

Doncaster Borough Charters 1194-1836

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charters 1194-1836



The Doncaster borough charters are amongst the finest documents in Doncaster's documentary heritage. There are ten surviving charters from a total of thirteen and they range in date over seven hundred years from 1194 to 1836. The charters record the rights granted to the borough of Doncaster by the kings of England from Richard I to William IV.

The oldest, the charter of Richard I, of 22 May 1194, has been handed down from generation to generation of careful custodians until now, more than eight centuries after its creation, it is to be found, along with its successors, in the safekeeping of Doncaster Archives.

So what are the charters? What was their purpose? Why were they granted? What do they represent? How do they reflect the changing times, in Doncaster and in the wider world? In these webpages, we can only outline the answers to these questions. Those who want to investigate matters thoroughly can turn to an important book by G. H. Martin and others, *Doncaster: A Borough and its Charters*, published in 1994. This is available for purchase at Doncaster Archives and Doncaster Central Library.

Within this section, each of the charters has a separate webpage, so that you can follow the commentaries in order, or look at the information given about any particular charter without reading about them all.

What is immediately obvious to anyone looking at the charters for the first time is how different they are in appearance from any kind of official document that we encounter to-day. A modern document is written, or more likely, printed, on paper. The charters, in contrast, are hand written on parchment, which is made of animal skins (usually sheep or goat) specially prepared for writing. We generally see documents which are a standard size, and usually easy to handle. Whilst the charter of 1194 is only seven inches wide and ten inches long, the later ones are much larger: most are over two feet (0.75 metres) square.

An official document to-day consists of words alone. The Doncaster charters, however, like all others of their time, are decorated with images and elaborate penmanship. These images include symbols of heraldry, like the lion holding a banner and the sun bursting through the clouds, both on the charter of King Edward IV of 1467. The charter issued by the pious King Henry VI included an image of the columbine flower, whose dove-like shape made it a religious symbol in medieval art. More obvious in relevance are the portraits of the royal grantors of the charters. There is a portrait of Elizabeth I at the beginning of her charter to the borough of 1559, and portraits of Charles II and James II on their charters of 1664, 1685 and 1688 and William IV (and his consort, Queen Adelaide) on the charter of 1836.

Modern documents are in our own language, English, but all the Doncaster charters, except that of 1836, are in Latin. This was the language of official business all over Europe from the days of the Roman Empire down to only a few centuries ago. Only from 1733 were documents like borough charters written in English. The Doncaster borough council first commissioned a full translation of its charters in 1771 (which is now to be found at Doncaster Archives) and transcriptions of the Latin and translations were made again in the 1940s, produced by an archivist at the British Museum Library.

Finally, important official documents, like the charters, were not signed by the kings and queens who granted them. They were shown to be genuine not by having the monarch's signature, but by having a copy of the monarch's Great Seal attached to them, suspended on silk cords from the end of the document. This was a visual symbol - a double sided disc of strengthened beeswax with designs imprinted on both sides - intended to impress the many who, in past ages, would see a document but be unable to read it.

You may be surprised to know that charters are still granted to-day and still take their traditional form. For example, towns raised to the status of cities receive the royal grant in the time-honoured way: a royal charter hand written on an outsized piece of (imitation) parchment with the Great Seal of Queen Elizabeth II suspended from its foot.

King Richard I and his times

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

King Richard I and his times



The earliest royal charter granted to Doncaster, was issued by King Richard I - 'Richard the Lionheart' - and is dated Ascension Day (22 May) 1194. It came into being at a turbulent period of English history, for there was little about Richard's reign which was not turbulent. Nor was it only a turbulent period in English history alone. The text of the charter shows that it was granted not in England but in France. To understand why, we need to look at the troubled history of the 1190s.

At that time, the kings of England were also lords of a large area of France, rulers of a domain which stretched from the Pennines to the Pyrenees. Keeping this very extensive domain - the Angevin Empire - under control was an unending task. But there is a very specific reason for King Richard to be in Normandy in 1194.

This was a difficult year for King Richard I. In February, he returned from captivity in Germany. Returning overland from the crusade to recapture Jerusalem, he had fallen into hostile hands and held to ransom. (A local man, Roger of Howden, had become an important government official, and had been in the king's retinue for the outward journey as far as Cyprus. When, a few years later he retired, and returned to live in Howden, a dozen miles north-east of Doncaster, he settled down to write a 'chronicle' - a history of his times - which is still a very important source for the history of these years.)

On his return to England in March 1194, the first task to face King Richard was to reclaim his kingdom from his treacherous brother John. This struggle between the brothers had a local impact, for John's supporters had seized Tickhill castle. Tickhill Castle was the heart of the great estate - or 'honor' - of Tickhill. In 1189, John had been granted the honour of Tickhill by his brother. The castle, however, had been withheld by the king, as he was suspicious of John's intentions. Since castles were medieval status symbols, the loss of Tickhill castle rankled. In Richard's absence, John seized it for himself in 1192. His triumph was short-lived for the castle surrendered as soon as its defenders heard of Richard's return. Other castles held by John were not so ready to give in. Nottingham castle surrendered only after a two-day siege.

At the same time as the regaining of Tickhill and Nottingham castles was happening, Richard heard that King Philip of France was taking advantage of his difficulties in England by invading Richard's province of Normandy. Richard immediately headed south, sailing from Portsmouth to Normandy on 12 May 1194, on his way to meet the French army. Even in wartime, government business has to continue to be done and so in the course of the Normandy campaign, Richard agreed to grant a charter to the townsmen of Doncaster, at a small village called Tubuef. The village lies on the River Iton in Normandy, a few miles south of Rouen. The contents of the charter are explained on another webpage.

King Richard died as he had lived: fighting. In 1199, at the siege of Charlus, in the south of France, he was struck by an arrow and fatally wounded. He was taken for burial at the Abbey of Fontevreaux, where his father, King Henry II had been buried. A few years later, his mother, the formidable Queen Eleanor of Aquitaine, was buried close by. All three were provided with elaborate effigies. The tombs survive, although the remains of their occupants were removed during the French Revolution.



Doncaster Borough Charter of King Richard II, 17 December 1381

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Richard II, 17 December 1381



The charter of 17 December 1381 granted by king Richard II simply repeats the charter of king Richard I of May 1194 and confirms that the king approves it. Perhaps the townsmen of Doncaster had asked the king for greater rights, but found him unwilling to do more than confirm his predecessor's charter. But here we can look at what perhaps was meant when the king confirmed the townsmen in their enjoyment of 'all the liberties and free customs appertaining' to their town, in the words of the charter of 1194. Exactly what these liberties and customs were we cannot be certain, but of one of them - and probably the most important - we can be fairly sure. This was the right to hold property by what was known as **burgage tenure**. In this period it was the distinguishing mark of any borough.

A burgage tenant held his house and land from the lord of the manor in return for an annual payment. The plots of land which townsmen, or 'burgesses' occupied were called burgage plots. These were long, narrow, pieces of land. The burgage plots in Doncaster can still be traced, perhaps nearly a thousand years after they were first measured out, on large-scale maps of the town centre, lining Frenchgate and High Street. The name 'Frenchgate' itself has historical significance. As the 'Street of the French' it may well be the place where the Norman settlers lived following the Norman Conquest of 1066.

Most other people in medieval society were not so lucky as the burgesses: they were unfree men and women, or 'villeins'. Instead of being able to devote their time to their own pursuits, they were tied to the land and obliged to provide their lord with 'labour services', (that is, unpaid work done for the lord of the manor), as well as having to cultivate their own land to make a living. Towns have been described as islands of freedom in a feudal sea. Medieval Germany had a proverb which expressed the matter simply enough: 'Town air makes free'.

Evidence from documents shows that Doncaster had 'burgesses' at least as early as fifty years before the charter of 1194, although we do not know which lord of the manor decided that he would allow his tenants their freedom, or when it took place. Naturally, the townsmen would guard their superior status jealously, particularly against the power of the lord of the manor. The burgesses may still have had to attend the lord's courts, grind their corn at the lord's water mills and have their market regulated by the lord's officers, but their right to go freely about their own business was a vital and defining right for any townsman. This is probably the most crucial of the 'liberties and free customs' which the charter of King Richard II guaranteed.

Doncaster Borough Charter of King Richard I, 2 May 1194

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811

Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Richard I, 2 May 1194



The charter of King Richard I was granted in France during a military campaign. Important as the campaign was, the business of government did not cease. In the royal retinue were the clerks of Chancery. These were not office-bound bureaucrats, but the staff of a travelling office which dealt with the king's official business as he moved from place to place. In King Richard's camp at Tubeuf, a village on the river Iton in Normandy, on 22 May 1194, the agreement that the townsmen of Doncaster had negotiated with the Crown was ready to be approved.

This first royal charter is small and brief: little more than nine inches by seven inches in size and with less than two hundred words of lawyers' Latin. What had the townsmen of Doncaster asked for? Simply the right to pay the town's customary annual tax payment directly to the royal Exchequer. To be able to deal directly with the Exchequer allowed the town to by-pass the tax-gathering activities of the sheriff of the county: to cut out the middle-man, as it were. Perhaps this desire to by-pass the sheriff had first come to mind when news had reached Doncaster of events at Nottingham after the siege of the castle by the king after his return from Germany in 1194.

Holding his council in Nottingham on 30 March 1194, Richard had offered the posts of Sheriff of Lincolnshire and Yorkshire to the highest bidder. His half-brother, Geoffrey, Archbishop of York, bid the then enormous sum of £2,000 to become sheriff of Yorkshire. Geoffrey would have to recoup his investment by exerting his right of taxing Yorkshiremen heavily. The townsmen of Doncaster probably guessed that there would be hard times ahead. The king, they would have heard, was in need of money for his French campaign, and prepared to sell privileges to all suitable applicants. So they decided to make a bid to take the town out of the hands of the sheriff.

So on 22 May 1194, the terms of the deal which Doncaster had struck with the cash-hungry king were formally drawn up. What had been agreed? In return for the right to pay the town's customary annual taxes of £66 13s 4d, which is about £66.67 in today's money, directly to the Exchequer the townsmen of Doncaster had agreed to increase the payment by a quarter and pay the king a lump sum of £33 6s 8d, or, in present-day terms, approximately £33.33 pence. (These odd sums come about because most monetary transactions at the time were conducted in units called 'marks', which were worth two-thirds of a pound. In these terms, the sums of money in question were the good, round sums of 100, 125 and 50 marks.)

The importance of the charter is that it recognised that the town was developing a corporate identity and its townsmen could be trusted with the serious business of raising royal revenue. As evidence of royal favour, it was to feature again and again in the history of the town.

The charter also confirmed the townsmen in 'all the liberties and free customs appertaining' to their town. The likely significance of this is explained in the webpage on the Doncaster borough charter of king Richard II.

The charter is written in Latin on parchment, which is sheepskin specially prepared for writing. Attached to the charter, hanging from a strip of parchment, would have been the king's Great Seal, which was used to verify all important official documents. The slits in the charter where the strip would have been can be clearly seen. The seal, however, has not survived. Amongst

the witnesses to the document are named the archbishop of Canterbury and William of Warrenne, earl of Surrey and the lord of Conisbrough.

Royal grants were validated with the Great Seal (and indeed, some still are to this day) which contains images of the sovereign on both sides. This seal of Richard I shows him on one side seated on his throne holding orb and sceptre in his outstretched hands and, on the back, the king on horseback, armed for battle with sword, shield and helmet. Cast in wax, it measures about 90mm (3.5 inches) in diameter.

How did the precious document find its way the three hundred or so miles from Thubeuf to Doncaster? That we do not know, but arrive safely it did. As it travelled northward, the king broke camp, and travelled a few miles to the west, to rout the French army at Verneuil. Five years later, King Richard was dead, but in Doncaster the precious charter he had undoubtedly not given a second thought, was passed carefully from hand to hand down the generations. Over eight hundred years later, it has come to rest in the strongroom of Doncaster Archives.



Doncaster and the Wars of the Roses

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster and the Wars of the Roses

Doncaster was the scene of one of the crucial events at the beginning of the Wars of the Roses: a meeting in 1399 between Duke Henry of Lancaster, soon to become king of England and the noblemen whom he vitally needed as his supporters. King Richard had banished Henry, the son of John of Gaunt, then Duke of Lancaster, from England. When John of Gaunt died shortly afterwards, Richard confiscated his lands rather than allow his banished son to return to inherit them. Henry, the new duke, decided to return to England to claim his inheritance.

He landed at Ravenspur on the river Humber. Travelling through Yorkshire, he arrived at Doncaster. Here he met a group of his fellow-noblemen who were anxious to know his plans. In the Carmelite priory on the High Street, a site now occupied by the Mansion House and nearby buildings, he swore an oath that he had returned solely to reclaim the lands which were rightfully his by inheritance. Reassured of his aims, he gained vital political support from his peers. Political events, however, quickly overtook the limited aims which duke Henry claimed to have, and a few months after his return to England, he had taken the crown from king Richard. The dispossessed king was moved from stronghold to stronghold, until finally he was murdered in his prison at Pontefract castle in 1400.

King Henry IV enjoyed his triumph for only a few years, dying in 1413. His son, Henry V, spent much of his own brief reign campaigning to make good his claim to the throne of France. His early death in 1422 meant that his son, only a child in arms, then inherited the crown. Even worse, the child king, Henry VI, grew up to be a weak ruler. The repercussions of the great events of 1399 had left a legacy of political instability and a young and weak king made the situation even more unstable. Others thought that they had an equally strong claim to the throne than the usurping dukes of Lancaster.

Chief amongst these were the Yorkists, the Duke of York and his family and their followers. The stage was set for years of unrest. The long if intermittent conflict between the two factions claiming the Crown, the Lancastrians and the Yorkists, ran on for sixteen years from 1455 to 1471 and became known as the Wars of the Roses.

A decade before the conflict began, Doncaster had obtained a borough charter from king Henry VI in 1445, which is the subject of another webpage. A far more important borough charter was obtained from his Yorkist successor, King Edward IV in 1467.

By that date, the Wars of the Roses had produced many twists and turns. The Duke of York was killed at the battle of Wakefield in 1460. But a year later, the pious, ineffective king Henry VI had been deposed, and then murdered in the Tower of London. Edward, Duke of York, the son of the principal victim of the battle of Wakefield, had come to the throne with the title of King Edward IV.

The battle of Towton, in 1461, had claimed the life of the Duke of Northumberland, a leading opponent of the Yorkists. As a traitor, all his possessions consequently became the property of the Crown. Amongst them was the manor of Doncaster. (In fact, there was later a major dispute over whether the manor of Doncaster had actually belonged to the Duke of Northumberland, and this posed a serious problem for Doncaster corporation in the early seventeenth century, but this is another story.)

So the head of the House of York was now King of England and lord of the manor of Doncaster. Perhaps it was to strengthen his Yorkshire power base that Doncaster and several other important Yorkshire towns, including Pontefract and Scarborough, were granted higher status. What form this took can be seen on another webpage.

Doncaster Borough Charter of King Henry VI, 18 May 1445

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Henry VI, 18 May 1445



In one respect, the charter which the townsmen of Doncaster obtained from King Henry VI in 1445 contained nothing new, and indeed may have been evidence of disappointed hopes. Like the charter gained sixty years earlier, the charter of 1445 merely confirmed the charter of 1194. In addition, the new charter, however, also gives royal approval to another important agreement the townsmen had made. This is a grant from Peter de Mauley, lord of the manor of Doncaster, to the 'commonality', or community, of Doncaster.

This agreement between the lord of the manor and the townsmen is dated 13 October 1331, over a hundred years before the charter of 1445. The original no longer survives, and its existence, had its contents not been repeated in this charter of Henry VI, would be completely unknown. Unlike the royal charters, it is not written in Latin but in the language which de Mauley himself would have spoken, namely Norman French.

By the charter of 1331, Peter de Mauley had agreed that the townsmen, instead of his own officials, would be allowed the right to levy local taxes on traders, including bakers, brewers, butchers, fishermen and stable-keepers. (The specific mention of the stable-keepers is evidence of Doncaster's importance as a staging post on the main north-south road.) By this time, over a century since the charter of 1331, the de Mauley family had died out, and the lordship of the manor of Doncaster had passed into other hands. No doubt the townsmen thought it wise, under the circumstances, to have their right to levy local taxes granted by a long-dead lord given the force of royal approval.

By making an arrangement which limited the power of the lord of the manor to tax the town, and allowed the community the right to control important local taxes on traders, the townsmen of Doncaster had achieved a further advance along their road to self-government.

Doncaster Borough Charter of King Edward IV, 30 October 1467

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Edward IV, 30 October 1467



The charter of King Edward IV is a most important grant, for it gave the townsmen what they had almost certainly been aspiring to for several centuries, namely the right to be recognised as a body with an independent existence in law. In other words, the town was 'incorporated', or given a legal identity. The town ceased to be a mere borough, with burgage tenure and a limited freedom to raise its own taxes and became what constitutional lawyers referred to as a 'municipal borough', with a mayor, borough officers and its own courts. Doncaster remained a municipal corporation for over five hundred years, until the authority, along with all the other municipalities, was abolished on 31 March 1974.

Perhaps it was this new, close connection between the lord of the manor - now the king himself - and townsmen which led to the granting of a charter which gave the town a new, higher, status. It may also have been that the king, formerly duke of York, was keen to grant favours to Yorkshire towns to secure his local power base. Two other towns, Pontefract and Scarborough, also benefited from his willingness to improve the civic status of Yorkshire towns.

The charter gave the borough of Doncaster virtually everything a town of local importance, but not in the front rank, could expect. Every year the community was to choose a mayor and two sergeants-at-mace to govern it. The mayor was also to be the town's magistrate and its coroner, and was to be entitled to receive all instructions from the government directly, by-passing the sheriff of the county.

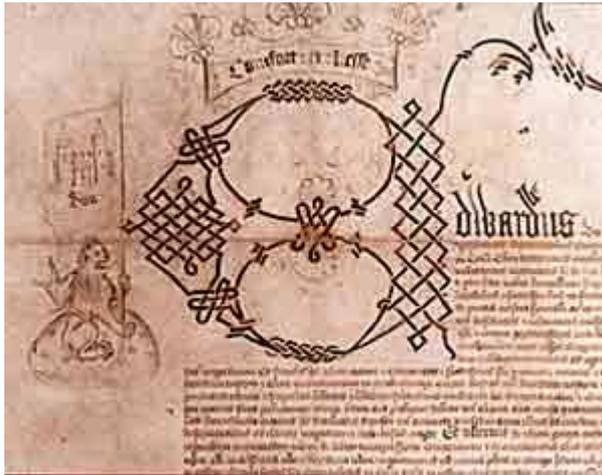
As well as being able to enforce the criminal law within its own boundaries, the borough was to have its own civil court. This was especially important, for being able to enforce contracts and payment of debts was essential to the commercial life of a town.

To improve the commercial prospects of the town still further, the charter authorised the community to hold a fair every year on the three days from 24 to 26 March. At that time, a fair was not the kind of pleasure fair that we know to-day, but an opportunity for buying and selling goods on a much larger scale than would be possible at the town's weekly markets, attracting tradesmen and merchants from a much greater area.

The charter states that it was confirming 'certain liberties and free customs' which the burgesses had enjoyed for a very long time. So certain aspects of town life which the charter mentions were not new. The right to hold a three-day fair had been gained from King John by Robert of Thornham, the lord of the manor, several centuries earlier in 1199. Although the charter of 1467 is the first to actually mention the appointment of a mayor, we know from the evidence of other documents that a leading townsman had been chosen as mayor since at least 1427.

The borough civil court, however, was likely to have been an innovation (previously such matters may have been settled in the manorial court), and the right of the mayor to act as magistrate was entirely in the king's gift, so that right also was new. Perhaps the most important feature overall was the legal fact of incorporation: the borough now had an independent identity recognised in law.

Charter's appearance



The charter is elaborately decorated with fine penmanship, as befitted so important a document. The initial letter E of King Edward's name contains a design with sunbursts, an heraldic emblem used by the house of York. It is topped by a crown, and flanked by a royal lion holding a banner, another emblem of the house of York. This emblem was adopted by the borough of Doncaster as its own: it was used on the corporation seal and can still be seen on the top of the Mansion House.

Doncaster Borough Charter of King Henry VII, and the other Tudor Borough Charters

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Henry VII and the other Tudor Borough Charters



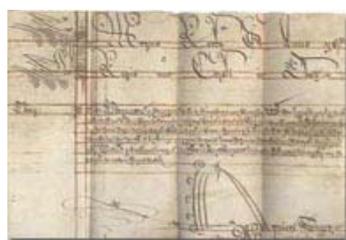
After the town was given the status of an incorporated borough by the charter of 1467, there remained just one feature of local life which prevented the mayor and corporation of Doncaster ruling unhindered in their own town. The Crown remained lord of the manor. Its manorial steward would still hold manor courts which the townsmen would be obliged to attend. Manorial officers would still patrol the borough market, checking the quality of the bread and ale and other goods offered for sale in shops and in the market and the manor court would regulate the use of the common lands used for growing crops and grazing animals. As in manors elsewhere, the lord also had a monopoly of corn-milling, and all inhabitants of the manor were obliged to grind their grain at the lord's mill and pay fees to his miller.

In 1505, the town negotiated its final freedom. It made an agreement with king Henry VII to acquire all the rights of the manor. In exchange, the borough was to pay the royal exchequer £74 13s 11½d (about £74.70p in modern money, and a substantial sum in 1505) every year for ever. The borough continued to make this payment until 1897, when the payment was finally bought out for a lump sum of £2,300. By that date, the right to hold the manor of Doncaster had cost the corporation about £30,000.

As a result of the charter of 1505 the corporation took over the manorial courts, so it now controlled all the courts which regulated the lives of the townspeople. It took over the corn mills, and gained an income from leasing them out. Residents of the borough were obliged to mill their corn at the 'King's Mills' on the river Don until the eighteenth century. It gained control of the markets. The corporation also took possession of the commons, and at some time in the sixteenth century, allowed the commons on the boundary of the parishes of Doncaster and Cantley to be used for horse-racing, as they still are. It also came into the ownership of the whole of the land in the parish of Rossington, which in 1838 it had to sell off to clear its debts.

Under the terms of the charter, the town was to be completely free from the interference of the county magistrates, the most important local law-enforcing body. The mayor, who had been created the sole magistrate by the borough charter of 1467, was joined in his responsibilities by three aldermen. They were to be helped in their legal duties by a recorder, or judge for the borough court, an office which continued until 1971. Only the king's own judges, touring the country in assize courts, had the right to intervene in local law enforcement. The civil court, mentioned in the 1467 charter, was to meet weekly on Thursday. This court ceased to function when county courts were established in 1846, although it was not formally abolished until 1972.

The borough markets were to take place twice a week, on Tuesday and Saturday, and the three-day March fair was now supplemented by a second fair on 24 to 26 July.



Every year the borough chamberlains (who looked after the corporation's accounts) made their payment of £74 13 shillings and 11½d to the royal Exchequer for the rent of the manor and

received an elaborate official receipt. The parchment receipts were carefully filed in the borough archives, where, several centuries later, they still remain. A typical receipt is illustrated here.

The Charter of 1505

The charter of 1505, important as it is, does not survive in Doncaster Archives, and its contents are known locally (there is a copy in the text in the Public Record Office, the national archives in London) as the text is repeated in the next borough charter, that granted by king Henry VIII.



The Charter of King Henry VIII

The Charter of King Henry VIII, dated 13 May 1532, repeats and confirms all the borough charters from 1194 to 1505, but does not grant any new powers. The same is true of the two other Tudor charters, that of King Edward VI of 21 November 1549 (original also lost) and of Queen Elizabeth I of 9 May 1559. The charter of 1532, like several earlier ones, has an elaborate initial letter, whilst that of 1559, has a portrait of the young queen, showing her, most unusually, in profile. It also bears a greater resemblance to her elder sister and predecessor, Queen Mary.



Doncaster Borough Charter of King James I, 9 July 1604

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811

Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King James I, 9 July 1604

The origins of the charter of King James I lay in events of almost ten years earlier. There had been a dispute in the town in 1590 over the selection of the mayor, and two rival mayors had been elected. The government of Queen Elizabeth was greatly concerned that the dispute would lead to local unrest and the matter was debated in the Privy Council. The queen's councillors instructed one of the royal judges to deal with the matter on the customary stay that judges made at Doncaster on their way to York. Judge Clynche was to speak in no uncertain terms to the borough council and give them written instructions from the royal Privy Council about how the mayor of Doncaster was to be elected in the future. (The letter to the judge and the instructions to the council - no doubt awestruck to be the subject of the ominous attention of the queen's ministers - are still to be found at Doncaster Archives.)

A new charter had been drafted in about 1598, to formalise the instructions of the royal councillors. (The draft is amongst the corporation's papers to be found at Doncaster Archives.) It was this which, with some alterations, became the charter granted by King James six years later.

For the first time, a Doncaster borough charter actually specifies the membership of the borough council and how it was to be chosen. There was to be a mayor, twelve aldermen (that is, senior councillors) and twenty four 'capital burgesses' (or councillors). The mayor was to be chosen yearly in late September by all the council from a choice of two aldermen chosen by them a month earlier.

Whilst the mayor served for a year at a time, the aldermen and councillors, once elected, continued to serve indefinitely. New aldermen were chosen by the mayor and remaining aldermen from among the councillors. Councillors were chosen by the townsmen, or burgesses. The election was not an open one, for the electors had a choice only between two burgesses pre-selected by the council.

So the council was a differently-constituted body from what we are now accustomed to. Choice was very restricted and, once chosen, members could serve for life. There was a third difference as well. The number of people who qualified as townsmen or burgesses (also sometimes called freemen) was very restricted. You can find out about how a man became a freeman in Doncaster by reading the webpage on Freemen in Doncaster Archives' Local and Family History alphabet on the website.

The charter also made a number of less important grants. The only significant new power was the right to hold a Saturday cattle market from the Saturday before Easter to 30 November every year, with a market court (a so-called 'pie powder' court, or court of dusty feet) to dispense swift justice between visiting traders.

The provisions contained in this charter laid down the way Doncaster was to be governed until 1835. All the important contents of the charter were repeated in the charter of Charles II in 1664.

This charter does not survive in the original in the borough archives. It came to be entirely forgotten and only came to light again in 1837, when the corporation was researching its legal title to its ownership of the township of Rossington. In doing this, the corporation's lawyers found the Crown's own copy amongst the public records in London.

Doncaster Borough Charter of King Charles II, 2 May 1664

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King Charles II, 2 May 1664



The charter of 1664 was, in one respect, a bitter financial blow to the corporation of Doncaster. The borough had agreed to take over the rights and property of the manor of Doncaster from King Henry VII in 1505, in return for an annual payment of £74 13s 11½d (about £74.70p).

After the execution of King Charles I, the Commonwealth government had decided to sell off a range of royal assets. Amongst these was the annual payment that the Crown was receiving from the corporation of Doncaster for the manor of Doncaster. The corporation would have been keen not to let this right to receive the annual fee it paid fall into hands other than its own.

In September 1650, the Commonwealth government sold the corporation the right to receive the annual fee. This, in effect, abolished the corporation's annual obligation to pay the fee. The bargain cost the corporation £653 12s 1d (about £653.60p). The purchase deed is still to be found in Doncaster Archives.

Unfortunately for the corporation, the restoration of the monarchy in 1660 overturned the agreement. All the acts of the Commonwealth government were now declared void. This meant that the agreement of 1650 was no longer valid, and the corporation would have to resume its annual payments to the Crown. These annual payments continued until the corporation finally paid a lump sum to buy out the obligation in 1896. By that date, the total of the annual payments for the manor of Doncaster by the corporation amounted to around £30,000.

At the Restoration the corporation had hurried (no doubt sincerely) to assure the king of its complete loyalty, resumed its annual payments for the manor and sued for a new charter. The resumption of the annual payments for the manor by the corporation was no doubt an advantage to the cash-strapped king Charles II. Most of the other major provisions of the charter, likewise, simply reaffirmed the status quo which had been established by the charter of 1604.

This had defined the membership of the council and how it was to be chosen. The council was to consist of a mayor, twelve aldermen (as senior council members were called) and twenty-four "capital burgesses" (or, as we would now say, councillors). The mayor was to be selected by the council annually from a choice of two aldermen. The aldermen were chosen by the council from amongst the councillors. Unlike present practice, councillors were not elected by popular vote at regular intervals, but were chosen from two "burgesses" (freemen) nominated by the council. Only a small proportion of the inhabitants of the borough were qualified as freemen. The man selected as councillor then served for life, unless displaced for misbehaviour.

In addition to the new departure of defining the structure of the council, the charter of 1604 had for the first time named the men who were to hold office on it. The charter of 1664 did the same, and required all members and officers of the corporation to take oaths of allegiance to the king and acknowledge his supremacy of the Church of England. The oaths of office were clearly intended to prevent anyone opposing the restored royal government from taking any place in public life.

Doncaster Borough Charters of King James II, 25 March 1685 and 10 November 1688

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charters of King James II, 25 March 1685 and 10 November 1688

King James II ruled for just over three years, from February 1685 to December 1688. Yet his brief reign produced two borough charters for Doncaster, the first a month after he became king and the second a month before he went into exile in France. Like the charter of 1664, and unlike the earlier charters, we know that the initiative lay with the king and not the corporation. Doncaster had not asked for the charter of 1685: the king had imposed his will on the borough.

The motive in issuing the charter was the desire of the Crown to strengthen its control over those who held office in local government. The most important feature of the new charter was that it created the right of the Privy Council (the forerunner of the Cabinet) to order the removal of any member of the corporation it chose to dismiss. However, James was merely continuing the policy introduced by his brother. It was Charles II who, in the closing months of his reign, put pressure on the corporation of Doncaster, as he was doing to other corporations, to surrender its charter so that he could substitute a new one with this provision in it. The corporation had fallen into line and, in January 1685, only weeks before the death of Charles II, it had surrendered its charter of 1664 to the king. It thus fell to James II to make the new grant.

To a considerable extent, the provisions of the new charter read much like those of the old. The crucial difference was the power it gave to the government to remove members of the corporation at will. The charter did, however, contain two minor measures to please local opinion. The corporation was allowed to take a pint measure of grain from every sackful brought to the market and the borough freemen were to be exempt from serving on juries outside the borough.

In August 1688, the king put his new powers into effect. He sent an order to the corporation to remove the mayor and four aldermen (as the most senior council members were called), replacing them with his own nominees. The new members, moreover, were to be excused from taking the usual oaths of office. The new mayor, Ralph Hansby of Tickhill, was a Roman Catholic, like King James himself, and could not have taken the oaths which were designed to prevent any but members of the Church of England from holding public offices.

Three years later, James was on the brink of exile but, still hoping to hold onto his throne, he issued a new charter to Doncaster. This second charter from James II, dated 10 November 1688, in effect restored the situation to what it had been under the charter of 1664. Doncaster's response was probably typical of all the boroughs that James had suborned. In the minute book of the corporation the high-handed order from the king was crossed through and on 8 December, John Elleker was elected mayor, replacing Hansby, the Roman Catholic mayor of just four months.

Doncaster Borough Charter of King William IV, 24 June 1836

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811

Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charter of King William IV, 24 June 1836



By 1836, the government of Doncaster, and 178 boroughs like it, had been changed out of recognition. This had been achieved by the Municipal Corporations Act which the government had passed in the previous year. There were still councils composed of councillors and aldermen. (The government had intended to abolish the office of aldermen, but the Conservative opposition refused to let this happen, so this reform waited until 1974.) However, in place of council members chosen by a few freemen and then, potentially, sitting on the council for life there were members elected by the local tax payers and serving for three years at a time. An element of democracy and accountability had been introduced into local government.

The Municipal Corporations Act of 1835 also changed the way in which local magistrates were chosen in boroughs. Previously, the corporation had chosen its own magistrates from its aldermen. From 1835, the borough no longer had any control over the magistrates. They were in future to be appointed by the Crown, as they were in the counties and, indeed, still are. Boroughs also lost their right to hold 'quarter sessions' courts, which were the magistrates courts in which the more serious cases were tried by jury. (Quarter sessions courts were replaced by Crown Courts in 1971.) Boroughs which previously had had the right to hold quarter sessions courts could petition the Crown to have the right granted to them anew.

Doncaster had previously been entitled by its charters to hold quarter sessions courts and successfully petitioned to have its right to do so restored. The borough charter of 1836 was issued to allow the borough a separate court of quarter sessions in which the borough recorder was the judge.

Doncaster Borough Charters: the Legacy

eMail: doncaster.archives@doncaster.gov.uk | Telephone: 01302 859811
Address: Doncaster Archives, King Edward Road, Balby, Doncaster, DN4 0NA.

Doncaster Borough Charters: the Legacy

The charters continued to be cornerstone of the town's government until 1835. In that year Parliament's reform of municipal corporations placed town councils on a new footing. The Doncaster Borough Council was one of the 178 towns affected by the reorganisation. Under the new regime, councillors were elected by all the tax-paying residents rather than chosen by a restricted body of freemen. Municipal finances were regularised and brought under strict audit. The bench of magistrates was to no longer be chosen by the council but appointed independently by the Crown.

By this time, the age of royal prerogative, expressed through the granting of royal borough charters, had long passed into history. The Municipal Corporations Act of 1835 was the first in a long succession of Acts of Parliament to regulate the constitution and powers of local authorities. Under the provisions of one of these Acts, Doncaster raised its status and became not merely a borough but, in 1927, a county borough. This gave the town greater control over local affairs, particularly in education.

However, what Parliament creates it can also change. In April 1974, all the municipal boroughs and county boroughs - Doncaster amongst them - were swept away in one of the biggest reforms of local government in the twentieth century. In Doncaster, the new authority was the Metropolitan Borough Council, which governs a much larger area and a larger population than all but the largest of the local authorities that existed before 1974.

What, then, of the borough charters? Despite all these major changes they still have legal significance: for instance, the provisions of charter of 1505 still remain the basis of the right of Doncaster Metropolitan Borough Council to lay claim to the racecourse and the charter of 1664 was recently consulted to establish the right of the borough to have a civic mayor as well as a town mayor. Moreover, they are a source of local pride and part of the local heritage. Whatever else may change, the charters remain as witness to local aspirations to local self-government over more than seven centuries.