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TAUNTON

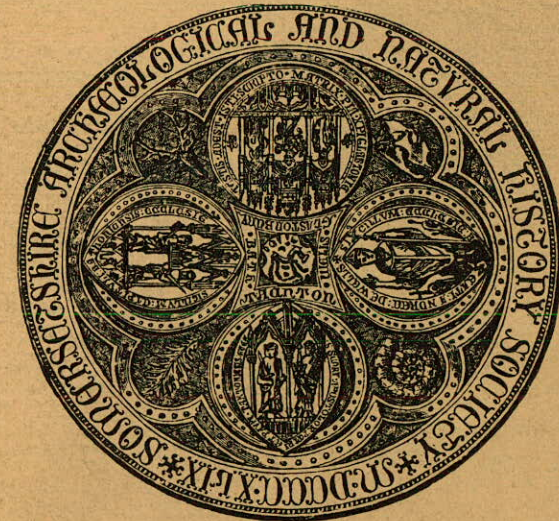
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TAUNTON BOROUGH SEAL



EXETER CITY SEAL

PART II

PAPERS, ETC.

**The Charters, Seals, Maces and Armorial
Bearings of Taunton**¹

BY WILLIAM HENRY BAILEY,
Town Clerk of Taunton, 1912-41.

THE development of municipal government in Taunton provides a study of peculiar interest owing to the unusual circumstances of the town from the Saxon period to the year 1627 when the Borough was first incorporated by royal charter.

The town had been subject since the eighth century to the control of the bishops of Winchester, and appears only to have been emancipated by gradual stages from the unique customs and jurisdiction of the manor of Taunton Dene, of which it was the trading centre.

There are no records to show when the Court Leet of Taunton came into being, but it can scarcely be doubted that it was of Saxon origin. It is worth noting that the two existing bailiff's staves of the Court Leet² are evidently copies of very early staves of office, of which the design may well be pre-Norman.

*The Court Leet of the Borough of Taunton*³ and the story of its survival to the present day was the subject of a paper by the late H. Byard Sheppard, published in these *Proceedings*, vol. iv for 1909. Most of the scanty evidences for the early

¹ I am indebted to Mr. A. W. Vivian-Neal for the portion of these notes relating to the history of the Borough before 1627.

² Illustrated. *Proc. Som. Arch. Soc.*, lv, ii, 9.

³ See also *The Court of Taunton*, R. G. Hedworth-Whitty.

history of the Borough were set out by him. Reference, however, was not made to the existence of a Borough seal which may date from as early as the first quarter of the thirteenth century ⁴ (Plate III). It has been surmised that one of the Norman bishops of Winchester transferred the town from the area defended by the Saxon fortifications to a site now occupied by the Parade, Fore Street and the northern end of High Street, ⁵ and that the first stages in its emancipation were then allowed to the burgesses. The Court Leet had, no doubt, been in existence for a considerable length of time (perhaps in some form for as long as three or even four centuries) before Bishop Peter des Roches held the see, but it is tempting to regard the making of this seal as marking the date of new privileges granted by that prelate, who was in close personal touch with the affairs of Taunton Dene. At any rate we may assume that the seal was for the use of the Steward of the manor, the Bailiff (or Bailiffs), the two Constables and the other officers of the Court Leet, with the burgesses. ⁶ No earlier impression is known to us than that appended to a document, now in the possession of the Somerset Archæological Society, and dated 1509. It is a certificate to the mayors and citizens of Bayonne and Bordeaux by William Bolday and Richard Smythe, constables of Taunton, William Sidenham and William Netheway, reeves, and the whole burgess-ship of the said town that whereas Henry Bonvelde, Thomas Masselyne, William Chapelyne and William Veyne bought of Boniface Dalbany 63 pipes 11 measures of woad on the understanding that it would fetch 7 marks sterling the quarter in Taunton, William Dyar and William Wynne, masters of the art of dying, assert that the said woad is not worth more than 5 marks the quarter. They ask for justice against the said Boniface Dalbany. 10 March 24 Henry VII. ⁷

In Taunton, during the Middle Ages, the functions of a mayor and corporation seem to have been exercised in civil matters by the two Constables and other officers of the Court Leet, and in judicial matters by the Steward or Bailiff of the

⁴ See description, *infra*.

⁵ *Proc. Som. Arch. Soc.*, lxxxvi, 46.

⁶ *Ibid.*, lv, ii, 11; Webb's *History of Taunton*, 298.

⁷ The names of the Constables for 1509 are omitted from the late H. Byard Sheppard's list, *Proc. Som. Arch. Soc.*, lv, ii, 55.

manor, and probably on certain occasions by the Constable of the Castle. 'Within this Castle is the Bishopp's prison for the whole Denary (Taunton Dene), exempted from the Sheriffs jurisdiction.'⁸ Whether, however, the bishop's officers exercised precisely the same judicial powers in the Borough as in the Manor outside the Borough is uncertain.

The scheme of municipal government enabled the bishops to keep closer control of the town than would have been possible if they had allowed a mayor and corporation to take the place of the Court Leet in accordance with the normal development of local government in other places of the size and importance of Taunton. Their paramount influence in the Borough was of special value to the bishops in connection with the election of members of Parliament.

After the Reformation the interest of the bishops of Winchester in the administration of Taunton Dene seems to have diminished. The status and prestige of the Constable of the Castle were reduced, and the need of the townsmen for a mayor and corporation became increasingly apparent. Finally, as Thomas Gerard of Trent expressed it in his quaint language,⁹

sithence the raigne of King Charles during the vacaneye of the sea of Winchester they procured a corporacōn to be governed by a Mayor assisted with Aldermen which they aymed at long before but were still crossed by the Bishoppes of Winton their Lords.

Thus was Taunton incorporated in 1627.

Charles II withdrew the charter in 1660 as the burgesses were regarded as hostile to the Restoration government. Some years later efforts were made to get the charter renewed, and in 1677, Charles II granted a new charter which extended the boundaries of the Borough, the whole of the parishes of St. Mary Magdalene and St. James being included. Formerly the Borough had consisted only of Fore Street, North Street, High Street, East Street, Paul Street and Shutterne.¹⁰

Under the charter of 1677, fourteen capital burgesses and ten inferior burgesses were to form the Common Council. The mayor and the two aldermen were to be of their number. A recorder and a town clerk were to be appointed subject

⁸ *Som. Rec. Soc.*, xv, 57. ⁹ *Ibid.*

¹⁰ *Proc. Som. Arch. Soc.*, lv, ii, 3.

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to the approval of the king under his sign manual.¹¹ The charter empowered the appointment of one or two sergeants-at-mace to attend the mayor and to carry before him gilt or silver maces with the king's arms engraven on them.

The government of the town was carried on under this charter until the year 1792, when, owing to the number of members of the corporation being reduced to less than a majority of the capital and inferior burgesses, the charter lapsed and the corporation became extinct.¹²

Eighteen years later a public meeting was held in Taunton, when it was decided to petition the King in Council to renew the charter. The petition was referred to the Law Officers of the Crown to report their opinion on the propriety of renewing the charter. Before such report was made a section of the inhabitants who were hostile to the revival of the corporate body presented a counter-petition to the King. Both petitions were therefore referred to the Law Officers to hear the evidence and report their opinion on the merits of the case.

At the hearing before the Attorney-General in 1813 that officer declared that he should not report that a new charter was necessary on the ground taken by the petitioners.

A new petition was then presented to the Prince Regent,

¹¹ The members of the new Corporation, nominated in the charter of 13 September 1677, were: the fourteen capital burgesses, Roger Gale, who was to be the first Mayor, John Meredith and Thomas Ledgeinham, who were to be the first Aldermen, Robert Procktor, Philip Gad, William Turner senr., Stephen Tymewell, Jasper Chaplin, Samuel Bindon, Francis Hobart, Richard Snow, Thomas Dare, Antipass Swinerton and Thomas Hassum; and the ten inferior burgesses, William Raw, William Baynard, Mathew Munday, John Smith senr., Bernard Smith, Thomas Towill, William Turner junr., William Bidgood, George Pollard and Roger How; also, Thomas Syderfin was nominated as Recorder, and Richard Jeane as Town Clerk.

The spelling of proper names is given as in the contemporary copy of the charter in the possession of the Somerset Archæological Society.

¹² The decline in the manufacture of woollen cloth was, no doubt, the economic cause of the lapse of the charter. Until c. 1735 the trade of the town had been considerable. It was, however, already much reduced before the prolonged disturbances which took place during the parliamentary election of 1754, resulting in the loss of many contracts for cloth. In the ensuing years, like many other places in the west of England, Taunton became less and less able to withstand the competition of the Yorkshire looms. If it had not been for the far-sighted policy of Sir Benjamin Hammet, while he was member for his native town in the closing years of the eighteenth century, Taunton might never have recovered her commercial prosperity and her status. Webb's *History of Taunton*, 307, 330-2.

signed by 804 inhabitants, which was met by a counter-petition signed by 564 inhabitants.

On 21 May 1814 the law officers were attended by counsel and witnesses for the petitioners and counter-petitioners, and shortly afterwards they reported on the whole rather favourably to the prayer of the petitioners. On 29 April 1815 counsel were heard before the Privy Council, who decided that they did not think it expedient to advise the Prince Regent to grant a new charter.

Until 1877 the town remained without a charter, when in that year Queen Victoria granted the one under which the present Corporation was constituted.

Between 1792 and 1877 the government of the town was in the hands of the Officers of the Court Leet of the Manor of Taunton Dene, the Taunton Market Trustees and the Local Board of Health.

When the Borough was incorporated in 1877 the Corporation possessed no ancient documents; in 1878 the original charter of 1677 was presented to the new Corporation by a gentleman who informed them that it had been found among his father's papers. It may be that other documents formerly belonging to the older corporations are extant, and should any be discovered it is hoped they will be given to the town.

SEALS

I

The matrix of the oldest of the Taunton seals is round, $2\frac{1}{16}$ in. in diameter (Plate III). In the centre is a gabled building, flanked by two great round towers with fleurs-de-lis issuing from the battlements, and surmounted by a lantern and two banners. At each side, beyond the towers, is an embattled wall pierced with a double door, from which rises a crosier, that on the dexter with a mitre over it. In base is a fleur-de-lis between two peacocks facing each other. Legend :

SIGILLVM : COMMVNE : BVRGI : TANTONIE

This seal was exhibited at the Heraldic Exhibition held at Birmingham in 1936. (*Catalogue*, No. 1233.)

This seal closely resembles the ancient Seal of the City of Exeter. It may be of interest to quote the following extracts

from the excellent account of the 'Exeter Civic Seals', by Mr. H. Lloyd Parry, O.B.E., formerly Town Clerk of Exeter, which deals with the similarity of the Exeter and Taunton ancient common seals :

'*The Common Seal of the City* (Plate III).¹³ The matrix of the seal . . . represents an edifice standing in the background and on either side in the foreground two lofty circular embattled towers connected by a low parapet. From the further side of each tower runs an embattled wall, in each portion of which is a double doorway. In chief is a representation of the sun between a crescent moon and a star, and in base is a fleur-de-lis between two wyverns with their tails flory. The legend reads + SIGILLVM : CIVITATIS : EXONIE.

'On the back of the matrix is fashioned a fleur-de-lis having thereon the words LVCAS ME FECIT, and around the margin is inscribed in somewhat crude lettering the words + WILL. PRVDVM. ME. DEDIT. CIVITATI. EXONIE. CVIVS. ANIME. PROPICIETVR. DEVS. AM.

(The donor may have been the William Prudum, who founded in 1170 the Hospital of St. Alexius, which stood behind St. Nicholas' Priory, or a member of the same family).

'As the seal appears to be the earliest of the civic seals of this kingdom (*factum ad hoc*) a consideration of the intent of the design is of more than ordinary interest. It has been variously interpreted. The Rev. George Oliver refers to the edifice in the background as "possibly intended to represent a council-house or guildhall" . . . Mr. R. N. Worth conjectures that it may "be intended to represent the Cathedral as it appeared before Bishop Quivil, in the closing years of the thirteenth century, converted the towers into transepts and commenced the present nave". Messrs. Jewitt and Hope refer to it as "a large hall or shrine" . . .

'As will be seen from Fig. 8 the Taunton Borough Seal is evidently made from the same model, the difference being merely in detail. It may be observed that the two upright keys in the Exeter seal, referring evidently to the Cathedral Church of St. Peter, are replaced in the Taunton seal by two pastoral staves. The matrix of the latter seal is in the custody of the Town Clerk of Taunton, but, unlike the Exeter seal, there

¹³ The block of this seal has been kindly lent by Mr. Lloyd Parry.

is no inscription on the back to indicate under what circumstances it was made.

'It is generally inferred that the Taunton seal must have been made about the same time as the Exeter seal and by the same artificer, Lucas. The absence of his name from the Taunton matrix, the careless workmanship shown by the faulty "N" in the inscription, and the improbability that such a master of his craft would have been content to merely repeat his own design are, however, against such an inference.'

Mr. Lloyd Parry writes (November 1942), 'As to the date of the Exeter seal, a discovery by Miss Easterling has thrown light that was not available when my book on the Seals was written. In Book no. 55 in the City Muniment Room is a transcript of a deed of 1208-9 with the following statement: "Md. in the backe is write *Hec est prima carta que sigillata fuit novo sigillo argenteo civitatis Exon.*" It may be, therefore, that the seal was not made before the commencement of the thirteenth century.'

II

The second is a hand seal 1 in. in diameter, and bears an imperial crown between a cherub's head and wings in chief, and the motto DEFENDAMUS in base. Legend: SIGILLVM BVRGI DE TAVNTON, etc. On the shaft of this seal is engraved BER. SMITH. MAYOR—1685.

III

The third seal, that now in use, is a much reduced copy of the ancient common seal, with the legend: SIGILLUM. COMMUNE. BURGI. TANTONIE.

THE MACE

The Mace in use was presented on the incorporation of the Borough in 1877.

It is of silver and 35 in. in length. The head is a model of the modern royal crown lined with a cap of crimson velvet and turned up with ermine, with fleurs-de-lis between the arches. Below this is a scalloped edge and the whole arches downwards to the shaft. Between the head and the shaft are two medal-

lions, one bearing an impression of the ancient seal of the Borough of Taunton, and the other the inscription :

‘ Presented to the Corporation by A. C. Barclay, Esq., and Sir Henry James, Q.C., the Members for the Borough, 1877.’

The shaft is divided into three lengths by ornamental bands, and has its uppermost division and portion of the base fluted ; the rest is plain.

In 1939 a facsimile of this Mace was presented to the City of Taunton, Massachusetts, United States of America, by the Mayor of Taunton, England (Councillor C. H. Goodland), when he attended the celebrations in connection with the Ter-centenary of the founding of the City.

The maces authorized by the earlier charters have been lost, but it seems they were known to exist in or about the year 1820. The following note appears in the *History of Taunton*, by James Savage, 2nd edition :

‘ During the usurpation of Oliver Cromwell, the Mace carried before the Mayor had on it the Arms of the Protector, but under the new charter (1677) the Arms of Charles II, engraved on silver plates, were screwed over the other arms.’

ARMORIAL BEARINGS

Letters Patent under the hands and seals of Garter, Clarenceux and Norroy, Kings of Arms, were issued 23 October 1934, granting and assigning the following arms to the mayor, aldermen and burgesses of the Borough of Taunton :

Azure in chief a cherub and in base a Saxon crown or. Crest : Issuant from a mural crown or a peacock in his pride proper gorged with a Saxon crown gold. Motto : Defendamus.

On the incorporation of the Borough for the third time by the charter of 1877, the device on the hand seal referred to above, together with a mural crown as a crest, was adopted by the corporation as armorial bearings and used as such until 1934, when a formal grant of arms was obtained as above.

When discussing the design of the new arms with officers of the College of Arms it was agreed that it should represent, so far as possible, the device used by the corporation, but it was pointed out by them that they had no power to assign a royal

crown as part of a coat of arms without a special licence from the king, and even if the licence were obtained the crown would have to be placed above the cherub.

It was suggested that as Ina, king of the West Saxons, was regarded as the founder of Taunton, it might be appropriate to have a Saxon crown, with which they agreed.

A further point was raised that a mural crown by itself as a crest was not good heraldry. In the design of the ancient seal of the corporation there were two peacocks, and it was thought that a peacock would be the best subject for the crest, and this was approved.

The motto *Defendamus* may have been adopted after the Civil War, during which Taunton was besieged three times.