



Milford-on-Sea Historical Record Society

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A Dispute between Mr. Benjamin Pepper of Milford Mill and Mrs. Whitby in 1833-35.

BY Mr. Aldridge's kindness (owner of Bonavista Farm, Lymore) I have examined some old papers and accounts relating to above. A Mr. Pepper owned and worked the Mill at Milford in 1833. Mrs. Whitby of Newlands, her tenant Mr. George King, and agents had apparently "trespassed" on Mr. Pepper's property at Westover Common, seized and sold his cattle, during 1833, and Mrs. Whitby had begun an action in Mr. King's name against Mr. Pepper for trespass on "Westover Common." Enquiries re Milford and Westover Manors and the Commons thereof had to be made by Mr. Pepper's solicitor Mr. Noakes and others from February, 1834, as appears in Mr. Noakes' bill of charges. A journey to view the property at Milford Bridge was made. Admiral Cornwallis' will was involved.

In March, 1835, the case was tried at Winchester Assizes, taking 5 "long days." and the charges recorded for "tavern expenses" and conveyance of a dozen witnesses are large. Among these witnesses are the familiar Milford names of Braxton, Hillier, Ireland, Hobby, Cole and Batts.

By their verdict the Jury found that Mr. Pepper "had no right to the Common called Westover Common, but confirmed to him all the lands in his possession." A further dispute appears in another bill dated April, 1834, of Mr. Noakes as to the "foul state of the watercourses on Mrs. Whitby's property and situate between Mr. Pepper's Mill and the seashore, whereby the working of the Mill was greatly impeded and Mr. Pepper greatly injured."

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This complaint was put before Mr. Bockett, Mrs. Whitby's solicitor, who after much delay promised to see Chief Justice Sir N. Tyndal thereon, and in May, 1834, orders seem to have been given to end "the nuisance."

The total of the two Bills of charges amounted to £192 odd. The witnesses and others' expenses at Winchester are curious. Breakfasts cost 1/6 per head, luncheons 1/-. dinners from 2/- to 4/-. teas 1/6, suppers 1/3, 14 beds £2.2.0 a night, but though these charges were low, an enormous amount of liquor was charged for and no doubt consumed :

On March 3rd Ale 8/6, Brandy Grogs 11/3, Gin or Rum do 3/6, Negus 1/6	£1 4 9
On the 4th Ale 6/7, various Grogs 16/-, Sherry and Port 16/-	£1 18 7
On the 5th Ale 10/4, Grogs £1.2.3, Sherry and Port 16/-	£2 8 7
On the 6th Ale 6/3, Grogs 19/6, Sherry 5/-	£1 10 9
On the 7th Ale 7/4, Grogs 7/9, Port 2/-	17 1
A total of about £8.	

The Waiter, Chambermaid and Boots were given £2

3 pair horses Winchester to Lymington cost £5.5.0, 2 post boys 16/-. One night out apparently was involved on the journey, as hay for fly horses and an ostler's fee was charged.

Mr. Pepper was clearly owner of Milford Mill and claimed part at any rate of common land near the Bridge.

A Dispute between Mr. Benjamin Pepper & Mrs. Whitby.

A so-called "common" ran at some time from what is still called Milford Common down to the Bridge. From Kivernells to the Bridge it is called "Westover Common" in a Rookcliff estate map of 1825.

Mrs. Whitby owned Newlands from 1819 to 1850, and was said to have added much common land and the holdings of squatters thereon to her estate in those years (as at Ivy Bank).

Sir N. Tyndal lived at Ivy Bank 1842-46, and was probably consulted as to the stream either as a connection of Mrs. Whitby's, a trustee, or as living close to the stream and knowing local conditions.

