

1971

EDITORIAL NOTE

The original volume was medium octavo in format, and here the format is A4. The footnote numbers were not continuous, but began anew on each page, so here they have been re-numbered continuously and placed at the end.

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Edited by Tony & Jane Woolrich 11/08/2019

PREFACE

During the course of his work in arranging and numbering the archives of Bridgwater Corporation, T. B. Dilks made transcripts of most of the documents of the period 1200-1603. Those from 1200 to 1468 were subsequently revised and printed in four volumes by the Somerset Record Society between 1933 and 1948. The remaining transcripts passed to Mr. Dilks's literary executor, Mr. T. D. Tremlett, who planned this fifth volume as a memorial to a very distinguished Bridgwater historian, and who began their revision. Collation with the originals was undertaken by Dr. R. W. Dunning, who is also responsible for the Introduction and the Index.

Grateful thanks are due to the Corporation and to Mr. J. L. Turner, Town Clerk of Bridgwater, for permitting the temporary deposit of these originals in the Somerset Record Office; and to Mr. I. P. Collis, County Archivist, and Mr. D. M. M. Shorrocks, Deputy Archivist, for housing them and for giving generous help and encouragement.

INTRODUCTION

On 18 June 1468 the constitution of the borough of Bridgwater was radically changed as the result of the grant of a new charter to the burgesses. The charter itself has not survived, and therefore does not appear in the present volume, but its text is known from a later *inspeximus*.¹ The occasion for the new charter was evidently a petition presented by the burgesses and inhabitants to Edward IV, not only king of England but also, as Earl of March, lord of one third of the borough.

The charter itself begins with a rehearsal of the need for such a change in the town's government, reasons which should not necessarily be taken at face value. The town, so runs the charter, 'is a sea port and of old hath been accustomed to the recourse both of foreign merchants and other natives, with their ships, navies and all manner of merchandise coming 'to those parts to the no small relief of the town or borough aforesaid, and also to the manifest help of our lieges in the district round about'. But the town and port 'have now come to such ruin and decay owing to lack of repair' that merchants 'both foreign and native have for long time ceased to flock in and come into the port aforesaid with their ships, navies and merchandise' and have 'withdrawn themselves and indeed are now withdrawing themselves, wherefore very

many, even the chief part of the inhabitants of the town aforesaid, whose sustenance was enlarged by the recourse of merchants, have left that town and port and intend to leave it so that within a short time the town will in all likelihood remain as it were'. This would result not only in financial loss to the lords of the town and their tenants, but also in 'the serious undoing and impoverishment of the country'.

Much of this phraseology is common form, and should not be seen as an accurate description of the state of the town at the time. Emphasis on the dire straits of the port before the grant of the charter would make even the slightest actual improvement seem much greater. There is little, if anything, to be gleaned from a comparison between the borough's records in the decades before and after 1468, for they differ very much in character. There is, for example, little or no direct evidence of the town's trading connexions with Ireland, France or Spain in the archives before 1468, though they are known from central government sources to have existed. The economic effect of the charter cannot be assessed from these local records.

The constitutional changes brought about by the charter gave the town a corporate governing body consisting of a mayor, two bailiffs, and an unspecified

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number of burgesses, with perpetual succession and a common seal. Mayor and bailiffs were to be chosen annually from among the burgesses on the Monday after the feast of the Nativity of the Blessed Virgin Mary (8 September), and were to hold office for a year 'for the sound and wholesome government' of the town. Provision was made to elect mayor or bailiff within fifteen days in case of death or removal from office.

The topographical 'liberties and franchises' within which the new corporation had jurisdiction embraces both the area of the ancient borough and its suburbs, and also the Parret estuary:

... by land on the east side of the town aforesaid to a certain cross called ... Kelyng Crosse, and from thence to a certain bridge called Lymebrigge on the south ... to a certain field in the west ... to a certain place called Cropile in the north ... to a certain cross called Kelyng Cross ; and by water from ... Lymebridge to Henclyve ... to Brendown together with the rode called Saynt Andrewes Pole, the pool to Highbregge, the Gee of Comwiche, Wynpenyisdokkes Millpille, Priorispille, Harfulpille, Saxpole, Pauletpille, Doune End pille, Pegenespille and Crowpille, with all other pools, creeks and places in the same water for ships and other vessels to lie and rest.

The Gild Merchant of the town, virtually synonymous with the town's government since the thirteenth century,² was confirmed in its trading privileges. The burgesses had the right of first choice in all merchandise brought into the port for a period of twenty days, unless the mayor ordered otherwise, or unless during the period of a fair. After the end of the embargo all comers had liberty to purchase. No 'foreigner' nor 'stranger' nor anyone else not a member of the gild or who did not pay local taxes was permitted to carry on business in the town except during fairs, unless they traded in food. This privilege within the town was complemented outside, the mayor, bailiffs and burgesses being exempt from local trading taxes throughout the realm.

Innovations were introduced in the new judicial arrangements for the town, which under the charter acquired courts of

record and quarter session. The court of record was to be held each Monday before the mayor and bailiffs to try cases of debt, trespass, 'accounts, covenants, deceits, detentions of charters, writings and muniments and chattels, seizures and withholdings of beasts and cattle and other transactions', all below the value of 40s. The quarter sessions were to be held by a recorder or steward 'skilled in the law and learned in the law' whom the corporation could choose, who, with the mayor, should sit as justices of the peace 'to keep the peace and ... to preserve and cause to be preserved the statutes of artificers and labourers, weights and measures' within the area earlier laid down. The ancient right of the burgesses to have the assize of bread, ale and wine was confirmed. Fines for all offences, together with the goods of felons found within their jurisdiction, were to accrue to the mayor and corporation.

The mayor, bailiffs and burgesses were thus given a wide measure of judicial control within the town and 'liberty', the latter phrase explained by their exemption from the attentions of the purveyors of the royal household and the navy, and their right to execute all orders from the Crown, the sheriff, the central government and the king's justices.

Further specific provisions of the charter gave the corporation the right to levy a toll on loaded carts crossing the town bridge, the money to be used for its repair; and the power to cleanse the Parret and repair its banks, stones and rocks so removed to be used to repair the bridge and the town 'pavements'. Clearly neither source proved sufficient: alms were sought in 1484-5 because the bridge was being damaged both by the tide and by constant use by military vehicles.³

The charter confirmed the town's weekly Saturday market, first granted in 1200,⁴ and established an additional fair on the Monday after Shrove Tuesday and four days thereafter. A further concession gave the corporation the reversion of the farm of one third of the borough, then held for life by the king's mother, Cecily, Duchess of York (d. 1495). The corporation achieved a reduction of their rent in 1461, and it is a measure of the town's poverty

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that in 1468 the rent was further reduced from £8 0s. 0½d. to £3⁵ The rent was to be increased to £10 on the death of the duchess.

The men who governed Bridgwater under the new charter were, of course the men already prominent in the town; merchants and others who had dominated the gild and had held office as common bailiff and churchwarden. Clearly the most influential, judging by surviving records, was John Kendall who occurs in 77 of the 185 documents in this volume. He is said to have been the town's first mayor, and to have held the office four times, though the present collection shows him as mayor only in 1480-1.⁶ Yet he evidently played a prominent part in the negotiations for the new charter,⁷ presumably as he was representing the borough in Parliament at the time.⁸

One single reason for Kendall's prominence in surviving records, and a reflection of his position in the town, was his appointment as executor of Humphrey Stafford, Lord Stafford of Southwick, and for a few months Earl of Devon. Stafford, who had property at Enmore, and who was closely connected with the town in the early 1460s,⁹ escaped to Bridgwater after his defeats at Banbury and Edgecote against the Nevilles in August 1469. In what must have been the most dramatic incident in the town during this period, Stafford was arrested and executed 'by the Commons', probably at Neville instigation, on 17 August. Kendall, the only local executor, must have been immediately responsible for the earl's burial at Glastonbury, and at least until 1483 was active in dealing with the late earl's estates.¹⁰

Judging by surviving material, Kendall's business connexions were wider than those of his fellow townsmen, though the beginnings of his career were in no way distinguished. He may well have been a native of Taunton: in 1459, described as 'yeoman', he was certainly living there.¹¹ By 1462 he was trading in cloth, and by 1464 was called 'gentilman'.¹² Shortly afterwards he must have moved to Bridgwater, where he was established by 1466.¹³ Thereafter he is always described as 'of Bridgwater',

though he still retained property in Taunton.¹⁴ If he did become Bridgwater's first mayor after residence of only two or three years (and he was certainly M.P.) it was a remarkable achievement; close business links between Bridgwater and Taunton are also evident.

Many of the items in the present volume involving Kendall are bonds which illustrate both his business methods and his trading links. He is frequently described simply as 'merchant', suggesting general trade; and he dealt with a London skinner and a London mercer,¹⁵ merchants of Melcombe Regis, Bristol, Southampton and Bordeaux,¹⁶ a dyer of Wells and a tailor of Exeter,¹⁷ and with Henry Breneham, mariner, on whom he depended for transport.¹⁸ Kendall's business was evidently prosperous: he frequently provided credit and lent money widely.¹⁹ The letters of confraternity granted to him and his family by two communities of friars were doubtless the rewards for generous benefaction.²⁰

The other leading figures in the town to hold the office of mayor included John Hill and John Muddesley, both merchants, William Michell, mercer, and John Walshe, dyer. Hill was at one point a close associate of Kendall, and had shares in three ships which his widow sold after his death.²¹ John Muddesley did business with a Bayonne merchant.²² But not all mayors were merchants: John Drue was described as 'armiger', and served as coroner.²³ Another leading figure in the town's affairs, though not mayor, was the lawyer Thomas Tremayle, of Cannington, later a justice of the Common Pleas²⁴

Despite the survival of so many business archives from the town's leading merchants, the range of their trade, both in geographical terms and in terms of commodities, is virtually unknown from these sources alone. The town clearly had links up and down the Bristol Channel, and further afield with Bordeaux,²⁵ northern Spain,²⁶ Wexford, Waterford and Youghal.²⁶ Imports from Spain presumably included the woad which usually occurs here as security for debt.²⁸ Exports are somewhat less elusive, centring on the locally produced Bridgwater cloths, some of which evidently went to London.²⁹

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The variety of documents in the present edition is only in part explained by the wide interests of the town's merchant community. It also expresses the close interaction between church and corporation in the town, where the maintenance of the fabric of the parish church and the beautification of its chapels was very much a symbol of the town's prosperity. Variety is also explained by the need of the private citizen for an expert to draft his muniments and for a secure place to keep them. The court of record set-up under the new charter was there to defend a tenant who had lost his lease, but if the tenant could guard against possible loss by depositing his deeds with the corporation's own archives, so much the better. The large number of drafts of private transactions suggests that the advice and expertise of the town clerk or his assistants were also being called upon by local inhabitants. With the caution of their profession these drafts, often heavily interpolated and squeezed into every available space on precious paper, were retained. Other accretions, such as the coroner's inquest at South Petherton,³⁰ taken by the man who was also the mayor, came through some personal link. The series of documents relating to St. John's Hospital, Bridgwater, evidently came later, when the hospital was dissolved.³¹

The resultant collection is extremely varied, including property transactions in Taunton, Cannington, Burnham,

Highbridge and North Petherton, as well as in Bridgwater itself. There are a number of ecclesiastical documents including five letters of the confraternity,³² a notice of publication of the banns of marriage,³³ leases of a vicarage and the rectory of Woolavington,³⁴ 'days of pardon' offered by various bishops for the repair of a chapel outside Bristol,³⁵ expenses of work on the fabric of the parish church,³⁶ property and rents of two chantries,³⁷ accounts of the churchwardens of Bridgwater,³⁸ and a letter concerning a wife-deserter.³⁹ There are five wills in this collection⁴⁰ and miscellaneous papers including two hymns, an ironmongery bill, herbal prescriptions and the bill for making a garden.⁴¹

Under these circumstances the diplomatic of the documents is equally varied. Nearly one third (57) are drafts or copies; 27 are in English. As many as 105 seals survive, and five documents have the impressions of signets.⁴² The seals include those of the Friars Minor of Bristol and Bridgwater and of the Dominicans of Ilchester. A number of smaller seals incorporate merchants' marks.

Editorial Note

The general method employed in the previous volumes of the Bridgwater Borough Archives has been followed in this edition, common form being expressed by &c. when it forms part only of the document. Bonds and quitclaims, after the first, have been calendared throughout.

END NOTES

- 1) Bridgwater Town Hall, charters.
- 2) *Bridgwater Borough Archives*, i (Somerset Record Soc. xlviii), no. 10.
- 3) Below, no. 1071.
- 4) Bridgwater Borough Archives, i, no. 1.
- 5) *Ibid.* iv (Somerset Record Soc. lx), ix, and nos. 773, 819; below, no. 894.
- 6) *History of Parliament*, ed. J. C. Wedgwood, Biographies, sub Kendale; below, no. 985.
- 7) Bridgwater Borough Archives, iv, no. 848.

- 8) *History of Parliament*, ed. Wedgwood, sub Kendale. He was returned to Parliament in 1467-8, 1472-5 and 1478, and also possibly in 1469, 1470-1 and 1483.
- 9) *Bridgwater Borough Archives*, iv, nos. 824, 830-1.
- 10) *Somerset Medieval Wills, 1383-1500* (Somerset Record Soc. xvi), 196-201; below, no. 1052.
- 11) *Bridgwater Borough Archives*, iv, no. 806.
- 12) *Ibid.*, nos. 829, 836.
- 13) *Ibid.*, no. 843.
- 14) Below, no. 994.

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- 15) Nos. 899, 930.
- 16) Nos. 906, 929, 1064, 922, 951.
- 17) Nos. 1051, 1058.
- 18) Nos. 988-9.
- 19) e.g. nos. 970-79.
- 20) Nos. 964, 1072.
- 21) Nos. 929-30, 1003.
- 22) No. 957.
- 23) Nos. 1034, 1052b.
- 24) *History of Parliaments* ed. Wedgwood,
sub Tremayle.
- 25) Below, nos. 922, 951, 982.
- 26) Nos. 933, 957.
- 27) Nos. 963, 980.
- 28) Nos. 929, 950, 980, 982, 1014-15.
- 29) Nos. 930, 933, 1052a.
- 30) No. 1052b.
- 31) e.g. nos. 1053, 1056-7, 1060, 1063, 1067.
- 32) Nos. 960, 964-6, 1072.
- 33) No. 1069.
- 34) Nos. 967, 1068.
- 35) No. 1059.
- 36) No. 1031.
- 37) Nos. 1029b, 1030.
- 38) No. 910.
- 39) No. 953.
- 40) Nos. 920, 926, 942, 949, 106.1
- 41) Nos. 909, 952, 1029a, 1041.
- 42) Nos. 919, 930, 946, 948, 1002.