

## THE DUNWICH CHARTER OF KING JOHN, OF 1215.

By ERNEST R. COOPER, F.S.A., Trustee of Dunwich Trusts.

When Thomas Gardner was collecting for his valuable History of Dunwich, published 1754, he visited the Town to collect materials. He remarks in his preface "to my surprise I found its Archives ransacked of all Records except the Common Court Books." This was confirmed by Suckling, in 1847, who noted that no original charters, nor even transcripts, then remained in Dunwich Town Chest. According to Gardner, p.8, King John was supposed to have visited Dunwich in 1216, but seeing that the King was at Bury for 14 days in 1199, immediately after his coronation, on 27th May, and that his first Charter to Dunwich was dated the 29th June following, it seems likely that he may have gone to Dunwich then. It may be noted that his Charter to Ipswich was granted the 25th May, 1199, and his Charter of 1209 to Yarmouth is the frontispiece to Palmer's Continuation of Manship's Yarmouth.

John was again at Bury in 1203, 1213 and 1214, and the fact quoted by Gardner, at p.38, that the ancient way from Dunwich, via Wen-haston and Blyford Bridge to Bury was vulgarly known as King John's Road, and the Close Rolls shewing that 5 of his Galleys were stationed at Dunwich at that period, suggest that when at Bury he would go over there to inspect the Galleys, or confer with the Dunwich people, upon whose fleet he made such frequent calls during his troublous reign, and who in his 7th year obtained a charter remitting £40 off the Town's Fee Farm of £80 13s. 4d.

Gardner gives the references to the London Archives for both these Charters and it must be assumed that he obtained his information from thence. The brass matrix of the Dunwich great seal is now in the Ipswich Museum and is thought to date from the first charter of John. A cast from it was recently presented to Dunwich by Mr. Maynard.

Now we come to the Charter recently recovered, of which, at p.100, Gardner gives a pretty full translation, headed, "King John his Graunt to Dunwich. Anno Reg. X." but he does not quote his authority nor give any reference, so probably either finding, or being lent, a translation he made use of that and did not look up the enrolled copy in London. An extended copy of this Charter is given in Sir T. D. Hardy's Rotuli Chartarum 1199-1216 at p.211 b, and is set out in full below. From this it will be seen that it was dated in the Regnal year "decimo septimo," I referred this discrepancy to the Public Record Office and they replied definitely that according to the Charter Roll 17 John, m.8. the year of this Charter was "decimo septimo." As it is dated the 6th July it follows from the Regnal sequence that the 17th John was Anno Domini 1215. (Bond's Handybook and Fry's Almanach).

Upon reference to the reproduction of the Charter, which is only a little less than actual size, it can be faintly seen that after the concluding word "decimo" the skin is either torn, or worn, and it must be assumed that the word "septimo" was originally there and that it had disappeared when the copy was made which was used by Gardner in 1754. The great seal has also disappeared but the fillet of silk threads still remains. The consideration given by Dunwich for this last Charter appears to have been 300 marks, ten falcons and 5 girfalcons, and the Town was ruled thereunder by a Mayor and 4 Bailiffs until 1346, but thereafter the office of Mayor was dropped and Bailiffs acted alone.

Having dealt with Lackland and Dunwich I think it may be of interest to quote the Chronicle of his reign, attributed to Lydgate (monk of Bury 1370-1440) see Ipswich Domesday, Liber Sextus.

#### "JOHANNES

Next Kyng Richard regnyed his brother John  
 After sone entry in to ffrance  
 lost all Aungee and Normandy A non  
 This Lond enterdicted by his gounaunce  
 and as it is putt in remembraunce  
 xviiij yere Kyng of this regyon  
 lyeth at Worsettyr deyde of poyson."

So the tradition 200 years later was that this unhappy King was the victim of poison, which was news to me.

In 1929 I took my friend Bradfer-Lawrence, F.S.A. to Dunwich and together we overhauled the documents there preserved in the ancient iron chest which is supposed to be the one purchased in 1596, and in which it was then directed the Charters should be kept. A paper copy, and translation, of Elizabeth's Charter of 1559, and a paper copy of the Charter of Wm. and Mary, 1690, are amongst the Dunwich papers but the copy of King John's, set out in Gardner is not there now, if it ever was.

It appears however from the Hist. M.S.S. Report (p.102) that the "Charter of King John, dated the 10th of his reign" was lent to Sir John Pettus, 23rd Nov. 1677, by Ald. Benefice, so that the original was then at Dunwich but had already lost the final word "septimo."

Mr. Bradfer-Lawrence was greatly interested in what I shewed him, and in the history of Dunwich, and after he became Secretary of the Norfolk Record Society he wrote to me that he had found a Dunwich charter of King John at Sheringham, in the possession of Sir Kenneth Kemp, who had no idea what it was nor how his people came by it. I asked him to do what he could to get it returned to Dunwich, and at my request the Dunwich Trustees made formal application for its return. I next heard that the Charter had been given to the Norfolk Record Society, and that if they did not accept, it might go to the British Museum. I thereupon wrote to the *Eastern Daily Press*, on 23rd Jan. 1934, pointing out that the Charter was at Dunwich in 1677 and that, as Sir Robert Kemp was elected M.P. for the Borough in 1679, most

probably the Charter got into his possession about that time. I pressed Sir Kenneth, and the Society, to return the Charter and deprecated its suggested exile to the British Museum.

I then invited the help of other Norfolk people and eventually the Society, although they had accepted the gift, decided that this not being a Norfolk document its proper home was in Suffolk, and at the request of Sir Kenneth it was returned to him for presentation to the Ipswich Library.

I attended the Trust Meeting at Dunwich on 3rd March, 1934, and moved that Sir Kenneth be informed that a Museum was being established and requested only to lend the Charter to the Library until the arrangements were completed, when it should be restored to Dunwich.

I also called upon the Ipswich Librarian to inform him of the Trustees claim, which evidently had his sympathy, but he thought if it came to them they would be bound to accept. I should like to add here that although the Charter never reached Ipswich Mr. Chubb was very helpful in unravelling the mystery of the date.

On the 13th Sept., 1934, I addressed the Norfolk and Norwich Archæologists in Grey Friars precincts, on the story of Old Dunwich and begged them to use their endeavours to get our Charter restored, but in spite of all efforts the matter dragged on until Sir Kenneth died in 1936, with the Charter still in his possession. The Trustees thereupon renewed their claim to the Executors, the Chairman and Capt. Barne interesting themselves specially, and Mr. Horner, of Norwich kindly taking up the case on their behalf, with the result that after three more years of delays and negotiations the Executors agreed to sell the Charter to the Trustees, and the Charity Commrs. assenting, some surplus income was applied in the repurchase of this historic document.

On the 11th May, 1939, the purchase was completed and at our Trust Meeting on 18th Oct. following I had the pleasure of moving a vote of thanks to all who had assisted us to recover it.

So, after the lapse of perhaps a couple of centuries, and ten years of persistent efforts to regain possession, this venerable, but still legible, relic of the days of Bad King John, and of Dunwich's greatness, came back to the Town to which it was granted seven and a half centuries ago.

To conclude may I refer to the countless relics of Old Dunwich in private possession and express the hope that this little salvage story may decide others to deposit their treasures in Dunwich Museum.

## DUNWICH.

## CHARTER OF KING JOHN 1215.

N.B. All words within brackets have been supplied from the Charter Rolls, Ed. T.D. Hardy, p. 211.

Johannes dei gracia Rex Anglie Dominus Hibernie. Dux Normannie Aquitannie et comes Andegauiie archiepiscopis [episcopis abbatibus] comitibus baronibus Justiciariis vicecomitibus prepositis et omnibus balliuis et fidelibus suis salutem. Sciatis nos concessisse et hac carta nostra confirmasse [probis hominibus] et burgensibus nostris de Dunewic' et [heredibus] eorum pro fidei servicio suo. liberum burgagium et gildam mercatoriam cum hansa et aliis consuetudinibus et libertatibus [ad gil] dam illam pertinentibus et quod in burgo suo liceat eis capere namia debitorum suorum et eorum plegiorum de omnibus debitis que eis debeantur et quod nusquam placitent nec ad placitum aliquod summoneantur extra burgum suum set in burgo suo proprio stent juri coram Justic' vel balliuis nostris. Concessimus et eisdem burgensibus nostris et heredibus eorum quod licet aliquis illorum appellatus fuerit duellum non faciat nec in burgo suo nec extra burgum suum neque de [terra] neque de latrocinio neque de feloniam. neque de aliqua re alia nisi tantum de morte hominum exteriorum. Siquis autem qui de eodem burgo sit de feloniam aliqua vel de morte hominis fuerit appellatus per sacramentum viginti et quatuor liberorum et legalium hominum vicinorum et parium suorum se purget. Si vero aliquis nativus alicuius in prefato burgo manserit et terram in eo tenuerit et fuerit in prefata gilda et. hansa et loth' et schot'. cum eisdem burgensibus per unum annum et unum diem deinceps non possit [repeti a domino suo set in eodem burgo liber permaneat]. Concessimus et eisdem [burgensibus] nostris et heredibus eorum soc et sac et thol et theam. et infangenethef' et quod ipsi et homines [eorum cum] catallis et navibus et omnibus rebus et possessionibus eorum quieti sint de murdro [sic]\* lestagio. passagio et pontagio et stallagio et de leve et Danegeld' et de gayw[ite] et de omnibus aliis consuetudinibus et exacionibus per totam potestatem nostram tam in Anglia quam omnibus aliis terris nostris. Concessimus et eisdem quod libere possint filias suas maritare ubicumque possint et voluerint sine alicuius licencia et quod nullus potestatem aliquam habeat illas maritandi nisi per voluntatem suam neque in vita patrum suorum neque preter decessum eorum. Preterea concessimus eisdem burgensibus nostris quod nullus habeat custodiam filiorum vel filiarum vel heredum suorum vel terre vel catallorum suorum nisi parentes et amici sui proprii vel illi quibus ipsi providerint et custodiam inde assignaverint. et quod nullus filiorum vel heredum suorum cogatur uxorem ducere nisi propria voluntate sua et quod vidue eorum in donacionibus suis sint ad propriam voluntatem suam. Concessimus et eisdem burgensibus nostris et eorum heredibus quod libere possint dare vel vendere purchacia et achata sua cui voluerint et inde heredem constituere quemcumque et

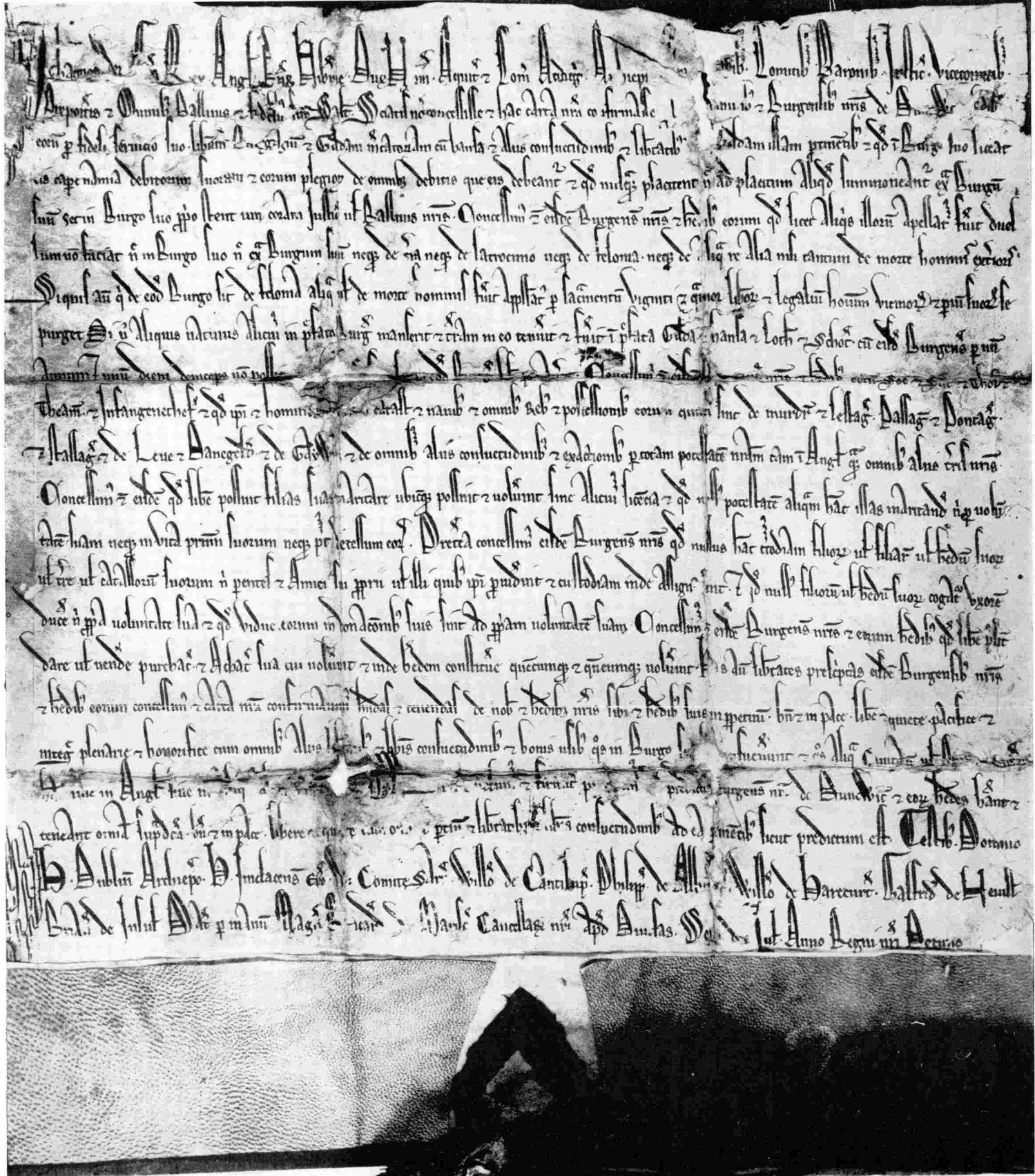
\*"muragio" was probably intended here.

quoscumque voluerint. Has autem libertates prescriptas eisdem burgensibus nostris et heredibus eorum concessimus et carta nostra confirmavimus habendas et tenendas de nobis et heredibus nostris sibi et heredibus suis imperpetuum. bene et in pace. libere et quiete. pacifice et integre plenarie et honorifice cum omnibus aliis [libertatibus] et liberis consuetudinibus et bonis usibus quos in burgo [suo habere consueverunt] et quos aliqua civitat [um vel burgorum nostrorum habeat] in Anglia sive in [aliqua aliarum terrarum nostrarum]. [Quare volumus] et firmiter precipimus predictis burgensibus de Dunewic' et eorum heredes habeant et teneant omnia supradicta bene et in pace. libere quiete cum omnibus pertinentiis et libertatibus liberis consuetudinibus ad ea pertinentibus sicut predictum est. Testibus domino H. Dublin' archiepiscopo. H. Imelacensi episcopo W. comite Sar' Willelmo de Cantilupo. Philippo de Albin' Willelmo de Harecurt Galfrido de Nevill'. Briano de Insula. Datum per manum magistri Ricardi de Marisco Cancellarii nostri apud Divisas. sexto die Julie anno regni nostri decimo [septimo].

## DUNWICH.

## CHARTER OF KING JOHN 1215.

John by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine and count of Anjou to his archbishops bishops abbots earls barons Justices sheriffs reeves bailiffs and all his faithful [people] greeting. Know ye that we have granted and by this our charter confirmed to the honest men and our burgesses of Dunwich and their heirs for their faithful service free burgage and a gild merchant with hanse (gild-house) and other customs and liberties pertaining to the same gild. And that in their borough it shall be lawful for them to take distress of their debtors and the pledges of them for all debts which shall be due to them. And that they plead nowhere nor be summoned to any plea without the borough, but in their own borough they shall stand the law before our own Justices or bailiffs. And we have granted to these our burgesses and their heirs that if any of them should be appealed they shall not make duel either within their borough nor without their borough neither concerning land nor robbery nor felony nor any other matter except for the manslaughter of a stranger. Moreover if any one of the same borough should be appealed for any felony or manslaughter he shall clear himself by the oath of 24 free and lawful men being his neighbours and equals. If moreover any bondman of anyone dwell in the aforesaid borough and hold land in the same and shall be in the aforesaid gil and hanse and at lot and scot with the same burgesses for a year and a day, henceforth he shall not be reclaimed by his lord but shall remain in the same borough as a free man. And we have granted to these our burgesses and their heirs soc and sac and toll and team and infangethef, and that they and their men with their chattels and ships and all their things and possessions shall be quit of



By courtesy of Messrs. Jarrolds.

### KING JOHN'S CHARTER TO DUNWICH 1215

The original was in 1929 found in the possession of Sir Kenneth Kemp and after long negotiations was in 1939 purchased from his Executors by the Dunwich Trustees and placed in the Museum there. Its dimensions are 11½ by 10½ inches and it has been established by reference to the enrolled copy in the Public Record office that it was granted in the 17th year of King John (6th July 1215) "Septimo" the last word having been worn, or torn, away, as may be seen.

murder\* [*sic*] lastage passage pontage stallage levy Danegeld gawight and all other customs and taxes throughout the whole of our realm both in England and all our other lands. And we have granted to the same burgesses that they may freely marry their daughter wherever they are able and may wish without the permission of anyone and that no one shall have any power to marry them without their consent neither during the lifetime of their fathers nor after their decease. Moreover we have granted to these our burgesses that no one may have the wardship of their sons or daughters or their heirs or their land or their chattels save their own relatives and friends or those whom they shall choose and assign the wardship thereof; and that none of their sons shall be forced to marry a wife except in accordance with their own will and that their widows may bestow themselves in accordance with their own will. And we have granted to these our burgesses and their heirs that they may freely give and sell their purchases and possessions to whom they will, and may appoint whomsoever they may wish as their heir. And moreover we have granted and by this our charter confirmed these abovementioned liberties to these our burgesses and their heirs to have and to hold of us and our heirs for themselves and their heirs for ever well and peaceably freely and quietly peacefully and complete fully and honourably with all other liberties and free customs and good usages in their borough as they have been wont and [as in] any of our cities and boroughs in England or in any other of our lands. Wherefore we will and firmly command to the aforesaid burgesses of Dunwich and their heirs that they may have and hold all the abovesaid well and peaceably freely and quietly with all appurtenances liberties and free customs belonging to the same as aforesaid. As witnesses the lord H. archbishop of Dublin, H. bishop of Emly [in Ireland], W. earl of Salisbury, William de Cantilupe, Philip de Albin', William de Harecurt, Geoffrey de Nevill', Brian de Insula. Given by the hand of Richard de Marisco our Chancellor at Devizes on the 6th day of July in the 17th year of our reign. [1215]

\*"murage" was probably intended.