



THE DEVONSHIRE  
ALMS-HOUSES  
DERBY  
Built 1777

# DERBYSHIRE ARCHÆOLOGICAL AND NATURAL HISTORY SOCIETY.

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## Supplemental Notes on the Almshouse of Elizabeth, Countess of Shrewsbury.

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THE Devonshire almshouses, as they are generally called, were founded by Elizabeth, Countess of Shrewsbury, in 1599, after the death of the Earl, her fourth husband. The present houses, erected about the year 1777, were the subject of a characteristic criticism by Hutton.\* As these buildings, with the original site, are about to be sold in furtherance of a new scheme made by the Charity Commissioners in 1889 for the administration of the charity, it may be well to supplement with the following notes such particulars as have been hitherto published :—

Of existing muniments the earliest are the Letters Patent sealed at Westminster with the great seal of Queen Elizabeth on 3rd March, 1597. Their old box has been over-run by, I think, *Niptus hololeucus* and its larva. Perhaps some member of the Natural History section can suggest a remedy. The Letters are

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\* "History of Derby, 1791," p. 52.

written in abbreviated Latin, and this may probably account for their omission from "Simpson's History," where the orders and deed of gift are transcribed at length. They recite the proposal of the Countess to found two several almshouses, one within the town of Derby, and the other in the parish of Bakewell, for the maintenance of certain poor within the parishes and towns of Derby, Hucknall, Stainsby, Heath, Chatsworth, Bakewell, and elsewhere, in the County of Derby. They grant license for the foundation of an almshouse at Derby for the relief of poor men and women in and about the parishes and towns of Derby, Hucknall, Stainsby, Heath, Chatsworth, and elsewhere in the county, and they appoint Thomas Johnson to be first warden, Richard Hayward, George Tomlinson, Edward Dyker, Thomas Alsoppe, Humfrey Heynes, Thomas Parre, and John Melborne to be first brethren, and Dorothy Hayward, Isabella Heyward, Katherine Dangerfield, and Johanna Sturdye to be first sisters. In favour of Richard Hayward and Dorothy his wife, an exception was made to the rule against married inmates, and the former was charged by the orders with the care of the chapel in All Saints', a duty which was afterwards to appertain to the office of warden.

The Charter goes on to grant that the same warden, brethren, and sisters, and their successors, be a body corporate and politic by the name of the warden, brethren, and sisters of the almshouse of Derby, of the foundation of Elizabeth, Countess of Shrewsbury, and have a common seal. It provides for the choice of warden, brethren, and sisters upon any vacancy by the Countess, or by such persons as she should by deed or will appoint, and their heirs, and in default by the bailiffs of the town of Derby, the Bishop of Lichfield and Coventry or the Archbishop of Canterbury. It empowers the Countess to make rules, and the warden, brethren, and sisters to hold land and rents not exceeding a clear yearly value of £100, and it gives license to the Countess to grant four acres of land, meadow, or pasture, within or near to the town of Derby, for a site of the almshouse beyond the aforesaid sum of £100, to hold to the warden,

brethren, and sisters, and their successors, by their corporate name in perpetuity.

The Letters Patent proceed to grant leave to the Countess to found one other almshouse at Bakewell, in the High Peak, for the relief of the poor within the parish of Bakewell, and elsewhere in the County of Derby, to be called the almshouse of Bakewell, of the foundation of John Manners, of Haddon, Esquire, for a warden and three brethren, chosen by John Manners during his life, and after his decease by the lord of the manor or lordship of Haddon. They appoint Thurstan Hutchenson first warden, and William Abbott, Edward Harrison, and Edward Fayles the first brethren. The subsequent provisions are similar to those made for the Derby almshouse, but the right of nomination on default is conferred upon the Vicar and wardens of the Parish Church of Bakewell in substitution for the bailiffs of Derby, and the endowment, including a mansion house in Bakewell where the said warden and three poor men had then lately lived, was not to exceed a clear yearly value of £40.

It does not seem that the powers of the charter for the foundation of the Bakewell House were ever exercised. By deed, however, of 30th April, 1602, John Manners, of Nether Haddon, Esquire, under the authority of a Statute\* made meanwhile "for erecting of Hospitals or Abiding and Working Houses for the Poor," ordained and constituted that so much of a newly-erected house in Bakewell, being part of the chapel as contained four lodgings below; wherein four poor men—Edward Hopkinson, Robert Sheppard, Edward Fayles, and Clement Jones—then lay, and having the Town Hall over it, and the back side or garden stead therewith used, should remain an hospital for ever, and that the same should be called St. John's Hospital, and the said John Manners incorporated the said four persons by the name of "the Governor and Poor of St. John's Hospital in Bakewell."†

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\* 39 Elizabeth, c. 5.

† The Charities in the County of Derby. Selected from Reports of Commissioners for Inquiry, 1839.

The next document is an Indenture of 13th April, 1597. As this is a deed of some interest, and is not printed by Simpson, I have transcribed it at length :—

This Indenture made the thirteenth day of April, in the nine & thirtieth yeare of the reigne of our sovereigne ladie Elizabeth, by the grace of god Queene of Englande France & Ireland, defender of the faith, &c. Betwene the right honourable Elizabeth Countesse of Shrowsberie dowager of the one parte, and Thoms Ilsley & John Parker bailiffes of the borrowghe of Derby in the countie of Derby, & the burgesses of the same borrowghe—Robert Stringer, Henry Yorke, Thoms Walker, Thoms Campion, Richard Fletcher, Willm Botham, Edward Smyth, Robert Woode, Willm Bently, Thoms Fitche, Robert Bruckhouse, Edmund Slighe, Ellyse Hakes, Robert Brownell, James Osborne, Nicholas Slighe, Richarde Porter, Thoms Bate, Thoms Berke, Richard Haughto, Robert Bicherrast, Richarde Ilseley, & the rest of the burgesses of the said borrowghe, & Edward Benett Clarke, vicare of the churche of All-Saints in Derby aforesayde, & Michael Babington of the said borrowghe of Derby gentleman, & Roberte Bainbrigge of Cawke within the said countie of Derby, gentleman, of the other parte. Witnesseth, that whereas the said righte honourable Countesse moste christianlie consideringe the greate distresse & wante that manie poore aged and impotent persons, especiallie of the northe partes of this realme doe moste grievouslie endure, and thereupon with lyke compassion in her moste godlie disposition desiringe some reliefe therein, hath of her verie honoureaible affection towards the said borrowghe of Derby made choise from all other places, where it hath pleased god verie bountiefullie to blesse her with liberall possessions, to erect & founde an Almes-house neere to the said churche of All-Saints within the said borrowghe of Derby & to endowe the same with one hundred poundes yearlie revenewe of her owne gifte for the perpetuall reliefe of eighte poore men & foure poore women there & of some other poore in the saide borrowghe of Derby for evermore, and hath further intended to place the monumente and memoriall of her right honourable estate & buriall within the southward queere

or chancell of the said church of All-Saints. Now the said bailiffes and burgesses & the said Robert Bainbrigge & the said vicare for themselves and their severall corporacons, & the severall successors of everie of them in moste thankfull acceptance & their earnest furtherance of the said Countesse most honourable said intention towards them, have with their full & free consents & good will graunted confirmed assured & allowed, and by these presents doe moste willinglie graunte confirme assure & allowe unto the said Countesse, & her heires for ever, all that parte & soe much of the said south queere or chancell in the said church of All-Saints in the said borrowghe of Derby as is and extendeth itselfe next from & above the dore of the said south queere or chancell unto the great pillar much-what over against the said chancell or queere dore, & soe all the space & ronnthe above & within the said south queere or chancell unto the upper end or greate windowe thereof for her La<sup>ty</sup>: to erecte and place her said Toumbe & convenient places for the said poore to repaire unto, & have private unto themselves, for to performe their praiers & other duties there to the honoure of almighty god in such sorte as her La<sup>ty</sup>: shall please to appointe the same. And Further, the said bailiffes & burgesses for them and their severall successors, & especiallie the said Richarde Fletcher, Edward Smyth, & Michael Babington, for the reasoneable seyte easement & situation of the saide Almeshouse, & for a certen summe of lawfull englishe monie therefore, unto them before the sealeinge hereof well & truelie satisfied & paid by the said Countesse, have bargained sold graunted & infeoffed, and by these presents doe clearelie & absolutelie bargain sell graunt & infeoffe unto the said Countesse all those twoe toftsteads & three percells of ground or garden plotts in Derby aforesaid, conteineinge by estimation one acre, lyinge over against & neere unto the churchyarde of the said church of All-Saints, betweene the landes of one Peter Bate towards the North, & the landes of Richard Haughton butcher towards the south, & buttinge uppon the river of Darwente towards the east, & the towne streete of the said borrowghe or towne of Derby commonly called the full streete towards the

west, with all & everye of the righte, members, & appurtenances thereof, the which said toft, steads, & garden plotts, with the appurtenances, the said bailiffes and burgesses doe certenlie knowe & doe hereby truly wnesse to be the rightfull inheritance of the said Richarde Fletcher & Edward Smyth, as they are nowe in the severall occupacons of them the said Richarde Fletcher & Edward Smyth or of their or the one of their assignes or assigne. And the said bailiffes and burgesses together with the said Richarde Fletcher, Edward Smyth, & Michael Babington, for the more ease of the said Almeshouse, & the better defence of the inheritance of the saide scyte thereof, doe further hereby bargain sell infeoffe & graunte for them & the successors of the said bailiffes & burgesses & for the severall heires of the said Richard Fletcher, Edward Smyth, & Michael Babington unto the said Countesse, the full bredth & space of twoe yardes to be taken out of the said streete called full streete next alonge & all over next against the westwarde endes of the said garden plotts & toftsteads, together with all the deeds wrytings & evidences anie waies nameing or concerning only the said toftsteads & premisses before mentioned to be graunted, bargained, or sold, or onely anie parte or percell thereof. All which said deeds, wrytings, & evidences, or soe manie thereof as the said Richarde Fletcher, Edward Smyth, & Michael Babington or anie of them or any other by the meanes or delivery of any of them nowe have, or lawfullie may come by, without suite in law, together with the true coppies of all such other deeds wrytings and evidences as the said Richarde Fletcher, Edward Smyth or any other by either of their meanes or deliverie concerninge the said graunted bargained & sold premisses, or anie parte thereof, and any other landes or tenements whatsoever, they the said Richarde Fletcher, Edward Smyth, and Michael Babington doe severallie for themselves and the severall heires executors & administrators of every of them, covenante and graunt with & to the said Countesse & her heires & assignes, to deliver to the said Countesse or her heires or assignes within six monethes next after the date hereof, wholle, safe, and undefaced, or in as good force & plite as the are at the

sealinge of theise presents, all the said copies to be made att the onelie charges of the said Countesse & of her heires or assignes. To have and to holde all & singuler the said upper parte of the said south queere or cancell, together with the said twoe toftsteads, three percells of grounde or garden plotts, & all other the premisses before mentioned, unto the said Countesse & her heires & assignes to her & theire onely use & behoofe for evermore. And the said Richard Fletcher, Edward Smyth, & Michaell Babington doe severallie covenant & graunt for themselves severallie, & for the severall heires executors & administrators of every of them, with & to the said Countesse & her heires & assignes & every of them by theise presents, not onely that shee the said Countesse & her heires & assignes shall or lawfully maie att all tymes hereafter have, hold, occupye, & enjoye, all & singuler the said toftsteads garden plotts and premisses (before mentioned to be graunted bargained or sold) & everie parte & percell thereof without anie lawfull lett vexation or incumbrance of the said Richarde Fletcher, Edward Smyth, & Michaell Babington, or of anie of them, or of anie of the heires or assignes of them, or of anie of them, or of anie other persone or persones havinge or lawfullie claimeinge any estate charge or interest by for from or under the said Richard Fletcher, Edward Smyth, & Michaell Babington, or anie of them, or the estate or interest of them, or anie of them, the rents & services from henceforth to become due unto the cheife lordes of the fees of whome the same are holden onely excepted. But alsoe, that the said Richard Fletcher, Edward Smyth, & Michaell Babington, & everie of them, & the severall heires of everie or anie of them, shall or will att all tymes hereafter within conveniente tyme next after reasonable request therefore had or made, make, doe, seale, execute, knowledge & suffer to be done dureinge the space of seven yeares next ensueinge the date here of, att the onelye costs & charges in the lawe of the said Countesse, or her heires or assignes, all & everie such lawfull acte & acts thinge and things devise & devises as shall be reasonable devised or advised & required by, to or for the sayd Countesse & her heires & assignes or anie of them for the further

conveyinge & more perfect assureinge of all & singuler the said toftsteades & premisses before mentioned to be bargained & sold unto the said Countesse & her heires & assignes or anie of them in anye sorte whatsoever, soe as the said Richarde Fletcher, Edward Smyth, & Michael Babington, or anie of them or anie of their heires neede not to travaille thereabouts further than the said borrowghe or towne of Derby, neither be thereby bounde to anie further warrantie then severall warrants against themselves severallie & against their severall heires, all which said acte & acts devise & devises for further conveyance as is aforesaid shall be & shall for ever hereafter be adjudged & taken to be to & for the onely use & behoofe of the said Countesse & of her heires & assignes & to noe other use intente or purpose. In witnes whereof, & for further confirmacon of all the said premisses, the said bailiffes & burgesses their common seale & the said other parties their severall seales to theise present Indentures intexchangeable have putt & subscribed their names. Geven the daie & yeare first above written.

The deed is signed & sealed by Richard Fletcher, Edward Smith, Robert Baynbrigge, Michael Babington, & Edward Bennett, sealed with the common seal of the town of Derby, & attested, and memoranda of livery of seizin of the parcell of the streete, two toftsteads & three gardens are endorsed & signed.

The conveyance of the south-east chapel in All Saints' church for the tomb of the Countess and for the accommodation of the almspeople, is noticeable.

The bailiffs and burgesses probably derived what title they had as grantees from Queen Mary of the advowson of the church and of the property of the dissolved college, but why Robert Bainbrigge of Calke was joined, I cannot ascertain. It appears from the deed to have been in the capacity of some corporation sole. There is no recital of any faculty of the ordinary, nor any limitation making the grant appurtenant to the almshouse. Perhaps the character of a free chapel was still attached to All Saints', sufficiently to oust the authority of the bishop.

Of even date with this indenture, is a Power of Attorney to William Buckley of Derby, gentleman, and Robert Bamford of Mugginton, clerk, for the completion of the conveyance by livery of seizin and enrolment of the deed.

Two years later, by deed of 1 March, 41 Eliz., the Countess conveyed to the warden, brethren, and sisters, the Full Street property, with "a newe building of hewed stone of fourscore and twelve foote of length, and twentie and too foote in bredth or thereabouts, within the walls thereof, with twelve severall Devided Lodgings within the same." In this deed of gift which, with the two annexed Powers of Attorney, is set out at length by Simpson, is comprised a rent of £100 charged upon the manor of Little Longston and other property, then lately acquired by the Countess from the Shakerleys of Longston.

Seizin of the rent was very appropriately given "by the guyft and Delyverie of one Angle of gold inclosed within the waxe of the back of the seall." The impression made by the angel is still visible. The deed is signed, E. Shrowesbury, and sealed, and is attested by Arbella Stuart, W. Cavendysshe, Ths. Chaworth, Nycholas Kynnersley, Tymothie Pusey, James Starkey, and W. Reasom. The seal of the Countess consists of the Hardwick arms—*Arg.* a saltier, engrailed *az.* on a chief of the second, three cinquefoils of the field—surmounted by an earl's coronet. The Lady Arabella Stuart was probably, at the time, in the care or custody of the Countess, her aunt. Sixteen years later, under James I., she was done to death a captive in the Tower of London. The second witness is, no doubt, Sir William Cavendish the son, who succeeded to the Hardwick estate, and with it to the patronage of the almshouse. The third witness was probably from the neighbouring manor of Annesley. The Derbyshire Chaworths had died out perhaps a century before. Nicholas Kynnersley came from Nottingham. Timothy Pusey was the confidential servant of the Countess.

Besides the two Powers of Attorney of 1 March, 41 Eliz., 1599, annexed to this deed and printed by Simpson, is another from the warden, brethren, and sisters to Nicholas Kynnersley,

dealing with the rent-charge, and misdated 1 March, 41 Eliz., 1598.

The rules or orders are dated 5 October, 41 Eliz. They are most characteristic of the Countess, and are signed by her. They are printed in full by Simpson.

The latest deed, dated 25 Sept., 3 Jas., is indorsed, "1605 Hospitall at Derby A Distress out of Edensore &c and Bowden for a further securty of the ret charg graunted unto them." By this deed, after recitals of the Letters Patent, and the building and endowment of the almshouse, the Countess, "consideringe and foreseeinge in her grave and wise Judgment that the value of the sayd lands charged with the payment of the said rent may hereafter by Alteracon of tymes or other meanes happen to decay," and be insufficient to satisfy the rent, and that it would be a matter of much vexation for the warden, brethren, and sisters, to sue for the rent in case of default, gave to them powers of entry and distress over a moiety of the manor of Edensor in demayne and the tenements there amounting to twenty oxgangs at the least, over all other hereditaments in Edensore, Pillesley, Calton, and Lees, then lately purchased of the Right Hon George, Earl of Cumberland, and Sir Francis Clifford, knight, and over all hereditaments purchased of Nicholas Browne of the marshe, esquire, Nicholas Browne his son and heir, and Cecilie, wife of the said Nicholas the son, and John Browne, one of the younger sons of Nicholas the elder, situate in Bowden als Bawden in the parish of Chappell in the Frythe. The rent-charge was further secured by an additional penalty of £13 6s. 8d., assured by the delivery of "sixpence inclosed within the waxe of the Seale of these presents." Part of the impression of the great silver sixpence of the period is preserved.

What the Countess did not provide for was the present cheapness of money. The rent-charge was, however, voluntarily supplemented for many years with an additional £50 by the Dukes of Devonshire, and this was secured to the charity by the late duke under the recent scheme.

The Inventory of 1st October, 1599, referred to by Simpson,

together with the Indentures of Fine, and some at least of the "Seaven pieces of Evidence," have disappeared, but the duplicate Inventory and copies of some early deeds are preserved by the Duke of Devonshire with the grantor's parts of the principal Indentures. The old Enrolment Book has gone, and till quite recently no record of the almspeople appears to have been kept. One of the present number, Richard Knowles, is 104 years of age, having attained 85 at the time of his admission in 1874.

With the Duke's papers is an interesting Sketch Plan of the latter part of the sixteenth century, showing All Saints' Church and the neighbouring streets. It was perhaps prepared in connection with the title to the Full Street site. And with reference to this title, which was derived from the Babingtons, there is a letter from Robert Bamford to Mr. Chaworth at his coming to Hardwick, which denies the lunacy of one Francis Babington, and attributes his escape from capital punishment, after killing a man and woman in a fit of drunkenness, to the fact of the judges then using to lie at assize time at Mr. Michael Babington's house, and for that Francis Babington himself was a gentleman well descended.

The almspeople have long since ceased to wear their livery and badge, but the allowance includes the annual payment of £1 for cloak money. The badges, with the silver seal, are in the care of Mr. Gilson Martin, of Edensor. The badge is engraved by Simpson.

The Seal was, so the deed of gift recites, the design of the Countess. The principal device is a hart trippant gorged with a garland. Quartered above on a lozenge, between the initials E. S. and surmounted by an earl's coronet, are 1st and 4th Hardwick as above, 2nd and 3rd *arg.* a fesse, and 3 mullets in chief *sab.* (Leigh). The Seal bears the date 1598, and the inscription—Sigill. Dom. Hospit. De. Darby. Ex. Fundat. Dncæ. Elizabeth. Comitisse. Salopie.

The almspeople have, too, long since ceased to resort daily or at all to their place in All Saints'. The vault beneath the chapel was used continuously before and after the restoration of 1725 as

the family burying place of the Dukes of Devonshire. The sixth duke, however, who died in 1853, was interred at Edensor, and the vault is now permanently closed. The railings and gates which enclosed the chapel were re-arranged or removed in the alterations of 1873-4, and one of the tombs suffered unhappily at the same time.\*



The Seal of the  
Devonshire Alms-houses

By the scheme of 1889, already referred to, the charity is under the management of a patron and four *ex-officio* trustees. The income, after defraying the cost of keeping clean and in good repair the tomb of the Countess, and subject to the payment of 40s. yearly to the Vicar of All Saints', provided he preaches a sermon on Good Friday, and of £5 to be applied by the Mayor for the benefit of the poor of Derby, is to be appropriated to the maintenance of twelve pensions. Under the deed of gift 20s. was to be paid for keeping the tomb "from all hurte or soyle;"

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\* "Chronicles of All Saints'," Cox and Hope.

for the 40s. which was payable "To the mynister or Curat of the saide Church of All hallowes being a Preacher, and in default thereof to the mynister or curat of any of the other churches in Derby aforesaide being a Preacher," the almshouse was to be visited, and sermons preached on Good Friday and S. Michael's Day in the presence of the almspeople, and the £5 was to be distributed in sums of 12d. to each of one hundred of the other poor of Derby.

The pensions are tenable for three years by eight men and four women appointed as the scheme provides, and preferably persons who have become reduced by misfortune from better circumstances.

The new order was perhaps inevitable. It is probably more adapted to the needs of the time. But what would the Countess say?