MACES OF THE TOWN OF LANCASTER.

c. Large mace dated 1702.
THE CORPORATE INSIGNIA, PLATE AND CHARTERS OF LANCASTER.\(^1\)

By T. CANN HUGHES, M.A., Town Clerk, and W. O. ROPER, F.S.A.

THE CORPORATE INSIGNIA AND PLATE.

By THOMAS CANN HUGHES, M.A., Town Clerk of Lancaster.

The earliest remaining Corporation possession of this nature is a fine old seal possibly of the time of Henry III, known as the "Mayor's Seal."

This seal is 1\(\frac{3}{4}\) inches in diameter, and bears on the field three castles, and in base a lion guardant crowned, and a fleur-de-lis. There is no reference to Lancaster in the inscription, which reads:

\[ + \text{S. HENR. DE G. RE. ANGLE FRANCE. & DNS. HIBE.} \]

but the present arms of Lancaster contain a part only of the device, the three castles having been dropped.

The two curious brass halberds are ancient. They are even yet placed on either side of the entrance of the house of His Worship the Mayor (if he resides within the borough), and on the west door of the Town Hall if he resides outside, as is the case in the present year. This curious custom, Mr. Hope tells us in his well-known book on Corporate Insignia, is peculiar to the towns of Lancashire. There are several old halberds in the attics of the Town Hall, and there is a record of one being stolen from the door of the Mayor (Thos. Shepherd) on 17th November, 1802.

I now direct your attention to a very fine series of measures and weights of the reign of Elizabeth, marked with her crown and dated 1588, and said to have been made from cannon taken in that year on the defeat of the Spanish Armada. These are certainly of great interest. They are supplemented by three other Elizabethan measures (all dated 1601). The first is a large circular

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\(^1\) Read at the Lancaster Meeting of the Institute, July 22nd, 1898.
measure of bronze or bell metal, 1 foot deep and 1 foot 7 inches in diameter, inscribed—


The second is a corn gallon, and the third (Regina, 1601) an ale quart.

In the Charter of 1604 the town was granted a Common Seal, and it is possible that at that time the present Corporate Seal was made in pursuance of the Charter. It is 1½ inches in diameter, and is inscribed—

* SIGILLVM : COMVNE : BVRG. : SIVE : VILL : LANCASTRIE.

We next come to two articles presented to the town by one Thomas Fanshaw:

The first of these was the old mace, which evidently weighed 37 oz. 4 dwt., and the subsequent history of which afterwards appears.

The other article was “The Mayor’s Staff,” still carried by His Worship in all State processions. It is 5 feet 10¾ inches long and made of ebony, and corresponds to the Mayor’s bamboo still preserved in the city of Chester.

It has a silver head, on top of which are the town arms, and around the following inscription:—

“This Staff was the Gift of Thomas Fanshaw, Esq’, sometime auditor of the Duchey of Lancaster and Burgess of the Towne. 1613.”

The donor was M.P. for Lancaster in seven Parliaments, 1604–1629, and was subsequently created a Viscount.

Three silver bowls were presented to the town early in the seventeenth century:

The first, which weighed 10 ozs. 15 dwts., was the gift of Thomas Braithwaite, on 12th April, 1615.

The second weighed 13 ozs. 7 dwts. 12 grs., and was given by the will of George Tompson in 1618.

The third weighed 14 ozs. 12 dwts. 12 grs., and came to the town under the will of William Parkinson in 1622.

The next presentation is entirely a conjecture of my own. I think it consisted of a silver-gilt cup with a cover, and was given, probably in 1630, by Sir Humphrey May,
Chancellor of the Duchy of Lancaster. More of this hereafter.

In 1632 George Braithwaite gave a silver salt cellar.

About this time were probably obtained our two smaller maces, both of silver-gilt; they are now carried in processions by the Mayor's sergeant and Town sergeant respectively. They have no hall-marks. On the flat top of each are the Royal Arms of James I, and the initials I.R. will be found three times over around the heads. The scroll-work at the base is worth notice.

In 1675 Thomas Foster gave a large silver tankard, which we still possess; it is 7 inches in height, and inscribed—

"The gift of Thomas Foster. Free Burgess of Lancaster. To goe Successifly from Mayor unto Mayor 1675."

In 1688 there was apparently some confusion as to where some of the Corporate Insignia had been placed, for we find on the 11th October that the Corporation gave orders that the charters, plate, and books should be produced yearly on the Thursday after the election of Mayor and Bailiffs, and that each succeeding Mayor should give a receipt for them when so handed over by his predecessor.

In 1702 Lancaster obtained its largest possession in the way of insignia—the Great Mace. Curiously, this mace was not exhibited at Burlington House in June, 1888, or at the great collection of maces I was privileged to assist in getting together at the Institute Congress at Chester in 1886. It was exhibited at Manchester on 15th December, 1893, before the Lancashire and Cheshire Antiquarian Society in illustration of Chancellor Ferguson’s paper “On the Dignity of a Mayor,” the practical result of which was the presentation of a handsome mace to the city of Manchester.

The Lancaster Great Mace is 54 inches in length, and is headed like the maces of Chester and Congleton, and many more, by an open-arched crown. Round the head are five compartments divided by half figures terminating in foliage. In these are the four Royal Badges, each between the letters A.R.; in the fifth, the arms of Lancaster. It is worthy of note (as pointed out by Mr. Roper in a paper he read before the Historic Society..."
of Lancashire and Cheshire on "The Charters of Lancaster" on 8th February, 1883) that the arms as here represented are "per fess in chief a castle of four towers in base a lion passant guardant." It will be noticed that on the Mayor's Seal there are three towers, each triple-turreted, and the lion has a fleur-de-lis on his tail. The castles are absent from the representations of the borough arms in the corridor of this building, which dates from 1688, and on the front of "The Corporation Arms" in Penny Street—shortly to come down for improvements, when it is hoped the arms will be preserved in the Storey Institute or elsewhere.

The Great Mace was the gift of Robert Heysham, and was acquired by the borough in 1702 in the Mayoralty of William Penny, who gave his name to Penny's Hospital. On 22nd October, 1703, when Mr. Penny gave up office, he took a receipt from his successor for the following articles (inter alia):—

"The large mace the gift of Mr. Heysham & the Case.
[There is now no proper case for the mace.]
The old mace
The two sergeants maces
One large silver Tankard
One large silver bowl with a Cover
Three lesser silver bowles
and one silver salt with a cover."

The next phase in the history of our Corporate plate is one all too frequent in our municipal history generally. In the 1723 accounts of the bailiffs we find the following significant entry:—

"Allowed them p\(^{d}\) for Exchange between Three silver bowles one salt and one old mace and a silver punch bowl £3. 1. 3."

So our original mace passed not, as a councillor once informed me to swell the coffers of Charles I, but to provide the punch bowl and ladle from which Mr. Mayor drinks the health of the friends who entertain him every 9th November.

Just at this time we find a record on the accounts which may be interesting to our lady friends, for the bailiffs enter in their books a payment for a "ducking-stool," which doubtless did duty in the mill dam now arched over and covered by the works of Messrs. Gillow.
In 1740 another exchange took place, for we find in the minutes of 10th September—

"Agreed that the old guilded silver cup and cover be applied towards purchasing a new silver presenter for the use of the Corp and that a sum not exceeding five guineas be laid out and added to the value of the said cup towards purchasing such new presenter which is recommended to Mr Sinoult the present Mayor to take care of to get done in such manner as he shall think proper."

This presenter or salver is still preserved at the Mayor's house. It bears the following inscription:—


The Hall-mark is that of Newcastle of 1740. There is very little doubt that Sir Humphrey May gave the cup and cover which the Corporation in 1740 changed for a salver, but perpetuated on it the gift they had destroyed.

The next piece of plate was another salver which has a representation of the present Town Hall, over which are the words

"Oedif. XXIII Geo III" and beneath "MDCCLXXXIII."

On the back is the following:—

"The unanimous gift of the Corporation of Lancaster to Robert Tomlinson gent for his great and serviceable attention to the building of the Town Hall."

Mr. Tomlinson's salver came back to us; for another inscription tells us—

"Mr Tomlinson's effects having been sold this Salver was purchased by Anth7 Atkinson Esq Mayor of Lancaster and by him given to the Corp the 19th day of October 1791."

In 1832 yet another silver salver came into the possession of the town. It is 26 inches by 19 inches and beautifully ornamented with flowers and scroll-work. In the centre are the arms and motto of the donor. The inscriptions explain its history—

"To David Campbell M.D. Fellow of the Royal College of Physicians Edinburgh: Physician to the Lancashire Lunatic Asylum the first and for more than Twenty Years sole Physician to the Lancaster Dispensary Presented by his friends in the Town and Neighbourhood of Lancaster as a memorial of their esteem for his eminent talents and as a mark of their high sense of his beneficent exertions during a Period of Fifty-five years June 1827."

The tale is thus continued—

"Afterwards bequeathed by Dr Campbell to the Mayor Bailiffs
Dr. Campbell was a well-known Lancastrian in his day: he resided in Castle Grove in the house now occupied by Alderman Gilchrist, and his initials in white cobble stones mark the fact at the entrance of The Grove.

In 1859 Mr. William Whelon gave a solid gold ring with the arms of Lancaster and the words

"The Mayor of Lancaster."

The ring bears the inscription—

"The gift of Wm Whelon, Mayor 1859-60. To go from Mayor to Mayor."

In 1878, in the mayoralty of Abram Seward, Councillor Stephen Wright Wearing (brother-in-law of Lord Ashton) presented the Mayor’s Chain and Badge "to the Corporation for the use of the Mayor of the Borough for ever, as a memento of his long and pleasant connection with that body, and of the attachment he feels for his native Town."

The stocks are still preserved in the attics of the Town Clerk’s office. They stood in the Town Hall Square. They were last used in 1878.

The pillory which stood near the entrance to the castle was last used on 1st August, 1807, when Thomas Bolton was placed therein.

The whipping post in the Town Hall Square was last used for a vagrant on 16th February, 1803.

There is no record of any use of a brank or scold’s bridle in Lancaster history.

In conclusion, my very cordial thanks are due to His Worship the Mayor (Alderman Huntington) for permission to use the old minutes; to Aldermen Kitchen and Gilchrist and Councillor Satterthwaite for valuable aid; to the Finance Committee for permission to photograph the Insignia; to Mr. J. Balderston Briggs for his photographs; to Mr. St. John Hope for ample use made of his handsome volume; and last, but by no means least, to my friend and predecessor, Mr. Roper, and to Mr. J. S. Slinger for that help which they with ripe experience and profound knowledge in local history are ever willing to place at the disposal of their fellow-students in the archaeological field.
CHARTER OF JOHN, AS EARL OF MORTON, GRANTED TO LANCASTER IN 1193.
THE CHARTERS.

By W. O. ROPER, F.S.A.

For the earliest existing Charter we must look back to the days of Richard I—to those times when that monarch, fired with military enthusiasm, was carrying the renown of the English name into the East, and fighting for the Holy places of Palestine. At home his brother John, treacherous always, was plotting his ruin, and seeking to gain the people of England to his cause. Whether John wished to obtain the support of the town of Lancaster or whether the burgesses had given him some tangible consideration for his favour does not appear, but in 1193 John granted to Lancaster its earliest existing Charter.

"John Earl of Moreton"—so runs a free rendering of the Latin tongue—"to all his friends in France and England greeting. Know ye that I have granted and by this my Charter have confirmed to my burgesses of Lancaster all the liberties which I have granted to the Burgesses of Bristol. Furthermore I have declared the same Burgesses freed from suit to my mill and from ploughing and other servile customs which they used to do. . . . I have granted also to the same Burgesses . . . the Pasturage of my Forest as far from the Town of Lancaster as their Cattle can go and return in a day. I have granted also to them of dead wood in my Forest so much as shall be needful to them for burning and of other wood so much as shall be needed for building under the Survey of my Foresters. . . . In the fourth year of the reign of our Lord King Richard on the morrow of St. Barnabas the Apostle at Dorchester."

The liberties of Bristol referred to in this Charter were very extensive and included provisions that no burgess was to be impleaded except within the walls of the town; that all were to be quit of toll and lastage and pontage throughout the kingdom; and that no stranger was to establish himself within the town for purposes of trade for a longer period than forty days; the Guilds were to be upheld, and all lands within the town were to be held in free burgage tenure.

Six years later John came to Lancaster. In that old Norman keep which still frowns down on Lancaster we can picture on an October morning the knights and nobles of the district assembled. On the dais sits the
King, and on bended knee before him is the Northern monarch Alexander of Scotland doing solemn homage for the lands which he held in Cumberland yet expressly reserving his sovereign rights. This act of homage rendered in the Castle of Lancaster was only one of the many links in the chain with which England strove to unite to herself her Northern neighbour and which through long ages have at length become firmly welded into an indissoluble bond of union.

But while the attention of the assembly is occupied with matters of State, the eye falls upon a group of representatives of the ancient borough of Lancaster. They were the burgesses to whom John, when he ascended the throne, gave the earliest Royal Charter of which the borough now can boast.

That Charter grants to the burgesses of Lancaster all the liberties which the burgesses of Northampton had the day that King Henry II died in lieu of the liberties granted by John when Earl of Moreton.

Its terms at once necessitated an application to the borough of Northampton to know what liberties that town possessed. Accordingly from Northampton was received a parchment setting forth the liberties enjoyed in that borough and addressed

“To their most worshipful friends the Sheriffs and Bailiffs of Lancaster the Bailiffs of our Lord the King from Northampton Greeting—with love, rejoicing concerning the Liberties granted to you by our Lord the King. We send you a copy of the Charter which we have given from the King himself.”

The main privileges granted by this Charter were freedom of the burgesses from toll throughout all England, and that the burgesses might make a Mayor whom they shall choose from amongst themselves every year who shall be meet for us and them.

These privileges were confirmed by Henry III when he granted to Lancaster a Charter, given under the hand of the Venerable Father Ralph, Bishop of Chichester, the Chancellor, on the 16th of March, 1227.

But a Charter that brought still greater importance to Lancaster was that obtained through the intervention of John of Gaunt:

“Know ye”—runs a free translation of the deed—“that we of our
CHARTER OF HENRY III, GRANTED TO LANCASTER IN 1227.
special grace and at the request of our beloved son John, Duke of Lancaster, have granted and by this Charter have confirmed to our beloved Mayor, Bailiffs, and Commonalty of the Town of Lancaster, that all pleas and sessions of whatsoever justices in the County of Lancaster assigned be held in the said Town of Lancaster as the principal town of the said County and not elsewhere in the said County."

It is under this Charter that at the present day the Quarter Sessions are always opened at Lancaster and only held by adjournment at Preston and Kirkdale. So also the Assizes are still held at Lancaster, though the larger portion of the business is now transacted at Liverpool and Manchester.

The days of this Charter were amongst the brightest in the history of the town, and enabled the burgesses to devote their attention to the preparation of a series of bye-laws.

These Orders and Constitutions are no less than 142 in number, and four times a year had the unfortunate burgesses to listen to the whole of those 142 Orders and Constitutions carefully read over in their ears. They provide for the regulation of the town's pasture, and are very jealous for the maintenance of the rights of freemen. They provide for the election of Mayor and Bailiffs—the bailiffs to keep their banquets at Shrovetide and Easter, and to charge the expense thereof upon the town. Provision was also made for the appointment of "a cobler to amend old shoes"; a swine-herd to keep all the swine of the town on Quernmoor, above the Moor Gate. "If any freeman do rayle or revile any man by any dangerous words he shall lose his liberty or else be grievously fined," but if the unfortunate offender were not free—mark the distinction between freemen and others—if he were not free he was to be committed to the gibbet. No wedding breakfast was to cost more than 4d. a head. Vagabonds or idle young persons were to be carted or scourged out of the town. Any man standing under any man's eaves, for eavesdropping, was to be fined 3s. 4d. All unlawful games were to be put away, and the young men were commanded to buy bows and arrows.

In 1384, and again in 1389, King Richard II confirmed the ancient Charters. The second confirmation expressly renews any privileges which may have been allowed to
lapse by non-user, and was granted "by the King himself for the fine of forty shillings and because the Town afore-said by misfortune has been often burnt."

In 1399 Henry IV confirmed the Charters, and in 1409 expressly ratified the exemption of the burgesses from toll. "We"—says the Charter—"greatly intending the weal profit & advancement of the same our Town of Lancaster have determined that the said grants shall stand & persevere in their full strength & virtue."

Then came the golden days of Henry V, when the noble gateway of the castle raised its front high above the town. Yet the burgesses seem to have been in trouble. In the second year of his reign Henry V "pardoned & remitted to Richard de Elslake Mayor of the Towne of Lancaster and the Bailiffs and Commonalty all manner of Trespasses by them before the 8th day of December in the second year of our Reign against the form of the Statutes concerning Liveries of Coats & Caps committed or perpetrated."

In 1421 Henry again granted a Charter to the borough, and especially confirmed the fairs and markets, the guild, and the holding of the Sessions at Lancaster.

In the reign of Henry VI the Mayor, bailiffs, and commonalty presented a petition for further liberties:

"Whereas"—say they—"Lancaster from time immemorial has been and still is the chief and most ancient borough within the County of Lancaster; to which borough there is a great confluence and concourse of people as well as of merchants denizens and others and before this time has been for the greater part inhabited by merchants; and because the mayor and bailiffs for the time being have not had power or authority to take recognizances by statute merchant, many of the said merchants, without any surety had, have furnished their goods and merchandise to divers people, and have fallen in great poverty, because they had not power by law in the borough to recover their debts promptly on the day fixed for payment, and for this cause many merchants have ceased to come to this borough with their merchandise, to the great damage of all the commonalty of the said borough."

The petition therefore prayed the King to grant to the Mayor and his successors power to take and record all manner of recognizances by statute merchant of the debts of all debtors who shall come before them. The prayer of the petition was complied with, and the burgesses, we hope, profited by their further privileges.
Then came the dark time of the Wars of the Roses; and the reigns of Edward IV, Edward V, and Richard III were occupied in more stirring matters than the granting of Charters to the borough of Lancaster.

Still there remains one gleam of light out of the darkness—to wit, the foundation by John Gardyner of the school which has now existed for four hundred years in Lancaster. Its management seems to have passed into the hands of the Corporation about the year 1500, for certain rules were then laid down. These rules provided that the schoolmaster was to be

"a profound grammarian keeping a free school teaching & informing ye children unto their utmost proffitte nothing takyn therefor.

"The time of the begynning of his informacion of ye Scole in ye morning tyde at 6 of ye Clocke & so continewing unto viij. The said Schole Maistr to begyn again at ye 'o'r of x & to contynue unto xij & then from ij afternorne until six at Eynyn, saying dayly at the breking np of ye scole De profundis for ye sowlys of J. Gardener & Isabell his wife, ye sowlys of bredn and sisters belongyng unto ye monastery of Seynt Brigitt of Syon & for all Crystyn sowlys."

Early in the reign of Henry VII we find the burgesses petitioning for a confirmation of their Charters, and receiving a Charter in answer to their prayer.

The usual Charter of confirmation is not forthcoming in the reign of Henry VIII. But the preamble of an Act of Parliament passed in that reign shews that Lancaster was not then in a very prosperous condition.

"In times past"—says the Act—"divers & many beautiful houses of habitation have been within the walles of the towne of Laner which now are fallen down decayned & at this tyme remayne unreedified lying as desolate & voyd grounds & many of them adjoyninge nigh unto the high streets, replenished with much ordure filth & uncleanness with pittes cellars & vaultes lying open & uncovered to the great peryll & daungier of all the inhabitants & all the Kynges subjects passing by the same, & some houses be very weak and feble redy to fall down & be very dangerous to passe bye to the decay & hindrance of the said boroughs and townes."

The Statute therefore enacted that the owners of such houses should within two years repair them under pain of forfeiture.

Edward VI confirmed the Charters and extended the privileges of freedom from tolls.

In the reign of Queen Mary the burgesses complained that the Quarter Sessions had been removed from Lancaster
and that the liberties of the town had been greatly infringed and broken, to the great decay of the town and the impoverishment of the poor inhabitants of the same. Eventually an order was made that all general sessions of assizes and gaol delivery should from thenceforth be held in Lancaster, and not elsewhere in the county.

Shortly after came a precept addressed by

"Philip & Mary by the grace of God King & Queen of England Spain France both Sicilies Jerusalem & Ireland, Defender of the Faith, Archduke of Austria, Duke of Burgundy Milan & Brabant, Count of Aspurge Flanders & Tirol, to our trusty & well beloved the Mayor & Bailiffs of our Town of Lancaster & to all the Burgesss of the same & to every of them. Whereas," says the precept, "we be credibly informed that our said Town is in great ruin & decay by reason of such variance as hath been by means of taking of Liveries & Cognizance . . . contrary to our Laws . . . Wherefore we well and strictly charge . . . that you do make in our name proclamation that no manner of person . . . from henceforth retain any person nor be retained with any person or persons by oath livery sign Cognizance or otherwise, but as shall accord with our laws."

In the fifth year of her reign Queen Elizabeth gave the usual Charter of confirmation, and the town seems to have grown steadily during her reign, and with the rise of England's sea power Lancaster became one of the principal ports of the North.

In 1604 James I, considering that the town is "an ancient and populous Town and the Inhabitants of the Town time out of mind have had used & enjoyed divers franchises & willing that the Town from henceforth for ever may be & remain a Town of Peace and Quiet to the fear and terror of the wicked & for the Reward of the good" granted Lancaster a Charter.

This deed placed the government of the town in the hands of a Mayor, Bailiffs, and Commonalty, and directed that the Mayor was to act as Justice of the Peace and Coroner.

In 1621 James granted another Charter expressly confirming the exemption of Lancastrians from toll in any part of his dominion.

Then came the Civil Wars, and during the fire which occurred in one of the many sieges of the town several of the Charters were damaged, and parts of some are almost illegible from this cause.
The next Charters are those of Charles II, granted in 1663 and in 1684, chiefly confirming the earlier deeds. The latter Charter exempted members of the Commonalty from service on juries outside the town. The governing body were to consist of one honest and discreet man who shall be and shall be called Mayor, one Recorder, seven Aldermen, twenty-four who shall be called the Common Council, of whom twelve shall be called Capital burgesses and twelve shall be called the Commonalty, two Bailiffs, one common clerk, one mace bearer, and two sergeants-at-mace.

Some of the charges in connection with the obtaining of this Charter are worth recording:

<table>
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<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
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</thead>
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<td>To Mr. Jennings Counsel my Lord Chief Justices favourite</td>
<td>2</td>
<td>3</td>
<td>0</td>
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<tr>
<td>To the Foot boy</td>
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<td>To an under officer at the door</td>
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<td>6</td>
<td>0</td>
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<td>To Mr. Johnson to expedite the Bill</td>
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<td>2</td>
<td>0</td>
</tr>
<tr>
<td>To his man</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>To his boy</td>
<td>1</td>
<td>0</td>
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<tr>
<td>Paid at the Privy Seal for the Chancellor</td>
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<td>0</td>
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<tr>
<td>For Coach hire up &amp; down</td>
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<tr>
<td>For expedition</td>
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<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Expenses upon the Road up &amp; down, for our Chamber &amp; Fire, &amp; treating of Gentlemen &amp; Friends who gave us assistance in our business; Coaches &amp; Boat hire &amp; other Expenses</td>
<td>184</td>
<td>2</td>
<td>8</td>
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In the reign of George III, the Corporation again obtained a Charter the main provisions of which remained applicable until the Municipal Corporations Reform Act of 1835.

Such is an outline of the Charters of Lancaster. As time went on the deeds grew more and more lengthy, but perhaps the most interesting of them all is the shortest and the oldest.

All through the long centuries of sunshine and storm which have passed over the borough since the reign of Richard I this earliest Charter has been preserved. Through the palmy days of the Dukes of Lancaster, through the raids and fire of the Border tribes, through the wretched Wars of the Roses, past the time when monasteries founded
by Charters earlier and later than this have risen, flourished, and tottered to their fall, through the Civil Wars of England and the more peaceful times of the last 150 years, this parchment is almost as fresh as when the ink dried upon it in the time of John. Once it narrowly escaped destruction: when the Royalists besieged the town in 1643, when the great fire raged and Penny Street was burned from end to end, the Charter was in imminent danger. Its edges have been singed with the fire that burned the homes of our ancestors in their town, but the old Charter was rescued and appears before you to-night as evidence of the place which Lancaster held amongst the boroughs of England seven centuries ago.