

## Avowry of Lechers and Whores

Although referred to as an avowry in 1295, it was referred to in the original grant as a magistracy, and appears to have become largely a licensing exercise. The story of its origin may well be apocryphal.

Sir Peter Leycester Lib C f.139 (CRO DLT B/3 ff 143-144) &c.

*Sciant praesentes et futuri, quod ego Johannes constabularius Cestriae, dedi et concessi, et hac praesenti charta mea confirmavi, Hugoni de Dutton, et heredibus suis, magistratum omnium leccatorum et meretricum totius Cester-shiria, sicut liberius illum magistratum teneo de comite; salvo jure meo mihi et heredibus meis. Hiis testibus, Hugone de Boydele, Alano fratre ejus, Petro de Goenet, Liulfo de Twamlowe, Ada de Dutton, Gilberto de Aston, Radulfo de Kingsley, Hamone de Bordington, Alano de Waleie, Alano de Mulinton, Willielmo filio Ricardi, Martino Angevin, Willielmo de Savill, Galfrido et Roberto filiis meis, Bletheris, Herdberd de Waleton, Galfrido de Dutton.*

15 July 1295 Llanarth Derewen

Close Roll 23 Edward I m.9 [415-416]

*To Hugh de Busseye, escheator in co. Chester. Order not to intermeddle further with the following lands, which have been taken into the king's hands by reason of the death of Hugh de Dutton, although Hugh at his death held other lands in that county or elsewhere of the king in chief, as the king learns by inquisition taken by Reginald de Grey, justice of Chester, that in accordance with a prerogative hitherto used in that county the lords of fees ought to have, after the death of their tenants, the custody of the lands that are held of them by knight service until the heirs come of age, although such tenants may hold lands in that county or elsewhere of the king in chief, and that Hugh de Dutton at his death held of Henry de Lacy, earl of Lincoln and constable of Chester, the town of Weston by the homage and service of finding a man with a horse and a hauberk (haubergetto) in the army of Wales in time of war for forty days at his own cost and a judge (judicatore) for the earl's court of Haulton from fortnight (quindena) to fortnight, puture for the earl's serjeants and provender for the horse of the master of the serjeants and stallage; the town of Keckwyk by the service of finding a suitor (sectator) at the earl's court from fortnight to fortnight, puture for the earl's Serjeants for keeping the peace, provender and stallage; a moiety of the town of Netherwalton and six bovates of land in Neuton near Chester; and seven bovates of land in Runcovere, but not in demesne, together with the said towns of Weston and Kekwyk, by the service of a moiety of a knight's fee; a messuage in Chester by the service of 6d. yearly; a messuage in Thelewall; and that he had the protection (advocariam) of all the minstrels and prostitutes in 'Cestreshire' of the earl's tenure, which protection is worth yearly a sextary of wine and a lance. By p.s.*

Sir Peter Leycester's Historical Antiquities p.251:

*[Hugh Dutton of Dutton] had also the Magistracy, or Rule and Authority, over all the Letchers and Whores of all Cheshire, granted unto him and his Heirs, by John Constable of Cheshire, and Baron of Halton, as freely as the said John held the same of the Earl of Chester, saving the Right of the said John to him and his Heirs: Which are the very words of the Deed, onely rendred by me in English: Lib. C. fol. 154. h. So that he holds it, as it were, under the Baron of Halton, who reserves his own Right by a special Reservation.*

*This Privilege over such loose Persons was granted first unto Roger Lacy Constable of Cheshire, under Richard the First, by Randle, sir-named Blundevill, Earl of Chester, in memory of his good Service done to the Earl in raising the Siege of the Welshmen, who had beset the Earl in his Castle of Rotheleut in Flintshire: For the Constable having got a promiscuous Rabble of such like Persons together, and Marching towards the said Castle, the Welsh (supposing a great Army to be coming) raised their Siege, and fled: So saith the ancient Roll of the Barons of Halton: Lib. C. fol. 85. b. Monasticon Anglicanum, 2 Pars, pag. 187. This Roll saith, the Rabble consisted of Players, Fiddlers, and Shoe-makers. The Deed here toucheth Letchers and Whores.*

*The Privilege and Custom used at this day by the Heirs of Dutton, is over the Minstrelsie and Common Fiddlers; none being suffered to Play in this County, without the Licence of the Lord of Dutton, who keeps a Court at Chester yearly, on Midsomer-day, for the same, where all the Licenced Minstrels of Cheshire do appear, and renew their Licences: So that the Custom seems to have been altered to the Fiddlers, as necessary Attendants on Revellers in Bawdy-houses and Taverns.*

*And it is to be observed, That those Minstrels which are Licensed by the Heirs of Dutton of Dutton, within the County Palatine of Chester, or the County of the City of Chester, according to their ancient Custom, are exempted out of the Statute of Rogues, 39 Eliz. cap. 4.*