

# EDWARD I, LYME REGIS, AND THE TOWN CHARTER OF 1284

By Thea Hawksworth



The effects of the granting of the Charter on the town in 1284/5 by King Edward were far reaching. It guaranteed the upward climb of the small fishing village of Lyme Regis and its development into a thriving medieval market town, amongst the foremost in the area.

## LYME AT DOMESDAY

Domesday records that in 1086 there were at least 27 salt workers, fishermen and small holders at Lyme; pastures, woodlands, a church, some monks of Sherborne and a mill. It was a settlement with several crafts and trades represented and although there was no such thing as a typical medieval village, in fact, Lyme conformed to the textbook image of such a village, with the important addition of its coastal location. Although by the fourteenth century, pre the Black Death, John Fowles estimated that the population could have been 500 or slightly more, we have no figures for the twelfth or thirteenth centuries.

But we do however have a fair idea of what the village looked like. At the centre was a small church, Anglo –Saxon in origin, perched above a cluster of cottages. The River Lym transected the valley before rushing out to the sea. To the east of the river, on the church side, the land belonged to the King, through his serjeant William Belet; and the rest of the village also, including the Town Mill. To the west lay the land

belonging to the monks of Sherborne Abbey, an Anglo Saxon Foundation and through them to the Bishop of Salisbury. The third piece, later known as the 'Colway Tithing' lay to the north and east of the river. This land belonged to Glastonbury Abbey. The boundary between Lyme Abbas and Kings Lyme was in all probability the river, culminating in the Buddle Bridge, before it ran out into Lyme Bay.

From the earliest records, (the Royal Pipe Rolls), which we have of medieval Lyme, it appears that this arrangement of land ownership lasted for about 200 years following Domesday. Until, in fact, Edward I's Charter was granted to the town.

### EARLY TRADE IN LYME

Town Charters granted by monarchs were immensely important documents in the Middle Ages. Lyme was lucky to have one, given the size of the town; but those thus granted Charter status generated something which all Kings of the time desired and needed, and that was, of course, money, which came into the town through trade. (in Lyme's case this was sea trade). The arrangement proved to be beneficial to both monarch and town. In the monarch's case this was most particularly, the funding of the interminable wars, which continued throughout much of this period.

Market Charters were quite separate and none of the other prized privileges were entailed in these.

So Lyme attracted the attention of King Edward, as a possible means of filling the privy purse. It was already valuable to the monks for salt extraction at the mouth of the River Lym. There are references to a Sherborne Manor House high up on the western side of the town. In addition there was a leper hospital dedicated to St Mary and the Holy Spirit on the slopes of the river, perhaps connected to the Abbey House in some way. There were eleven mills (the remains of some still stand today), all within the parish boundary. But from the late 13<sup>th</sup> century, the most important was the Town Mill.

As trade in Lyme began to grow, from the late twelve hundreds, it became considerably more important than the small village of the Domesday Survey. The progress in Lyme echoed that in the country. Several of those mills on the river used water power for fulling and in the fields surrounding the town there was improved understanding of crop rotation.

At this time there was a growing shipbuilding industry, possibly positioned as it would be in succeeding centuries, down on the beach, right in the lee of the Cobb, the harbour, which from time immemorial sheltered both the boats and the town from the fierce gales and high seas. This ancient structure dated in its medieval form from at least the 1240s though who knows how long before that it stood in its sentinel position. Possibly due to the improvement of the Cobb and its harbour, Lyme's trade with France (especially Morlaix on the coast of Brittany), Flanders and other coastal towns was in the ascendancy; the expression "wool out, wine in", perfectly describing its daily function.

### LYME'S DAILY MARKETS

As trade grew, Lyme grew. From 1250, it had been granted an informal right to hold a weekly market on a Monday. This permission was renewed in 1270, but it is recorded that this permission was not complied with, strictly to the letter. The nearby town of Bridport made a complaint that a daily market was being held in Lyme, not solely on a Monday and that their loss was great. Tolls were being charged illegally by the Lymeites, and to cap it all, the King (Henry III) had to intervene in a bitter dispute between the seamen of Lyme and those of Dartmouth. Clearly then, trade on land and sea was all, and worth fighting for.

We know who the driving force was behind this push to commerce. Certainly a major influence was Elias de Raybane, (called a 'greedy Anglo-Norman' by John Fowles), who no doubt pocketed the profit from the increase in trading. He appears in Lyme's Court Rolls on several occasions, notably on August 7<sup>th</sup> 1271 when he and his heirs were granted permission to hold a weekly market on a Wednesday at 'the Manor of Lyme'. This replaced the legal Monday one given by the Charter of Henry III, the change of day possibly to pacify the burghers of Bridport.

As well as being the one who had been holding the illegal daily markets, Elias de Raybane was involved in other disputes, finally going too far in 1285/6, when he was taken to court for an infringement involving two heiresses, by which time Edward I was the Lord of Lyme and de Raybane lost the case and disappears from the records. However, he serves as an example of the early merchants who were beginning to appear in Lyme during the last half of the thirteenth century. Another example, from the Lay Subsidy Rolls (1327-1332), albeit a little later, is one Richard Kingman of

Colway Tithing who, according to his personal tax assessment, was the second richest man in the county.

Although there was great regional variation, by 1300 around half of the humbler working men of England had either bought or found other ways out of villeinage, and although certainly not free by our modern standards, they were no longer quite the peasants who existed elsewhere in Europe. Even in Dorset, then thought to be rather a backward county, only 16% were truly in serfdom (against a national figure of 10.5 %) and considered to be right at the bottom of the social scale.

### THE FIRST CHARTER AND ITS ADVANTAGES

So, in this climate of the upwardly mobile Lymeite, the creation of their village into a new town, by the granting of a Charter, was an advantage both to the town and its inhabitants, and to Edward's exchequer.

The Charter which gave such unparalleled advantages to Lyme, both then and in the succeeding centuries, actually came in two parts.

The first part was granted on 3<sup>rd</sup> April 1284. This was a royal chancery document, brief and rather confusing for the then leaders of Lyme, who then and indeed right up to the late twentieth century, assumed that by the comparison with London and Melcome, Lyme was the third town in all England to be granted borough status. In reality, it meant that the clerks simply compared the rights of the nearest local town with those granted to Lyme itself.

One important clause in the April 3<sup>rd</sup> Charter not found in other similar grants gives it the right to have a 'gilda mercatoria', or Merchants' Guild, by which we assume that by 1284, an important import/export trade had already been established at Lyme.

Edward I created many new towns by Charter. These chartered towns were more liberated than the strongly feudal manorial settlements around them. Lyme's Charter noted that the two places of issue were at Caernarvon and Aberconway. Edward was doubtless overseeing the building of his new castle at Caernarvon, where he was awaiting the arrival of his son, the future King Edward II.

Towns were definitely at the forefront of the King's mind at this time, because part of the settlement after the conquest of Wales was the establishment of new Welsh towns which had the protection of castles.

George Roberts, Lyme's first historian, translated the Charter of 1284 from the Latin, and this follows in Appendix 1.

How valuable to the inhabitants of Lyme that precious Charter must have been, making them free burgesses with other 'liberties and free customs', and the injunction that 'no-one trouble, disturb or molest them in person or property'. This put them at the top of the tree over the whole area of West Dorset and East Devon as it is now.

Later that year, two burgesses, John Percival and Robert Walkelyn were sent to the royal court to acknowledge that in their first year as a free borough, they were in debt to the King's Chancellor for the sum of seven marks (1mark =13s.4d). This was, no doubt, part of the fee farm, or royal rent, the total sum due being 32 marks per annum (in comparison, Oxford's was 60 marks) which had been granted to Queen Eleanor by Edward . (It is her arms not his which appear on the common seal of Lyme). This defaulting on the annual royal rent was to happen over and over again in the succeeding centuries, whether through general economic difficulties or tardiness in payment is unclear.

In this first Charter, the 'let or hindrance' wording referred to 'justices, sheriffs, bailiffs and any other officers'. These officers represented the royal administration of the town parallel to the newly created mayor and burgesses. These officers were also responsible for the supervision of all the other revenue which the King could claim from the town in addition to the fee farm which went to Queen Eleanor of Castile (and after her death to Edward's second wife Queen Marguerite). These included rents, tolls, licences or perhaps a share of them. These royal appointees also acted as go-betweens, dealing with the local government on the King's behalf, on matters such as Edward's never-ending demands for new ships. Charter –granting in those days was definitely not only for altruistic reasons. It was above all, about business.

#### THE GRANTING OF THE SECOND CHARTER

At the end of 1284, Percival and Walkelyn – the first native Lyme names recorded, proceeded to Bristol where the King was staying. They must have impressed upon Edward (politely one presumes) that the first Charter was not nearly detailed enough in respect of their new liberties. On New Year's Day 1285 therefore, a much fuller document was issued. The transcript of this is in Appendix 2.

Appendix 3 gives an explanation of the terms used in the 1285 Charter, with a wealth of technical detail.

The rights and privileges contained in the revised Charter were not enjoyed by all boroughs, and it was unusual for a small town like Lyme to hold so many.

This time, with the terms of the Charter more fully set out, the town gained not only great privileges, but a measure of self-government.

#### LYME'S ASSIZE

Not least of these privileges was that of trying and judging its own court cases inside the town. [see notes 2 and 6 in Appendix 3]. In 1288 in June or July there took place in Lyme the only Assize Court in the town's history. The record of the court business survives in full (Assize Records, Court Rolls, D.R.O.). The officiating officers were a sheriff, two coroners and a full panel of jurors, also named.

A back list of cases was reported. A drowning; wine being sold above legal rates (profiteering); a case of theft, (the guilty parties abjured the kingdom); a scandalous case of abduction brought by Alice le Brewer against Adam le Tavener (case dismissed on the grounds that she was no better than she ought to be); lastly a number of citizens brought before the court for not being present at the first day of Assize – all fined.

One interesting point occurs in the suggested professions and names of people connected to this assize. They show a variety of occupations of the kind which one would expect in a wealthy young town. So the Charter was proving advantageous for Lyme.

But no gain without pain and Edward was a monarch who expected things (and towns) to work for him.

#### SHIPBUILDING AND EDWARD

Thus it was that in November 1294, he sent out an order to 26 towns to build 26 galleys plus barges, for his use in the French Wars. In the event only eight of these galleys were built (Lyme's being one of them) due in no small part perhaps to Edward's totally unrealistic expectations of a completion date of Christmas 1294 ! The 30-40 men working on the galley were all local and were employed for 1194

man-days in the construction of the vessel. Possibly due to non-payment of wages, the work on the galley stopped and started and the vessel was not completed until the end of July 1296. But the account remained unpaid until it was finally settled in 1319-20. [The Building of the Lyme Galley 1294-1296, Ian Friel]

On 14<sup>th</sup> May 1297, Edward was in Lyme. We know this because on that day, he either wrote or dictated a letter to the Countess of Flanders. There is no record as to why he was visiting Lyme at that time, but perhaps he had come to take delivery of the galley personally.

At this time he was trying to gain support from the Count Guy de Flanders against the King of France, which is possibly why he wrote the letter. However, by the October of that same year he had announced a truce with the King of France, and his bailiff, on his behalf, wrote to Lyme to tell them of this. Two years later he was to marry the French King's sister Marguerite (or Margaret).

#### LYME BECOMES LYME REGIS

As with his first wife, Eleanor of Castille, Edward gifted the manor of Lyme to Queen Margaret, this time as part of her dowry. Consequently, Lyme became a royal borough and so 'Regis' was added to its name. There is a documented account of a dispute between Queen Margaret and the Miller of Colway, so she evidently kept an eye on her property.

Many other decrees came via the royal bailiff, and in 1302, there is a record of what is possibly the last communication between Edward and the town. The order was sent for a ship to go straightway from Lyme to Scotland. Lyme defaulted on this order. Indeed, as recorded in the Patent Rolls, other towns let the King down. They had to give some security, possibly cash, that they would do as required, so perhaps Lyme's punishment for lack of compliance was loss of the security bond. This happened again in 1308 and 1310 under Edward II.

#### ADVANTAGES OF A CHARTER TO KING AND TOWN

Finally we can see that there were advantages for both the King and the town in the granting of a Charter. The town benefitted in the main by those things mentioned in the Charter, perhaps commercially by the freedom from the payment of tolls and lastage and by market dues. But perhaps most importantly, the Charter gave Lyme a

voice in Parliament, with the sending to the House of Commons of two burgesses (later MPs), the first of whom, William Tuluse and Geoffrey le Que began the line which was to remain unbroken until the passing of the Great Reform Act of 1832. These two men attended Edward's 1295 Model Parliament in Canterbury but none went to the four later ones in the north, perhaps owing to the difficulty of travel, or the expense of 2s per day per person, which was a charge on the town.

Of course, Edward also benefitted. The granting of the 1284 Charter was not just the thoughtful gift of a devoted husband to his dearly loved wife . The fee farm (if or when paid) was only the start of the constant trickle of special royal demands and taxes. It should also be mentioned that the Charters such as Lyme's were actually in the decree of the granting monarch and therefore required renewal from his successors. Lyme's charters of inspection and confirmation followed the first one in 1321 (Edward II) right up to the end of the seventeenth century.

In conclusion, with the granting of that first Charter, Edward I set Lyme on the path which it still, in no small measure, follows today. A small town, whose people feel special, independent, (who bitterly resented and still resent in some ways, their loss of borough status in 1974), who seek for commercial success in all areas, but above all, a town with great pride in itself and with a feeling for and knowledge of the long history of the town and its people.

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Sources:

A Short History of Lyme, John Fowles

History of Lyme Regis and Charmouth, George Roberts

Lyme Leaflets, Cyril Wanklyn

Appendix 1                      Transcription of the first Charter 1284

Appendix 2                      Transcription of the second Charter January 1285

Appendix 3                      Explanation of the technical terms used in Appendix 2

Appendix 4A and 4B      Lists of witnesses to both Charters



N.B. to Appendix 4 It is interesting to note the names of the witnesses to both parts of the Charter. These include some of the most important men in the kingdom, for example, Edmund, brother of the King, and the Bishops of four dioceses, among others of the great and the good of the time.

#### APPENDIX 1

'The king, &c., greeting. Know ye that we will. and have granted- for ourselves, and our heirs, that our town of Lyme, in the county of Dorset, shall henceforth be a free borough, and that the men of the same town shall be free burgesses; that they may have a merchants' guild with all things to such guild belonging, in the said borough, and other liberties and free customs, which, by our charter, we lately granted to our burgesses of Melcombe, and which our citizens of London, by the charters of our progenitors., sometime kings of England, have reasonably used up to this time in their affairs and merchandize, without let or hindrance of the justices, sheriffs, bailiffs, or any other officers for ever; directing and strictly enjoining for us, and our heirs, that no one trouble, disturb, or molest them in person or property, contrary to the liberties and free customs aforesaid.'

Trans. George Roberts, 'Medieval Lyme', John Fowles, 1984,

#### APPENDIX 2

'Edward, by the grace of God, king of England, lord of Ireland, and duke of Aquitaine, to the archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, rulers, ministers, and all his bailiffs and faithful subjects, greeting. Know ye that we have granted, for us and our heirs, to our burgesses of Lyme, in the county of Dorset, all the liberties granted to our citizens of London: viz. that no one shall be compelled to plead without the bounds of the borough, concerning any thing save of foreign tenures, our moneyers and ministers excepted, and what shall happen to be done against the peace of our realm, which according to the common law of the realm is wont to be determined in those parts where such trespasses shall have been committed; excepting likewise, pleas concerning merchandize, which, according to the merchant law, are wont to be determined in boroughs and fairs: so however that disputes may be settled by four or five of the aforesaid burgesses, who may be present in the said boroughs and fairs: saving to us amerciaments (fines) therefrom

in any way arising, which they shall faithfully answer to us and our heirs under heavy forfeiture. We have likewise granted to our said burgesses, to be quit of murder (1) within the said borough and portsoken (2). And that none of the said burgesses shall wage battel (3). And that they may discharge themselves concerning the pleas of the crown, which shall happen within the borough aforesaid, and the suburbs thereof, according to the ancient custom of the city of London, except however that which is excepted in the liberties of the city of London; that it shall not be lawful to swear positively upon the graves of the dead of that which the deceased would have said if living, but that in the place of such who before their deaths were chosen to make proof of matter controverted for those who were summoned or arraigned of things belonging to pleas of the crown, other free and lawful men shall be chosen, who shall do without delay, what ought to have been done by the aforesaid deceased if living. And likewise, that no one shall take lodgings within the bounds of the borough and portsoken, by force or discharge of the marshal (law officer). We have also granted to our burgesses, that throughout our whole land and dominions, wherever any of them shall come with their goods and merchandize, and also in all sea ports, as well on this side as beyond sea (i.e., in France ), they shall be quit of all toll and lastage (4), and all other custom, except our prisage (5) of one tun of wine before, and another behind the mast, at twenty shillings a tun, to be paid in the manner in which we and our predecessors have usually taken this prisage. And if anyone wheresoever, here or beyond sea, or in our sea ports, shall take toll or lastage, or any other custom, contrary to this grant, excepting prisage, from the men of the borough aforesaid, after he has thus improperly acted, the bailiff of Lyme may take distress on that account at Lyme. We have likewise granted to them that a hustings (6) shall be held once every week, and this only for one day. Yet nevertheless, that the business which cannot be terminated that day may be held over to the next day, and not beyond. And that justice shall be administered to them for their lands and tenures within the borough, according to the custom of the city of London; so that as well strangers as others may appoint attorneys to prosecute and to defend them, as is customary elsewhere in our courts. And that they shall not be questioned for any miscellings in their imparlances (7), that is to say, if they have not declared altogether well. And that pleas may be held for all debts contracted at Lyme, and sureties there given to them according to the custom of London. Moreover, for the improvement of the said borough, we grant that all the burgesses shall be free of cheldewith (8), and of yresgive (9), and scotale (10); so that the bailiffs of the said borough, or any other

person, shall not make scotale there. And that the said burgesses shall justly have and hold their lands, tenures, and sureties, and also their debts, whoever do owe the same. And that no merchant shall go out to meet merchants, coming by land or water with their goods and victuals to the borough, to purchase or sell again, until they are come into the borough, and have exposed their wares for sale, upon forfeiture of the thing bought, and imprisonment, from whence he shall not be discharged without severe punishment. And that no one shall expose his wares for sale, which have to pay custom, till the custom due be levied, upon pain of forfeiture of the whole weight of what shall be otherwise so exposed to sale. And no merchant, stranger, or other, shall buy or sell any goods by weight, that ought to be weighed unless by our weights and beam, upon pain of forfeiture of the goods, And for the security of the debts which shall be due to them by their contracts or loans, we will cause them to be enrolled in our exchequer, by recognizance of those who shall be bound to them in the said debts; yet so as that no debt shall be enrolled, by recognizance of any one, who is not there known, or unless his person be identified on the testimony of six or four lawful men, who shall be sufficient to answer as well for the debt as for the damages which shall happen to any one by such recognizance, if the same happen to be falsely done under their names; and for every pound to be enrolled in the said exchequer, one penny shall be paid for our use, for the burthen of maintaining those whose office it is to attend to the enrolment These liberties and free customs we have granted to them and their heirs, to be held so long as they behave well and faithfully to us and our heirs, together with other just and reasonable customs which the citizens of London; in the time of our predecessors, and of us, have enjoyed, as well touching the form and manner of pleading about tenures and sureties for money as of other matters affecting them and our borough, so long as such customs are not contrary to justice and right laws. Moreover, concerning our Jews (II), and our merchant-strangers, and other things touching us and our borough aforesaid, out of the above grant, we and our heirs will provide as we shall better see expedient."

Trans. George Roberts, 'Medieval Lyme', 1984, John Fowles,

### APPENDIX 3

1. Quit of murder. The town would not be punished if a murder had been committed in Lyme, but the murderer escaped. Edward is said to have hanged the Mayor of Exeter on his own city gallows, for letting such a captured felon escape.
2. Portsoken. The area of jurisdiction of a borough, but it came by extension to mean the outlying parts separate from the main borough.
3. Wage battel. An Anglo-Norman practice, by which an accused man might challenge his accuser to a duel. The fight took place in a sixty-foot square, watched by the judges. It began at dawn when the two men swore they had called on no sorcery or witchcraft; then, if necessary, they battled all day, until one called craven - or threw in the towel. Wager of battle was highly feudal, and hated in England.
4. Lastage, A duty charged on loading a ship in a port; also a market toll.
5. Prisage A duty on imported wine.
6. Hustings\_ A senior court, in local terms. The mayor, the recorder and the coroner were always ex officio justices of the peace, in later borough days.
7. Miscelling in their imparlances. The sense seems to be 'confusion in their debates'. Miscelling is a mis-spelling of 'maslin' , or medley, mixture. Perhaps it refers to the then problem of having three languages, Norman French, Latin and English, to deal with in courts. Legal pleas were not made in English until 1362.
8. Cheldewith. Childwite was a fine that fathers of illegitimate children had to pay their manorial lord, because they had cheapened his bondswoman's value. Such bastards were counted free, but forbidden to hold land; and so created a class dangerous for social stability. They often became vagrants.
9. Yresgive. A Forced gift to a royal officer.
10. Scotale. An ale-feast for a lord or royal official, for which money was levied.
11. Our Jews. Edward was extremely harsh on the Jews, and banished them totally from his domains in 1290.

'Medieval Lyme', John Fowles

## APPENDIX 4A

### Witnesses to the Lyme Regis charter of 1284/85 (B.7/I 1)

Thomas Meneuen

Edmund, brother [of the king]

William de Vale[nce], uncle [of the king]

Edmund [?]

[Roger] Bygod, Earl of Norfolk

Richard de Burgh, Earl of Ulster

H[umphrey] de Bohun, Earl [of Essex and Hereford]

John de Vallibus

John Giffard

Robert son of Walter

William de Leyburn

Richard de Brus

John [?]

[?] Giffard

### Witnesses listed in the copy charter (B. 7/I 2)

John, Archbishop of Canterbury

Robert, Bishop of Bath and Wells

William, Bishop of Norwich

Godfrey, Bishop of Worcester

Oliver, Bishop of Lincoln

Edmund, brother [of the king]

Edmund, Earl of Cornwall

Gilbert de Clare, Earl of Gloucester and Hertford

John de Warenne, Earl of Surrey

Roger de Mortimer

John de Vessy

Roger de Clifford

Reginald de Grey

William de Leborn

John Giffard

Richard de Bruse

John. de Vallibus  
Robert son of Walter  
Hugh son of ??  
Alan Plunkenet  
Anthony Bek, ???? of Durham  
Master Robert de Schardeburg, Dean of York  
Thomas Bek, Archdeacon of Dorsetet  
Master Geoffrey de Hasphale, Archdeacon of Dublin  
  
At Bristol .1 January 13 Edward I

#### APPENDIX 4B

Witnesses to the charter granted by Edward I to the burgesses of Lyme, 1 January 1285 The charter -was dated by the King, and was given at Bristol .

Witnesses: Robert Burnell, bishop of Bath and Wells, Anthony Bek, bishop of Durham, Thomas Bek, bishop of St Davids, William de Breuse, bishop of Liandaff, Edmund, earl of Lancaster, William de Valence, earl of Pembroke, Edmund, earl of Cornwall, Gilbert de Clare, earl of Gloucester, Henry de Lacy, earl of Lincoln, Roger le Bigod, earl of Norfolk, Richard de Burgh, earl of Ulster, Humphrey de Bohun, earl of Hereford, William de Beauchamp, earl of Warwick, John de Vescy, Otto de Grandison, Robert de Tybotot, John de Vallibus, John Giffard, Robert son of Walter, Richard de Brus, John de Monte Alto, Robert son of John, John de Weston, Robert Giffard.

Reference: T[he] National} A[chives] C53 (Charter Rolls)/73 13<sup>th</sup> regnal year of Edward I, 1284-5.

The royal charter rolls for 1226-1516 have been calendared in Calendar of Charter Rolls ( HMSO, 6 volumes, 1903-1927). The volume in which this charter is calendared is volume 3, covering 1257-1300.

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