



Some Early Deeds relating to Land on the North side of Eastgate Street, Chester

By R. MORTIMER MONTGOMERY, K.C.

(Read 19th October, 1915).



NUMBER of old deeds were brought to my notice last year, which relate to lands in which members of the family of Aldersey (well known at one time in the civic life of Chester) were interested. Besides original documents there are two old lists of deeds (on paper) relating to these lands, the earlier headed "Breviat of deeds concerning the heires of Mr. Aldersey"—to which a much later endorsement adds "as to premises in Hoole and Eastgate Chester"—the other merely described as "Catalogue of Mr. Aldersays Dedes &c." The former list, or "Breviat," was apparently compiled soon after the year 1607, the date of the latest deed mentioned in it. The deeds in this list, in so far as they are dated, are placed in chronological order. The latter list or "Catalogue" was compiled after 1637, one entry running, "a counterpte of Will Balls lease made 1616 for 21 yeares now expired." It was, I think, made not much later at any rate than the year 1654, as I judge from the spelling of the word "hould," a deed of 1652 being the latest of the deeds which has reached me, and in which that spelling is employed. In the catalogue

this spelling is used in translating Latin deeds. The writer of the catalogue therefore clearly himself used the spelling "hould," and did not merely copy from earlier documents. This paper is confined to matters relating to lands on the north side of Eastgate Street, where to-day runs a row called Eastgate Row (North) from the Cross nearly as far as St. Werburgh Street. This row has been known by several names: Pepper Alley Row, Baxter Row, The Country Bakers' Row,¹ The Dark Row, The Butter Shops Row.² In a roll of 1331 is found "Tenements in le Cokes rowe [the Cooks' row] extend in length from the Kings highway of Estgate strete up to the land of the Abbot" (Morris, *Chester, &c.*, p. 294). Baxter Row is only another form of Bakers' Row, and is the name used in the earliest documents with which we are concerned. The points of interest to which I would call attention are:

(1) That the documents relate to "ovens" or bake-houses, which suggests that for some reason the bakers in Chester in the fourteenth and fifteenth centuries congregated in this neighbourhood, that is between Eastgate Street and the Abbey;³

(2) Their bearing on the position and history of Godstall Lane,—not necessarily the existing Godstall Lane⁴ for which the name was revived within, I think, my own recollection, but the ancient Godstall Lane

¹ See Morris' *Chester during the Plantagenet and Tudor Periods*, p. 422

² Mr. Philip H. Lawson gives me an entry in the Cheshire Chamberlain's Accounts (*Lancashire and Cheshire Record Society*, Vol. 59, pp. 73-5), under date 1303-4, Chamber Rents, 32 Edw. i., "Of John, son of Carbonel, for one shop which was Richard Lespicer's by the Butterscoppes, 12d." See also Morris, *op. cit.*, pp. 295 and 422.

³ Cf. Henry Taylor's paper in this Society's *Journal*, Vol. II., N.S. p. 166.

⁴ I am told that before being renamed this lane was known as "The London Bakers' Backside" [i.e. yard], and later as Booth's Court.

which ran from Eastgate Street to the Abbey Church ;

(3) That towards the end of the sixteenth century it was obviously fashionable for a wealthy merchant like Mr. William Aldersey to live in the heart of the city, his "Great House" being in "The Dark Row" —somewhere near the Cross, I think, perhaps the present Inn called the Boot Inn⁵;

(4) The very small circle of persons, practically all connected with the Corporation, who appear not only as parties but as witnesses to the various deeds.

I deal first with the deeds which relate to bakehouses, then with those which bear on Godstall Lane; but some deeds bear upon both points.

We have notes of three early documents referring apparently to bakehouses. The first is undated but stands first in the "Breviat." The note is "A deed without date to William Madewell, Baker, of land in Eastgate St." Of the two dated deeds the earlier is noted as "A release dated feaste of St. Marke [25th April] 1317 a.d. of the moyetie of an oven⁶ in Eastgate Street to Richard Russell⁷ & his heires." The next deed in order of date was written on August 24, 1389, being dated "St. Bartholomew's day 13 Ric. 2." We have in the "Breviat" both an abstract in English and the original Latin deed. It is a perpetual lease at fee

⁵ The later deeds which deal with the "Great House" are not printed here.

⁶ The original of "oven" is no doubt *furnus*, which to-day we translate "bakehouse."

⁷ Richard Russell was sheriff in 1312, 1315 and 1322; and mayor (by succession) in 1324. He was in 1307 one of a jury summoned to enquire what custom was due at each gate of the city (Hemingway's *History of Chester*, Vol. I., p. 133). One Daniell Russell was sheriff in 1334 and 1336. I refer later to a document of 1403, which is in the Record Office, relating to Baxter Row, in which land of a Henry Russell is mentioned.

farm rent of 12/- per annum, and the abstract describes it as

“A deed dated 13 Ric. 2 from Robert of Brockton to William Hadde^s of a tenement in Baxter rowe extending in length from the highe street to the land of William of Hulfeild, and in breadth between the land of William of Hulfeild and the land of Peter the Singer vintner of the other parte To hould to the said William Hadde his heires & as^s rendring xiii^d [the original is 12/-] yearly rent.”

Omitting conveyancing words the original deed may be translated as follows:—

“Let - - know that I Robert de Brockton have - - granted - - to William Hadde baker and citizen of the City of Chester one tenement in le Baxter rowe which tenement extends in length from the King’s highway aforesaid [*a regia strata predicta*] up to the land of William de Hulfeld cooper [? tenant] in chief [*coup in capite*] and extends in breadth between the land of the said William de Hulfeld cooper [*coup*] & the land of John le Synggeyr Vynter’ on the other side - - at perpetual fee farm rent - - with free ingress & egress to the said tenement from the King’s highway aforesaid - - paying therefor annually to the said Robert de brokton his heirs & assigns twelve shillings of silver at the four terms of the year - - [then comes a covenant of re-entry in case of waste other than by improvements] - - witnesses John le Armerer then mayor of Chester, Thomas Hurrell & John de Harw the sheriffs of Chester, John le Chambleyn, Roger Ernes, Robert le Marchall, Thomas Donne, Robert Coly, John de Preston & others. Dated at Chester on the feast of St. Bartholomew the apostle [24th August] in the thirteenth year of King Richard the second after the Conquest of England.”

A seal is attached in white wax impressed with a capital letter, I think R, and some slight device on each side of it, perhaps a head of wheat on the left side. There are two endorsements of later date than the deed, one being

^s See Will Had or Hadde, Baxt’, Morris, *op. cit.*, p. 456 (Fines at Assize of Bread).

Carta tenement in quo Willms Hadde manet in le Baxter row, and the other an endorsement which occurs on six of these deeds (the other five being of date 1396, 1413, 1510, 1573, 1610) "22^o die Janii Ao dni 1641 shewed to witness on the behalf of W^m Mostyn ag^t Richard W^mson [Signed] G. Byrom, John Jones."⁹

Brokton is an early form of Broughton. Robert del Broughton was sheriff in 1372 (17 years before this deed). A Roger de Broughton was sheriff in 1330. Wm. de Hulfeld is described as *coup in capite*.¹⁰ I find from an Inquisition *post mortem* of 1399 (in Record Office) that a Roger de Hulfeld held land in Chester as tenant *in capite* from King Richard, and I think the *in capite* in the deed must mean tenant in chief, although the word *tenentem* is not used. John the Singer, vintner, is a notable name and description; apparently "the Singer" has already become a surname and vintner is his actual occupation. Of the witnesses the name of the second sheriff, John de Harw, is commonly given as John de Arrow, Arrowe being the name of a township in Wirral. Of the other witnesses, John le Chambleyn may be a son of the John Chamberlain who was sheriff of Chester in 1366 and mayor in 1379, 1384 and 1385 (when he died during his year of office). Roger Ernes was no doubt a descendant of Robert Ernes, sheriff of Chester in 1280, 1281, 1286, 1287 and 1291; and a relative of Richard Ernes, sheriff in 1325 and 1326 and mayor in 1327 and 1328, and of

⁹ The deed of 1610 is not printed here. Perhaps John Jones is too common a name to make guessing at his identity useful, but a "John Jones gent," no doubt an attorney, was Town Clerk and Clerk of the Pentice in 1648, and it may be that in 1648 an action was proceeding in the Portmote Court.

¹⁰ For a reference to Willelmus de Hulfeld couper see Morris, *op. cit.*, p. 405.

whom and whose grandson and heir John Ernes you will hear again.¹¹ Robert le Marchall was sheriff in 1373. Thomas Donne was sheriff in 1369; I suppose he was a relative of Richard Donne appointed Constable of Chester for one year on July 4, 1351 (25 Edw. iii.), and of Henry Done, sheriff in 1360, appointed Constable on April 6, 1364 (38 Edw. iii.), and possibly belonged to the same family as a William Dun (chaplain) of whom a deed makes mention in 1528. One Richard Done was sheriff in 1516, and "the heirs of Ralph Donne of Brouton" are mentioned in a deed of 1525 relating to Bridge Street. Robert Coly (or Collie) was sheriff in 1371, 1375 and 1381, and one John Collie sheriff in 1356, 1358 and 1363. Land in Baxter Row "formerly belonging to Richard Colly" is mentioned in a subsequent deed of 1501, and land in Baxter Row belonging to Robert Coly is mentioned in a deed (in Record Office) of 1403. John of Preston was sheriff in 1382 and 1392 and mayor in 1404.

I introduce here a document of 1403 in Norman French (fourteen years later in date than the deed just set out) which is to be found in the Record Office [Chester 2. 76]. It is a petition to the Prince of Wales to grant to William Leggesley, Warden [*gardein*] of the Friars Minors [*ffriers meno's*] of Chester and the convent [*covent*] of the same place, special licence that William Tewkesbury, Chaplain, can grant to Roger Potter, then mayor of the Citee of Cestre, and his successors, to the use and profit of the said warden and convent, an annual rent of x^s:—

"from three messuages [*des trois meese*] which the said William Tewkesbury had of the gift & feofment of John

¹¹ See Mr. Fergusson Irvine's paper on Erneys' deeds in this Society's *Journal*, Vol. X., N.S.

Chamblein of Chester lying in Baxterrowe in Estgate Strete the one lying in breadth between the land sometime Henry Russells & the land sometime Richard Bruyns on the one part & the land sometime John Stokes of Rochelan (?) & the land late of Agnes of Worthynton on the other part, lying in length from the land sometime of the said John Chamblein up to the Churchyard of the church of S^t Werbur of Chester & the other messuage [*mees*] lying in the said Baxterrowe in breadth between the land lately of the said John Chamblein on the one part & the land of John Harrysone le Bruyn & the lands of Otes of Worthynton on the other part & in length from the land of Robert Coly up to the bakehouse [*furne*] which Thomas Cole, Baxter [i.e. baker], now occupies [*ore vient*], and the third messuage lying in Bruggestrete of the said Citee in breadth between the high strete called Bruggestrete on the one part & the highway [*chymyn*] which extends to the gate called Capelyate¹² on the other part & in length from the said King's highway [*Royal chymyn*] up to the wall of the gate of the said Bruggestrete."¹³

The gift to the friars minors is made for prayers "for the souls of the said John Chamb'lein and Agnes his wife, parents of Rob't Chamb'lein son and heir of John Chamb'lein." The prince of Wales apparently granted his licence for this gift to mortmain on July 8, 1403.

We find next a note of a deed of 1413:—

"A deed dated 1^o Hen. 5 From Richard the sonne of Raphe of Hatton (?) and heire of Hen. Russell to Rob't the Chamberlaine of a place of land in Baxter rowe upon wch an oven was formerly built in the Estgate Street And of his tenements there wch lately were Thomas of Derbys."¹⁴

¹² As to the Capelgate or Horses gate [capel=cheval] see *Cheshire Proverbs*, by Joseph C. Bridge (Phillipson & Golder, 1917), note to Proverb 216.

¹³ This document is summarised without the boundaries and without any reference to Bridge Street in Morris, *op. cit.*, p. 145.

¹⁴ A Robert of Derby [Rob's de Derby], a baker, was fined 5s. (apparently for selling bread of wrong weight) on the feast of Pentecost, 34 Edw. iii. [i.e. 1360]. See Morris, *op. cit.*, p. 455.

In the same year 1413 (Wednesday before November 16), there is another deed which appears to deal with the same lands. Of this we have a note in English and also the original Latin deed. The note is useful as confirming the deciphering of the deed, which has been injured by mice. Translating the deed except formal words and parts, certain words being completed from the note we have:—

“Let - - know that I Thomas of Derby of Shropshire [*de Solopia*] have - - granted & - - confirm to Robert le Chaumb̄leyn citizen of Chester a certain vacant plot of land [*vacuam placeam terre*] in le Baxter rowe in Eastgate strete of the City of Chester on which a certain bakehouse [*furnus*] was lately built [*nuper edificabatur*] lying in breadth between land formerly belonging to Hugh le Mercer on the one side & land formerly belonging to Adam le Browster [*terram quondam Ade le Browster*] on the other side & in length extending from land formerly belonging to Agnes de Brumburgh on the one side up to the church yard of St. Werburgh of Chester. Also have - - granted to the same Robert my tenement in le Baxter rowe lying in breadth between land formerly belonging to Thomas de Carleton on the one side & land formerly belonging to Agnes de Brumburgh on the other side & in length extending from land formerly belonging to Richard de Fouleshurst on the one side up to land formerly belonging to Richard Russell - - witnesses John de Whitemore then mayor of the City of Chester, John del Hope & Richard le Spycer then sheriffs of the same City and many others. Dated at Chester on Wednesday next before the feast of St. Edmund the Bishop [November 16] in the first year of the reign of King Henry the fifth after the conquest.”

To this is still attached a fine seal in red wax. There are two endorsements on the deed, the first: “Place & tenent^s from Tho. Derby to Robt Chamb̄leyn”; the other, the endorsement which occurs on six of these

deeds: "Shewed to witnesses on the behalf of W^m Mostyn ag^t Richard Willmson [Signed] G. Byrom; John Jones." ¹⁵

The tenements which in the second portion of this deed Thomas of Derby calls "my tenements in the Baxter rowe" are apparently the same tenements as are referred to in a document from which Canon Morris quotes at page 292 of his work on Chester under date 4 Edw. iii. [i.e. 1331]. He gives the quotation in Latin, but I may translate:—

"Tenements in le Baxter rowe which lie between land belonging to T. de Carleton & land belonging to Agnes de Brumburgh, and extend in length from land belonging to Richard de Fouleshurst in Eastgate Strete up to my land & land belonging to the said Richard de Fouleshurst near the churchyard [*cimiterium*] of S. Werburge."

Now we come to Godstall Lane. The earliest description of Eastgate Street with which I am acquainted occurs in a survey made in the reign of Edward III. (1327 to 1377). It is cited by Canon Morris, at page 255:—

"In Estgate Strete :

On the northe syde of the saide strete is a layne that goithe out of the saide strete by the mease¹⁶ [message]

¹⁵ Agnes of Brumburgh, or Brumborough, or Brumbridge, or Brumbrough, was perhaps daughter of Edward and Agnes Chamberlain, and wife of Wm. de Brumbridge, mentioned in an undated deed which I place about 1380 and with which I deal later on. A Richard de Fouleshurst was Constable of Chester in 1348 (22 Edw. iii.), [see Ormerod's *History of Cheshire*, 2nd Ed., Vol. I., p. 223], and on 4th June, 1485 (1 Edw. v.), and again in 1487 (2 Ric. iii.), a Thomas Fouleshurst Esqre. was appointed Constable for life. John Whytemore or Whitmore was mayor from 1412 to 1415. John del Hope or John Hope was sheriff from 1411 to 1414, and mayor from 1419 to 1421 and from 1424 to 1426. Robert de Hope was appointed deputy clerk and approver of the Mills of the Dee, on the 23rd October, 1409 (11 Hen. iv.), [see Ormerod, *loc. cit.*] Richard le Spycer or Spicer was sheriff in 1413 and 1416; an earlier Richard le Spicer was sheriff in 1269 and 1274.

¹⁶ Mease, or meese, is an old word for a dwellinghouse. See *Standard Dictionary of the English Language* (Funk & Wagnalls). Message is from Low Latin *mansionaticum*.

side late William Stanmer, and so to the Kirke yorde of Sante Oswaldes caulyd Leen Lane, and benethe it upon the same syde nere the Estgate is a layne caulyd Sant Goddestall Lane, and so goithe out of the saide strete into the said church yarde. This Goddstall lieth buried within the Abbay Churche in Chester, and he was an Emperoure and a vertuose disposed man in his lyvyng, and his lane lyethe betwene the mease some tymes of Robert Chamberleyne¹⁷ and the mease lat in tholdinge of William Humfrey, and uppon the syde nere the Estgate ther ys a lane caulyd Saint Werburge Lane and it shontythe into the forsaide church yarde, and over anendes this lane on the other syde ys a Lane caulyd fleshmongers Lane [now Newgate Street] and it puttethe upon Peper strete."

This passage forms a very good starting point for the perusal of our documents, and I call attention at once to the fact that whereas Hemingway believed that Godstall Lane adjoined the Eastgate, it seems clear from this survey that going from the Cross towards the Eastgate the order of the side streets on the north side was: (1) Leen Lane, (2) Godstall Lane, (3) St. Werburgh Lane. The phrase "nere the Estgate," which occurs twice in the survey, seems clearly to be used in the sense of "nearer the Eastgate."

Our documents begin with a note in the Breviat of a deed of 1351:—

"A grant from Alice the daughter of Roger the Harper¹⁸ of a certain place [i.e. plot] of land in Baxter rowe to John the Chamblaine & his heires dat 25 Edw. 3."

The deed which I think must come next in order of date amongst our documents is one of which we have only a Latin note. The note is No. 1 in the Catalogue

¹⁷ This R. Chamberlain is perhaps the person referred to in an entry in the Cheshire Chamberlain's Accounts for 1303-4 (32 Edw. i.). "Of Robert Chamberlain [Camerarins] for one garden on le Croftes 12d. . . . and for his liberty in Chester 2d."

¹⁸ Roger le Harpur was elected Sheriff in 1331.

and I am inclined to date the original about 1380.

“Grant from Edward Chamberlain [*Edro Camar*] citizen of Chester & Agnes his wife to William de Brumbridge in frankmarriage of certain land in Eastgate Stree in Chester aforesaid with all buildings namely in length & breadth between lands which belong to Margaret wife of Hugh of Coventry on the one part & the land of Sir Fulc de Ereby [*dni Fulton de Ereby*] which the Welshman the baker [or perhaps ‘the Welsh baker’—*Bretn’us pistor*] [occupies ?] which he holds from the said Fulc [*Fulton*] on the other part [*exaltero*]”¹⁹

The next deed to which I desire to call attention is a deed of 1396, dated Monday after the Feast of St. Chad [March 2]. Of this we have a note in English and, fortunately, the original Latin deed. The note says:—

“A deed between John Chamblaine concerning an oven in the Eastgate Street dat 20 Ric. 2.”

The deed is a “Fine,” or collusive action settled by final agreement, in the Portmote Court, not like the deed of 1389 which is merely a declaratory writing in the nature of a charter.

“This indenture made between John Erneys citizen of Chester of the one part & John Chaumbleyn citizen of Chester of the other part witnesseth That when plea had been summoned in the Portmote of Chester held at Chester on Monday next after the festival of St. Chad the Bishop in the twentieth year of the reign of King Richard the second after the conquest [1396] before John de Capunhurst then mayor of the City of Chester Between the said John Erneys, plaintiff, & the said John Chaumbleyn deforceant [i.e. defendant in an ejectment suit] on the plea that the said John Chaumbleyn

¹⁹ This note is not carefully made and I entertain some doubt if Edward Chamberlain is not an error for John Chamberlain. I think Fulton must be an error for Fulcon. A Willielmus de Bromburgh was rector of St. Olave’s Church, Chester, in 1377 (Hemingway, *op. cit.*, Vol. II., p. 127). A W. Brumbridge (also called Will Brombrough) is party to deeds of 1534 of which there are short notes (Morris, *op. cit.* pp. 188 and 337).

unjustly deforced [ejected] the said John Erneys from one bakehouse [*furnum*] - - in Estgate Strete of the said City which bakehouse - - extends in length from the land of John son of Henry le Bryn up to a certain lane which leads from Estgate Strete aforesaid up to the churchyard of the Monastery of St. Werburge of Chester close to the dwellinghouse of the vicar of the Church of St. Oswald of the said City which said lane is called Hulone & lies close to the said churchyard & contains in breadth twenty feet clear [*viginti pedes palpato*], of which bakehouse Richard Erneys grandfather of the said John Erneys whose heir he is was seized in his demense as of fee on the day on which he died. In which Portmote - - it is agreed between the said parties that the said John Chaubleyn hath acknowledged the said bakehouse - - to be the right of him John Erneys according as he asserted by his said bill, for which - - agreement the said John Erneys has - - granted to the said John Chaubleyn the said bakehouse - - To - - Hold - - for ever - - Paying therefor yearly to the said John Erneys his heirs & assigns five shillings of silver at the four terms usual in the said City namely [the still usual quarter days] by equal portions - - witnesses John de Capenhurst then mayor of the City of Chester, John de Madelegh & William de Hethe then sheriffs of the said City, Robert le Marchall, Roger de Dytton, Robert Danyell, Raph de Hatton, John de Bebynton, Robert Coly, John de Prestoun, William de Bradburn & Thomas Hurell, Gilbert le Belleyet^r [Belleyeter] & many others Dated at Chester on Monday next after the feast of St. Edward King & Martyr in the twentieth year of - - King Richard the second - - .”

A large seal is attached, but to me the device upon it is illegible. There are two endorsements of different date on the deed, the first:—

“A seile of An hoons rich^d Ernys q’rent [i.e. suing]
Jo Chmblen, Estgate Stete”;

the other :

“22^o die Janui Anno dñi 1641 Shewed to witnesses on

the behalf of Wm. Mostyn agt Richard Willimson
[Signed] G. Byrom ; John Jones.”²⁰

A lane is here spoken of as running from Eastgate Street to the churchyard and is called Hulone, that is, I suppose, Hugh Lane; It must be either Godstall Lane or Leen Lane. If it is Godstall Lane, the explanation might be that it ran over land belonging to Hugh le Mercer (see deed of 1431 *ante*). Possibly Hugh le Mercer may have been the same person as Hugh of Coventry whose wife Margaret was named in the undated deed which I have placed about 1380. If Hulone were Leen Lane, the explanation would be found in an extract sent to me by Mr. Philip H. Lawson, from the Cheshire Chamberlain's Accounts printed by the Lancashire and Cheshire Record Society, Vol. LIX., pp.73-5, where under date 1303-4 there appears among the Chamber Rent, 31 Edw. i., the entry :

“Of William del Flynt & Geoffrey de Meules for
a moiety of the land which was Hugh Leens 8d”²¹

²⁰ John of Capenhurst was mayor from 1395 to 1399. The names of the sheriffs seem usually to be spelled John Madeley and William Heath respectively. Roger Dytton was sheriff in 1382, 1394 and 1395. Of Robert Danyell I know nothing unless he was a relative of Nicholas Daniel, mayor in 1439, 1443, 1444, 1445 and 1453. Ralph de Hatton was sheriff in 1379 and 1390. One John de Hatton was appointed common clerk of Chester and Keeper of the Seal of the Statute Merchant, on 30th March, 1393 (17 Ric. ii.) (see Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 223). John of Bebington was sheriff in 1379 and 1390, and mayor in 1400. William of Bradeburne or Bradburn was sheriff in 1374. Gilbert de Belleyetar is evidently the Gilbert de Billiter who was sheriff in 1380. One Alexander Belleter was sheriff in 1356 and mayor in 1373, whose name is also spelt Bellezetere [? Belleyetere] (see Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 209, note). One Stephen Bellester was sheriff in 1419. A Richard Bruin junr. was mayor in 1374. Richard Bruin senr. had been mayor in 1349 (by succession), 1353, 1354, 1367 and 1368; and another Richard le Bryne was in 1307 one of a jury who enquired what custom was due at every gate of the city (Hemingway, *op. cit.*, Vol. I., p. 133), probably the same person as was sheriff in 1318, and mayor in 1325 and 1326. A Richard Bruyne of Bridgenorth is mentioned in a deed of 1502 (*post*).

²¹ This extract makes it probable that the name Leen Lane is derived from the owner of the land over which the lane ran.

After an interval of nearly ninety years come notes of two deeds of 1501 and 1502 relating to land in Baxter Row, perhaps the same land as was dealt with in the deed of 1389. The note—No. 2 of the Catalogue—is almost entirely in Latin. I translate:—

“A release of W. Moore heire of Chamberlain of a house & parcell of land in Baxter Row in Eastgate Street Chester Dat 17 H. 7 [1501] lying in length from the King's highway aforesaid [*a regia strata predicta*]²² up to a certain garden in the tenure of Richard Godman Esquire & formerly parcel of the churchyard of St. Werburge on the east side [? north] & extends in breadth between [the tenement ?] of the said William Moore then in the holding of Raph Poole geoldsmith on the west side & a certain lane [*venellam*] called Godstalles Laine which said laine lies between the said tenement & the land of the lord prince formerly Richard Colly's & was seized unto the hands of the said prince [i.e. of Wales as Earl of Chester] by reason of alienation to mortmain. This release was made by [? to] R. Hockenhull.”²³

The deed of the next year (1502) is mentioned only in a note—No. 6 of the Catalogue—which, written partly in English and partly in Latin, translates:—

“A release wth warrantie from W. Weyne to Rich. Hockenhull of a certain tenement in Baxter Row in Chester Dat 18 H. 7^o [1502].”

This is the same land mentioned in No. 2 [i.e. the previous deed of 1501] and just so bounded. Here is contained likewise in this release a parcel of land which should likewise have been taken notice of in No. 2.

²² The maker of the abstract on two occasions translates *regia strata*, “highe street.”

²³ Richard Godman or Goodman, made freeman in 1491, was sheriff in 1492, and mayor in 1498 and 1503. A John Colly was sheriff in 1358 and 1363. A Robert Collie, sheriff in 1373, was a witness to the deed of 1389 *ante.* On 6th July, 1509 (1 Hen. viii.), a Wm. Poole, “one of the grooms of our most honourable guard,” was appointed one of the clerks of Mills of the Dee (Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 223).

"Tis menōed [mentioned] to lye at the end of the said land of the said lord the prince [*dni principis*] & extends in length from the said land of our said [these two words in English] lord the prince up to the said churchyard of St. Werburge forty two royal rods [*virgat regias*] and lies in breadth between the said lane [i.e. Godstall Lane] on the west side [*ex pte occidentali*] and land of William Norris, Knight, then in the holding of Henry Furb's & land lately belonging to Richard Bruyne of Bridgenorth on the east side [*ex pte orientali*]."

It is clear from these deeds that Godstall Lane existed as a lane in 1501 and 1502. From a deed of 1573 we shall find that before 1573 it became disused and it was, I think, subsequently built upon; but these deeds bear also upon its position. Its site has been matter of dispute; clearly it did not adjoin the Walls but was further west, that is nearer the Cross, as the land formerly belonging to Richard Colly lay to the east of it. Further than this, the land of which the eastern boundary is given as Godstall Lane in the deed of 1501 is described as being "in Baxter Row." All available evidence appears to point to the conclusion that Baxter Row extended only from the Cross to St. Werburgh Street, and, if so, Godstall Lane must have been between the Cross and St. Werburgh Street, that is, to the west of St. Werburgh Street. This conclusion, moreover, seems the only possible one in view of the survey of Edward III's reign with which we began. The site of St. Werburgh Street appears to have remained the same since the days of Edward III., though the street was widened on the east side within the last twenty or thirty years. What is wanted in order to decide finally the exact position of the ancient Godstall Lane is a collection of all documents relating to Baxter Row and setting out the boundaries of the

land. My own conclusion is that the present Godstall Lane is exactly upon the site of the ancient Godstall Lane, except that the ancient lane probably ran *under* Baxter Row to Eastgate Street.

In 1510 the ownership of the little strip of land, said in the deed of 1396 to be twenty feet wide, was in dispute. A note in the Breviat calls the document

“A survey memorand dat 2 Hen. 8 [1510] that a pcell of wast ground lying on the north side of a mease place of the Abbott of St. Werburgh did belong to Rich. Hockenhall and not to the said Abbott. The tenants houlding [the deed has ‘holding’] the said mease place of the said Abbott for xii^d a yeare at the will of the said Rich^d Hockenhall.”

The document itself is of great interest as it gives a form of procedure for the determination of disputes as to land boundaries which cannot, I think, be widely known. It shows the great importance of having many and reliable witnesses present upon a conveyance of land. The document is also interesting as being by far the oldest formal document, amongst those which have come into my hands, which is written in English and not in Latin.

“Memo^d that the secunde of the reigne of Kyng Henry the eghte Then being maire of the Citie of Chester, Richarde Wright Drap [draper] Thomas Croke Richarde Brewster shireffs of the same, John, Abbott of the Monastre of Saynt Werburge made clayme & title to a pcell of voyde grounde lying on the Northende of a mease place of the said Abbott in the Estegatestrete of the said Citie then in the holding of Rob'te Barrowe and late in the holding of Willm̄ Humfrey which voyde ground conteynithe foure yards a qrt [quarter] and Di [demi = half, i.e. a half-quarter] and in breide six yards & Di. Whereupon examinaçon was hadde and made by the saide maire Shireffs Rauff Birkened Recorder of the saide Citie

Thomas Barrowe Thomas Suythe Richardo godeman Richard Wirehall, Alderman, Rob'te Barrow Ric' Grosvenor Will'm Deson Robte Golbrone Richarde ffletcher late shireff of the said Citie and mony other being p'sent at the saide grounde and by theym Determyne & Discussed that the said voyde grounde of righte appteynede and DyD belonge unto Richarde hockenhull baker as pcell of those lands which the saide Richarde hath p'chased [evidently in 1501 and 1502] of Willm More gent and not unto the saide abbote. Which voyde grounde the said Richard hokenhull ev^r sithe' [ever since—sithens] the saide examinacon & view &c thereof made and hadde hathe Dymysed unto the said Rob'te Barrow and other beyng ten'nts and holdyng the saide mease place of the saide abbott for xii^d by yere at the wyll of the said Richarde hokenhull." ²⁴

Then comes the endorsement :

"22^o die Janui Anno Dñi 1641 Shewed to wittnesses on the behalf of Wm. Mostyn & others agt Richard Willia'son [Signed] G. Byrom, John Jones."

Next we have notes of five deeds and an original bond, dated in 1528 and 1529, which introduce the Aldersey family to the properties with which we have been dealing. The first note is

"An Indenture dated 6 Sept 20 Hen 8 [1528] whereby Richard Hockenhull for 80^{li} doth give grant & confirm to Robert Wall & Eliz. his wife All his mess. tent^s land ten^ts

²⁴ See Morris, *op. cit.*, p. 133. The Abbot was John Birchenshaw (see *History of Chester*, 1815, p. 36). Ralph Birkenhead, the first Recorder of Chester, was appointed in 1506. Thomas Barrow, mercer, was mayor in 1506. Thomas Smith, senior, was mayor in 1504; Thomas Smith (whether senior or junior I do not know), mayor in 1511. Richard Goodman was mayor in 1498 and 1503. Richard Wirrall (here spelled Wirehall), glover, was mayor in 1495 and 1507. Richard Barrow, mercer, was sheriff in 1506. I suppose Robert Golbrone is the R. Goulbourne, draper, who was sheriff in 1507 and mayor in 1524. Richard ffletcher was sheriff in 1498. The William Humfrey of this deed was probably the Wm. Humfrey made free of the city on the 18th April, 1475 [information from Mr. Lawson], and I suppose the holding of land in this neighbourhood by a person of the same name as mentioned in the survey of Edward III's reign may be merely accidental.

shoppes houses sellers & buildings - - in the Cittie of Chester lying in the Eastgate street in length from the Eastgate street to St. Werburgh's church yard and in breadth between the mess of the Abbot and Convent then late in the tenure of Hugh Aldersey on the east parte and a mess' then in the tenure of Rauffe Pole upon the west parte To hould to the said Rob't Wall & Elizabeth and the longest liver of them rem'der to the heirs of the body of the s^d Rob't by the s^d Eliz. reṁder to such brother or sister of the s^d Eliz. as should pay to the s^d Rob't 80^{li} in fee, reṁder for default of payment of the s^d 80^{li} to the said Robt Wall & his heirs for ever." ²⁵

The second note runs :—

"A deed dated 19^o Sept 20 Hen 8 [1528] From Rob't Wall of a mess' land & tenemt^s in Eastgate Street to Hughe Aldersey & his heirs."

Upon the same date (Sept. 19, 1528) was executed a bond for the performance of covenants [apparently for quiet enjoyment, etc.], of which we have the original. From this we learn that Robert Wall was a baker, and that a William Wall was a chaplain. Hugh Aldersey is described as a merchant. I translate the first part of the bond: the second part or condition is as usual in English:—

"Let - - know that we Robert Wall of Chester baker [word in English] Willm̄ Duñ and Willm̄ Wall chaplains - - are bound to Hugh Aldersey of Chester merchaunt [English] in 200 marks to be paid - - on the feast of All Saints next - - Sealed dated xix^o [die Septemb]ris Anno regni Regis Henrici octavi post conquestū Anglie vicesimo. The condiçon of this [oblig]açon is - - performe all and ev'y the - - covnts - - as opon the ptie of the seid Rob't - - specfied and conteigned in a payr of endentures of sale & bargan bytwene the seid Rob't opon the on [one]

²⁵ The maiden name of Hugh Aldersey's mother was Hockenull [information from Mr. Lawson]. Rauffe Pole is apparently the "Raph Poole goldsmith" of the deed of 1501, which seems to identify the land with the land in the 1501 deed.

partie And the Above namyd Hugh upon the other partie co'fect [confect] & made - - dat the xix day of Septembre in the xxth year of King Henry the e'gth - - ." ²⁶

The note of the third deed of 1528 is

"A deed dated 20 October 20 Hen. 8 whereby Rob't Wall & Eliz his wife do give grant and confirme to Hughe Aldersey & his heires all their mess lands tenem^{ts} rents reversions and services - - in the Cittie of Chester w^{ch} they had of the guift & feofment of Richard Hockenhall To hould to the said Hughe & his heires for ever."

The fourth note is

"A Release dated 13 decembr 20 Hen. 8 [1528] whereby William Rathebone heir to Rich Hockenhall doth release Hu: Aldersey concerning certaine legacies to him left by the will of Rich Hockenhall And alsoe thereby doth release to the s^d Hughe Aldersey All his right to a mess & ten^{ts} [messuage and tenement] in the Eastgate Street." ²⁷

The fifth note runs

"A fine and Recovery upon a writt of right betweene Hughe Aldersey p^{lt} [plaintiff] and Robte Wall def [defendant] of one mess &c in the Cittie of Chester 21^o Hen. 8 [1529]."

The next deed relating to land in Eastgate Street of which we have a note is of date 1549 and relates also to some other land, opposite the existing pumping station of the Chester waterworks, which is still called Earl's Eye on the Ordnance Survey of 1899. The note says:—

"An Indenture dated 26 Aug. 3 Edw 6 [1549] whereby S^r W^m Norres doth demise to Tho Bellyn a mess with thapp^{tn}'ncs in Eastgate street and two Kye grasse ²⁸ in

²⁶ The William Dunn here mentioned is party to a bond, in the year 1529, relating to land in Dee Lane, Chester. One Randal Done, skinner, was sheriff in 1516.

²⁷ John Rathbone was sheriff in 1500 and naylor in 1514 and 1519. A Richard Rathbone was sheriff in 1547, and a Richard Rathbone mayor in 1598.

²⁸ i.e. grass for two cows. Canon Morris, p. 302, date 1586 [the Roodee], "to be lett to the poor at the rate of x^s a cow grasse and not above 40 Key to be layd."

the yo'les Ees [Yorl's Eyes] neare the said Cittie of Chester for 21 yeares from Mich'as then next ensuing."²⁹ Then there is a note of a deed of 1552 which conveys land in places other than Eastgate Street as well as land in Eastgate Street. It is

"A deed 25 Martii 6 Edw. 6 [1552] whereby Rauffe Aldersey doth give grant and confirme unto Hughe Aldersey his sonne & heire appar^t one mess &c with thapp'tennens in Eastgate street Another mess & tenem^t in Eccleston in the countie of Chester and the lands thereto belonging And also two clausures of land in Eccleston then in the occupaçon of the said Rauffe And all that other clausure purchased by S^t W^m Norres lying in Handbridge in the lib'ties of the Cittie of Chester To hould from & after the death of the said Rauffe to the said Hughe and his heires for ever."³⁰

A couple of months later comes a deed of which we have the following note:—

"A deed dated 14th Maii 6 Edw. 6 [1552] whereby S^t Will'm Norres for 42^{li} 6^s 8^d doth give grant & confirme unto Rauffe Aldersey all that mess scituate in the Eastgate Street with all houses &c thereunto belonging extending in length from the Eastgate Street upon the south pte to a garden belonging to the dwelling house of Eliz Davyson widdow upon the North pte and in breadth betweene a certain house or burgage of the Kinge in the tenure of Ed. Tomson merchant on the east pte and a certain mess of the lands of the Cathedrall Church of Christ and the blessed virgin Mary on the west parte And also one garden lying within the s^d Cittie in the tenure of W^m Snead And containing in length 26 yards & halfe and in one place 10 yards in breadth and in another 5 yards in breadth and lyes in breadth betweene a garden or pcell of land of the said Cathedral Church upon the North pte then in the tenure of W^m Snead and the land of S^t George the Martyr in the tenure of the said W^m Snead and the

²⁹ Tho. Bellin, mercer, was sheriff in 1556 and mayor in 1577.

³⁰ The land in Handbridge was "Grymesditches hay," relating to which we have notes of other deeds.

house of the said Rauffe Aldersey on the South pte and extends in length aga^t a certaine house of the s^d S^t George the Martyr in the tenure of the said W^m Snead on the west pte and a little pcell of land of the s^d Rauffe Aldersey on the east pte To hould to the said Rauffe Aldersey and his heires & ass^s for ever.”

This is followed by

“A bond from S^r W^m Norres of c^{li} [£100] to Rauffe Aldersey of the date with the deed last men^oed with condition for quiet enjoying, freeing from encumbrances And making further assurances concerning the p^rmises last before men^oed.”

There is another confused note in another hand written on the back of the cover of the Breviat which is evidently a note of the same deed of May 14, 1552, but is described as

“A deed bearing date Ed. 6 May 7.”

A further similar note runs, so far as I can decipher it:—

“A release frō S^r Will Norrais of a house & all belonging to it [] in y^e tenure of Rob Wall baker [?] also] of one place & all belonging to it lying betweene y^e sayd house or Messuage on y^e South pte & y^e Churchyard & S^t Werburg on y^e North.”

No date is given. A note of a deed of 1571 reads:—

“A decree out of y^e co^rt of wards London 14^o E^l [1571] to free W. Aldersey from 2 former inquisi^ons & from accountinge for the p^rits of his lands.”

The next deed is of considerable local interest. Dated September 13, 1573, it is a perpetual lease at a nominal rent from the Corporation to William Aldersey the younger,³¹ of the land which had formerly been the site of Goddestall Lane. Of this deed we have an English abstract in the Breviat and the original Latin deed. I translate:—

“Let - - know that we Richard Dutton Esquire mayor of the City of Chester, the citizens and commonalty of the

³¹ So called to distinguish him from Wm. Aldersey of Chester (who died 1577), of the Middle Aldersey family [information from Mr. Lawson].

same city - - have demised to William Aldersey the younger of the s^d city merchant the whole of that vacant plot or parcel of our land lying and being in the s^d City of Chester in a certain street called le Estgate Streete - - between a certain messuage of him William Aldersey now in the tenure or occupation of a certain Randle [*Ranulphi*] Cotgreve gentleman on the west side and a certain messuage in which one William Dodd merchant now dwells which vacant plot or parcel of land was formerly a lane called Godestalles lane serving as a crossway from the said street called Estgate Streete up to the Churchyard of S^t Warburg - - To - - hold - - for ever Paying Therefor yearly to us - - to the hands of the Treasurers of the said City for the time being four pence - - [Randle Cotgreve and William Dodd appointed attorneys to give possession] - - Dated at the s^d City on the thirteenth day of the month of September in the sixteenth year of the reign of the Lady Elizabeth [i.e. 1573].”

To this deed a portion of the old seal of the City of Chester in red wax is still attached. Probably the counterpart of this Indenture might still be found amongst the city records. On the back is the endorsement of livery of seisin given

“on the third day of December in the seventeenth year of Queen Elizabeth [i.e. 1574] - - in the presence of - - Thom Liosford [?]; Willyam Pixley; Richard Leigh.”
 “Entered in the book of records [*libro tabulat'*] xi^{mo} die Octobris in the year below written folio xxiii^{mo} Per me Willm Knight, Clerk of the Pentice.”

A later endorsement runs:—

“8. Godstalls Lane. 22nd die Janii 1641. Shew to witnesses on the Behalf of W^m Mostyn & othrs agt Richard Willmson. [Signed] G. Byrom; John Jones.”

Several points connected with this deed are worthy of remark. In the first place Godstall Lane, which, as we know from the deeds of 1501 and 1502, existed as a lane in those years, has now, 1573, ceased to exist as a lane,

and its site is conveyed by the Corporation to Mr. William Aldersey the younger who became sheriff in 1584. The only information hitherto published of which I am aware on this point is that Godstall Lane had "worn quite out of use" about 1620, and that its site was then "the soyle of other tenements" (see Hemingway's *Chester*, Vol. I., p. 413). Mr. Raufe Aldersey, making his will on April 9, 1555 (1 Ph. & M.), leaves to his son Hugh Aldersey,

"the house that I dwelled in in St. Oswald's parish being in the Estgate which I had of [my uncle] Hugh Aldersey. Also the garden which I [had of] Sir William Norres, Knight [i.e. purchased in 1549 I think], with the other party joining thereunto which I have by lease of the minster, paying therefor 11^d yearly. Also I give to him the other garden on the other side of the way that goeth from the Church in the Court over against the same garden, being now in my holding which I have of the mynster by lease [*Cheshire Sheaf*, N.S., Vol. I., pp. 120, 123 and 126]."

If this "way" was Godstall Lane, the lane was not closed before 1555.

It is to be noted that the deed is endorsed by William Knight as having been enrolled by him, and he styles himself Clerk of the Pentice. This was the usual title of the Town Clerk, who was also clerk of the Pentice Court and the Portmote Court. He is said (*History of Chester*, 1815, p. 265) to have become Town Clerk in 1590, and to have acted for seven years previously as deputy for Mr. Anthony Harper (the date of whose appointment was unknown to Hemingway and to Ormerod). The will of Ralph Cotgreave of Christleton was proved at Chester in 1588 [Mr. Philip H. Lawson]. A *William* Cotgreave, innholder, was sheriff in 1580 and mayor in 1589. William Dod, shareman, was sheriff in 1565; he was admitted a freeman, as merchant, in 1555.

The facts with regard to Godstall Lane appear to require some historical explanation. What that explanation is I do not know, but it may be worth while to throw out the following tentative suggestion. On certain occasions—called Missions—when special services are held at Roman Catholic chapels in country places in Ireland, it is the practice to line the approach to the church with stalls from which are sold small images and other things likely to be purchased by the devout. It may well be that such stalls might be called "God's stalls." For this suggestion I am indebted to Mrs. William Ayrton. If so, Godstall Lane was the lane where such stalls were commonly erected, and quite possibly the site of the lane belonged to the Abbey Church. After the Reformation the practice of setting up these stalls would be discontinued. Perhaps the land was then handed over by the Crown to the Corporation of Chester, and the shutting up of the lane and the sale of the site in 1573 might be an avowal of Protestantism almost as much as an accommodation to a civic dignitary and adjoining landowner.

Since the above was written I have come upon some passages in Canon Morris' *Chester* which seem strongly to confirm the above suggestions. On pp. 122-3, I find:—

"Earl Randle Gernons in his charter, confirming the grant of the fair to be held and traders' booths to be set up before the Abbey Gates, allows the monks to make these booths and let them for hire to the traders for the benefit of the church. He forbids any trader or *permentarius* (?) or shoemaker to buy or sell anything anywhere else except there during the fair time."

And on p. 123:—

"The abbot claimed for his convent to hold the fair on St. John the Baptist's Day, before the Abbey Gate; *not*

only near the gate in the convent's own booths, but elsewhere in the street near the abbey, and that all articles for sale should be exposed there and nowhere else during the fair. - - The abbot further conceded to the citizens the right of "stallage" in fair time yearly throughout the city, in return for an annual payment to the abbey of 46^s 8^d [Chester Plea Roll, 5. Harl. MSS. 2148, 28]."

The idea of an Emperor called Godstall seems to be quite fantastic in spite of one's sorrow to throw doubt on his "vertuose lyvyng."

All the Aldersey property was entailed by a deed dated February 6, 1610, by William Aldersey, upon the marriage of his son Richard Aldersey to Elizabeth Barneston. The property thus came by marriage into the hands of the Mostyn family and then the Horton family, and was eventually sold, and in the middle of the nineteenth century was dispersed; but I do not think that the deeds throw much light upon the questions we have been discussing. There remains, however, one word to be said in regard to the position of Godstall Lane. Since this paper was read, Mr. Hugh Dutton, solicitor, Chester, has kindly shown me the title deeds of the property adjoining and including the site of the present Godstall Lane, which was purchased by his grandfather. (There is a plan on a deed of 1822.) These title deeds trace the title clearly to what I may call for short the Aldersey title. This seems to prove that some portions of the Aldersey property did adjoin and include the site of the present Godstall Lane, and as we know from the deeds with which we have been dealing that some of the Aldersey property adjoined, and after 1573 included, the site of the ancient Godstall Lane, it is not unlikely that the site of the ancient Godstall Lane was identical with the site of the existing Godstall Lane.