

# Lawyers and Courts in Axminster

## Evidence from the 18<sup>th</sup> century

Among the early evidence that we have of attorneys living and working in Axminster are the records of apprenticeships<sup>1</sup> involving attorneys who lived in Axminster. These included John Symes, who took on an apprentice in 1730, Edward Forward (1742 and 1747) and Amos Callard (1759, 1760 and 1764).

We then have some names connected to Axminster which appear on the various lists of Freeholders which were assembled during the 18<sup>th</sup> century in connection with the drawing up of voters' lists. These include a number of attorneys, namely Edward Forward (1741), Amos Callard (1751), and then both Samuel Forward and Simon Bunter (1783). Simon Bunter took on one apprentice in 1774, while Samuel Forward took on two (in 1779 and 1789).

Samuel Forward is also named as an attorney in the first available trade directory, published in 1792; and Devon Heritage Centre holds a copy of his accounts ledger for the period 1785 to 1795<sup>2</sup>. Simon Bunter had had Oak House built a few years before, demonstrating that he was a wealthy man, and we know that he died in 1784. He had an assistant, John Cranch, who was also a qualified attorney, who remained in Axminster until 1787. The 1792 trade directory also lists George Smith, who had taken on two apprentices, in 1780 and 1784. The parish register shows that he died in 1792 (after the directory had been assembled) aged just 49. The last legal apprentice in Axminster in the 18<sup>th</sup> century was taken on by Rawlin Mallock, in 1798.

We can conclude from this that by the second half of the 18<sup>th</sup> century the residents and businesses of Axminster had access to a range of legal opinions and advice.

## Lawyers: 1800 to 1872

The next evidence comes from apprenticeships arranged by R N Palmer in 1802, and by George Smith (probably the son of the earlier George Smith) in 1802, 1805 and 1808.

Pigot's directory of 1823/24 names Hinton East Drake, Henry Knight, Rawlin Mallock, George Smith and John Taunton as attorneys. The first two also represented insurance companies. We also know that the last two had been in partnership some years before, their partnership being dissolved in 1812, according to the London Gazette. John Taunton was the son of Thomas Taunton of Purzebrook who, although he does not appear in any of the sources cited above as an attorney, acted as land agent for the Arundell family (as had his father Samuel), and was almost certainly a qualified lawyer. John Taunton died soon after the 1823/24 listing was assembled, while still a young man.

There are no further mentions of Hinton East Drake, who does not appear to have stayed in Axminster long. By contrast Henry Knight is consistently listed in directories until 1857, and Rawlin Mallock until 1850. Rawlin Mallock died aged 83 in 1854.

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<sup>1</sup> Source: 'Country Apprentices 1710 to 1808' from the Society of Genealogists, accessed via the findmypast.co.uk website.

<sup>2</sup> DHC Ref. 4198Z/A1.

A directory published in 1838 lists another attorney by the name of Charles Bond, who was Rawlin Mallock's son-in-law, and he is then consistently listed until his death in 1853. He was succeeded as a lawyer by his son, Charles William Bond. Most of the listing which refer to him name him directly, but an entry in 1857 suggests that he entered a short-lived partnership, being listed that year as Bond & Baker. Charles William Bond died in 1872, aged just 45.

The only other Axminster solicitor (that term having replaced the earlier 'attorney') prior to 1870 was Robert Tytherleigh, who is listed briefly in the mid-1850s.

### **Lawyers: 1873 to 1914**

By 1873 (when the next directory was published), following the death of Charles William Bond the year before, there had been a wholesale change in the solicitors resident in Axminster. William Forward, who moved to the town from Dorset, was then consistently listed from 1873, followed by Arthur Venables Kyrke (in 1883, and then once more in 1889), William Henry Barns Knight (from 1883) and William Edwin Pitfield Chapple (from 1889).

Whilst Arthur Venable Kyrke did not stay in Axminster for long (and was also listed briefly as Canning & Kyrke), the other three became long-term fixtures in the town.

William Forward practised under his own name until the 1890s, but by 1902 was joined (under the name William Forward & Son) first by his son William Graham Forward and then (from 1906) by his younger son Cecil Forward as well. The older William Forward retired in about 1910, leaving the brothers in partnership. William Henry Barns Knight was listed until 1893, but had retired by 1901, while William Edwin Pitfield Chapple had become a fixture in local life by 1914. For 16 years in the 1890s and 1900s he was Chairman of Axminster Parish Council, and Chief Officer of the Axminster Fire Brigade.

The directories in this era contain one reference (in 1878/79) to James Bridge Davidson, a barrister, of Sector House, Axminster and London. Although he did indeed live for some of the time at Sector with his parents, and took a close interest in local affairs, his legal work was very largely London-based.

### **Lawyers: 1915 onwards**

With the exception of a single listing of William Bertram Bradley in a 1919 directory, since World War I Axminster has had considerable continuity in the locally-based legal practices, as follows.

William Graham Forward and his brother Cecil continued to practise as William Forward & Son until the early 1930s. William Graham acted as the Registrar and High Bailiff for Axminster County Court in the 1920s and 1930s, while Cecil acted as Clerk to the local Magistrates' Court, to both Axminster Urban and Rural District Councils, and to the Guardians' Committee (of the Workhouse). He was also the Superintendent Registrar for Axminster District until responsibility for registrations passed to Honiton.

In the 1930s the brothers parted company. William Graham remained in his father's original offices on Silver Street until his death in 1948, by which time the practice was being run by his partner, William Donnithorne. In 1954 Maurice George Milford joined the practice as a partner, and it was known as William Forward, Son, Donnithorne & Milford. Since 1971, when Peter Dormer became a partner, it has been known as Milford & Dormer.

When the brothers parted company Cecil, who for a few years starting in the early 1920s lived in the house on Silver Street which is now known as the Law Chambers, joined forces

with John Beviss and Bruce Beckingsale to form Beviss & Beckingsale. He sold the house in 1923, but in 1966 Beviss & Beckingsale bought it back, and their successors continue to practise under the same name in the same offices.

William Edwin Pitfield Chapple went into partnership with Richard John Measures soon after World War I, practising as Pitfield Chapple & Measures until his death in 1927. Richard John Measures in turn went into partnership, with offices on Chard Street, with locally-born Daniel Scott Rowe, practising as Chapple, Measures & Rowe until 1942, when Richard John Measures retired, and the partnership was dissolved. The name of the practice remained the same for a while, but was then changed to Scott Rowe Solicitors. The name of the practice, and the offices, have remained unchanged since then.

## **Courts**

Although both civil and criminal courts had sat in Axminster for centuries, it was not until White's Directory of 1850 that details of the courts and their jurisdictions began to be recorded in directories.

County courts, dealing with civil cases, had been created under the County Courts Act of 1846, and then in 1856 the Central Criminal Court was empowered to hear cases outside its ordinary jurisdiction if there was a risk that local magistrates might be seen to be partial to one party in criminal cases.

Crown Courts as we know them today were not actually established until 1956, and then only in Liverpool and Manchester. These courts also took over the quarter sessions work in their cities. The Royal Commission on Assizes and Quarter Sessions (1966 to 1969) led to the abolition of courts of assize and quarter sessions, and the establishment of a new Crown Court to deal with business from both, under the terms of the Courts Act 1971.

The 1850 directory shows that the County Court sat in Axminster on the second Monday of every month, and that it heard cases from the 17 parishes which comprised the Axminster Union, plus two additional Dorset parishes: Catherston-Leweston and Wootton Fitzpaine. The full list of 19 parishes was (in alphabetical order): Axminster, Axmouth, Catherston-Leweston, Chardstock, Charmouth, Colyton, Combpyne, Dalwood, Hawkchurch, Kilmington, Lyme Regis, Membury, Musbury, Seaton and Beer, Shute, Stockland, Thorncombe, Uplyme and Wootton Fitzpaine. The parish of All Saints had not been created as a separate entity by then.

The 1850 directory does not specify where the County Court sat, but it was in the former carpet factory building on Silver Street. In or just before 1887, when that building became the home of Axminster's first cottage hospital, the County Court moved to the room above the Police Station on Church Street, where the Magistrates' Court had also held petty sessions since at least 1883. When the two courts shared premises the County Court changed the timing and frequency of its sittings to the second Thursday of every other month, while the Magistrates' Court sat every other Tuesday at 11:00. Both courts continued to sit at the old Police Station until at least 1939.

The Axminster magistrates heard cases from the same Devon parishes as were covered by the County Court, namely: Axminster, Axmouth, Colyton, Combpyne, Dalwood, Kilmington, Membury, Musbury, Seaton and Beer, Shute, Stockland and Uplyme.

When the Police Station moved to new premises in Lyme Close, the Magistrates' Court moved to premises next door.