rose* exhibits.



Wymering Exhibition in Portsmouth

October also saw the exhibition of the history of Wymering parish in the Central Library in Portsmouth, prepared by **VCH** volunteer Janet Hird. The display included some remarkable replicas of artefacts from the *Mary Rose*, provided by the Trust, which illustrated contemporary 16C goods mentioned in the texts.



HAMPSHIRE COURTS BEFORE 1800

Secular Courts

Assizes

Capital crimes of murder, treason, rebellion, grand larceny, arson, rape and witchcraft were tried by paid assize judges who came to Winchester twice a year from the 12C until 1971.

Quarter Sessions (QS)

Most other criminal cases, including disorder and theft, were heard four times a year by unpaid Justices of the Peace (JPs) selected from the county gentry.

Petty Sessions

By the 17C JPs met between QS to hear cases mainly involving bastardy, poor law disputes, road repair, drunkenness and minor violence.

Borough Court and View of Frankpledge

Here the local officials and jurors dealt with personal disputes and debts, the regulation of trade and alleged minor offences against the public good.

Hundred Court

The hundred was a unit of administration between the manor/parish and the shire. Its court helped to maintain the peace. Tithing men from each parish reported local infringements of the law to its Frankpledge court held twice a year.

Manorial Courts Baron and Leet

Courts baron regulated copyhold systems of land holding and communal agriculture within the manor. The courts leet or view of frankpledge enabled the punishment of minor offences especially in the common fields such as letting cattle stray. Courts baron and leet were often held on the same day and their functions overlapped, but not all manors had leet jurisdiction.



'The Seditious Hunter Disappointed'
Winchester 1798



Courts Baron Attendees 1692

Religious Courts

The **Consistory Court** of the Bishop of Winchester sat in the Cathedral and was concerned with the manners and morals of the clergy and laity, defamation, testamentary and matrimonial disputes as well as business relating to church buildings and non-payment of tithes. It allowed ordinary people to settle disputes among themselves.

COURTS IN ACTION

Consistory Court

It allowed people to settle disputes among themselves as shown by examples from Dummer.

- In 1685, John Wake of North Waltham took a case against Dorothy Hall of Dummer in an attempt to defend his good name, Dorothy having claimed that Wake had raped her.
- Mary Field of Dummer pursued Thomas Cooper of Basingstoke, innkeeper, for defamation. She maintained that on numerous occasions in 1771, Cooper had said that she was a *whore* and a *damned whore*, that is, she had committed the sin of adultery or fornication.

The outcome of these cases is not known but they reflect society's outlook at the time that reputation was of great importance, economically as well as socially. *Sue Lane*

From The Hundred Court, 7 February 1560-61

William Brushood has placed a dead horse in the highway to the great nuisance of the people who pass by it. Ordered to remove it before the next court under penalty of 3s.4d. *Bob Clarke*



The View of Frankpledge, 15 November 1455

Whereas it appears by the presentment of the tithingmen, also of twelve sworn freeholders, that Isabella Clapsho is a common scold and disturber of the King's peace to the detriment of the whole neighbourhood of Basingstoke, and for this cause the penalty of the tumberall [ducking stool] was adjudged to her; nonetheless, the carrying out of this sentence is deferred until she relapses into her evil ways, wicked scolding, and disturbance of the peace; and then the punishment is to be inflicted upon her without delay. *Bob Clarke*



Frankpledge/Court Leet

- In 1399, Stephen Banaster accused Thomas Aylyerd of allowing his animals to trespass into his croft, destroying his oats. At the same court, Thomas accused Stephen of cutting trees and removing timber, and allowing his pigs into the croft, destroying the pasture. Both men were to appear at the next court. But reason prevailed, they settled out of court, to use the modern phrase, but were both fined 6d.
- Newnham had its own view of frankpledge, which in 1427 had two unusual entries. The rector John Fereby assaulted Thomas Stucle with a staff, and drew blood. He was fined 12d. but would also be in trouble with the ecclesiastical court. A much heavier fine was levied against Joanna Grete, wife of John Lyol, who, whilst she was single, dressed as a man and unjustly appropriated to herself two brazen pots worth 6s, which remain in the hands of the bailiffs. She was fined 6s.

It would be good to know the back story of both these items. *Mary Oliver*

Dummer Court Baron

1666 *It was ordered that all the tenants of the three manors of Dummer do meet at the walnut tree by the church on Tuesday in Rogation week to set out the boundaries in difference between party and party on payment of 5s. for every defaulter.*

1667 *We order that we will have a Hayward to look to the common hedges sworn in this court and that he looks to the corn, fetch the beasts at evenings and to have the wages as formerly has been paid ... quarter daies for payment.*

Item *We order that no hogge shall bee let out any manor gate without two ringes upon his nose and a pig one ring except it bee a great bellyed sow upon payment of twelve pence for any default between this and Hockmanday and so to continue until the next court.* *Sue Lane*

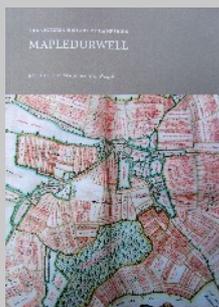


The Bloody Assizes, Winchester 1685

George Jeffreys was Chief Justice of the King's Bench court in London and was created 1st Baron Jeffreys of Wem in 1685 by James II. He presided over the Assizes, labelled the Bloody Assizes as the proceedings were so vicious, held partly at Winchester in 1685 to try supporters of the duke of Monmouth's rebellion against James II. Lady Alice Lisle a 71-year old deaf widow was the first person to appear before Jeffreys. Her alleged crime was concealing two rebels, one of whom was a Presbyterian minister. Jeffreys subjected her to a gruelling six-hour interrogation and convicted her of treason, sentencing her to be burnt alive. The sentence was modified to beheading, which was carried out in the Market Square in Winchester. Lisle was the first of about 200 people executed for their part in the rebellion. *(Picture to right shows an early portrait of Lady Alice Lisle).* *Jean Morrin*



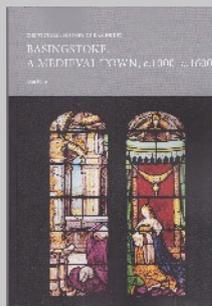
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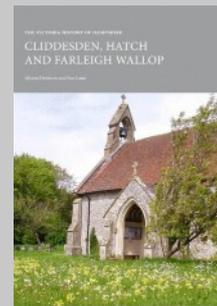
Mapledurwell



Steventon



Medieval Basingstoke



Cliddesden, Hatch and Farleigh Wallop

AVAILABLE FROM: The Willis Museum and Basingstoke Discovery Centre, Basingstoke, the Hampshire Record Office, Winchester, and jean.morrin@winchester.ac.uk