



Snapshots in Time: Mapping Wells

THE CHARTER OF INCORPORATION

(LETTERS PATENT OF QUEEN ELIZABETH I), 1589

(Wells City Council Archives, WCC/1001/29)

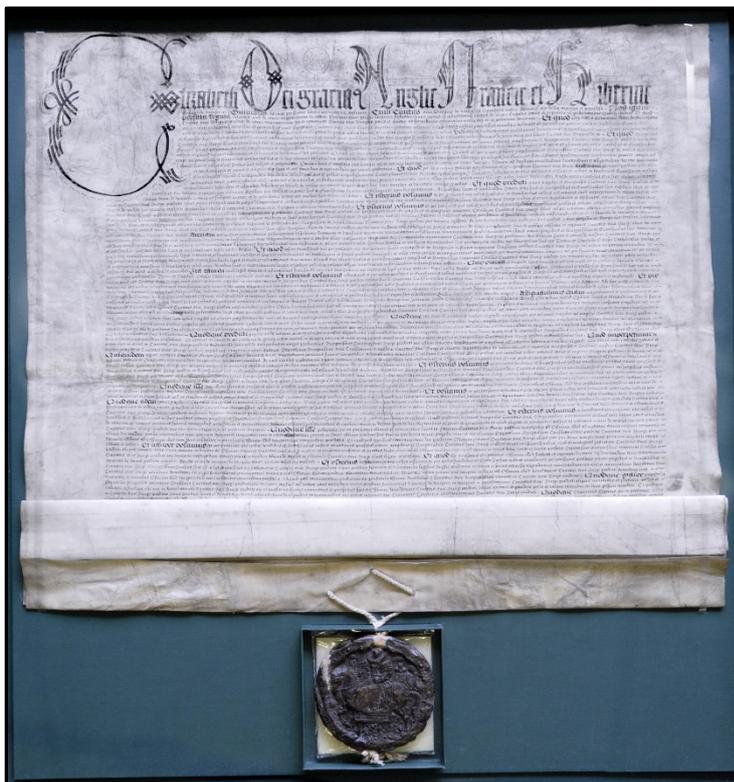


Figure Letters Patent of Queen Elizabeth I. ©Wells City Council Archives (WCC/1001/29).

This charter, or Letters Patent, is one of an important collection of 34 original episcopal and royal charters held by Wells City Archives, the earliest dating from c. 1174. It was presented to the City of Wells in 1589 by Queen Elizabeth I and granted to the city a new form of government. The former Master of the city was replaced by the Mayor and the city was administered by a Common Council of 24 burgesses, seven of whom were senior burgesses, known as Masters. The city had a Town

Clerk, a Recorder, three Justices of the Peace and two Sergeants at Mace. This extended the freedoms given to the people of Wells by King John in 1201. Before this time, successive bishops through episcopal grants had conferred privileges and rights on the city. The King John charter, the first royal charter, and subsequent royal charters confirmed and extended these rights and privileges.

However, despite the royal charters granted to the city, it remained firmly under the control of the bishops for several centuries; at many times during the 13th, 14th and 15th centuries the Town Guild sought to reduce and evade this control so that they might have more of a say in the running of the city. This charter is the culmination of the dogged determination of the Town Guild to wrest control from the bishops and happenstance. Partly as a consequence of the Reformation, the Bishops of Bath and Wells had seen a reduction in their land and properties resulting in a decline in income. Other sources of income had also disappeared or been reduced. Bishop Godwin (1584-90) was struggling to make ends meet and needed money to support himself and his family. The Town Guild saw its chance. Helped by the payment from the Town Guild to his son of £100 plus £10 per year for three years, Bishop Godwin assented in 1588 to the confirmation of the city's ancient liberties and to the granting of such new privileges as would be 'for the better government of the town' providing that his rights and those of the Dean remained inviolate. This cleared the way for the Guild to seek new charters from Elizabeth I, granting them the rights and privileges they had been pushing for. The Charter of Incorporation and a second charter of 1589 are the outcome: the Town Guild had finally succeeded.

These were not the first charters granted to the city by Elizabeth I. An earlier charter in 1574 granted additional privileges to the town which the bishop of the time, Bishop Berkeley, was decidedly unhappy with. The burgesses distrusted their bishop as the following shows. *"On the 20th March, fifteen days after the date of the charter, it was agreed that if the bishop desired to see the charter, the mayor and certain masters should show him a copy only, and that they shall bring it away with them and on no account leave it with him"* ¹ However this charter ended up being cancelled, the bishop having taken successful legal action.

Great efforts were exerted by the Mayor and burgesses of Wells to protect the city's rights and the quest for restoration of privileges was pursued in the courts. Eventually the judges found in the city's favour but only after Bishop Godwin's son was offered the 'sweetener'.

*Figure 2 Illustration of Queen Elizabeth I within her 1589 charter.
Reproduced with kind permission of Wells City Archives*

¹ Dorothy O. Shilton & Richard Holworthy, *Wells City Charters*, Somerset Records Society Vol. XVI (Butler & Tanner, Frome and London) 1932

The second 1589 charter granted to Wells by Elizabeth I (Wells City Archives, WCC/1001/30) extended the city's powers, confirmed its boundaries, denoted additional market days, established a court to hear minor offences, and provided for a city gaol. The first 1589 charter was signed on 19th July, the second on 23rd July.

The importance of the two charters of 1589 was that they finally made the city independent of the Bishop, except in the matter of the market.

The Charter of Incorporation retains its original Great Seal and contains a pen wash illustration of the Queen (figure 2).



Figure 2 Illustration of Queen Elizabeth I within her 1589 Charter of Incorporation. ©Wells City Council Archives (WCC/1001/29).

The following extract is a transcript² of the Latin text as written, i.e. without punctuation.

The Queen — To all to whom &c. Greeting Whereas the City or Borough of Wells in our County of Somerset is an ancient and populous Town We therefore the aforesaid Queen being willing that hereafter for ever there be continually had in the same City or Borough one certain and undoubted method of and for the keeping of the peace and the Rule and Government of the people there and that the City or Borough aforesaid for ever hereafter be and remain a City or Borough of peace and quietness to the dread and terror of the evil and to the reward of the good and that our peace and other deeds of Justice there be kept without further delay and hoping that the Burgesses of the same City or Borough on account of our favour or grace to them in these our letters patent granted and declared will feel themselves more especially and strongly bound to do and shew to us our heirs and successors all the services in their power of our special grace and of our certain knowledge and mere motion have willed ordained constituted declared and granted and by these presents for us our heirs and successors do will ordain constitute declare and

² Transcript from Wells City Archives (WCC/3058)

grant that the said City or Borough of Wells in our County of Somerset hereafter may and shall be a free City or Borough of itself and that the Burgesses of the same City or Borough or their Successors for ever hereafter may and shall be one body corporate and politic in deed fact and name by the name of the Mayor Masters and Burgesses of the City or Borough of Wells in the County of Somerset and them by the name of the Mayor Masters and Burgesses of the City or Borough of Wells in the County of Somerset one body corporate and politic in deed fact and name really and fully for us our heirs and successors do erect make ordain constitute and declare by these presents and that by the same name they may have perpetual succession And that they by the name of the Mayor Masters and Burgesses of the City or Borough of Wells may and shall be in all future times for ever persons fit and in the law capable to have acquire receive and possess lands tenements liberties privileges jurisdictions franchises and heredit of what kind nature or sort so ever they may be to them their heirs and successors in fee and perpetuity and also goods and chattels and other things whatsoever of what kind nature or sort so ever they may be and also to give grant demise and assign lands tenements and heredit and to do and execute all and singular other deeds and things by the name aforesaid and that by the same name of (Mayor) Masters and Burgesses of the City or Borough of Wells in the County of Somerset aforesaid they may and shall be able to plead and be impleaded answer and be answered defend and be defended in any Courts and places whatsoever and before any Judges and Justices whomsoever and other persons and officers of us our heirs and successors in all suits pleas causes matters and demands whatsoever of whatsoever kind nature or sort they may be in the same manner and form as other our liege Men of this our Kingdom of England persons fit and in the law capable may and shall be able to plead and be impleaded answer and be answered defend and be defended and to purchase receive possess give grant and demise) And that the aforesaid Mayor Masters and Burgesses of the City or Borough aforesaid and their successors may have for ever a Common Seal to serve for doing the causes and businesses whatsoever of them and their successors And that it may and shall be lawful to the same Mayor Masters and Burgesses and their Successors the same Seal at their pleasure from time to time to break change and make anew as it shall seem best to be done And further we will and by these presents for us our heirs and successors do ordain that for ever hereafter there may be and shall be in the City or Borough aforesaid one Mayor and twenty three of the more discreet and honest Burgesses of the City or Borough aforesaid who shall be called the Common Council of

the City or Borough aforesaid and shall be aiding and assisting the Mayor of the said City or Borough of Wells for the time being in all causes and matters concerning the City or Borough aforesaid And further we will and by these presents for us our heirs and successors do grant to the aforesaid Mayor Masters and Burgesses of the City or Borough aforesaid and their successors that they and their successors by the Mayor of the City or Borough aforesaid for the time being and the Masters and Burgesses being the Common Council of the same City or Borough or by the greater part of the same Mayor Masters and Burgesses of whom the Mayor of the same City or Borough for the time being and two of the Masters of the said City or Borough aforesaid we will to be three may have and shall have full power and faculty to frame constitute ordain and make from time to time such reasonable statutes and ordinances whatsoever for the good rule and government of the Burgesses and Inhabitants of the City or Borough aforesaid for the time being and for declaring in what manner and order the aforesaid Mayor Masters and Burgesses Artificers Inhabitants and Residents of the same City or Borough shall bear conduct and employ themselves in their Offices Mysteries Arts and business within the same Borough and the limits thereof for the time being and otherwise for the further good and public advantage and Government of the same City or Borough and the victualling of the same City or Borough And also for the better preservation government disposing leasing and demising of the lands tenements possessions revenues and hereditaments to the aforesaid Mayor Masters and Burgesses and their successors given granted or assigned or hereafter to be given granted or assigned and all other things and causes whatsoever touching or in any wise concerning the City or Borough aforesaid or the Statutes rights and interests of the same City or Borough which shall seem to them to be good wholesome profitable honest and necessary according to their sound discretions not being in any wise prejudicial to the Bishop of Bath and Wells and his successors for the time being or to his liberties nor to the Dean and Chapter of the Cathedral Church of Wells and their successors or contrary to the laws and customs of our Kingdom of England And that they and their successors by the Mayor for the time being and the Masters and Burgesses being the Common Council of the same City or Borough or the greater part of them as aforesaid so often as they shall frame make ordain or establish such laws statutes and ordinances in form aforesaid may and shall be able to impose such sort of and such reasonable pains and punishments penalties by imprisonment of body or fines and amerciaments.....

If you would like further information on the history of Wells and its buildings, you are welcome to contact or visit Wells City Archives (archives@wellsmuseum.org.uk) and Wells & Mendip Museum (admin@wellsmuseum.org.uk).