

A 17th CENTURY BOUNDARY DISPUTE BETWEEN NOTTINGHAMSHIRE AND DERBYSHIRE.

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THE Calendar of the Proceedings of the Committee for Compounding gives a clear account of the treatment meted out to the adherents of Charles the First in his struggle with Parliament.

These adherents, styled delinquents, paid dearly for their loyalty. There was a sliding scale of fines in proportion to the degree of delinquency with a top limit at one time of two-thirds of the value of their estate and in order to pay these fines many had to sell part to retain the remainder of their lands.

The "loyal earl" of Newcastle was among those who made great financial sacrifices for the King. He had extensive estates in Nottinghamshire and Derbyshire which, as they fell into the hands of the Parliament party, were sequestered.

Included therein was a parcel of land known as Fulwood Fields which was the subject of a dispute between the respective County Committees for Sequestration as to in which county it lay.

The first we hear of this dispute is in a letter dated 22nd March 1651 from the County Committee for Notts to the Committee for Compounding in London. It complained that, following instructions to sell the earl's woods in Fulwood, the Derbyshire authorities discharged some of the workmen engaged in this task and imprisoned others "to the terror of such as are employed in the sale and cutting of the woods, and to the great disservice of the Commonwealth".

The Notts Committee received a reply dated 17th April which instructed them to proceed in the cutting and sale of the woods to the best advantage and to forward the

proceeds to the Treasury. On the same day a letter was also sent to the Derbyshire Committee which makes interesting reading. It ran: "The County Committee for Nottinghamshire wrote us 22nd March about a difference between you and them, as to which county part of the Earl of Derby's (*sic*) estate lay in. Your open opposition one against another is very obstructive to the service. Had you certified the case to us, we would have heard and redressed you, if you had the right. But as you were not vigilant enough to take the woods when fit to fell, you are to let the County Committee for Nottinghamshire proceed in their sale and any part that appears to be in your county shall be saved for you." Earl of Derby for earl of Newcastle is of course an error of either scribe or transcriber.

There is quite a sting in the last sentence but the Derbyshire Committee did not turn the other cheek. It sent a vigorous reply on 30th April and stated that the land in question had paid taxes to South Normanton, Derbyshire, "time out of mind" and had been let by the Derbyshire Committee for £27. The tenants had complained of the felling of the trees and the dividing up of the land by fences and ditches and, thinking that soldiers had bought the wood, the Derbyshire Committee investigated matters. The woodcutters had claimed they had a lease from the Notts Committee but could not produce it. A member of the Derbyshire Committee went to see the Notts Committee in Nottingham who pleaded in excuse that it had regarded it as concealed land. The letter ends: "This is all our 'open opposition' and we have no power to sell timber. They [i.e. the Notts Committee] have let two-thirds of the land at £9 for 21 years, giving timber to build a house. Not knowing this we had let it for £20. You can now judge between us." With this letter was a certificate signed by Ralph Rodes, minister, and 45 others that Fulwood Fields were situated in the parish of South Normanton, Derbyshire.

Soon afterwards the Notts Committee received a letter to the effect that the Committee for Compounding were of the opinion that Fulwood Fields were situated in Derbyshire. The Notts Committee did not acquiesce

and on 14th July sent a reply of protest. It included a certificate by Thomas Lindley and 23 others which stated that the lands in question were in Sherwood Forest and in Nottinghamshire and in support of this quoted inquisitions of 14 Edward III and 30 Henry VIII. The certificate also included the testimony of those who had been present at the perambulations of the forest and of others who stated that both assessments and tithes had been paid to Sutton-in-Ashfield, Notts.

The Notts Committee received a reply dated 4th July 1651 stating that so far as the Committee for Compounding was concerned Fulwood Fields lay in Derbyshire. They were reminded that the Derbyshire Committee had much advanced the rent and were warned "to forbear to meddling with it, let the County Committee of Derbyshire dispose of it as formerly, and account for your receipts. Pay them for the timber you have felled and sold, and they will account to us for all the wood."

On the same day a letter was sent to the Derbyshire Committee which seemed to have a note of finality about the location of Fulwood Fields. It ran: "We are fully satisfied that Fulwood Fields are within your county, and desire you to dispose of them to the best advantage, and to take account of timber sold. We have written to the County Committee for Notts, directing them not to trouble you further therein, and to account to you for the money received from the sale of wood. Send the money in as soon as you can, by reason Parliament's urgent occasion for it."

This is not quite the end of the matter for the Nottinghamshire Committee probably protested once more, but the letter has not been preserved. However, as a result thereof, on 31st July the Committee for Compounding wrote to both county committees asking them to forward copies of all records and proofs of their claims. Unfortunately there is no more to be found in the Calendar on this matter.

Now a word or two about the situation of Fulwood Fields. The hamlet of Fulwood and the farm of Fulwood Grange lie well within Nottinghamshire and as I have found no evidence of any boundary adjustment, the

position has not changed since the 17th century. That the part of the estate known as Fulwood Fields may have extended into Derbyshire may be a possibility but the only certainty is that it was to Parliament's advantage, from a financial viewpoint, that it should be included in Derbyshire.