

## EARLY DAYS IN SOUTH MOLTON.

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WHEN the history of Exmoor comes to be written, and its archaeology adequately treated, we may get a clue to the very earliest history of South Molton. There is nothing at present to carry us back more than some twelve or thirteen centuries, and scant material for that. Suggestions of Roman presence and activity, whether at Molton or Molland, are purely fanciful. In well-nigh all directions the Saxon seems to block the way, and the first hint that written history gives us is to be found in the oft-cited seventh-century list of cities and fortresses in England, which represents the topographical knowledge of the anonymous geographer of Ravenna.

The seventeenth name on his catalogue, in a group which plainly belongs to the West of England, is Melarnoni. It comes between Vertevia (= Abertaw = Barum = Barnstaple) and Scadam Namorum (= Isca Dunmoniorum = Exeter), and it means some place on the "Mole-river"—Mel-arno being the Ravennat's rendering of that phrase, just as Dur-arno is his rendering of "Dart-river." We have no direct clue as to which particular place is meant, but the probabilities are strongly in favour of South Molton, seeing that both North Molton and Molland are somewhat out of the line of traffic between Barnstaple and Exeter; and that Molland is a name of a class we generally find applied—in Devon at least—in these early times, rather to a district than to a special locality, while South Molton is the centre of a whole system of roads, some at least very ancient. However this may be, we know that long before the Norman Conquest it had been found needful to distinguish between the two chief settlements in the valley of the Mole, by dubbing them North and South.

Molton, of course, is purely a Saxon combination—the *tun*

or enclosure of the Mole; and we get little help from the name of the river. The suggestion that it is called the Mole because of its retiring habits is pretty, even poetic, but cannot be accepted. Possibly, nay probably, the name is purely a memorial of Saxon ignorance, for *moel* is Keltic for mountain; and it looks much as if the name of the heights from which the stream descended had been mistaken for that of the river itself. There is a precisely analogous case immediately at hand, the Bray, in which it is impossible to read anything but *bre*, a hill.

Probably in no part of Devon has the Saxon more completely stamped out the traces of the Kelt.

*Domesday* gives ample evidence of the importance of South Molton eight centuries ago. It appears as *Sut Moltona* and *Sud Moltone*, fourth in order of the Royal Manors of Devon, in which William had succeeded Edward, and must have been all but geld free, seeing that it is stated to contain but a virgate and a half liable to taxation: "In this manor is one virgate and a half of land;" while the following sentence continues, "This can be ploughed by" (or "There is land for") "forty ploughs." Of the next manor, Silvertown, it is said that it was not known how many hides there were, because it never rendered geld; and in that case there was land for forty-one ploughs. If the virgate and a half—forty-five acres—really did represent the actual cultivable area of the manor when the Danegeld was first levied; the extension of cultivation between that date—991—and the compilation of *Domesday*, must have been enormous.

While, however, there was land for forty ploughs, in other words, work for forty plough teams of eight oxen each, there were only twenty-one teams on the manor—one belonging to the King and twenty to the villeins. The working plant seems therefore sadly deficient. The enumerated population was fairly large—twelve villeins, four bordars or cottars, two serfs, and twelve swineherds. There were likewise four priests, who held a virgate in the manor worth 20s. a year, of the King in alms. The presence of swineherds carries with it the existence of woods, in which the swine fed; and this wood is set down at one leuga in length by three furlongs in breadth—over half a square mile. There were also ten acres of meadow and thirty of pasture; and the annual value was £10 by weight. This is exclusive of the land of the priests, and of half a virgate called *Rinedona* or *Ringedone*, added to the manor and worth 5s.



The name of Ringedone now appears to be lost, but it is probably represented by the modern Kingsland.

The parish of South Molton is much more extensive than the manor, and includes at least four other estates set forth in *Domesday*—Achie or Hacche, Alre or Aller, Huniton or Honiton, and Dalilei or Ley. Of all these Odo, the son of Gamelin, was the Norman lord.

Alwiz had held Achie before the Conquest, and Vitalis held it of Odo. It had been taxed at half a hide, but had arable land for four plough teams, while there were present only three. There were four villeins, four bordars, three serfs, four acres of meadow, ten of wood, ten of pasture, fourteen cattle, three swine, and thirty-eight sheep; and it was worth 20s. a year.

Odo held Alre in his own hands; it had belonged to Godeva and been taxed for half a virgate; Edda had also held a ferling, or the fourth part of a virgate, and been free to choose his own lord. In Godeva's manor there was land for two ploughs, but there were three plough teams, with four villeins, one serf, one bordar, four acres of meadow, and thirty of pasture, and it was worth 18s. yearly. Edda's land could be tilled by one plough, and there were six cattle and thirty-six sheep.

In Huniton Odo succeeded Alwold. It had been taxed for half a virgate, could be ploughed by two ploughs, which were present, and had three villeins, two bordars, six acres of meadow, two sheep, and was worth 5s. a year.

Dalilei, also in hand by Odo, had been held by Brictric, and taxed for one virgate. It had land for four ploughs, but only two plough teams, with four villeins, one serf, one pack-horse, five head of cattle, fifty sheep, four acres of wood, two of meadow, ten of pasture, and the annual value had risen from 10s. to 20s.

The present extent of South Molton parish is given at 6264 acres. Hence, as the combined areas of the manors cited account for considerably more than this total, either there must be some variation between their boundaries and that of the existing parochial area, or the ordinary estimate of plough-lands can hardly hold good. The latter view might help to account for the inadequacy of the teams to the land, particularly in South Molton and Dalilei. And indeed this seems to be suggested by the fact that Molland had only 19 plough teams to 40 plough lands; and North Molton only 47 teams to a hundred. Still, it would only account in part, for North Molton was the most valuable royal manor in



Devon, worth £45 a year, and with a very large population—forty-four villeins, fifty bordars, eleven serfs, fifteen swineherds, and four individuals set down by the *Domesday* Committee as farriers. Here, however, I think we were wrong, and that these “ferruarios” were really engaged in iron mining. The finest micaceous iron ore I have ever seen in the West came from North Molton, and there is no reason at all why mining in this locality should not be of even far higher antiquity. The area of the modern North Molton parish is, however, 14,351 acres; and clearly the areal figures for North Molton manor will account for this and more, reckoned on the usual basis (and it seems clear that other manors are parochially included) since, in addition to the hundred plough lands, there were two leugas each of meadow and pasture, and a square leuga of coppice in length and breadth.<sup>1</sup> The live stock on North Molton, by the way, comprised thirty head of cattle, 170 sheep, and thirty goats.

South Molton is named as the head of the hundred in the *Inquisitio Geldi*, but in one of the three Hundred-Lists given in *Domesday*, the name of Molland is substituted; and in the entry relating to Blachepole as annexed to Molland, it is said that to Molland pertained the third penny of the hundred of “*Nort-molton* Badentone and Brantone,” and the third animal of the pasture of the Moors, a curious reference to pre-Norman customs with regard to Exmoor, since it is stated—“the king has not had this custom since he has held England.”

It appears pretty clear, therefore, that both North Molton and Molland had preceded South Molton in the headship of the hundred; and we may, perhaps, assume from the settlement and endowment of the priests, that South Molton owed its gain in status to kingly favour. It did not, however, remain long in royal hands, for in the reign of Rufus we have evidence that it had been attached, like Winkleigh, to the great honour of Gloucester.

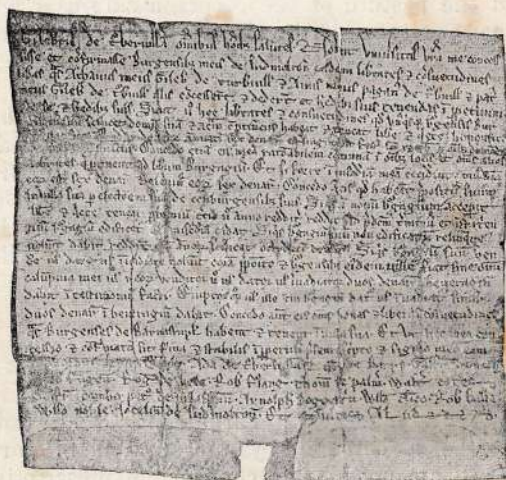
The operative charter of South Molton was first granted by Elizabeth (1590), and confirmed 26 Charles II., but the town sent representatives to Parliament 13 Edward I., and claims to be a borough by prescription of far higher antiquity. I am not able to confirm the prescriptive view. On the other hand, the inhabitants will, I hope, feel duly

<sup>1</sup> The areal calculations are made on the basis laid down several years since by our lamented colleague, Mr. J. B. Davidson, who reckoned the leuga at 120 acres. *Vide* his pamphlet on this important matter published in 1885.

proud of their antiquity and early importance, when they learn that a charter was granted them not long after the Norman Conquest, and that there is a charter of South Molton in existence more than six centuries old. The fact that I accidentally found the original among the family muniments of Col. Pole Carew, C.B., of Antony, is really the occasion of this paper. The charter was granted by a member of a family whom the county historians utterly ignore in dealing with South Molton—the Turbervilles.

All that we are told, as a rule, is, that in the reign of Edward I. the town was held by the Martins of the Honour of Gloucester, in serjeantry, by the service of finding a man with a bow and three arrows to attend the Earl of Gloucester when he went to hunt in Gower. And yet the Turbervilles held it for centuries, and the fact that the Martins had it from them is clearly set forth in the *Quo Warranto* rolls.

This charter, of which I give a facsimile reproduction from a photograph, is in excellent condition save that it is minus the seal. The parchment is very nearly square—7½ inches broad, and the written portion 6 inches deep. It is admirably penned, but in very contracted Latin, which I take the liberty of expanding in my printed copy of the original. The English version will, I hope, speak for itself.



“Gilebertus de Turbervilla omnibus hominibus salutem. Noverint universitates vestre me concessisse et confirmasse Burgensibus meis de Sudmolton easdem libertates et consuetudines liberas quas



Athavus meus Gilebertus de Turbervilla et Avus meus Paganus de Turbervilla et patrer meus Gilebertus de Turbervilla illis concesserunt et dederunt et heredibus suis tenendas in perpetuum de se et heredibus suis. Sunt vero hæ libertates et consuetudines quod unusquisque Burgensis Burgagium suum scilicet domum suam et acram cum pertinenciis habeat et teneat libere et quiete honorifice et pacifice Reddendo inde annuatim sex denarios esterlingos ad festum sancti Michaelis pro omnibus demandis et querelis et serviciis. Concedo etiam eis meam rationabilem communam in omnibus locis et omnes alias libertates quæ pertinent ad liberum Burgagium. Et si sorte in misericordiam meam ceciderint misericordia eorum est sex denarii. Relevium eorum sex denarii. Concedo autem eis quod habeant prepositum suum in villa sua per electionem suam de conburgensibus suis. Si quis autem novum burgagium acceperit libere et quiete teneat per biennium tercio vero anno redditum reddat ad predictum terminum et infra triennium burgagium edificet vel in misericordiam cadat. Si quis burgagium suum non edificatum relinquere voluit dabit redditum trium annorum scilicet octodecim denarios. Si quis burgagium suum vendere vel dare vel invadiare voluerit coram preposito et burgensibus ejusdem villæ fiat sine omni calumpnia mei vel meorum. Venditor vero vel dator vel invadiator duos denarios in beveragium dabit in testimonium facti. Emptor que vel ille cui burgagium datur vel invadiatur similarite duos denarios in beveragium dabit. Concedo autem eis omnes bonas et liberas consuetudines quas Burgenses de Barnestapla habent et tenent in villa sua. Et ut hæ mea concessio et confirmatio sit firma et stabilis in perpetuum presenti scripto et sigillo meo eam Coroboravi. Hiis testibus Adam de Turbervilla, Lucas de Barry, Galfridus de Hach, Gilebertus Fragen, Roger de Hele, Robert Furlang, Thomas le Palmer, Walterus Cotec, Galfridus Cambo, Peter de Pillafenn, Arnolphus Doggewin, Willelmus Clerico, Robertus Balle, Willelmus Noble, Gocelmus de sudmolton. Et multis aliis."

"Gilbert of Turberville to all men greeting. Be it known to you all from me that I have granted and confirmed to my burgesses of South Molton, the same liberties and free customs which my great grandfather Gilbert of Turberville and my grandfather Pagan of Turberville and my father Gilbert of Turberville granted and gave to them and their heirs, to hold for ever of them and their heirs. And these liberties and customs are that every burgess shall have his burgage—that is to say his house and field with the appurtenances to have and to hold freely and quietly honourably and peacefully. Rendering thereout yearly sixpence sterling at the feast of St. Michael for all demands and pleas and services. I grant also to them my right of common in all places and all other liberties that belong to free burgesses, and if it chance that they fall into my mercy, their mercy is sixpence. Their chief



is sixpence. I grant also that they may have their headman in their town by choice of his co-burgesses. Moreover if any one take a new burgage he may held it freely and quietly for the space of two years, but the third year he shall pay rent for the foresaid term; and within the three years he shall build a burgage or fall within my mercy. If any will give up his burgage unbuilt he shall pay three years rent, that is to say eighteen pence. If any one will sell or give or pledge his burgage it shall be done before the headman and burgesses of the same town, without hindrance of me or mine. And the seller giver or pledger shall give two pence by way of fine in witness of the fact. And in like manner the buyer or he to whom the burgage is given or pledged shall give two pence by way of fine. Moreover I grant to them all the good and free customs which the burgesses of Barnstaple have and hold in their town. And that this my grant and confirmation be firm and stable for ever this present writing and my seal attest. These witnessing: Adam of Turberville, Luke of Barry, Galfrid of Hache, Gilbert Fragan, Roger of Hele, Robert Furlang, Thomas the Palmer, Walter Cotec, Galfrid Cambo, Peter of Pillafenn, Arnolph Daggewin, William the Clerk, Robert Balle, William Noble, Goscelm of South Molton. And many others."

There are a few points to note with regard to this translation. A burgage is really a tenement held in a burgh by a burgess, here defined as in its complete sense a house and field and appurtenances; but evidently from what follows also meaning a piece of land only, on which the burgess undertook to build a house within a given time, being relieved of his rent for two years meanwhile. A new burgage was thus the joint production of the lord and the tenant—the one finding the land and the other the house, but at a fixed rent, and with absolute right of holding, selling, giving, or pledging. The tenure was thus exceeding "firm and stable"—like the charter.

To "fall into one's mercy" meant simply the becoming liable to penalties which were at the lord's pleasure, and were not settled in amount; and the meaning of this clause in the charter is that Gilbert gives up his right to fine at pleasure, and substitutes a fixed sum of sixpence.

I have translated *beveragium* "by way of fine," as probably a fair rendering of the original. It is a Low Latin word, commonly meaning a sort of assessment in money value for a payment in kind. That the fine came to be paid in kind, and "drunk by the parties concerned," need cause no surprise.

The term "headman" is the closest English approximation to the Latin *pre-positus*—the man who is "placed before" his neighbours.

A relief was a payment by way of substitution for a service.

The names of the witnesses have a strong local cast. Luke of Barry is no doubt Luke of Bray; Galfrid of Hache and Roger of Hele need no comment; Robert Furlang was no doubt an ancestor of the Furlongs so long connected with Clapworthy. Pillafenn is Pallavin in Bishopsnympton. Gilbert Fragan's family in all likelihood gave name to Frenchstone or Freynstone = Fragans-tun. It is more difficult to read Cotec in Cocker-ham, but by no means improbable; and Cambo may be Coombe—indeed with great likelihood.

The Turbervilles are a family of Norman descent, whose name occurs in Battle Abbey Roll. The first to come prominently to the front in England was Pagan or Pain of Turberville, one of the knights who went with Robert Fitz-Hamon, Earl of Gloucester, to the conquest of Glamorgan in 1090, and was rewarded with the lordship and manor of Coity. It was the Fitz-Hamon association undoubtedly which linked their fortunes with South Molton.

The Turbervilles do not seem to have been prominently connected with Devon (save that they gave Exeter a bishop); but they were settled in Dorset, and less prominently in other counties of England, as well as in South Wales. They continue in Glamorgan to the present day.

Several notices in Rymer's *Foedera* show, however, that they held a position of some importance among the lesser baronage. Thus 40 Hen. III—1256, William Turberville occurs as a magnate of the Marches, and in the following year John and Robert are among those licensed to go with Richard King of the Romans to Germany, having protection from the King. Eight years later—1265—Robert, Hugo, and Thomas appear as of the Welch Marches, in a treaty between Simon de Montfort and the Earl of Gloucester. In 1272, Hugo de Turbervil, probably the same, occurs as seneschal of Gascony (Wasconiae). In the *Patent Rolls*, however, the name is given as Henry.

*Testa de Nevill* names John of Turbervill of Oxford, and Robert of Somerset, Hereford, and Berks; while the *Hundred Rolls* 2 Ed. I. (1273) in addition to Robert of Berks, names John as sub-escheator of the same county. Robert of Turberville—it is not clear whether the same—is mentioned as connected with property in the hundred of Westbury, Gloucester.

The *Exchequer Rolls* supply some additional information. Thus Henry III. gave John of Turberville, of Oxford and



Berks—probably the sub-escheator aforesaid—the custody of a certain R. during pleasure. William of Dorset occurs *temp.* Ed. I., and John and Robert *temp.* Ed. II.

The most important entry here is, however, in 1281—9 Edward I., when it is recorded that the King gave Pagan Turuill the custody of all castles and lands, &c., in Glamorgan and Morganna in Wales, which had been Gilbert de Clare's, Earl of Gloucester.

The *Patent Rolls* of Henry III. also give John of Turberville as escheator; and the *Pleas* and *Quo Warrantos* (15 Ed. I.) mention Hugo and Johanna his wife, as of Haresfield and Magna Cowern, Gloucester. The latter has also a John of Turberville, of Sussex.

The *Pleas* mention Henry and Richard for Dorset under John; and in the second year of that monarch—1201—William of Turberville and Alice, his wife, as connected with estates in Wellecombe; while other Dorset entries in the *Inquisitions post mortem* include John and Isabella, Ed. II.; Richard, 1363; Brian, 1399; Bartholomew, 1425; Robert, 1427; William, 1451; and John, 1458. In the *Foedera* we find Andrew and Richard as Dorset landowners in 1358.

Further entries in the *Inquisitions p.m.* are—William of Turberville, Ireland, 1252; Richard, Wilts, 1284; Richard, Gloucester, 1287; Brian, Oxford, 1287; Gilbert, son of Gilbert, Gloucester and the Welch Marches, 1350; Cecilia, sister and heir of John Beauchamp, Somerset, 1370 and 1392; Johanna Hanvyll, sister of Richard Turberville, Warwick, 1387; and Henry, of Hereford and North Wales, 1399 and 1425.

The only entries in the records here cited referring to the Turbervilles in Devon, that I have been able to trace, are in the *Inquisitions* and the *Hundred Rolls*. The first gives the name of Henry of Turberville as of "Braydnes [Bradninch] Manor," 1244. The second refers to South Molton under date 2 Ed. I., 1273.

Here it is set forth that the Earl of Gloucester held South Molton of the King as part of the honor of Gloucester; and that Nicholas, son of Martin, held the manor and hundred in serjeantry of him. The said Nicholas had a fair yearly at the Assumption, and a weekly Saturday market, by charter of Henry III., with assize of bread and beer and right of gallows. The jurors were John of the Water (de la Wat'e), Thomas the Fuller (le Foler), Henry of Bray, Roger of Huniton, Robert Seale, John Cridewe, Antony Bosse, Richard of Biricom, Thomas of Colecote, Bernard of Wite, Grant the

Chapman (le Chapman), and John Bonton. Here, too, there are several local names, as in the charter, but apparently drawn from a somewhat wider area. Cridewe is probably Creedy.

It is evident then that the Lysonsers erred in stating that the grant of the market and fair to Nicholas Fitzmartin was in 1357: it must have been nearly, if not quite, a century earlier, as Henry III. died in 1272.

Important additional information is supplied under the *Quo Warranto* proceedings taken seven years later, 1280, 9 Ed. I. Herein Nicholas, son of Martin aforesaid, states that the manor of South Molton—Suthmouton—with the hundred of the same had belonged to a certain Gilbert de Turberville, and that Gilbert had exchanged it with Martin for the manor of Treguz in Glamorgan, which had belonged to Martin. In support of this Richard of Turberville, heir of Gilbert, is called, and testifies that his father and all his ancestors had held the manor and hundred of South Molton from a time that the memory of man ran not to the contrary. Martin is ordered to come before the king for judgment at Easter, but that is a matter with which we have no present concern.

It is thus perfectly clear that Gilbert of Turberville's charter to South Molton must have been granted before 1273—probably not long after he succeeded to the manor, as it appears to have been the custom for each lord in succession—after the manner familiar in royal charters—to declare his will in this behalf. And he was certainly dead in 1280. It is possible that Richard may have been Richard of Wilts, given in the Inquisitions *p.m.* in 1284; but it is more certain that he was the Richard of Gloucester mentioned in the same records in 1287. In that case he might well have been the Richard of Turberville who attested a charter of Hugh le Despenser to Cardiff in 1259, which would suggest that his father might be then dead. But this is only a suggestion, from the inference that Gilbert, if available, would be a more likely witness than his son.

I have failed, however, to find any other allusion to the Gilbert of the charter, or to any of the other therein recited members of the family. The temptation to identify Pagan de Turberville, the grantor's grandfather, with the companion of Fitz-Hamon is great, but by no means free from difficulties. Still it is just possible that this may have been so. If Richard, Martin's witness, was an old man, as may well have been the case if he died in 1287, and Gilbert his father had succeeded to the manor early in life, the charter before us need not



have been granted for at least 100 years previously to the *Quo Warranto* enquiry. Two ownerships of forty years or so would then enable us to bring in Fitz-Hamon's follower. For Pagan of Turberville, when he took part in the conquest of Glamorgan, must have been a man in the early prime of life. His leader, Fitz-Hamon, died from the effects of a wound received at Falaise in 1107, and in the course of nature Pagan might well have lived much longer—long enough, at any rate, to make the suggested identification feasible. And in that case Gilbert the first may even have been one of the original Norman adventurers, and the first charter of South Molton date to the eleventh century. In any case it cannot be placed later than the twelfth, while the charter to which I have had the pleasure of introducing you must be considerably over six centuries old, and may be nearly seven.

I believe I am right in saying that the formalities of the manor court came to an end in 1867, and that the only tangible relic of these "good old times" still surviving is your "common moor." That without doubt is a remnant of the "*rationabilem communam in omnibus locis*," which Gilbert of Turberville so long ago granted to his burgesses of South Molton.