

SOMERSET TOWNS

I. ORIGINS AND EARLY GOVERNMENT

BY SIR WILLIAM SAVAGE

Somerset possesses many local histories and it may be thought that there is ample documentary evidence on the origins and early developments of our towns. Unfortunately this is far from being the case and there are many gaps in our knowledge.

GROUP I. TOWNS ESTABLISHED IN OR BEFORE ANGLO-SAXON TIMES.

Twelve towns fall into this group. Bath and Ilchester are the only two towns in Somerset of Roman origin, the only two with stone walls, and the two most important towns in the county until well into the medieval period.

BATH. Only brief mention is necessary as it is well documented. A small, but important, Roman city, then a decayed and largely deserted British centre until the Saxons captured it in 577. Alfred made it an important fortress and it became a considerable borough with its own mint. A Benedictine monastery, which lasted until the Dissolution, was founded there on a site which King Offa gave as a home for secular canons. It was a royal demesne in Saxon times and as such passed to William the Conqueror. Rufus sold it to the Bishop of Wells who moved his episcopal seat to Bath, rebuilt the Abbey Church and built a palace. When in 1245 this episcopal title was fixed as Bishop of Bath and Wells the bishops still remained as overlords. As early as Edward the Confessor the city had its own portreeve and by charters from Richard I and later Kings gradually gained control over city affairs. In this a merchant gild played a predominant part and Richard's charter was to this body. It granted to the citizens of Bath who are of its Merchant Gild all freedom from outside tolls and all their customs freely "as have our citizens of Winchester and their Merchant Gild." Bath had a Mayor at least as early as 1220. Many royal charters were given subsequently, mostly confirmations of rights and privileges. It sent representatives to parliament from Edward I onwards. Throughout medieval times it was contained in the original 44 acres of the Roman city and there was only one small suburb.

ILCHESTER. In Saxon times it was royal property and even then had a mint. In the Domesday survey it reappeared as a borough with a market yielding £11 a year with its appurtenances and with 107 burgesses paying 20/- a year. It continued to increase in importance and as Cox (J. Stephen Cox, Ilchester Dominican Priory) points out in the 12th and 13th centuries it was a walled borough with a weekly market, two annual fairs, a mint, a leper hospital and 7 parish churches. Henry II granted a charter, confirmed by John, by which Ilchester was accorded the liberties and privileges of Winchester. It had a Gild Merchant as early as 1180 and with its privileges enjoyed a considerable measure of self-government. In the 13th century the chief town officials were 3 bailiffs reduced to 2 in early 15th century and in the next century to one. The borough was incorporated in 1556 under the title of "The Bailiff and Burgesses of Ilchester," the governing body being a bailiff and 12 capital burgesses. Under Henry III it was the only town in Somerset allowed to have a mint. The county assizes were held here until removed to Somerton by Edward I, later to be returned to Ilchester until recent times. Although it continued as a centre for county administration we find signs of decay as early as Edward I when part of the £30 fee farm of the town was remitted and by 1369 the arrears were £669. In 1415 all arrears were remitted and the fee farm reduced to £8. Fire, plague, inadequate financial resources, and a very poor site led to accelerating decay and ultimately to extinction as a town.

As part of the defences of Wessex Alfred built buhrs at Axbridge, Langport and Watchet. This enabled the small Saxon settlements to grow into towns and all three were created boroughs by Saxon Kings and all three had mints and the first two markets.

AXBRIDGE. Cheddar parish (containing Axbridge) as royal property passed at the Conquest to William. At Domesday it contained 32 burgesses who paid 20/- to the King. The first available charter is from John which confirmed their market and other privileges including quittance from all suits in the shire and from the interference of the sheriff. From this it is clear there was free burgage tenure. It also transferred ownership to the Archdeacon of Wells for £20 a year, and later it passed to the Bishop of Wells and so remained until the Dissolution. The town had a wealth of charters and included in them was a grant of a fair

(Henry III and Edward I) and freedom from all tolls throughout the kingdom (Edward III). It early had a portreeve, an assistant and minor officials, all probably appointed at the Court Leet, but it is doubtful if it had a separate borough court. We only hear of a Mayor in the 14th century, chosen from a list of 4 capital burgesses. It became a corporate town by a charter of Philip and Mary and one from Elizabeth. Its only M.P.'s were sent in the reigns of Edward I, II and III.

LANGPORT. As royal demesne it passed to William I but he soon transferred it to lay Overlords. Domesday states it had 34 burgesses paying 15/-, but the market income is not given. Its early river trade was largely lost when Bridgewater bridge was built. A source of prosperity was the extensive land owned by the borough and it had at least one moor-reeve. In 1304 the overlord obtained a second market, at Langport Westover. There is evidence of considerable prosperity and in 1344 the overlord was obtaining valuable rents from the market, street stalls, the fair and from the court fees and fines. It was only represented once in parliament, i.e. in 1304. Its decline as a town was slow for Camden in 1590 calls it "no inconsiderable market town" but reports in the time of Elizabeth state that it was much decayed. It was abolished as a borough in 1886. It apparently had no gild merchant, there is little evidence of self-government and I find no mention of a borough court. It had a portreeve no doubt appointed at the Court Leet.

WATCHET. Alfred's buhr was ineffective since the place was sacked and burnt several times by the Danes. In Domesday there is no mention of it. A Saxon borough which failed to grow, it remained a little fishing port with a very poor harbour until an adequate harbour was built. It did grow since the Close Rolls of Henry III show that the townfolk tried to re-establish their town market, but their petition was not granted, apparently because it would interfere with Dunster market which at that time was in the hands of the King.

TAUNTON. King Ine fortified it about 710 but this was destroyed by his Queen Ethelburga. Taunton as a town dates from a charter of Edward the Elder making the place a borough with free burgess tenure and with a market, while later it had a

mint. It was never walled but the borough boundaries were delimited by a ditch and it may have had earth ramparts. Its overlord was the Bishop of Winchester resulting from King Ethelard's (Ine's successor) grant of Taunton Dene manor to the bishop, a grant not disturbed at the Conquest. The Saxon borough grew and at Domesday there were 42 burgesses who paid 32 shillings to the bishop (6d burgess tenure), 3 mills paying 100/-, possibly all town mills but this is not clear, a market worth 50/- and a mint bringing in 50/- a year. In 1208 its fee farm was £41. King Stephen granted an important charter (recently recorded in detail by T. J. Hunt) giving the burgesses the immunities and privileges of the burgesses of London and of Winchester, including throughout the Kingdom immunity from toll and passage dues and all customs. This charter was granted to the bishop as overlord and, in spite of borough status and these grants, he controlled the government of the town until Mayor, Aldermen and Burgesses were appointed under the incorporation charter of Charles I (1647). Taunton castle dates from the twelfth century and was built by the bishop. Until incorporation the borough officials were appointed at the bishop's Lawday Court (essentially a Court Leet) and were not independent officers. There were two constables, two portreeves, with the usual minor officials. All profits of justice and all pleas went to the bishop and his courts and he also had gallows rights (felony cases).

Most of the courts were held at the bishop's castle but a borough court developed to deal exclusively with town affairs, usually meeting every two weeks. This court met at the Gildhall and although the Clerk of the Castle (an official of the bishop) might preside the main magistrates were the two constables and the two portreeves. Some town matters, such as town byelaws, were reserved for the bishop's Lawday Court. The great delay in Taunton in the provision of self-government is of considerable interest and was probably associated with a benevolent type of control by the bishop and with the absence of any town organisation (such as a merchant guild) to act as a focus and a stimulant. Both factors are illustrated when we find the bishop (as late as Edward IV) making a free grant of a piece of land on which to build a townhall and granting it not to any corporate town body but to the vicar of the parish church and making him responsible for the conditions attached to the grant.

MILBORNE PORT. The parish was royal demesne and a borough was established there in Saxon times. It had a mint and paid the third penny to the earl. At Domesday there were 56 burgesses and a market yielding 50/- a year. It passed to William I after the Conquest but he soon transferred it to lay overlords and it so remained. King John granted a charter (quoted in the Parish register) granting freedom from tolls and other dues throughout the Kingdom and renewing its market and fair. Its wording implies burgage tenure. Richard II in 1397 granted "for the relief of their town" a Wednesday market and a two-day fair. This suggests that both had lapsed. Evidently the decline continued and the town lost much of its importance. It sent representatives to three parliaments of Edward I but to no others until Charles I restored this function which continued until 1832 when it was defranchized as a rotten borough. Its early government is obscure but a document of 1602 mentions 2 town bailiffs and refers to the freemen of the borough and the borough common seal. In later days there seems to have been a council consisting of 9 freemen and called capital bailiffs, two of whom presided at a town court where also minor officials were elected. The position of the town is a good one and the causes of its decline are not evident. Gerard considered that the competition of the adjacent Sherborne Market was a factor. The steady rise of Yeovil may also have influenced its failure to grow.

BRUTON. In early Saxon times we hear of two churches, St. Peter's, founded by Adhelm and St. Mary's, said to be founded by King Ine. The manor was royal demesne and one of the twelve which contributed the *firma unius noctis* (supply in kind) to the King. Its position on the edge of Selwood Forest was of some strategic importance and it was created a Saxon borough. It had a mint and paid the third penny to the earl. Domesday tells us it passed to William and had 5 burgesses. Round (Victoria History) points out that we must add the 11 burgesses in the adjoining part of Pitcombe, making 16 in all, a more reasonable figure. William gave it to a laylord and one of his descendants in 1142 founded there a priory of Augustinian Canons and endowed it with the hundred and market of Bruton. The grant was confirmed by the bishop of Bath. The town remained under the Priors until the Dissolution.

The grip of the priory was so complete that the burgesses were not even allowed their own church but had to use the Priory church. The Cartulary of the Priory never mentions any town-folk. In spite of burgess tenure the town must have been entirely governed by Priory officials and I find no records of Portreeve, Constable or other town officers although of course these may have existed. It evidently had a prosperous market as a document of 1330 mentions men of Glastonbury coming to buy at it. It took its part in the cloth industry and probably this was the time of its main growth.

MILVERTON. Milverton was a royal manor but passed before the Conquest to the Bishop of Bath, then reverted to William I and subsequently went to lay lords. Domesday mentions a market worth 10/- a year and evidently there was a little town in Saxon times. It had no mint and was never represented in any parliament. Although in documents it is called a borough this status cannot be accepted on existing evidence.

The town must have had the manorial type of government but with a portreeve, who may have looked after the town under the lay lord and was probably appointed by him. Collinson's statement that one overlord had the town made a hundred of itself rather suggests a town court evolved from a hundred court. It was most flourishing as a cloth town but decayed later and the market lapsed until it was regranted by Queen Anne.¹

CREWKERNE. In Alfred's day it was royal land and left by Alfred to his youngest son, and although it passed to Earl Godwin it was mostly in royal hands, and at the Conquest passed to William and from him to lay lords. At Domesday it had a market worth four pounds a year and in Saxon times had a mint. It was a Saxon town and probably a borough, but no Saxon charter is known and we do not know if there was free burgage tenure. Against this an interesting Survey and Rental of the Manor in 1599 does not give any indication of separate burgess tenures. The town was governed by the lord of the manor with his courts and, although there was a portreeve he was appointed by the overlord

¹ The ownership is more complicated than indicated and the Crown seems to have retained some share of the profits. This is discussed in detail by H. L. Maynard in his interesting pamphlet "Milverton," 1939.

and mainly to collect for him his market, fair, and other dues. I have not come across any evidence of a separate borough court, but in its prosperous days as a cloth and sail cloth manufacturing town, with a population of several thousand, some separate town court seems probable. In Monmouth's time we hear of a town constable. In the 1599 Survey mentioned above, the tolls, stallage and profits of the market and fair is given as worth £40 a year to the lord. It also mentions common pasture land for the animals of the town burgesses, and indicates the permissive number of animals per tenement.

SOUTH PETHERTON. In pre-Norman times it was a royal manor and with a reputed royal palace. In Saxon times it had a mint and presumably a market as the centre of a small town. The grant of Henry III in 1252 is for a three-day fair and a market is not mentioned. In later medieval times we find a market, shambles, market cross and a market hall in a small town grouped round the parish church. After the Conquest it was held by lay lords and, almost certainly, with manorial type of government.

FROME. It was part of a royal manor and of importance in Saxon times since in the 7th century Adhelm founded there a church and a small Monastery. At Domesday it had a market worth 46/8, a large amount and evidence of a definite Saxon town. There is no record of a mint, but it paid the third penny to the earl. The absence of any early charters leaves its borough status doubtful. William I held it but soon transferred it to lay ownership. The first recorded charter is in 1270 with a grant of an existing market and probably a fair. This would be an ordinary renewal of an existing market. Henry VII confirmed the market and added two more fairs. The type of government must have been manorial with the usual manorial courts. In later days there was a constable and a bailiff appointed at the Court Leet. The Churchwardens of the Parish Church, in lieu of town officials, seem to have held a prominent position. An attempt to obtain a charter of incorporation, in the time of William and Mary, failed and the town only became a borough after the 1832 Reform Act. Frome developed cloth making as early as 1475 and flourished greatly, but in 1631 it was reported very poor and Cobbett, who visited it between 1821 and 1832, found it much decayed. Its small popula-

tion before cloth making is shown by a return of 1327 which recorded only 74 tax payers.

GROUP II. POST-CONQUEST TOWNS UNDER A LAY LORD

There were no royal towns in Somerset started after the Conquest. The towns which did arise were in manors with a lay lord, a bishop or some monastic body.

All over England after the Conquest towns were initiated by overlords and two reasons for this were obvious. A small town was a convenience as a local source of supply, particularly if the lordship included a castle or a monastery. Financially, if the town was successful, it was a source of income from market tolls, burgage rents and the profits of justice. An agricultural rent of 4d. an acre brought in much less than rents from burgage tenements which usually occupied about half an acre and with a customary rental of 1/- per year. If initiated at places suitable for trade expansion the little town tended to grow, but often little appreciation of trade needs was shown by the overlord and the place never really grew and hardly deserved the name of a town. Something also depended upon gaining the co-operation of the townfolk by grants of self government and other forms of assistance; for example, building a bridge as was done at Bridgewater. This group deals with Somerset towns with a lay overlord.

BRIDGEWATER. Its development is an excellent example of a town encouraged to expand and growing by correct methods. There is no evidence of any town in Saxon times although probably there was some kind of settlement with a little sea trade, about which we know nothing. The first documentary evidence of any town dates from King John who granted William Brewer, the lord of the manor, a charter making Bridgewater a town and, at about the same time, authorised Brewer to erect a castle there. It is unusual to find town and castle grants given at the same time and strongly suggests that a nascent town was already growing up, which we might anticipate from its favourable site. The charter legalised the position and conferred definite rights upon the townsmen. These included that it should be a free borough, with a market and an eight day fair. The townsmen had free burgage tenure, free customs, and rights to a whole series of tolls. It is

interesting that it included lastage, i.e., to collect duty on freights and on vessels landing there, showing that even then it had importance as a port. It also included quittance from tolls in other towns and ports. This comprehensive charter did *not* grant any powers of self government, a borough court, or define the boundaries of the borough. These were matters to be settled between the overlord and the burgesses.

The overlord built his castle and started building a substantial bridge over the Parrett but this was only completed much later by the townfolk with the aid of 300 marks given by Sir J. Trevett. Gradually the burgesses extended their control over the town, with a Merchant Guild which was in operation before 1453, when we first hear of it, and a hundred court which probably was a borough court.

The records of the Exchequer Lay Subsidies for 1312 indicate a prosperous town for the sum paid was £11 11s. 5d., which compares favourably with Wells £10 6s. 0d., Bath £8 4s. 7d., and Taunton £7 3s. 0d. An important charter was that of Edward IV in 1468 for it incorporated the borough as "The Mayor, Bailiffs and burgesses," confirmed the existing Merchant Guild, and extended the town boundaries. The Merchant Guild, ruled by 2 Seneschals and a bailiff, was a powerful feature in its extending self government.

DULVERTON. We can only date the beginnings of a town from 1306 when Edward I granted a Thursday market and a three-day fair to the lord of the manor. The passage of the manor to the Priory of Taunton in 1340 did not alter the position. The fair lapsed and although it was renewed to the Prior in 1488 the town decayed and the market lapsed.

In 1555 we find a most interesting and unusual charter granted to John Sydenham (who had become the overlord) and nine named persons and also the other inhabitants of the town. This granted a Saturday market and two annual day fairs, but the stallage, tolls and profits no longer were to go to the overlord but were to be used for the good of the inhabitants. Provision was made to renew the 10 named persons as they died.

Dunster, Minehead and Porlock are linked together in that they were all small ports.

DUNSTER. The overlord held many manors, a strong castle and in addition this little port which we hear of in 1183 because the reeve was fined for illegal imports of corn. The first documentary evidence of any town is a charter from Henry III in 1253 granting Reginald de Mohun, the overlord, a weekly market and a fair. The overlord granted these without impediment from him, freedom from tollage, common rights on Croydon Hill as enjoyed by their predecessors, confirmation of customs hitherto observed, freedom from all market tolls under 1/- and full freedom from all toll for merchants and fishermen. The wording makes it evident that there was some town and port life before this charter, which however puts it all on a legal basis.

In spite of this generous charter the geographical position of the little town was against expansion and when the harbour silted up and Minehead replaced it as a port the town declined in spite of developing a small share in the cloth trade. The overlords were kind to their little town but the records suggest that they never allowed any self government, although there may have been a portreeve appointed by the overlord. Its status as a borough is doubtful although on one occasion in Edward III's reign it did send a representative to Parliament.

MINEHEAD. It is uncertain when a town and a market developed as there are no documents. Probably a market for fish and other foods grew up and then was claimed as from time immemorial. Available documents suggest a late development. For example, inquisitions of 1330 and 1428 on the holdings of the manor lord included nothing about town tenements. One of 1435 does however mention 120 messuages each worth 2/- a year and presumably town tenements. Probably the overlord gave some kind of charter in the 14th or early 15th century which is lost. The Minehead Court Rolls reveal how firmly the town was controlled by its overlords. In his court the officers of the town and harbour were chosen, he took all the profits of justice, owned all fishing rights, etc.

We first hear of the port in 1380 when Ralph Cooke and others were forbidden to sell their fish outside the port of Minehead.

By Tudor times it was a well recognised town with market ordinances, shambles, small town officials such as ale tasters and the like, but still under manorial government. Only in the reign

of Elizabeth did the town break away and obtain a charter making it a borough, incorporated a portreeve and burgesses, and with a common council and other privileges. The charter was revoked by James I as the town did not keep the harbour in good condition, a condition included in the charter.

PORLOCK. Sir Nigel Loring, the lord of the manor, in 1366 obtained the grant of a Thursday market and two fairs each for two days and evidently intended to develop a little town. Previously it was a little port, but a very poor one until the weir at West Porlock was constructed between 1422 and 1427. Gerard in 1633 mentions that "there is still a slender harbour and over it stands the town which surely I cannot commend." Collinson calls it a small seaport town but it never seems to have grown into more than a village.

NETHER STOWEY and STOGURSEY are comparable. Both had short-lived castles, probably adulterine. Stogursey Castle was destroyed by order of Henry III after it had become a nest of robbers. Both were under lay lords who took more interest in Ireland than in Somerset. Both lay lords acquired rights for a market and tried to develop a town. In 1304 Edward I granted Nether Stowey a Tuesday market and a two-day fair. The layout of Nether Stowey does suggest some sort of a town and Collinson may be correct when he calls it a small market town though the addition of 'a reputed borough' has no evidence to support it. Stogursey as a potential town was even less successful and although authority for a market and two fairs was granted the place never came to anything. Apart from the Castle the village was dominated by an alien Priory established there in the time of Henry I. The charters and documents of this Priory are available in Somerset Record Soc. 1949 MLXI. It would be natural for the Priory to hold, or have interest in, town tenements or town property, if there were such things but none are mentioned in these comprehensive records. In the 11th century it did once and once only send two representatives to parliament, probably a mistake by the Sheriff, and it cannot be regarded as a borough. The place is tucked away from traffic and with its big neighbour Bridgewater it is difficult to imagine the village blossoming into a town.

CASTLE CARY. The Domesday records reveal no evidence of any town in Saxon times. The castle was probably built in the 12th century and was destroyed and never rebuilt during the Stephen disorders. The overlord apparently obtained market rights and tried to develop a town but no charter is available. The first evidence I can find of any town life is in the 14th century when a list of taxpayers (48 in all) is available, and their contributions suggest some trade and one contributor (who paid 18 pence) was definitely a fuller. A coarse "Cary Cloth" was made there.

We can postulate, but not prove, a very small place under the castle which only grew into a little town when the inhabitants turned to cloth making, and from about 1827 to horse hair preparation.

SHEPTON MALLET. The Domesday returns show that Pilton (which included Shepton) was part of the estates of Glastonbury Abbey and this was not altered by William I. In his time, the actual holder under the Abbot, was a lay lord and later this passed to the Mallet family. The start of the town may be dated from a charter from Edward II in 1318, granting a Monday market and a three-day fair. This was its extent and there was no grant of free burgage tenure. It had the ordinary type of manorial control but as town officials it had a High Constable with petty constables and the usual minor officers, but all appointed at the Court Leet. It retained this form of government even when it became a flourishing cloth town.

WINCANTON. Information is very scanty but at some unknown date it acquired a market, as mentioned by Collinson. Only in Tudor times do we find a charter from Queen Mary and a later one from Queen Elizabeth which are interesting, in that the market and two fairs with all their rights and duties are granted to ten named feoffees. Evidently the manorial type of government had become ineffective and this was a substitute giving the townsfolk a form of self government. Wincanton was probably a very small place, hardly a town, until it grew into a definite town with considerable cloth trade industry towards the end of the medieval period.

SOMERTON. This place is frequently called an important Saxon town. It was a royal manor and a royal dwelling place in Saxon times, but I find no reliable evidence that it was either fortified or a Saxon town. With Langport (actually in Somerton parish) fortified by Alfred there was no need for a fortress at Somerton. It probably acquired a market and a fair some time before Edward II, for a financial record of that time includes £6 14s. 0d. as town rentals. The manor was under a lay lord and the town would have ordinary manorial government except that Collinson mentions constables, who probably were appointed at the Court Leet.

STOFORD. A hamlet in the parish of Barwick and, though always a part of this parish, for centuries it was an ancient borough. Nearly all the available information is given by John Batten in his "Historical and Topographical Collections on parts of South Somerset" 1894. The date of its acceptance as a recognised town is not known, but Henry III granted to William de Canteloupe, lord of the manor of Barwick, the right to hold a three-day annual fair and three years later a charter for a Tuesday market in his manor of Barwick, almost certainly as a confirmation of an existing market. This is evident from the known number of burgesses in the next reign. Our main source of information is the Inquisition (survey) held in 1273 (Edward I). This included the borough of Stoford, and for this part the jurors were assisted by 12 of the burgesses. The townsmen affirmed that the borough of Stoford is free in itself as is the borough of Yvelcestre, which probably means they had been granted the same liberties as Ilchester. They agreed they were part of the manor of Barwick, i.e. the holder was their overlord. The return gave the number of burgages as $74\frac{1}{2}$ each with a yearly rental of 10d. or $72/1$ a year. In addition there were not less than five houses built in the market place with respective rents of 2/-, 16d., 8d., $8\frac{1}{2}$ d., and 6d. The fair is worth $13/4$ a year and the court pleas, etc., $13/4$ a year. With a few other persons, not burgesses, living there the total population would be well over 500, considerable for those days. Assize rolls show evidence of a separate borough court. The Commonalty, as so called in a conveyance of Henry V, had its own Gildhouse and its own borough seal. The gildhouse is first mentioned in a conveyance in the reign of Edward III, when it and the adjoining curtilage

were conveyed to William Payn and 16 other persons, which suggests the absence then of any corporate body with power to buy. The existing old house at the eastern end of the green (part of which was probably the market place) is still known as the Court House and is probably on the original site. The affairs of the town were controlled by a portreeve and two bailiffs (deeds of the time of Richard II record their names), very much on the lines of the small mesne town with a lay overlord. A curious feature is the absence of any mention of a separate town church. We can only guess why a town developed here and why the overlord granted it a charter. It is on an ancient packway leading to where the Yeovil river can be forded (The Stoneford), and before Yeovil became a town and the river was bridged this may have been a regular transit road for traders and a convenient trading spot. Actually the town existed as such until the 18th century, but then seems to have wilted away, probably completely overshadowed by a growing Yeovil with much better road facilities, sited only about two miles away.

GROUP III

POST-CONQUEST TOWNS WITH BISHOPS AS OVERLORDS

Six towns are included, although Yeovil was actually not under a bishop.

WELLS. The history of the town is straightforward and follows a common pattern.¹ There are many places where a town has grown up round an Abbey implanted on agricultural land, but Wells is unique, so far as I know, as growing from nothing round a Cathedral Church. We only glimpse town life in 1136 when we find a market and more definitely in 1160 when the bishop granted markets free from toll and from molestation from the bishop or his bailiff. His successor, Bishop Reginald, was more explicit and granted free burgage tenure, but he claimed half the market rents. Bishop Savaric, in 1201, defined the boundaries of the town. These grants were from the bishop and an important landmark was the confirmation of them by King John in a charter which calls the townsmen '*liberi burgesses*.' The burgesses still held their tenements from the bishop and he alone had the courts. Subsequently

¹ T. S. Holms, "Wells and Glastonbury," 1908, gives an excellent account so full details are unnecessary.

we trace the townsmen extending their self government with a diminution of the bishop's authority, the development of town guilds, Parliamentary representation since 1298 with members gradually chosen without interference from the bishop, and more confirmatory charters. The charter of 1400 recognised the burgesses as a corporate body with a Mayor and other officials, while that of 1437 recognised a Mayor with a town council of 24. Later the town had its own Borough Court and the bishop's court wilted.

CHARD.² The manor both before and after the Conquest belonged to the Bishop of Bath and Wells. A town grew up before 1206 for in that year we find the bishop making a grant of 52 acres to the burgesses. This was the area of the town until 1892 when it was enlarged.

A few years later (1234) the bishop granted a charter which delimited the area of the town, gave free burgage tenure, and made each burgage area one acre with a rental of 12 pence per year for each messuage. The burgesses were permitted to adjudicate their differences according to their customs without reference to the bishop. This implies a borough court in addition to the manorial courts. A later charter of 1253 granted a Monday market and fairs, but with all profits to the bishop and definitely excused burgesses from suit in his court, saving certain pleas.

The right of the bishop to grant these charters was challenged by a *Quo Warranto* action by justices of Edward I (these actions were being held all over the country). The bishop pleaded a charter of King John granting these powers and his title was accepted. This is the only mention of this unknown charter.

Chard was a borough from early days. It sent M.P.'s from 1312 to 1328 but none later. The town officers were a portreeve, 2 bailiffs and the usual inferior officers, all chosen at the Court Leet. The portreeve seems to have been mainly a representative of the bishop. These senior officials no doubt presided at a borough court, but actually I cannot find any direct reference to such a court.

The Mayor, Aldermen and town council date from the Municipal Reform Act of 1835, apart from a temporary interlude of a Mayor in Stuart times. Records of exact boundary delimitations are rare,

² See *E. Greens P. Som. Arch. Soc.* 1882 for a valuable account and on which these notes are mainly based.

and the 52 acres seem to have been adequate until modern times when the Municipal Corporation Boundaries Commission (1937) recommended extensions (shown on the map they provided).

WELLINGTON. Its first mention is a grant of the manor to the Bishop of Sherborne and later it passed to the Bishop of Bath and Wells who retained it until 1548 when it was transferred to lay ownership. No charters are known but a market seems to have been established, possibly under the 1227 grant to the bishop to have markets in all his manors. A little town grew up and Edward III granted exemption from toll, pannage and other dues. Until modern times it had manorial government and its officials, i.e., portreeve, bailiff, constable and minor officers, were appointed at the Court Leet. Definite evidence of a borough court is not available for medieval times. It became an important cloth town but has no claim to borough status.

WIVELISCOMBE. There is no evidence of a Saxon settlement. At Domesday the manor was held by the Bishop of Bath and Wells and he had a palace there. The first indication of town life dates from 1285 when Edward I granted the bishop a market and a three-day fair. It had ordinary manorial type of government with portreeve, bailiff and minor officers appointed at the Court Leet and probably controlled by the bishop. I find no evidence of delimitation of a town area or of any form of town self government until recent times. It was never a borough in spite of the fact that part of it was called the "borough." It grew with a share of the clothing trade.

CHEDDAR. The manor was royal property in Saxon times but later was sold to the Bishop of Bath and Wells who held it until Edward VI. The market and fairs granted by Henry III may indicate a quite small town but it never flourished as a town and the market lapsed. Axbridge had a market only 3 miles away.

YEOVIL. The early history of this town is interesting but not easy to interpret as its charters have been lost. One interesting feature is that while not a Saxon town it held the germ of one before the Conquest. Domesday records 22 mansurae held in *paragio* in Edward's time as part of the manor which in later

documents is called the Tenement. The holders had collective responsibility and paid a collective rent. Here is the germ of town life and although William I annexed it to the manor, this curtailment was never accepted. Indeed the Empress Matilda in 1138 conferred the *Tenement* as a unit upon the Church of St. John Baptist in Yeovil, making the Rector the overlord. The actual status of these tenement occupants is nowhere defined and unfortunately King John's charter of about 1205 is lost. It probably gave free burgage tenure while leaving the rector as overlord. This is a reasonable deduction from the details of a lawsuit in 1219 which confirmed the rector's rights as lord of the manor but ruled that the burgesses were exempt from feudal taxation and jurisdiction, other than that of the Church. Up to at least 1305 the government of the little town was of manorial type, for in that year an agreement between the Rector and 12 burgesses authorised that the Provost (Portreeve) should no longer be nominated by the rector but be elected by the burgesses and only approved by him. The townsmen still had to do suit at his three-weekly court (Court Leet). Documents of 1310 give the style of the town as the "Free Borough of Yeovil." This mention of twelve burgesses suggests some sort of a town council of 12 members. This body certainly acted as a community for it bought property, built a Toll Hall at which courts were held which were probably separate borough courts, but its records are lost. No doubt the Borough Court gradually replaced for the townsmen the Manor Courts. The town must have grown steadily for in 1547 the Royal Commission Inquiry into Church property call it a good market town and mention 822 communicants, excluding children, a population of 1,500 or more. The overlordship was transferred to the Convent of Syon in 1415 and Henry V granted the Convent two fairs which were probably more ancient but now legally recognised.

NEWPORT (NORTH CURRY PARISH). North Curry was a royal Saxon manor and remained in royal hands until Richard I gave it to the Bishop of Bath and Wells and transferred by him in 1190 to the Dean and Chapter of the Cathedral, and so remained until 1866. In 1206 King John granted the bishop the right to hold a Wednesday market and later granted a one-day fair but no charter with burghal rights was made. Sited over a mile from North Curry village we do, however, find a part of the parish known as

the Borough of Newport. For example, the parish had 4 tithings and the Borough of Newport is listed separately, as Olivey points out in his book on North Curry (1901).

The evidence of any town life in Newport is limited and is mainly a paragraph from Wells Cathedral Manuscripts (Liber Albus III f. 50 L). This sets out that if a man of Newport has a daughter to be married he must go to the Bailiff of Newport and so inform him and the bailiff will go to the bailiff of the manor of North Curry. The man will not then be liable for any marriage payment to the lord, nor will he give a heriot or a mortuary fine after his decease because all the tenements which are in the borough were formerly of the lands of the lord of (blank) by the grant of the lord Robert Berhele, then steward. This makes it evident that some of the privileges of free burgage tenure had been granted and that the area was sufficiently differentiated from the rest of the parish to have its own bailiff. Another section of the Wells Manuscripts gives a list of the tenants of Newport, about 45 in number, and their holdings. No one held more than 5 and most only one acre, while the total rents at the time (14th century) were £2 10s. 9d. Obviously the size of these holdings are inadequate as the sole source of maintenance so trading or other pursuit (such as fishing) must have been practised. It is curious that an Inquisition of Edward I dealing with the liability of the parish for the King's 1/10 on goods makes no mention or discrimination for the tenants of Newport.

The picture is somewhat confused especially as we lack any charter giving burghal privileges from the overlord. There must have been some such grant with the aim of developing a definite town at Newport. The market would be held at Newport but the fair may have been held near North Curry village and the present use of the name 'shambles' for a small area may be connected with the fair. We have no information as to the boundaries delimiting Newport or why the town centre was there and not in the village itself. Obviously the inhabitants had a mixture of agricultural and trading interests, mainly controlled by the overlord and with their own officers to look after their special interests. Geography was against any development and although the market is said to have continued until 1841 the place had faded to less than half a dozen houses.

GROUP IV

POST-CONQUEST TOWNS WITH MONASTIC OVERLORDS

Four towns are included in this group.

GLASTONBURY. The Monastery, like many others (Evesham, Selby, etc.), was founded on agricultural land and even at Domesday there was only a village. Naturally houses were built outside the Monastery at first for persons concerned with monastic affairs, and a little town grew up without any life of its own, and strictly controlled by the Abbot as overlord. The mighty abbey so overpowered the place that we know little of the early town. The only glimmer of corporate life is that the Church Wardens of St. John the Baptist Church (in the High Street) were recognised by the Abbot as a corporate body, and as such had their own seal. Holmes suggests that more and more tenants were holding their houses on free burgage tenure and the town was becoming a borough, but evidence is lacking. Borough status was recognised in 1319 when the town sent two representatives to parliament but the Abbot's bailiff controlled who were sent.

Apart from the Church Wardens there appears to be no evidence of town officers before the Dissolution. Up to 1517 the 'Tribunal' in the High Street (built some time before 1517) was the symbol of the Abbot's government and control as well as his exercise of high justice (felony, etc.). Only with Queen Anne's charter of 1705 do we find a recognised incorporate town with a Mayor and a corporation.

ILMINSTER. Our earliest reliable record of Ilminster is the grant by King Kenwolf, about 668, of 20 hides of land here to the Abbey of Muchelney, a grant confirmed by Ethelred II in 995. This later charter uses the term "villula known as Ile Mynster," but this can only mean a village not a town. The Abbey held the place until the Dissolution. Domesday mentions that there is a market paying 20/- a year. Probably a town was slowly growing up. Almost certainly the holdings were not by free burgage tenure for the Muchelney cartulary never mentions such tenancy although the Abbot understood the term, for one item deals with half a burgage at Bridgewater. In reply to a *Quo Warranto* writ of

1280 the Abbot had to prove his claim to have a two-day fair, a Saturday market and judicial rights, including felony powers. The Abbot claimed immemorial rights and his claims were accepted

Cartulary records show that the Abbots kept tight control over the townsmen and there is no evidence of separate town officials or a separate town court. There was a bailiff but he would be an Abbey officer. After the Dissolution, the town passed to lay overlordship and with a considerable clothing trade there must have arisen some town government.

KEYNSHAM. The manor passed to William at the Conquest but later was transferred to the Earl of Gloucester. About 1166 the then Earl founded a monastery of Austin Canons at Keynsham and endowed it with the whole manor. Edward I, in 1303, gave the canons a market and a three-day fair and there was a reconfirmation by Edward IV. Evidently a small non-agricultural population was forming and became a little town. It is very doubtful if the town had any self government or even if it had defined boundaries. The canons would administer it like the rest of the manor. It did grow because Sir Thomas Bridges founded and endowed a school and still later its townsmen were active in the textile industry. Collinson calls it a market town consisting principally of one street nearly a mile long. With some reservation one may regard it as a small medieval town.

MONTACUTE. After the Conquest Montacute was part of the great estates of Robert, Count of Mortain. His son William, towards the end of the eleventh century, gave to the Abbey of Cluny the church at Montacute, and for their support the borough and its market with the tolls, the castle and chapel, as well as other possessions. This inclusion of the castle is distinctly odd. This charter was confirmed by Henry I and by later Kings. Apart from temporary deprivation as an alien Priory the control lasted until the Dissolution.

Count Mortain's charter granting the market, etc., is not available, but one is from Prior Durand, between 1192 and 1205, and this grants "to all the burgage tenants in their town of Montacute, all liberties and free customs which other burgesses in Somerset

have who hold in the best and most free manner as free burgesses.”¹ The said tenants paid two marks for this charter. Some thirty years later the then prior reaffirmed these rights and in addition defined the boundaries of the town. The burgage tenement rent is also fixed at 16 pence for all services. It is refreshing to obtain full evidence of free burgage tenure in a defined area. Here is clearly a post-conquest borough with all recognised rights. Apparently it never grew into a sizeable town.

GROUP V

Included are places called towns by Collinson, sometimes also by Leland or Gerard, which I consider never at any time possessed the status of a town.

Authorisation of a market, or a fair, was a carefully guarded prerogative of the Crown and unless a charter specifically mentioned them they were unauthorised. The only other way (until recent times) by which they could be authorised was under a claim of prescriptive right, i.e., that they had been held from time immemorial; a very elastic term. In all market grants one invariable condition was that markets should not interfere with one another and the stock addition to the grant was “ unless that market or that fair shall be to the injury of neighbouring markets or fairs.” This non-interference was often untrue in Somerset, but it was for the places affected, and not the Crown, to complain and sometimes local influence was too strong to allow complaints. Collinson tends to equate the provision of a market with the place being a town, but the grant of a market alone is quite inadequate evidence of town status. This can be illustrated from the records in the Calendar of Charter Rolls. During the reigns of Henry III and Edward I, 34 grants of a market (and usually a fair) are recorded for places in Somerset, excluding a few renewal grants for recognised towns.

Henry III. Crowcombe, Staple Fitzpaine, Midsomer Norton, Wedmore, Marston Magna, West Lydford, Nunney, Winsham, Hemington, Haselbury, Hazelborough, Stratton-on-the-Fosse, Honespull (? Huntspill), East Lyng, Backwell, Langridge. In addition in 1227 the King gave a general grant to the Bishop of Bath to have a one-day market and fair in *all* his manors.

¹ For exact details see the Montacute Cartulary. Somerset Records Society, Vol. VIII, 1894.

Edward I. Ashill, Rode, Wiveliscombe, Hinton Charterhouse, Compton Dundon, Halse, Bishops Lydeard, Kilve, Weare, Hatch Beauchamp, Keynsham, Broadway, Nether Stowey, Cucklington, Westover (adjacent to Langport), Dulverton, Stanford Brett, Wroxall.

With every latitude only some of these 34 definite places has any claim to town status.

These two reigns are particularly interesting because they coincide with a marked expansion of cloth making. The grants of markets were made to the overlord, presumably obtained with the hope that the villages would develop both local trade and cloth making and bring profit to the overlord. Clearly this did not happen except here and there. The cloth industry was declining under Edward II and was only partially revived by the measures taken by Edward III. This is reflected in the Somerset market grants for only 9 were made under Edward II, i.e., Shipham, Yarlinton, Chedzoy, Ashill, Backwell, Ubley, North Petherton, Beckington and Curry Mallet, and only 7 during the long reign of Edward III, i.e., Ditchet, Wrington, Weston Zoyland, Chewton Mendip, Portbury, King's Brompton and Porlock. Under Richard III and Henry V there was only one (Enmore) in the two reigns. Collinson's towns include the following :—

MARTOCK. Collinson calls it "a large pleasant market town." It acquired a market in 1247 from Henry III and we know that in the 17th century the lord of the manor built a market hall with meeting room above and shambles stalls below. There is no information as to any differentiation of townsmen with any form of self government or a town with a distinct boundary separate from the manor. Preb. G. W. Saunder's interesting "Martock Notes" nowhere mentions any town or townsmen. The available information suggests a large village with a market and in course of time some of the inhabitants engaging in industrial occupations as in so many Somerset villages. It shows the difficulty of defining a "town."

CHEW MAGNA. Collinson not only mentions a market but calls it a borough and a large clothing town enriched with many privileges. The manor was held by the Bishop of Wells. There may be charters, but F. A. Wood (1903), in his history of Chew Magna,

does not mention any town life or even a market. There were many charities but none were endowed by local townsmen and the only merchants mentioned were from Bristol, who retired there. In the absence of definite records I find no evidence of a town.

NORTON ST. PHILIP. The manor passed from lay lords in 1232 to the Priory of Hinton Charterhouse, and in 1255 a fair was granted to the Prior (the Charter Rolls only mention the fair). This fair grant of Henry III, its renewal by Edward III in 1346, changing the days of the fair, and a further renewal in 1353 make no mention of any market. In Defoe's time a good deal of "medley cloth" (i.e., counterfeit Spanish Cloth) was made there. Collinson calls it "a small town," Leland "a mean market kept in a mean town." It seems to have never been more than a village with some cloth making.

WRINGTON. The manor belonged to Glastonbury Abbey and the Abbot obtained from Edward II a market and a fair. Collinson calls it a market town, but it seems to have remained in all essentials a village. Actually the main growth of the parish was from 1801 to 1851, from 788 persons to 1,600, but I do not know the reason.

PORTBURY is another village with a market and fair from the time of Henry I, but never grew into a town.

STOGUMBER. Collinson calls it "a small market town of two streets." It obtained a Saturday market and a one-day fair from its lay lord Sir John Sydenham but remained a village, although with a few cloth workers.

PENSFORD. Collinson calls it a small but ancient market town. It is a good example of a common feature, that of cloth workers migrating into villages with water power and to escape the restrictions of the town guilds. Actually Leland mentions three famous clothiers who worked there. It seems to have remained a village with a Tuesday market.

NORTH PETHERTON. The parish was royal demesne in Saxon times and after the Conquest passed to King William. It was part of North Petherton Forest. Collinson calls it a town con-

sisting chiefly of one street and adds that formerly it had a large market for corn. A market and a three-day fair was granted in 1318. A comprehensive grant of Richard II in 1398 to the overlord, granting him all writs and other returns, gives no evidence of any town officers or of town life.

NUNNEY. Actually Collinson does not call this village a town but in 1260 Henry III granted to the overlord a market and a three-day fair. We know this also from another source because the overlord of Frome objected strongly to the market on propinquity grounds, but at the court enquiry in 1280 the objection was overruled. Here also was a castle and no doubt the overlord had a town in mind, but it remained only a village.

SOME COMPARISONS

In this short account I have not included present day towns of recent origin. There are the seaside towns of Weston-super-Mare (40,165), Clevedon (9,467), Burnham (9,136), Portishead (4,454), and the industrial towns Norton-Radstock (11,934), Street (5,300), Keynsham (8,277), the last after being deurbanised for many years. The figures are the 1951 populations.

The waxing and waning of our towns is a fascinating subject but limit of space only permits of the influence of two factors being considered, i.e., geographical features and the nature of the overlordship.

Three Saxon towns started as defensive buhrs, i.e., Axbridge, Langport and Watchet. Their importance as such ceased with the Norman Conquest and as their geographical advantages were poor they must fail to grow into considerable towns. Watchet had neither prospects as an import port or a hinterland to yield exports. The long continued persistence of Axbridge and Langport as towns is a credit to their vitality and evidence of the slow tempo of change in medieval times. Bath with its hot springs as an asset and its fine site has continued as the leading town in the county. Ilchester started its post Roman career with many advantages and maintained its position for a surprisingly long time but in the end its poor site doomed it to extinction as a town. Milborne Port, Frome and Crewkerne were well sited and it is not evident why

the first failed to grow into an important town or why the growth of Frome and Crewkerne lagged until they expanded with the clothing industry.

The influence of geographical features is well shown for towns such as Dulverton, Dunster, Milverton and others which were given a start as incipient towns but never had adequate surrounding populations to nourish their market. Minehead similarly had to wait until its amenities were appreciated. Bridgewater has an excellent position and although its port is poor at least it is the best in the county. It was also fortunate in its overlords who not only nourished the town but did not stand in the way of its urban development. It therefore flourished greatly in medieval times and Taunton could only overtake it after it had an effective town government as well as better railway facilities.

The nature of the overlordship is an important, and often inadequately realised factor in the growth of our towns. In royal towns, the interests of the Crown favoured a certain measure of self government and charters adding to the liberties of these towns were fairly easily obtainable. It was less easy with a lay lord or a bishop while for those under monastic control the path bristled with obstacles. Monastic overlords represented a corporation which never died and one bound by its constitution to oppose any relaxation of its rights. Our records are too inadequate to evaluate the significance of the overlord's attitude to the townsmen, but in some cases it was probably important. We can best appreciate this factor when we contrast the towns with bishops as overlords with those under monasteries.

In general we find the bishops reasonable and cooperative towards their towns. This is well shown at Bath, and also at Wells where in both the bishop was really helpful, while at Chard he was not obstructive. Taunton might be considered an exception as self government for the town came so late. Probable explanations are given under that town.

With monastic overlords the contrast is remarkable. At Glastonbury, until the Dissolution, the town was tightly controlled and kept down and there was really no self government. Although Ilminster started in Saxon times Muchelney Abbey allowed little or no self government, and Keynsham does not appear to be any better off, while the grip on Bruton was particularly strong. Mon-

tacite is an exception, for the Prior was very liberal in his grants of self government. It was an alien Priory and possibly this altered its attitude.

We find in Somerset many towns which must have remained very small until they expanded in the 15th and later centuries with a share of the clothing boom in the West of England. Probably this is true of Shepton Mallet, Wincanton, Castle Cary, Bruton, Milverton, Wiveliscombe, Crewkerne, Wellington and Ilminster.

Like other counties, Somerset has many examples of what we can call Peter Pan towns which started but never grew up. These are indicated above and good examples are Nether Stowey, Stogursey and Montacute.

It is obvious that there are many lacunae in this paper, but I have tried to do the best with the material available and with limitations on space. Indeed one purpose of this paper is to point these gaps out for future workers. It is probable that there exist unknown charters and relevant records which will amplify our knowledge and perhaps put a new complexion on conclusions which I have reached from incomplete data.