

1210: The King John 'Town & Market Charter'

Background

Following the Norman Conquest of 1066 the Manor of Axminster was held by the Crown until 1204 (see below).

In the 12th and 13th centuries Kings of England were often short of the money that they needed to fund wars. This was particularly so in the case of Richard I (1189-1199) and the Crusades, and one of the mechanisms which he used to finance his armies in the absence of the political and financial support of his Barons, was by selling valuable long-term rights in return for a mixture of up-front fees and annual rents, something which his father, Henry II, had resisted. The ownership of Manors, and the right to hold regular local markets, were just such valuable rights, and after Richard's death his brother John (1199-1216) followed the same practice.

The Encyclopaedia Britannica (1963, Vol.8 page 461) explains it thus: "... *Richard I and John found towns good customers, ready to pay high prices for charters allowing them to pay their own dues direct to the exchequer instead of through the sheriff, to hold a market and fair, to be quit of toll, and free to regulate their own trading affairs through their merchant guild (gild) and to have their own court of justice*". Not every town got the same deal, but several of the elements listed here formed part of Axminster's Charter.

As far as the local citizens were concerned, anything that weakened the manorial system, with its feudal obligations of labour and service, and replaced them with rents, tended to reward enterprise and to improve the lot of townspeople as a whole.

Axminster's three Charters

On 27 September 1204 King John granted the Manor of Axminster to Lord William Brewer (often spelled Briwer), Sheriff of Devon and several other counties, and one of his closest allies, in return for an annual fee of £24. The original grant of 1204 included the right to hold a weekly Market on Sundays.

In 1210¹ King John issued a further proclamation (see below for the full text) which confirmed William Brewer's rights in connection with Axminster, and added the valuable right to hold an annual Fair. Once written down and witnessed, these proclamations of 1204 and 1210 constituted fully legal Charters which established Axminster as a market town.

Under the terms of a further Charter dated 16 August 1215, 2 months after he and his Barons had signed the Magna Carta, King John remitted the annual fee (of £24), and re-confirmed the right to hold a weekly Market and an annual 8-day Fair at Axminster.

For all his faults, King John was an able administrator, and the first King of England for many years to insist that good written records of such grants and sales be kept. Hence we have a written record of many town charters, albeit in mediaeval Latin and written in a very different script from today's. A copy of the original text of 1210 can be seen in the reception area of

¹ In line with other sources, and to facilitate internet searches, the Charter is referred to here as having been dated 1210. However, see the discussion at the end of this document for evidence suggesting that the true date was almost certainly 1209.

Axminster Guildhall. The English version of the text which follows draws on two separate, and slightly different, translations of the original 1210 Charter text: one which accompanies the text in the Guildhall, and a second provided to Axminster Museum from an unidentified source many years ago. Some of the differences between them have been resolved in the version provided below by reference to other market charters, which tended to follow a reasonably standard formulation as regards content and expression.

Explanations of the mediaeval terms are given after the main text.

The text of the 1210 Charter

“Grant of the Free Borough of Axminster with the Fair and Market there.

“JOHN by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine.

“To the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Reeves and all Bailiffs, and faithful subjects, GREETINGS.

“KNOW YE that we have given and granted, and by this our present CHARTER confirmed, to our chosen and faithful WILLIAM BREWER, that Axminster be a Free Borough, and that there be a Free Market there once every seven days for one day, and one Fair in every year for the space of eight days; that is to say from the day of the Nativity of Saint John the Baptist to eight days, with toll for Pesage, Lastage and Stallage, and with all other Liberties and Free Customs pertaining to a Free Borough and to a Market and Fair.

“We have also granted to the aforesaid WILLIAM that his Burgesses of the aforesaid Borough be Free Burgesses, and be free of Tolls for Pontage, Pesage, Lastage and Stallage, and have all the Liberties and Free Customs and Acquittances which belong to us through all this our Realm and through all the Ports thereof (except the City of London). Whereof it is our Will, and we command, that the aforesaid WILLIAM and his Heirs after him have and hold all the aforesaid well and in peace, liberty and quiet, uninterruptedly, fully and in an honourable manner, with all his Liberties and Free Customs as aforesaid.”

The meaning of the mediaeval terms

Pontage: Fee for crossing a bridge.
Pesage: Fee for weighing a commodity.
Lastage: Fee for moving goods.
Stallage: Fee paid to a landowner for the right to erect a market stall on his land.
Acquittance: Written receipt.

The witnesses

The noblemen who witnessed this proclamation were as follows (with the information about them which is included below being added here for the benefit of readers):

Peter Des Roches, Lord Bishop of Winchester. A close ally of King John, and of William Brewer. He was the only one of John's bishops not to go into exile during the power struggle between King John and Pope Innocent III. For more information see 'Peter Des Roches: An Alien in English Politics, 1205 to 1238' by Nicholas Vincent (Cambridge University Press, 1996).

Hugh of Wells, Lord Bishop-elect of Lincoln and until recently an official in the Royal Administration of King John (see under the final heading for further details). Later he witnessed other Royal grants to William Brewer, including comparable rights at Chesterfield.

Geoffrey Fitz Peter, 1st Earl of Essex.

Aubrey de Vere, 2nd Earl of Oxford.

Hugh de Neville. King John's Treasurer, and a Privy Councillor.

William de Cantilupe. Baron of the Exchequer, Sheriff of Worcestershire, Warwickshire and Leicestershire, and a long-term ally of King John.

John de Mareschall. Very probably the elder brother of William Marshal, who was later known as 'the greatest Knight that ever lived', and who acted as Regent to the young King Henry III when he succeeded John in 1216.

Sir Geoffrey de Luterel. Ancestor of the person who commissioned Lutterell's Psalter, the illustrations to which provide a valuable source of information on Mediaeval England.

After the signatures is the phrase:

"Given under the Hand of Hugh of Wells at Dorchester, this XXVVth day of May in the 11th year of our reign." We can only assume that this is a mistake, and that the correct date was XXVth May.

Dating the Charter: 1210 or 1209?

The second Axminster Town Charter is generally referred to as having been granted in 1210. However, as can be seen above, it was dated as having been issued in May of "... the 11th year ..." of the reign of King John.

John succeeded his brother Richard I following the latter's death in France on 6 April 1199. May 1199 was therefore the first May in John's reign, and the 11th May of his reign fell in 1209 rather than 1210.

In addition, Hugh of Wells (the second-named witness to the proclamation) was, according to the Wikipedia entry for 'Bishop of Lincoln', "... *elected bishop before 14 April and consecrated 20 December 1209 ...*" and "... *in exile until 1213 due to Pope Innocent III's interdict against King John's England ...*". Whilst these specific dates are not given, the key facts are all confirmed in a recent biography of Hugh's younger brother Jocelin², which also states that Hugh had been a Chancery Clerk in the administration of King John before being elected to Lincoln, and gives the date of his departure for exile in France as November 1209. Hugh was consecrated at Melun, near Paris, by Stephen Langton, Archbishop of Canterbury.

He ought not, therefore, to have been in England in May 1210, and certainly not carrying out any official duties, while the description of him as "... *Lord Bishop-elect of Lincoln ...*" would have been very precisely correct in May 1209, with him having been elected the previous month, but not yet consecrated.

The phrase "*Given under the Hand of Hugh of Wells at Dorchester...*" at the very end of the Charter is a reference to Dorchester in Oxfordshire, and not the county town of Dorset. In pre-Norman times all of the eastern counties of England came under the See of Dorchester, but in 1070 the bishopric was formally transferred to Lincoln when work started on the construction of Lincoln Cathedral.

² Source: 'Jocelin of Wells: Bishop, Builder, Courtier' (ed Robert William Dunning, Boydell & Brewer, 2010).