

# ***RUNNING THE TOWN***

**How the town of Brading was governed**



*The Town Hall*

*Built around 1730, pictured here in 1876 just before its restoration*



## **Background to governing a town in England**

In Anglo-Saxon England (700–1066 AD) the country was divided into 'Shires', each being governed by an 'Ealdorman' appointed by the King. Another important Shire official was the shire-reeve, in modern terms 'sheriff'. The shire-reeve was responsible for upholding the law, and holding civil and criminal courts in the Shire.

The Shire was divided into administrative areas called 'hundreds' which originally consisted of ten groups of ten households. A group of ten households was called a 'tithing' and each household held one 'hide' (a unit of land to support one household, approx. 30 modern acres) of land.

In Anglo-Saxon times the hundreds had their own courts and were used as administrative units for the raising of armies, collection of taxes, for law enforcement and justice.

Immediately after the Norman Conquest (1066 – 1100AD) King William continued to use the Hundreds for administration and for the taxation surveys which resulted in the Domesday Book.

During the early medieval period (1100–1300) the importance of the Hundreds were replaced by the administrative government of the church through its parishes and the secular powers through the Manor and Townships.

Between 1300 and 1500 the hundreds were grouped in to Counties. The sheriff remained the paramount legal officer in each county, and each county had its own court system for trials called the 'Quarter Sessions' held four times a year on the 'quarter days' the four dates in each year on which servants were hired, school terms started, and rents were due. These were Lady Day (25 March), Midsummer Day (24 June), Michaelmas (29 September), Christmas (25 December).

### **The Frank Pledge system**

The main duty of the Hundred Court was the maintenance of the 'Frank Pledge' system. All men over the age of 12 were bound into a system where neighbours were responsible for reporting the crimes of neighbours. If the accused did not attend court or ran away the entire group of neighbours were responsible and could be fined. The 'View of Frank Pledge' was held twice a year by the sheriff. Later the private takeover of View of frankpledge by boroughs (as Brading was) was a very valued privilege as it raised money by fines.

### **The Town Charter**

Brading received a charter in 1280 from King Edward I. A Town Charter was a legal document which gave its inhabitants the status of 'Burgher' (Town dweller rather than serfs who lived in the countryside) and town privileges

which meant that, for an annual rent to the Crown, it could hold markets, levy fines for local laws that were broken and raise taxes for the maintenance of the town area (called a Liberty), the roads, jails, courthouses and pounds.



*The Brading Charter of 1547*

The self-governing boroughs are the first recognisably modern aspect of local government in England. Generally, they were run by a town corporation, made up of council aldermen meaning the town 'elders'. These were usually self-elected and are the origin of our elected town councils in England today.

Brading corporation governed the 'Liberty' of Brading (which was the Borough itself) and every man over the age of 12 within it who were called 'Burgesses'.

The Corporation controlled the trade in the town, requiring a one-off payment from anyone opening a shop and an annual payment for each shop/trade. They were also able to collect fees from the rents due on the fields within the Borough (recorded in the Fee Farm Books) and the town rents for properties on the Brading Corporation land.

Governing Brading was complex; in the 17<sup>th</sup> to 19<sup>th</sup> centuries it had these officials on its books:

- Senior Bailiff and second Bailiff
- Two Constables
- A Steward and Deputy
- Thirteen Jurats (Jurors)
- A Hayward
- Way Wardens (for the upkeep of the Highway)

The following roles were also carried out:

- Two Viewers of the Corn Market
- Two Viewers of the Cheese Cross and Butter Market
- Two Viewers of the Butchers Shambles
- A Searly (Sealer, or Searcher)
- A Register of Leather
- A Keeper of the 'Key' (Quay) and Fish Shambles
- A Piggard
- A Founder
- A Whipper-in

- Five sworn inspectors of the Town Measures (Kept in the Town Hall)
- An Ale Conner (for tasting and setting the price of the Towns Ales)
- Overseers of the Poor
- Two Viewers of the gashing of hides
- A Keeper and Cleaner of the Beast Market

The **Bailiffs** kept the Corporation records (The Town Books), gave orders to the constables, inspected the lock-up house (as the cell was called), gave directions about the economy of the town, received all the money to be paid to the Corporation and paid out all the payments which the Corporation had to pay out. The Bailiffs also presided over the Court of Pie Powdre and summoned the Court Leet. The Bailiffs were also the Justices mentioned in the records.

The **Constables** carried out all the warrants within the Borough and managed the lock-house and the stocks. As directed by the Bailiffs they would also collect the fees for the market stalls and keep order at the market.

The **Steward** presided over the annual court at which the officers of the Corporation were sworn in. The Deputy Steward was the judge at the Court Leet and made out the list of jurymen for the Constables to bring to the various courts.

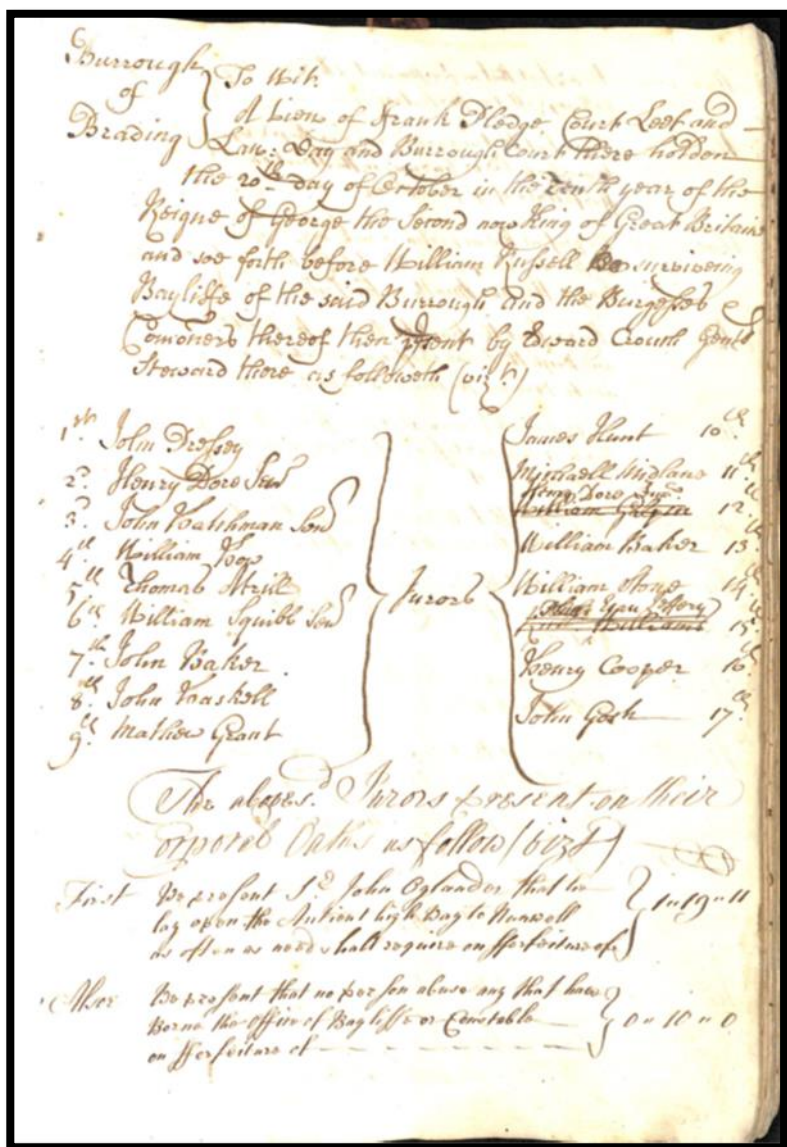
The **Hayward** was responsible for rounding up stray animals wandering the streets and locking them in the pound, then collecting the fine from the animal's owner when they came to collect the stray.

The **Corporation** were also responsible for delivering local justice through the Court Leet and Pie Poudre Courts and the View of Frank Pledge. The Corporation officers appointed Jurors (and fined those who refused to attend court) from the Burgesses of the Borough for each court:

The **Court Leet** elected the Constables and Hayward, inspected the weights and measures that were used to fine tradespeople who were selling underweight or shoddy goods, reported the 'nuisances' (minor law breaking) and set out the ordinances and customs of the Borough which people were fined for breaking. The Court Leet also held the View of Frank Pledge.

The **Pie Poudre (or Pie Powder) Court**. In Medieval times this was a court held to deal with crimes committed at and during the weekly market (such as disputes between merchants, theft or violence). The name comes from the French pieds poudrés, which means 'dusty feet' as the medieval vagabonds and itinerant traders who moved around the countryside had dusty feet.

Some of the old town record books have survived in the care of Brading Town Trust, but to modern eyes are difficult to read. This is a page from the 1728 Town Book:





The first paragraph is transcribed as follows:

*To Witt*

*A Lien of Ffrank Pledge, Court Leet and Law Day and Burrough Court There holden the 20th day of October in the Tenth year of the Reigne of George the Second now King of Great Britaine and soe forth before William Ruffsell survireing Baylifffe of the said Burrough and the Burgeffses & Comoners thereof then present by Edward CROUCH Gent'l Steward there as followeth viz.*

Then follows a list of jurors present and the first two items to be attended to:

*First. We present Sir John OGLANDER that he lay open the Ancient highWay to Nunwell as often as need shall require on fforfeiture of: 1-19-11*

*Alsoe. We present that no person shall abuse any that have Borne the office of Baylifffe or Constable on fforfeiture of: 0-10-0*

Nobody was above the law of the Borough of Brading, even Sir John Oglander (the 4<sup>th</sup> Baronet) is threatened with a large fine of 1 Pound, 19 shillings and 11 pence.

These books give a fascinating insight of how the predecessors of today's Town Council administered and ordered the town.

## Existing records

Brading is very fortunate that many of the official books recording the day-to-day activities from the 16th century are still in existence, including:

- Brading Parish Records 1550-1640
- Brading Town Books 1691- 1853
- Bailiffs & Burgesses Book 1643-1690
- Court Leet Book 1704
- Rate Books 1821-1900

They show, for example, how the Council looked after the needy of the town, making regular grants for poor relief or for the education of orphans.



*The Rectory  
Mansion,  
built about  
1500*

The following examples are from the Town Book of 1728 – 1767. The term ‘we present’ means ‘we instruct the Bailiffs’ or ‘we state that’.

*We present that if any person or persons belonging to the Jury shall or may be missing at any of the Courts to be held for this Borough he or they shall forfeit for every such offence - 6 pence.*

*We present the Bayliffs of the Town to have the Dung kept shovell'd up four or five times in the year if need shall require on forfeiture for neglecting the same - 5 shillings.*

*We present the waywardens that they give no beer out of the Town Rate but if they give any it shall be out of their own pockets.*

*We present that no person do suffer their hoggs to goe Ungoaked or Unrung in the Street on forfeiture for each hogg - 4 pence*

From the Town Book in 1683:

*Robert GILES and Thomas BATCHELER were given a TUBB OF BEERE and 2 or 3 DISHES OF MEATE for pulling down the houses in the pitt.*



*The old stocks where law breakers would be secured and exposed to public view. Justice was seen to be done. The town lock-up is also in the old Town Hall*



*The town pound in Quay Lane where the Hayward would secure stray animals to be released on payment of a fee*

The Metropolitan Police Act of 1829 began the spread of the national professional police force which took over the Town Constable's duties. We still have the constable's truncheons in the care of the Town Trust.



They are made of heavy wood 22"/56cms long and are drilled for the attachment of a wrist loop. A swinging truncheon would be a valuable deterrent.

A major reform of local government in England saw all Boroughs established by Royal Charter, including Brading, assessed and mostly abolished under the Municipal Corporations Act 1883. Brading Corporation was dissolved in 1886 and some of its local responsibilities were passed to the Brading Town Trust, a charitable body, which still looks after the old Borough historic assets including the Old Town Hall and the Town Pound.

## **The Town Council today**

The Isle of Wight is represented at Parliament by our elected MP. The Island is divided into 39 wards, each having a representative on the Isle of Wight Council.

Brading Town Council works in partnership with the Isle of Wight Council, as well as other relevant public service agencies and volunteer organisations to achieve positive results for the area. Brading Town Council has eight democratically elected members.

Brading Town Council deal with a number of local issues; for example, providing:

- allotments
- public toilets
- local gardens and open spaces
- play areas and play equipment
- grants to help local organisations
- consultation on neighbourhood planning
- a free quarterly newsletter, hand delivered to every property in the Parish

The Council also lease Brading Station, now home to a tearoom and heritage centre. The Council offices in the Brading Centre are used by its community, and house an Outreach Post Office, a book swap and public access computers.

The Town Clerk is the council's principal executive and is the officer responsible for the administration of its financial affairs.

Brading also has a civic Mayor who carries out ceremonial duties, promotes the town and champions the health and wellbeing of its residents.

An Administration Officer supports the work of the Council. A Customer Services Advisor acts as 'front of house' at the Brading Centre and assists the general public in the use of the public computers, contacting various organisations, and photocopying etc.



*The Brading Centre*

### **How does this compare to times past?**

Today's Town Council no longer has the power to imprison people in the stocks or the lock-up at the Old Town Hall. People are no longer held responsible for the crimes of their neighbours as it was under the Frank Pledge system.

Brading Town Council does not have any powers to issue fixed penalty fines for litter, fly posting or dog offences, this is the responsibility of the Isle of Wight Council.

Petty crime can be reported by the Council to the police through the Police Community Support Officer (PCSO) who takes some of the old Bailiff role. Problems with the highway are no longer the responsibility of the Way Warden but suggestions for road improvements are raised by the Town Council and parking is monitored by Isle of Wight Council traffic wardens.

The problems in managing an orderly town have changed little over the centuries and a clean, tidy and well-managed town is still required today. The medieval town would have had sewage, dung and rubbish dumped in close proximity to wells and housing so today's problems of fly-tipping and dog offences are little different to those of previous centuries.

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