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## **Calendar of Durham Cathedral Archive: Register IV**

**Date range of material: 1444 - 1496, with occasional earlier items**

Durham University Library  
October 2024

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## **Preface**

### **Creation of catalogue**

Created in Wordperfect 5.1 by CK, 1995-1999. XML EAD markup MMNS 2005.

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## Introduction

*Collection title:* Durham Cathedral Archive: Register IV

*Reference code:* GB-0033-DCD-Regr-4

*Dates of creation:* 1444 - 1496, with occasional earlier items

Parchment book, in medieval wooden boards, ?[retaining six main bands, in a VVV pattern,] bound in reverse calf, with a title panel on the spine of red morocco with "REGM IIIM " in gold lettering. 243 leaves, modern foliation 1-243, also near contemporary foliation of f.1-239 with f.144-167 also foliated, near contemporary, as f.132-155. 24 folios have been misplaced and the correct chronological sequence should be: f.1-167, f.192-215, f.168-191, f.216-239.

*Size:* 290 x 380mm

*Repository:* Durham University Library, Archives and Special Collections

*Creator:* Durham Cathedral Priory

*Language of material:* Latin, with occasional English and French

## Contents

Current register of priory business in roughly chronological order, with some later and earlier documents included at the time and a few added later. It comprises copies of documents issued under the priory seal, along with copies of episcopal and other documents of interest to the priory. The material includes presentations, elections of priors and on occasion bishops, letters of confraternity and consorority, memoranda of other documents, proxies, appointments of officers, notarial instruments of resignations, inspeximi, citations, oaths, sanctuary petitions, licences, inquisitions, mandates and certifications of citations.

## Accession details

Part of the medieval archive of Durham Cathedral Priory placed in the care of Durham University by Durham Dean and Chapter in 1948.

## Arrangement

f.1r-59v Priory register from 1444.

f.60r-119v Priory register *tempore* Robert Emylton', chancellor from 23 November 1447.

f.120r-131v Priory register *tempore* Richard Billyngham, chancellor from 7 September 1459.

f.132r-167v & 192r-200v Priory register *tempore* Richard Billyngham, chancellor from 7 September 1459.

f.201r-204v Priory register *tempore* Thomas Pikeryng, chancellor from 22 September 1469.

f.205r-209v Priory register *tempore* John Manbe, chancellor from 14 October 1471.

f.210r-213v Priory register *tempore* John Manbe, chancellor from 14 October 1471.

f.214r-215v & 168r-181r Priory register *tempore* Thomas Pikeryng, chancellor from 2 March 1474.

f.181v-191r & 216r-239v Priory register *tempore* John Manbe, chancellor from 22 January 1478.

f.241r-243v Former endpapers and a flyleaf

## Conditions of access

Open for consultation.

### Copyright and copying

Permission to make any published use of material from the collection must be sought in advance from Durham Cathedral Library ([library@durhamcathedral.co.uk](mailto:library@durhamcathedral.co.uk)). The Library will assist where possible with identifying copyright owners, but responsibility for ensuring copyright clearance rests with the user of the material.

### Form of citation

The form of citation should use the code GB-0033-DCD, or the collection name Durham Cathedral Muniments, followed by the *reference number*

To order items in the searchroom, use the collection reference code(s), derived by removing the repository code (GB-0033-), followed by the reference number. Citing the section of the finding aid is useful.

### Processing

Selected entries were listed by Martin Snape in a typescript list in 1961. The whole volume was calendared by Charles Kelham as part of a Follett-funded project 1995-1999. His Wordperfect file was edited by Alan Piper, and then input to XMetal by Michael Stansfield in 2005.

### Copies

Digitised and available online.

A microfilm negative master is held by Durham University Library, Archives and Special Collections.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

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f.1r [11 May] 1444

Bull by Eugenius [IV] in consideration of the devotion of Henry [VI], king of England, who has, from his own resources, built and endowed the collegiate church of Eton, near Windsor, Lincoln dioc., (to which the people of those parts show an attitude of singular devotion) with sumptuous structures and buildings and a great number of ministers of the church, granting that all faithful who should visit the said church from first vespers until second vespers inclusive on St Mary's Assumption [15 August], have plenary remission of their sins; and to the priests deputed [thereto] by the provost or by his deputy, that they be able lawfully to hear the confessions of those visiting at the said time and absolve them in all cases, excepting those reserved to the apostolic see.

Date: Rome, St Peter's, 5 Id. May 1444.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.1r-3v 22 July 1434

Notarized ordinances and statutes by Thomas, bishop of Durham, deputed executor of the following things, reciting the following bull

Bull by Eugenius [IV] to Thomas, bishop of Durham, following on his petition granting him authority to amend the statutes and ordinances of Sherburn hospital and to make new ones, since many of those made by Bishops Hugh and Richard can no longer be fully observed because of the diminution of the goods and resources of the hospital and for other legitimate causes.

Date: Rome, St Peter's, 8 Kal. October [24 September] 1431.

stating that, following receipt of the bull and wishing to be fully apprised of the condition and income of Sherburn hospital and of the burdens incumbent upon it, he caused an inquisition to be held by certain special commissaries, with all and sundry summoned who by right were to be summoned; from which he has learnt that, because the resources of the hospital have waned to no small extent over the years so that its revenues are not these days sufficient for the discharge of its responsibilities, and also because few lepers can be found in the district, the ordinances and statutes made by Bishops Hugh and Richard for the good rule of the hospital cannot be maintained; decreeing that alteration and redrawing (*resecacio*) of the statutes and ordinances of the hospital are to be brought about for the reasons specified above and other causes moving him, and with the will and consent of Mr John Marchal, proctor or master of the said hospital, and of others having an interest in this regard, and with apostolic authority therefor; enacting sixteen statutes, recited in full.

Under the bishop's seal as well as notarized.

Witnesses: Mr Thomas Hebbeden', LL.D., dean of Auckland collegiate church; Mr William Doncastr', LL.B., the bishop's official; Thomas Holden', squire, the bishop's steward; William Moston' and John Kylyngale, *domicelli* of York and Durham dioc.

Notary: Mr Thomas Jobur', clerk of London dioc., N.P. by apostolic authority, scribe and registrar to the bishop (eschatocol recited, including note of interlineations and erasures).

Date: his palace at Durham, 22 July 1434.

(Added f.1r margin:) Cross-reference [by Thomas Swalwell] to DCD Reg. II f.323, 324 [i.e. to copies of charter by Bishop Hugh and ordinances by Bishop Richard Poore for Sherburn Hospital]

Printed, with a summary in English, from the copy in Bishop Thomas Langley's register: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. V*, ed R.L. Storey (Surtees Society 172, 1962), p.22-30.

f.3v-7r 28 November [1431]

Inspeximus by Henry [VI], king of England, confirming the following ordinances.

Confirmation of the following notarized ordinances by John prior and the chapter of Durham.

Notarized ordinances by Thomas, bishop of Durham, having found in the register of Antony, sometime bishop of Durham, the following ordinances and statutes

Ordinances and statutes by Antony, bishop of Durham, for the collegiate church of St Andrew, Auckland, since he knows the church to have decreased not only in its number of prebendaries but also in its resources; and that no canon or prebendary is found residing in the said church, or who cares to appoint another to serve in his place, although the resources of their prebends were equal thereto, [with the canons] alleging that they do not have houses there or suitable plots on which they might build houses; ordaining, with the consent of Mr Robert de Alburwyke, vicar of Auckland, and of all the canons or prebendaries thereof:

[1] the erection of a prebend to the value of £10 out of the tithes of land newly brought under cultivation in the parish of Auckland, namely beyond the Gaunless, in the bishop's forest towards the west, and this side of the Gaunless within Widehope Moor;

[2] the restyling of the vicar as "dean of the collegiate church", beginning with Mr Robert the said present vicar;

[3] the annexation of the aforementioned new prebend to the deanery, to be held with all the other revenues hitherto held by the vicars;

[4] that the dean should constantly reside in the said church and find a priest to celebrate daily for the bishop and his successors in the chapel of the manor of Auckland, and that, as hitherto, he should have priests and other clerks in the great church and in his chapels from which he takes revenue;

[5] the allocation of a plot of land to the south of the church to be divided by him among the canons for the construction of houses, so that the non-resident canons and those who cared not to appoint a clerk to serve in their place (even though the resources of their prebends might increase in no small amount) should have no excuse; enjoining the canons to construct houses there within two years;

[6] that every canon who should not make personal residence there have a suitable vicar to serve in his place;

[7] that the five first canons, namely Mr Robert Avenel, Walter de Langton', Geoffrey de Vezano, John de London', Mr Adam de Brempton' and their successors, have priest-vicars in their prebends, for whom they are bound to assign five marks yearly from their revenues; that four other canons, namely Mr John de Lacy, Richard de Insula, John de Witham, Alan de Kirkham, have deacon-vicars, each of whom is to take 40s yearly as stipend; that those remaining have subdeacon-vicars or clerk-vicars, the bishop ordering 30s to be paid yearly to each of them as stipend;

[8] that such vicars be presented by the canons or prebendaries to the dean, who is bound to receive them so long as they be suitable, that another vicar is to be presented within a month of the decease or removal of the last vicar, failing which the dean is not to delay appointing another suitable vicar for the remainder of the year,

with further statutes relating to the singing of the canonical hours according to the use of York or Sarum, the singing of mass, celebration of the mass of the Virgin Mary by Mr Adam de Brempton', his vicar or their successors, the wearing of canonical habit by priests and other ministers serving a parish, service as hebdomadary by the vicars, the

powers of the dean, the saying of matins for the parishioners, and the order of precedence of the bishop, dean and canons in the choir stalls and in procession; with the consent of the chapter of Durham, and saving the authority, dignity and power of the his church of Durham and his successors.

Date: Auckland, the morrow of the octave of Epiphany [14 January] 1292/3.

with the old salary being insufficient for suitable vicars to be had; having found that the revenues of the priest-prebend of [St Andrew] Auckland, and the prebends of Eldon major and Eldon minor are each valued at £20 according to common estimation, ordaining that as each one of these prebends should become vacant it be divided into two priestly prebends, so that once all three had been vacant there should be six prebends, to be called the first and second prebends of [St Andrew] Auckland and the first, second, third and fourth prebends of Eldon; with the revenues of [St Andrew] Auckland being divided equally between the said two prebends and the revenues of the prebends of Eldon being divided equally between the said four prebends; and although the prebends of Eldon major and minor are and have been of old assessed for tax at £12 and £11 respectively, the four prebends of Eldon are to be equal both for tax when it should happen to be paid and for all other burdens; having found that there are seven prebends whose revenues are insufficient to maintain their burdens, being the priest-prebend of Shildon valued at £8 6s 8d, the priest-prebend of Byres valued at 33s 4d, the deacon-prebend of Fitches valued at 60s, the subdeacon-prebend of Morley valued at 40s, the subdeacon-prebend of Witton valued at 66s 8d, the subdeacon prebend of Woodifield valued at 26s 8d, and the prebend or portion of Bedburn valued at 6s 8d (and barely extending these days to these valuations),

ordaining that, when they become vacant for whatever reason, the prebends of Shildon and Byers be united into one priest-prebend then extending by estimate to ten pounds, the prebends of Fitches and Morley be united into one subdeacon-prebend with revenues of 100s, and the prebends of Witton and Woodifield, along with the portion or prebend of Bedburn, likewise be united into one subdeacon-prebend with revenues worth 100s, erecting the deacon-prebend of West Auckland, these days extending to £10, into a priest-prebend when the current prebendary thereof should die or give up the prebend, and wishing the deacon-prebends of Auckland St Helen and Escomb, both valued at £7 and more, to remain as deacon-prebends; ordaining that each prebendary reside in person at the said church, and attend services and officiate according to his rank, or have in his place a sufficient vicar of the same standing, as much in writing, reading and singing, as in his character and way of life, to be approved by the dean; and that every canon prebendary having a priest-prebend, should he not reside there in person, pay his vicar ten marks yearly in equal portions at St Cuthbert in March and St Cuthbert in September from the fruits of his prebend, before carrying off any fruits for his own use out of the parish of Auckland; and that canons having deacon-prebends, should they not reside there in person, have suitable vicars, in deacon's orders at least, to carry out the functions pertaining to the office of deacon, to each of whom they are to pay seven marks yearly from the fruits of their prebends; and that canons having subdeacon-prebends, should they not reside there in person, have subdeacon vicars or at least unmarried clerks, of suitable character, learning and age, to each of whom they are bound to pay five marks yearly; and that, if a canon prebendary be negligent in making these payments to the said vicars, his revenues are to be sequestrated by the dean until his vicar be satisfied of his stipend;

ordaining that these vicars be not beneficed elsewhere, but be content with their stipends as assigned above; wanting the canons to set up (*ordinent*) houses in which they and their vicars ought to dwell, in the plots allotted to them of old, as decreed by Bishop Antony, unless it should be better ordained by another means for setting up their habitation together, within two or at most three years; ordaining that canons-prebendary who are going to be non-resident should present suitable vicars to the dean within a month, and that the dean be bound to receive the vicar if suitable; and that such a canon present another vicar to the dean within one month of the death, resignation or removal of his vicar, or else come and reside in person; and should the canon do neither of these things the dean is to appoint another vicar in his place within a month, with this vicar being paid the full stipend from the fruits of the prebend; not wishing such vicars to be removed thereafter unless they should contravene the rules of the collegiate church, or unless the canon prebendary should wish to reside in person, and then he should forewarn his vicar against the Whitsun or Martinmas next to come that he is to provide him with service elsewhere; confirming Bishop Antony's statutes pertaining to the singing of divine service, &c, and binding the canons or their vicars to attend and serve at the masses, matins, vespers and other canonical hours to be sung in the choir of the said church, if not justly impeded, and to obey the dean or his lieutenant deputed to the rule of the choir;

these ordinances having been enacted with the consent of the prior and chapter of Durham, following diligent discussion with them; reserving to himself and his successors the power to alter the ordinances as often as need be; saving his episcopal rights and the authority, power and dignity of his church of Durham and his successors in all things. Under the bishop's seal and the notary's subscription.

Witnesses: John, prior of Holy Island, Mr William Doncastre, LL.B., vicar of St Oswald's Durham, William Damyan, rector of Egglecliffe, and John Carbrook, rector of Waddesdon, Lincoln dioc.

Notary: Mr Thomas Jobur, N.P. by apostolic authority, the bishop's scribe and registrar.

Date: chapel of the manor of Stockton, 20 September 1428.

Date: [Durham] 24 December 1428.

Witness: Humfrey, duke of Gloucester, keeper of England.

Date: Westminster, 28 November, A.R. 10.

Printed, from the patent roll copy, in R. Dodsworth & W. Dugdale, *Monasticon Anglicanum* 6 vols (1817-1830) vol.VI, p.1334-1337; calendared in: *Calendar of the Patent Rolls 1429-1436*, p.182.

Printed, from Langley's register, noting variations from a draft version, in *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. III*, ed R.L. Storey (Surtees Society 169, 1954), p.109-121.

Printed (ordinances and statutes) in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.35-37.

f.7r-v 15 November 1444

Mandate by John Norton', D.Dec., vicar-general to Robert, bishop of Durham, in spiritualities, to the prior and chapter of Durham, and to all having cure within the bishopric, informing them that although all and sundry who unlawfully enter the liberties of St Cuthbert or violate the rights of the cathedral church of Durham, or who favour or assist those so doing are *ipso facto* bound by great excommunication, he has heard that certain unknown outsiders, sons of iniquity, along with their accomplices dwelling in the bishopric, have infringed the liberties and privileges of the said confessor: on Tuesday, 3 November last, they passed under cover of darkness to the house of Robert Forster alias Jacson in the parish of Hunstanworth, with force of arms and, entering the house after the door thereof had been broken open, they terrified Robert, seized lying in his bed, and his wife, seized in the house, by brandishing their swords and uttering threats of death, and took away bodily adornments, bedding and other linen, a horse and its collar, and other household necessities belonging to Robert and his wife; thereby being liable to excommunication, to the peril of their souls, causing no little damage to Robert and his wife, and setting an evil example to others;

enjoining them to have these wrongdoers and any who assist them publicly warned in their sundry churches, during masses on Sundays and feast-days, when the greater part of the populace be present, that within twelve days of the warning they are to acknowledge the violation, bring the goods taken from Robert and his wife to the bishop or Mr John Lounde or Mr John Lethum or to another of the bishop's [officers], and make satisfaction of the damage caused to Robert and his wife, on pain of publication of excommunication, to be carried out as described; not ceasing from denunciation of the wrongdoers until they should earn absolution; their absolution being reserved to the bishop or to his vicar-general in spiritualities.

Date: (no place of issue), 15 November 1444.

f.7v-15r 8 August 1444

Notarial instrument recording that Robert Westmerlande, monk of Durham, proctor of the prior and chapter of Durham, as was sufficiently apparent to the notaries, showed two books by the Venerable Bede, entitled "Beda de gestis Anglorum" and "Beda de vita et miraculis Sancti Cuthberti Lindisfarnensis episcopi", apparently written in a very old hand, as well as papal bulls and various charters and muniments, whole and entire, and neither cancelled nor altered nor corrupt, but apparently free of suspicion; from which books, bulls, charters and muniments the proctor asked the notaries, because of the dangers of the roads and other perils which could befall them in transit to distant places, to inspect, read, transcribe, exemplify and draw up into a public instrument certain passages concerning the possessions and liberties of the cathedral church of Durham; wherefore the notaries, considering the request to be just, extracted the clauses and inserted them in this instrument, wishing complete faith to be placed in the clauses, both in court and outside, just as in the originals thereof:

extracts recited from:

- f.8r [1] Bede, "De gestis Anglorum", book IV, chapter xxv [Printed: *Venerabilis Baedae opera historica*, ed. Charles Plummer (Oxford, 1896), p.270-271];
- f.8r-v [2] Bede, "De vita et miraculis Sancti Cuthberti Lindisfarnensis episcopi", chapter XVI [Printed: *Two Lives of Saint Cuthbert*, ed. B. Colgrave (Cambridge, 1940), p.206-208];
- f.8v-9r [3] [purported] charter by William I [of St Calais], bishop of Durham, giving notice of the liberties and possessions granted and confirmed to the prior and convent of Durham. (Witnesses named) Dated: 1093. [Full text of purported original (1.1.Pont.1a) printed with commentary: *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.53-63];
- f.9r-v [4] [purported] charter by William [of St Calais], bishop of Durham, setting out the foundation and possessions of the monastery of Durham. (Witnesses named) Dated: 1082. [Full text, derived from two purported originals (1.1.Pont. 2a & 2b), printed with commentary: *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.15-25];
- f.9v-10r [5] [purported] charter by William [of St Calais], bishop of Durham, setting out privileges and possessions granted to the prior and monks of Durham. (Witnesses named) Dated: Westminster, Pont. 4 [1084 ?]. [Full text, derived from two purported originals (1.1.Pont.3a & 3b), printed with commentary: *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.26-33.];
- f.10r-v [6] [spurious] charter by William [I], king of England, by order of Pope Gregory VII bringing Prior Aldwin, the monks of Durham and everything granted to them under his protection, confirming rights granted to them by William, bishop of Durham, and granting them judicial rights in their tenements. (Witnesses named) Dated: in council at Westminster, A.R. 18 [1084 ?]. [Full text printed (from the purported originals 1.1.Reg.2a & 2b) in *Feodarium prioratus Dunelmensis*, [ed W. Greenwell] (Surtees Society 58, 1872), p.lxxii-lxxiii, and (from Cart.I. f.46b) in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.xvi-xvii];
- f.10v [7] [spurious] charter by Lanfranc, archbishop of Canterbury, confirming, by order of Pope Gregory VII, the privileges granted to the prior. (Witnesses named) At the council of London. [Full text printed (from the purported original 1.1.Archiep.3) in *Feodarium prioratus Dunelmensis*, [ed W. Greenwell] (Surtees Society 58, 1872),

p.lxxv-lxxvi, and (from Cart. I f.197) in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.x-xi];

f.10v-11r [8] [spurious] charter by Thomas [I], archbishop of York, attesting the grants of liberties made in full council at Westminster by authority of Pope Gregory VII with the confirmation of William [I], king [of England], and conferred upon the prior and monks of the church of St Cuthbert; which, after the privilege of William, bishop of Durham, he and Lanfranc, archbishop of Canterbury, have confirmed. (Witnesses named) [Full text (from 1.1.Archiep.1, the purported original) printed in *Feodarium prioratus Dunelmensis*, [ed W. Greenwell] (Surtees Society 58, 1872), p.lxxvi-lxxix, and *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.xi-xiv];

11r-v [9] [purported] charter testimonial by William [of Ste Barbe], bishop of Durham, giving notice that he has ended the controversy between Roger, prior of Durham, and Wazo, archdeacon of Durham, as to which of them shall take up position at the bishop's right hand and occupy first place after him, after taking evidence and finding in favour of the prior. (Witnesses named) Dated: prima Kalendarum December [14 November] 1147. [Full text (from 1.1.Archidiac.Dunelm.1a & 1b, the originals or purported originals) printed with commentary in *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.142-147];

p.11v [10] Charter by Hugh, bishop of Durham, in favour of the convent of Durham, granting: the right to free election of the prior, who should then be second in dignity after the bishop in the church of Durham; free control of their churches and lands; liberty to hold their court as freely as the episcopal court; exemption from aids and other exactions; freedom from tithe on their demesne and newly cultivated lands. [March 1195. Full text (from 3.1.Pont.1, the original) printed with commentary in G.V. Scammell, *Hugh du Puiset: Bishop of Durham*, (Cambridge 1956), p.261-263]; [11] Charter by Hugh, bishop of Durham, granting to B[ertram] prior and the convent of Durham free control of their churches, with freedom therein from episcopal and archidiaconal aids and exactions. [March 1195. Full text (from 3.1.Pont.2, the original) printed with commentary in G.V. Scammell, *Hugh du Puiset: Bishop of Durham*, (Cambridge 1956), p.259-260]

[12] Charter by Burchard, archdeacon of Durham, giving his assent to the [preceding] grant [11] by Bishop Hugh to the prior and convent of Durham of free control of their churches. [March 1195: Bishop Hugh not referred to as dead. From 2.1.Archid.Dunelm.16];

f.11v-12r [13] Charter by Richard [Marsh], bishop of Durham, in favour of the prior and convent of Durham, granting and confirming: to the monks of Durham the free election of their prior; to the prior that he be second in dignity after the bishop in the church of Durham, and be archdeacon of all their churches in the bishopric of Durham; that the monastery's churches and clerks be exempt from episcopal and archidiaconal exactions; that the prior have an abbot's seat in the choir and full power with his chapter over their house, properties and monastic officials; that he should act in synod for the bishop, during the bishop's absence, in all spiritual matters pertaining to himself and the archdeacons; that he have the same status as the dean of York has between the archbishop and the archdeacon thereof; that the prior and monks possess their lands and churches, without any interference therewith except by licence of the monks, with freedom to increase their revenues and to institute vicars who will answer to them for their benefices but to the bishop for the cure of souls; and that they have the court granted to them by King William [I] with all the regalian rights granted to them by other kings of England, as in the charter of Bishop William [of St Calais] in the possession of the prior and convent. Witnesses: S[imon of Farlington], archdeacon of Durham, and A[lan de Lenna], archdeacon of Northumberland [other witnesses omitted]. [22 September 1218. Full text (from 2.2.Pont. 1, the original) printed in *Feodarium prioratus Dunelmensis*, [ed W. Greenwell] (Surtees Society 58, 1872), p.lxxxvii-lxxxviii.]

f.12r [14] Charter by S[imon] de Ferlyngton', archdeacon of Durham, giving his approval to the [preceding] charter [13] by bishop Richard to the prior and convent of Durham. [n.d. from 2.1.Archid.Dunelm.17];

f.12r-v [15] [Spurious] charter by Henry I, king of England, taking Algar, prior of Durham, and his successors elected by the convent, the monks of Durham and their possessions under his protection, on account of the injuries done to them by Ranulf, bishop [of Durham]; confirming to them their privileges as at the death of Bishop William. [1128 x 1135. From 2.1.Reg.4];

f.12v [16] Charter by Edward I, king [of England], confirming the preceding charter [15]. (Witnesses named) Date: Westminster, 20 March A.R. 28 [1300]. [From 2.2.Reg.10 or 22];

f.12v-13r [17] [Spurious] charter by Henry [I], king of England, confirming the liberties and dignities of the priors of Durham. [c.1103-1106. Full text printed (from 2.1.Reg.1., the purported original) with commentary in *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.37-39];

f.13r [18] Charter by Henry II, king [of England], confirming all lands and tenements, liberties, customs, honours and dignities pertaining to the prior and convent of Durham, together with all grants of the kings of England or Scotland or of the bishops of Durham, and whatever has reasonably been or will be granted to them by whatsoever grantor; free from any impleading for the possessions whereof they were seized on the death of king Henry [I] or of Ranulf, bishop of Durham. [York, 1154 x 1166. Full text (from 3.1.Reg.1a, the original) printed in *Feodarium prioratus Dunelmensis*, [ed W. Greenwell] (Surtees Society 58, 1872), p.lxxxiii-lxxxvi];

[19] Writ by Henry II, king [of England], informing R[oger], archbishop of York, and the bishop of Durham, and his justices, sheriffs, barons and ministers of the rights pertaining to the land and men of St Cuthbert and to the monks of Durham, and instructing them to do justice to the monks if they be wronged by anyone in respect of these rights. [York, 1154 x 1173. Full text printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.li (from Cart. I fol. 60v). Original: 3.1.Reg.10]

f.13r-v [20] [Spurious ?] charter by Richard I, king [of England] confirming the liberties and possessions pertaining to the monastery of Durham, together with all grants of the kings of England or Scotland or of the bishops of Durham, and whatever has reasonably been or will be granted to them by whatsoever grantor; free from any impleading for the possessions whereof they were seized on the death of king Henry [I] or of Ranulf, bishop of Durham. [Chinon, 4 February 1196 or 1197. Full text recited in 2.3.Reg.3a & 3b. Lost original: 3.1.Reg.13];

f.13v [21] Charter by John, king of England, in terms similar to the preceding extract [20]. [Newport, 2 February 1204. Original: 3.1.Reg.16.];

f.13v-14r [22] Charter by John, king of England, confirming the dignities of the priors of Durham and confirming whatever Bishop William and his successors have given to them in the past; ordering that they should have free disposal of their possessions, which he has taken under his protection; confirming their rights and exemptions; and ordering all the foregoing to be kept inviolate, as in the charters of King H[enry I] and King H[enry II]. [Newport, 2 February 1204. Original: 3.1.Reg.21.];

f.14r-v [23] Bull by Celestine III, pope, further to that which Pope Gregory VII is known to have instituted, decreeing that the monks of Durham have the right to free election of their prior, who should then be second in dignity after the bishop in the church of Durham and be archdeacon over the churches pertaining to the monastery; ordaining that the prior and monks be free from injustices and grievances of bishops, being subject to no ecclesiastical conditions or services, and that they should carry out the divine work with the greatest tranquillity; ordaining that, on the death of a bishop of Durham, there be no successor put forward by trickery or force, but only he whom the prior and monks, or the majority of them, care ( *previderint*) to elect; and ordaining that the prior and monks have the liberties, immunities and ancient and reasonable customs granted to their church and hitherto observed, and to endure unimpaired in the future. By the hand of Cencius, cardinal deacon of S. Lucia in Orthea, the pope's chamberlain. Date: Lateran, 17 Kal. June [16 May] 1196. [Full text printed, from Cart. Vet. f.28v-31r and Cart.I f.7r-8v, in *Papsturkunden in England*, ed. Walther Holtzmann, (Berlin, 1935) II, p.470-74, no. 278; further copies in Misc.Ch. 1443, Misc.Ch. 1444. Lost original: 1.1.Pap.1.];

f.14v [24] Bull by Innocent III, pope, confirming the grant and constitution made by William, bishop of Durham, on the precept and advice of Pope Gregory VII, to the priors of Durham, concerning the liberties, dignities and honours of an abbot; and ordaining that the prior and monks of Durham elect the bishops of Durham, and have other rights, as in [23]. By the hand of Blasius, subdeacon of the Holy Roman Church, and notary. Date: Lateran, 16 Kal. April [17 March] 1200/1. [Calendared: Letters of Innocent III, no. 299, giving references to more complete copies. Printed (from abridged copy in Cart. I fol. 8v) in HDST, lxvi. Lost original: 3.1.Pap.1.];

[25] Bull by Alexander III [pope] to Germanus, prior of Durham, confirming the liberties granted to the priors of Durham by William, sometime bishop of Durham. [7 June 1165. Full text printed, from Cart. Vet. f.24r and Cart. I f.5r-v, Papsturkunden ... II, 311, no. 120. Further copy: DCD Misc.Ch. 1444. Lost original: 1.1.Pap.16.]

[26] Bull by Innocent III, pope, confirming the approved liberties, immunities and customs, both in courts and in other matters, granted by William, bishop of Durham, and H[ugh], his successor, to the prior and his church. [22 May 1214. Calendared (listing more complete copies) and printed from a complete text: *The letters of Pope Innocent III (1198-1216)*, ed. C.R. Cheney & M.G. Cheney, (Oxford 1967), p.162, 269, no. 973. Lost original was kept with 3.1.Pap.3.];

[27] Bull by Innocent III, pope, confirming the liberties and immunities granted by J[ohn], king of England, and his predecessors. [22 May 1214. Calendared (listing more complete copies) and printed from a complete text: *The letters of Pope Innocent III (1198-1216)*, ed. C.R. Cheney & M.G. Cheney, (Oxford 1967), p.161, 269, no 972. Lost original: 3.1.Pap.3.];

[28] Bull by Gregory IX, pope, confirming the ancient and reasonable customs hitherto approved, also the liberties and immunities granted through privileges and indulgences of his predecessors and other prelates, and the liberties and immunities granted by kings, princes and others, to the [church of Durham]. [Lateran, 21 Nov. 1239. Lost original: 2.1.Pap.31.];

f.14v-15r [29] Bull by Innocent IV, pope, in the same terms as [28]. [Lateran, 29 Jan. 1254. Lost original: 3.1.Pap.20.];

f.15r [30] Bull by Boniface IX, pope, in the same terms as [28]. [Perugia, 3 July 1393. Lost original: 3.2.Pap.20.].

Witnesses: Thomas Coken', Edmund Tilett and Thomas Balkoke, of Lincoln and Durham dioc.

Notaries: Richard Prentys, priest of York dioc., N.P. by apostolic and imperial authority; John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocols recited).

Date: Durham, the chapter registry, 8 August 1444.

f.15r-v 14 December 1444

Presentation by John prior and the chapter of Durham asking John, cardinal priest of S Balbina and archbishop of York, or his vicar-general in distant parts, to institute William Baynton', chaplain, in the chantry of Cliffe, at the altar of St Mary in the collegiate church of Hemingbrough, vacant by the death of Thomas Richardson', last chaplain thereof.

Date: Durham, 14 December 1444.

f.15v 12 January 1445

Inspeximus by John prior and the chapter of Durham confirming the following grant  
Grant by letters patent by Robert, bishop of Durham, to Thomas Monkton', his squire, the office of parker of the park of Fenwick; to be held of the bishop and his successors, for life; taking all fees, wages and profits pertaining to the office, just as other parkers in that office have been accustomed to take.

By the hand of Robert Beaumont, clerk, the bishop's chancellor.

Date: Durham, 8 January, Pont. 6. [1444]

saving the rights and liberties of their church of Durham in all things.

Date: Durham, 12 January 1444/5.

f.15v-16r 11 January 1445

Letters of discharge by John prior and the chapter of Durham, having the priory of Lytham to their own use, to William Partrike, monk of Durham, occupying the office of prior of Lytham, stating that he has presided there as prior of Lytham for no little time, and referring to his obligations as prior: to attend the annual chapter general and to render his account of the administration and condition of his priory, whether in person or, if legitimately prevented, by a proxy; and to submit to any annals set by the president and definitors of the chapter; notwithstanding which he has neglected, led by what counsel they know not, to come to the chapter in the required form in one year and to pay the contribution set by the prior and chapter during the last two years;

wherefor, surprised at his refusal, they directed letters of monition and citation to him, to be presented in the priory of Lytham by their sworn nuncio Thomas Clogh, that he should appear before the prior and chapter on 3 April last upon pressing business concerning the monastery of Durham; they delivered a true copy of the letters to Thomas for publication at a suitable time and place to him and others as he should see fit, and associated John Berhalgh, N.P., with the nuncio to assist in the execution of the letters; and from the certification of the two mandataries they accept:

that on 10 March last, in the garden there, Clogh himself, being illiterate, set out the reason for his arrival through the aforesaid John Berhalgh, having the said letters in his hand, and gave notice of the date and place at which William should appear; that William, not accepting these things, immediately uttered a certain threat concerning the rising (*insurrectionem*) of a secular force against their mandate, to inflict beatings (*verbera*) and torture in the event that Thomas should present him with prejudicial or displeasing things; and that on the morrow, Thursday 11 March, a company of three armed men, in warlike array with swords drawn, apparently in accordance with William's threat, came to the mandatary at the priory, inflamed into threatening him, so that he would eat the documents he had brought with him, on the pretext of carrying them out, along with the box, if their indignation had not first been softened through placatory conversation or discussion; and that thereafter, once they had been read out and published by John Berhalgh in the presence of William, his fellow monks and others, William did not care to receive the letters, but, not content with things thus far, heaped evil upon evil and committed other enormities; stating: that at the instance of William and his friends the prior and chapter sent certain monks of Durham to York in the present year for discussions, and William entered into certain agreements to reform himself, under a time limit now past without bearing fruit; that William, not making good his deeds, has deluded the prior and chapter; and discharging him from the cure and rule of the priory of Lytham by common consent, since his faults demand it, lest audacity in perpetrating similar things be served up (*ministretur*) to others if, with eyes closing (*conniuentibus*), this kind of crime (*facinus*) remain uncorrected; and ordering and urging him to acknowledge the yoke of his regular observance.

Date: Durham, 11 January 1444/5.

Original: DCD Loc.IX:63.

f.16r-17r 2 January 1445

Notarial instrument of appeal recording that with John Wessington', prior of Durham, Mr John Mody, subprior, William Ebcheste, sacrist, Roger Lanchestre, Henry Helay, John Gonnerton, Thomas Nessbitt, John Moorby, Richard Kellow, John Gatesheued, Thomas Warde, Thomas Forde, William Dalton', William Eden', John Warner', Thomas Hexham, Richard Blackburn', Richard Bell', William Seton', John Midilham, John Rypon', William Kellow', Henry Rakett, John Bradbery, William Fige, William Hesilden', William Rodburn', William Byrden', John Eden', John Kirke, William Gervace, John Bedforde, William Essby, Richard Billingham and Thomas Holme, monks of Durham, present, making the convent or chapter of Durham, the prior publicly said to his fellow monks that on Christmas Eve last he had been concerned with certain business touching the state of their priory of Lytham, and in particular the state and person of William Partrike, monk, bearing himself as prior of Lytham, concerning certain articles for reforming and correcting the priory of Lytham and the person of William Partrike, in both spiritualities and temporalities; in which business the prior said then that a certain protestation was interposed and issued in the manner written below, because of certain papal bulls and royal letters which, for his and the chapter's security were not to proceed further; wherefor the prior and monks there had unanimously, as they said, appointed Robert Westmerland, monk of Durham, personally there present, as their proctor, giving Robert power on their behalf to make, read, interpose, publish and give notice of a certain appeal, reduced into writing, which Robert held then in his hands; and Robert, assuming the office of proctor, publicly made, read, interposed, published and gave notice of the same

protestation by himself, Robert Westmerland, monk of Durham, proctor of the prior and chapter thereof, that it has not been nor will be the intention of the prior and monks of Durham to offend the apostolic see or the king's highness in any business touching the priory of Lytham or William Partrike, bearing himself as prior thereof, by taking any action against the said William Partrike in violation of any letters granted to him; but rather in such action, taken or being taken, to cleave to the right, liberty and faculty of correction belonging to the prior and monks of Durham, and not otherwise; and if anything shall be capable of being inferred from such actions, taken or being taken, which be not present [therein], in that event revoking and taking [it] as not done; saving and reserving always in all things the rights and liberties of the church of Durham, brought in through apostolic indult, royal grant or otherwise by reasonable customs, howsoever pertaining to the prior of Durham or his dignity, and to the monks and chapter of Durham, which done, the proctor handed the protestation to the notary and asked him, for a suitable fee, to draw up one or more public instruments upon the foregoing for the prior and chapter.

Witnesses: Mr John Norton', D.Dec., Lincoln dioc.; Mr John Lethum, LL.B., York dioc.; Richard Prentys, priest, N.P. by apostolic and imperial authority, York dioc.; John Bynchestr', priest, Durham dioc.

Notary: Robert Bertram, clerk, N.P. by apostolic authority (eschatocol recited, with note of interlineations).

Done: chapter house, Durham, 2 January 1444/5.

f.17r-v 12 January 1445

Appointment by John prior and the chapter of Durham of Henry Helay, monk of Durham, as prior of the cell of Lytham vacant by the discharging of William Partrike, lately prior thereof, for his manifest contumacy, disobedience and other serious faults; committing to him the rule and administration of the cell until he should receive other instructions, instructing all those having an interest to answer to him as prior of Lytham for everything pertaining to the cell, and requiring him to render yearly account of the receipts and expenses of the cell.

Date: Durham, 12 January 1444/5.

Draft: DCD Loc.XXVIII:3(5).

f.17v 12 January 1445

Presentation by John prior and the chapter of Durham to the archdeacon of Richmond or his vicar in distant parts since they have appointed Henry Helay as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 12 January 1444/5.

Cf. f.27r.

f.17v 4 May 1445

Letters of confraternity by John prior and the chapter of Durham to Mr John Lounde, keeper of Kepier hospital, noting the affection of the sincerity and devotion which he has for their monastery, admitting him to the spiritual brotherhood of the chapter of Durham and granting him special participation in all masses, orisons, vigils (&c) in the monastery of Durham and its dependent cells, in perpetuity, and prayers yearly after his death, just as for their other brethren.

Date: Durham, 4 May 1445.

f.17v-18r 9 May 1445

Inspeximus by John prior and the chapter of Durham confirming the following grant  
Grant by letters patent by Robert, bishop of Durham, to Robert Emereson' the younger of the keeping of half of the park of Stanhope, to be held for life, taking from the bishop and his successors 2d per day for keeping the park, to be paid by the head forester at the usual terms; and further granting that Robert shall have ten beasts and two horses depasturing in the park, excepting the meadow separately reserved to the bishop's use; and that Robert shall take five wagonloads of hay in the park yearly at his own expense during his life, as assigned by the head forester, along with all other profits and emoluments pertaining to the said office.

By the hand of Robert Beaumont, clerk, the bishop's chancellor.

Date: Durham, 16 August, Pont. 7. [1444]

saving the rights and liberties of their church of Durham in all things.

Date: Durham, 9 May 1445.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.18r-v 21 May 1445

Notarized proxy by John prior and the chapter of Durham appointing Mr John Lithum, LL.B., as their proctor (without discharging other proctors appointed by them in the past) in all causes begun or to be begun concerning their church and its dependent cells, and in particular the cell or priory of Lytham; giving him general power, described, to act on their behalf for their right and interest in the said priory of Lytham against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often as and whenever need be, and a mandate to obtain papal letters of grace from the Roman *curia* and to seek the revocation of letters obtained against them; instructing the notary to subscribe and publish the present letters and causing their seal to be affixed as well.

Witnesses: John Binchestre, chaplain, John Stele and John Hexham, *literati* of York and Durham dioc.

Notary: John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited, including note of interlineation).

Date: Durham, 21 May 1445.

f.18v-19r 21 May 1445

Notarized proxy by John prior and the chapter of Durham appointing Mr John Lithum, LL.B., as their proctor in similar terms to those of the preceding entry, but omitting the mandate to act for them at the Roman *curia* ; instructing the notary to subscribe and publish the present letters and causing their seal to be affixed as well.

Witnesses: John Binchestre {chaplain}, John Stele and John Hexham, *literati* of York and Durham dioc.

Notary: John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Date: Durham, 21 May 1445.

## f.19r-v [1445?]

Memorandum that at the time of John Hemmyngburgh', prior, a bull by Pope Boniface IX, dated Prid. Id. November [12 November] 1396 was obtained, through the solicitude of William Thurstanton', proctor of the prior and convent of Durham, of plenary remission at the point of death for the sundry monks of Durham then present; the force of which bull has expired in 1446 through the death of the monks to whom it extended, excepting three or four; and, as some assert, all indulgences of plenary remission granted by the said Boniface, were revoked some years ago; but that Thomas Langley, bishop of Durham, being personally present at the general council at Pisa in 1409, obtained the following bull

Bull by Alexander V, pope, to Thomas, bishop of Durham, and the present prior and monks of the church of Durham, favouring their petitions by granting them the indulgence that a confessor of their choice be able to grant plenary remission of their sins once only at the point of death.

Date: Pisa, 15 Kal. August [18 July], Pont. 1 [1409]. [Printed from another copy: Reg. Langley I, ]

and that, through the solicitude of John Wessyngton', prior of Durham, there was obtained a third Bull by Eugenius IV, pope, &c, not recited. dated 12 Kal. April [21 March] 1437/8, and of similar tenor to the above bull of Alexander, stating that anyone who is to enjoy this indulgence, after the bull shall have come to his notice, be bound to fast every Friday for a year, or on one other day of sundry weeks of the same year or in the following year on which fasting is not necessary.

*The Register of Thomas Langley Bishop of Durham 1406-1437 vol. I*, ed R.L. Storey (Surtees Society 164 1949), p.166 and (in another bull) 149-150.

## f.19v-20r [1445?]

Description of forms of absolution whereby a chosen confessor should absolve a penitent according to the force of the apostolic letters of plenary remission, after hearing and absolving the penitent as is the custom:

f.19v [1] Enumerating psalms to be used and releasing the penitent from any excommunication or anathema.

[2] General absolution.

f.19v-20r [3] Special absolution, with the bull held over the penitent's head, and releasing him from sentences of excommunication, suspension, interdict or disqualification.

f.20r [4] Another form of absolution, as declared by the consistory of the Roman *curia* concerning the bull for plenary indulgence.

[5] Another (and surer) form of absolution. with ratification of the confessions made and the penances imposed; and absolution and restoration to the sacraments of the Church for the penitent if he has celebrated whilst disqualified without having obtained dispensation or absolution.

f.20v-21r 2 June [14]45

Proxy by John prior and the chapter of Durham appointing Mr William Ebchestre, S.T.P., Mr Richard Wittwang', advocate of the court of York, William Dalton', Robert Westmerlande and William Seton', monks of Durham, and William Bisspeham, proctor of the court of York, as their proctors (short of revoking their proctors already appointed), to act on their behalf in all causes and business moved or being moved: concerning their monastery, their college in the university of Oxford, their cells, parish churches and dependent chapels, their interests, jurisdictions and liberties, their tithes, pensions, portions and rights whatsoever; before whatsoever judges ordinary or delegate, or their commissaries, and executors, collectors, provisors, arbiters, conservators and others whatsoever, having whatsoever jurisdiction or cognizance; by whatsoever adversaries; against the prior and chapter and their monastery (&c), *ex officio* or at the instance of parties; at whatsoever dates and places; giving them their special power and special and general mandate, described, therefor; and authorizing them to appear in name of and act for the prior and chapter and their monastery (&c) in synods, consistories, councils, visitations, chapters, congregations and other convocations.

Date: Durham, 2 June [14]45.

f.21r 17 May [1445]

Letter by R[obert], bishop of Durham, to the prior of Durham informing him that by his letters patent he has granted a close in Whickham, called Gellesfield, to his nephew Thomas Nevil for a term of years; and asking him to confirm the grant {immediately following}.

Date: Winchester, 17 May.

*Language:* English

f.21r-v 10 June 1445

Inspeximus by John prior and the chapter of Durham confirming the following confirmation Confirmation and licence by letters patent by Robert, bishop of Durham, since Robert Merley and William Merley lately granted by indented deed a close called Gellesfield, in Whickham, and the whole of the coal mine and stone quarry therein to Robert Rodes; to be held by Robert Rodes and his assigns from Michaelmas 17 Henry VI [29 September 1438] for the forty years following, along with licence to dig pits and haul, win and carry coals through the whole of the said close during the said term; whereafter Robert Rodes, by a certain deed, granted and assigned his said close with the said mine and quarry to Thomas Nevill', knight; ratifying this grant and giving licence to Thomas and his successors to open pits, to work the ground in person or through his servants, in the close and any part thereof, to extract coals there for his profit and use, to put such coals wherever in the close seems most convenient, and during the said term to transport by land or water and deposit the coals at will throughout the close and the ground of the bishop and his successors in their vill and lordship of Whickham, excepting the long-cultivated lands at the time when corn is growing, without being troubled by the bishop or his successors, or their sheriffs, other officers, tenants, men or servants; not wanting Thomas or his assigns to be troubled by the bishop or his successors or their sheriffs (&c) by reason of any water or watercourse running from the said close or any part or mine thereof into or beyond the land of the bishop and his successors in the lordship and vill of Whickham or elsewhere; on condition that during the said term Thomas and his assigns pay to the bishop and his successors yearly at the exchequer of Durham, by equal portions at Easter and Michaelmas, for the coal mine in the vill of Whickham outside the said close the annual farm which the bishop has hitherto taken for the same mine, so long as Thomas and his assigns be able to take coals sufficiently in the bishop's land in Whickham outside the close from the mine to be made at the bishop's expense; providing that, by reason of this grant, there be no prejudice brought about after the term of forty years to the bishop or his successors by Thomas, his assigns or ministers, by a conduit made or to be made within the close through land lying above or below the close. By the hand of Robert Beaumont, clerk, the bishop's chancellor.

Date: Durham, 7 June, Pont. 8. [1445]

saving the rights and liberties of their church of Durham in all things.

Date: Durham, 10 June 1445.

f.22r 30 June 1445

Proxy by Henry Helay, monk of Durham, having been appointed as prior of the priory of Lytham by the prior and chapter of Durham, and having been occupied with difficult business, appointing, by licence of the prior of Durham, Mr Richard Wytwang', advocate of the court of York, and William Bisspham, proctor of the court of York, as his proctors, giving them special mandate on his behalf to seek and obtain his admission to the said priory from the archdeacon of Richmond or his vicar-general in distant parts, and to do the things which are accustomed to be done in that respect; and giving them general power and special and general mandate, described, to act on his behalf in all causes and business before whatsoever judges, ecclesiastical and secular, ordinary, delegate, subdelegate, acting by whatsoever authority and in whatsoever name.

Under the seal of John Wessyngton', prior of Durham, since his own seal is not known; with John Wessyngton' stating that he has affixed his seal at Henry's request.

Date: Durham, 30 June 1445.

f. 22v-23r 22 July 1445

Notarial instrument recording that Robert Westmerland, monk of Durham and proctor of the prior and chapter thereof, made, read and interposed in their name the following Appeal by him, Robert Westmerland, although the prior and chapter be of unimpaired reputation (&c), and for no little time have possessed the parish churches of Jarrow, Monkwearmouth, Holy Island, Bywell St Peter, St Oswald [Durham], Aycliffe, Heighington, Merrington, Dalton-le-Dale, Hesleden, Billingham, [Bishop] Middleham, Pittington, Norham, Branxton, Ellingham, Bedlington and Edlingham, appropriated to their own use with their dependent chapels, rights and appurtenances, and possess the same at present, duly taking the revenues thereof; fearing, from plausible reasons and newly-made threats, that prejudice may be engendered by some rivals in future concerning the position of the prior and chapter and their right and property in the same churches and chapels; and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything prejudicial (&c) to the prior and chapter and their said churches and chapels (&c), their liberties, customs or rights, in various specified ways including visiting their said appropriated churches and chapels in contravention of papal statutes and privileges, he appeals to the apostolic see and for tuition to the court of York, subjecting the prior and chapter, their churches, chapels, rights, interests and possessions, those adhering and wishing to adhere to them and him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor,

and that Robert asked the notary to reduce the foregoing into a public instrument.

Witnesses: John Holme, Thomas Parke, Ellis (*Heliseus*) Worsley, *literati* of York and Durham dioc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: chapter house, Durham, 22 July 1445.

f.23r 28 July 1445

Notarial instrument recording that Robert Westmerland, monk of Durham and proctor of the prior and chapter thereof, showed to the notary and witnesses two books, called the register of the prior and chapter of Durham; and asked that various presentations of clergy made to the bishops of St Andrews by the prior and chapter of Durham to the vicarages of Edrom, Ednam, Fishwick, Stichill and Earlstoun, appropriated to the said prior and chapter, be transcribed from these books by the notary; wherefor the notary, considering the request just, took the trouble to extract such presentations, dispersed in various places in the said books or registers, and insert them word for word in this public instrument.

(Note in place of extracts:) "the contents of which presentations are written on paper, and the notary's subscription follows, which is thus".

(No witnesses' names given)

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: registry of Durham priory, 28 July 1445.

Another copy: DCD Misc.Ch. 1096.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.23v 13 September 1445

Inspeximus by John prior and the chapter of Durham confirming the following grant, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 13 September 1445.

f.23v 26 September 1445

Proxy by the chapter of Durham appointing Mr Richard Wettwang', advocate of the court of York, John Gatesheued', monk of Durham, and William Bisspeham, proctor of the court of York, as their proctors to attend and act for them and in their name at the convocation of the clergy of the province, to be held in York minster on the last day of the instant month [30 September], with continuation of days and places, before John, cardinal priest (&c), archbishop of York, or his lieutenants or commissaries deputed thereto.

Date: Durham, 26 September 1445.

(Added in margin:) Reference to Reg. V f. "39" [now missing].

f.24r 3 October [1445]

Inspeximus by Henry, earl of Northumberland and lord of the honour of Cockermouth, confirming, for himself and his heirs, the following grant, ordering all his officers and ministers within England not to trouble the prior and monks of Durham and their servants in future in the purchase of any goods, things or victuals, bought or being bought for their use, within any lordship of his, at any of his markets or fairs, for toll or ferry-toll against the form of the charter aforesaid.

Date: manor of Catton, 3 October, 24 Henry VI.

Grant by Henry [II], king of England, to the prior and monks of Durham of all their liberties, immunities and free customs throughoout England, Normandy and all his sea-ports, ordering that they and all things sworn by their men to be their lords' property be quit of any toll, ferry-toll or custom, on pain of £10.

Witnesses: R[oger], archbishop of York, R[obert], bishop of Lincoln, Richard de Lucy.

Date: York [1154 x 1166]

Original (grant): DCD 3. 1. Reg. 4.; also copied below, f.146r, in an inspeximus by Prior John Burnaby, dated 15 November 1462.

f.24r-25r 9 October 1445

Notarized letters by John Norton', D.Dec. vicar-general to Robert, bishop of Durham, in spiritualities in distant parts, and official of the consistory court of Durham, stating that Robert Westmerland, monk of Durham and lawfully-deputed proctor{-general} of the prior and chapter thereof, as manifest from their proxy, lately coming to him as he sat tribunally in the consistory court of Durham (date as below), in presence of the notary and witnesses underwritten, asked that the official see fit to exemplify certain apostolic letters concerning the priory of Lytham and its prior, lest the right, estate and esteem of the prior and chapter falter on account of the difficulty of proof once the same letters had been lost, soaked, destroyed or thoroughly worn through the dangers of the roads; wherefor, considering the request just, and having received, understood and examined the letters, which were free of suspicion, he had them transcribed and exemplified by Robert Bertram, clerk, N.P. and writer of the acts of the consistory court of Durham, as follows.

Under the seal of his office of official of the consistory of Durham.

Witnesses: Robert Sotheron', priest, John Mawer, William Bolton', *literati* of Durham dioc., and John Mayson, *literatus* of Carlisle dioc.

Notary: Robert Bertram, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, with note of an erasure).

Done: consistory court of Durham, 9 October 1445.

Bull by Eugenius [IV], pope, to the archbishop of York and the dean and archdeacon of York having been shown a petition on behalf of the prior and convent of Durham, containing that, although the priory or cell of Lytham were known to be dependent from the monastery of Durham, and the appointment and removal at will of a monk of Durham as prior of Lytham pertained to the prior of Durham by right and statute, and the appointed prior were obliged, before persons deputed thereto in the monastery of Durham, to vouch for a lawful account of his priory's goods and of the receipts and things administered by him, and to receive correction from the prior of Durham for excesses, and to come to the said monastery and general chapters as an obedientiary; nonetheless, William Partrik, deputed prior of Lytham, has collected moneys on the pretext of his administration and, suppressing the truth, obtained certain apostolic letters to the effect that he could not be removed from his priorate by the prior of Durham except for serious offences, on the basis of which he has occupied, alienated and squandered the goods of the priory as if his own, and refused and refuses to render account, to obey his superiors, to answer for crimes in which he is said to be involved, or to receive correction, to the destruction of monastic religion, the damage and disgrace of Durham priory and the Benedictine order, and in ruinous example to many; wherefore, on the part of the said prior and convent, he has been asked to make provision in these matters, and therefore, lest they be subject to more of their rights being annulled (&c), inclining towards their supplication; instructing them [the addressees], or one or two of them, to inform themselves of the foregoing matters and their circumstances; and, if through such information, with William and others having been summoned, they rely on the foregoing as truth, and that William has refused to produce an account or demonstrate obedience ordering them to revoke, invalidate and annul the letters obtained by William, and to declare them to be of no force, and to confer licence upon the prior of Durham to punish and correct him as the nature of his crimes and outrages should require, and to coerce him to the due obedience to be shown to the prior, if and as need be.

Date: Rome, St Peter's, 17 Kal. January [16 December] 1444.

Original: DCD Loc.III:27.

Original (bull): DCD 1. 3. Pap. 3.

f.25r-v 28 October 1445

Notarized proxy by John prior and the chapter of Durham appointing Alexander Hume, David Hume, John Logane and William Creniston, knights; John Oll', prior of Coldingham, and John Pencher, monks of Durham; Mr Alexander de Castelcaris, Gilbert de Parke, canons of Glasgow, Archibald Laurison', M.A., Mr Robert Lawedyre, James Parklee and Alan Clerk (*clericus*) as their proctors, for the utility of their church and their priory of Coldingham, giving them full, free and lawful power, and special mandate to appear on their behalf and that of their prior of Coldingham before William, abbot of Kelso, Patrick, abbot of Holyrood, and Andrew, abbot of Newbattle, judges delegated by Eugenius IV, pope, as contained in the commission directed to them, or before any of them, jointly or severally; and to present to them, or to whomsoever of them, the said commission and another letter of the same pope, namely a writ for the protection of the said priory of Coldingham, granted for the reformation thereof over the right of patronage of certain benefices pertaining to the prior and chapter of Durham and the priory of Coldingham, and, by reason thereof, against James, bishop of St Andrews; and to act for them in that cause, responsibilities enumerated.

Subscribed by the notary and under the chapter seal.

Witnesses: Edmund Tillett, William Bolton' and John Hexham.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Date: Durham, 28 October 1445.

Draft: DCD Loc.IX: 26.

Original: DCD Misc.Ch. 1256.

f.25v-26r 7 November 1445

Inspeximus by John prior and the chapter of Durham confirming the following grant, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 7 November 1445.

Grant by letters patent by Robert, bishop of Durham, to Thomas Maners, his servant (*serviens*), of the office of receiver of the issues and moneys of his lordship of Howden and Howdenshire, for life; to be performed in person or through a deputy, for whom he would answer to the bishop and his successors; rendering reasonable account therefor yearly to the bishop or his deputies or ministers of moneys coming into his hands or received by him or his deputy from the revenues of the said lordship; and granting also that neither Thomas nor his deputies be charged with any revenues of the lordship other than those coming into their hands, but that they be discharged in perpetuity on the account by livery of the bishop's debts of the lordship; with Thomas taking during his life £10 yearly from the bishop or his successors out of the revenues of the lordship, in equal parts at the terms of Easter and Michaelmas, by his own hands or those of his deputy, and all other profits accustomed to pertain to the said office; giving Thomas full authority to carry out what pertains to the office, and instructing all the bailiffs, officers and tenants of the lordship to be of assistance to Thomas and his deputies in the execution of his office.

By the hand of Robert Beaumont, the bishop's chancellor.

Date: Durham, 6 November, Pont. 8. [1445]

f.26r 3 December 1445

Presentation by John prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute Edmund Karr', chaplain, in the vicarage of the prebend of Skelton, in the church of Howden, vacant by the resignation of Thomas Hyll', chaplain, last vicar thereof.

Date: Durham, 3 December 1445.

f.26r [1445]

Resignation by Thomas Hyll' of Westthorp, prebendal vicar of Skelton in the collegiate church of Howden, now promoted to a chantry in the church of St Peter the Less York, and for this and other lawful reasons resigning his said vicarage in the hands of John, archbishop of York (&c).

n.d. [3 December 1445 or earlier: see the preceding entry]

f.26r 19 January [?1446]

Letter by the prior and chapter of Durham to Robert, bishop of Durham, since they are sending Mr William Ebchestr', monk of Durham, to the bishop in order to make known various business by an oral statement, gently exhorting him to give Mr William favourable audience.

Written: Durham, 19 January.

f. 26v 25 January [?1446]

Letter by John prior and the chapter of Durham, to (margin: Henry Percy, earl of Northumberland), in reply to his recently-delivered letter requesting the vacation of prebend to Mr Adam Coppandale on the resignation of Robert Pecoke, prebendary of Hemingbrough, informing him that they have reserved, at the request of John Portyngton', justice, their parishioner and farmer, long since made, the next vacancy of a prebend of Hemingbrough to John's son, and they have promised the second to the earl's kinsman Sir William Eure[']s son.

Written: Durham, 25 January.

*Language:* English

f.26v 13 February [?1446]

Letter by John prior and the chapter of Durham, to Henry, earl of Northumberland, replying to his lately-sent letter and informing him that they have agreed to fulfil his request and present Mr Adam Coppandale, his clerk, to the prebend of Robert Pecoke in the collegiate church of Hemingbrough when they know for certain that Robert has resigned the prebend; trusting that, if John Portyngton' or Sir William Eure be displeased that the promise made to them by the prior and chapter has been set aside, the earl will support and excuse the prior and chapter to them.

Written: Durham, 13 February.

*Language:* English

f.26v-27r 21 February 1446

Notarial instrument recording that Robert Westmerland', monk of Durham and proctor of the prior and chapter thereof read through a certain written

Declaration by him, Robert Westmerland', that it is not the prior's and chapter's or his intention, by any presentation, collation or other act in respect of the vicarage of St Oswald's Durham, said to be vacant by the death of Mr John Lithum in remote, foreign parts, to prejudice the collation, provision or any other disposition of the pope, or any rights reserved to him concerning the said vicarage, rather do he and the prior and chapter want these rights to remain unimpaired, saving always the liberties and privileges granted of old by popes to the prior and chapter in all things, and asked the notary to draw up the declaration into a public instrument.

Witnesses: John Partrike, chaplain, Ellis (*Heliseus*) Worslay and John Hexham, *literati* of York dioc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: nave of Durham cathedral, 21 February 1445/6.

Original: DCD Loc.XXI:35.

f.27r [? 21 February 1446 or later]

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, bishop of Durham, or his vicar-general in distant parts, to institute Mr William Neuton', LL.B., and in priestly orders, in the vicarage of St Oswald's Durham, vacant, as is said, by the death of Mr John Lythom', last vicar thereof.

Date: Durham.

f.27r 1 March 1446

Memorandum that a letter was issued by the prior and chapter of Durham to Robert Alwennt as their mortuary-roll bearer, according to the form in Register III f.148. Durham, 1 March 1445/6.

f.27r 12 March 1446

Appointment by John prior and the chapter of Durham of Henry Helay, monk of Durham, since, for a number of reasons, they have discharged William Partrike, monk of Durham and lately keeper of the priory or cell of Lytham, from the rule and administration of the said priory, creating him keeper, proctor and prior of the priory or cell of Lytham, committing to him the spiritual and temporal custody, management, rule and administration thereof; on condition that the prior and chapter of Durham and their successors be permitted to remove him therefrom at will, with or without cause, and that he be bound yearly to render faithful account to the prior and chapter of the receipts and expenses administered by him; wherefor ordering all over whom they have authority to answer to and obey him as prior of the cell and as their proctor there in respect of all things pertaining to the said cell.

Date: Durham, 12 March 1445/6.

f.27r [12 March 1446 or later ?]

Presentation by John prior and the chapter of Durham to the archdeacon of Richmond or his vicar in distant parts of Henry Helay, appointed by them as prior of their cell of Lytham, to do for the archdeacon what has hitherto customarily been done for his predecessors by priors thereof.

Date: Durham.

Cf. f.17v.

f.27v [12] March [1446]

Presentation by John prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute William Parke, chaplain, in the vicarage of Edrom, vacant, as is said, by the resignation of John Loury, last vicar thereof. Date: Durham, {12} March ' "1446" [? *recte* "1445" i.e. 1446] .

f.27v-28r 5 April 1446

Notarial instrument recording that John Wessington', prior of Durham, John Mody, subprior, William Ebchestr', sacrist, Henry Helay, John Gonnerton, William Lyham, John Moorby, Richard Kellowe, John Gatesheued', Thomas Warde, Thomas Forde, William Dalton', William Eden', Robert Westmerland', Robert Emylton', John Warner', Thomas Lewyn', Thomas Hexham, Richard Bell', John Midelham, <William Seton'>, William Kellowe, William Seton', Henry Rakett, William Fige, William Hesilden', William Rotburn', William Cuthbertt, William Birden', John Eden', John Kirke, William Gervase, William Essby, John Bedforth, Richard Billyngham, Thomas Holme, Thomas Haloghton', Robert Knoutt, John Rose, Roger Youdale, John Acley, Thomas Bichburn', Thomas Derlyngton', monks of Durham, assembled as the chapter of Durham, of their unanimous will granted to William Partrike, lately prior of Lytham, certain prerogatives, as read out by the prior of Durham and contained in the following

Paper schedule by John prior and the convent of Durham stating that, on account of the reverence of Thomas Stanley, knight, controller of the king's household, John Portyngton, royal justice, and Mr Richard Andrewe, the king's secretary, they received William Partrike to brotherly peace and the kiss of peace on 19 March 1445/6, without objection or accusation for whatsoever offence previously committed by him; wishing, provided that no cause be served up by him to the prior and convent in future, to treat him fraternally, and granting in so far as monastic observance and canon law permit, while he should remain in the obedience of the prior of Durham: that he enjoy as much liberty as a Doctor of Divinity; that he enjoy the faculty granted to him by the apostolic see; 40s beyond the customary offerings, to be taken yearly from the monastery at Nativity of the John the Baptist and Christmas by equal portions, until he be lawfully provided with a benefice; and that he be able to raise the rents in kind owed to him from his time at Lytham and sell them to pay his debts,

and the said prior of Durham asked the notary to draw up one or more public instruments upon the foregoing.

Witnesses: Edmund Tillett, subdeacon, John Hexham, *tonsuratus*, of York and Lincoln diocc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: chapter house, Durham, 5 April 1446.

The whole entry is crossed out.

f.28r 6 April 1446

Lease by indenture by John prior and the chapter of Durham to John Portyngton' and Robert Bekyngnam, chaplain, of the tithes of corn, lambs and wool of the whole parish of Eastrington, along with their manor at Newland, to be held by John and Robert and their assigns from the Invention of the Cross next to come for the term of twenty years; rendering £24 13s 4d yearly therefor to the prior and chapter and their successors or their attorney at Candlemas and the Invention of the Cross by equal portions, with the first term of payment to begin at Candlemas next after the date of the presents; on condition that, if the said farm be in arrears in whole or part for a quarter of a year after any term date, or if John should die at any time before the end of the twenty years, it shall be allowed to the prior and chapter and their successors to re-enter and have again the tithes and manor and possess them as originally, the present indentures notwithstanding; and the prior and chapter will pay all tenths granted from the church [of Eastrington] to the pope, the king, the archbishop of York, or whatsoever others during the said term; always providing that John and Robert be not held to repair the grange and granary in the said manor.

Sealed alternately.

Date: (no place of issue) 6 April 1446.

f.28r 8 May 1446

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Wyntryngnam, chaplain, in the vicarage of Bywell St Peter, vacant by the resignation of Mr William Newton', last vicar thereof.

Date: Durham, 8 May 1446.

f.28v 21 March 1446

Letters of induction by Thomas Kempp', S.T.B., archdeacon of Richmond, of Henry Helay, monk of Durham, admitting him to the cell of Lytham, on the presentation of John prior and the chapter of Durham.

Date: <Durham> 21 March 1445/6.

f.28v 22 March 1446

Mandate by Thomas Kempp', S.T.B., archdeacon of Richmond, to the [dean] of Amounderness instructing him to induct Henry Helay, monk of Durham, into bodily possession of the cell of Lytham.

Date: (no place of issue), 22 March 1445/6.

f.28v 15 June 1446

Appointment by John subprior and the chapter of Durham of John Eden', monk of Durham, as cellarer of the cell of Finchale, serving under the prior thereof, until they see fit to remove him from the said office; on condition that he render faithful account monthly to the prior and monks of Finchale, as accustomed to be done of old, of all the receipts and expenses handled by him; the presents to be shown to the prior of Finchale so that he should admit John to the said office.

Under the other part of the common seal.

Date: Durham, 15 June 1446.

f.28v-29r 11 June [1446]

Letter by John subprior and the chapter of Durham to Mr Richard Wetwang', advocate of the court of York, and William Bisspeham, proctor of the court of York, since John Wessyngton', due to the inconveniences of old age (&c), has renounced the priorate of Durham, and they have unanimously appointed the last day of the instant month of June for the election of their next prior, asking them to come to them at Durham at least three days before the appointed day, so that, in accordance with their discernment, considered instruction and mature counsel, they might proceed more calmly and securely in the election, with the order of law observed, and take precautions against dangers that might arise; and asking that they send a reply back to them, with the bearer of the presents, as to what they intend to do in respect of the foregoing.

Written: Durham, 11 June.

f.29r 15 June 1446

Proxy by John subprior and the chapter of Durham appointing Thomas Wyndilston' as proctor to warn and cite John Ryhale, monk of Durham dwelling in their cell of Lytham, to be present in the chapter house on the last day of June, with continuation of days, to take part in the election of their next prior; giving Thomas general power and special and general mandate to warn the said monk that they will proceed with the election whether he should come or not; instructing Thomas to certify them at the said date and place as to what he shall have done in respect of the foregoing; wishing credence to be given to their proctor in the foregoing matters and things concerning them.

Under the other part of the common seal.

Date: Durham, 15 June 1446.

## f. 29r-v 11 June 1446

Assignment by John subprior and the chapter of Durham to John Wessyngton', lately prior of Durham, in acknowledgment of his labours, summarized, with building work in the monastic infirmary specified, during 29½ years as prior, of, so long as he should live: the chamber called "Coldingham" within the monastery of Durham; maintenance in food and drink, for himself in keeping with his status, and for a monk chaplain, a squire, a clerk, a valet (*valettus*) and a boy (*garcio*) as suitable for the rank of each; with his reasonable requests for himself and others coming to him, on the common expenses of the monastery, along with candles and fuel for his chamber, on the bursar's expenses, to be provided and brought as often as need be; the bursar will provide robes or garments for the squire, clerk, valet and boy each year, according to rank; he will receive linen and woollen clothes from the chamberlain, just as when he was prior; his chaplain is to be supplied with his offerings and other necessities, just as is distributed to other monks of like age and calling [i.e. date of entry / profession]; as a supplement, to cover other expenses on wine, servants' stipends and other petty necessities on which it will behove him to spend, in accordance with his pre-eminent status, a pension of £40 from the revenues of the church of Eastrington and the farms of the manors of Wardley and Belasis, with the tithes of these manors, is to be taken yearly at Whitsun and Martinmas, by the hands of the farmers of the said church, manor and tithes; without the burden of repairs, payment of tenths, contributions, subsidies or any *forinsec* payment from the said church, manors and tithes; with the first term of payment to begin at Whitsun next before the date of the presents; providing that anything remaining of the farms, manors, and tithes beyond the £40 be paid to the bursar each year; and if John Wessyngton' should wish to move out of the monastery for his health, granting him the main chamber at the cell of Finchale with a chapel, and another chamber there called the Douglas tower, with the rooms and cellars underneath, and maintenance for himself, his chaplain, and the said four servants, with candles, fuel and other necessities for his chamber, reasonable requests for himself and others coming to him, and offerings and other necessities for his chaplain, to be supplied from the said cell at the accustomed terms; and the prior of Finchale is to take £20 yearly from the monastery of Durham for maintaining these burdens; with the robes and pension to be taken as a supplement to the other expenses expressed above; his maintenance in the monastery of Durham to cease for the period of his stay outside, and to be reinstated if he should not wish, for any reasonable cause, to remain at Finchale.

Date: Durham, 11 June 1446.

Printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cclxvi-cclxviii.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.29v-30r 16 June 1446

Proxy by John subprior and the chapter of Durham appointing Mr William Ebchestr', S.T.P., Mr William Witwang', advocate of the court of York, William Dalton', Robert Westmerlande and William Seton', monks of Durham, and William Bisspeham, proctor of the court of York, as their proctors short of revoking their proctors already appointed, to act on their behalf in all causes and business moved or being moved, *ex officio* or at the instance of parties: concerning their monastery, their college in the university of Oxford, their cells, parish churches and dependent chapels, their interests, jurisdictions and liberties, their tithes, pensions, portions and rights whatsoever; before whatsoever judges ordinary or delegate, or their commissaries, and executors, collectors, provisors, arbiters, conservators and others whatsoever, having whatsoever jurisdiction or cognizance; against the prior and chapter and their monastery (&c) by whatsoever adversaries; at whatsoever dates and places; giving them their special power and special and general mandate, described, therefor; and authorizing them to appear in name of and act for the prior and chapter and their monastery (&c) in synods, consistories, councils, visitations, chapters, congregations and other convocations.

Date: Durham, 16 June 1446.

Original: DCD Loc.XXI:50(9).

f.30v-31r 19 June 1446

Notarial instrument recording that Robert Westmerlande, monk of Durham and proctor of the church thereof, made, read and interposed, in name of the subprior and chapter of Durham, the following written

Appeal by him, Robert Westmerlande, although the subprior and chapter be of unimpaired reputation (&c), and for no little time have possessed the parish churches of Jarrow, Monkwearmouth, Holy Island, Bywell St Peter, St Oswald [Durham], Aycliffe, Heighington, Merrington, Dalton-le-Dale, Hesleden, Billingham, [Bishop] Middleham, Pittington, Norham, Branxton, Ellingham, Bedlington and Edlingham, appropriated to their own use with their dependent chapels, rights and appurtenances, and possess the same at present, duly taking the revenues thereof; and, by indulgences and bestowal by popes, kings of England, archbishops of York and bishops of Durham, from time out of mind have had free election of priors whenever the priorate has become vacant; fearing, from plausible reasons and newly-made threats, that prejudice may in the future be engendered by some rivals to the subprior and chapter, their cathedral church, other churches and chapels, their liberties and possessions, and with regard to their election of a new prior to be held on the last day of the present month of June, with continuation if need be; and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything, possibilities enumerated, prejudicial to the subprior and chapter, or any one of them, or their said churches and chapels, their election, liberties, possessions, customs, rights or privileges whatsoever, he appeals to the apostolic see and for tuition to the court of York, subjecting the subprior and chapter, their churches, chapels, rights, interests, election (&c), those adhering and wishing to adhere to them and to him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor, and that Robert asked the notary to reduce the foregoing into one or more public instruments.

Witnesses: John Hexham, William Bolton', Walter Berehalgh, *literati* of York and Durham dioc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: nave of Durham cathedral, c. 8 a.m., 19 June 1446.

f.31v 1 August 1446

Appointment by William prior and the chapter of Durham of John Barley, monk of Durham, since, for a number of reasons, they have discharged Henry Helay, monk of Durham, lately keeper of the priory or cell of Lytham, from the rule and administration of the said priory, creating him keeper, proctor and prior of the priory or cell of Lytham, committing to him the spiritual and temporal custody, management, rule and administration thereof; on condition that the prior and chapter of Durham and their successors be permitted to remove him therefrom at will, with or without cause, and that he be bound yearly to render faithful account to the prior and chapter of the receipts and expenses administered by him; wherefor ordering all over whom they have authority to answer to and obey him as prior of the cell and as their proctor there in respect of all things pertaining to the said cell.

Date: Durham, 1 August 1446.

f.31v 1 August 1446

Presentation by William prior and the chapter of Durham to the archdeacon of Richmond or his vicar in distant parts since they have appointed John Barlay as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 1 August 1446.

f.31v-32r 2 August 1446

Proxy by William prior and the chapter of Durham appointing Mr Richard Wetwang', advocate of the court of York, William Dalton' and Robert Westmerlande, monks of Durham, and William Bisspeham, proctor of the court of York, as their proctors short of revoking their proctors already appointed, to act on their behalf in all causes and business moved or being moved, *ex officio* or at the instance of parties: concerning their monastery, their college in the university of Oxford, their cells, parish churches and dependent chapels, their interests, jurisdictions and liberties, their tithes, pensions, portions and rights whatsoever; before whatsoever judges ordinary or delegate or their commissaries, and executors, collectors, provisors, arbiters, conservators and others whatsoever, having whatsoever jurisdiction or cognizance; against the prior and chapter and their monastery (&c) by whatsoever adversaries; at whatsoever dates and places; giving them their special power and special and general mandate, described, therefor; and authorizing them to appear in name of and act for the prior and chapter and their monastery (&c) in synods, consistories, councils, visitations, chapters, congregations and other convocations.

Date: Durham, 2 August 1446.

Copy: DCD Loc.XXI:50(10).

f.32v-33r 6 August 1446

Notarial instrument recording that Robert Westmerlande, monk of Durham and proctor of the church thereof, made, read and interposed, in name of the prior and chapter of Durham, the following written

Appeal by him, Robert Westmerlande, proposing that although the prior and chapter be of unimpaired reputation (&c), besmirched with no suspension, excommunication (&c) and involved in no crime, and the prior be in peaceful possession of the priorate; fearing, from plausible reasons and newly-made threats, that prejudice may in the future be engendered with regard to the prior and chapter, their right and possession in the church of Durham and in whatsoever their appropriated churches and chapels, the cells dependent from their church, and whatsoever their interests, rights, privileges, liberties, customs, possessions and jurisdictions; and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything, possibilities enumerated, prejudicial to the state of the prior and chapter in the foregoing, or to any one of them, or against the statutes or privileges granted to them by popes, kings of England, archbishops of York and bishops of Durham, he appeals to the apostolic see and for tuition to the court of York, subjecting the prior and chapter, their churches, chapels, interests, rights, privileges (&c), those adhering and wishing to adhere to them and to him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor.

and that Robert asked the notary to reduce the foregoing into one or more public instruments.

Witnesses: William Killynghall', John Hexham, William Bolton', *literati* of York and Durham dioc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: nave of Durham cathedral, 6 August 1446.

Original: DCD Loc.XXI:36.

f.33r 18 September 1446

Licence by William, prior of Durham, for John Dorwarde, monk of Durham in priestly orders, acceding to his request for permission to travel, at his friends' expense, to the apostolic see for the welfare of his soul; on condition that he set off for the sea, in order to begin his voyage without delay, within a month following the date of the presents, and that he return to the monastery of Durham within a year from the date of the presents, or sooner if convenient, barring legitimate impediment; and asking those to whom the presents should come to show favour to him in the expediting of his business.

Date: Durham, 18 September 1446.

Also DCD Reg. Parv. III f.3r-v.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.33v 17 September 1446

Notarized oath by John Dorwarde, monk of Durham, having sought and obtained licence from his prior to visit the apostolic see, that he will not secure or attempt [anything] there which might count against the liberties, statutes, constitutions or privileges of the church or monastery of Durham, its dependent cells, the prior and chapter and the sundry persons thereof, or might tend to the prejudice, harm, detriment or denigration of the same.

Read by John in the chancery of the prior and chapter of Durham, 17 September 1446.

Witnesses: Henry Helay, John Gouerton', William Lyham, William Partrike, Thomas Warde, Thomas Forde, Robert Westmerlande and John Warner', monks of Durham; John Hexham and William Bolton, *literati* of York and Durham dioc.

Notary: John Berehalgh', N.P.

Also DCD Reg. Parv. III f.3v.

f.33v 20 October 1446

Letters testimonial by William, prior of Durham, recording that John Wessington', his predecessor, said that he never knew Thomas Ayere, monk of Durham, to be under or bound to the yoke of servile status, nor yet anything asserted by any man which might redound to the damage of the good name or free status of the said Thomas; and that, having completed this declaration, John Wessington' asked the prior to grant letters thereon; acceding to his predecessor's request, and by the presents granting letters in witness of the foregoing.

Witnesses: Henry Helay, Thomas Nessbitt, Richard Kellowe, John Gatesheued', Thomas Warde, Thomas Forde, William Dalton', John Birtley, Robert Emmylton', John Warner', Thomas Lewyn', Thomas Hexham and Richard Blakburn', monks of Durham.

Date: Durham, 20 October 1446.

Printed, from another copy (DCD Reg. Parv. III f.8v-9r), in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.155-156.

f.34r-36v 6 September [1446]

Notarized letters testimonial by William prior and the chapter of Durham giving notice that John Oll', prior of Coldingham, publicly produced and showed certain letters and public instruments concerning his title of honour and fame, regarding which he had manifoldly been derogated by his rivals with the devouring flame of jealousy and foul malice, as he asserted; and he had the same read out by Robert Westmerlande, monk of Durham and proctor of the chapter:

the following notarized letters, the following letters, and the following notarial instrument, Notarized letters by the dean of Christianity of Durham and the official of the archidiaconal jurisdiction of the prior of Durham, relating that John Oll', monk of Durham and prior of Coldingham, publicly showed and produced a certain paper schedule containing certain articles about his reputation and honour, and handed it over to the dean and official, asking them to receive and examine certain witnesses brought by him for proof of the said articles, and to reduce their words into public form; and that the dean and official, acceding to his request and taking the following

Schedule of articles on the part of John Oll', monk and priest of Durham, prior of Coldingham, intended for proof before the dean of Christianity of Durham and the official of the archidiaconal jurisdiction of the prior of Durham, lest the truth be obscured, that (1) John Oll' and his kin were and are of free condition, and are immune from the yoke of servitude, and have been taken and reputed as such whilst alive since time out of mind;

[2] he, his father and grandfather and the rest of his family originated in the barony of Brancepeth, and were taken for free men, as they were, during their whole time there;

[3] upon the foregoing, within the said barony and the places round about there is public knowledge;

examined the witnesses on oath concerning the articles, and they deposed as follows: William Blithman', priest, forty-eight years old and more, he says, originating from the barony of Brancepeth, a witness produced on the part of John Oll', says that the articles contain the truth; asked how he knows, he says that his mother, who died inside the last two years, told him that she knew Robert Oll', John's grandfather, who used to dwell in Boggle Hole, to the west, next to the west park of Brancepeth [between Willington and Crook], where Robert Lethom' now lives, and William Oll', John's father, whom the witness knew while he lived, had been born there; and John had been born in the vill of Brancepeth, in the house where his father died; and the witness said that they were free men and of the best *valetti* of the barony, and has never heard any of them named as being of servile status, but rather of good repute, honest life and praiseworthy behaviour; and that he has never heard that anyone of servile status had been born in the barony; that, after William Oll' died, John's mother moved to Durham with all her goods and she died there; that the reputation of John and his kin has never been other than that they were free men; that he has not been influenced; that John Oll' had been free since birth; and that if anything different is claimed, it is from rancour and envy;

Peter Bireley, seventy-seven years old and more, originating in the barony of Brancepeth, he says, agrees with the previous witness and says that he knew Robert and William Oll', and one day saw around sixty of that surname playing football at Helmington Row in the barony, who were named among the best *valetti* of the barony and as free men; and that he has never heard of anyone of servile status being born in the said barony; Robert de Yorke, seventy-four years old and more, he says, originating in the said barony, agrees with Peter;

John Lethom', fifty-eight years old, originating in the said barony, in the place where the father of John Oll' had been born, agrees with the first co-witness;

Richard Maynherde, fifty-eight years old, originating in the barony, says that he knew William Oll' of Stanley [north of Crook presumably], brother of Robert Oll', John's grandfather, and that John's ancestors were among the best *valetti* of the barony and had never been named as bondmen or serfs; and, for the rest, agrees with the previous witnesses;

Thomas Wren, sixty years old and more, originating in the barony, agrees with the previous witness;

Hugh Watson', fifty-six years old and more, he says, originating in the barony, agrees with the first witness;

John Hamsterley, fifty-six years old, originating in the barony of Brancepeth, agrees with earlier witnesses;

William Hoton' of Elvet, sixty years old and more, originating in the said barony, agrees with his co-witnesses;

Robert Lethom', forty years old and more, he says, originating in the said barony, says that he was given a knife decorated with silver by William Oll', John's father, and that he had dwelt and been born in the same place where William Oll' had been born, next to the west park of Brancepeth; and for the rest agrees with the earlier witnesses;

Thomas Wilkynson' of Brancepeth, sixty years old and more, once, he says, a servant of William Oll', agrees with Richard Maynherd' in all things;

Richard Hamsterley, thirty-four years old and more, agrees with his co-witnesses;

John Maynsforth of Durham, seventy-one years old and more, he says, says that he knew William Oll', father of John Oll', and that his own wife used to be William's servant and dwelt with him for a long time; that he knew the others of John's kin as good *valetti* and as very valiant (*valentibus*) within the barony; that never in his life has he heard them called serfs or of servile status; that he knows well that, if any servitude be imputed to John, it should be from envy and ill-will and not otherwise; and that John is a free man from birth, like all his family.

Whereafter the dean and official, at the request of John Oll', ordered the depositions to be reduced into a public instrument.

Under the signs and names of the notaries, and subscribed by the second- and third-named of them, and under the seals of the dean and official.

Witnesses: William Hoton', J.P. of the bishop and steward of the prior of Durham; Thomas Todde, William Barkdale, priests of Durham dioc.

Notaries: John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority, *scriba* for the dean and official in this matter, with the instrument being written by another; Richard Prentys, [priest] of York dioc., N.P. by apostolic and imperial authority; John Runkhorne, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority; (eschatocols recited).

Date: the church of St Oswald's Durham, 21 July 1446.

Letters by Ralph Nevyle, earl of Westmorland; John Nevyle and Thomas Nevyle, the earl's brothers; Thomas Lomly, William Eure, knights; William Lomley, William Hilton', Robert Eure, Roger Thornton', Robert Claxton', William Hoton' of Hardwick, William Hoton' of Hunwick, John Sayre and William Mordon', squires, to all, and particularly to the prior and monks of Durham, although the sin of envy towards John Oll monk of Durham has thrust an error on hearers by the serpentlike tongues of those jealous of him, as they have heard, testifying that they know him to have been a free man from birth, springing from most worthy *valetti* within the barony of Brancepeth, and immune from all yoke of servitude; asking that they see fit to consider and declare John Oll' to be free and well-born, and to have been oppressed by no yoke of servitude or bondage at any time.

Date: Brancepeth castle, 26 July 1[446], 24 [Henry] VI.

Notarial instrument recording that in presence of the prior and monks of Durham (&c), Henry Helay, monk of Durham, appeared in person, and publicly read the following Paper schedule (English) stating: that it is openly said that he has slandered John Oll by saying that he was a bondman and not of free condition; that he said to the then prior, John Wessyngton', that one John Belassis had told him this; and that he had told no-one but the prior "in gret counsell' allonly" up to the time that it was discovered by John Oll'; admitting, nevertheless, that he had said it of malice, that John Oll' is free-born; and asking forgiveness from John Oll',

whereafter John Oll', prior of Coldingham, personally present, asked the notaries to draw up the foregoing into one or more public instruments.

Witnesses: William Ebchestre, prior of Durham, Mr John Mody, S.T.P., lately subprior, Roger Langchestr', Thomas Witton', John Gonnerton', Thomas Nesbitt, John Barlay, William Lyham, John Oll', John Moorby, William Partrike, Richard Kellowe, Thomas Warde, William Dalton', William Eden', Robert Westmerlande, Robert Emmylton', John Warner', Thomas Lewyn', Thomas Hexham, Richard Bell', John Midelham, John Rypon, William Kellowe, William Seton', Henry Rakett, William Fige, John Bradbery, William Hesilden', William Rodburn', William Birden', John Bedforth, William Essby, Richard Billyngham, Thomas Holme, Thomas Halghton', Robert Knoutte, John Roos, Roger Youdale, John Acley, Thomas Bichburn', Thomas Darlyngton', monks of Durham, assembled as the chapter of Durham; and also William Hoton' of Hardwick, steward of the priory of Durham, John Binchestr', chaplain, and Thomas Thornburgh', attorney-general of the prior and chapter, of Durham dioc.

Notaries: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority, *scriba* of the prior and chapter, with the instrument having been written by another, and Richard Prentys, priest of York dioc., N.P. by apostolic and imperial authority, subscribing (eschatocols recited, with that of Berehalgh' mentioning an interlineation).

Done: chapter house, Durham, 6 September 1446.

that John Oll' asked the prior and chapter to grant letters patent upon the foregoing letters and instruments touching his reputation and honour; and that they have done so, instructing the notaries to subscribe and publish the letters as well as ordering their seal to be set thereto.

Witnesses: as in the last written instrument.

Notaries: John Berehalgh', &c, as above, and Richard Prentys, &c, as above, subscribing (eschatocols recited).

Date: chapter house, Durham, 6 September.

Printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cclxxviii-cclxxxiv.

Original: DCD Misc.Ch. 1487.

f.36v-37r 10 November 1446

Presentation by William prior and the chapter of Durham asking John, cardinal priest of S Balbina and archbishop of York, or his vicar-general in distant parts, to institute Henry Mone, chaplain, in the church of [Kirby] Sigston, vacant, as is said, by the death of Thomas Birdale, last rector thereof; saving a yearly pension of ten marks owed of old therefrom to the prior and chapter and their house.

Date: Durham, 10 November 1446.

f.37r 12 November 1446

Commission by John, cardinal-priest (&c) and archbishop of York, to the keeper of the jurisdiction of Allerton and Allertonshire informing him that the prior and chapter of Durham have presented Henry Mony, chaplain, to the church of [Kirby] Sigston, as in the preceding entry; instructing him to inquire: as to whether the said church be vacant and, if so, how and when the vacancy began; as to the right of those presenting and the presentee; as to the right of presentation, who the true patron or patrons might be, who last presented, and who has the right of presenting on this occasion; as to the conduct, character, knowledge and merits of the man presented, and if he be beneficed elsewhere or not; instructing him, if he should find by the inquisition that the said church is vacant, that the presentation does pertain to the prior and chapter, and that there is no canonical impediment to the presentee, to admit and institute Henry Mony as rector and to institute him in the said church; and instructing the keeper to certify him by 1st December next to come as to what he shall have done in the foregoing, in letters patent incorporating the contents of the presents and of the inquisition, with the jurors' names and seals.

Date: manor of Rest, near Cawood, 12 November 1446.

Original: DCD 2.3.Archiep.8.

f.37r-v 23 November 1446

Institution by the keeper of the jurisdiction of the spirituality of the prior of Durham in Allerton and Allertonshire to Henry Mony, chaplain, admitting him or his proctor to the church of [Kirby] Sigston, on presentation to the archbishop of York by the prior and chapter of Durham; and decreeing that he be inducted into bodily possession of the said church; saving the right of the church of York in all things.

Date: [North]Allerton, 23 November 1446.

f.37v 24 November 1446

Mandate to induct by the keeper of the jurisdiction of the spirituality of the prior of Durham in Allerton and Allertonshire to John Biker, chaplain, instructing him to induct Henry Mony or his proctor into bodily possession of the church of [Kirby] Sigston.

Date: [North]Allerton, 24 November 1446.

f.37v 26 November 1446

Commission by the keeper of the jurisdiction of the spirituality of the prior of Durham in Allerton and Allertonshire to Robert Stottfalde and Richard Barnyngham, chaplains, informing them that Henry Mony, rector of [Kirby] Sigston, has shown him that although Thomas Birdale, his predecessor as rector, occupied the said church for many years, he has left behind unrepaired some threatening defects and dilapidations in the chancel of the church and the houses, buildings, walls and enclosures belonging to it and its rectory, to the prejudice of the said church and current rector; and that, on the said rector's petition, he has ordered an inquiry to be held on this matter; instructing them to go to the church of [Kirby] Sigston and subject these defects to personal inspection, obtaining information from summoned and sworn trustworthy clergy and laity, with the late rector's executors, if any there be, and others rightly to be summoned, and conduct an inquisition concerning the said defects and how much is needed to rectify them, and concerning the fixtures and fittings of the said rectory which ought by right to be left therein; and instructing them to certify him, by letters patent including the contents of the presents and the names of those by whom the inquisition was carried out, as to what they shall have done in the foregoing.

Under the seal which he uses in this business.

Date: [North]Allerton, 26 November 1446.

f.38r 23 November 1446

Notarial instrument recording that William Wyntryngham, chaplain and, as he asserted, vicar of Bywell St Peter, made and read the following

Written resignation by him, William Wyntryngham, of the vicarage of Bywell St Peter into the hands of Robert, bishop of Durham, or his vicar-general in spiritualities, or another having power to receive the resignation.

Witnesses: John Waryner' and William Marton', priests, and John Wynell' (or Wyvell'), squire.

Notary: William Bernyngham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: the chapel of the castle of Thomas Nevyll', knight, at Slingsby, 23 November 1446.

f.38r 4 December 1446

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Hyne, chaplain, in the vicarage of Bywell St Peter vacant by the resignation of William Wyntryngham, last vicar thereof.

Date: Durham, 4 December 1446.

f.38v [19 May] 1437

Confirmation by Ralph, earl of Westmorland and lord de Nevyll', of the following two quitclaims, ratifying their contents and the estate and possession of John Wessington' now prior and the convent of Durham, and their successors, in the lands and tenements aforesaid, in perpetuity, with consent of John Nevyll' and Thomas Nevyll', knights, his brothers, for themselves, their heirs and tenants.

Under the seals of all three Nevyll' brothers.

Date: Brancepeth, Pentecost 1437.

Quitclaim by indenture by Hugh Gobyon', sometime lord of Tudhoe, for himself, his heirs and tenants, in favour of Richard then prior and the convent of Durham, and their successors, of all right which he had in the whole pasture converted to ploughland and meadow in the vill of Ferry[hill], Kirk Merrington, Middle Merrington [Middlestone] and West Merrington [Westerton], saving common pasture in these lands to himself, his heirs and his tenants of Tudhoe after the removal of the corn and hay, with the ways and roads used, as at the date of the deed.

Dated the morrow of St Cuthbert in March 1303 [21 March 1304]

Quitclaim by John Gubyon', lord of Tudhoe, , for himself and his heirs, in favour of William then prior and the convent of Durham and their successors, of all right which he might have in the whole common of pasture, land and approwed moor in Spennymoor (in the vill as above), on condition that the prior and convent and their successors hold all the approwed tenements in their severalty at all times of the year, saving to John and his heirs their common pasture in the said tenements from after the hay and corn have been removed until Candlemas, without causing damage in the tenements as often so ever as they shall have been sown, as more fully contained in the said deed.

Dated at Durham, 17 Kal. April 1309 [16 March 1310]

Other copies (quitclaims): DCD Loc.XXI:25 and 26.

f.38v-39r 18 February 1447

Quitclaim by Ralph, earl of Westmorland, since William prior and the convent of Durham have duly and lawfully approwed a certain piece of land on the south side of Spennymoor, containing an estimated eighty acres, and forty acres of land in the vill of West Merrington [Westerton] and Middle Merrington [Middlestone], in which moor and land the earl and his tenants of Tudhoe and Whitworth used to have common pasture as an appurtenance to his free tenement in the same vill, namely in the moor at all times of the year and in the said forty acres after the removal of the corn and hay; ratifying the approwing and for himself and his heirs releasing to the prior and convent and their successors all right and claim which they might have in the common pasture in the moor and forty acres; to be held by the said prior and convent and their successors in severalty at all times of the year, to endure for all time.

Date: (no place of issue) 18 February 1446/7.

f.39r 20 December 1446

Warrant by Robert, bishop of Durham, to his auditors of the accounts of his ministers within the bishopric of Durham informing them that the prior and convent of Durham have shown to him that by the *Convenit* agreement they ought to have half of all ameracements, fines, issues and profits arising from men or tenants residing in their land or fee; and that he grants that every year during his time they should have the half of all such fines howsoever occurring before whomsoever his sheriff and escheator or his justices; wherefor he wills and grants that the auditors should make due allowance to the sheriff and escheator in his account each year for the half fines belonging to the prior and convent; and he wills that the auditors cause allowance to be made to his sheriff on his account for such half fines not yet allowed in sheriffs' accounts nor paid to the prior and convent, but respited on sheriffs' accounts in sundry years, and so respited on the [present] sheriff's account.

Under the bishop's privy seal.

Date: Auckland, 20 December 1446.

f.39v [n.d.]

Memorandum that the halves [of fines] belonging to the prior and convent of Durham according to the *Convenit* agreement were allowed in the account of Geoffrey Midelton', sheriff and escheator of county Durham and the wapentake of Sadberge, for the year Pont. Robert 8, as follows

[Extract of sheriff's account] £12 7s 8½d [allowed] to him for as much cash paid to the prior and convent of Durham from the half of fines (&c) imposed before the bishop's justices for assizes, and keeping the peace and the Statute of Labourers, and before the sheriff, on tenants residing on the lands of the prior and convent, and owed to the prior and convent by reason of *le Convenit* agreement; namely {33s 6½d} from this year and {£10 15s 2d} from the four years preceding; the names of which tenants and the fines imposed on each are noted in various extracts among the warrants of remainders of accounts from the said years; allowed by the lord [bishop]'s letter of warrant [the preceding entry] under the seal of his arms directed to the auditors, delivered upon this account and remaining among the memoranda of this year.

f.39v 13 January 1447

Notarial instrument recording that John Oll', monk of Durham and prior of Coldingham, made, read and interposed a certain resignation, reduced into writing in the following Paper schedule by him, John Oll', whereby, for certain legitimate causes, he resigns all right which he might have in the cell or priory of Coldingham into the hands of James, bishop of St Andrews, or another having power to accept this resignation.

Witnesses: John Hexham and William Bolton', *literati* of York and Durham diocc.

[Notary's eschatocol omitted]

Done: in the chancery of the prior and chapter of Durham, 13 January 1446/7.

f.40r 13 January 1447

{Void}

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to admit Thomas Nessbitt as prior of their vacant cell of Coldingham; saving the discipline of religion and regular observance of Thomas to them and their successors in all things.

Date: Durham, 13 January 1446/7.

{Memorandum that Thomas Nessbytt was admitted to the priorate of Coldingham in accordance with the form following, because the reason for the vacancy was not inserted in this presentation.}

f.40r 13 January 1447

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to admit Thomas Nessbitt as prior of their cell of Coldingham vacant by the resignation of John Oll', last prior thereof.

Date: Durham, 13 January 1446/7.

f.40v 13 January [1447]

Letters by William prior and the chapter of Durham to James [II], king of Scotland, recalling that his predecessors as king founded their cell of Coldingham, have endowed it with and confirmed it in its rights and pertinents, have protected it and received under their protection those monks of Durham appointed to its rule, and that he himself supported John Oll', the last prior of Coldingham; informing the king that they have appointed Thomas Nessbitt as prior of Coldingham and sent him to him with the presents, and asking the king to admit and protect him as prior of Coldingham.

Written: Durham, 13 January.

f.40v-41r 13 January 1447

Schedule of oath sworn by Thomas Nessbytt, monk of Durham, on his appointment as prior of Coldingham by William prior and the chapter of Durham. read by Thomas before the prior and monks of Durham, assembled in chapter.

Witnesses: John Berehalgh', N.P., John Binchestr', chaplain, William Kyllynghall', gentleman, and John Hexham, *literati* of York and Durham dioccc..

Date: the chapter house, Durham, 13 January 1446/7.

f.41r 13 January 1447

Grant by William prior and the chapter of Durham to John Oll', lately prior of Coldingham, in recognition of his service to the monastery of Durham in various offices, and as prior of Coldingham, of a pension of ten marks yearly, for life, from the tithes of fish and fisheries of the River Tweed belonging to the cell of Coldingham by reason of the parish church of Berwick [upon Tweed], and from the fishery or draw-net (*tractus*) of Edirmouth, by equal portions at the Invention of the Cross and Michaelmas, by the hands of the lessees of the said fish, fishery and *tractus*, with the first term beginning at the Invention of the Cross next to come [3 May 1447]; wishing the lessees to be bound to John Oll' as he should see fit for the payment of the pension, providing that the lessees satisfy the prior of Coldingham of the remainder of the farm of the fish, fishery and *tractus* aforesaid.

Date: Durham, 13 January 1446/7.

Printed in: *The Priory of Coldingham* , [ed J. Raine] (Surtees Society 12, 1841), p.159.

f.41r-v 14 January 1447

Letters of confraternity by William prior and the chapter of Durham to John Loury, chaplain, noting the affection of his devotion to their monastery, admitting him to the spiritual brotherhood of the chapter of Durham and granting him special participation in all masses, orisons, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 14 January 1446/7.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.158.

f.41v-42v 30 January 1447

Notarized proxy by William prior and the chapter of Durham appointing Mr William Freston', LL.Lic., as their proctor, short of revoking their existing proctors, in all causes begun or to be begun concerning them, their said church, their college at Oxford, their cells, appropriated churches and dependent chapels, their interests, jurisdictions, liberties, tithes, pensions, portions and rights, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often and when need be; giving him full, free and lawful power and special and general mandate, described, to act in their name for them and their church (&c); ordering the notary to subscribe and publish these letters, as well as affixing their common seal.

Witnesses: John Bynchestr', chaplain; John Coken', William Bolton' and John Hexham, *literati* of York and Durham dioc..

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Date: Durham, 30 January 1446/7.

f.42v-43r 30 January 1447

Notarized proxy by William prior and the chapter of Durham appointing Mr William Freston', LL.Lic., as their proctor, short of revoking their existing proctors, in all causes begun or to be begun howsoever concerning them and their said church, against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often and when need be; giving him general power and special and general mandate to act in their name of them and their church, and to obtain in the Roman *curia* apostolic letters containing grace or common justice, and to procure to their advantage the revocation of letters obtained against them, &c, describing his powers and mandate; ordering the notary to subscribe and publish these letters, as well as affixing their common seal.

Witnesses: John Bynchestr', chaplain; John Coken', William Bolton' and John Hexham, *literati* of York and Durham dioc..

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Date: Durham, 30 January 1446/7.

f.43r-v 14 February 1447

Proxy by William prior and the chapter of Durham appointing Mr William Freston', LL.Lic., as their proctor, short of revoking their existing proctors, to arrange a loan, at the Roman *curia* or elsewhere, with whatsoever persons, up to the sum of £20 in gold, to be turned to the use of their church; to bind the prior and chapter and their successors, their church and goods to the creditors; to subject the prior and chapter and their goods to the jurisdiction and coercion of the said *curia* and whatsoever other court; to appear before the pope, his chamberlain, and his auditor and lieutenant, or either of them, to acknowledge the term or terms for making payment of the said sum, as often as it please the said creditors, one or more.

Date: Durham, 14 February 1446/7.

f.43v [25 October] 1445

Indulgence by Eugenius IV, pope, to the brethren and sisters of the hospital of the poor of Holy Trinity and St Thomas the martyr of the city {of Rome} [the Venerable or Venerable English College], wherever established, recalling that his predecessor Martin V granted to them that they or any of them could choose a confessor who, for three years only, would be able to grant plenary remission of sins; and that he has himself twice allowed the three-year period to be extended; stating that he has heard that in the present year three-quarters of the brethren and sisters of the said hospital in the city have died, and that the said extensions have expired; granting therefore, being inclined to their supplications, that during the three years following the date of the presents they be able to choose suitable priest-confessors, secular or regular, as often as need be, to hear their confessions, enjoin penances, and dispense absolution, and to grant plenary remission once only at the point of death (although the confessor may order them or their heirs to carry out things imposed which involve making amends to another, and they are to be bound to do this).

Date: St Peter's, Rome, 8 Kal. November 1445.

f.43v-44r 23 March 1447

{Not executed}

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Bethome, priest, in the vicarage of Hesleden vacant by the death of Richard Kirkby, last vicar thereof.

Date: Durham, 23 March 1446/7.

f.44r 24 March 1447

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Turpyne, priest, in the vicarage of Hesleden vacant by the death of Richard Kirkby, last vicar thereof.

Date: Durham, 24 March 1446/7.

f.44r 28 March 1447

Presentation by William prior and the chapter of Durham asking John, cardinal priest of S Balbina and archbishop of York, or his vicar-general in distant parts, to institute John Leuesham, chaplain, in the vicarage of Northallerton, vacant by the death of John Thornton', last vicar thereof; saving a yearly pension of £20 owed of old therefrom to the prior and chapter and their monastery.

Date: Durham, 28 March 1447.

f.44r 1 March 1447

Bond by John Leuesham, chaplain, Robert Birton of Northallerton, yeoman, William Ampilforth' of the same, yeoman, to William, prior of Durham, for £100 to be paid to the prior or his successors, or his attorney, at St Peter's Chains [1 August] next to come.

Date: (no place of issue) 1 March 1446/7.

f.44r-v 20 March 1447

Grant by indenture by William prior and the chapter of Durham to William Cowherde of an acre of land upon *Midilleys* in Aldin Grange, aligned (*versus*) south and north, between his own lands on either side, abutting on *le Doveleys* at the northern end and upon the corner of Broom *cloose* at the southern end; and an acre of land in the upper field of Broom aligned south and north, between Broom *cloose* to the west and an acre of William's land to the east, and abutting on William's land at the northern end, and upon the ditch of John Fossour's land at the southern end; to be held in perpetuity by William, his heirs and assigns, of the chief lords of that fee, for service used and wont; providing that if the two acres of land, of which one is upon *Midilleys* in Aldin Grange, aligned south and north, between lands of the prior and chapter on either side, and abutting on the lower field of Aldin Grange at the northern end and on the upper field of Broom at the southern end, and the other lies in the upper field of Broom, aligned south and north, between an acre of land of the prior and chapter to the west and the close of John Fossour to the east, and abutting upon land of the prior and chapter at the northern end, and upon the ditch of John Fossour at the southern end, which the prior and chapter have by gift of William Cowherde under certain conditions, or any part of these two acres, should happen lawfully to be recovered by anyone having prior title thereto; or if the prior and chapter should happen to be expelled from these two acres or any part thereof by anyone having right or title thereto; or if these two acres or part thereof should stand lawfully burdened in any way excepting rents and services used and wont to the chief lords of that fee; then the prior and chapter and their successors are to be allowed to re-enter the two acres which the said William has by their gift, and possess them as originally, before this charter, livery of seisin notwithstanding.

Sealed alternately.

Date: Durham, 20 March 1446/7.

f.44v-45r 20 March 1447

Grant by indenture by William Cowherde to William prior and the chapter of Durham [matching the preceding entry], of the two acres in Aldin Grange and Broom on the same terms and with the same right of re-entry, in exchange for the two acres in Aldin Grange and Broom granted to him by the prior and chapter.

Date: Durham, 20 March 1446/7.

f.45v 24 March 1447

Letters of attorney by William prior and the chapter of Durham appointing John Coken' on their behalf to deliver seisin of two acres of land in Aldin Grange and Broom to William Cowherde or his attorney, in accordance with the force and effect of a charter made by them in favour of William.

Date: Durham, 24 March 1446/7.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.45v 24 March 1447

Letters of attorney by William Cowherde appointing Thomas Parke, gentleman, on his behalf to deliver seizin of two acres of land in Aldin Grange and Broom to William prior and the chapter of Durham, or their attorney, in accordance with the force and effect of a charter made by him in favour of the prior and chapter.

Date: Durham, 24 March 1446/7.

f.45v 11 April 1446

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute Mr William Castell', M.A., in priestly orders, in the vicarage of Berwick upon Tweed, vacant by the death of William Durham, last vicar thereof.

Date: Durham, 11 April 1446.

f.46r-51v 11 July 1446

Notarial instrument recording that before Mr John Norton', D.Dec., commissary and sole judge deputed in this regard by letters of Robert, bishop of Durham, sitting tribunally, appeared Mr William Ebchestre, S.T.P., prior-elect of Durham, wearing monastic habit and a doctor's cap, and sitting on a stool in the midst of his fellow-monks, who were seated around him, making up the chapter, in order to undergo examination and other things concerning the confirmation of his election; and the commissary instructed the notary to read, publish and declare, in presence of the elect, his fellow-monks and special council and a great multitude, the following commission

which having been done, Mr Richard Prentys, dean of Christianity of the city of Durham, appeared in person, certifying orally and authoritatively that, in the chapter house, at the cathedral doors and other suitable places, he had executed the following mandate after the public reading of which mandate by the notary, by mandate of the said judge, and those to be summoned had been summoned in English by Richard Gentilcors, the bishop's apparitor (form of summons recited), Robert Westmerlande, one of the proctors of the subprior and chapter, appeared, showing before the said judge the following proxy which proxy having been read out by the notary, by mandate of the said judge, Robert Westmerlande publicly read and interposed the following written petition

which having been read, the proctor asked the commissary and judge, setting aside disputes, doubts and ambiguities, to proceed to the speedy confirmation of the election; and then the proctor produced various documents to assist the proof of everything comprised in deciding the election, the first of which was the following commission which, having been read, the same proctor presented the following notarial instrument which instrument having been received, seen and read out, the same proctor presented the following letters testimonial

which letters having been received, seen and read through in public, the same proctor showed the following licence

which letters having been read through, the same proctor, asking that the commissary might see fit to proceed to the confirmation of the election, produced and showed to him the following notarized decision

and the commissary and judge, asserting that he had seen and examined this decision at another time, did not wish to read the decision then in public, because of its length, or at any rate the lack of time; but, amongst other things, he enquired of Mr Richard Wetwang', jurist and counsellor to the subprior and chapter, specially taken on for the process of election, whether he wanted to say anything on the matter of the election; and Mr Richard most elegantly set out their rights, mentioning many and various notable things by means of a short discourse, whereby he moved the mind of the judge towards the confirmation of the election; and after difficult disputations between the commissary and Mr Richard concerning the election and its conduct, with gainsayers having been summoned, and the elect, through the testimony of trustworthy persons, found to be a fit and sufficient person to govern the priory, in his free status, origins, knowledge, character, age, order, dignity and profession, the commissary proceeded to the following judgement

and the elect, thus confirmed, publicly read and interposed, and handed over to the commissary the a paper schedule of obedience sworn by him, William Ebchestre, prior-elect and confirmed of Durham, to Robert, bishop of Durham, and his successors, which the commissary received, protesting that it was not his intention by accepting this obedience to prejudice the rights and privileges (&c) of the bishop of Durham, but reserving the exaction of more comprehensive obedience to the bishop, his successors

and their ministers; and, with these things done, the said commissary and sole judge drew up according to the tenor of his said judgment the following mandate and after this mandate had been handed over to the notary and, on the instruction of the lieutenant of the archdeacon of Durham, had been read out before all present, the said lieutenant, going to the cathedral choir with the said elect, assigned the elect the choir stall on the north side of the choir due of old to the prior of Durham, and, with the form of words recited, and, beginning *Te Deum laudamus*, with the choir following and the organs of the choir matching and the bells rung, installed him with a form of words; after the singing of which psalm the same Mr John Lounde, lieutenant of the archdeacon, uttered certain versicles with a prayer following (recited), for the [prior] elect, confirmed and installed, written in a certain schedule which he held in his hand, with the choir responding to him in all things; whereafter the lieutenant assigned the prior's place in the chapter-house to the said elect, confirmed and installed, repeating the said versicles and prayer, with the chapter responding, and escorted him thereto; which done, the said elect, confirmed and installed, sitting in his place in the chapter-house, in presence of his fellow monks seated around him, the notary and witnesses, read, interposed and delivered to the notary a paper schedule containing the form of his oath, recited; which done, and with the notary and witnesses withdrawing from the chapter-house, the prior and chapter remained in the chapter-house with the door closed.

Witnesses: Richard Prentys and John Ronkhorne, priests and N.P.s by apostolic authority, John Bynchestr', priest, and John Berehalgh', N.P. by apostolic authority, of York, Coventry & Lichfield, and Durham dioc..

Notary: Robert Bartram, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited)

Done: [beginning in the] nave of Durham cathedral, before the altar of the Holy Spirit [sic], just after 8 a.m., 11 July 1446.

*Related material in other DUL collections:* For further documents about this election, see DCD Loc.XIII:12a-d and Loc.XVI:a,b,d-f.

f.46r-v 7 July 1446

Commission by Robert, bishop of Durham, to Mr John Norton', D.Dec., his vicar-general in spiritualities in distant parts, having accepted, through deputed commissaries, the resignation by John Wessyngton' {William Ebchestr'} [presumably added in 1456 when William Ebchester resigned] of the priorate of Durham, and discharged him of the cure, rule and administration thereof; and having given licence to the subprior and chapter to elect a prior, whom they are bound to present to him for confirmation of his election by reason of the bishop's prerogative; being unable to come to his church in view of his distance from it, and hindered by difficult business, and wishing to spare the monks labour and expense in electing another as prior; giving him the power, described, in his place to accept, examine and confirm the election, to receive the obedience of the elect in name of the bishop, and to instal the elect; saving always the rights, dignities (&c) of the bishop and his cathedral church of Durham in all things; and ordering him to send certification as to what he shall have done and found in the foregoing.

Under the bishop's seal *ad causas*.

Date: (no place of issue) 7 July 1446.

f.46v 7 July 1446

Mandate by John Norton', D.Dec., vicar-general in spiritualities of Robert, bishop of Durham, in parts outside his city and diocese, and deputed commissary by the bishop to examine and confirm the election of William Ebchestre, S.T.P., to the dean of Durham informing him that he has appointed Monday, 11 July, at c. 8 a.m., for the examination and confirmation of the election in the nave of Durham cathedral, and instructing him to warn and cite, publicly, in particular and in general, any gainsayers and others whom it concerns, whom the commissary also warns and cites by the presents, to appear before him at the said date and place, if they wish or are able, to raise any objection to the said election, its form or the person of the elect; intimating also that, if they do not appear then and there, he will preclude them from objecting in perpetuity, and proceed to the examination and confirmation of the election; also appointing, and ordering the dean to appoint the said date and place for the elect to appear before the commissary; and ordering the dean to certify him at the said date and place as to all that he shall have done in the foregoing.

Date: (no place of issue), 7 July 1446.

f.47r 2 July 1446

Proxy by John subprior and the chapter of Durham appointing John Gatesheued' and Robert Westmerlande, monks of Durham, as their proctors, giving them power and special and general mandate, powers described, to present their election of Mr William Ebchestre, S.T.P., to Robert, bishop of Durham, or his vicegerent, and to ask that he grant confirmation thereof.

Date: [Durham] 2 July 1446.

f.47r-v

Petition whereby he, Robert Westmerlande, proctor in name of the subprior and chapter, before Mr John Norton', commissary (&c), asks that the said judge pronounce as confirmed the election on 30 June last of Mr William Ebchestre, S.T.P. (a canonical and unanimous election of a suitable and lawful candidate, with consent of the elect), make good any defects in the election, impose silence on any gainsayers, and grant mandate to install the elect.

f.47v-48r 13 May 1446

Commission by Robert, bishop of Durham, to Mr John Norton', D.Dec., his vicar-general in spiritualities, and Mr John Lounde, master of Kepier hospital, following the delivery to him of a petition by John Wessyngton', prior of Durham, containing that he had borne his profession in the monastery of Durham for fifty-five and a half years and he had been prior for twenty-nine and a half years, and that, fatigued by the burden and broken by old age and serious and incurable infirmities, he desires to be discharged from and give up his office of prior, giving them authority to accept on his behalf the resignation of the said John, in the event that he should wish to carry out the same; and, should he happen to be two days' journey from his diocese when the priorate should become vacant by the resignation or death of John Wessyngton', deputing them as his vicars to grant licence to elect to the subprior and chapter on their petition; not wishing prejudice to be engendered to his or his successors' right in this regard in other vacancies of this sort.

Under his seal *ad causas*.

Date: manor of Howden, 13 May 1446.

f.48r 8 June 1446

Notarial instrument recording that John Wessyngton', prior of Durham, made, read and interposed the following

Written resignation by him, John Wessyngton', prior of Durham, whereby, because of his bodily infirmity and old age, which he admits tire him so that he cannot carry on his profession or his cure as he ought, he discharges himself of and yields the priorate of Durham into the hands of Robert, bishop of Durham, or another having power to accept the resignation.

Witnesses: John Romondby and William Lam, priests of York and Durham dioc..

Notary: Robert Bartram, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Date: chapel of St Nicholas, by the prior's chamber, Durham, 8 June 1446.

f.48r-v 8 June 1446

Letters testimonial by John Norton, D.Dec., vicar-general, commissary, as above, stating that in his presence, when sitting tribunally in the chapel of St Nicholas next to the prior's chamber on 8 June 1446 along with Mr John Lounde, warden of Kepier, and in presence of the notary Robert Bartram and witnesses, John Wessyngton' read and interposed his written resignation of the priorate of Durham, and asked that the commissary should see fit to accept his resignation; and that he found the reasons for resigning to be true, and accepted and accepts this resignation.

Under the seal of the vicariate of Durham.

Date: [Durham] 8 June 1446.

f.48v 8 June 1446

Licence by John Norton, D.Dec., vicar-general (&c), and John Lounde, LL.B., master of Kepier hospital, specially-deputed commissaries of Robert, bishop of Durham, to the subprior and chapter of Durham since it was besought of the bishop on their behalf by Mr William Ebchestre, S.T.P., and Robert Westmerlande, that he or his commissaries might grant them licence to elect a prior following the resignation of John Wessyngton'; granting them such licence, saving the bishop's rights and urging them to choose well.

Under the seal of the vicariate of Durham.

Date: [Durham] 8 June 1446.

(Inserted in the bottom margin of f.48v) 8 June 1446

{Letters by John subprior and the chapter of Durham to Robert, bishop of Durham, informing him that they are sending Mr William Ebchestre and Robert Westmerlande to him with the presents to beg licence to elect a prior following the resignation of John Wessyngton'; and imploring him to grant such a licence.

Date: Durham, 8 June 1446}.

f.49r-50r 30 June & 1 July 1446

Notarized decision (*decretum*) by John subprior and the chapter of Durham to Robert, bishop of Durham, recounting that, following the resignation of John Wessington', last prior, having obtained licence from the bishop to proceed to the election of their next prior, being assembled as the chapter on 9 June last, and noting that serious loss might be engendered to the priory by a long vacancy, they appointed the last day of June, with continuation of days if need be, for holding the election of a prior, and decreed that all their absent fellow monks of Durham who ought to be present at the election were to be summoned to proceed with them in the election; and that, on the appointed day, after the celebration of the mass of the Holy Ghost at the high altar, John Mody, subprior and S.T.P.; William Ebchestre, sacrist and S.T.P.; Roger Langchestre; Thomas Moorby; Thomas Wytton' for himself and as proctor of the absent William Elwike; Henry Feriby, prior of Finchale; Henry Helay, prior of Lytham; John Gonnerton'; Robert Moorby, subprior of Finchale; John Wicliff; Richard Barton', prior of Stamford and S.T.P., for himself and as proctor of the absent John Hoton'; Thomas Nessbitt, master or warden of the infirmary; George Syther'; John Barlay, keeper of Jarrow; William Lyham; Thomas Ayer, prior of Holy Island; John Oil', prior of Coldingham; William Partrike; John Moorby; John Burnby, warden of Durham college, Oxford, and S.T.P.; Richard Kellowe, communar; John Gatesheued', terrar, for himself and as proctor of the absent John Wessington'; John Harom', master of Farne; Thomas Warde, hostiller; Thomas Forde, refectorer; William Dalton', third prior and feretrar; William Eden', bursar; John Pencher'; William Clifton'; John Birtley; Robert Westmerlande, almoner and official of the priory of Durham, for himself and as proctor of the absent John Gysseburn', John Swynesheued' and William Coken'; Robert Emmylton', S.T.B. and dean of the order; John Warner', precentor and the other dean of the order; Thomas Lewyn'; Thomas Hexham, granator; Richard Blakburn'; John Qweldrike; Thomas Bradbery, keeper of Wearmouth; Robert Scrymerston'; Thomas Qwele; Richard Bell', steward of the prior's household; John Midelham, chamberlain and master of the Galilee; John Ripon'; William Kellowe; William Seton', chancellor, for himself and as proctor of the absent Thomas Calee; Henry Rakett; John Bradebery; William Fige, succentor; William Hesilden', cellarer; William Rodburn'; John Ryhall'; William Cuthbertt; Richard Shirburn'; William Birden'; John Eden'; John Kirke; William Jarvaux; John Bedforth'; William Essby; Richard Billyngham; and Thomas Holme; monks of Durham, assembling in the chapter house at the capitular hour and at the ringing of one chapter bell, they heard Robert Emmylton', monk of Durham, preach, and had certain monitions and declarations made by Robert Westmerlande, their proctor, at the doors of the chapter house and at other places in the cloister, against those suspended, excommunicate, under interdict, not subject to rule or otherwise having no right in the election; for the grace of the Holy Ghost to follow more fully in these proceedings they sang the hymn *Veni Creator spiritus* on their knees; the versicle and collect *Deus qui corda* followed; the instrument of the resignation of John Wessington, the bishop's licence, and the letters of citation with certifications thereof and proxies thereon were read out; once approved, the proxies were accepted by the nominated proctors; other absentees were declared contumacious; those who ought not to be present were verbally expelled; the entrances to the cloister and the chapter-house were firmly closed and placed under guard; certain jurists, the notary and the undernoted witnesses were kept with the subprior and chapter; the constitution of the general council *Quia propter* was read out and the ways and means declared therein were observed, as

were other things required by right and custom of the priory; and they, the subprior and monks of Durham, unanimously with the exception of Mr William Ebcheste, and without debate within the chapter-house or prearrangement outside the chapter-house (&c), but by the inspiration of the Holy Spirit, chose Mr William Ebcheste, S.T.P., as prior; straight away, singing the psalm *Te Deum laudamus*, they escorted him to the high altar, whereafter the subprior and other monks deputed thereto published the election to the clergy and people gathered around the high altar, and also explained it in the common tongue; Robert Westmerlande, their proctor, asked the elect to accept his election, and this he did, although at different dates and places he repeatedly deferred giving his assent; and asking the bishop to confirm the election and commit the administration of the priory to the elect and to order his installation.

Under the notary's sign and the common seal.

Witnesses: Mr Richard Wettwang', B. Dec., canon of St Paul's, London, Mr John Lounde, LL.B., master of Kepier hospital, and John Binchestre, chaplain, of York and Durham dioc..

Notary: William Bisspham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: [Durham] 30 June and 1 July 1446.

f.50r-v

Judgment by John Norton', D.Dec., the bishop's commissary and sole judge, deputed by the bishop's special letters, seated tribunally in the business of examination and confirmation &c of the election of William Ebcheste, S.T.P., as prior of Durham, addressed to William Ebcheste, S.T.P., pronouncing contumacious all opponents of the election and all who might have considered they had an interest therein, since none such appeared after summons, and, having barred them from putting forward their objections, proceeding to the confirmation of the election; having by authority of the bishop accepted the resignation of John Wessington and finding the priory to be vacant thereby; finding the election of William Ebcheste to have been conducted lawfully and William to be suitable; on the petition by Robert Westmerlande, proctor to the subprior and chapter, confirming the election and making good any defects which there might have been in the election or its form; and committing the cure and rule of the priory to William Ebcheste; decreeing that William or his proctor be inducted into bodily possession of the said monastery and be installed in the choir, in his place in the chapter house; saving the rights, dignity (&c) of the bishop of Durham.

Brought, read and interposed in presence of: Mr Thomas Bukley, B.L., rector of St Nicholas' Durham; Mr William Newton', LL.B., vicar of St Oswald's Durham; Richard Prentys and John Ronkhorn', priests, and John Berehalgh', clerk, N.P.s by apostolic authority; and others, trustworthy and commoners, in a great multitude.

f.51r 11 July 1446

Mandate to induct by him, John Norton', D.Dec., deputed commissary (&c) to Mr John Lounde, LL.B., proctor and lieutenant of the archdeacon of Durham, or his deputy, informing him that he has approved the election of William Ebchestr' as prior of Durham; instructing him to put the elect or his proctor in bodily possession of the priory and to assign him the stall in the choir and place in the chapter-house due of old to the prior of Durham; and requiring him to give certification, with the tenor of the presents, as to what he shall have done in the foregoing.

Under the seal which he uses in the office of his vicariate.

Date: [Durham ?] 11 July 1446.

f.52r 18 April 1447

Grant by John Elstobe, chaplain, and John Elstobe, son and heir of William Elstobe of Foxton, to John Hagirston', chaplain, and Thomas Thornburgh' of Elvet of a waste plot and twenty-four acres of land in the vill and field of West Merrington [Westerton] to be held in perpetuity by them, their heirs and assigns, of the chief lords of that fee, by service used and wont therefor.

Date: West Merrington, 18 April 1447.

Original: DCD 2.13.Spec.26, in the same hand as this and the next six entries etc.

f.52r 20 April 1447

Quitclaim by John Elstobe, chaplain, and John Elstobe, son and heir of William Elstobe of Foxton, for themselves, their heirs and assigns, in perpetuity, in favour of John Hagirston', chaplain, and Thomas Thornburgh' of Elvet of all right which they might have in a certain waste plot and twenty-four acres of land in the vill and field of West Merrington [Westerton].

Date: West Merrington, 20 April 1447.

Original: DCD 2.13.Spec.41, in the same hand as the first entry on f.52r etc.

f.52r-v 21 April 1447

Quitclaim by William Elstobe, son and heir of John Elstobe, son and heir of William Elstobe of Foxton, for himself, his heirs and assigns in perpetuity, in favour of John Hagirston', chaplain, and Thomas Thornburgh' of Elvet, of all right which he might have in a certain waste plot and twenty-four acres of land in the vill and field of West Merrington [Westerton].

Date: West Merrington, 21 April 1447.

Original: DCD 2.13.Spec.42, in the same hand as the first entry on f.52r etc.

f.52v 22 April 1447

Letters of attorney by John Elstobe, chaplain, and John Elstobe, son and heir of William Elstobe of Foxton, appointing William Cusson', chaplain, to deliver seisin on their behalf to John Hagirston' and Thomas Thornburgh' of Elvet or their undoubted attorney of a waste plot and twenty-four acres of land in West Merrington [Westerton], according to the form of their charter made thereon.

Date: West Merrington, 22 April 1447.

Original: DCD 2.13.Spec.43, in the same hand as the first entry on f.52r etc.

f.52v 22 April 1447

Letters of attorney by John Hagirston' and Thomas Thornburgh' of Elvet appointing Thomas Roos, vicar of Merrington, to receive seisin on their behalf of a plot of waste and twenty-four acres of land in West Merrington [Westerton], according to the form of the charter made to them thereon by John Elstobe, chaplain, and John Elstobe, son of William Elstobe of Foxton.

Date: Durham, 22 April 1447.

Original: DCD 2.13.Spec.44, in the same hand as the first entry on f.52r etc.

f.52v-54r (f.53 not present) 24 April 1447

Grant by indenture by William prior and the chapter of Durham to John Elstobe, chaplain, and John Elstobe, son of William Elstobe of Foxton, their heirs and assigns, of an annual rent of 12s to be taken yearly from their exchequer of Durham at the two terms by equal portions, in perpetuity; and if it happen that the said rent be in arrears in whole or in part for a half year after any term date, it is to be allowed to John and John, their heirs and assigns, to distrain upon all lands and tenements of the prior and chapter in West Merrington [Westerton], and in a waste plot and twenty-four acres of land in the same vill which belonged to John and John, and to retain goods distrained, until satisfied of the rent and arrears; under these conditions: namely that if John and John (&c) or anyone else having title, arising or begun before the date of the presents, to recover the said waste plot and twenty-four acres or any part thereof, should recover the same or part thereof against John Hagirston' and Thomas Thornburgh' of Elvet, their heirs or assigns, or against William prior and the chapter or their successors; or if anyone having like title to enter the said property should enter it; or if John and John or anyone else having like title to distrain, claim or ask for any rent charged or issuing from the said property, except rent used and wont to the chief lord of that fee, should distrain (&c) for the said rent in the said property; then (providing that the said John and Thomas, or their heirs and assigns, or the said prior and chapter or their successors be bound and compelled by the recovery or distraint to pay the said rent, and excluding fraud, collusion or trickery on the part of the said John and Thomas, their heirs or assigns, the prior and chapter or their successors) the prior and chapter are to be discharged at their exchequer from paying the said rent of 12s to John and John, their heirs and assigns, and are no longer to be bound in whole or in part thereto.

Sealed alternately.

Date: Durham, 24 April 1447.

Original: DCD 2.13.Spec.45, in the same hand as the first entry on f.52r etc.

f.54r 26 April 1447

Quitclaim by John Elstobe, son of William Elstobe of Foxton, for himself, his heirs and assigns, in favour of John Elstobe, chaplain, for life of the annual rent granted by William prior and the chapter of Durham in 1447 to him and to the said John Elstob, as in the preceding entry, with warranty to John Elstobe, chaplain, his heirs and assigns.

Date: West Merrington [Westerton], 26 April 1447.

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.54r-v 12 April 1447

Certification by William, prior of Durham, to John, abbot of Selby, deputed visitor of houses and other places of the Benedictine order in the province of York by authority of the provincial chapter of the order held at Northampton, or his commissaries in that regard, one or more, having, on 5 April last past received the following mandate and citation, informing him that he has obeyed his mandate and will obey it, that he has had all his fellow monks who ought to be present summoned to attend the visitation, that their names are supplied on an attached schedule, that he has done everything which pertains to his office in this regard, and that the mandate is thus executed.

Date: Durham, 12 April 1447.

Mandate and citation by John, abbot of Selby, deputed visitor (&c) to the prior and convent of Durham informing them that he intends to visit them in their chapter-house on 2 May next to come, with continuation of days, in person or through his commissaries; citing them to appear before him or his commissaries, enjoining the prior to cite all his fellow monks who ought by right or custom to be present, or to have them cited, to appear at the said date and place and do, receive and accept all that the office of visitation demands; and instructing the prior to certify him, by letters patent incorporating the contents of the presents, at the said date and place, as to what he shall have done in the foregoing, along with the names of all his fellow monks, present and absent, put in writing.

Date: Selby abbey, 1 April 1447.

Also DCD Reg. Parv. III f.15r-16r.

Original (mandate and citation): Canterbury Cathedral Archives, DCc/Ch Ant S349a.

f.54v-55r 21 April 1447

Notarial instrument recording that Robert Westmerlande, monk of Durham and proctor of the prior and chapter thereof, showed a large book, bound in quires (*in quaternis ligatum*), in an old and unsuspecting hand, and containing various rentals of receipts and rents pertaining to the prior and chapter; and asked the notaries to transcribe certain sections for the prior and chapter concerning the right to the tithe sheaves of a piece of land called Yorkhouse, in Spennymoor; wherefor the notaries, considering the request just, extracted these sections and inserted them word for word in this instrument:

in a rental for the Pentecost and Martinmas terms 1358, headed Sales of tithes, among the names of appropriated churches written in the margin there is East [Kirk] Merrington with the vill within the parish, and among the said vills is the entry "from Giles de Tudhowe for the tithe of Yorkhouse in Spennymoor - 5s - 5s";

in a rental in the same book for the Pentecost and Martinmas terms 1361, headed Sales of tithes of the harvest there is likewise "from Giles de Tudhowe for the tithe of Yorkhouse (les Yorkehouses) - 6s 6d - 6s 6d" ;

and recording that the proctor showed a book containing acts of visitations of churches appropriated to the prior and chapter within the diocese of Durham, where the prior and chapter have archidiaconal jurisdiction; in which book is registered a letter by Mr John Coken' and Mr John Dalton' sent to Richard de Chesterfeld', then rector of Brancepeth, about a controversy between Richard and the vicar of Merrington over tithes of wool and lambs from Yorkhouse in Spennymoor

Following personal inspections performed summarily on the spot over Tudhoe, Yorkhouse and Moorhouse, as he asked, according to what they discovered, with John and William Hoton present, the fact is thus:

the vill of Tudhoe in the parish of Brancepeth has common pasture in the territories of the granges of Yorkhouse and Moorhouse in Spennymoor in the parish of East Merrington, which parishes are separated by diked (*fossatos*) boundaries; and thirty years ago all the arable of Yorkhouse and Moorhouse was in full cultivation, and the inhabitants of the said houses abounded in animals, namely ewes and others, with full pasture; and now, and twenty years since, the houses are waste, because the lands are not under cultivation, but are merely for pasture; thirty years ago the vill of Tudhoe was in the hands of Robert Ogill, few dwelt there and it was not rich in animals; and now the vill, after coming into the hands of the Lord de Nevill', now the earl of Westmorland, is augmented with thirty houses with hearths (*fumalibus*), and the inhabitants are so many that the arable is not enough for a third of the men dwelling there, nor the pasture for their animals, unless they lease for cultivation the lands of the prior of Durham within the parish of East Merrington in farm, and the ewes and other beasts of the inhabitants of Tudhoe are grazed in the pasture of Yorkhouse and Moorhouse and lie there for the greater part of the year;

the vicar of Merrington asks for the tithe of wool and lambs and the rector of Brancepeth objects, complaining *quid juris* ; with which fact already established (*presupposito*) it inclines them to some extent that the tithe be divided between the said churches proportionately, since there is no prescribed custom for the rector in this regard.

Witnesses: John Hexham and William Bolton', of York and Durham diocc..

Notaries: John Berehalgh', clerk of Durham dioc., and Richard Prentys, priest of York dioc., N.P.s by apostolic and imperial authority (eschatocols recited).

Done: the registry of the prior and chapter of Durham, 21 April 1447.

Inquisition and notes in: DCD Loc.XXI:5.

f.55v-56v 6 & 12 April 1447

Notarized letters patent by the dean of Christianity of Durham stating that Robert Westmerlande, monk of Durham and proctor of the prior and chapter thereof, to whom the church of East [Kirk] Merrington is appropriated, asked the dean to examine on oath Robert Wodelande, John Gibson' of Tudhoe, Robert Grenrige of Tudhoe, William Hoton', John Iveley, Richard Watson' of Holywell and John Newton' of Brandon, all of them elderly, and to put their depositions into public form, concerning the tithes of Yorkhouse or *Yorkesfelde* in Spennymoor, sometime brought into cultivation, and whether the place be within the bounds of the parish of East Merrington or the adjoining parish of Brancepeth; the said commissary (the dean for the first time describing himself as a commissary), having inclined to the request, examined the said old men on oath and they deposed as follows:

Robert Wodlande, dwelling in Croxdale and originating in the parish of Brancepeth, and seventy years old and more, said he had known Yorkhouse for forty years and more, and he had never heard that the rector of Brancepeth had an interest in the tithes of Yorkhouse or had concerned himself therewith, but that the tithes pertained to the prior and chapter of Durham by reason of the church of East Merrington; and that he had never heard anything to the contrary in his life except in the last year; and that he knew the farmers of Yorkhouse and had seen them pay tithes of corn and lambs to the church of East Merrington, but not to the church of Brancepeth;

John Gibson' of Tudhoe in the parish of Brancepeth, born there and seventy years old and more, said that he had known every part of Yorkhouse for sixty years, that it was part of the parish of East Merrington and not of Brancepeth, that the tithes thereof had long pertained to the prior and chapter of Durham by reason of the church of East Merrington, and that he had never heard anything to the contrary except in the last year; Robert Grenrige, born in Tudhoe and having dwelt there continuously for his whole life, sixty-four years old and more, agreed with John Gibson', the previous witness;

William Hoton', born in Ivesley in the parish of Brancepeth and sixty years old and more, said that Yorkhouse belonged to the prior of Durham and was in the parish of East Merrington and not in Brancepeth, and the tithes there belonged to the prior and chapter of Durham and not to the rector of Brancepeth; and he said that he knew because he had certain acres in Yorkhouse and had brought them into cultivation, and paid the corn tithes thereof to the prior and chapter, and that he had never heard of a rector of Brancepeth claiming any right to these tithes except for the current rector, who had made a claim last year, as he had heard;

John Iveley, born in the parish of Brancepeth and aged sixty-seven years and more said that he had once had certain acres in Yorkhouse and in Spennymoor, and he had paid the corn tithe to the prior and chapter by reason of the church of East Merrington; and that Yorkhouse was in the parish of East Merrington and not Brancepeth;

Richard Watson' of Holywell, born in Tudhoe and sixty years old, said that Yorkhouse belonged to the prior and chapter of Durham and was in the parish of East Merrington, and that the tithes there belonged to the prior and chapter of Durham and to no other; and he said that he knew because he had seen and heard that the prior and chapter and their deputies had leased sundry acres in Yorkhouse with their corn tithes for 6d, and for 4d when they retained the tithes in their own hands; and he had known this for forty years and more, and there had been nothing to the contrary until the previous year;

John Newton' of Brandon in the parish of Brancepeth, sixty years old and more, agreed with Richard Watson' in all respects; and stating that the proctor, Robert Westmerlande, then asked the dean to record the depositions, to which request he acceded by having these letters made.

Under the dean's seal and the notary's subscription.

Notary: John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited, with note of an erasure).

Witnesses: John Hexham, William Bolton' and John Lullyngton', of York and Durham dioc..

Date/done: nave of Durham cathedral, 6 & 12 April 1447.

f.56v-57r 20 April 1447

Proxy by William prior and the chapter of Durham, patrons of their appropriated church of East [Kirk] Merrington, appointing Mr William Wettwang', advocate of the court of York, John Gatesheuede, monk of Durham, and William Bisspham, proctor of the court of York, as their proctors, with full and free power and general and special mandate, responsibilities summarized, to treat with and come to an agreement with Richard Draxe, rector of Brancepeth, in whatsoever matters, suits, plaints and disputes moved and pending between Richard and the prior and chapter, concerning the right of taking the corn tithes of Yorkhouse in Spennymoor, and of other places within the bounds of the parish of East Merrington, which tithes Richard unjustly claims belong to him and his church of Brancepeth, before whatsoever judges ordinary, commissaries and arbiters deputed or to be deputed to this cause.

Date: Durham, 20 April 1447.

f.57r 7 May 1447

Notarial instrument recording that William Leveday, vicar of Giggleswick (in Craven), as he claimed, made and read the following

Written resignation by him, William Leveday whereby, for certain legitimate reasons, he discharges himself of the cure and rule of the vicarage of Giggleswick and renounces his right therein into the hands of John, cardinal priest (&c), archbishop of York, or his vicar-general in spiritualities, or another having power to accept his resignation.

Witnesses: John Bosvile, rector of Skelton near York, John Clapham, chaplain of York, John Farleton', clerk of York.

Notary: Thomas Farleton', clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: York minster, 7 May 1447.

f.57r 12 May 1447

Presentation by William prior and the chapter of Durham asking John, cardinal priest of S Balbina and archbishop of York, or his vicar-general in distant parts, to institute Richard Phalthropp', chaplain, in the vicarage of Giggleswick, vacant, as is said, by the resignation of William Leveday, last vicar thereof.

Date: Durham, 12 May 1447.

f.57v 9 June 1447

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute William Hangaldside, vicar of *Kilkome* [? Kilmacolm], Glasgow dioc., in the vicarage of Edrom, to effect an exchange of benefices with William Parke, vicar of Edrom.

Date: Durham, 9 June 1447.

f.57v 1 June 1447

Proxy by William, prior of Durham, appointing Mr John Burnby, S.T.P., monk of Durham, as his proctor to attend the coming provincial chapter of the prelates of the black monks of the kingdom of England, to be held by apostolic authority at Northampton on (blank) July next; giving him power to present his excuses and to act on his behalf as need be; not wishing to appear in person because he dare not desert his monastery due to war and the likely incursions of the Scots, the enemies of the inhabitants of England, proposing to lay waste to the region, and because at that time it will behove him to undertake discussions in person for the acquisition, preservation and revocation of rights and possessions of his monastery, long time withheld by the magnates of the region.

Date: Durham, 1 June 1447.

Also DCD Reg. Parv. III f.18r).

f.57v-58r 16 June 1447

Presentation by William prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute John Lyndesey, chaplain, in the church of St Mary at the bridge Stamford, vacant by the death of John Brigge, last rector thereof; saving a pension of five marks yearly, owed of old to the prior and chapter and their monastery, and paid by the rectors of the said church.

Date: Durham, 16 June 1447.

f.58r 1 June 1447

Letters of consent by William prior and the chapter of Durham to John, cardinal-priest (&c), archbishop of York, since William Leveday, vicar of Giggleswick, feeling himself unequal to the cure of the said church, with consent of the prior and chapter submitted himself and his vicarage to the archbishop's decision as to how he and his cure should be provided for; giving their consent to a pension, assigned or to be assigned from the revenues of the said church to William Leveday, lest to the disgrace of the clerical order he be thought needy; on condition that they be not bound to increase the vicar's portion there for the maintenance of the vicar of the time and of the burdens incumbent on him; notwithstanding the decree of any ordinaries to be passed in this matter.

Date: Durham, 1 June 1447.

f.58r-v 12 August 1447

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c) and archbishop of York, or his vicar-general in distant parts, to institute Christopher Gamyll', chaplain, in the third vicarage in the collegiate church of Hemingbrough, vacant, as is said, by the death of William Maason', last vicar thereof.

Date: Durham, 12 August 1447.

[Perhaps void; most of Gamyll's names are erased at their first mention; and cf. the next-but-one entry following below.]

f.58v 17 August 1447

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c) and archbishop of York, or his vicar-general in distant parts, to institute (blank) Portyngton', clerk, in the third canonry and prebend in the collegiate church of Hemingbrough, vacant, as is said, by the death of Robert Pacoke, last prebendary thereof.

Date: Durham, 17 August 1447.

f.58v 2 September 1447

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c) and archbishop of York, or his vicar-general in distant parts, to institute John Hamylton', chaplain, in the third vicarage in the collegiate church of Hemingbrough, vacant, as is said, by the death of William Maason', last vicar thereof.

Date: Durham, 2 September 1447.

f.59r 28 September 1447

Memorandum that Thomas Billingham, squire, did homage to William, prior of Durham, for his lands and tenements in the vill of Billingham called *Rikelotlande*, held of the prior by knight service and suit at the prior's free court thrice in the year; before: William Rakett, clerk of the rolls of the bishop of Durham; John Gatesheued', terrar, William Dalton', third prior, and Robert Westmerlande, chancellor, monks of Durham; William Killinghall' and Richard Claxton, gentleman; and John Dale and Robert Hoton', *domicelli* of the prior; 28 September 1447.

Form of homage (English) recited, including reference to allegiance owed to the king.

f.59r 20 November 1447

Bond by William prior and the chapter of Durham to Robert Rodes, squire, for £100 lent by him and turned to the monastery's use, to be paid to Robert or his attorney at John the Baptist [Midsummer, 24 June] and Martinmas next to come.

Date: Durham, 20 November 1447.

f.59r-v 10 November [?1447]

Letter {by the prior and chapter of Durham to Thomas Percy, knight} in answer to his lately delivered letter, in which he asks for the next vacancy of the church of Normanton [on Soar] for a priest and chaplain of his choosing, informing him that two years ago, in the time of the previous prior and at the request of Thomas' brother, the warden of the East March, they granted the next vacancy of the said church to Thomas Staunton' [?], usher of the king's chamber, to nominate a suitable person for presentation to the said church; and that they are unable to go back on this promise; and beseeching him that he be not displeased that they cannot fulfil his request at this time.

Written: Durham, 10 November.

*Language:* English

Fourth register, from A.D. 1444 to the year of salvation 1486, namely of the times of John Wessington', William Ebchester, John Birnby, Richard Beel and Robert Ebchester, priors (f.1r-59v)

f.59v 12 November 1447

Exemplification by William prior and the chapter of Durham, having had their register inspected at the instance of William Belforth', of the following entry found therein [Reg. I.ii f.40v-41v, a copy of Misc. Ch. 5432a or 6826]:

Date: Durham, 12 November 1447.

Inspeximus by Richard prior and the convent of Durham confirming the following grant.

Date: Durham, Prid. Id. September [12 September] 1277

Grant by Robert, bishop of Durham, to William of Barnard Castle for his homage and service of a toft in the vill of Riccall, which contains one acre of land in West Field and extends to *Osebernker'*; and 57 acres of the bishop's waste in the territory of the same vill for cultivation and any kind of profitable activity, of which 10 acres lie in Southwod', between the land of Thomas son of Walter and the wood of the prebend of Riccall, 24 acres lie in *Litelhirst'*, 1 acre lies in *Threpwode*, and 22 acres lie in *Folestwayt'*; to be held by William, his heirs and assigns, of the bishop and his successors, and of the church of Durham, in perpetuity, with all the rights pertaining to the vill of Riccall, within the vill and without; rendering yearly therefor to the bishop and his successors a half mark at the four terms customary in Howdenshire for all services and exactions whatsoever, and multure at the bishop's mill of Riccall of every 24th measure of the grain growing on the said land, with precedence for grinding (*erunt propinquiore tremulo*); and William, his heirs and assigns are to do two suits at the bishop's court in Howden each year, namely at the first court after Michaelmas and the first court after Easter; and William, his heirs and assigns are to be able to sow the whole of the said land at will, and enclose and ditch it, and have it as their severalty for the whole of the year. [1260 x 1277]

Witnesses: Peter of Mortlake *Malo Lacu*), Roger Lascelles, Guichard de Charron', then steward of Durham, Alexander de Kirkton', then sheriff of York, Henry son of Conan, and Thomas de Metham', knights; Masters Alan of Easingwold, Robert Avenel and Robert Driffild, clerks; John de Averang', William of Middleton, Richard de Amecotis, Robert of Osgodby, Gilbert of Thorney and William de Fennum, clerks.

Draft: DCD Misc. Ch. 6985.

Printed (grant): *English Episcopal Acta 29: Durham 1241-1283*, ed P.M. Hoskin (Oxford 2005), p.170-171.

## The register of the time of dom Robert Emylton', chancellor, who entered the said office on 23 November 1447 (f.60r-119v)

f.60r 2 January 1448

Indenture between William prior and the chapter of Durham and John Stele, cantor, witnessing that John is retained and sworn to serve the prior and chapter for life in the manner following: he is to teach those monks of Durham and the eight secular boys, whom the prior or his deputies will have assigned to him, to play the organ and to sing *playnsange*, *prikenote*, *faburdon*', *dischaunte* and *countre* ; and he is to be present in person at masses and vespers in the cathedral choir when required, playing the organ, if need be, and playing the organ motif for the aforementioned chants; and he is also to be present in person daily at Lady Masses with music ( *cum nota*), held in the Galilee, singing plainsong or *organum* if others are there to sing at the time, unless legitimately excused; granting to the said John a loaf of monastic bread daily and seven gallons of new conventual beer to be received weekly at the cellar or the brewhouse, at *le tunnyng*', all at once or on two separate occasions; with 26s 8d yearly for his provisions or *le soulsilver*', namely 2s 3d per month less 4d in all during the year, to be taken from the cellarer; along with three ells of cloth for a gentleman-clerk of the prior and chapter, to be received yearly at Christmas; and 5 marks stipend each year, in equal portions at the usual terms of the year; and that house in the Bailey in which he dwells, being repaired at the expense of the prior and chapter if need be, or else one mark yearly therefor; the foregoing to be taken by the said John so long as he be able to carry out the said duties, and being replaced with a reduced allowance, specified, if John should be unable to carry out his duties because of illness or old age.

Sealed alternately.

Date: Durham, 2 January 1447/8.

Original of the half held by the prior and chapter, along with unissued duplicates: DCD Loc.XXVIII:16, 15 & 16\*.

Printed: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cccxv-cccxvii.

Commentary: B. Crosby, "The choral foundation of Durham cathedral, c.1350-c.1650" (unpublished Ph.D. thesis, University of Durham, 1992), p.90-93.

f.60r-v 8 January 1448

Memorandum that a proxy-general was issued for John Oll', John Gatesheued', William Dalton' and Robert Emylton', [monks of Durham], creating them proctors of the prior and chapter of Durham in all causes concerning the prior and chapter, the sundry persons of the said chapter, their cells, parish churches and dependent chapels, interests, rights, liberties, tithes, pensions, portions and whatsoever rights, according to the form of the proxy made to Richard Wetwang' and others (named) on folio 31 of this register; Durham, 8 January 1447/8.

f.60v 12 January 1448

Memorandum that a general appeal interposed for the prior and chapter of Durham by Robert Emylton', chancellor and proctor-general of the prior and chapter, in the nave of Durham cathedral before John Berehalgh', N.P., Thomas Glasyer', chaplain, John Hexham and Richard Bruke, *literati* of York and Durham dioc., under the sign, subscription and name of the said N.P., was issued according to the form of a general appeal made by Robert Westmerlande on folio 32 of this register; Durham, 12 January 1447/8.

Full text of the document: DCD Loc.XXI:50(12).

f.60v 15 January 1448

Letters by William prior and the chapter of Durham for Robert Alwennt as their mortuary-roll bearer; to be valid for three years.

Date: Durham, 15 January 1447/8.

f.60v-61r 20 January 1448

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute John Gisseburne, chaplain, in the vicarage of Norham vacant by the resignation of Mr John Manesforth', last vicar thereof.

Date: Durham, 20 January 1447/8.

f.61r-v 23 January 1448

Exemplification by William prior and the chapter of Durham, having had their register inspected at the instance of William Belforth', of the following entry found therein [Reg. l.ii f. 41rv, a copy of Misc. Ch. 5432b]:

Date: Durham, 23 January 1447/8.

Inspeximus by Richard prior and the convent of Durham confirming the following grant.

Date: Durham, 2 Non. October [6 October] 1280.

Grant by Robert, bishop of Durham, to William of Barnard Castle for his homage and service of two tofts in the vill of Riccall, of which one contains one acre and one rood of land in West Field and extends to *Osebernker'*, and the other, which lies in *Smythehill'* near to the toft of William the smith; and five score and twelve acres of the bishop's waste in the territory of the same vill for cultivation and any kind of profitable activity, of which 12 acres lie in *Southwode*, between the land of Thomas son of Walter and the wood of the prebend of Riccall, 46 acres lie in *Litelhirst'*, 4 acres which Hugh Rikelott once held lie between *Litelhirst'* and *le Neuker'*, 2 acres which John de Seleby once held lie in *Jonotryddyng'*, 1 acre lies in *Trepewode*, 44 acres lie in *Foletwayte* with the vennel which runs from *Folettwayte* into *Litelhirst'*, and 3 acres which Thomas son of Walter once held lie in *Foletwayte*; to be held by William, his heirs and assigns, of the bishop and his successors, and of the church of Durham, in perpetuity, heritably, with all the rights pertaining to the vill of Riccall, within the vill and without; rendering yearly therefor to the bishop and his successors 15s at the four terms customary in Howdenshire for all services and exactions whatsoever, and multure at the bishop's mill of Riccall of every 24th measure of the grain growing on the said land with precedence for grinding (*propinquiores tremulo*); and William, his heirs and assigns are to do two suits at the bishop's court in Howden each year, namely at the first court after Michaelmas and the first court after Easter; and William, his heirs and assigns are to be able to sow the whole of the said land at will, and enclose and ditch it, and have it as their severalty for the whole of the year.

Witnesses: Roger de Lascell', Guichard de Charron', then steward of Durham, Henry son of Conan, and Thomas de Hetham, knights; Mr Alan de Esyngwalde, Mr Robert Avenel, Mr John Hock, and Mr Nicholas de Appelby, clerks; John de Averang', John de Thorpp', Richard de Amecotis, Robert de Osgotby, Gilbert de Thorney and William de Fennum, clerks.

[n.d.: 1260 x 1280: Bishop Stichill or Bishop Holy Island]

f.61v-63r 8 March 1448

Exchange by indenture between William prior and the convent of Durham and Thomas Billyngham, squire, since Thomas holds from the said prior a messuage and three bovates of land, formerly Robert Rikelott's, in the vill of Billingham, by service to the prior and his successors of rendering 13s 4d at the terms of Pentecost and Martinmas and four hens at Christmas, of mowing with one man in their meadows in Billingham on one day each year and reaping with one man for four days at harvest in their corn there, of paying merchet and heriot and aid when general aid is imposed through the prior's lands, doing service of a tenth of a knight's fee, of suit at the prior's three principal courts and suit at the prior's courts to be held in Durham, of multure at the prior's mill of Billingham of every 13th measure of his grain, and of working at the mill each year in perpetuity; and holds a toft and twelve acres of land formerly belonging to Geoffrey son of Roger, by service of rendering to the prior and his successors 4s yearly at the said terms, four hens at Christmas, of mowing for one day with one man in the said meadows, doing six works at harvest at the prior's manor of Belasis;

and holds Liolf's former toft in Billingham, by service of rendering 2s yearly at the said terms for the lighting of the church of Billingham;

and holds Osbert the marshal's former toft by service of rendering 8d yearly at the said terms at the exchequer of the prior and his successors and of doing four works at harvest at the prior's manor of Billingham, and of multure of every thirteenth measure of his grain at their mill of Billingham;

and holds eight acres of land in the vill of Billingham formerly belonging to Liolf by service of rendering 4s at the said terms;

and holds a toft and six acres of land called *Elvylande* or *Elveredlande* in the vill of Billingham, by doing two days' work each week with one man at the priors' hall of Billingham;

and holds a plot of land or ground called *le Herbere* in front of his chief messuage in the vill of Billingham, by service of rendering 3d yearly at the said terms;

in all of which services, renders, and day-work the prior is seised and possesses by right of his church and by the hand of the said Thomas, his tenant in the said tenements;

and since the prior holds from the said Thomas a messuage in the Market Place of Durham next to Claypath gate by fealty and 13s 4d to be paid yearly to Thomas and his heirs at the said terms in which rent the said Thomas is seised and possesses as of fee and right and by the hand of the prior, his tenant in the said messuage;

the prior and convent have granted and remitted to Thomas, his heirs and assigns, in perpetuity 4s 3d of the aforesaid rents, namely the 4s to be paid from the eight acres once belonging to Liolf and the 3d to be paid from *le Herbere*, and the services and works to be done by Thomas and his heirs as aforesaid, excepting and reserving to themselves and their successors in perpetuity the service of a tenth of a knight's fee for Robert Rikelott's former land, and the said suit at the three principal courts of the prior and his successors in Durham, in exchange for the said 13s 4d rent from the said messuage in the Market Place, along with arrears thereof, at present approaching the sum of 100s, granted and remitted by the said Thomas to the prior and convent and their successors in perpetuity, with restatement of the exchange from Thomas's point of view;

under these conditions: that if Thomas, his heirs or assigns disagree with or went against the exchange in future, or claimed or demanded the rent of 13s 4d or part thereof against the prior, his successors, lessees or occupiers thereof, or distrained for the said rent or any arrears thereof; or if the rent or any part thereof be delivered or put in execution for

anyone by reason of any recovery of debt or damages against Thomas or his forbears, or of any recognizance of statute merchant or staple or other recognizance made before the date of the presents by Thomas or his forbears; or if the prior and convent be impleaded or troubled by Thomas or his heirs in any way so that they be unable to enjoy the messuage discharged of rent according to the form of the exchange;

it shall then be allowed to the prior and his successors to raise the rent of 4s 3d and the services and day-work from Thomas, his heirs and assigns, and have them as before, and distrain for non-payment thereof, the present charter notwithstanding; and that if the prior and convent or their successors &c, with reciprocal conditions allowing Thomas &c to take the rent of 13s 4d as before if prevented from enjoying the rent &c remitted to him by the prior and convent; and also providing that the prior and convent and their successors be able to distrain for other rents and services (specified, from those properties, held of them by Thomas and cited above, to which the exchange does not apply) and their arrears, if unrendered and undone.

Sealed alternately.

Witnesses: Robert Beaumont, clerk, chancellor of Durham, Robert Rodes, steward of the prior of Durham, William Rakett, clerk of the rolls of the chancery of Durham, Thomas Aslakby, coroner of Chester[-le-Street] ward, Robert Werdale.

Date: Durham, 8 March 1447/8.

See also f.80r-81v below.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.364-367.

f.63v 3 May 1448

Presentation by William prior and the chapter of Durham asking John, cardinal priest of S Balbina and archbishop of York, or his vicar-general in distant parts, to institute Mr John Lounde, LL.B., in the canonry and prebend of Howden in the collegiate church of Howden, vacant by the death of Richard Ingoldesby, last prebendary and canon thereof.

Date: Durham, 3 May 1448.

f.63v 22 June 1448

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute Mr William le Scrop', canon of Lincoln cathedral and prebendary of Stow Longa, in the canonry and prebend of Skipwith in the collegiate church of Howden, to effect an exchange of benefices with Henry Hanslapp', canon and prebendary of Skipwith; saving an annual pension of 13s 4d owed therefrom to the prior and chapter and their monastery.

Date: Durham, 22 June 1448.

f.63v 22 June 1448

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute John Raynolde, chaplain, in the vicarage of the prebend of Skelton in the collegiate church of Howden, vacant by the resignation of Edmund Karr', last vicar thereof, as is said.

Date: Durham, 22 June 1448.

f.64r 22 June 1448

Protestation by William prior and the chapter of Durham that, notwithstanding that John, cardinal priest (&c), archbishop of York, approved and granted that, though from 13 June last before the date of the presents until his return to his diocese, and then for the two months following his return, "obedience" should expressly not be written in their letters of presentation to him, he will receive such letters or cause them to be received, nothing of new right should accrue to them thereby or should engender prejudice to the archbishop or his church of York, nor will they be able to put forward this acceptance and concession in support of themselves against the archbishop in any way in future.  
Date: Durham, 22 June 1448.

f.64r-65v 7 October 1448

Ordinance by Robert, bishop of Durham, since the petition lately shown to him on behalf of the prioress and convent of the monastery or priory of St Bartholomew in Newcastle upon Tyne contained: that, although the said priory had been sufficiently endowed at its foundation and had later been relieved by Richard, sometime bishop of Durham, with a yearly pension of ten marks from the church of Washington when its revenues were declining, the prioress and convent were now impoverished by the decrease in their revenues through fire and other misfortunes, and through the non-payment of their pension due to the impoverishment of the church of Washington, so that they were unable to provide for their and their servants' maintenance and for the reception of guests (seeing that their monastery is established in the greatly renowned town of Newcastle upon Tyne) or for the repair of their houses and buildings or to bear other incumbent charges, unless assisted by another subvention;

by reason whereof the church of Washington had been discharged from paying the pension, and provision had been made according to the bishop's ordinance for paying the pension from the revenues of the church of Ryton, being known to exceed those of Washington;

that, since lawsuits might arise between the nuns and the priest having cure of Ryton over the pension, as they had between the nuns and the rector of Washington, that the annexation and appropriation of the chapel of St Edmund the bishop, Gateshead, to their monastery be considered, since the condition of both [monastery and chapel] can be more freely maintained thereby;

and contained the request that the bishop might see fit, for relief of the nuns and their monastery and the future discharging of the church and rector of Ryton from payment of the pension, to pronounce the chapel of St Edmund the bishop in Gateshead united and appropriated to their said monastery, to be possessed for their own use for ever; therefore, noting the honesty of the regular life (&c), good works (&c), the likelihood of litigation between the nuns and the rector, and desiring to satisfy the wish of the prioress and convent, the bishop has had an inquisition conducted on the foregoing matters, whereby and by documents shown to him he finds to be correct the things they have suggested and asked (&c), and having obtained the consent of the prior and chapter of Durham, and with all others who are by right asked concerning such appropriations concurring and all things required having been complied with, he has pronounced the nuns' reasons for appropriation to be lawful and appropriated the chapel of St Edmund, Gateshead, to the said monastery of St Bartholomew, saving the right of any one else whomsoever in all things;

so that on the death, resignation or removal of the master or warden of the said chapel, or at any vacancy, it be allowed to the prioress and convent lawfully to take possession of the chapel, on their own authority and without licence of the bishop or his successors; whereafter the pension of ten marks from the church of Ryton is to cease, with the bishop discharging the rector thereof from further payment; and they are to be considered to have the chapel in recompense for the pension, and are excluded from pursuit of the pension in perpetuity;

and, lest the appropriation be postponed, the bishop forbids the current master of the said chapel the faculty of exchanging benefices and reserves the chapel for appropriation; ordaining that the prioress and convent and their successors shall maintain at their own expense two chaplains to celebrate, daily, when assigned (*dispositi*), in all time coming for the souls of the founders of the chapel, that they shall repair and maintain at their

own expense the chapel and its associated buildings, and that they shall bear all other burdens incumbent upon the the chapel;  
 and, in indemnification of the bishop and his successors and of the prior and chapter of Durham for the emoluments which they could have taken from the said chapel had the appropriation not been made, he charges the chapel with pensions of 6s 8d for himself and his successors and of 3s 4d for the prior and chapter, to be paid by the prioress and convent and their successors in all time to come each year at John the Baptist [24 June] after possession of the chapel has been obtained;  
 saving his episcopal rights, the liberties, privileges and dignity of his church of Durham, and the right of any other whomsoever, in all things always.

Under his seal *ad causas*.

Date: (no place of issue) 7 October 1448.

f.65v 20 October 1448

Confirmation by the prior and chapter of Durham of the foregoing appropriation.

Date: [Durham] 20 October 1448.

f.65v-66r 20 October 1448

Grant by Margaret prioress and the convent of St Bartholomew, Newcastle upon Tyne to the prior and chapter of Durham of 3s 4d annual pension issuing from the lands and tenements of the chapel of St Edmund the bishop, Gateshead, by reason of indemnification of the prior and chapter for the appropriation of the said chapel to their said house, lately made with consent of the prior and chapter; to be had by the prior and chapter and their successors of the prioress and convent and their successors yearly at John the Baptist [24 June] according to the form of the ordinance of appropriation enacted by Robert, bishop of Durham; providing that, if the said pension be in arrears in whole or in part for a month after the said feast, it shall be allowed to the prior and chapter and their successors to distrain in all lands and tenements belonging to the said chapel and retain goods distrained until satisfied of the pension.

Date: [Newcastle upon Tyne] 20 October 1448.

(The hand and the ink in which this entry was made change after the first six lines. The last twenty lines, and particularly the six lines on f.66r, are much faded. f.66r is blank except for these six lines.)

f.66v 1 February 1449

Proxy by William prior and the chapter of Durham, having the parish churches of Jarrow, Monkwearmouth, Holy Island, [Bishop] Middleham, Bywell St Peter, St Oswald's [Durham], Aycliffe, Heighington, Merrington, Dalton le Dale, Hesleden, Billingham, Pitlington, Norham, Branxton, Ellingham, Edlingham and Bedlington, and their dependent chapels to their own use, appointing John Oll', subprior of Durham, Mr Richard Wettwang', advocate of the court of York, Thomas Ayer', John Gatesheuede and William Dalton', monks of Durham, and Mr William Bissheham, proctor of the court of York, as their proctors, short of revocation of proctors already appointed by them, giving them special power and special and general mandate, responsibilities described, to act on their behalf, in all actions and business moved or to be moved concerning them, their cells, and their aforesaid churches and chapels, before whatsoever judges, against whatsoever adversaries, and at whatsoever dates and places; and also to attend on their behalf synods and visitations by Robert, bishop of Durham, to be held by him or his commissaries in the diocese of Durham by reason of the foregoing, and to attend consistories, chapters and other convocations of clergy, and act on behalf of them and their cells, churches and chapels, responsibilities described.

Date: Durham, 1 February 1448/9.

f.66v-67v 5 February 1449

Notarial instrument recording that John Oll', monk of Durham and proctor of the prior and chapter thereof, made, read and interposed the following written Appeal by him, John Oll', that although the prior and chapter be of unimpaired reputation (&c), and for no little time have possessed the parish churches of Jarrow, Monkwearmouth, Holy Island, Bywell St Peter, St Oswald's [Durham], Aycliffe, Heighington, Merrington, Dalton-le-Dale, Hesleden, Billingham, [Bishop] Middleham, Pitlington, Norham, Branxton, Ellingham, Edlingham and Bedlington, appropriated to their own use with their dependent chapels, rights, {expanded upon in general terms}, and appurtenances, and possess the same at present, duly taking the revenues thereof; fearing, from plausible reasons and newly-made threats, that prejudice may be engendered by some rivals in future concerning the position of the prior and chapter and their right and property in the same churches and chapels; and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything prejudicial (&c) to the prior and chapter and their said churches and chapels (&c), their liberties {jurisdictions, privileges}, customs or rights, in various specified ways including visiting {or assuming to visit in person or through others} their church and chapter, appropriated churches and chapels, in contravention of papal statutes and privileges; he appeals to the apostolic see and for tuition to the court of York, subjecting the prior and chapter, their churches, chapels, rights, interests and possessions, those adhering and wishing to adhere to them and him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor, and that John asked the notary to reduce the foregoing into a public instrument. Witnesses: John Hagirston', chaplain, Walter Berehalgh and John Hexham, *literati* of York and Durham dioc.

Notary: John Berehalgh, clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: nave of Durham cathedral, 5 February 1448/9.

f.67v-69r

Memorandum that Robert, bishop of Durham, directed the following two letters (mandate and citation) concerning his visitation on 10 March 1448/9 to the prior of Durham and to the prior and chapter of Durham on 7 February 1448/9, by force whereof the prior directed letters of citation to the priors of Coldingham, Finchale, Holy Island, Lytham and Stamford St Leonard, and the masters of Jarrow, Wearmouth and Farne in manner following:

Mandate by Robert, bishop of Durham, to William, prior of Durham, informing him that on Monday, 10 March next to come, he intends to come to the church of Durham and conduct a visitation; enjoining him to cite all priors, masters, keepers and monks of the cells of Durham to appear before him at the said date and place and undergo visitation; ordering him to have his letters concerning the visitation and directed to him and the chapter of Durham delivered to the subprior and chapter under public witness without delay, once he has received them; and requiring him to certify the bishop by eight days before the said date, in letters patent incorporating the contents of the presents, as to what he shall have done in the foregoing, along with the names of those he has had cited on account of the foregoing.

Under the seal of the office of vicar [general] of Durham.

Date: (no place of issue) 7 February 1448/9, trans. 11.

Citation by Robert, bishop of Durham, to the prior and chapter of Durham informing them that he intends to visit them on Monday, 10 March next to come, with continuation of days as necessary, in the chapter house of Durham; summoning them to appear in person before him at the said date and place and undergo visitation; warning them against any conspiracies in prejudice of the visitation on pain of great excommunication, and reserving absolution of those incurring this sentence to himself; and requiring a return by letters patent incorporating the contents of the presents, by eight days before the said date, as to what they shall have seen fit to do in the foregoing.

Under the seal of the office of vicar [general] of Durham.

Date: (no place of issue) 7 February 1448/9, trans. 11.

Citation and mandate by William, prior of Durham, to Henry Feriby, prior of Finchale, informing him that the bishop proposes to visit the chapter of Durham (&c) summoning him to attend with his fellows dwelling with him before the bishop in the chapter house on the appointed date and undergo the visitation, as he ought to do and has hitherto been accustomed to do; providing that he does not leave the cell of Finchale with no monk present; and requiring him to send a return by 20 February, in letters patent incorporating the contents of the presents, as to what he shall have seen fit to do in the foregoing, with the names of the fellows summoned on account of the foregoing.

Date: (no place of issue) 10 February 1448/9.

and, having seen, read and executed the letters, the said priors and masters certified the prior of Durham, the priors of Coldingham, Holy Island, Lytham and Stamford, sending certification in the following form:

Certification by Thomas Warde, prior of Holy Island, to William, prior of Durham, having received on 12 inst. the citation and mandate as above by William, prior of Durham, to Thomas Warde, prior of Holy Island, not recited in full, by authority of which he has cited John Kirke, his fellow monk, dwelling in his cell, to appear and undergo visitation; as for himself, stating that he is unable to attend in person at the said date and place, being hindered by pressing business, as contained in his proxy; and stating that he has thus executed the mandate.

Under the seal which he uses in the priory.

Date: (no place of issue) 14 February 1448/9.

and the masters of Jarrow and Wearmouth directed certification to the prior of Durham according to the manner of the prior of Finchale, in the following form

Certification by Henry Feriby, prior of the cell of Finchale, to William, prior of Durham, having received on 12 February the citation and mandate as above by William, prior of Durham, to Henry Feriby, prior of Finchale, not recited in full, by authority of which he has cited his fellow-monks dwelling with him to appear and undergo visitation; and stating that the names of those cited are in a schedule attached to the presents, that all except those remaining to celebrate in and keep the cell will attend, and that he too will attend in person, God willing; and stating that he has thus executed the mandate.

Under the seal which he uses in the priory.

Date: (no place of issue) 16 February [1449]

and the priors of Coldingham, Holy Island and Stamford, being unable to appear in person, issued proxies to fellow-monks of theirs, appointing them their proctors in the form following:

Proxy by Thomas Warde, monk of Durham, prior of the cell of Holy Island, appointing John Gatesheued', monk of Durham, as his proctor and excusator to attend on his behalf the coming visitation of the chapter of Durham by Robert, bishop of Durham, and be present for him before the bishop or his commissaries carrying out the office of visitation; giving him special power and special and general mandate (&c); since for certain legitimate reasons he is unable to be present in person and, because of war and the invasion of the Scots, the enemies of the inhabitants of England, proposing imminently, unless God supply remede, to lay waste the locality and reduce it to ash and embers, not daring to desert the priory, likely daily to be overtaken, at this time of war; and because it behoves him to remain in the locality in connexion with assorted business concerning the cell and its goods.

Date: (no place of issue) 14 February 1448/9.

and with the said priors, masters and keepers summoned, and their certifications and proxies transmitted to the prior of Durham, and all other necessary things lawfully observed, the prior wrote back to the bishop in the form of the following certification.

Certification by William, prior of Durham, to Robert, bishop of Durham, having received on 8 February the mandate by Robert, bishop of Durham, to William, prior of Durham, not recited in full. for citation of the external priors and masters, as more fully contained on the preceding folio [67v] informing him that he has cited the priors, masters and keepers of cells, and all and sundry monks of Durham dwelling therein, to appear and undergo visitation on 10 March, as they have hitherto been accustomed to appear; providing that these churches be not left destitute of monks, but that monks remain in each to carry out divine offices and bear other burdens as need be; that he has caused the mandate directed to him and the chapter to be received and delivered publicly to the subprior and chapter, as required; that he has and will comply in all respects with his mandate, saving the rights, privileges, liberties and immunities of the monastery of Durham in all things always; and that the names of those cited are given in a schedule attached to the presents.

Date: Durham, 26 February 1448/9.

[with the said] Schedule Mr William Ebchestre, prior; John Oll', subprior; Roger Langchestre; Thomas Wytton'; John Gonnerton'; Thomas Cotom'; William Lyham; Th[omas] Ayer'; William Partrike; Richard Kellowe; John Gatesheued'; Thomas Forde; William Dalton'; William Eden'; John Pencher'; John Birtley; John Warner'; Th[omas] Lewyne; Th[omas] Hexham; Richard Blakeburne; Richard Bell'; John Midilham; John Ripon'; Henry Rakett; William Figee; William Hesilden'; William Rodburne; William Cuthbert; William Coken'; William Jarvaux; John Bedforth'; William Essby; Th[omas] Holme.

Novices: Thomas Halghton'; Robert Knoute; John Roose; Roger Youdale; John Acley; John Bicheburne; Thomas Darlyngton'.

Finchale: Henry Feriby, prior; Henry Helay; Thomas Moorby; George Sither'; John Moorby; John Harom'; John Qweldrike; William Kellowe; John Eden'.

Jarrow: Mr John Mody, master or keeper; John Both', his fellow.

Wearmouth: Thomas Bradebery, master; Thomas Qwhele, his fellow.

Holy Island: Thomas Warde, prior; John Kirke, his fellow; John Bradebery, master of Farne.

Lytham: John Barlay, prior; John Ryhale, his fellow.

St Leonard's Stamford: Richard Barton', prior; John Hoton', his fellow.

Certification by William prior and the chapter of Durham to Robert, bishop of Durham, having received on 8 February the following Citation by Robert, bishop of Durham, to the prior and chapter of Durham, not recited in full. as more fully contained on the penultimate folio preceding [67v] intimating that they will comply with the foregoing and things related thereto, saving always to themselves their rights, customs and privileges and remedy of law.

Date: Durham, 26 February 1448/9.

Original (mandate): DCD Loc.XXVII:20a.

Original (citation): DCD Loc.XXVII:20b.

Original of a similar certification: DCD Loc.XXXVII:84.

Printed (certification) in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cccxvii-cccix.

*Related material in other DUL collections:* Originals of similar mandates: DCD Loc.XXVII:18d-e.

f.69v 27 February 1459

(Out of sequence, added on blank page:)

Mandate by John Alforde, LL.D., vicar-general of Lawrence, bishop of Durham, in spiritualities in distant parts, to the prior of Durham, archdeacon of the churches appropriated to himself and the chapter of Durham, instructing him to induct Mr William Layburn', LL.B., (following presentation by the same prior and chapter and institution by the vicar-general, who has taken Mr William's oath to make personal and continuous residence there according to the constitution laid down in that regard) or his proctor into bodily possession of the vicarage of Pittington, vacant by the death of William Maymorne, last vicar thereof.

Under the seal of his office of vicar-general.

Date: Newcastle upon Tyne, 27 February 1458/9.

(The remainder of f.69v is blank)

f.70r-v 8 October 1449

Notarized proxy by William prior and the chapter of Durham appointing Mr John Laxe, LL.B., as their proctor in all causes begun or to be begun, howsoever concerning them and their church, their college in the university of Oxford, their cells, appropriated churches and dependent chapels, their interests, jurisdictions, liberties, tithes, pensions and rights, against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often and when need be; giving him full, free and lawful power and special and general mandate to obtain for them, their church, college (&c) papal letters of grace at the Roman *curia* and to pursue the cancellation of such letters obtained against them, their church, college &c, with further powers and responsibilities described; ordering subscription and publication by the notary, as well as the affixing of their seal.

Witnesses: John Bynchestre, John Hagirston', chaplains, and John Hexham, *literatus*.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Date: Durham, 8 October 1449.

f.70v-71r 28 December 1449

Notarial instrument recording that John Pencher', monk of Durham and, by licence of his superior, proctor of Thomas Kirkepatrike, vicar of Stichill in Scotland, made, read and interposed the following

Written resignation by him, John Pencher', lawfully constituted proctor in name of Thomas Kirkepatrike, whereby, since Thomas, for certain legitimate reasons, wants to be discharged of the cure and rule of the vicarage of Stichill, he resigns the vicarage into the hands of James, bishop of St Andrews, or of another having power to accept the resignation.

Witnesses: John Hexham and John Pethe', clerks of York and Durham dioc.

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Durham priory registry, 28 December 1449.

f.71r 29 December 1449

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute Robert Thurlebraunde, chaplain, in the vicarage of Stichill vacant by the resignation of Thomas Kirkepatrike, last vicar thereof.

Date: Durham, 29 December 1449.

f.71r 24 January 1450

Presentation by William prior and the chapter of Durham asking the keeper of the spiritualities of Lincoln, *sede vacante*, to institute Mr Thomas Hyll', chaplain, in the church of Kirkby on Bain, vacant, as is said, by the death of Richard Lumbarde, last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: [Durham] 24 January 1449/50.

f.71r 7 February 1450

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute James Stevynson', chaplain, in the vicarage of Branxton, vacant by the death of William Hunter', last vicar thereof.

Date: Durham, 7 February 1449/50.

f.71v 24 February 1450

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute John Hubersty, chaplain, in the vicarage of the prebend of Howden in the collegiate church of Howden, vacant by the death of William Rycall', last vicar thereof.

Date: Durham, 24 February 1449/50.

f.71v 2 March 1452

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute John Gisseburne, chaplain, in the first canonry and prebend in the collegiate church of Hemingbrough, vacant, as is said, by the death of John Bonour', last prebendary thereof.

Date: Durham, 2 March 1451/2 [*sic*].

f.71v 17 March 1451

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute John Driffeld', chaplain, in the church of [Kirby] Sigston vacant by the resignation of Henry Mone, last rector thereof; saving a yearly pension of ten marks due of old therefrom to the prior and chapter and their house.

Date: Durham, 17 March 1450/1

f.71v-72r 24 March 1451

Presentation by William prior and the chapter of Durham asking the keeper of the spiritualities of Lincoln, *sede vacante*, to institute Mr William Newton', LL.B. {in priestly orders}, in the church of Kirkby on Bain, vacant by the resignation of Mr Thomas Buxhale alias Hyll', last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: [Durham] 24 March 1450/1

f.72r 21 September 1451

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute Mr William Scott, rector of Kirkpatrick-Fleming, Glasgow dioc., in the vicarage of Ednam, to effect an exchange of benefices with Alexander Preston', vicar of Ednam.

Date: Durham, 21 September 1451

f.72r 6 January 1452

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Belyngeham, chaplain, in the vicarage of [Bishop] Middleham, vacant by the resignation of John Esyngwalde, last vicar thereof; saving a yearly pension of 40s due therefrom of old to the sacrist of Durham.

Date: Durham, 6 January 1451/2.

f.72r 5 January 1452

Memorandum of the above-written resignation of the vicarage of [Bishop] Middleham by John Esyngwalde, done in the dwelling-house of William Bentlay, citizen and burgess of Durham, as appears in a public instrument by John Hexham, N.P.; 5 January 1451/2.

f.72v 17 September 1452

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute Richard Willeswike, chaplain, in the vicarage of Fishlake, vacant, as is said, by the resignation of Robert Kyreby, last vicar thereof.

Date: Durham, 17 September 1452.

f.72v 1 October [1440]

Ordinance in duplicate by William, bishop of Lincoln, Richard, earl of Salisbury, Nicholas Hulme, clerk, and Thomas Holden', squire, since Henry VI, king of England, by letters patent of 2 May A.R. 18 [1440], gave licence to Nicholas Hulme, clerk, Richard Bukley, clerk, and John Snawdon', clerk, and their heirs, that they should be able to give an annual rent of £16 13s 4d from the manor of Kenerdeley [?Kenworthy], Lancs., to John Arteys, clerk, and Robert Sotheryn', clerk, chaplain of the chantry of SS Mary and Cuthbert in Durham [Cathedral Galilee], and their successors, according to their [i.e. the said Bishop William's, Earl Richard's, Nicholas's and Thomas's] and their heirs' ordinance to be made thereon; prescribing that the said Nicholas, Richard and John should grant to the said John, Robert and their successors, the said annual rent, to be held from the said manor; and that from the annual rent the said John and Robert should distribute 13s 4d among the poor and needy, under the supervision of the prior of Durham, namely 4d to each of forty of the poorest, that these paupers should pray for the souls of Thomas [Langley], lately bishop of Durham, his parents, and all the faithful deceased.

With their seals affixed to either part of the presents.

Date: (no place of issue) 1 October, 19 Henry VI.

f.72v

Memorandum that the sealed original of the above deed remains in the keeping of the chaplains of the chantry of SS Mary and Cuthbert in the Galilee of Durham [Cathedral].

f.72v 8 May 1452

Memorandum that the presentation of John Lowrye, chaplain, to the vicarage of Fishwick in Scotland was issued according to the form of the presentation of Robert Thurlebraunde to the vicarage of Stichill on the preceding folio; Durham, 8 May 1452.

f.73r 8 May [?1452]

Letter by W[illiam] prior and the convent of Durham to Richard, earl of Salisbury, having received his letter lately sent to them asking for the promotion of William Litherlande to the prebend and canonry of Thorpe in the collegiate church of Howden, vacant by the resignation of Thomas Bradshawe; informing him that the king recently wrote to them asking for the promotion of one of his clerks and chaplains to the said prebend, and that they have sent their reply by a yeoman of the crown, the king's messenger; and that the bishop of Durham has recommended clerks to them for the said prebend; and excusing their inability to fulfil his wish, not wanting to incur the displeasure of the king and the bishop.

Written: Durham, 8 May.

*Language:* English

*Related material in other DUL collections:* Related letter: DCD Loc.XXV:55.

f.73r 31 May 1452

Presentation by William prior and the chapter of Durham asking the keeper of the spiritualities of Lincoln, *sede vacante*, to institute John Duffelde, canon and prebendary of Norton collegiate church, Durham dioc., in the church of Kirkby on Bain, to effect an exchange of benefices with Mr William Newton', rector of Kirkby on Bain; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: Durham, 31 May 1452.

f.73v 22 June 1452

Presentation by William prior and the chapter of Durham asking the keeper of the spiritualities of Lincoln, *sede vacante*, to institute Mr Robert Sudberye, M.A., in the church of Kirkby on Bain, vacant by the resignation of John Duffelde, chaplain, last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: Durham, 22 June 1452.

f.73v 22 May 1452

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Maymorne, vicar of the prebendal church of Norton, Durham dioc., in the vicarage of Pittington, to effect an exchange of benefices with Robert Bates, vicar of Pittington.

Date: Durham, 22 May 1452.

f.73v-74r 13 July 1452

Notarial instrument recording that Mr Thomas Melburne, proctor in name of John Gisseburne, canon prebendary of the first canonry and prebend in the collegiate church of Hemingbrough, made, read and interposed the following written

Resignation by him, Thomas Melburne, chaplain, sufficiently constituted proctor of John Gisseburne, whereby, since John wants, for certain legitimate reasons, to be discharged of the rule of the first canonry and prebend of Hemingbrough collegiate church, he resigns the said canonry and prebend into the hands of John, cardinal priest (&c), archbishop of York, or of another having power to accept the resignation.

Witnesses: John Partrike, chaplain, John Kereby and Richard Melburne, *literati*, of York and Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited)

Done: registry of Durham priory, 13 July 1452.

f.74r 14 July 1452

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute Mr John Sendale, clerk, in the first canonry and prebend in the collegiate church of Hemingbrough, vacant by the resignation of John Gisseburne, last prebendary thereof.

Date: Durham, 14 July 1452.

f.74v 11 September 1452

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Richard Garnett, chaplain, in the vicarage of [Bishop] Middleham, vacant by the resignation of William Belyngeham, last vicar thereof; saving a yearly pension of 40s due therefrom of old to the sacrist of Durham.

Date: Durham, 11 September 1452.

f.74v 12 October 1453

Notarial instrument recording that Mr William Newton', LL.B., rector of Kirkby on Bain, made, read and interposed the following written

Resignation by him, William Newton', LL.B., whereby, wanting for certain legitimate reasons to exchange his rectory for the deanery of the collegiate of Chester-le-Street, he resigns the rectory of Kirkby on Bain into the hands of John, bishop of Lincoln, or of another having power to accept the resignation.

Witnesses: John Hagerston', chaplain, William Claxton', squire, John Pykeringe, *literatus*, of Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited, noting an interlineation).

Done: registry of the prior of Durham, 12 October 1453.

f.75r 28 October 1449

Mandate by Robert, bishop of Durham, to the prior of Durham, having lately received letters of John, cardinal (&c), archbishop of York, along with true copies of letters of Nicholas V, pope, containing word for word the tenor of letters of the late popes Clement VI and Gregory XI concerning the proclamation of the jubilee year, attached to the said archbishop's letters, explaining that, because of their length and the shortage of time, he is sending these letters for inspection, along with the presents, by his servant Robert Bartram, and instructing the prior that, as soon as the letters have been presented to him, he is to make known the apostolic proclamation in Durham cathedral on solemn days and feast days, when the greater number of people be present, and to announce it then to his fellow-monks and the people subject to him there present, or by another suitable means of his choice; and that he is to restore the letters to the said servant without delay after he has received, seen and understood them, only retaining these present letters specially directed to him; requiring him, when asked, to send certification to the archbishop at a suitable time and place, by his letters patent incorporating the contents of the presents, as to what he shall have done in the foregoing.

Under his seal *ad causas*.

Date: (no place of issue) 28 October 1449.

f. 75r-v 15 May 1449

Commission by John, cardinal priest of the title of S Balbina, archbishop of York, primate of England, legate of the apostolic see, to Robert, bishop of Durham, his suffragan, informing him that the pope, Nicholas V, has proclaimed a jubilee year in the city of Rome, as hitherto customarily celebrated every fifty years, to be held in the year next after this, of the nativity of Jesus Christ 1450, with summary of the main characteristics of the jubilee year, as more fully contained in the bull of Nicholas V lately sent to him, incorporating word for word the tenor of letters of Clement VI and Gregory XI concerning the proclamation of a jubilee year, a copy of which bull, attached to the presents, the archbishop has seen fit to transmit to the bishop; instructing him to announce the apostolic proclamation, without delay after delivery of the letters and according to the form thereof, to the people entrusted to him, or cause it to be announced by suitable deputies, on solemn days and feast days, when the greater multitude of people should be present.

Date: his townhouse near Westminster, 15 May 1449.

f.75v-77v [19 January 1449]

Bull by Nicholas [V], pope, referring to the indulgence that in every fiftieth year all those truly penitent and confessed who visited the shrines (*limina*) of SS Peter and Paul, the Lateran church and the church of S Maria Maggiore in Rome, in the manner as contained in apostolic letters, and particularly those of popes Clement VI and Gregory XI, would obtain the fullest remission of their sins, as in the following to two bulls, confirming the same, with the counsel of his brethren, the cardinals of the Roman church, and ordaining that the indulgence should apply to the penitent visiting the said basilicas and churches in A.D. 1450.

Date: Rome, St Peter, 14 Kal. February 1449, Pont. 2.

Bull by Clement [VI], pope, referring to the decree by Pope Boniface VIII that all who should pass to the basilicas of SS Peter and Paul in the City in the year 1300 and in every hundredth year thereafter, and visit the churches at least once a day for fifteen days, continuously or at intervals, if true pilgrims or foreigners, and for thirty days at least if Romans, and they be truly penitent and confessed, they would obtain the fullest remission of sins; seeing fit, noting the significance of fiftieth years in Mosaic law, and on account of the brevity of the life of man, to bring forward the grant of the indulgence to the fiftieth year; ordaining that all Christians who visit the aforementioned basilicas and the Lateran church (inclusion explained) in 1350, and similarly every fifty years thereafter, in the manner described above, would obtain the fullest remission of their sins; and that this indulgence would apply to those legitimately impeded after starting their journey so that they were unable to reach the city, and to those dying on their way to or in the city; confirming, nevertheless, previous papal indulgences granted at other basilicas and churches in Rome.

Date: Avignon, 6 Kal. February, Pont. 1. [27 January 1343]

Bull by Gregory [XI], pope, referring to the indulgence granted in the Bull by Clement VI "as above" not recited further and ordaining that those wishing to obtain the indulgence granted by Clement should be obliged to visit the church of S Maria Maggiore as well as the basilicas of SS Peter and Paul and the Lateran church.

Date: Avignon, 3 Kal. May, Pont. 3. [29 April 1373]

f.77v-78r

Inspeximus by William prior and the chapter of Durham {confirming} the following inspeximus.

Inspeximus and ordinance by Robert, bishop of Durham, reciting the following inspeximus and having accepted, after the passage of some years and on the representations of Roland Hardgill', priest, now dean of the collegiate church of Darlington, who has drawn his attention to: the dean's obligations of residence and hospitality in Darlington in the existing ordinance; and the distances of the prebends of Cockerton, Newton and Blackwell, to which, when it is his turn according to the said ordinance, he has to go to take the tithes of grain and hay, incurring great loss and inconvenience in carriage and the serious expenses which are likely to arise, to the delay and prejudice of his hospitality and personal residence;

that Roland has petitioned him to apply remedy, by the power reserved to the bishop for modifying the ordinance, for the more secure state of the dean and his altar prebend, and for the obviation of the inconveniences and the likely expenses arising; therefore, following deliberation with the prior and chapter of Durham, finding by initial inquiry that the things suggested by Roland are likely to occur; considering his petition to be reasonable, and that the prebendaries are often oppressed by the inconvenience and expense of moving from prebend to prebend triennium by triennium to take tithes; enacting, with consent of the prior and chapter:

that when the prebends of Darlington, Cockerton, Newton and Blackwell are vacant, together or severally, the successor to such a vacant prebend, and his successors, are thereafter to be excluded for all time from any right to demand a pension from the prebendary occupying the tithe revenues of Darlington; and that, after the dean has obtained the right to transfer from prebend to prebend by force of the bishop's first ordinance, thenceforward no successor of any of the four incumbent prebendaries is to be able to transfer to the prebend of Darlington to intrude upon the revenues, tithes of grain or hay, of whatsoever sort or prebend they may have been, or upon the two bovates of arable with meadow belonging of old to the prebend of Darlington and the prebendary thereof; the fruits of a bovat of land and the meadow being those which a prebendary giving up, resigning, exchanging, leaving, removed or deprived ought to have taken if he had occupied the prebend of this kind for longer, or another prebendary occupying it;

and the bishop, for the said reasons, to obviate the said inconveniences and expenses, and for the surer state of the dean and his successors assigns by the presents the tithes of a bovat of land and meadow of Darlington to the said dean, his altar prebend, and his successors; reserving to himself and his successors the power to amend this ordinance as often as shall seem fit; not wanting by this ordinance to take away from the prebendaries of Cockerton, Newton and Blackwell the faculty of transferring from prebend to prebend triennium by triennium unless previously excepted, nor to remove any of the burdens incumbent upon them.

Under the bishop's seal *ad causas*.

Date: (no place of issue) 5 January 1451/2

Inspeximus by John prior and the chapter of Durham [confirming the following ordinance].

Date: Durham, 16 November [1439].

[Ordinance of augmentation] by Robert, bishop of Durham [of Darlington collegiate church] "word for word as contained and registered in Register III of the monastery of Durham, folio 244 to 245"

[Date: (no place of issue) 8 November 1439].

The register of the time of dom Robert Emylton', chancellor, who entered the said office on 23 November 1447 (f.60r-119v)

f.78v  
(blank)

f.79r-80r [15 December 1446]

Extract of court record of plea John Midelton', squire, versus William, prior of Durham, before William Nevill', lord of Faucomberge, Thomas Nevill', Thomas Lomley, William Eure, knights, Robert Beaumont, clerk, Robert Danby, John Lounde, clerk, William Rakett, and Richard Weltden', justices of the bishop of Durham, along with John Portyngton' and Christopher Boynton', appointed to take all sworn assizes, certifications and attaints, hear and decide pleas of the crown and all other pleas in the county of Durham; Thursday after St Lucy the virgin 25 Henry VI;

recording that John Midelton', squire, in person, claimed the manor of Healey against William, prior of Durham, because Thomas Catour', chaplain, gave the manor to John de Strevelyn', knight, for life, on condition that it would remain to John de Midelton' and Christiana, his wife, and Christiana's bodily heirs; and after the death of John de Strevelyn', John de Midelton' and Christiana, and of John, Christiana's son and heir, ought to descend to the said John de Midelton', squire, son and heir of the said John, son of Christiana, and kinsman and heir of the same Christiana;

and said that John de Strevelyn' had been seised in the manor in his lordship as in a free tenement, at time of peace in the time of Richard II, late king of England, taking profits to the value of &c; and that, after the death of John de Strevelyn', John de Midelton' had been seised in the manor as in a free tenement, and Christiana had been seised therein as of fee, in time of peace in the time of the said king, taking profits to the value of &c; and the title had descended from Christiana to John, her son and heir, and from him to the said John, as son and heir, who was now asking &c and that after [his] death &c and bringing suit therefor;

the prior, in person, defended his title saying that the said Thomas had not given the manor to John de Strevelyn' for life, so that after John's death it should remain to John de Midelton' and Christiana, his wife, and Christiana's bodily heirs, in the form submitted by John Midelton', squire, by his writ and statement, and submitting himself to a jury thereon; John Midelton doing likewise;

the sheriff was asked to impanel a jury for Wednesday of the fifth week in Lent [29 March 1447]; the prior appointed Thomas Thornburgh' or William Underwode in his place, and John Midelton', squire, appointed Richard Rakett or John Weltden' in his place; and John Midelton' and the prior came in person on the appointed day before Thomas Nevyll', Thomas Lomley, William Eure, knights, Robert Danby, John Lounde, clerk, William Rakett, and Richard Weltden', the bishop's justices, along with William Nevill', lord of Faucomberge, John Portyngton', Robert Beaumont, clerk, and Christopher Boynton'; the jurors (Robert Claxton', Nicholas Blaykeston', John Hedworth', John Hadham, Thomas Lambton', John Kelynghall', Ralph Kyrkeby, Henry Ravensworth', John Scurtvile, Ralph Melott, William Marlay and Nicholas Croyser') said that Thomas Catour' had not given the manor to John de Strevelyn' on the terms stated, as the prior had alleged; asked what right the prior had in the said manor, and if there were any collusion between the prior and John Midelton' to fortify the right of the prior or his successors to the manor in contravention of the Statute of Mortmain, the jurors said that long before Thomas Catour' had any right in the manor, a certain Richard de Chilton' was seised of the manor as of fee, and under the name Richard de Chilton', lord of the manor of South Healey, granted the manor, described as South Healey, to the said John de Strevelyn', knight, his heirs and assigns in perpetuity, by his charter dated 15 January 1349/50;

and that the same John granted the manor, described as the manor of Healey, to the said Thomas Catour' and to John Lange, John de Langsett, Richard de Magham, Robert de Kemmer' [?], Hugh Wode, William Adamson', Alan Hunter', John de Moreton' and

Thomas Albert, to be held by them, their heirs and assigns, in perpetuity, by his charter dated at Belsay, Sunday before St Barnabas [6 June] 1361;  
 and that the said individuals re-enfeoffed John de Strevelyn', to be held by him, his heirs and assigns, in perpetuity; and that the said John de Strevelyn' enfeoffed John de Nevyle, knight, lord of Raby, in the same manor, to be held by him, his heirs and assigns in perpetuity; and that John de Nevyle granted the said manor, described as his manor of Healey near Muggleswick, with all lands, tenements, rents or services in the vill of Healey, to William de Langchestre, vicar of St Oswald's Durham, and William de Graystones, chaplain, to be held by them, their heirs and assigns, with all reversions, liberties and services pertaining thereto, in perpetuity, by his charter dated London, 1 June 1382, and produced here in court [1.6.Spec.29];  
 and that, after the death of William de Langchestre, William de Graystones became seised on his own in the manor by right as the survivor, and he and William de Counton', John de Appelby and Reginald Potter', chaplains, seized of various properties in the bishopric of Durham, granted properties including the manor of Healey, (by licence of John, then bishop of Durham, in his letters patent under his great seal, dated at Durham by the hand of his chancellor William Elmeden', 1 May, Pont. 7 [1388] and produced here in court [3.9.Pont.16a or 16b]) to Robert then prior and the convent of Durham, to be held by them and their successors in perpetuity, by their charter dated at Durham, 12 May 1388, produced here in court [1.6.Spec.41];  
 and that Robert, then prior of Durham, and his successors have been seised as of fee and by right of their church in the said manor, and were so now; such that John de Strevelyn' never had estate in the manor other than in fee simple, and that John de Midelton' and Christiana never had any estate in the manor at all; and that there was no fraud or collusion arranged beforehand between the prior and John Midelton', squire, on the said writ or plea contrary to the said Statute [of Mortmain]; and it was agreed that John Midelton', squire, take nothing by his said writ, but that he be in mercy for his false claim &c, and that the prior be dismissed *sine die* &c.  
 See also DCD 1.6.Spec.40.

f.80r 8 October 1446

Quitclaim by John Midelton', squire, in favour of William prior and the convent of Durham and their successors of all right which he might have in the manor and vill of Healey and White Hall, near Muggleswick, in perpetuity.

Witnesses: Thomas Nevyle, knight, Roger Thornton', Mr Robert Beaumont, chancellor in temporalities of the bishop of Durham, Mr John Lounde, warden of Kepier hospital, Robert Rodes, steward of Durham priory, and William Rakett, clerk of the rolls of the bishop of Durham.

Date: Durham, 8 October 1446.

Original: DCD 1.6.Spec.36.

f.80r-81v 8 March 1448

Exchange by indenture between William prior and the convent of Durham and Thomas Billyngham, squire.

Date: Durham, 8 March 1447/8.

Also on f.61v-63r above.

f.81v-83v [8 August 1448]

Extract of court record before Thomas Nevill', Thomas Fulthrop', knights, John Portyngton', Robert Danby, John Lounde, clerk, William Rakett, Richard Weltden', justices of the bishop of Durham, along with William Nevill', lord Faucomberge, Thomas Lomley, William Eure, knights, Robert Beaumont, clerk, and and Christopher Boynton', appointed to hold assizes in the county of Durham and hear and decide pleas of the crown and all other pleas; Thursday before Lawrence the martyr 26 Henry VI;

recording that the assize came to judge whether William Bowes, knight, unjustly disseised William, prior of Durham, of his free tenement in Winston, Hilton and Durham, after the first &c, wherefor the prior, through Thomas Thornburgh' his attorney, pleaded that he had disseised him of a messuage, 140 acres of land, twelve acres of meadow and 14s 4d of rent; William Bowes, through William Underwode his attorney, answered as tenant of the said messuage and of 90 acres of land and 10 acres of meadow, parts of the said tenement specified in the suit, and said that there ought to be no lawsuit between him and the prior; that John, lately prior of Durham, was seised of the said messuage, 90 acres of land and 10 acres of meadow in his lordship as of fee and right of his church of Durham and, thus seised, granted the same tenement to William Bowes, his heirs and assigns, for the term of the life of the said late prior, in exchange for 10 acres of land in Durham, lying next to the almoner's orchard (*le Almenerorcharde*), which William Bowes granted to the said former prior to be held by him and his successors for the term of the said former prior's life; that the said former prior was seised thereof as of a free tenement so long as he survived, and that he was ready to verify this;

and he asked whether there should be a lawsuit against him; and as for the remaining 50 acres of land and 2 acres of meadow, William Bowes said that he was ready to verify that the present prior had never been seised of 50 acres of land and 12 [!] acres of meadow such that he could have been disseised thereof, and that he had done no injury or disseisin to the prior, and submitted himself to the assize; and the prior did likewise; as for the said rent, William Bowes asked judgment concerning the writ of the assize because he said that the tenements from which the rent was supposed to come were the manor of Osmundcroft in Winston, and that there was no holder of the free tenement of the same manor nor a receiver of the said rent named in the writ, neither on the date on which the writ was sued out nor at any time since; and this was he ready to verify; the prior said that long before he sued out this writ there had been a discussion between the sometime prior and the said William Bowes concerning the exchange of the messuage, 90 acres of land and 10 acres of meadow for the 10 acres in Durham, to be made in due form by indenture, but that the exchange had never taken place; and that on 20 January [*recte* June: 2.11.Spec.5a], Pont. [Robert Neville] 11 [1448], when the prior sued out his writ of assize, William Bowes was the tenant of: the said manor in free tenement, holding the manor by fealty and a rent of 10s yearly to the prior and his successors; likewise two messuages and two strips of land in the town of Durham, held of the prior by fealty and a rent of 5½d; eight messuages in the town of Durham, as free tenements, held of the prior by fealty and a rent of 23d; two other messuages in the town of Durham as free tenements, held of the prior by fealty and rent of 4½d; three messuages in the town of Durham as free tenements, held of the prior by fealty and rent of 6d; two other messuages in Durham as a free tenement, held of the prior by fealty and rent of 7d; a garden in the town of Durham as free tenement, held of the prior by fealty and rent of 7d; all these rents to be paid in equal portions at the usual terms, and all being part of the said 14s 4d annual rent [the above rents actually add up to 14s 5d]; that William Bowes was then the deforcer of the said rents and that he, the prior, was seised as of

fee and right of his church of the said rents until the said William unjustly disseised him; and this he was ready to verify;

William Bowes said that this rent wholly issued from the said manor, and that, as to the prior's claims concerning the messuage, 90 acres of land and 10 acres of meadow, and concerning the remaining 4s 4d of rents, he was not bound to answer in law, and asked that the prior be barred from this claim against him; as to the 10s of rent William Bowes said that on the date of the sueing out of the writ of assize he was not the tenant of the said manor as a free tenement as the prior alleged;

and he and the prior submitted themselves to the assize; &c, with the court agreeing that the prior's action for the 90 acres of land, 10 acres of meadow and 4s 4d of rent be heard; William Bowes challenged the panel of the assize because he said it had been summoned by Thomas Thornburgh', minister of Geoffrey Middleton', sheriff of Durham, who was of the counsel of the prior and was his attorney in this plea; the challenge was found to be reasonable by Robert Claxton' and Nicholas Blaxton', tryers (*triatores*) elected and sworn in this regard, the panel was dismissed, and the sheriff made new summons of a jury, to be there on the Tuesday next after St Lucy [17 December];

and on this day, before Thomas Nevill', knight, John Portyngton', John Lounde, clerk, Robert Danby and Richard Weltden', justices of the bishop of Durham, along with William Nevill', lord Faucomberge, Thomas Lomley, William Eure, Thomas Fulthropp', knights, Robert Beaumont, clerk, William Rakett and Christopher Boynton', appeared the said prior in person; William Bowes did not come but a certain John Wyghall' answered for him as his bailiff; and the prior said that he and all his predecessors had been seised as of fee and by right of their church of the 140 acres of land, 12 acres of meadow and 14s 4d of rent until disseised thereof by William Bowes; and he claimed 20 marks damages for the unpaid revenues of the said properties and arrears of the rents, from the time of the disseisin, and 100s more for costs of prosecution, totalling £18 6s 8d; asked which of the prior's predecessors had been seised as of fee and by right of his church in the said messuage, land, meadow, and rent at the time of Henry III, king of England, and if there be any collusion between the prior and William Bowes in contravention of the Statute of Mortmain, the jurors said that Thomas Melsamby, once prior of Durham, was so seised of these properties at that time, and that there was no such collusion;

to the question as to whether the disseisin had been carried out by force of arms, the jurors said that it had not been so effected. Wherefore it was agreed that the prior recover seisin of the said properties and have the damages as assessed; and William Bowes was in mercy.

*Dampnum - £18 6s 8d unde C et M' - 26s 8d*

As DCD 2.11.Spec.5a.

f.83v 16 March 1450

Letters testimonial by William prior and the chapter of Durham recording that the office of the bailiary of Coldingham was granted by their predecessors to David Home, knight, in an indenture made at Durham on 16 September 1441 [see next entry below]; which office was later resigned by the said David, the said indenture being delivered to the then prior by a Scotsman (unnamed), on David's behalf, for cancellation at Durham; and which office was granted to Alexander Home [knight], David's cousin, in like wise, by an indenture made at Durham on 4 January 1442/3; bearing witness that for the year and almost seventeen weeks during which he [David] occupied the office, he was duly paid and *asseithede*, as they are informed by John Oll', former prior of Coldingham.

Date: Durham, 16 March 1449/50.

Language: Northern English

Original: DCD Misc.Ch.1282.

Printed: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.164-165.

f.83v-84r 14 March 1450

Notarial instrument recording that William Seton', monk of Durham and proctor of the prior and chapter thereof, showed a large book, called a register, to the notary and witnesses, and asked the notary to transcribe from this book a certain indenture, following, drawn up in English, as in Register III, f.273, counting from the beginning.

Witnesses: John Peth' and John Hexham, *literati* of York and Durham dioc..

Notary: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: registry of the prior and chapter of Durham, 14 March 1449/50.

Indenture between John late prior and the chapter of Durham and William, late prior of Coldingham, on the one part, and David Home of Wedderburn, knight, on the other part, &c not recited in full. Date: Durham, 16 September 1441.

Printed (omitting the notary's eschatocol): *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.163-164.

f.84r 18 July 1450

Presentation by William prior and the chapter of Durham asking John, cardinal priest (&c), archbishop of York, or his vicar-general in distant parts, to institute Mr Alexander Fayrclogh', in the church of Normanton on Soar, vacant by the death of William Storthwate, last rector thereof; saving a yearly pension of one mark due of old therefrom to the prior and chapter and their church of Durham.

Date: Durham, 18 July 1450.

f.84r-85v 24 June 1451

Inspeximus by William prior and the chapter of Durham having received and confirming, the following confirmation, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 24 June 1451.

Confirmation by letters patent by Robert, bishop of Durham, since it is supposed from certain letters patent in the name of Hugh [of Le Puiset], sometime bishop of Durham, that he thereby granted, without the consent of the prior and chapter of Durham, to his servant John Boteler' the manor of Tursdale, described as fourteen bovates of land, to be held by him and his heirs of the bishop and his successors by homage and fealty and service of paying 13s 4d yearly at the exchequer of Durham and doing common suit at the court of Durham from fortnight to fortnight;

and since William Elmeden, knight, was seised as of fee in the said manor after the death of the said John, and he granted the same manor amongst other things to William Bowes, knight, Christopher Conyers, squire, William Hoton' of Hunwick, now deceased, Thomas Peirson', and Robert Staynton', chaplain, to be held by them, their heirs and assigns, without having obtained licence therefor from the [present] bishop or of any of his predecessors;

and the same William, Christopher, William, Thomas and Robert, by their charter dated at Tursdale, 28 March, 28 Henry VI [1450] surrendered the said manor to the bishop, and they delivered the said letters patent in Bishop Hugh's name, and letters of ratification in the name of Philip, sometime bishop of Durham, and letters of confirmation drawn up in the name of Absalom, sometime prior of Durham, to the chancery of Durham for cancellation, because they are thought suspicious and newly-fabricated;

with advice of his justices, considering the long and continuous possession of the said John Boteler', William Elmeden' and the others, and because the said William (&c) have surrendered these documents to him, demising and handing over to William, son of the said William Elmeden', and to Margaret his wife, the said manor, by these bounds: beginning towards the north as far as a syke called *Bradmerbeke* or the southern corner of a close of the late Walter Rothebery (enclosed from Quarrington moor by Antony, sometime bishop of Durham,) then following the same syke as it runs from the marsh called *Bradmere*, then climbing to the east by the southern side of the said marsh, and climbing further to the east up to a hillock lying on the western side of the way leading to Middleham, and southwards from the hillock to the northern corner of the close called *Bysshopleys* or *Whiteleys*, thence descending to the south by an old dike on the west side of the close as far as the southern corner of the said close, then descending eastwards by an old dike on the south side of the close as far as a stream called *Wydopburne*, and descending following the course of this stream as far as an old dike on the west side of the field of *Snaypgeste*, and thus ascending to the south on the western side of the said field up to the end of an old dike on the western side of the site of the manor of *Snaypgeste*, and going down to the end of this dike for the distance of three selions in width to the east as far as a certain waste or boundary (*metam*) between the fields of Tursdale and *Snaypgeste*, then following the waste or boundary south to a certain stream called *Fennburne* and descending by this stream as it joins the stream which runs from Thinford, and descending by the latter to the cut of the watercourse running thence to Hett mill, and from this cut along the former course of the stream running from Thinford on the old bounds between the ground of Hett and the ground of Tursdale (for better recognition of which bounds two stones making a cross have been set up in the ground of Hett and two stones likewise in the ground of Tursdale), and thus

descending by the same stream as it runs below the manor of Tursdale as far as the bounds of Hett and Croxdale; providing that if that stream change course or burst into the ground of Tursdale, it shall be allowed to the prior of Durham and his successors to block any breaches in the banks of the stream;

to be held by William son of William, and Margaret and the bodily heirs of William son of William, of the bishop and his successors by service of a twelfth part of a knight's fee; rendering yearly, at the four usual terms, to the bishop and his successors at the exchequer of Durham 13s 4d by equal portions, and doing common suit at the shire court of Durham from fortnight to fortnight; saving to the prior of Durham and his successors a messuage, a toft, 24½ acres of arable and one acre of meadow there; and if William son of William should die without bodily heir the manor is to fall to Walter (*Gauther*), brother of William son of William, to be held on the same terms; and if Walter die without bodily heir the manor is to fall to the right heirs of the said William Elmeden', to be held by the said service in perpetuity;

saving the right of the bishop and of any other whomsoever; providing that if William son of William, Margaret, Walter, their heirs or those of William Elmeden' claim any ground beyond the stated bounds as part of the manor of Tursdale, or as belonging thereto, on any side, against the bishop or his successors, or against the prior or his successors, except a certain piece of meadow lying on the west of the said stream descending from Thinford and on the east, south and north it includes meadow belonging to the vill of Hett, then this grant and these letters are to be void.

By the hand of John Lounde, clerk, the bishop's chancellor.

Date: Durham, 1 May, Pont. 14. [1451]

f.85v 1 July 1451

Inspeximus by William prior and the chapter of Durham confirming the following confirmation, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 1 July 1451.

Confirmation by letters patent by Robert, bishop of Durham, to William, son and heir of William Elmeden', knight, of the manor of Pelaw, along with the patronage of the chapel or hospital of St Stephen there; which, amongst other things, the bishop has lately had by gift of William Bowes, knight, Christopher Conyers, squire, William Hoton' of Hunwick, Thomas Peirson' and Robert Staynton', chaplain; to be held by William son of William Elmeden' and his bodily heirs, of the bishop and his successors by service of the twelfth part of a knight's fee, rendering to the bishop and his successors yearly at the four usual terms, at the exchequer of Durham, 13s 4d by equal portions; and doing common suit at the shire court of Durham from fortnight to fortnight; saving to William Lambe, chaplain or keeper of the said chapel or hospital, and his successors, all the lands, tenements, rents, services and rights of the said chapel; and if William die without bodily heir the manor and patronage are to fall to his brother Walter (*Gauther*), to be held likewise; and if Walter die without bodily heir the manor and patronage are to fall to the right heirs of William Elmeden', to be held likewise in perpetuity; saving the right of the bishop and of any other whomsoever.

By the hand of John Lounde, clerk, the bishop's chancellor.

Date: Durham, 4 October, Pont. 13. [1450]

f.85v-86r 1 November 1451

Grant by William prior and the chapter of Durham to John Bynchestre, chaplain, for service rendered and to be rendered of a pension of 37s 8d yearly, to be taken from the hands of the bursar of Durham at the two usual terms by equal portions, for life; with the first term of payment beginning at Martinmas next to come; and if the pension be in arrears in part or in whole twenty days after any term date, the prior and chapter are bound to satisfy John with a doubling of his pension; and granting that John have a clerk or attendant serving him, who shall have his sustenance in the prior's lodging (*hospitium*) during John's life, and that John have the seven gallons of conventual beer each week at *le Tunnyng* in the priory brewhouse which he received before the making of the presents.

Date: Durham, 1 November 1451.

f.86r 1 November 1451

Grant by John Bynchestre, chaplain, to William prior and the convent of Durham of a messuage, a cottage, seven acres of land and half an acre of meadow, in Billingham, formerly belonging to Richard Billingham; two tofts, 30 and 4 acres of land and of meadow in Burdon and Barmpton, formerly belonging to Alice Bemesley and Margaret Wade, daughters and heiresses of Katherine Bemesley, daughter and heiress of Thomas de Burdon'; an acre of land in the barony of Elvet, formerly belonging to John Wytton'; two burgages in South Street in the Old Borough of Durham, formerly belonging to John Horseley and afterwards to John Partrike, chaplain; a burgage in Allergate in the Old Borough of Durham, formerly belonging to Margaret Bowman; all these to be held by the prior and convent and their successors of the chief lords of the fees by service used and wont therefor, in perpetuity.

Date: (no place of issue) 1 November 1451.

Original: DCD 2.9.Spec.6.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540", (York Univ. D.Phil. thesis 1985), p.17, 203, 611.

f.86r-v 24 August 1441

Grant by Richard Billyngham, son and heir of John Taillour' of Billingham, deceased, to John Bynchestre, chaplain, of a messuage and seven acres of land and meadow, and a cottage, which he has in the vill and territory of Billingham, to be held by John Bynchestre, his heirs and assigns, of the chief lords of the fee by service used and wont therefor, in perpetuity.

Witnesses: William Hoton' of Hardwick, steward of the prior of Durham, William Hoton' of Hunwick, Thomas Billyngham, squires, John Partrike, chaplain, and John Holme.

Date: Durham, 24 August 1441.

Original: DCD 2.9.Spec.3.

f.86v 24 August 1441

Letters of attorney by Richard Billyngham, son and heir of John Taillour' of Billingham, deceased, appointing Robert Lowry in his place to give seisin of a messuage, seven acres of land and meadow, and a cottage, in Billingham to John Bynchestre, chaplain, according to the form of his charter made thereon.

Date: Durham, 24 August 1441.

Original: DCD 2.9.Spec.4.

f.86v 24 August 1441

Letters of attorney by John Bynchestre, chaplain, appointing William Dycon' of Belasis by Billingham in his place to receive seisin from Richard Billyngham, son and heir of John Taillour' of Billingham, deceased, of a messuage, seven acres of land and meadow, and a cottage, in Billingham, according to the form of Richard's charter made thereon.

Date: Durham, 24 August 1441.

Original: DCD 2.9.Spec.5.

f.86v 20 June [1439]

Grant by Alice Bemesley and Margaret Wade, daughters and heiresses of Katherine Bemesley, daughter and heiress of Thomas de Burdon' and Agnes his wife, to John Bynchestre, chaplain, of all lands and tenements which they have in the villis and territories of Barmpton and Burdon, to be held by John, his heirs and assigns, of the chief lords of the fee by service used and wont therefor in perpetuity, with all liberties and easements howsoever pertaining to the said lands and tenements.

Witnesses: William Chaunceller', squire, lately constable of Durham; Richard Bukeley, clerk, master of Kepier hospital; William Hoton' of Hardwick, squire.

Date: Durham, 20 June, 17 Henry VI [1439].

Original: DCD 4.10.Spec.1.

f.86v-87r 21 June [1439]

Letters of attorney by Alice Bemesley and Margaret Wade, daughters and heiresses [of Katherine Bemesley, daughter and heiress] of Thomas de Burdon' and Agnes his wife, appointing Robert Wade, chaplain, in their place to give seisin of all their lands and tenements in the villis and territories of Barmpton and Burdon to John Bynchestre, chaplain, according to the form of their charter made thereon; giving him their power as if they were there in person.

Date: Durham, 21 June, 17 Henry VI.

Original: DCD 4.10.Spec.3.

f.87r 20 June [1439]

Letters of attorney by John Bynchestre, chaplain, appointing Thomas Forester' of Aycliffe in his place to receive seisin from Alice Bemesley and Margaret Wade, daughters and heiresses of Katherine Bemesley, daughter and heiress of Thomas Burdon' and Agnes his wife, of all their lands and tenements in the villis and territories of Barmpton and Burdon, as more fully contained in their charter made thereon; giving him power as if he were present there in person.

Date: Durham, 20 June, 17 Henry VI.

Original: DCD 4.10.Spec.4.

f.87r-v 16 May 1408

Grant by Alice Barry of Billyngham, widow, to John her son of seven acres of land and meadow, thus: half an acre in *le Westmedowe* between the meadow of the prior of Durham on either side; one rood of meadow in *Floterker'* between the meadow of the said prior; one rood of land in the north field on *le Kersyde* ; half an acre of land next to the road to Durham, called *le Heeld'* ; half an acre on the same road between the land of Thomas Robynson' to the south and land once belonging to William Hobson' and the land of William Billyngham to the north; half an acre on *Northmoreflatt* between the land of the said prior on either side; one rood of land in *Foulfar'* between the prior's land on either side; half an acre in *Florome* between land once belonging to William Hobson' to the south and the prior's land to the north; another half acre in *Florom'* between the prior's land on either side; a rood and a half of land next to the road to Belasis between the prior's land on either side; a half rood headland (*forera*) in *lez croftez* ; a rood in the same crofts between land once belonging to William Hobson' to the east and a *meer'* to the west; a rood in *Lambcotez* between land once belonging to William Hobson' on the east and the prior's land to the west; a half acre in the field of Belasis between land once belonging to William Hobson' to the south and the prior's land to the north; a rood abutting land once belonging to William Hobson', behind *Riell'*, between the prior's land to the north and William Tyde's land to the south; a rood in *Telemere* between land of William Hobson' to the south and the prior's land to the north; a headland (*forera*) at *Papilmerhede* ; a rood at *le Mylneflatt* between the prior to the west and William Billyngham to the east; a rood between *le Burneside* to the west and a *meer'* to the east; likewise of a free waste tenement and a certain garden on *le Newrawe*, dispersed (*divisim*) among the prior's land; to be held, the seven acres of land and meadow and the garden with all liberties and easements belonging thereto, with free ingress and egress within the vill and without, by John and his lawful bodily heirs in perpetuity of the chief lord of the fee by service used and wont therefor; rendering yearly therefor to the said lord, namely the prior of Durham, 12½d in fee farm and 1½d for the hay tithes, at the usual terms of the year; doing suit of court thrice in the year at the head court; and, if John die without lawful heir, the said properties are to revert to Alice's nearest heir. Witnesses: Thomas Robynson', Richard Walker', Richard Goldynge, John Gryce, William Thomson', all of Billingham.

Date: Billingham, 16 May 1408.

Original: DCD 2.9.Spec.2.

f.87v-88r [1 February] 1414

Exchange for a term by indenture by John prior and the convent of Durham and John de Whytton' of Durham the former granting: one acre of meadow on Mountjoy near Durham, between the meadow belonging to the communar of the prior and convent on the west and the meadow belonging to the hostiller of the prior and convent on the east; to be held by John Whytton', his heirs and assigns, from Pentecost next to come for the term of 100 years, in exchange for one acre of land lying among the lands of the prior and convent in the manor of Elvet hall; on condition that, if the prior and convent or their successors be ejected from the acre of land or part thereof by John, his heirs or assigns, anyone having any previously existing right to recover or enter the acre or any part thereof, or any wife of John having right to recover dower therefrom after John's death, the prior and convent are to be allowed to re-enter the acre of meadow, or part thereof, and hold it as originally, the present charter notwithstanding, so long as they make lawful defence thereof; the latter granting: the said acre of land to the prior and convent for 100 years from Pentecost next to come, in exchange for the said acre of meadow; on condition that, if John, his heirs and assigns be ejected from the acre of meadow or part thereof by the prior and convent or their successors or by anyone having any previously existing right to recover or enter the acre or any part thereof, then John Whitton', his heirs and assigns are to be allowed to re-enter the acre of meadow, or part thereof, and hold it as originally, the present charter notwithstanding, so long as they make lawful defence thereof.

Sealed alternately.

Date: Durham, St Bridget 1414.

Original: DCD 3.16.Spec.49\*.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.611.

f.88r 7 March [1421]

Grant by John Whitton' of Durham to John Bynchestre, chaplain, of one acre of land, which once belonged to John Sundrelande, and which the same John granted to Roger Sclater and Alice his wife; namely half of the whole land which John Sundrelande had in the territory of Old Elvet in Durham, lying between the road to Shincliffe bridge on one side and a certain lime-kiln on the other side; to be held by John Bynchestre, his heirs and assigns, of the chief lords of that fee by service used and wont therefor, in perpetuity. Witnesses: John Aspour, Thomas Aspour, John Aslakeby younger, Thomas Tange, William Bedforde.

Date: (no place of issue) 7 March, 8 Henry V.

Original: DCD 3.16.Spec.50.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.611.

f.88r 10 March [1421]

Quitclaim by John Whytton' of Durham, for himself and his heirs in perpetuity, in favour of John Bynchestre, chaplain, his heirs and assigns, of all right which he might have in an acre of land which once belonged to John Sunderlande, as in the preceding entry.

Date: (no place of issue) 10 March, 8 Henry VI [*recte* V, see original: 1421].

Original: DCD 3.16.Spec.52.

f.88r-v 1 February 1432

Quitclaim by Ellen, widow of Walter Mayson' of Durham, sometime wife of John Whitton' of Durham, in favour of John Bynchestre of Durham, chaplain, of all right which she might have in the lands which John Bynchestre had by gift of the said John Whitton', her late husband, in Old [now New] Elvet.

Witnesses: Mr William Doncastre, official of the bishop of Durham, William Bedforde, Thomas Taeng, Robert Berehalgh', William Maynesforde.

Date: Durham, 1 February 1431/2.

Original: DCD 3.16.Spec.51.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.611.

f.88v 25 June [1439]

Quitclaim by Robert Wadee, chaplain, son and heir of Margaret Wade, for himself and his heirs in perpetuity, in favour of John Bynchestre, chaplain, his heirs and assigns, since Alice Bemeseley and the said Margaret Wade, daughters and heiresses of Katherine Bemeseley, daughter and heiress of Thomas de Burdon' and Agnes his wife, granted to John Bynchestre, chaplain, all their lands and tenements in the villis and territories of Barmpton and Burdon, to be held by John, his heirs and assigns, of all right which he, Robert Wadee, might have in the said lands and tenements.

Witnesses: William Rakett, Thomas Thornburgh', Richard Rakett.

Date: Durham, 25 June, 17 Henry VI.

Original: DCD 4.10.Spec.2.

f.88v 28 February 1437

Grant by John Partrike, chaplain, to John Bynchestre and Robert Heryngton', chaplains, of a messuage in South Street, Durham, between a burgage of the prior of Durham to the north, and a burgage of John Dawetry to the south; to be held by John and Robert, their heirs and assigns, of the chief lords of that fee by service used and wont therefor, in perpetuity.

Witnesses: William Rakett, Thomas Cokkyn', John Pollard', John Glover, John Bicheburne.

Date: Durham, 28 February 1436/7.

Original: DCD Misc. Ch. 1926.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.203.

f.89r 28 February 1437

Letters of attorney by John Partrike, chaplain, appointing John Pollarde in his place to deliver seisin of a messuage in South Street, Durham, to John Bynchestre and Robert Heryngton', chaplains, according to the form of his charter made to them thereon.

Date: Durham, 28 February 1436/7.

Original: DCD Misc. Ch. 1927.

f.89r [27 April] 1375

Grant by Geoffrey de Kellowe of Great Burdon to Alan Barker' of Durham, of a tenement in South Street, Durham, situated between a tenement of Richard de Stafforde to the south on one side, and a tenement of John de Bowys on the other side; to be held by Alan, his heirs and assigns, of the chief lords of that fee by service used and wont therefor, in perpetuity.

Witnesses: Richard de Stafforde, John de Bowys, William de Chilton', William de Harehelm, Lawrence Jakys.

Date: Durham, Friday after Easter 1375.

Original: DCD 4.15.Spec.45.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.89r [6 January] 1377

Grant by Agnes Barker', widow of Alan Barker' of Durham, to Alexander de Stanehopp' of Durham of a burgage in the Old Borough of Durham, lying in South Street between a burgage of Richard de Stafforde on one side and a burgage of William de Shurveton' on the other; to be held by Alexander, his heirs and assigns, in perpetuity, of the chief lords of that fee by service used and wont.

Witnesses: Richard de Stafforde, Thomas de Appelby, William de Shurveton', John Leg, William de Chilton', William de Harehelm'.

Date: Durham, Tuesday, Epiphany [6 January] 1376/7.

Original: DCD 4.15.Spec.40.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.89r-v 20 May 1427

Grant by Agnes, widow of John Garnett of Durham, to William Marche' of Kirk Merrington, his heirs and assigns, of a burgage in South Street in the Old Borough of Durham, lying between a burgage of the sacrist of Durham on one side and a burgage of John Kynnynghall' on the other side; to be held by William, his heirs and assigns, of the chief lords of that fee by service used and wont therefor, in perpetuity.

Witnesses: William Pome, chaplain, John Dawtry, John Glover', Thomas Wheldale, John Bycheburne.

Date: Old Borough of Durham, 20 May 1427.

Original: DCD 4.15.Spec.46.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.89v 21 May 1427

Quitclaim by Agnes, widow of John Garnett in Durham, for herself and her heirs in perpetuity, in favour of William Marche of Kirk Merrington, his heirs and assigns, of all right which she might have in a burgage in South Street, as in the preceding entry.

Witnesses: William Pome, chaplain, John Dawtry, John Glover', Thomas Wheldale, John Bicheburne.

Date: Old Borough of Durham, 21 May 1427.

Original: DCD 4.15.Spec.43.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.89v 29 April 1433

Grant by William Marche' of Kirk Merrington, husbandman, to John Bynchestre and John Partrike of Durham, chaplains, of a burgage in South Street in the Old Borough of Durham, between a burgage of the sacrist of Durham to the north and a burgage of John Killynghall' to the south; to be held by John and John, their heirs and assigns, of the chief lords of that fee by service therefor used and wont, in perpetuity.

Witnesses: Thomas Gisseburne, chaplain, John Glover', John Bell', Thomas Hunton', John Henrison'.

Date: Old Borough of Durham, 29 April 1433.

Original: DCD 4.15.Spec.42.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.89v 1 May 1433

Quitclaim by William Marche' of Kirk Merrington, husbandman, for himself and his heirs, in perpetuity, in favour of John Bynchestre and John Partrike of Durham, chaplains, of all right which he might have in a burgage in South Street, as in the preceding entry, which he had by gift and enfeoffment of Agnes Garnett, daughter and heiress of Alexander Stanehope.

Witnesses: Thomas Gissburne, chaplain, John Glover', John Bell', Thomas Hunton', John Henrison'.

Date: Old Borough of Durham, 1 May 1433.

Original: DCD 4.15.Spec.44.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.172.

f.90r 29 April 1433

Letters of attorney by William Marche of Kirk Merrington, appointing William Bawtre, clerk, in his place to deliver seisin of his burgage in South Street, as in the preceding two entries, in the Old Borough of Durham, to John Bynchestre and John Partrike of Durham, chaplains, according to the form of his charter made to them thereon.

Date: Old Borough of Durham, 29 April 1433.

Original: DCD 4.15.Spec.47.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.171.

f.90r 1 November 1451

Grant by John Bynchestre and John Partrike, chaplains, to William prior and the convent of Durham of a burgage in South Street in the Old Borough of Durham, which once belonged to Agnes Garnett and later to William Marche'; and two burgages in Crossgate in the Old Borough of Durham, which once belonged to William Rakett; to be held by the prior and convent and their successors in perpetuity.

Date: (no place of issue) 1 November 1451.

Original: DCD 4.15.Spec.48.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.172.

f.90r 1 July 1440

Grant by William Rakett of Durham to John Bynchestre and John Partrike, chaplains, of two burgages in Crossgate in the Old Borough of Durham, between the burgage of the chaplain of St Mary's chantry in St Margaret's chapel to the east, and the burgage belonging to the guild of Corpus Christi to the west; to be held by John and John, their heirs and assigns, of the chief lord of that fee by service therefor used and wont, in perpetuity.

Date: (no place of issue) 1 July 1440.

Original: DCD Misc. Ch. 1979.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.87.

f.90r 4 July 1440

Letters of attorney by William Rakett, appointing John Coken' in his place to deliver seisin of two burgages lying together in Crossgate in the Old Borough of Durham, to John Bynchestre and John Partrike, chaplains, according to the form of his charter made to them thereon.

Date: (no place of issue) 4 July 1440.

Original: DCD Misc. Ch. 1973.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.87.

f.90r-v 1 November 1451

Grant by John Bynchestre and John Hagerston', chaplains, to William prior and the convent of Durham of a burgage in Crossgate in the Old Borough of Durham, which once belonged to Thomas Coken'; to be held by the prior and convent and their successors of the chief lord of that fee by service therefor used and wont, in perpetuity.

Date: (no place of issue) 1 November 1451.

Original: DCD 1.16.Spec.37.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.66.

f.90v 1 November 1451

Grant by John Partrike, chaplain, to William prior and the convent of Durham of a toft and thirty-seven acres of land and two acres of meadow in East [Kirk] Merrington, which formerly belonged to John Jakeson' and later John Bynchestre, chaplain; to be held by the prior and convent and their successors of the chief lord of that fee by service used and wont therefor, in perpetuity.

Date: (no place of issue) 1 November 1451.

Original: DCD 2.13.Spec.51.

f.90v 30 April 1442

Quitclaim by Thomas Thorneburgh' of Elvet, for himself, his heirs and assigns, in perpetuity, in favour of John Partrike, chaplain, of all right which he might have in a messuage and thirty-seven acres of arable land and two acres of meadow in East [Kirk] Merrington, which he and the said John Partrike recently had by the gift of John Bynchestre, chaplain.

Date: (no place of issue) 30 April 1442.

Original: DCD 2.13.Spec.50.

f.90v 4 April 1442

Grant by John Bynchestre, chaplain, to John Partrike, chaplain, and Thomas Thorneburgh' of Elvet of a messuage and thirty-seven acres of arable land and two acres of meadow in East [Kirk] Merrington according to the old boundaries, and all his other lands and tenements in the same vill; to be held by John and Thomas, their heirs and assigns, of the chief lord of that fee by service therefor used and wont, in perpetuity.

Date: East Merrington, 4 April 1442.

Original: DCD 2.13.Spec.48.

f.90v-91r 7 April 1442

Letters of attorney by John Bynchestre, chaplain, appointing Thomas Roose, vicar of Merrington, in his place to deliver seisin of a messuage and thirty-seven acres of arable land and two acres of meadow in East [Kirk] Merrington to John Partrike, chaplain, and Thomas Thorneburgh' of Elvet according to the form of his charter made to them thereon.

Date: Durham, 7 April 1442.

Original: DCD 2.13.Spec.49.

f.91r 4 November 1451

Letters of attorney by John Partrike, chaplain, appointing Thomas Bernarde of Durham in his place to deliver seisin of a toft and thirty-seven acres of land and two acres of meadow in East [Kirk] Merrington to William prior and the convent of Durham according to the form of his charter made to them thereon.

Date: Durham, 4 November 1451.

Original: DCD 2.13.Spec.52.

f.91r 28 March 1437

Grant by John Jakeson', son and heir of Ellen, daughter and heiress of Agnes, one of the daughters and heiresses of Agnes, late wife of Thomas Cook (*cocus*), to John Bynchestre, chaplain, of a messuage and thirty-seven acres of arable land and two acres of meadow in East [Kirk] Merrington, according to the old boundaries, and all his other lands and tenements in the same vill; to be held by John Bynchestre, his heirs and assigns, of the chief lord of that fee by service used and wont therefor, in perpetuity.

Date: East Merrington, 28 March 1437.

Original: DCD 2.13.Spec.47.

f.91r [5 October] 1337

Grant by William, son and heir of Agnes, late wife of Thomas Cook (*cocus*) of Merrington, to Christiana, his sister, of his whole messuage and all his land and meadow in the vill and field of Merrington, which he had by right of inheritance after the death of Agnes, his said mother; to be held by Christiana, her heirs and assigns, with all its liberties, easements and profits, in perpetuity; rendering yearly therefor service used and wont to the chief lords of that fee.

Witnesses: Peter de Fery, clerk; John, son of Alan de Meryngton'; John, son of Robert de Meryngton'; Richard de Heyhyngton'; his son Robert; William, son of Peter de Fery; William de Heyhyngton'.

Date: Merrington, Sunday after Michaelmas, 1337.

Original: DCD 3.13.Spec.10a.

f.91r-v 1 November 1451

Grant by John Hagerston', chaplain, to William prior and the convent of Durham of a toft and five acres of land in Mid Merrington [Middlestone], and nine acres of land in West Merrington [Westerton], which lately belonged to John de Fery; to be held by the prior and convent and their successors of the chief lord of that fee by service used and wont therefor, in perpetuity.

Date: (no place of issue) 1 November 1451.

Original: DCD 3.13.Spec.16.

f.91v 31 March 1450

Grant by John Fery' to John Hagerston', chaplain, of all his lands and tenements in the villis of Middle Merrington and West Merrington [Middlestone and Westerton], to be held by John Hagerston', his heirs and assigns, of the chief lords of those fees by service used and wont therefor, in perpetuity.

Date: (no place of issue) 31 March 1450.

Original: DCD 3.13.Spec.14.

f.91v 4 November 1451

Letters of attorney by John Hagerston' appointing Thomas Bernarde of Durham in his place to deliver seisin of a toft and five acres of land &c, as in the grant above, f.91r-v, to William prior and the convent of Durham according to the form of his charter made to them thereon.

Date: Durham, 4 November 1451.

Original: DCD 3.13.Spec.17.

f.91v 4 November 1451

Letters of attorney by William, prior of Durham, appointing John Coken' of Durham in his place to receive seizin of a toft and five acres of land, &c, as in the grant above, f.91r-v, according to the form of a charter made to them thereon by John Hagerston, chaplain; and to receive seizin of a toft, thirty-seven acres of land, &c, as in the grant above, f.90v, according to the form of a charter made to them thereon by John Partrike, chaplain; and to receive seizin of a messuage, &c, as in the following entry, folios 91v-92r, according to the form of a charter made to them thereon by William Lawson' and Richard Palmer', chaplains.

Date: Durham, 4 November 1451.

Original: DCD 3.13.Spec.18.

f.91v-92r 1 November 1451

Grant by William Lawson' and Richard Palman', chaplains, to William prior and the convent of Durham of a messuage, sixty acres of land and five acres, three roods of meadow in East Rainton, sometime belonging to John Gilforth'; to be held by the prior and convent and their successors in perpetuity.

Date: (no place of issue) 1 November 1451.

Was DCD 2.7.Spec.38.

f.92r 4 November 1451

Letters of attorney by William Lawson' and Richard Palmer', chaplains, appointing Thomas Bernarde of Durham in their place to deliver seisin of a messuage, &c, as in the preceding entry, to William prior and the convent of Durham according to the form of their charter made to them thereon.

Date: (no place of issue) 4 November 1451.

Original: DCD 2.7.Spec.39.

f.92r 12 May [1444]

Inspeximus by letters patent by Robert, bishop of Durham, exemplifying, from the rolls of his chancery, the following enrolled grant.

By the hand of Robert Beaumont, clerk, the bishop's chancellor.

Date: Durham, 12 May, Pont. 7.

Grant by William Lawson' and Richard Palmer, chaplains, to John Gyldford and Isabel his wife of their whole manor in Gateshead, together with all the lands, tenements, closes and meadows which they have by gift and enfeoffment of the said John in the field of Gateshead; to be held by John and Isabel and their bodily heirs, of the chief lords of that fee by service used and wont therefor, in perpetuity; and also all the lands and tenements which they have in East Rainton by gift and enfeoffment of the said John; to be held, &c, as above; and if John and Isabel die without bodily heirs, the lands and tenements in East Rainton are to fall to John, prior of Durham, and his successors, to be held, &c, as above, in perpetuity.

Date: Gateshead, 28 August, 20 Henry VI. [1442]

Was DCD 2.7.Spec.27.

f.92v [ ? March 1452]

Oath of fealty by Richard, duke of York, to Henry VI, king [of England], swearing by the gospels, the cross and the sacrament of the Lord's body, neither to attempt anything nor consent to anything to be attempted against the king, but inform the king as soon as he should know of anything so to be attempted and do everything possible to obstruct it; to come to the king at his command, barring reasonable cause; not to assemble the king's people without his licence; and not to attempt anything by *wey of fete* against the king's subjects, but to proceed according to law if he should feel himself wronged; and willing that he be taken as untrue, forsworn and not competent to such worship, estate and degree as he now has or might have, if he attempt anything against the king or this obeisance.

Subscribed as well as sealed by the duke.

"The same [being] the oath of Thomas, earl of Devon, *mutatis mutandis* and of the lord Cobham".

*Language:* English

f.93r [25 June 1447]

Grant by William prior and the convent of Durham since a messuage and a carrucate of land in Drewton [E.R.Yorks.] are held of them by fealty and service of rendering 26s 8d yearly to them and their successors, and this rent has been unpaid and in arrears for thirty years and more to William Moston', for life, of the said annual rent of 26s 8d, to be taken from the said lands and tenements; saving to themselves and their successors their right to ask and raise the arrears when William should happen to die.

Date: (no place of issue) the morrow of John the Baptist, 25 Henry VI.

f.93r 7 June 1452

Proxy by William prior and the chapter of Durham appointing Mr John Marchall', residentiary of York minster, Mr Richard Wettwange, advocate of the court of York, Mr John Gatesheued', monk of Durham, and Mr William Bisspham, proctor of the court of York, as their proctors to attend and act for them at the convocation of the clergy of the province of York, to be held in presence of John, archbishop of York (&c), or his lieutenants or commissaries deputed thereto, in York minster on 12 June, with continuation of days and places.

Date: Durham, 7 June 1452.

(bracketed together with)

f.93r [1452]

Memorandum that the abovewritten proxy [the preceding entry] was accepted at the convocation in York Minster, 12 June 1452, although previously there used to be issued two proxies, namely one for the prior alone and under his seal, and the other for the chapter, under the common seal; and therefore the above form of proxy is to be used from now on in such business.

f.93v 1 October 1452

Proxy by William prior and the chapter of Durham, having the churches of Fishlake, Bossall, Ruddington and Giggleswick, York dioc., appropriated to their own use, appointing Mr John Marchall', residentiary of York minster, Richard Wettwange, advocate of the court of York, John Gatesheued', monk of Durham, and William Bisspham, proctor of the court of York, as their proctors to attend and act for them and their said churches before William, archbishop of York, his vicar-general in spiritualities, his commissaries, one or more, or any judge competent in that regard, in whatsoever synods to be held at whatsoever dates and places, by whatsoever authority, giving them full and free power and special and general mandate therefor, responsibilities summarized.

Date: Durham, 1 October 1452.

f.93v 12 March 1453

Letters by William prior and the chapter of Durham for John Colynson' as their mortuary-roll bearer; to be valid for two years.

Date: Durham, 12 March 1452/3

f.94r 11 April 1453

Memorandum that in presence of the prior of Durham, John Gatesheued, terrar, John Pencher', bursar, William Seton', chancellor, William Jarvaux, steward of the prior's household, [monks of Durham], John Hexham, N.P. by apostolic authority, Richard Claxton', William Aspour', gentlemen, Thomas Claxton', squire, sealed two similar indented charters, of the tenor as written below, and handed them to the prior of Durham, to remain with him and the monastery of Durham in perpetuity; and the prior then handed to Thomas Claxton' two similar charters of the same tenor, under the common seal of the prior and chapter of Durham; and the aforementioned Richard Claxton, son and heir of Thomas, gave his consent, for himself and his heirs in perpetuity, to the things contained in the charters, which had been publicly read out and announced in the mother tongue, as his father's deed and sealing;

in the chamber of the prior of Durham, c. 9 a.m., 11 April 1453.

f.94r 10 April 1453

Grant by indenture by Thomas Claxton, squire, for himself, his heirs and assigns, to William prior {and the convent} of Durham since he holds for himself, his heirs and assigns, four messuages and two bovates of land in Castle Eden, rendering therefor yearly 26s to the prior and convent at the usual terms of the year, that if the said rent be in arrears in part or in whole for forty days after a term date, then the prior and convent and their successors are to be allowed to distrain in his lands in the vill and territory of Castle Eden and in the vill of Knitsley, and remove and retain things distrained until satisfied of the arrears.

Sealed alternately.

Date: Durham, 10 April 1453.

f.94r 1 February 1454

Presentation by William prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute {William Rollande}, chaplain, in the church of Biscathorpe, vacant, as is said, by the death of Thomas Frye, last rector thereof.

Date: Durham, 1 February 1453/4.

f.94r-v 12 May 1453

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr Edmund Mynskyp', rector of Mottisfont, Winchester dioc., in the church of All Saints Pavement York, to effect an exchange of benefices with William Nessyngwike, rector of All Saints Pavement.

Date: Durham, 12 May 1453.

f.94v 20 August 1453

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Mr John Burne, chaplain, B.Dec., in the vicarage of Norham vacant by the resignation of John Gisseburne, last vicar thereof.

Date: Durham, 20 August 1453.

f.94v 28 September 1453

Presentation by William prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Mr Thomas Portyngton', M.A. and acolyte, in the church of Blyborough, vacant, as is said, by the death of John Bewmarys, chaplain, last rector thereof.

Date: Durham, 28 September 1453.

f.95r 13 October 1453

Presentation by William prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Richard Graver', dean of the collegiate church of Chester le Street, in the church of Kirkby on Bain to effect an exchange of benefices with Mr William Newton, LL.B., rector of Kirkby on Bain.

Date: Durham, 13 October 1453.

f.95r 21 November 1453

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute William Perkykson', chaplain, in the vicarage of the prebend of Skipwith, vacant, as is said, by the death of William Swaynby, last vicar thereof.

Date: Durham, 21 November 1453.

*Related material in other DUL collections:* Related letter: DCD Loc.XXV:71.

f.95r 15 October [1451]

Licence by letters patent by Robert, bishop of Durham, for himself and his successors, to William prior and the convent of Durham for a certain fine paid to him in his chamber that they and their successors be able to acquire and hold in perpetuity lands, tenements and rents, not held of the bishop, to the value of £20, to help in the repair of his church, the Statute of Mortmain notwithstanding; so long as it appear, by inquisitions held in due form thereon and returned to the chancery of the bishop and his successors, that it be done without damage or prejudice of the bishop, his successors, or others whomsoever; saving services used and wont to the chief lords of the fees.

By the hand of John Lounde, clerk, his chancellor.

Date: Durham, 15 October, Pont. 14.

"By writ of privy seal Rakett"

Original: DCD 1.10.Pont.3. Copied, with two following entries: DCD 1.11.Pont.14.

f.95v 22 October [1451]

Writ of *ad quod dampnum* by Robert, bishop of Durham, to his escheator of Durham ordering him to hold an inquisition as to whether or not it be to his or anyone else's damage or prejudice if he grant to John Bynchestre, chaplain, John Partrike, chaplain, John Hagerston', chaplain, William Lawson', and Richard Palmer', chaplain, that they be able to give two messuages, one cottage, four tofts, seven burgages, 153 acres of land and eight acres & one rood of meadow in Billingham, Burdon, Barmpton, East Rainton, East [Kirk] Merrington, Mid Merrington [Middlestone], West Merrington [Westerton], the barony of Elvet, and the Old Borough of Durham, to William Ebchestre prior and the convent of Durham, to be held by them and their successors to assist in the repair of his church of Durham in perpetuity, in part satisfaction of £20 of lands, tenements and annual rents, the acquisition of which the bishop has granted to them; and, if it be to the bishop's or others' damage or prejudice, to enquire as to:

what and whose damage or prejudice;

how and of whom the said properties be held, and by what service;

how much they be worth *per annum* ;

who and how many are the mesne tenants of these properties between the bishop and the said John, John, John, William and Richard;

what lands and tenements remain to these five men beyond this gift and where, of whom and how they be held, how much they be worth per annum, and whether they suffice for the customs and services due from the properties so given as well as from the properties retained, and for other burdens which they have been accustomed to bear, as in suits, views of frankpledge, aids, tallages, watch and ward (*vigiliis*), fines, reliefs (*redemptionibus*), amercements, contributions and whatsoever other burdens;

and that the heirs of these five be able to do jury service as the ancestors of these five were accustomed to do prior to the said gift;

on condition that through this gift, in the absence of heirs of the said five, the *patria* be not unduly burdened or oppressed. and requiring a return of the inquisition. B

y the hand of John Lounde, clerk, his chancellor.

Date: Durham, 22 October, Pont. 14.

"Rakett"

Copied, with preceding and following entries: DCD 1.11.Pont.14.

f.95v-92\*v 24 October [1451]

Return of inquisition taken, by virtue of the writ of the bishop of Durham [the preceding entry] and on the articles contained therein, before Geoffrey Midelton', squire, the bishop's escheator of the county of Durham, the jurors saying:

that it is not to the damage or prejudice of the bishop or any others that the bishop should grant that John Bynchestre, chaplain, John Partrike, chaplain, John Hagerston', chaplain, William Lawson', and Richard Palmer', chaplain, be able to grant certain properties, as in the preceding entry, to William Ebchestre prior and the convent of Durham for the repair of the church of Durham;

that a messuage, a cottage, seven acres of land and half an acre of meadow in Billingham, once Richard Billyngham's, are held of the prior of Durham by military service, suit at his free court in Durham thrice in the year, service of rendering 20½d yearly at the prior's exchequer and of carrying the food of the prior and terrar and doing work on the manor of Belasis, and are worth 16s yearly over and above the said service;

that two tofts, thirty and four acres of land and meadow in Burdon and Barmpton, once belonging to Alice Bemesley and Margaret Wade, daughters and heiresses of Katherine Bemesley, daughter and heiress of Thomas de Burdon', are held of the prior of Durham by military service, of suit of court (as above) and service of rendering yearly 7½d to the prior, and are worth 16s yearly over and above the said service;

that a messuage, sixty acres of land and five acres and three roods of meadow in East Rainton, once belonging to John Gilforth', are held of the prior by military service and suit at his free court in Durham from fortnight to fortnight, they give *metrid'* and merchet, grinding at the mill, with multure of every 13th measure, and rendering 11s 8d a year to the prior and are worth 20s yearly over and above the said service;

that a toft, thirty-seven acres of land and two acres of meadow in East Merrington, once belonging to John Jakson', are held of the prior by military service, suit at his court in Durham thrice in the year, and service of rendering 13s 4d yearly to the prior, and are worth 6s 8d over and above the said service;

that a toft and five acres of land in Mid Merrington and nine acres of land in West Merrington, once belonging to John de Fery, are held of the prior by military service and suit at his free court in Durham from fortnight to fortnight, grinding at the mill, with multure of every 13th measure, giving merchet and aid, and rendering 8s to the prior each year, and are worth 4s yearly over and above the said service;

that one acre of land in the barony of Elvet, once belonging to John Wytton', is held of the prior by service of suit at his courts in the barony thrice in the year, and is worth 5s yearly over and above the said service;

that a burgage in Crossgate in the Old Borough of Durham, once belonging to Thomas Coken, is held of the prior in burgage by service of suit at his court in the said borough thrice in the year, and of rendering yearly 3d for landmale, and is worth 3s yearly over and above the said service;

that two burgages in Crossgate in the Old Borough of Durham, once belonging to William Rakett, are held of the prior in burgage by service of suit at his court there thrice in the year, and of rendering yearly 7d for landmale and 20d to the office of communar of Durham, and are worth 2s yearly over and above the said service;

that two burgages in South Street in the Old Borough of Durham, once belonging to John Horseley, are held of the prior in burgage by service of rendering 4d for le landmale and of suit at his courts there thrice in the year, and are worth 10s yearly over and above the said service;

that one burgage in South Street in the Old Borough of Durham, once belonging to Agnes Farnett, is held of the prior in burgage by service of suit at his court there thrice in the year and is worth 12d yearly over and above the said service;

that a burgage in Allergate in the Old Borough of Durham, once belonging to Margaret Bowman', is held of the prior by rendering 3d yearly for *le landmale* and doing suit at his court there thrice in the year, and is worth 5s over and above the said service;

that there is no mesne lord between the bishop and the said John, John, John, William and Richard in these properties other than the said prior;

that no lands or tenements of the said five men remain which suffice for doing the customs and services due from the aforesaid properties so given, that the said five men were not accustomed to do jury service for these properties before the gift thereof, and that the *patria* should thus not be unduly burdened through this gift in the absence of heirs of the said five men.

Jurors: William Cowhirde, Thomas Rycrofte, Thomas Marshall', Thomas Forester' of Aycliffe, Robert Bermeton', Robert Belassys, Richard More, Thomas Knott, Thomas Wyndelston', Richard Steir', Thomas Bates, and John Thorpp'.

Held: Durham, Monday 24 October, Pont. 14 [1451, in which year 24 October was a Sunday].

Copied, with two preceding entries: DCD 1.11.Pont.14.

f.92\*v-93\*r 18 May 1454

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Mr Adam Marlande, B.Dec., in the church of Dinsdale, vacant by the resignation of Thomas Duffeld', last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and the office of sacrist of Durham.

Date: Durham, 18 May 1454.

f.93\*r 1 June 1454

Grant by John Power', son and heir of John Power' of Aycliffe, deceased, to John Hagerston and John Wermouth', chaplains, of all his lands, tenements and rents in the vill and territory of Aycliffe, which descended heritably to him after the death of his said father; to be held by John and John, their heirs and assigns, of the chief lord of that fee by service used and wont therefor, in perpetuity.

Date: Aycliffe, 1 June 1454.

Original: DCD 4.11.Spec.25.

f.93\*r 4 June 1454

Letters of attorney by John Power', son and heir of John Power' late of Aycliffe, appointing Thomas Forster' of Aycliffe to deliver seisin of his lands, tenements and rents in the vill and territory of Aycliffe to John Hagerston' and John Wermouth', chaplains, or their undoubted attorney, according to the form of his charter [the preceding entry] made to them thereon.

Date: Aycliffe, 4 June 1454.

Original: DCD 4.11.Spec.26.

f.93\*r [n.d.]

[Memorandum] recalling that Robert de Mowbray was earl of Northumberland [1081?-1095] (the earldom being his and his successors' right and heritage) and Ranulf was bishop of Durham [1099-1128] at the time of William the Conqueror, that the water [of Tyne] was the boundary between the bishopric and the earldom, with the southern half of the water having remained with the bishop and his predecessors and the northern half having remained with the earl and his successors; although the southern third of the water was always severalty of the bishop and his predecessors, the northern third was always severalty of the earl and his successors, and the middle third was free and common to all ships and boats coming there for the profit and convenience of the said proprietors in the bishopric and the earldom; \* that an agreement was made at the time of Henry I, son of William, concerning the fishings in the Tyne, according to which the elders of the *Haliwerfolke* and of Northumberland swore, at the time of Bishop Ranulf, in the presence of Walter Speke [*Espec*] and Eustace son of John, justices, [in 1128 ?], that from *Staneburnemouth'* as far as Tynemouth, namely as far as the sea, half of the Tyne belonged to St Cuthbert and the bishopric and half to the earldom of Northumberland, although in midstream a third of either part should be common and free; the river ought to be measured at *maynfloode*, when it flows as full, *bancke* and *bancke* ; and all the fishings have names and places &c.

\* The rest of the text quotes from the record, but substituting "concordia" for "hec recordatio", *Registrum Palatinum Dunelmense* vol. III, ed T.D. Hardy (Rolls Series 62, 1875), p.39-40.

f.93\*v 5 November 1454

Memorandum that a proxy-general was issued for Richard Bell', S.T.B., and William Seton', S.T.B., monks of Durham, Mr William Langton' and Mr Richard Wetwange, advocates of the court of York, and Mr William Bysspham, proctor-general of the court of York, creating them proctors-general of the prior and convent of Durham, in the same form as a like proxy made to John Fysshburne and William Dalton', monks of Durham, and Mr William Doncastre, Mr William Dryffelde, Mr Thomas Tange and others in a proxy entered in Register III, folio 157; Durham, 5 November 1454.

By virtue of which William Seton', proctor and chancellor of the prior and chapter, read and interposed a certain written appeal, containing the tenor of the presents and according to the form of a like appeal interposed by Mr William Dryffelde, notary and proctor of the prior and chapter, and in Register III, folio 157; and, at the request of William Seton', the notary produced a public instrument of the things contained in the appeal; before the witnesses John Hagerston' and John Wermouth, chaplains, William Kylllynghall' and John Steele, literati; and the notary John Hexham, clerk, N.P. by apostolic authority; done in the nave of Durham cathedral, 5 November 1454.

Original: DCD Loc.XXI:19.

f.93\*v 1 November 1454

Memorandum of the resignation of Robert Wygger', vicar of Ruddington, in presence of the notary, John Altoftes, clerk of York dioc., N.P. by apostolic and imperial authority, and of the witnesses William Robertson', chaplain, and John Melton', literati of York dioc.; as shown in the public instrument made thereon by the said notary; done in Robert's dwelling-house, 1 November 1454.

f.93\*v 25 November 1454

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute John Melton', chaplain, in the vicarage of Ruddington, vacant by the resignation of Robert Wygger', last vicar thereof.

Date: Durham, 25 November 1454.

f.93\*v-94\*r 8 March 1455

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute Robert, son of David Hume, knight, in the vicarage of Fishwick vacant, as is said, by the death of John Lowrye, last vicar thereof.

Date: Durham, 8 March 1454/5.

f.94\*r 1 February 1455

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute John Watkynson', chaplain, in the fifth vicarage in Hemingbrough collegiate church, vacant, as is said.

Date: Durham, 1 February 1454/5.

f.94\*r 19 March 1455

Presentation by William prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute John Starkee, chaplain, in the church of Kirkby on Bain vacant by the resignation of Richard Graver', last rector thereof; saving a yearly pension of 40s due therefrom of old to the prior and chapter.

Date: Durham, 19 March 1454/5.

f.94\*r 8 April 1455

Presentation by William prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute {Mr John Tydde}, chaplain, in the church of St Mary Binewerk Stamford, vacant, as is said; saving a yearly pension of 20s due therefrom of old to the prior and chapter.

Date: Durham, 8 April 1455.

f.94\*r-v 19 April 1455

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Nicholas Machell', chaplain, in the vicarage of Bossall, vacant by the death of John Alott, last vicar thereof.

Date: Durham, 19 April 1455.

f.94\*v 20 April 1455

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute John Robynson' alias Morpath', chaplain, in the vicarage of Edlingham, vacant by the death of Richard Pyngill', last vicar thereof.

Date: Durham, 20 April 1455.

f.94\*v-95\*r 8 June 1455

Notarial instrument recording that Alan Chaumbre, rector of Withcall [Lincs.], specially deputed to the following, received from William, prior of Durham, all the moneys which were then in the box in Durham cathedral appointed for storing the sums coming in through the indulgence granted by Nicholas V, pope; which money extended to the sum of £69 20d [i.e. £69 1s 8d], with the sum of £4 4s 2d having been deducted and having paid for expenses in the business of the indulgences, and with the appointment of deputies and confessors, as shown in a schedule [entered below, f.95\*r] and sufficiently apparent to the notary; and that Alan asked the notary to draw up a public instrument upon the foregoing things.

Witnesses: Mr John Lounde, LL.B., master of Kepier hospital; Robert Rodes, squire, the prior's steward; William Dalton', subprior, Richard Bell, terrar, William Seton', S.T.B., chancellor, monks of Durham; William Barkedale, John Hagreston', chaplains; Richard Claxton' and William Kyllynghall', gentlemen.

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).  
Done: chapel of St Nicholas in the prior's lodging, [Durham], 8 June 1455.

f.95\*r 8 June 1455

Receipt by indenture by Alan Chaumbre, rector of Withcall [Lincs.], specially deputed to raise the offerings of the faithful to William, prior of Durham, for the sum of £69 20d, pious offerings of the faithful arising from the indulgence granted by Nicholas V, late pope, received from the prior in the chapel of St Nicholas in the prior's lodging, from which sum £4 4s 2d is deducted for expenses of the deputies and confessors, in the presence of: Mr John Lounde, LL.B., master of Kepier hospital; Robert Rodes, squire, the prior's steward; William Dalton', subprior, Richard Bell, terrar, William Seton', S.T.B., chancellor, [monks of Durham]; John Hexham, N.P. by apostolic authority; William Barkedale, John Hagreston', chaplains; Richard Claxton' and William Kyllynghall', gentlemen.

Sealed alternately.

Date: Durham, 8 June 1455.

f.95\*r [? 8 June 1455]

Schedule [mentioned in the notarial instrument above, f.94\*v] naming as deputies: the prior of Durham, Mr John Norton', Mr Robert Mason'; naming as confessors (with expenses) {permanently resident religious}: William Dalton', subprior of Durham (20s); John Gateshead, monk; Richard Bell', monk; William Seton', monk (20s); {permanently resident seculars}: Robert Sotheron'; William Barkedale (20s); John Stapylton'; Thomas Morlande (13s 4d); {seculars resident for one day}: William Trollesdan' (8d); John Hagreston' (8d); John Wermouth' (8d); showing payments for the purchase of a bolt and key (6d), the writing of schedules and composition and signing of two instruments (5s), and to the keepers of churches and doors (3s 4d); and giving the sum of expenses as £4 4s 2d.

Printed: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccxxxi-ccxxxii.

f.95\*v-97v [10 August 1453]

[Extract of record of] Pleas before William Eure, knight, John Portyngton', Robert Danby, Henry Preston', squire, John Lounde, clerk, William Rakett, and Richard Wheltden', justices of the bishop of Durham, along with William, lord of Faucomberge, Thomas Nevile, Thomas Lomley, knights, and Robert Beaumont, clerk, appointed to take all sworn assizes, certifications and attaints, and to hear and determine pleas of the crown and all other pleas and suits in the county of Durham; Friday, Lawrence the martyr 31 Henry VI .

At another time, at Durham, before Thomas Nevile, knight, William Rakett and their associates, the bishop's justices of the peace to hear and determine felonies, transgressions and other malefactions in the county of Durham, on the appointed date of Monday, the conversion of St Paul [25 January], Pont. Robert [Neville] 13 [1451] at which a presentment was made by a jury that Robert, bishop of Durham, and his predecessors from time out of mind had, for themselves, their ministers and servants, a way in Durham by a gate within the steeple of the church of St Mary in the South Bailey to the west, leading to the cemetery of the same church and to the monastery of Durham, and to the outer walls of Durham castle, and to the bishop's palace, in time of war and whenever need be for the safe-keeping of the outer walls of the castle from Kingsgate on the east to the castle's outer walls on the western side; that John Lounde, clerk, the bishop's chancellor, Henry Preston', constable of Durham castle, and all their predecessors had, by reason of their office and as parishioners of the said church, an open way by the said gate; that all parishioners of the said church and their predecessors, time out of mind, had free entry and exit and an open way from the said church by the said gate within the steeple as far as the churchyard and the monastery of Durham as often as necessary, for burials in the churchyard and for procession from the monastery to the said church on various occasions each year, coming and returning by the said gate;

and that there Richard Danyell' of Durham, yeoman and bookbinder, on 21 December, 29 Henry VI [1450], by force of arms blocked the said gate with wood and kept it blocked, and enclosed a certain piece of land before the gate to the west, 12 yds x 6yds, and kept it enclosed; so that the bishop, his chancellor and constable, and the parishioners were unable to use the gate and way as they had been accustomed; that the sheriff was ordered to summon Richard Danyell', and on this day Richard came in person before the bishop's justices and did not acknowledge anything in the presentment, saying: that the gate and piece of ground in question were severalty of William, prior of Durham, by right of his church of Durham, that at the time of the supposed offences he had been a servant of the prior and had acted on the prior's precept to block the gate and enclose the piece of land, and that the bishop, the chancellor, constable and parishioners did not have the use of the gate and way as in the presentment or in any other manner; all of which he was ready to verify; that John Stafforde, suing for the bishop, said that the bishop did not have to answer in law to the plea of the said Richard, wherefor he asked judgment and that Richard be convicted; that the said Richard, because he had pleaded sufficiently to discharge himself and John Stafforde had not responded to his plea, asked judgment, if the bishop wished to impeach further;

that the justices, wishing to seek advice, set Thursday, St Lucy next to come [13 December 1453] to hear judgment; on which date the said John and Richard came and the justices, not yet advised, set Wednesday in the fifth week in Lent next to come [10 April 1454], to hear judgment; on which date John and Richard came and the justices, not yet advised, set Friday before St Lawrence the martyr next to come [9 August 1454]

to hear judgment; before which date the action was set back *sine die*, because John Portyngton', one of the bishop's justices, died at Durham, and the bishop appointed his brother William Nevile, lord of Faucomberge, his nephew Thomas Nevile, knight, Thomas Lomley, knight, William Eure, knight, Robert Danby, Nicholas Girdlyngton', Henry Preston', his chancellor Robert Beaumont, clerk, John Lounde, clerk, William Rakett and Richard Wheltden' as his justices to hear and determine (&c);

that thereafter, on Tuesday after St Matthew, Pont. 17 [24 September 1454], before the said Robert Danby, Nicholas Girdlyngton', Henry Preston', John Lounde, William Rakett and Richard Wheltden', the bishop's justices, along with the said William Nevile, lord of Faucomberge, Thomas Nevile, Thomas Lomley, William Eure and Robert Beaumont, at Durham, came John Stafford, who asked for a writ for the reattachment of Richard Danyell, to be present to hear judgment; this was granted to him, returnable before the justices on Tuesday after St Lucy next to come [17 December 1454];

on which date, before Thomas Nevile, knight, Robert Danby, Nicholas Girdlyngton', Henry Preston', John Lounde, clerk, William Rakett and Richard Wheltden', the bishop's justices, along with William Nevile, lord of Faucomberge, Thomas Lomley, knight, William Eure, knight, and Robert Beaumont, clerk, both John Stafforde, suing for the bishop, and Richard Danyell' came in person, and the bishop gave instructions to the justices in the following writ, upon which Richard Danyell' asked that no further action be taken against him upon the said presentment, and that the record thereof be cancelled by reason of the writ aforesaid; and it was agreed by the justices that the record and process against Richard upon this presentment be cancelled and annulled, that no further proceedings would be taken against Richard thereon, and that Richard should go thence *sine die*.

Writ close by Robert, bishop of Durham, to his brother William, lord Faucomberge, his nephew Thomas Nevile, knight, Robert Danby, and to his other justices recounting the progress of the legal action, and instructing them, because of deeds and other evidence shown to him and his council by the prior of Durham, to proceed no further in judgment in this matter and hereafter to make no process against the said Richard thereupon, and to cancel the record thereof for evermore.

Under his privy seal and his sign manual.

Date: Auckland, 14 October, Pont. 17. [1454]

Language: Latin; English (translating the presentment)

Also DCD 2.16.Spec.37.

f.97v-98r 14 September 1455

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute John Tremdon, rector of Easington, York dioc., in the vicarage of Northallerton to effect an exchange of benefices with John Leuesham, vicar of Northallerton; saving a yearly pension of £20 due of old from the vicarage of Northallerton to the prior and chapter.

Date: Durham, 14 September 1455.

f.98r 7 October 1455

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Davell', chaplain, in the church of Dinsdale, vacant by the resignation of Mr Adam Merlande, B.Dec., last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their office of sacrist.

Date: Durham, 7 October 1455.

f.98r 1 November 1455

Presentation by William prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Yonghusebande, chaplain, in the vicarage of Ellingham, vacant by the resignation of John Fournesse, chaplain, last vicar thereof.

Date: Durham, 1 November 1455.

f.98r-v 1 November 1455

Commission by William prior and the chapter of Durham, ordinaries of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, appointing Mr William Langton, B.C.L. and advocate of the court of York, as their official or keeper of the jurisdiction of the spirituality of the said liberty, responsibilities summarized, with the presents remaining in force at their pleasure.

Date: Durham, 1 November 1455.

f.98v 29 December 1455

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute William Soulby, chaplain, in the first vicarage of the collegiate church of Hemingbrough, vacant by the death of William Greenwell', last vicar thereof.

Date: Durham, 29 December 1455.

f.98v 12 April 1456

Letters by William prior and the chapter of Durham to Margaret abbess, Robert confessor-general, and the sisters and brethren now and to come in the monastery of Syon, London dioc., being moved by their petition in their letters patent, granting them perpetual participation in all masses, prayers, fasts (&c) in the monastery of Durham and its external cells, and, once the death of any of them should be intimated to them with certainty, prayers for them each year for all time to come, just as for others dearest to them.

Date: Durham, 12 April 1456.

f.99r 3 March 1456

Letters by Margaret abbess, Robert confessor-general, and the whole congregation of sisters and brethren on the monastery of Syon, London dioc., to William, S.T.D., prior and the convent of Durham, and the monks in the priory's cells, present and to come granting them full participation in all their prayers and other spiritual acts (&c), and, when the death of any of them should be intimated to them, the same will be done for them as for others associated [with the abbey] by similar charity.

Date: monastery of Syon, 3 March 1455.

f.99r [10 October 1400]

Return of inquisition *post mortem* held before Richard de Beire and his colleagues, justices of the bishop of Durham by virtue of the bishop's commission directed to them; the jurors saying that John de Hedworth of Southwick died on Sunday next after All Saints, Pont. 13 [7 November 1400 !], seised in his lordship as of fee of: a messuage and 23 acres of land in Whitburn, held of the bishop in chief by service of rendering 8s 6d at the four usual terms at the bishop's exchequer, though by what other service they knew not; a messuage and 36 acres of land in Boldon, held of the bishop in chief by service of rendering 6s 8d at the four usual terms at the bishop's exchequer, but by what other service they knew not; a messuage, three cottages and five score acres of land in Southwick, held of the prior of Durham by homage, fealty, military service and by service of rendering 20s yearly at the two usual terms; 18 acres of land in Southwick, held of the prior by military service and service of rendering 9s yearly at the two usual terms; 24 acres of land called Dawnsland in Southwick, held of the prior by homage, fealty and service of rendering 1lb cumin yearly; 24 acres in Hedworth, held of the prior by knight service and service of rendering 3s yearly at the usual terms; that all the lands and tenements held of the prior were held by the said service and by suit at the prior's court at Durham, from fortnight to fortnight; that John de Hedworth' did not hold any other lands or tenements in his lordship or in service of the bishop or of any other on the day that he died and that the lands and tenements in Whitburn and Boldon were worth 26s 8d more, and those in Southwick and Hedworth were worth five marks more than the service owed therefor.

Jurors: Richard de Merley, Robert de Massham, John Scrutbik, John de Ravensworth', William Symson', William {de} Belley, John de Gildforth', John del Castell', John de Coxhow, John Dawson', Henry Robynson' and William Jordanson'.

At: Durham, Monday after the octave of Michaelmas, Pont. Walter [Skirlaw] 13 [10 October 1400 !]

For another inquisition, with an earlier date of death, see DCD Reg.I.i f.34v-35r.

f.99v 29 June 1456

Notarial instrument recording that Thomas Nessbitt, monk of Durham, prior of the cell of Coldingham, made, read and interposed the resignation in the following: Schedule (on paper) whereby he, Thomas Nessbitt, prior of Coldingham, for certain legitimate reasons discharges himself of the cure and rule of the said cell, resigning the priorate into the hands of James, bishop of St Andrews, or of another having power to accept the resignation.

Witnesses: William Watson' and William Stott, *literati* of Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: the prior's chamber in the *hospitium* of Coldingham priory, 29 June 1456.

f.99v 15 July 1456

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to admit John Pencher', monk of Durham, to the priorate of their cell of Coldingham, vacant by the resignation of Thomas Nessbitt, last prior thereof.

Date: Durham, 15 July 1456.

*The Priory of Coldingham* , [ed J. Raine] (Surtees Society 12, 1841), p.184-185.

f.99v-100r 15 July [1456]

Letter by William prior and the chapter of Durham to James [II], king of Scotland, referring to the protection afforded previous priors of Coldingham by his predecessors, and to his own support of Thomas Nessbitt, the last prior of Coldingham; and asking him, since they have placed John Pencher', monk of Durham, in charge of their cell of Coldingham, and have sent him to the king's presence with the present letters, to see fit to admit him as prior of the said cell under his royal power and to protect him.

Written: Durham, 15 July.

*The Priory of Coldingham* , [ed J. Raine] (Surtees Society 12, 1841), p.183-184.

f.100r 19 July 1456

Notarized schedule of oath sworn by John Pencher', having been presented to the priorate of Coldingham:

to preserve the possessions and rights of the cell and to do nothing in prejudice of the cell or the priory of Durham; to attempt nothing contrary to the liberties, statutes, constitutions, rights or privileges of the cathedral church or monastery of Durham or the said cell; and knowingly to do nothing in contravention of the foundation, ordination, or other disposition of or concerning the said cell as hitherto applied by the prior and chapter of Durham. to preserve the possessions and rights of the cell and of the priory of Durham; to attempt nothing in prejudice of the priory of Durham; and knowingly to do nothing contrary to the ordinances of the cell of Coldingham as hitherto applied by the prior and chapter of Durham. as read by the said John Pencher in presence of William prior and the assembled chapter of Durham, and upon which William Seton, proctor of the said prior and chapter, asked the notary to draw up one or more instruments.

Witnesses: John Hexham, N.P., John Hagreston', chaplain, and the tonsured Richard Buman'.

Done: chapter house of Durham, 19 July 1456.

Printed in: *The Priory of Coldingham* , [ed J. Raine] (Surtees Society 12, 1841), p.186-187.

f.100r-v 14 August 1456

Commission by William prior and the chapter to William Dalton', monk of Durham, appointing him as keeper and prior of their cell of Lytham in Amounderness, vacant by the death of John Barlay, monk of Durham, last prior thereof and making him their proctor there, with the condition that he be removable at their and their successors' will; obliging him to render to the prior and chapter and their successors yearly account of receipts and expenses administered by him there, and requiring him to answer to them for all and sundry things pertaining to the cell in which they have jurisdiction, authority or power.

Date: Durham, 14 August 1456.

f.100v 14 August 1456

Presentation by William prior and the chapter of Durham to the archdeacon of Richmond, or his vicar in distant parts, informing him that they have appointed William Dalton' as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 14 August 1456.

f.100v 14 August 1456

Notarized schedule of oath sworn by William Dalton', having been presented to the priorate of Lytham: to preserve the possessions and rights of the cell and to do nothing in prejudice of the cell or the priory of Durham; to attempt nothing contrary to the liberties, statutes, constitutions, rights or privileges of the cathedral church or monastery of Durham or the said cell; and knowingly to do nothing in contravention of the foundation, ordination, or other disposition of or concerning the said cell as hitherto applied by the prior and chapter of Durham.

As read by the said William Dalton' in presence of William prior and the assembled chapter of Durham, and upon which William Seton, proctor of the said prior and chapter, asked the notary to draw up one or more instruments.

Witnesses: Mr John Hexham, N.P., John Hagreston', chaplain, and the tonsured Richard Buman'.

Done: chapter house of Durham, 14 August 1456.

f.101r 13 August 1456

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr John Laxe, LL.D., in the second canonry and prebend of the collegiate church of Hemingbrough, vacant, as is said, by the death of Thomas Bradeschawe, clerk, last canon and prebend thereof.

Date: Durham, 13 August 1456.

f.101r 13 August 1456

Presentation by William prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr John Norton', L.Dec., in the canonry and prebend of Thorpe in the collegiate church of Howden, vacant, as is said, by the death of Thomas Bradeschawe, clerk, last canon and prebend thereof.

Date: Durham, 13 August 1456.

f.101r 18 July 1456

Grant by William prior and the chapter of Durham to Thomas Nessbitt, lately prior of Coldingham, in view of his good service in various offices in the monastery of Durham and his praiseworthy governance of the said cell, of a yearly pension of ten marks, for life, from whatsoever tithes of fish and fisheries of the water of Tweed belong to the cell of Coldingham by reason of the parish church of Berwick, and from the fishery or draw-net (*tractu*) of Edirmouth, each year at Michaelmas and the Invention of the Cross by equal portions, by the hands of the lessees of the said fish, fisheries and net, with the first term of payment beginning at Michaelmas next to come; the said lessees being bound to pay the said pension as Thomas Nessbitt should consider most expedient, providing that they satisfy the prior of Coldingham each year of the remainder of the farms of the fish, fisheries and net aforesaid.

Date: Durham, 18 July 1456.

{ "like folio 41" } [above].

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.185-186.

f. 101v-102r 13 October 1456

Provision by Richard subprior and the chapter of Durham to Mr William Ebchestre, lately prior of Durham, for life, of: a chamber called Coldyngtham in the priory and a room next to the common hall, or another of similar condition which he should choose for himself, and his keep and expenses in food and drink for himself, his chaplain (a monk), a squire, a clerk, a valet (*valettus*) and a boy (*garcio*), according to rank; with his reasonable requests for himself and others coming to him, on the common expenses of the monastery; candles and fuel for his chamber, on the bursar's expenses, to be provided and carried as often as need be; and the bursar will provide robes or garments for the squire, clerk, valet and boy each year, according to the needs of rank; a measure of new ale in every brewing at *le tunnyng*, to be taken at will in the brewhouse or cellar; linen and woollen clothes from the chamberlain, just as when he was prior; his chaplain being provided for from his oblations and other necessities, as distributed to other monks of like age and calling [i.e. date of entry / profession]; and, to cover other outlay, needed in accordance with the pre-eminence of his status, on wine, the stipends of his servants and other petty things, of a yearly pension of £40, namely: £10 from the manor of Bewley; £27 from the pension owed to the bursar of Durham by the hostiller; 53s 4d from the pension owed to the bursar from the vicar of Heighington; 6s 8d from the master of Jarrow, from the farm thereof, likewise owed to the bursar; to be paid by the lessee(s) of Bewley, the hostiller, the vicar and the master each year by equal portions at the usual terms, without a charge of repair whatsoever, but payment of tithe, contribution, subsidy or forinsec payment to be borne by Mr William, and with the first term of payment beginning at Pentecost last before the date of the presents; and, if Mr William should want to move outside the monastery for the sake of his health, granting him: the principal chamber at the cell of Finchale, with a chapel and another chamber there called *Dowglastour*, with chambers cellars built underneath; maintenance for himself, his chaplain and four servants, with candles, fuel (&c), with the prior of Finchale taking £20 yearly from the monastery of Durham for bearing these costs, to be received where the prior of Durham shall have appointed; along with the robes, £40 pension (&c) as above; with his keep in the monastery of Durham, as granted above, ceasing for the period of his stay outside; and, if Mr William should not wish, for reasonable causes, to remain at Finchale, he is to be able to return to the provision originally made for him in the monastery of Durham.

Date: Durham, 13 October 1456.

Printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cccxxxvii-cccxxxix.

f.102r-v [12] October 1456

Proxy by Richard subprior and the chapter of Durham appointing Henry Helay, Mr John Burneby, S.T.P., William Seton', S.T.B., monks of Durham, {and Mr William Newton', LL.B.}, and John Hexham, N.P. by apostolic authority, proctor of the consistory of Durham, as their proctors short of revoking their proctors already appointed, to act on their behalf in all legal actions and business begun or to be begun, *ex officio* or at the instance of parties: concerning them, their monastery, {their college in the university of Oxford, their cells}, parish churches and dependent chapels, their interests, jurisdictions and liberties, their tithes, pensions, portions and rights whatsoever; before whatsoever judges ordinary or delegate or their commissaries, and executors, collectors, provisors, arbiters, conservators and others whatsoever, having whatsoever jurisdiction or cognizance; against the prior and chapter and their monastery (&c) by whatsoever adversaries; at whatsoever dates and places; giving them their special power and special and general mandate, authority described, therefor; and authorizing them to appear in name of and act for the prior and chapter and their monastery (&c) in synods, consistories, councils, visitations, elections, chapters, congregations and other convocations.

Date: Durham, (blank) October 1456.

Original: DCD Loc.XXI:50(11).

f.102v-103r 13 October 1456

Notarial instrument recording that William Seton', monk of Durham and proctor of the subprior and chapter thereof, made, read and interposed the following Appeal by him, William Seton', although the subprior and chapter be of unimpaired reputation (&c), and for no little time have possessed the parish churches of Jarrow, Monkwearmouth, Holy Island, Bywell St Peter, St Oswald's [Durham], Aycliffe, Heighington, Merrington, Dalton-le-Dale, Hesleden, Billingham, [Bishop] Middleham, Pittington, Norham, Branxton, Ellingham, Bedlington and Edlingham, appropriated to their own use with their dependent chapels, rights and appurtenances, and possess the same at present, duly taking the revenues thereof; and by special indulgences and bestowals from popes, kings of England, archbishops of York and bishops of Durham, always have and have had from time out of mind the right of free election of the prior as often as the priorate of Durham should be vacant; fearing, from plausible reasons and newly-made threats, that prejudice may be engendered by some rivals in future concerning the position of the prior and chapter and their right and property in the same churches and chapels, and concerning the election of a new prior, to be held on 25 October with continuation if need be; and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything in prejudice of the subprior and chapter and the said churches and chapels, the said election, liberties, possessions and customs, rights or privileges, in various specified ways including unduly visiting their church and chapter, appropriated churches and chapels and interfering with the said election, in contravention of papal statutes and privileges, he appeals to the apostolic see and for tuition to the court of York, subjecting the prior and chapter, their churches, chapels, rights, interests and possessions, those adhering and wishing to adhere to them and him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor, and that William asked the notary to reduce the foregoing into a public instrument. Witnesses: John Hagreston', chaplain, and Thomas Taillour, subdeacon, of Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).  
Done: the nave of Durham cathedral, 8 a.m., 13 October 1456.

f.103v 25 November 1457

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr John Sendale, clerk, in the canonry and prebend of Thorpe in the collegiate church of Howden, vacant by the resignation of Mr John Norton', D.Dec., last canon and prebend thereof.

Date: Durham, 25 November 1457.

f.103v 25 November 1457

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr John Norton', D.Dec., in the first canonry and prebend of the collegiate church of Hemingbrough, vacant by the resignation of Mr John Sendale, last canon and prebend thereof.

Date: Durham, 25 November 1457.

f.103v 1458

Memorandum that the appointment of John Middelham as prior of Lytham was issued, according to the form of the appointment of William Dalton', except for "per mortem" &c "nuper prioris", on the fourth folio preceding [100r-v], under the prior's seal only, on (blanks for day and month) 1458.

f.103v [14 August 1456]

Memorandum that the presentation (opening words recited) for the admission of John Middelham as prior of Lytham by the archdeacon of Richmond was issued, under the seal of the prior {and chapter}, according to the form of the presentation of William Dalton' on the fourth folio preceding [100v]; on the same date [as the aforementioned appointment].

f.103v [14 August 1456]

Memorandum that an oath was John Middleton according to the form of the oath sworn by William Dalton' on his appointment as prior of Lytham, on the fourth folio preceding [100v], in presence of the witnesses: John Hexham, clerk, N.P. by apostolic authority; John Hagreston', chaplain; and William Cuthbert, [monk of Durham]; on the same date [as the above appointment and presentation].

f.104r-107r 23 July 1457

Inspeximus by Henry [VI], king of England and France, lord of Ireland, confirming the following agreement, and promising to observe the above agreement and all contained therein, and to cause it to be kept by his subjects.

Under the great seal.

Witness: the king.

Date: Coventry, 23 July 1457.

Agreement by indenture between

[1] John, prior of St Mary's Coventry; Mr Lawrence Bothe, keeper of the privy seal, archdeacon of Richmond; Mr John Arundell, king's chaplain; and Philip Wentworth', knight; commissioners of Henry [VI], king of England, deputed by his letters patent, as recited below; and

[2] Andrew, abbot of Melrose; Patrick, lord le Grahame; Thomas Vaus, dean of Glasgow, king's secretary; George de Faulau, merchant; commissioners of James [II], king of Scots, deputed by his letters patent, as recited below;

whereby [1] for their said king and his successors, his kingdoms, lands, lordships, subjects, allies (&c) and adherents whatsoever, and [2] for their said king, his kingdom, lands, lordships, subjects and allies, conclude general truces by land and by sea and fresh water, beginning by land at dawn on 6 July 1457 and enduring until sunset on 6 July 1459, and beginning by sea on 28 July 1457 and enduring until sunset on 28 July 1459, and thereafter enduring by land and sea so long as it please the king of England and the king of Scots;

and if, after sunset on the sixth day, the king of England, or his heirs and successors, should no longer wish to observe the truce but should wish to withdraw therefrom, he will be permitted to do so, notwithstanding the present truces, provided that he certify the king of Scots, wherever he be within the kingdom of Scotland, of his will by his letters patent under his great seal and if, after sunset on the sixth day, the king of Scots, or his heirs and successors, should no longer wish to observe the truce but should wish to withdraw therefrom, he is to certify the king of England, wherever he be within his kingdoms or lordships, of his will by his letters patent under his great seal;

and in case of departure from the truces by either the king of England or the king of Scots, they are to be bound to the truces for six calendar months after the date of delivery of the letters patent; reciting twenty-one articles of the truce, and naming the conservators of the truce as for the king of England: Humfrey, duke of Buckingham, John, duke of Norfolk, Richard, earl of Salisbury, Henry, earl of Northumberland, John, earl of Oxford, John, viscount Beaumont, Henry, viscount Bouchier, Thomas, lord of Clifford, Ralph, lord of Graystoke, Thomas, lord of Fitzhugh', Thomas, lord Dacre, Thomas, lord of Stanley, Thomas Neville, Ralph Gray, James Strangwasse, Henry Fenwike, Robert Ogle, Thomas Haryngton', Thomas Lomley, John Heron', Richard Musegrave, John Skelton', Thomas de la More, Robert Maners, and all admirals of the sea and wardens of the marches of England towards Scotland; for the king of Scots: John, earl of Atholl, John, earl of Ross, George, earl of Angus, Alexander, earl of Huntly, William, earl of Caithness, John, lord de Somervill', Robert, lord of Maxwell, Alexander, lord Montgomerie, Andrew, lord of Avondale, Patrick, lord of Hailes, Andrew, lord le Gray, Alexander, sheriff of Angus, Archibald, sheriff of Roxburgh, Alexander Hume, Walter Scott, Simon Glendunwyn', Robert Creghton', sheriff of Nithsdale, William Cranston', David Hume, knights, Thomas Cranston' of that ilk [Cranstoun], James Rupirforde of that ilk [Rutherford], John Johnston' of that ilk [Johnstone], Andrew Karr' of Cessford, George Ormston' of that ilk [Ormiston], Charles Murref of Cockpool, William Karlele of Torthorwald,

squires, and all admirals of the sea and wardens of the marches of Scotland towards England, with their responsibilities summarized;

reciting the following two commissions.

Being the part remaining with the king of England.

Under the seals of the said Andrew, Patrick, Thomas and George, the commissaries of the king of Scots.

Date: the chapter house of St Mary's Coventry, 11 June 1457

Commission by letters patent by Henry [VI], king of England, appointing John Shoteswell', prior of St Mary's Coventry, Mr Lawrence Bothe, keeper of the privy seal and archdeacon of Richmond, Mr John Arundell', the king's chaplain, and Philip We[n]tworth', knight, one of the king's stewards, and three of them, as his commissaries to meet the commissaries of his kinsman James, king of Scots, and with them conclude a truce by land and sea between the king and his said kinsman, for himself, his successors, his kingdoms, lands, lordships and subjects; promising to take as approved what will have been done in his name in the foregoing by the commissaries or three of them.

Witness: the king.

Date: Coventry, 10 June A.R. 35. [1457]

Commission by letters patent by James [II], king of Scots, appointing Andrew, abbot of Melrose, the king's confessor, Patrick, lord le Grahame, the king's kinsman, Mr Thomas Vaus, dean of Glasgow, the king's secretary, and George de Faulau, merchant, giving them, or three or two of them, full power and general and special mandate to meet his kinsman Henry, king of the English, and his commissaries, in London or elsewhere, and conclude a truce between the king and his said kinsman, the king of England, or his commissaries, for himself, his successors, his kingdom, land, lordships, subjects, allies, well-wishers and friends; promising to take as approved what will have been done in his name in the foregoing by the commissaries or three or two of them.

Under the great seal.

Date: Stirling, 20 April 1457.

f.107v 31 July 1457

Mandate by James [II], king of Scots, to all and sundry admirals, captains, castellans and their lieutenants, collectors of customs, keepers of seaports and other coastal places, and to mayors, sheriffs, bailiffs, constables and his other ministers and officers within and outwith liberties, instructing them that, since he wishes to observe the sundry terms of the truce concluded by commissaries deputed thereto between him and Henry [VI], king of England, on 6 July 1457, amongst which it was contained that there will be two letters patent of safe conduct, one on the part of the king of England sealed under his great seal remaining at an agreed place within the marches of Scotland of the king of Scotland's choice for the duration of the truce under which the king of Scotland's subjects may enter England to pursue whatsoever cause before whatsoever competent judge; and the other on the king of Scotland's part sealed under his great seal remaining within the marches of England at an agreed place of the king of England's choice under which the king of England's subjects may enter Scotland to pursue whatsoever cause before whatsoever judge, providing always that no more than 3 or 4 persons wish to enter either kingdom together at one time to pursue such a cause under any such letters of safe conduct; instructing them to maintain, protect and defend whomsoever the subjects of the king of England who should wish to enter the kingdom of Scotland during the said truce to repair breaches of the same truce, on foot or horseback, by land or sea or fresh water, bearing a copy of the present letters of safe conduct and whatsoever lawful bags, documents, goods and equipment needed for their travel, stay and prosecution of their cause or causes before whatsoever competent judge, and for their return as often as it please them, without any petition, molestation or disturbance from Scottish officers, ministers or subjects, any reprisals notwithstanding, providing that no more than 3 or 4 enter the kingdom under a copy of the letters of safe conduct; and no damage, injury, violence, impediment or any form of hurt is to be allowed to such persons or their goods; and any such damage is to be restored immediately providing that they have acted well and honestly towards the king of Scotland in his kingdom by attempting any damage against Scottish castles, fortilaces or fortified towns or entering them without being able to show a copy of the present letters of safe conduct to the captains, mayors, bailiffs or wardens.

Under the great seal.

Witnesses: James, bishop of St Andrews; Andrew, bishop of Glasgow; Th[omas], bishop of Dunkeld; John, bishop of Moray; George, bishop of Brechin, the king's chancellor; John, earl of Atholl, the king's brother; George, earl of Angus; Alexander, earl of Huntly; William, earl of Errol, constable of Scotland.

Date: Edinburgh, 31 July 1457.

f.108r 20 May 1454

Mandate by the official of the consistory court of Durham to the curate of the parish church of St Oswald's Durham, since, having examined the registers and books of acts of the consistory of Durham, the official has found that Mr John Norton', lately official of the said court, by his decree charged the parishioners of St Oswald's with the provision of two surplices and one rochet for the curate of the church and for the parish clerk, instructing him that he should publicly warn the parishioners, or at least the churchwardens, to deliver these surplices and the rochet to the said church and the curate thereof within eight days of the warning on pain of 20s, previously imposed by the official's said predecessor, to be applied to the church fabric; and that he should compel them by ecclesiastical censure to hand over the said vestments and pay the fine if they fail to obey by eight days following the warning.

Under the seal which he uses in this office.

Date: (no place of issue) 20 May 1454.

f.108r 8 June 1454

Mandate by the official of the consistory court of Durham to the parochial chaplain of St Oswald's Durham, (referring to the mandate entered immediately above) stating that he has been informed that the churchwardens of St Oswald's, in their name and in name of the parishioners, have refused and continue to refuse to carry out the task imposed on them by holy ordinance to supply at their expense two surplices and a rochet for administering the sacraments, and instructing him to warn them to supply these vestments within eight days of the warning on pain of great excommunication; if they fail to obey this warning, to cite them to appear before the official in the Galilee of Durham [Cathedral] on Monday after Peter and Paul next to come [1 July] and give cause as to why they should not be excommunicated; and to certify at the said date and place as to what he shall have done in the foregoing .

Date: (no place of issue) 8 June 1454.

f.108r

[Declaration] by the official of the consistory court of Durham after examination of the registers and act-books of the said court for the time of Mr John Norton', D.Dec., his immediate predecessor, bringing it to the notice of all that he has learnt that his said predecessor, in a lawsuit concerning the withdrawal of two surplices and a rochet in the church of St Oswald's Durham, between Mr William Newton', LL.B., vicar of St Oswald's, plaintiff, seeking the surplices and rochet by right of his church, on the one part, and also

(The entry ends abruptly at the foot of f.108r. The top third of f.108v is blank, and it seems probable that this space was left for its completion.)

f.108v 17 February 1458

Presentation by John prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Mr Thomas Candell', provost of Hemingbrough collegiate church, in the church of Blyborough, to effect an exchange of benefices with Mr Thomas Portyngton', rector of Blyborough, keeper of the free chapel of Sheering [Essex], London dioc., and prebendary or joint holder of the church of Osmotherley, York dioc..

Date: Durham, 17 February 1457/8.

f.108v-109r 17 February 1458

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr Thomas Portyngton', rector of Blyborough, keeper of the free chapel of Sheering [Essex] London dioc., and prebendary or joint holder of the church of Osmotherley, York dioc., in the provostry of Hemingbrough collegiate church to effect an exchange of benefices with Mr Thomas Caudell', provost of Hemingbrough collegiate church.

Date: Durham, 17 February 1457/8.

f.109r 17 February 1458

Notarial instrument recording that Mr Thomas Portyngton, M.A., made, read, interposed and carried out the contents of the following:

Schedule of oath wherein he, Thomas Portyngton', chaplain, swears that: if he should happen in future to be presented, admitted and instituted in the provostship of Hemingbrough collegiate church by the prior and chapter of Durham, he will observe the statutes pertaining to the said provostship; if an archbishop of York, with assent of the said prior and chapter, should alter a statute of the said church of Hemingbrough, he will observe the said statute and endeavour to comply with it; when he shall have acquired the said provostship, he will resign the third prebend, in which he has been canonically instituted, into the hands of the archbishop of York, or of another having power to accept the resignation, and now as then renounces all title thereto except in so far as laws allow or apostolic indult would grant him; renounces all legal means whereby the execution of penalties in the statutes of the collegiate church of Hemingbrough, made or to be made, might be obstructed; and swears to observe all and sundry the foregoing,

and asked the notary to draw up one or more instruments on the foregoing.

Witnesses: John Holme, chaplain, rector of (blank), John Hagreston', chaplain, and Richard Dunsforth', *literati* of York and Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited, with notarial sign).

Done: the registry of the prior and chapter of Durham, 17 February 1457/8.

Another copy/draft: DCD 3.2.Ebor.44.

f.109v 20 December 1458

Presentation by John prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Thomas Morpeth' alias Sharpearowe, chaplain, in the vicarage of Frampton, vacant by the death of Richard Roper', last vicar thereof.

Date: Durham, 20 December 1458.

f.109v 25 February 1459

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Mr William Layburne, LL.B., in the vicarage of Pitlington, vacant by the death of William Maymorne, last vicar thereof.

Date: Durham, 25 February 1458/9.

f.109v 4 March 1459

Presentation by William prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute John Hume, clerk, provost of Dunglass collegiate church, in the vicarage of Edrom, to effect an exchange of benefices with William Parke, vicar of Edrom.

Date: Durham, 4 March 1458/9.

f.110r 7 June 1456

Commission by Robert, bishop of Durham, to Mr John Norton', D.Dec., his vicar-general in spiritualities, and Mr John Lounde, master of Kepier hospital, informing them that a petition by William Ebchestre, prior of Durham, has been delivered to him, which expresses the prior's wish to resign the priorate, having been a monk of Durham for fifty years and more and prior for ten years, and being now exhausted by the burden of governing the monastery, by old age and by serious and incurable infirmities; giving them licence and special authority in his name to receive and accept William's resignation, should he wish to carry it out; and, when the office of prior should become vacant by the death or resignation of William Ebchestre and the bishop should be two days' journey away from his diocese, deputing them as his vicars to grant licence to the subprior and chapter to elect a prior, in the form anciently used; not wishing by this grant to engender prejudice to himself or his successors in their liberty or right in other vacancies of this kind.

Date: manor of Stockton, 7 June 1456.

Original: DCD Loc.XIII:13.1.

f.110r-v 5 October 1456

Notarial instrument recording that William Ebchestre, prior of Durham, as he claimed, held in his hands, made, read and interposed the resignation in the following Schedule (on paper) whereby he, William Ebchestre, prior of Durham, considering his bodily frailty, broken by daily infirmity and old age, by which he acknowledges himself manifoldly exhausted, and lest he be unable effectively to maintain as he ought his calling and the cure committed to him, yields up the cure, rule and burden of his priorate and the dignity thereof into the hands of Robert, bishop of Durham, or of another having power therefor.

Witnesses: Richard Bell', subprior of Durham, William Seton', priory chancellor, John Hagreston', priest, and Mr John Hexham, N.P., of York and Durham dioc..

Notaries: Robert Bartram, clerk of Coventry & Lichfield dioc., and John Hexham, clerk of York dioc., N.P.s by apostolic authority (eschatocols recited).

Done: chapel of St Nicholas, next to the prior's chamber in the monastery of Durham, 5 October 1456.

Original: DCD Loc.XIII:13.8.

f.110v 6 October [1456]

Admission by John Norton', D.Dec., vicar-general in spiritualities of Robert, bishop of Durham, along with Mr John Lounde, LL.B., his colleague in this regard, recording that: when seated tribunally in the chapel of St Nicholas near the chamber of the prior of Durham on 5 October 1456, Mr William Ebchestre, S.T.P., lately prior of Durham, in the presence of Robert Bartram and John Hexham, N.P.s by apostolic authority, and other trustworthy men, read, made and interposed a certain resignation of the priorate, reduced into a paper schedule, pleading that he should see fit to accept the resignation; which, after deliberation, and finding the reasons alleged in the resignation to be true, with the consent and will of his colleague, he did; and admitting and accepting the resignation in all things by the tenor of the presents.

Under the seal used in the office of his vicariate.

Date: Durham, 6 October.

Original: DCD Loc.XIII:13.4.

f.110v 7 June 1456

Commission by Robert, bishop of Durham, to Mr John Norton', D.Dec., his vicar-general in spiritualities, appointing him to the keeping of the priory of Durham whenever it should happen to be vacant by the resignation, cession, renunciation or death of William, now prior thereof, to carry out in the bishop's name whatever has anciently been accustomed to be done by keepers deputed by the bishop's predecessors in such vacancies, as more fully contained in letters of Richard, his predecessor, made to the prior and chapter of Durham; providing that he exceed not the form contained in the said letters of his predecessor concerning such custody.

Date: manor of Stockton, 7 June 1456.

Original: DCD Loc.XIII:13.2.

f.111r 6 October 1456

Letters by Richard subprior and the chapter of Durham to Robert, bishop of Durham, informing him that, because of the vacancy caused by the resignation of Mr William Ebchestre, the last prior of Durham, they have sent William Seton', S.T.B., monk of Durham, to the bishop with the presents to beg licence to elect a suitable person as prior, requesting a licence to be granted.

Date: Durham, 6 October 1456.

Original: DCD Loc.XIII:13.6.

f.111r 6 October 1456

Licence by John Norton', D.Dec., vicar-general in distant parts in spiritualities of Robert, bishop of Durham, and Mr John Lounde, LL.B., keeper of Kepier hospital, commissioners specially deputed to the matters written below and others, to the subprior and chapter of Durham, having been asked on their behalf by their proctor, William Seton', S.T.B., in order to avoid the perils of a lengthy vacancy, for licence to elect another prior of their house, lately vacant following the resignation of Mr William Ebchestre, S.T.P., made in the hands of and accepted by the vicar-general; wishing to look to the advantage of their house, they are favourably inclined to their wishes in this regard and, by authority of the bishop's commission, grant them licence to elect another prior, saving the rights, liberties, privileges and dignity known to pertain the bishop or his successors, and exhorting them to elect a man of certain qualities.

Under the seal of the vicariate.

Date: Durham, 6 October 1456.

Original: DCD Loc.XIII:13.5.

f.111r-v 6 October 1456

Notarial instrument recording that with the priorate of Durham vacant, as is said, by the lawfully-made and accepted resignation of Mr William Ebchestre, lately prior, Richard subprior and the chapter of Durham, assembled in chapter and forming a chapter, appointed 25 October inst., with continuation and prorogation of the days following if need be, for holding the election of their future prior in the chapter house of Durham; decreeing that all their absent fellow monks, who ought, wanted and were able to attend the election at the said date and place, be summoned to proceed with them in the business of the election as were by right to be done; and they intimated to those absent that, if they cared not to come at the said date and place, they were intending to proceed with the election notwithstanding (&c).

Witnesses: John Hagreston', chaplain, and Thomas Taillour, subdeacon, of Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited [in another hand]).

Done: chapter house of Durham priory, 6 October 1456.

Original: DCD Loc.XIII:13.7.

f.111v-115v [November 1456]

Supplication by Richard subprior and the chapter of Durham to Robert, bishop of Durham, recounting that, following the resignation of Mr William Ebchestre, the last prior, having obtained licence from the bishop to proceed to the election of their next prior, being assembled as the chapter on 6 October last, and noting that serious loss might be engendered to the priory by a long vacancy, they appointed 25 October with continuation of days if need be, for holding the election of a prior, and decreed that all their absent fellow monks of Durham who ought to be present at the election were to be summoned to proceed with them in the election; and that, on the appointed day, after the celebration of the mass of the Holy Ghost at the high altar, Richard Bell§, subprior and S.T.B., {terrar and hostiller of Durham priory}; Henry Helay\*; Thomas Nessbitt‡; John Dorwardet; George Syther'†; William Lyham†; Thomas Ayre\*, prior of Finchale, for himself and as proctor of the absent John Boothe\*; Mr John Burnby‡, S.T.P., warden of Durham college, Oxford; Richard Kellowe†, master of the infirmary, for himself and as proctor of the absent Thomas Halber'†; Thomas Warde‡, prior of Holy Island; Thomas Forde\*, refectorer, for himself and as proctor for the absent Richard Bruke\*; William Eden'†, master or keeper of Farne Island; John Pencher\*, prior of Coldingham; John Warner\*\*, third prior and feretrar for himself and as proctor of the absent William Elwike\*; Thomas Hexham§; John Middelham\*, bursar, for himself and as proctor of the absent William Dalton'†, prior of Lytham, and John Ryhall\*; John Rypon\*, precentor; William Kellowe‡; John Hoton\*; William Seton\*, chancellor, almoner and official of the priory of Durham, for himself and as proctor of the absent Mr William Ebchestre\*, S.T.P., lately prior of Durham, Thomas Lewyn\* and William Rodburne\*; Henry Rakett\*, chamberlain; John Bradebery\*, master or keeper of Jarrow; William Fygee\*; {William Hesilden\*} [not included in this list, but a participant in the voting, nevertheless]; Richard Wrake†, cellarer; William Cuthbert\*, dean of the order; Richard Shyrburne†, the other dean of the order; William Byrden'†, communar, for himself and as proctor of the absent Mr Richard Barton'†, S.T.P., prior of Stamford St Leonard, and John Roose†; John Eden'†; Thomas Caly\*, for himself and as proctor of the absent Richard Blakburne\*, master or keeper of Wearmouth; William Coken'†, granator, for himself and as proctor of the absent John Kirke†; William Jarvaux†, steward of the prior's household; John Bedforth'†; William Easeby†; Richard Billyngham\*, for himself and as proctor of the absent John Aucklande\*; Thomas Holme\*, master of the Galilee; Thomas Halghton\*; Robert Knowte†; John Acley\*, succentor; Thomas Derlington\*; John Steele\*; Thomas Wrenne†; Th[omas] Stayndropp'†; John Grene\*; John Lylburne\*; Richard Steele\*; Robert West†; Robert Billyngham\*; William Rollande\*; Thomas Genour†; William Massham\*; Richard Blakwell'†; William Pelton\*; John Ryton\*; and William Coveryngham†, monks of Durham, assembling in the chapter house at the capitular hour and at the ringing of one chapter bell, they heard Richard Shyrburne, monk of Durham, preach, they sang the hymn *Veni Creator spiritus* on their knees and had certain monitions and declarations made by William Seton', their proctor, at the doors of the chapter house and at other places in the cloister, against those suspended, excommunicate, under interdict, not subject to rule or otherwise having no right in the election, that such persons should remove themselves from the chapter (&c); the instrument of the resignation of Mr William Ebchestre and of the acceptance thereof, the bishop's licence, and the letters of citation with certifications thereof and proxies thereon were read out; once approved, the proxies were accepted by the nominated proctors; other absentees were declared contumacious; those who ought not to be present were verbally expelled; the entrances to the cloister and the chapter-house were

firmly closed and placed under guard; certain jurists, the notary and the undernoted witnesses were kept with the subprior and chapter; the constitution of the general council *Quia propter* was read out and the ways and means declared therein were observed, as were other things required by right and custom of the priory; that they, the subprior and monks of Durham, deliberated as to the form of the election, with all at length agreeing that it proceed by means of ballot; with all in agreement, they deputed Henry Helay, Thomas Warde, prior of Holy Island, and William Seton', chancellor, almoner and official of the priory of Durham as their scrutineers, to whom they gave power to examine privily and individually, enquire and reduce into writing firstly their own votes and then the votes of the others having a voice in the election, and presently to have the votes published and collated; with one of the scrutineers, deputed thereto by the two others, to elect him whom the greater part of the chapter has voted, to provide him to the priorate, and to publish the election according to *Quia propter*; all and sundry promising to admit and accept the elected candidate as prior; that the scrutineers, humbly accepting the power given to them with no little protestation, and withdrawing to a sufficient distance from the chapter and sitting in a part or corner of the chapter-house with the notary and witnesses, sought first their own votes and then those of the others having a voice in the election, just as they would thereafter report to the subprior and chapter, and had the votes recorded in writing by the notary;

(There follows an account of the voting by the scrutineers and the rest of the chapter, recording the examination on oath of each scrutineer by his two colleagues, the individual examination on oath by the three scrutineers of each member of the chapter, and the scrutineers' further examination of those acting as proctors for absent monks, giving the form of words employed by each monk in naming his preferred candidate, with George Syther's vote being *sub protestatione variandi*.)

that once William Seton', deputed scrutineer for this purpose by his two co-scrutineers, had made public these votes and the names of the nominated persons, he published: Enumeration of [1] the numbers of votes stating that of seventy-one monks of Durham, of whom two, namely Robert Ebchestre and Robert Werdale were contumaciously absent, listing the monks who voted for each nominee: thirty-eight chose Mr John Burneby, S.T.P., twenty-five chose Richard Bell', subprior, four chose William Seton', one chose Mr William Ebchestre, lately prior of Durham, and one chose Thomas Ayre, prior of Finchale; [2] the merits of Mr John Burneby; [3] the merits (and so the zeal) of those who chose Mr John Burneby; and stating that it was clear on all these counts Mr John Burneby was to be preferred to Richard Bell' and the others.

that the scrutineers and the rest of the chapter gave their consent to all of the foregoing things done in the present election; that William Seton', lawfully deputed thereto, in the chapter-house, without any delay (*protractione*) elected Mr John Burneby as prior and provided him to the priorate, and announced and published the election (form of words recited); that the chapter, excepting Mr John the elect, and with none gainsaying, approved the election and gave their consent to all the foregoing things, and appointed Richard Bell', subprior, to publish the election in the common tongue to the clergy and people in the cathedral; that straight away, singing *Te Deum laudamus*, they escorted him to the high altar, whereafter the subprior published the election to the clergy and people gathered there in a multitude and explained it in the common tongue;

that on 29 October the subprior and chapter present in the chapter-house appointed John Warner' and William Seton', monks of Durham, as their proctors to ask Mr John Burneby that he give his consent to his election; and on the same date, between the hours of 3 and 4 p.m., the proctors notified the elect, being in a certain common house of the monastery, of his election, and repeatedly asked him to accept his election; he replied that he wanted to deliberate upon this before presuming to consent, and the proctors went away; returning and finding the elect in the chapel of St Andrew in the infirmary of the monks of Durham, between 8 and 9 a.m. on Sunday 31 October, they again asked him to accept his election and the elect answered that he wanted to deliberate further; the elect then went to the altar of the chapel and, after lengthy deliberation with his advisers, as it appeared, and having returned between 2 and 3 p.m. to the proctors and the below-written notary and witnesses, and been asked again by the proctors to consent to his election, he agreed to his election, not daring, as he asserted, to resist the divine will (form of words recited);

that on the next day, 1 November, when the subprior and chapter had been notified of the elect's consent to his election, they appointed Henry Helay and William Seton as their proctors to appear before Robert, bishop of Durham, or his deputed commissary or commissaries, to ask confirmation of the election, excuse the elect from appearing in person, and pursue the business of the election to its completion and asking the bishop that he should see fit to confirm the election of Mr John Burneby as having been held canonically, make good any defects in the election

(The entry breaks off at the foot of f.115, the remaining [5 lines of the] text having been lost with the following three folios.)

(The symbols indicate the candidate for whom each monk would vote in the election, according to the collation of votes given on f.114v-115r:

§ = voted for Mr William Ebchestre, lately prior of Durham.

\* = voted for Mr John Burneby, warden of Durham college, Oxford.

‡ = voted for William Seton'.

† = voted for Richard Bell', subprior.

§ = voted for Thomas Ayre, prior of Finchale)

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.91-102.

Another copy (complete, ?draft): DCD Loc.XIII:13h.

f.116-118

(missing)

f.119r-v

(blank)

The register of the time of Richard Billyngham, entering the said office on 7 September 1459, begins (f.120r-131v)

f.120r 11 September 1459

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr William Benson, M.A., in the vicarage of Brantingham, lately erected and ordained, and vacant.

Date: Durham, 11 September 1459.

Also f.132r below.

f.120r 25 September 1459

Letters of confraternity by John prior and the chapter of Durham to Richard Willughtby, squire, noting the affection of the sincerity and devotion which he has for their monastery, admitting him to the spiritual brotherhood of the chapter of Durham and repaying him in accordance therewith by granting him special participation in all their masses, prayers, vigils, fasts (&c) in the monastery of Durham and its dependent cells, in perpetuity, and prayers after his death, for all time, just as for their other spiritual brethren.

Date: Durham, 25 September 1459.

Also f.132r below.

f.120r-121r 4 August 1458 & 3 March 1459

Ordinance by William [Booth], archbishop of York, a petition having lately been shown to him on the part of Mr John Burnby prior and the convent of Durham, stating that they had been granted the following licence,

and thus begging him that he see fit to appropriate the said church to their monastery for the maintenance aforesaid and for other burdens incumbent upon the said house; with the consent of all whom it concerns and the will and consent of the dean and chapter of York, uniting, annexing, incorporating and appropriating the church of Brantingham to the said prior and convent, their successors and their monastery, for all time; and granting licence that they be able, themselves or through their proctor, once Mr Robert Beaumont, current rector of Brantingham, should resign, die or be lawfully removed, or the church be otherwise vacant, to enter the church of Brantingham and freely have and take the revenues of the said church, and apply them to the maintenance and use of the said eight monks and eight seculars studying and celebrating in the said college, without further licence; saving a portion for the vicar to be instituted in the said church; enacting: that the portion be 20 marks every year, for all time coming, to be paid by the prior and convent and their successors to the vicar and his successors at the usual terms of the year by equal portions; that the future vicar and his successors have the western part of the manse of the present rector, namely the hall, parlour (*parlocutorium*) and the upper room at the east end of the said hall, the tower on the northern side of the hall, the upper and lower rooms at the west end of the hall and the kitchen there, with free entry and exit, also the western half of the orchard to the north of the said hall and the churchyard grass (*vestura*); that the prior and convent of Durham and their successors will build anew a stone wall from the south wall as far as the parlour of the hall, whence descending to the north to the wall of the said orchard, and repair and maintain it at their expense; that once the prior and convent and their successors shall have sufficiently built and repaired these places and houses, the future vicar and his successors shall afterwards repair the places and houses as need be, at their own expense in perpetuity; that the vicar of the time shall receive the ordinary of the church for visitation in the said houses and places, and pay the accustomed procurations to the said ordinary; that the future vicar, whosoever [he be], shall have the candles accustomed to be offered in the church and its two dependent chapels each year at Candlemas; that the vicar and his successors shall provide at their own expense bread, wine and wax for the celebration of divine service and the parishioners' communion in the church and its two chapels; that the vicar and his successors will be obliged to exercise cure of the souls of their parishioners in perpetuity; that the prior and convent and their successors will pay in perpetuity: for the repair of the chancel of the church; the tenth due to the king from the church whenever it should be granted; whatsoever subsidy to be paid to the pope or to the archbishop and their successors; for the maintenance of two chaplains in the said two chapels; the yearly pension of 100s due of old to the collegiate church of St John Beverley; the yearly pension of £6 13s due of old to the cathedral church of Durham; and all other burdens incumbent upon the said church, excepting those imposed above by the archbishop upon the said vicar and his successors; that the prior and convent and their successors be able in perpetuity to present a suitable person to the archbishop and his successors, or to the dean and chapter of York *sede vacante*, for institution in and admission to the vicarage of Brantingham whenever it should happen to be vacant; that the prior and convent and their successors be bound to pay 3s 4d from the revenues of the said church to the dean and chapter of York at Michaelmas each year in perpetuity; and the archbishop wills that the prior and convent and their successors be compelled

to pay this sum and all others specified in these letters, to be raised by sequestration of the revenues of the said church, or through whatsoever ecclesiastical censure; that the prior and convent and their successors, proprietors of the said church, cause 3s 4d from the revenues of the said church to be distributed among the poor of the parish, according to the discretion of the vicar and the churchwardens of the parishioners of the church, each year within eight days after the feast of the Annunciation; and that everything ordained in the foregoing be inviolably observed in all time to come. Saving the right, dignity, honour, jurisdiction and visitation of the archbishop and his church of York in all things always.

Date: manor of [Bishop] Thorpe, 4 August 1458.

Confirmation by Richard dean and the chapter of York of the foregoing, after diligent discussion; saving their rights (&c) and those of their church of York.

Date: York, 3 March 1458/9.

Licence by Henry VI, king of England, with advice and consent of his council, for himself and his heirs, to Mr John Burnby prior and the convent of Durham that they be able to appropriate the parish church of Brantingham, which is in their patronage, and, once appropriated, to hold it for their and their successors' use in perpetuity, to assist in the yearly maintenance of eight monks of Durham and eight seculars studying and celebrating for the king's health in life and soul after death, for the souls of his forbears and heirs, and of all faithful deceased, in the college in the university of Oxford called Durham College, which exists by foundation of the king; notwithstanding the Statute of Mortmain and other earlier ordinances, acts or statutes, the holding of any inquisition by reason of any writ of *ad quod dampnum* or other mandate of the king or his heirs in this regard, or any other letters patent or mandates of the king or his heirs, for any of the foregoing things, to the prior and convent or their successors; not wanting the prior and convent or their successors to be troubled or oppressed by himself, his heirs or successors, or his or his heirs' justices, escheators, sheriffs or other officers.

Witness: the king.

Date: Westminster, 16 June, A.R. 36. [1458]

Also f.132v-133v below.

Original: DCD 1.2.Archiep.5 and (unexecuted versions) 1.3.Ebor.22a and 22b.

Original (licence): DCD 3.5.Reg.4.

f.121v 1 December 1459

Proxy by John prior and the chapter of Durham appointing Mr William Langton' and Mr Robert Wilson, advocates of the court of York, William Laybron', LL.B., and Henry Husthwat, N.P. by apostolic authority, proctor of the court of York, as their proctors, short of revoking their proctors already appointed, to act on their behalf in all suits and business, controversies, suits and actions moved or to be moved, *ex officio* or at the instance of parties, in the Roman *curia* or elsewhere by whatsoever adversaries, concerning the prior and chapter and their monastery, before whatsoever judges ordinary or delegate or their commissaries, and others whatsoever, having whatsoever jurisdiction or cognizance, at whatsoever dates and places; giving them their special power and special and general mandate (described) therefor to act in the name of the prior and chapter and their monastery, their cells, annexed parish churches and the chapels dependent therefrom.

Date: [Durham], 1 December 1459.

f.121v 20 April [1460]

Proxy John prior and the chapter of Durham appointing Mr John Lounde, LL.B., and Mr William Langton', LL.B., and Mr Robert Wilson', LL.B., advocates of the court of York, to appear and act for them at the convocation of the clergy of the province of York, to be held in York minster on Wednesday, 30 April, with continuation of days and places, before William, archbishop of York, or his deputed lieutenants or commissaries.

Date: [Durham] 20 April 1459 [*recte* 1460, in which year this provincial convocation began ( *Handbook of British Chronology* 3rd edn, (1986), p.602) and 30 April fell on a Wednesday].

f.121v 1450

Memorandum that letters of confaternity were issued for John Buteler', knight, and Margaret his wife in the form as granted to Richard Shropshire and Avis his wife, shown in Register III, f.18; 1450 [??].

f.121v-122r 5 June 1460

Notarial instrument recording that Thomas Candell', rector of Blyborough, made the following

Resignation in writing whereby he, Thomas Candell', wishing for certain reasons to discharge himself of the cure of souls of the parish church of Blyborough, resigns the said church in the hands of John, bishop of Lincoln.

Witnesses: Thomas Breton', chaplain, John Gudeale, layman, of York dioc..

Notary: William Spyve, of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: John Abbay's house, Wakefield, c. 2 p.m., 5 June 1460.

Also f.136r below.

f.122r 10 June 1460

Presentation by John prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute William Joys, chaplain, in the church of Blyborough, vacant by the resignation of Mr Thomas Candell', last rector thereof.

Date: Durham, 10 June 1460.

Also f.136r below.

f.122r 5 June 1460

Return of inquisition *post mortem* held *ex officio* before Robert Rodys, then escheator, steward or bailiff of John Burnby, prior of Durham, the jurors saying that Nicholas Blaykyston', held his manor and vill of Blakiston, excepting one messuage and four acres of land, sometime Simon Chaumer's, called *Chaumerlandez*, by military service and suit at the prior's court in Durham from fortnight to fortnight, and owing plough-service at the manor of Bewley with all the ploughs of the same vill on one day in the year, finding one man from each house there for reaping at the said manor for one day who will have food once in the day, and giving an aid when &c; rendering yearly to the prior and his successors at their exchequer of Durham 26s 8d at the usual terms; saying that Nicholas held the messuage and four acres of the said prior, by the service set out above; and saying that the said manor of Blakiston is worth 20s yearly more than the reprises, that the said Nicholas died on 12 May last, and that William Blaykeston', his son, is his nearest heir and is forty years old and more.

Jurors: John Willy of Hebburn; John Goldyng, Robert Goldyng, John Thrope and William Stere, all of Wolviston; William Stere of Norton; Robert Belycyse of Billingham; Richard Heghington' and Thomas Fery, both of Ferryhill; Thomas Knotte; William Welden'; and John Tyndall.

Date: Durham, 5 June 1460.

Also f.136r below.

f.122r-v 2 July 1460

Notarial instrument recording that Thomas Stubbes, chaplain, rector of York, St John Delpike, proctor of John Hubresty, chaplain, vicar of the prebend of Howden next to (*iuxta*) the collegiate church of Howden, having power as shown by John's proxy under the sign and subscription of Mr John Hamer', N.P. by apostolic authority, made the following

Resignation whereby he, Thomas Stubbes, as proctor of John Hubresty, who wishes for certain legitimate reasons to leave and discharge himself of the prebendal vicarage of Howden, resigns the said vicarage on behalf of the said John in the hands of William, archbishop of York or of another having power to accept the resignation.

Witnesses: Peter Gysburn', chaplain, William Clerke, *literatus*, John Yonge, and Edmund Hardy, of York and Durham dioc..

Notary: John Hexham, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: the dwelling-house of Mr John Hexham, N.P., Durham, 2 July 1460.

Also f.136v below.

f.122v 27 June 1460

Letters of consent by John prior and the chapter of Durham to William, archbishop of York, or his vicar-general in distant parts, since John Hubersty, vicar of the prebend of Howden in the collegiate church of Howden, feeling himself unequal to the cure of his said vicarage because of infirmity and ill-health, and desiring that the archbishop should provide for that cure and the welfare of souls, has submitted himself and the vicarage to the bishop's ordinance for a suitable pension, with consent of the prior and chapter, as would seem most suitable according to God and justice, accepting the said submission and consenting to such a pension from the revenues of the said church for the said John for as long as he should live, for food and clothing, lest he be forced into need, to the disgrace of the clerical order; providing that, when the pension is established, they be not obliged to augment the portion for the maintenance of the vicar of the time, or for bearing the things incumbent upon the said vicar.

Date: [Durham] 27 June 1460.

f.122v 3 July 1460

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute William Waryn, chaplain, in the vicarage of the prebend of Howden in the collegiate church of Howden, vacant by the resignation of John Hubersti, chaplain, last vicar thereof.

Date: Durham, 3 July 1460.

Also f.137r below.

f.122v 1 September 1460

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute John Sails, chaplain, in the second vicarage in the collegiate church of Hemingbrough vacant by the death of Richard Cliff, last vicar thereof.

Date: Durham, 1 September 1460.

f.122v-123r 24 November 1460

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Thomas Burneby, chaplain, in the vicarage of Eastrington, vacant by the death of John Haryngton, last vicar thereof.

Date: Durham, 24 November 1460.

Also f.138r below.

f.123r-v 24 February 1461

Proxy by John prior and the chapter of Durham, namely Mr William Seton', S.T.P. and subprior; Thomas Ayer', sacrist and terrar; Richard Kellowe, refectorer; William Dalton'; John Warner', master of the infirmary; Richard Blackburn', feretrar and third prior; John Ripon', precentor; Henry Rakett; William Fige, master of the Galilee; William Hesilden', dean of the order; Richard Shirburne; William Byrden, communar and almoner; John Eden', chamberlain; William Elwik, dean of the order; William Easeby; Richard Billyngham, chancellor; Thomas Holme; Thomas Haghton', bursar; John Acly; John Stele; Thomas Wrenne; Thomas Stayndropp'; John Grene, the prior's chaplain; John Lilburne; Richard Stele; Robert Billyngham; William Roland; William Masham; William Pelton; John Lee; William Brown'; John Danby; Thomas Yonge; Thomas Colhome; William Cuthbert the younger; John Forest; and Richard Hertilpole; making the chapter of Durham, and having the parish churches of Jarrow, Monkwearmouth, Holy Island, [Bishop] Middleham, Bywell St Peter, St Oswald's [Durham], Aycliffe, Heighington, Merrington, Dalton le Dale, Hesleden, Billingham, Pittington, Norham, Branxton, Ellingham, Edlingham and Bedlington, and the chapels dependent therefrom, in Durham dioc., to their own use, appointing Mr William Seton', S.T.P., subprior of Durham, Thomas Ayer', sacrist and terrar, Richard Billyngham, chancellor, [monks of Durham], Mr Robert Wilson', advocate of the court of York, Mr William Layburn', LL.B., Mr Henry Huswhatys, N.P. by apostolic authority and proctor of the court of York, and Mr Robert Bartram, N.P. by apostolic authority and their special scribe, as their proctors, short of revoking their proctors already appointed, to act on their behalf in all suits and business, controversies, suits and actions howsoever concerning the prior and chapter and their monastery, their cells and their said churches and chapels, before whatsoever judges ordinary, delegate, sub-delegate or their commissaries, moved or to be moved against or by whatsoever adversaries, at whatsoever dates and places; giving them their general power and general and special mandate (described) therefor to act in the name of the prior and chapter and their monastery, their cells, parish churches and dependent chapels; and authorizing them to appear in name of and act for the prior and chapter and their monastery, cells, churches and chapels (responsibilities described) in synods, visitations and councils of Lawrence, bishop of Durham, to be held by his authority in Durham dioc. or elsewhere, and also at elections, consistories, chapters, and whatsoever other convocations and congregations of clergy at which the prior and chapter are bound to appear by reason of their monastery, cells (&c), and to excuse their absence and give the reasons therefor. Date: Durham, 24 February 1460/1.

Original: DCD Loc.XXI:50(15).

f.123v 24 April [1461]

Mandate by letters patent by Edward [IV], king of England, to his justices, sheriff, mayors, bailiffs, constables, ministers and other faithful subjects, informing them that, considering the subsidies which the prelates, religious and other clergy of England have granted him [*rectius* his predecessors] in his need before this time, and the great favour which he finds in the said clergy, he has taken the prior and convent of Durham into his special protection instructing them to maintain, protect and defend the prior and convent of Durham, their men and servants, lands, interests, rents, possessions, goods and chattels whatsoever, wherever they be; not bringing disturbance or harm to them or allowing them to be disturbed or harmed, but having any wrong or injury to them or any of them put right without delay; not wishing that the crops, vehicles or beasts of the prior and convent, or of their bailiffs, men or servants, wherever they should be found, be taken into keeping by the king's bailiffs or ministers or others, against the will of the said men or servants, for use of the king or others. To endure for seven years.

Witness: the king.

Date: Durham, 24 April, A.R.1.

f.123v 4 May 1461

Notification by John, prior of Durham, {directed to the master of Jarrow} having inspected the mandate by Edward [IV], king of England, &c, as above [the preceding entry, not recited in full] in the archives of the church of Durham; requiring of those whom the presents should reach that these letters of the king be obeyed.

Date: (no place of issue), 4 May 1461.

[Note] that like copies were issued to the master of Wearmouth and the master [!] of Stamford on the same date.

f.124r 21 January [1461]

Bond by John prior and the chapter of Durham to Robert Sotheron', chaplain, for forty marks to be paid to Robert or his attorney, namely £6 13s 4d at Pentecost next to come, £6 13s 4d at St Peter's chains [1 August] next thereafter, £6 13s 4d at the following Martinmas, and £6 13s 4d at the following Candlemas.

Date: [Durham] 21 January, 39 Henry VI.

Also DCD Reg. Parv. III f.95v.

f.124r 21 January [1461]

Bond by John prior and the chapter of Durham to William Rakett, gentleman, for £13 6s 8d to be paid to William or his attorney at Pentecost next to come.

Date: [Durham] 21 January, 39 Henry VI.

f.124r 30 May 1461

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Richard Nicson', chaplain, in the church of [West] Rounton, vacant by the death of Robert Marchall', last rector thereof; saving the old pension of 40s owed to the prior and chapter therefrom.

Date: Durham, 30 May 1461.

with

[Memorandum] that Richard Nicson' swore to pay the pension faithfully during his incumbency, according to the ordinance made thereon, in presence of Richard Billyngham, chancellor [and monk] of the church of Durham, who also administered the oath.

(Witnesses omitted.)

In the registry of Durham, 30 May 1461.

f.124r-v 26 October 1461

Collation by William Seton', S.T.P., subprior of Durham, with the consent and will of the convent of Durham, to John Huchonson', priest, of the chantry of St Mary in the church of Pittington, vacant by the resignation of Robert Walker, last chaplain thereof, and because of the impoverishment of the said chantry, John, prior of Durham, has granted an annual rent of 40s from certain lands and tenements in Hawthorn assigned to a chaplain at the altar of St Katherine in the church of Pittington, until the revenues of St Mary's chantry should so grow that they suffice for the maintenance of a chaplain; willing therefore that he celebrate for the souls of the founders of the chantries for four days in the week at St Mary's altar and for three days in the week at St Katherine's altar; providing that he bear all burdens incumbent upon the said chantries, and that the subprior shall be allowed to remove John without judicial formality and replace him at will, should he be found not to have fulfilled the foregoing.

Date: Durham, 26 October 1461.

f.124v-126r 31 August 1461

Notarized notification by Lawrence, bishop of Durham, recording that, with the bishop in tribunal, Mr William Seton', S.T.P., subprior of Durham and proctor of the prior and chapter thereof, came into his presence holding a paper schedule of a certain pretended inhibition and citation, written in English, and showed it and handed it over to the bishop to be inspected and, by his ordinary authority, copied; and said on oath that this bare schedule was not in a public hand, was not authentically sealed, did not mention any other apostolic letters, exemplifications or copies thereof, and had been affixed hanging on the door of the cathedral at the main entrance thereof, at about 10 o'clock on the morning of 15 July by a certain John Lawson', calling himself an nuncio for this; that after a short time the schedule was removed by a youth, Richard Penreth', *litteratus*, by mandate of Richard Billyngham, monk of Durham, and straight away was delivered to Mr William Seton'; and that it was later that day taken and notified by Mr William to the prior, residing for his recreation two miles away at Bearpark, with certain fellow monks; reciting the tenor of the said

Mandate (in English) by John Lawson', by papal authority, to the prior and convent of Durham commanding them that, with the cause pending at the court of Rome between (1) the prior and convent and (2) Robert Staynton', priest and keeper of the chapel of Hylton, none of them should attempt anything to the prejudice of the said Robert; summoning the prior and convent to appear before the pope or else before Dr Bernardus Romia deputed auditor in this matter, or his surrogate, in the court of Rome on the fortieth day after this summons, if a law-day, or the next law-day thereafter, if not; and commanding them to appear as aforesaid with all documentation dealing with title and lawful possession of the said chapel.

recording that the proctor, by the statements and depositions of sworn, praiseworthy persons, judicially produced before the bishop, proved that the affixing (&c, rehearsing the events as described above) of the said bare schedule took place as set out above; and that the proctor straight away made the following

Protestation declaring that it had never been his intention or that of the prior and chapter of Durham to refuse, resist or contravene any apostolic mandates in due form, or any copies thereof in public form; but that, if it could be established as true (which he does not acknowledge), in any lawful way in future, concerning the apostolic letters in the said pretended schedule, or copies thereof, they would obey the letters in all things; and, since the truth of the pretended apostolic letters mentioned in the paper schedule was not apparent nor is now apparent to the prior and convent, or to the proctor in their name, from the contents of the schedule which is neither authentically sealed nor signed by a notary, but entirely suspicious, urging all judges (&c) in whatsoever action brought on behalf of Robert Staynton' against the prior and convent and himself in their name that (when they have examined the presents, and especially because no faith should be put in the schedule fabricated out of pure malice on behalf of Robert Staynton', or in the execution or certifying thereof, for the reason that, at the time of affixing the schedule to the door, the proctor's said lords [the prior and monks of Durham] were in residence where the said nuncio might freely have had access to them at any suitable hour if he had wanted) they should desist from any process brought by reason of the execution of any pretended apostolic letters of citation, inhibition or compulsion on behalf of Robert Staynton' against the prior and convent, until the true execution of these apostolic letters, if such they be, can be demonstrated to these judges; and if anything shall have been done to the prejudice of the prior and chapter by any of these judges before the presents

have been shown to them, he prays it lack the force and effect to harm them. [and another]

Protestation that once apostolic letters or copies thereof in a public hand or authentically sealed, instruments and evidences whatsoever mentioned in the said schedule, if such they be, concerning the said chapel or title thereto and remaining with the prior and chapter or with him, have been seen and inspected, if lawfully asked by the opposing side and redeemed at their expense, they are and will be ready to send them to the auditor at the said court for the requirements of law; but saying truly, by virtue of an earlier oath, that, from the day of affixing the schedule at the said door to the date of the presents, Robert Staynton', in person or through another, has neither cared to present such apostolic letters (&c) to the prior and chapter or the proctor nor pursued the handing over of any instruments or evidences; saying further and intending to prove that all the records of the process conducted here before the justices remain in their hands, and that, though they have been asked on the part of the prior and chapter for delivery thereof, they have deferred doing this and, without letters of compulsion, say that they continue to defer, alleging as their excuse fear and the penalty of the royal statute called *Praemunire* which the said Robert, as is claimed, newly incurred.

recording that, once this had been done, the proctor begged the bishop to have a copy made of the said schedule and the bishop saw fit to grant his letters testimonial of the schedule and of the other things transacted before him as aforesaid to the proctor's said lords and to him in their name, instructing Mr Robert Bartram, N.P., to produce a public instrument thereof; and giving notice to all, and particularly to those whom the present business might concern, of the foregoing, lest they be in ignorance or allege anything against the prior and chapter in the future.

Witnesses: Robert Sotheryn', priest and canon in the prebendal church of Norton, Durham dioc., John Palmer, priest and canon in the collegiate church of Auckland, Robert Hobard, rector of Flixborough, and Henry Preston, squire, of York dioc., Alexander Perkyng and Richard Hertford, clerks of London dioc..

Notaries: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, specially taken on for this purpose as clerk of the acts of Lawrence, bishop of Durham (eschatocol recited, with note of interlineations and erasures); Mr William Gysburgh'/Gysburne, priest of Durham dioc., N.P. by apostolic and imperial authority, registrar and principal and private clerk of the acts of Lawrence, bishop of Durham (subscribing notary; eschatocol recited).

Date: choir of the chapel of the manor of Auckland, 31 August 1461.

f.126r-127r [31 August 1461]

Notarized letters by Lawrence, bishop of Durham, recording that Mr William Seton', S.T.P., subprior of Durham and proctor of the prior and chapter thereof, came into the presence of the bishop in tribunal, and handed over the following proxy, that, with the proxy having been declared in the bishop's presence, the said proctor begged that the bishop see fit to copy and exemplify certain evidences and muniments concerning the appropriated parish church of Monkwearmouth and its dependent chapel of Hylton, lest the right, status and reputation of the prior and chapter should falter due to difficulty of proof, with the letters and muniments being lost because of the dangers of the road, or damaged or destroyed in any way; that the bishop found the request to be just and, having examined the muniments and found them beyond suspicion, had the same muniments copied by Mr Robert Bartram, clerk, N.P. by apostolic authority, specially taken on as clerk in this business, and ordered him to publish the copies and reduce them into this public form; the tenors of which documents, written and published by Mr Robert Bartram and subscribed by Mr William Gysburne, N.P., the bishop's registrar, follow in order (not recited).

Witnesses: as in the instrument preceding.

Notaries: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, specially taken on for this purpose as clerk of the acts of Lawrence, bishop of Durham (eschatocol recited, with note of interlineations and erasures); Mr William Gysburgh'/Gysburne, priest of Durham dioc., N.P. by apostolic and imperial authority, &c, as in the preceding instrument.

Date: [choir of the chapel of the manor of Auckland.]

Proxy by John prior and the chapter of Durham appointing Mr William Seton', S.T.P. and subprior of Durham, and Mr William Laybron, LL.B., as their proctors, giving them full and free power and general and special mandate, to act on their behalf before Lawrence, bishop of Durham, or whomsoever his deputed commissary, to show the schedule of inhibition, citation and compulsion (as in the preceding entry), affixed on the door of Durham cathedral on behalf of Robert Staynton', asserted chaplain of Hylton chapel, and whatsoever muniments concerning the title of the prior and chapter to the church of Monkwearmouth (which they also want to use in their defence in a pretended cause of appeal brought against them by the said Robert and pending undecided at the Roman *curia*) in presence of the said bishop or his commissary, doing whatsoever is necessary on their behalf, responsibilities specified.

Date: [Durham] 30 August 1461.

f.127r-v 1 November 1461

Transumpt by John prior and the chapter of Durham having inspected a charter by Robert de Lavale [Delaval] concerning his manor of Benwell, which had repeatedly been presented to them by Thomas Moreslew and William Tomson', and finding it free of suspicion; they had the said charter copied and exemplified, word for word, at the supplication of the said Thomas and William: Charter &c only the opening four words recited.

Date: Durham, 1 November 1461.

f. 127v 9 November 1461

Letters of attorney by John prior and the chapter of Durham appointing Mr Richard Barton', S.T.P., prior of St Leonard's Stamford [and monk of Durham], and Thomas Barbur of Stamford, as their lawful attorneys, giving them full and sufficient power and special mandate to ask for and receive whatsoever sums of money owed to the prior and chapter and their monastery by William Ledys, their tenant in Stamford, and in arrears, as farm of two cottages leased for the term of eighty years by indenture; and, if need be, to implead the said William before whatsoever judge and recover the said farm, with arrears and expenses; and, according to the force and effect of the indenture, to re-enter, keep and possess the two cottages and dispose, lease and farm them out for the use of the prior and chapter, and doing all other things necessary in this regard and required by law.

Date: Durham, 9 November 1461.

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.297-298.

f.128r

(Top margin:) "Processes concerning the state and utility of the chapel of Hylton"

f.128r 13 June 1461

Mandate by John, prior of Durham, archdeacon in the churches and chapels appropriated to him and his monastery, to the parochial chaplain of Monkwearmouth, instructing him to cite twelve trustworthy men of his parish, namely four from Wearmouth, four from Hylton, two from Southwick, two from Fulwell, to appear before the prior's official or his commissary, one or more, in the church of Wearmouth on Wednesday before John the Baptist next to come [17 June 1461], to serve in an inquisition upon certain articles concerning the state and utility of the chapel of Hylton, dependent from the said church of Wearmouth; to summon publicly in the first place the master of Wearmouth, and also Robert Staynton', chaplain or pretended keeper of the chapel of Hylton, and in general all those by rights to be summoned, that they be present at the said date and place for their interests; and to certify the official or his commissary at the said date and place as to what he shall have done in this regard, along with the names of those cited and the tenor of the presents.

Date: (no place of issue), 13 June 1461.

f.128r [n.d.]

Certification by Robert Walker', chaplain, to John, prior of Durham, informing him that he received his mandate on 13 June; and that by authority thereof, on the following Sunday [14 June 1461], during masses, cited Robert Wake, Robert Taylour, John Butiler' and John Huchonson' of Wearmouth; John Charleton', Robert Grenecrofte, Thomas Nicolson', and John Cambow of Hylton; Thomas Atkynson' and Thomas Wake of Southwick; Robert Wake, Thomas Lambert and Nicholas Ayr' of Fulwell to appear before the prior's official or his commissary as required by the tenor of the prior's mandate; that he warned John Bradbery, master of Wearmouth, Robert Staynton, pretended chaplain of Hylton, in the church and the chapel, in presence of the lady there and others of her friends, and a certain Richard Wilkynson', servant of the said chaplain, and others in general, for their interests to attend the inquisition at the said date and place; and that he has thus executed his mandate.

Under his subscription: Robert Walkar'.

f.128r 15 June 1461

Commission by John, prior of Durham, archdeacon in the churches appropriated to him and his monastery, to Mr William Laybron, LL.B., and Richard Billyngham, monk of Durham, to conduct an inquisition of trustworthy men who better know the truth upon articles drawn up by the prior concerning the state and utility of the chapel of Hylton, with the master of the church of Monkwearmouth and Robert Staynton', chaplain of the chapel of Hylton, in particular having been summoned in the first place for their interests, and also in general all those by rights publicly to be summoned; willing that he should care to certify him of all that he shall have done or found in the foregoing, to the end that the prior should be able to act further for the sound state and the utility of the said chapel. Date: Durham, 15 June 1461.

f.128r-v

Articles of inquisition upon the chapel of Hylton:

- 1 if the chapel be in good repair, and to whom the repair thereof pertains;
- 2 if the books, chalices, vestments or ornaments be in need of repair, and to whom mending thereof pertains;
- 3 whether the houses and buildings belonging to the chapel and chaplain suffer any dilapidation;
- 4 if Robert Staynton', chaplain thereof, be a man of good repute and honest behaviour;
- 5 if the said Robert, for his part, had kept a certain old agreement made between Germanus, sometime prior of Durham, and Alexander de Hilton;
- 6 if the said Robert had sworn to keep the same agreement;
- 7 if the said Robert had, when at home, said divine offices for the souls of the chapel's founders;
- 8 for how much time he has absented himself from the chapel, and when he began to absent himself;
- 9 whether he dwelt in England or outside during his absence;
- 10 if he left the kingdom, by whose licence he left;
- 11 to what persons before his departure he leased the revenues of the chapel, and by whose licence;
- 12 if he made his residence in his chapel after his return to England, and, if not, in what place he has stayed or stays;
- 13 for what period of his absence the chapel was served, and by whom;
- 14 how much the chapel is worth yearly, and of what its value is made up;
- 15 to whose use the revenues of the chapel have been turned;
- 16 if Robert held his chapel abandoned (*pro derelicta*) or not;
- 17 whether the lady of Hylton and her servants and other men of the same vill come to the mother church at major festivals and make their offerings and other dues according to the form of the said convention, or not;
- 18 whether the chaplain maintains a burning lamp before St Mary's altar in the said chapel, for which he ought to receive two shillings from two cottages which Walter Pertrehour' and Isabel daughter of Ralph held;
- 19 if wax found in the trees in the park of Barmston be collected still according to the will of the donor for lighting [the altar of] St Mary in the said chapel;
- 20 if the chaplain received any tithes of Hylton mill, of the fishery of Rysum or of the fishery of the late Robert Taburner', or offerings coming to the chapel of Hylton;
- 21 if the chaplain received villeins of Hylton and Newton for divine service heard in his chapel on feast days and solemn days, to the prejudice of the mother church, because they are not coming to the mother church as they are bound.

f.128v-129v 17 June 1461

Return/certification of inquisition by William Laybron', LL.B., and Richard Billyngham, monk of Durham, deputed commissaries for the underwritten matter, to John, prior of Durham, archdeacon in the churches appropriated to him and the chapter of Durham, having lately received his commission and, for the execution thereof, going in person to the church of Monkwearmouth on 17 June 1461, having brought with them Robert Bartram, N.P. by apostolic authority, and seated together in the choir of the said church, they proceeded in this fashion:

when the commission had been read out in the vulgar tongue before the inquisitors and others standing by, and a certain certification of Robert Walker', deputed mandatory for this purpose, had been shown and read out, Richard Hett, sworn apparitor of the bishop of Durham, caused John Bradbery, master of Wearmouth, who was present, and Robert Staynton', pretended chaplain of the said chapel, who was absent though he had been warned during masses in the said church and later in the said chapel, with the lady of Hylton, other friends and acquaintances of his, and his servant Richard Wilkynson' [there], to be called; and the commissaries declared Robert Staynton' contumacious, decreeing that they would proceed notwithstanding his contumacy; they caused the apparitor to call upon the thirteen men of the parish of Wearmouth, who, being examined successively upon the articles, said:

1 that the chapel of Hylton was well repaired and that the repair pertained to the lord of Hylton;

2 that the books, chalices, vestments and ornaments of the chapel were in good condition;

3 the houses and buildings belonging to the chapel were suitably repaired, excepting a newly-built maltkiln which lacked a roof;

4 that Robert Staynton was, to their knowledge, a man of good repute and honest behaviour;

5 [& 6] that he had not kept the oath in this respect;

7 that when he had been present for masses and other services he had conducted himself well, but that he had often roamed and wandered to various places;

8 that he had begun to absent himself from his chapel before Michaelmas last, he returned on Tuesday in Easter week and remained barely six days after his arrival;

9 & 10 that they did not know;

11 that he leased the revenues to no-one, because Richard Wilkynson', his servant, received and disposed them for the use of his master, as he believed;

12 that he did not remain for more than six days after his return, but stayed at Wilton, York dioc.;

13 that for the time of his absence the chapel was first served by a Scot, calling himself priest, but having no letters of ordination, who served there from the time of Robert's withdrawal until St Blasius [3 February]; and from then until Easter the chaplain of William Bulmer, keeper of the tower of Hylton, celebrated in the chapel, but they knew not in whose name or by whose expenses he did so; and after Easter the said Scot returned, and hitherto, except for three weeks, Ralph Vasy, chaplain to the lady of Hylton, had celebrated there, but they knew not by whose authority;

14 that the chapel was worth ten marks yearly, and this value derived from one bovat of land appropriated to the chapel, and from the tithes of the demesne lands and the Trublard' land;

15 that the revenues of the chapel were paid out before they were received;

16 that Robert Staynton did not have the chapel abandoned, because they had heard from a certain William Lawson that the chaplain leased the chapel revenues for three years, but to whom they knew not;

17 that the lady rarely came to the mother church because she rarely resided within the parish; the rest of the men of Hylton did not come when they had mass home (*domi*) in the chapel, and would come when mass was not being held there;

18 that the lamp was not maintained as it ought because it had not burned through the year, even though the chaplain had two cottages worth 6s yearly for maintenance thereof;

19 that they had never seen wax being obtained in the park;

20 that he received no tithes of the mill and fisheries, but received offerings made by the servants of William Bulmer and administered the sacraments to them without licence of their master; that he received 3d offered to the crucifix on Good Friday in the year past;

21 that he received no villeins of Hylton to the prejudice of the mother church; furthermore, they said that after he was denounced as excommunicate he did not say mass in the chapel, except for once, on Tuesday in Easter week; that Robert Rodes had detained a missal worth ten marks and given by the late baron to remain in the chapel for ever; which being done, the commissaries sequestrated by decree the revenues of the chapel by reason of the foregoing and of other things prompting them, reserving the custody of the sequestration to the prior; and that thus have they executed the prior's commission. Under the seal of the officiality of the prior's archidiaconal jurisdiction, which they have to hand.

Inquisitors: sworn: Robert Wake, Robert Taylour, John Butiler', John Huchonson', of Wearmouth; Thomas Atkynson, Thomas Wake of Southwick; Robert Wake, Thomas Lambert, Nicholas Ayr', of Fulwell; not sworn: John Charleton, Robert Grenecrofte, Thomas Nicolson', John Cambow of Hylton.

Date: the church of Monkwearmouth, c.10 a.m., 17 June 1461.

f.129v [June 1461]

Mandate by John, prior of Durham, archdeacon in churches and chapels appropriated to himself and his monastery of Durham, to the chaplain of the parish church of Monkwearmouth, having often heard from trustworthy persons that Robert Staynton', asserted keeper or chaplain of {the chapel} of Hylton, dependent from the said mother church, betaking himself to distant and unknown places, left his said chapel abandoned and unserved and neglected to reside there in person as he was obliged, wrongly squandering the revenues thereof, and still thoughtlessly abandons, neglects and squanders at present, to the peril of his soul and the manifest offence to the chapel and ordinances thereof; instructing him to warn Robert Staynton' in person, if possible, or his proctor, if he has left such a person in his benefice, or else by edict of monition in the chapel before his friends and acquaintances, publicly proposed and affixed on the chapel door; and likewise warning Robert Staynton' by the tenor of the presents that he go to the said chapel within forty days from the making of the parochial chaplain's warning and reside there in person according to the ordinances thereof and the bond of his oath, and observe the charges incumbent upon him, under pain of law; letting Robert know that, if he should not obey these warnings, he will proceed against him, his contumacy notwithstanding; and requiring him to certify him at a suitable time and place as to what he shall have done in the foregoing.

Date: "&c"

f.129v-130v 10 July 1461

Proxy by John Burneby, prior of Durham; William Seton', S.T.P., subprior; John Dorwarde; George Syther; William Lyham; Thomas Ayr', sacrist; Richard Kellaw, rectorer; Thomas Forde; John Warner, master of the infirmary; Richard Blackburn, feretrar and third prior; John Rypon', precentor; Henry Rakett; John Bradbery, keeper of the cell of Monkwearmouth; William Fyge, master of the Galilee; William Hesylden, dean of the order; William Cuthbert the elder, hostiller and steward of the prior's household; Richard Shirburn', the other dean of the order; William Byrden, communar; John Eden, terrar and chamberlain; William Elwike; William Easeby; Richard Billyngham, chancellor; Thomas Holme; Thomas Haghton', bursar; John Acly; Thomas Derneton', cellarer; John Stele; Thomas Wrenne; Thomas Stayndrope; John Grene, communar; John Lilburne, granator; Richard Stele, succentor; Robert West; Robert Billingham, the prior's chaplain; William Rowland'; William Masham; William Pelton'; John Ryton'; John Lee; William Brown'; John Danby; Thomas Yonge; Thomas Colhome; William Cuthbert the younger; John Forest; and Richard Hertipole; recording that, assembled in chapter at the customary hour of the morning and holding a chapter particularly for the purpose underwritten, they unanimously appointed Mr John Lilford', LL.D., Mr John Lax, LL.D., Mr John Crosby, LL.B. and Mr William Laybron', LL.B., as their proctors, short of revoking their proctors already appointed, giving them general power and general and special mandate to act on their behalf in all causes, lawsuits, disputes and business, howsoever concerning the prior and chapter or any of them, and their church, their college at Oxford, their cells and their churches and dependent chapels, their jurisdictions, liberties, privileges, exemptions, tithes, pensions, portions, possessions, interests or whatsoever their rights, by appeal, suit or other way of law, begun or to be begun in the Roman *curia* or outside Pius II, pope, or his auditors of causes or their substitutes whomsoever, and other judges ordinary or extraordinary, delegate or sub-delegate, their commissaries or lieutenants, arbiters, reconcilers, and whatsoever other judges ecclesiastical or secular; appearing at whatsoever dates and places should be assigned to the prior and chapter, and excusing their personal absence, putting forward and proving their causes, obtaining papal letters of grace and seeking the cancellation of letters obtained against them &c, other responsibilities listed.

Date: [Durham] 10 July 1461.

f.130v 11 September [1461]

Memorandum that a similar proxy [to that preceding] was issued for Mr Vincentius Clementi, S.T.P., Mr John Lax, LL.D., and Mr Thomas Hope, LL.D., Franciscus Berynghiery, Mr William Laybron', LL.B., Mr John Barton', B.Can.L., and Robert Walker, priest, without the revocation of other proctors appointed at another time; 11 September.

f.130v 4 March 1462

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr John Lonesdale, M.A., in the canonry and prebend of Saltmarshe in the collegiate church of Howden, vacant by the death of Mr John Marchall', last canon and prebend thereof.

Date: Durham, 4 March 1461/2.

f.130v 10 March 1462

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Mr Robert Hertipole, M.A., in the vicarage of Aycliffe, vacant by the death of William Blomeley, last vicar thereof.

Date: Durham, 10 March 1461/2.

f.131r 26 March 1462

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Robert Mawson', chaplain, in the fourth vicarage in the collegiate church of Hemingbrough, vacant by the death of Richard Amy, last vicar thereof.

Date: Durham, 26 March 1462.

f.131r-v [24 March] 1462

Notarized transumpt by the official of the consistory court of Durham recording that Mr William Seton', S.T.P., subprior of Durham and lawfully-constituted proctor of the prior and chapter thereof, coming into his presence, showed him certain letters granted to the prior and chapter concerning their cell of Coldingham: a transumpt brought into the form of a public instrument drawn up by authority of James, sometime bishop of St Andrews in Scotland, and under his seal and the subscription of two notaries, and certain apostolic letters sealed in the manner of the Roman *curia* with the bulls of Popes Eugenius IV and Nicholas V; asserted that he was to transmit the transumpt and the papal letters, or true copies thereof, to the Roman *curia* and distant places for the defence of the rights of the prior and chapter in their cell of Coldingham and other churches and places appropriated to them; and, fearing loss of or damage to the transumpt and the papal letters due to the perils of the roads (&c), begged him to have the same examined and copied and reduced into public form; considering the proctor's petition to be in accord with reason and equity, the official, sitting tribunally in the Galilee of Durham cathedral, the customary place for giving judgments, accepted the transumpt and the papal letters, delivered to him by the proctor, on 24 March [1461/2]; and with all those whom these things concerned, though warned to be present, not appearing and being pronounced contumacious, he inspected the transumpt and papal letters and had the undernamed notaries do the same; finding these documents lacking in suspicion, he saw fit to have the notary Robert Bartram copy the transumpt and the papal letters, the tenors of which follow (not recited).

Under the seal of the officiality of Durham and the sign and subscription of the notaries. Witnesses: Thomas Verty, chaplain, Thomas Belycise, gentleman, Richard Dunseford', John Raynton, Thomas Stobbys, Robert Watson', of Durham dioc.; Roger Merlond', of Coventry and Lichfield dioc..

Notaries: Robert Bartram, the official's clerk for this purpose, with Mr William Laybron', LL.B., Robert Walker, priest, all N.P.s by apostolic authority (eschatocols not recited).

Date: [Durham, 24 March] 1461/2.

f.131v 14 August 1464

(Out of sequence:)

Inspeximus by John prior and the chapter of Durham confirming the following appointment, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 14 August 1464.

Appointment by Lawrence, bishop of Durham, of Guy Fairfax as steward of his lordship or manor of Howden and Howdenshire, with the wages and fees, advantages and profits used and wont to the office; carrying out the office in person or through his sufficient deputy, for whom he would answer to the bishop, for as long as he should conduct himself well therein; taking his wages and fees yearly from the issues, farms and profits of the bishop's lands and tenements in Howden and Howdenshire by the hands of the bishop's receiver there, to be paid at Michaelmas and Easter by equal portions.

Date: (no place of issue), 27 June, 1 Edward IV. [1461]

f.131v 27 January 1465

Letters of confraternity by Richard prior and the chapter of Durham to John Dalton, squire, and Elizabeth, his wife, noting the affection of their devotion and sincerity which they have for the monastery of Durham and repaying them in accordance therewith by admitting them to the spiritual brotherhood of the chapter of Durham and granting them special participation in all masses, prayers, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them for all time after their deaths, just as for their other spiritual brethren. (Out of sequence)

Date: Durham, 27 January 1464/5

## The register of the time of Richard Byllyngham, chancellor, who entered the said office on 7 September 1459, begins (f.132r-181r)

f.132r

Presentation as the first entry on f.120r.

f.132r

Letters of confraternity as the second entry on f.120r.

f.132r 30 September 1459

Mandate [by John prior of Durham] {to the warden of Durham college, Oxford}, having been informed that Thomas Grene, lately a scholar in Durham college, Oxford, has withdrawn from the college, to remain there no further, instructing the warden that when William Barkar, clerk, originating in Allertonshire, should come to him, he and his fellows should examine him and, if he be found suitable, should receive him as a scholar of the college, once his bodily oath has been sworn, according to the force and effect of the college statutes.

Written: Durham, 30 September 1459.

Also DCD Reg. Parv. III f.96r-v.

f.132r 31 December 1459

Quittance by John, prior of Durham, for ten shillings annual pension of the terms of John the Baptist [24 June] and Christmas preceding the date of the presents owed to the monastery of Durham by reason of the appropriation of the church of Longbenton, received from the master and scholars of Balliol hall [Oxford].

Date: Durham, 31 December 1459.

Also DCD Reg. Parv. III f.96v.

f.132r 26 September [?1459]

Commission by John, prior of Durham, to Thomas <Halke> Halber' and John Aukelaunde, monks of Durham, appointing them receivers of moneys and bursars of Durham college, Oxford, and committing to them the disposal of the goods of the college according to the intention of its founders, and with the consent of its warden, and rendering, with the warden, to the prior faithful account of receipts and expenses; willing that they labour, at the common expense, in the business of the college as often as need be, according to the deliberation of the warden and his colleagues.

Date: Durham, 26 September.

f.132r-v 26 September 1459

Licence by John, prior of Durham, to Thomas Halber' and John Auklaunde, monks of Durham, to hear each other's confessions and those of their fellow monks and other religious men dwelling in Durham college, Oxford, to give absolution and at their own discretion impose beneficial penances according to the manner of the sin; reserving to himself or his special deputy the absolution of serious sins which are directly against the essential vows of the monastic rule.

Date: Durham, 26 September 1459.

f.132v-133v

Ordinance as on f.120r-121r

f.134r 8 December 1459

Memorandum that letters for the admission of William Legat to Durham college, Oxford, were issued according to the form of William Barkar's [f.132r], on 8 December 1459.

f.134r 11 December 1459

Commission by John, prior of Durham, archdeacon in the churches appropriated to the church of Durham and ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, to Mr William Layburn, LL.B., appointing him official and warden of his archidiaconal jurisdiction over appropriated churches in Durham and Northumberland, and of his whole jurisdiction of Allerton and Allertonshire, powers listed, until the prior should see fit to revoke these letters.

Date: Durham, 11 December 1459.

f.134r-v 1 December 1459

Proxy by John prior and the chapter of Durham appointing Mr William Langton and Mr Robert Wilson', advocates of the court of York, W[illiam] Layburn', {LL.B., and Henry Husthwayt, N.P. by apostolic authority and proctor of the court of York}, as their proctors in all causes, business, disputes (&c) concerning the prior and chapter and their monastery, begun or to be begun in the Roman *curia* or elsewhere, before whatsoever judges ordinary, delegate and their commissaries, and whatsoever others having whatever sort of jurisdiction or cognizance, whether *ex officio* or at the instance of parties, by whomsoever their adversaries, at whatsoever dates and places; giving them special power and special and general mandate to act for the prior and chapter, their monastery, cells and dependent churches and chapel, responsibilities described.

Date: [Durham] 1 December 1459.

f.134v 4 January [?1460]

Letter by John, prior of Durham, {to the warden of Durham college, Oxford}, having been told by Robert Rodees that he has discussed the church of Ruddington with justice Byngham, who has agreed to show the warden such evidence as he has and also that the warden should come to his place to show him the evidence which he has before he, the justice, goes to London; willing that the warden ride in all haste and speak with the justice, and take his evidence with him, since the church might otherwise, the prior has been informed, be recovered and lost to him.

Written: Durham, 4 January.

*Language:* English

f.134v 27 February 1460

Memorandum that Robert Barkar's letter was issued in the form of a letter issued for T[homas] Paslelay: 27 February 1459/60.

f.134v [1460s?]

Opening address of letter to the prior of Durham (three-quarters of a line only).

*Language:* English

f.134v 4 April [?1460]

Letter by John, prior of Durham, to [John,] viscount Beaumont, thanking him for his good lordship and informing him that he has delivered to the viscount's servants Nicholas Belforth and Bekwyth such stuff as he had left with him, by an indenture made between the prior and the said servants, who have one part thereof to show to the viscount.

Written: Durham, 4 April.

*Language:* English

f.134v-135r 17 April [?1460]

Letter by John, prior of Durham, to Lord Fitzhugh to whom he had recently written asking him to show good lordship to John Gardiner, schoolmaster at Richmond, who is to be with the prior and monks at Durham to teach the poor scholars of the almonry (our *almose*); concerning which the prior has been informed by Thomas Tebbe, sometime singer in [the earl ?] of Salisbury's chapel, that Lord Fitzhugh would favour his intentions in this matter; and, understanding that there are burgesses and other gentlemen of the country who oppose the said John's coming to Durham, asking Lord Fitzhugh to command the said burgesses and others not to prevent John from fulfilling his promise to the prior; and also asking him to give credence to the bearer of the presents, who is to inform him on the prior's behalf of these and other matters.

Written: Durham, 17 April.

*Language:* English

Printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclxxvi.

f.135r 31 March [?1460]

Letter by [John,] viscount Beaumont, to the prior of Durham asking him to send him his stuff, which he had left with the prior by indenture, back to him by his servants Nicholas Belforth', Bekwith and Gilbert, by whom he also sends his half of the indenture to the prior; asking the prior to write back to him as to what he has done in this matter, and also to tell him what other things he might do for him; "ande I thank yow hertely of þe greet cheer' ye mad me at home with yow".

Written: Grimesthorpe, 31 March.

*Language:* English

f.135r 20 April 1460

Proxy by John prior and the chapter of Durham appointing Mr John Lounde, LL.B.; Mr William Langton, LL.B., and Mr Robert Wilson', LL.B., advocates of the court of York, as their proctors to be present and act on their behalf at the convocation of the clergy of the province of York, to be held in York Minster on Wednesday the last day of April, with continuation of days following and places, before William, archbishop of York, or his commissaries or commissary deputed thereto.

Date: Durham, 20 April 1460.

f.135r [1460s?]

Proxy [incomplete] by John prior and the chapter of Durham appointing Mr Richard Barton, S.T.P., prior of St Leonard's Stamford; Thomas Lewyn, monk of Durham; William Rosby; Mr John Paynell', LL.B., N.P. by apostolic authority; as their proctors to act on their behalf in the business of the union of the parish church of St Mary Binewerk, next to the west gate of the town of Stamford and in the patronage of the prior and chapter, to the parish church of St Peter in the same town, whose patron is (blank), to be brought about by authority of John, bishop of Lincoln, as is claimed, before whatsoever judges ordinary, delegate, subdelegate, or their commissaries deputed in the said business, at whatsoever dates, times and places, and to this union, and also to whatsoever exchange of a certain garden next to St Mary's church, in the event (no more).

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.298.

f.135v 1 April - 1 June 1460

Memoranda that

letters of confraternity of John Butler, knight, and Margaret his wife were issued in the form of those on f.18, Register III: A.D. 1460;  
 that letters [of transfer] of William Coken' [monk of Durham] from the cell of Wearmouth to the cell of Finchale were issued in common form: 1 May 1460;  
 that letters [of transfer] of William Massam [monk of Durham] from the cell of Finchale to the monastery of Durham were issued in common form: 1 May 1460;  
 that letters [of transfer] of Thomas Wren' [monk of Durham] from the cell of Coldingham to the monastery of Durham were issued in common form: 1 June 1[4]60;  
 that letters [of transfer] of John Ryall' [monk of Durham] from the cell of Lytham to the cell of Wearmouth were issued in common form: 1 June [14]60;  
 that letters [of transfer] of William Easby [monk of Durham] from the cell of Coldingham to the cell of Lytham were issued in common form: 1 June [14]60;  
 that letters [of transfer] of Robert Knout [monk of Durham] from the cell of Holy Island to the cell of Finchale were issued in common form: 1 June [14]60;  
 that letters [of transfer] of Thomas Genour [monk of Durham] from the monastery [of Durham] to the cell of Holy Island were issued in common form: 1 June [14]60;  
 that letters [of transfer] of William Jervax [monk of Durham] from the monastery of St Leonard's Stamford, to the monastery of Durham were issued in common form: 1 May 1[4]60;  
 and moving him from the monastery to the cell of Coldingham: 1[4]60.  
 that letters [of transfer] of William Coveringham [monk of Durham] from the cell of Farne to the monastery of Durham were issued in common form: 1 April [14]60;  
 that letters [of transfer] of {Robert} Wardall' [monk of Durham] from the monastery [of Durham] to the cell of Farne Island were issued in common form: 1 June 1460.

f.135v 1 June 1460

Appointment by John, prior of Durham, of Richard Wrake [monk of Durham] as keeper of the cell of Farne Island, committing to him the cure and administration thereof until otherwise instructed, and ordering him to answer and obey in all things pertaining thereto. Date: Durham, 1 June 1460.

f.135v 1 June 1460

Mandate [by John, prior of Durham,] {to John Both} [monk of Durham] instructing him to move from [Finchale] his present cell to that of Jarrow and to remain there until instructed otherwise; showing the present letters to the prior of Finchale, that he should furnish him with transport and provisions, and showing them also to the master of Jarrow, so that he should admit him at his arrival.

Written: Durham, 1 June 1460.

f.135v 3 June 1460

Grant by John, prior of Durham, to Henry Hartlaw and Marion his wife, and to the longer living of them, confirming the corrody which Henry has had hitherto in *le meason' de Dieu* next to the abbey of Durham, for life, taking food and drink and other necessities just as a brother or sister takes at present, so long as they bear the burdens pertaining to the said place and concerning their persons during their life; and if the said Henry and Marion fail to observe the statutes and customs of the said house, fail to perform the customary prayers for the souls of the founders of the house, if they fornicate or commit adultery or remarry, then they shall lose all the forgoing in perpetuity.

Date: Durham, 3 June 1460.

f.136r 5 June 1460

Notarial instrument recording the resignation of the church of Blyborough by Thomas Candell', 5 June 1460.

As f.121v-122r above.

f.136r 10 June 1460

Presentation of William Joys to the church of Blyborough, 10 June 1460.

As f.122r above.

f.136r 5 June 1460

Return of inquisition *post mortem* taken at Durham 5 June 1460 concerning *diem clausit extremum* of Nicholas Blaykeston'.

As f.122r above.

f.136r-v 12 June 1460

Substitution of proctors by Mr John Lounde, LL.B., proctor of the prior and chapter of Durham, and of Mr John Lifford, LL.D. and dean of Auckland St Andrew, and of the whole clergy of the bishopric of Durham, lawfully appointed and having power to appoint substitutes, to attend and act on behalf of the aforesaid at the convocation of the clergy of the province of York, to be held in York minster on Wednesday the last day of April, with continuation of days following and places, before William, archbishop of York, or his commissaries or commissary deputed thereto, as more clearly appears in letters of proxy made therefor, handed over and in the said archbishop's registry / register (*registro*); appointing Mr Robert Wilson', LL.B., and Mr William Laybron', LL.B., advocates of the consistory court of York, to be present and act for him and for those appointing him, responsibilities described, as above, in the prorogued convocation of clergy in York Minster on Thursday 19 June, with continuation of days and places.

Under the seal of the official of the consistory court of the bishop of Durham, because his own seal is unknown to many; with a note by the official stating that he has affixed his seal to the presents.

Date: Durham, 12 June 1460.

f.136v 2 July 1460

Notarial instrument recording the resignation of the prebend of Howden by Thomas Stubbes as proctor of John Hubbresty, 2 July 1460.

As f.122r-v above.

f.137r 3 July 1460

Presentation to the vicarage of the prebend of Howden, 3 July 1460.

As f.122v above.

f.137r 27 June 1460

Letters of consent by the prior and chapter to the assigning of a pension to John Hubersty, vicar of Howden, 27 June 1460.

As f.122v above.

f.137r 1 September 1460

Presentation of John Sails to the second vicarage of Hemingbrough collegiate church, 1 September 1460.

As f.122v above.

f.137r-v [n.d.]

Mandate [incomplete] by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to the warden of the bedern in Howden, referring to the statutes enacted by John Wessyngton, sometime prior of Durham, for the good rule of the bedern, and to the warden's responsibility for the execution of these statutes; and instructing the warden impartially to enforce the statutes, and especially against those bound by oath to observe the statutes and who do not fear to offend against the said statutes, whom the prior neither ought nor wishes to exempt.

(The entry ends abruptly at the foot of the folio)

f.137v [n.d.]

Letter by John, prior of Durham, to William, archbishop of York, begging him, although he has made many exertions in the appropriation of the church of Brantingham to the priory's college at Oxford, to the maintenance and relief of his chaplains and faithful bedesmen, that he see fit to render his assistance in the imminent danger of the church of Ruddington, appropriated to the said college, as Thomas Caly, monk of Durham and warden of the said college, will explain to him orally.

f.137v [n.d.]

Letter [by John prior of Durham] {to Mr Robert Wilson'}, having heard that there is a lawsuit between the vicars of Howden before the warden of the bedern concerning the observance of a statute, namely that any inmate absenting himself from commons for a week, either being at table with a canon or through sickness or other legitimate impediment, for each week of his absence is bound to pay 4d to the commons, over which the prior has written to the warden [cf. f.137r-v above] confirming the warden's power in the execution of the said statutes and in punishing transgressors; moved from this that each admitted to the bedern swears to observe the statutes on his admission, for certain sick persons however the prior has representations that those should be more mildly dealt with for whom it is alleged that they cannot expend the small sum laid down in the statutes; also it is alleged that in the past there were some absent through sickness for a considerable time from whom much less than half of the 4d was levied weekly, with their colleagues content and consenting; in the aforesaid the prior desires Robert's industry to be unsleeping in inquiring and judging what is just and, if it should happen that a pardon should be made to the sick in part or *in toto* for keeping the peace and so that everything should be done in charity, the prior desires Robert's labours to intervene for having a consensus among those eating together, so that with justice upheld the works of piety are not lacking over the poor and sick. Over this matter the prior has written to the warden wishing to proceed to the punishment of transgressors that he should desist until Robert's coming to the synod for this to be settled, with prorogation and continuation if that seems opportune.

f.137v 19 October [?1460]

Letter by the prior of Durham to John Butler', knight, having been informed by William Syngilton' that there has been *straunge* rule of late in the cell of Lytham, such as he has never heard of in any Durham cell, contrary to the prior's right and the welfare of the cell, through the actions of William Easby, monk of Durham there, and Henry Byllyngton, priest there, and having ordained the recall of William Easby to Durham and the discharge of William Syngilton' and Henry Byllyngton' from their positions at Lytham, begging him to see that his will be not obstructed, that the cell be not unduly burdened and the rights pertaining thereto come to no harm, so that he should have no cause to complain to higher authority.

Written: Durham, 19 October.

*Language:* English

f.138r 19 October [?1460]

Letter by John, prior of Durham, (no addressee named) informing the addressee of his letter to John Butler', knight, [the preceding entry] and asking him to send word if the said John should hinder the carrying out of his orders.

[Written] Durham, 19 October.

*Language:* English

f.138r 16 October 1460

Letters of recall [by the prior of Durham] [to William Easby, monk of Durham] instructing him to return [from the cell of Lytham] to the monastery of Durham, to stay until ordered otherwise, and to show the present letters to the prior of Lytham, so that he might furnish him with transport and expenses.

Written: Durham, 16 October 1460.

f.138r [13/14 November] 1460

Letter [by the prior of Durham] {to the prior of Lytham} stating that William Syngilton' has sent him many letters defaming the prior of Lytham, and a ragman against him and another accusation against John Roose [monk of Durham] by a jury of twenty-six from his vill and district accusing the prior of cruelty, inconstancy, thereby being odious to all his tenants and neighbours, and accusing John Roose of familiarity with certain young women (*mulierculis*); whence, more than this, it seems likely that serious losses in victuals for the house will arise, and also peril to his reputation and the disgrace of incontinence; he should take care of his honour and their church just as he would wish to have the prior of Durham's favour; informing the prior of Lytham that he has written to Sir John Butler' on his behalf and that of his house [cf. Reg. Parv. III f.94v, 30 November], if at all Sir John might be benevolent and effective for the advantage of the house, and as such he is to be received, and instructing him to send word plainly to him as to how all these things are taking place; and he [the prior of Durham] will apply diligence in making reforms.

From: Durham, St Brice 1460.

f.138r 24 November 1460

Presentation to the vicarage of Eastrington, 24 November 1460.

As f.122v-123r above.

f.138r November 1460

Collation by John, prior of Durham, to Nicholas (blank), priest, of the chantry of St Mary in the collegiate church of Darlington; willing that he receive for his maintenance four marks yearly from the bursar of Durham; and, should the bishop of Durham confer upon him another chantry within his manor of Darlington in increase of his maintenance, willing that he be able to receive and possess the same; and enjoining him, if he should acquire the other chantry, to celebrate with music (*cum nota*) and serve as minister in the said church for as long as it please the prior, and as instructed by the prior and his successors. Date: Durham, (blank) November 1460.

f.138r

(Lower margin:)

Six names [connected with next entry ?]

f.138v-141r 2 June 1462

Notarized notification by William Newton, LL.B., dean of Chester-le-Street collegiate church, executor of the letters by John de Ceretanis, to John de Ceretanis de Interampne, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux, papal chaplain and auditor, specially-deputed by the pope as auditor of causes for the causes and parties underwritten, and to whatsoever other auditor of causes being appointed in his place by his letters as included below, informing him:

that on 10 May 1462 Richard Byllyngham, monk and chancellor of Durham and lawfully-constituted proctor of the prior and convent thereof and of John Pencher, prior of Coldingham, showed and handed over to him, William Newton, and asked for the execution of the following notarial instrument:

and that he, William Newton, accepted this instrument containing the auditor's letters of compulsion and undertook their execution; that by authority thereof he decreed the citation of Patrick Home, principal party *ex adverso*, and others, ordering Richard Emerson, clerk, deputed by him as his nuncio for this purpose, to serve summons on them to appear before him in the parish church of St Nicholas, Newcastle upon Tyne, on 31 May, to see the muniments concerning the case of the said religious, to copy extracts, to examine the seals and notaries' signs and hands, and so on, as required in the auditor's letters; and that on the said date Richard Emerson came into his presence when he was seated in judgment in the said church and reported that on 16 May he had cited Patrick Home and others in the churches of Fishwick in Scotland and Norham on the border of England and Scotland, since, because of bodily torment and fear of death, the safety to approach them was not clear to him, and showed a public instrument made by him of the citation, with the sign and subscription of Robert Walker, N.P.; that the proctor of the religious asked that Mr John Trope, S.T.P., there present, be warned and required by William Newton to show all original evidence of his lords' right and true copies thereof and, if need be, to be compelled to do so, declaring himself ready to make payment to whatsoever persons were to be paid; that Mr John Trope, being so warned, showed three transumps:

the first two being under the seal of the official of Durham, and the signs and hands of Robert Bartram, John Runkhorn and John Berehalgh', and the third being signed and subscribed by the N.P.s Robert Bartram, Mr William Laybron' and Robert Walker; the first containing grants by the kings of Scots, by Earl Patrick, and acts of a certain parliament; the second containing letters of confirmation by Popes Eugenius IV, Nicholas V, {Adrian IV and Alexander III; the third containing a true transumpt by James, current bishop of St Andrews, concerning the gifts by the kings of Scots specified in the first transumpt, and letters of confirmation by Popes Eugenius IV and Nicholas V};

and that the proctor of the said religious asked that Patrick Home and the others cited be deemed contumacious for non-appearance, and he nominated William Richardson, Roger Acome, Nicholas Senkler', Robert Bokett, Richard Lister, Robert Kylhome, Robert Todde, and Thomas Verty, priests and witnesses, judicially present, to examine the transumps and to state on oath whether they recognized the said seals, signs and hands and whether the notaries concerned were lawful and public; that they found that the said seals, signs and hands belonged to those to whom they were said to belong, and that the notaries concerned were lawful; that the proctor asked the executor, the underwritten notaries and witnesses to compare the originals of the evidences recited in the copies with the copies; that this was done and the originals and copies were found to agree; and that he handed the same transumps, faithful to the originals, to the same proctor to be taken to the auditor or his substitute, along with the presents attached thereto.

Under the seal of John Lilford, LL.D., vicar-general of Lawrence, bishop of Durham, in distant parts, as well as the signs and signatures .

Witnesses: Mr William Newton the younger, LL.B.; Robert Bere and Christopher Roche, N.P.s; John Modi, canon-regular of Hexham priory; Henry Ravyn, canon-regular of Blanchland; Thomas Castell'; Thomas Eland'.

Notaries: William Laybron, clerk of York dioc., N.P. by apostolic authority, and notary and secretary of William Newton, the executor, specially appointed for the foregoing; Robert Walker', priest of York dioc., N.P. by apostolic authority; Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, the writer of this public instrument (eschatocols of all three recited).

Date: Durham, 2 June 1462.

Notarial instrument recording that John, prior of Durham, held in his hand and handed over to the notary for inspection, exemplification and reduction into a public instrument the following notarized letters.

Witnesses: William Kyllynghall', gentleman; Roger Merland, John Bellacys, clerks; Henry Bykerton; of Durham, Coventry & Lichfield and St Andrews dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited, including reference to a wooden case in which the auditor's seal had been placed for protection).

Done: the great chamber of John, prior of Durham, in the monastery of Durham, 15 April 1462.

Notarized letters of compulsion by John de Ceretanis de Interampne (&c, as above) to the clergy of the city and diocese of St Andrews (listing grades of clerics, secular and regular, from abbots to clerks) and the notaries public thereof, notifying them that Pope Pius II lately caused to be presented to him, by a certain courier, the following Schedule [not fully recited] of commission or supplication that the cause of the appeals on behalf of the prior and convent of Durham and John Pencher, prior of Coldingham, from a certain pretended claim made, as is said, by one Patrick Home, asserted archdeacon of Teviotdale, Glasgow dioc., concerning the priory of Coldingham and the detachment thereof from the church of Durham, and the commissions made thereupon to the bishops of St Andrews and Lismore and the archdeacon of Glasgow and by them to be introduced in the future, and other grievances more extensively interposed in the appeal; along with the causes concerning deceits and the invalidity of the pretended letters obtained, as is said, by the said Patrick Home, along with the causes which the said petitioners want to institute against the said Patrick with power to cite the said Patrick Home and all others claiming an interest, and power to inhibit. (Also recited f.206v below) on the strength of which ordering all those to whom the presents are directed that within six days of presentation or notification to them of the present letters.

Witnesses: Mr William Baralis', N.P., Mr William Thome, N.P., his clerks, clerks of the cities and dioc. Lodonensis and Marloviensis [?Marloniensis/ Marlomensis].

Notary: William Mehand, clerk of <Venetens[is]> Veneten' LL.Lic., N.P. by apostolic and imperial authority, the said auditor's clerk, and clerk for this matter before him (eschatocol recited).

Under the auditor's seal and the sign of the said notary, the letters themselves being in a hand other than the said notary's.

Date: Rome, 12 December 1461.

f.141r-142r 24 March 1462

Notarial instrument recording that John Pencher', Benedictine monk and prior, as he claimed, of Coldingham, held certain letters testimonial and patent [Misc. Ch. 1315] concerning his title in the said house, and handed them to the notary for copying, saying that he was to send them or a true copy thereof to the Roman *curia* regarding certain concerns of his, of necessity to be attended to there, and asked the notary to examine and reduce into a public instrument these letters, as in the following mandate and certificate.

Witnesses: Thomas Verty, chaplain, Thomas Beliciss', gentleman, Richard Dunseford', John Raynton, Thomas Stobbis, Robert Watson, of Durham dioc.; Roger Merlaund', of Coventry & Lichfield dioc.

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the Galilee of Durham cathedral, 24 March 1461/2.

Mandate to induct by James, bishop of St Andrews, to his dean of Christianity of the Merse or whatsoever other chaplain celebrating within his diocese deputed by him to execute the presents, since the priory of Coldingham is vacant by the resignation in his hands of Thomas Nesbitt, last prior thereof, before a notary and witnesses; and following presentation by William prior and the chapter of Durham instructing him: to go to the cell of Coldingham and institute John Pencher, monk of Durham, or his proctor as prior of Coldingham and to put him in bodily possession thereof; to suppress any gainsayers; and to affix his own seal to the presents after the bishop's round seal as a sign of his execution hereof, with the presents to remain in the possession of the said John.

Date: Pittenweem, 12 September 1456, Consecration 19.

Certificate of induction by William Bertreme, dean of the Merse and vicar of Swinton, of John Pencher into the priorate of Coldingham, by keys, book, chalice and the other altar furnishings.

Witnesses: David Home of Wedderburn, knight; Mr Gilbert Heryng', parson of Innerwick; Thomas Thoperik, William Bone, John Wake, chaplains; William Aldyncraw, Edward Lummy[s]den, squires.

Done: 5th day after the date of the presents [16 September 1456, assuming inclusive reckoning]

Original: DCD Misc. Ch. 1315.

f.142r-v 16 May 1462

Notarial instrument recording that Richard Emerson, clerk of Durham dioc., having in his hands certain letters of summons by Mr William Newton', LL.B., dean of Chester-le-Street collegiate church and judge or executor of certain letters of compulsion by John de Ceretanis of Interampna, LL.D., archdeacon of Sernen' [?Cernes] in the church of Bordeaux, papal chaplain and auditor of causes, directed on behalf of the prior and convent of Durham and John Pencher, prior of Coldingham, for citing Patrick Home and others, fearing lest the kinsmen and allies of Patrick Home do the same to him as they did previously (*pridie*) to Thomas Teodoryke, another executor, when sought out, by seizing, beating, robbing, imprisoning and maltreating him, as he accepts to have been so by report of Robert Ogle, knight and baron, and other trustworthy men, he pleaded that he did not dare to go to the presence of Patrick Home or to his dwelling, to the cathedral of St Andrews, the priory of Coldingham or another neighbouring place in order to serve summons, because of the ambushes set on the roads, bodily torment and fear of death; and that, with this plea made, in the church of Fishwick with a multitude of people gathered there to hear mass, Richard summoned Patrick Home and the others specified in the letters of compulsion to appear before Mr William Newton, judge or executor aforesaid, on the last day of May in the church of St Nicholas Newcastle upon Tyne, the place appointed for a decision, for viewing the rights and muniments concerning the cause or causes of the said prior and convent and John Pencher, prior of Coldingham, for making extracts and copies and identifying signs, seals and notaries' hands thereof; that he had true copies of the letters of summons made, along with a public instrument by Robert Bartram containing the tenor of the letters of compulsion, and had them affixed to the doors.

Witnesses: Richard Ogle, squire, Robert Sandirson, William Hudson, John Brady, Richard Ferrou, of Durham [dioc.]; John Hopper and William Hopper, parishioners of Fishwick, St Andrews dioc..

that next, on the same day, he did the same in the church of Norham, where Scots had gathered to hear mass.

Witnesses: Matthew Clerk, priest of the parish church of Norham, of Glasgow dioc.; William Wedered, keeper of the chantry of St Cuthbert, John More, keeper of the chantry of St Mary in the same church, James Edwardson, priests of St Andrews dioc.; Richard Ogle, squire, Robert Sandirson, William Hudson, John Brady, Richard Ferrou, William Brady, John Doxford', William Burne George Thostley, and Robert Brady, of Durham dioc.

Notary: Robert Walker', priest of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: parish churches of Fishwick and Norham, 16 May 1462.

Another version: DCD Misc.Ch. 689.

f.142v [16 May 1462 or later]

Certification by Richard Emerson, clerk of Durham dioc., deputed substitute of the undermentioned John de Ceretanis to John de Ceretanis de Interampne, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux, papal chaplain and auditor, specially-deputed by the pope as auditor of causes for the causes and parties underwritten, and to whatsoever other auditor of causes being appointed in his place by his letters as included below, informing him that on behalf of the prior and convent of Durham and John Pencher, prior of Coldingham, he was shown the following [notarized letters].

[Notarized letters of compulsion] by John de Ceretanis de Interampne (&c, as above) to the clergy [of the city and diocese of St Andrews] [Not recited in full; most likely the letters entered above f.138v-139v.]

[Rome, 12 December 1461]

f.142v 24 February 1468

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Oliver Bland, chaplain, in the {first} canonry and prebend in the collegiate church of Hemingbrough vacant by the resignation of Mr Adam Haymond', last canon and prebendary thereof.

Date: Durham, 24 February 1467/8.

f.143r 1 October 1466

Proxy by Richard prior and the chapter of Durham to Peter de Millinis, Roman citizen and general proctor of the Roman *curia*, and Richard Billyngham, monk of Durham, their proctors in their business pending undecided in the said Roman *curia*, granting them full faculty and special mandate, beyond the power already assigned to them, to arrange a loan for the monastery of up to £40 and no more with whatsoever willing merchants or others, spiritual or temporal, with the sum lent to be used for the expediting of the causes and business of the prior and convent, as should seem fit to the proctors.

Date: Durham, 1 October 1466.

f.143v

(blank)

f.144r 28 March 1462

Notarial instrument recording that Mr John Sendale, canon of Howden collegiate church and prebendary of the prebend of Thorpe, held in his hands and made read and interposed the following

Written resignation whereby he, John Sendale, canon (&c), for certain legitimate reasons, renounces all title to the prebend of Thorpe, resigning the same into the hands of William, archbishop of York, or another having power to accept his resignation. and asked the notary to draw up a public instrument on the foregoing.

Witnesses: George Soulby, gentleman, and Richard Lucas, chaplain, of York dioc..

Notary: John Hamer, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: York Minster, 28 March 1462.

f.144r 31 March 1462

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute John Pemberton, priest, in the canonry and prebend of Thorpe in the collegiate church of Howden, vacant by the resignation of Mr John Sendale, last canon and prebendary thereof.

Date: Durham, 31 March 1462.

f.144r 20 April 1462

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Richard Creswell', chaplain, in the church of Kimblesworth vacant by the death of Thomas Ryhale, last rector thereof.  
Date: Durham, 20 April 1462.

f.144r-v 20 April 1462

Inspeximus by John prior and the chapter of Durham confirming the following licence, saving the rights and liberties of their church of Durham in all things.  
Date: Durham, 20 April 1462.

Licence by letters patent by Robert, bishop of Durham, to Robert Rodes, one of the bishop's council at law, and to his heirs and assigns, to create a small gateway in the outer wall of the castle of Durham, in South Bailey, opposite his house (*mansio*), to the garden attached and next to the house, and granting free exit and entry by the same gateway as often and when need be, at lawful and suitable times, along with licence to open and close the gate at will, at the said times, without impediment of the bishop or his successors; providing that Robert, his heirs and assigns, at their own expense sufficiently repair and maintain the gateway and the adjoining wall from time to time, and defend and keep it when need be, both in war and in peace, so long as he should happen to have the gateway; on condition that in the future no damage, prejudice or peril come to the bishop or his successors, or to any other, by reason of the said gateway. By the hand of John Lounde, clerk, the bishop's chancellor.  
Date: Durham, 8 September, Pont. 12. [1449]

f.144v 29 June 1462

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Mr William Storme, M.A., in the vicarage of the prebend of Skelton in the collegiate church of Howden, vacant by the death of John Raynold', last vicar thereof.  
Date: Durham, 29 June 1462.

f.144v 2 November 1464

{ "void" }

Presentation by Thomas subprior (Mr John Burneby, prior, having died) and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Robert Walker, priest, N.P. by apostolic authority, in the vicarage of Norham, by rights vacant because Mr John Burne, B.Dec., lately instituted vicar therein, accepted the archdeaconry of Northumberland, which he lately obtained without papal dispensation.  
Date: Durham, 2 November 1464.

f.144v 11 December 1464

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, to institute Mr William Toune in the vicarage of Norham, vacant by the resignation of Mr John Burne, last vicar thereof.  
Date: Durham, 11 December 1464.

f.145r 14 July 1462

Notarial instrument recording that Mr Richard Barton, S.T.P., prior of St Leonard's Stamford, as he asserted, held in his hands and made, read and interposed the following Written resignation whereby he, Richard Barton, monk of Durham, broken by old age and manifoldly destitute of the strength of his body, desiring, for these reasons and others, to discharge himself of the cure and rule of the said priory, renounces all title thereto into the hands of John, bishop of Lincoln, or another having power to accept this resignation.

Witnesses: John Hagerston' and Robert Hedlame, priests of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: the nave of Durham cathedral, 14 July 1462.

f.145r 23 July 1462

Presentation by John prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to admit John Eden', monk of Durham, to the keeping and rule of the cell or house of St Leonard's Stamford, vacant by the resignation of Mr Richard Barton, S.T.P., last prior thereof.

Date: Durham, 23 July 1462.

f.145r [23 July 1462]

Form of oath sworn by John Eden, monk of Durham, having been presented to the custody and rule of the cell or house of St Leonard's Stamford: to preserve the possessions, rights and liberties of the cell or house of Stamford; to do nothing to the prejudice of the said cell or of the prior and chapter of Durham; to do nothing contrary to the liberties, statutes, constitutions, rights or privileges of the cathedral church or monastery of Durham or the said cell; and knowingly to do nothing in contravention of the foundation, ordination or other disposition of or concerning the said cell as hitherto applied by the prior and chapter of Durham.

Interposed in the chapter house [Durham], the said day and year.

f.145v 23 July 1462

Notarial instrument of proxy recording that John Eden, monk of Durham, having been presented, as he claimed, to the keeping and rule of the cell of St Leonard's Stamford, by John prior and the chapter of Durham, by special licence of the said prior, appointed Robert Bolt, *literatus*, as his proctor, giving him full power and special mandate to appear on his behalf before John, bishop of Lincoln, or his vicar-general in distant parts, to excuse his absence and explain the causes thereof, to show his letters of presentation, to ask that he be admitted, instituted and inducted to, in and into the keeping of the cell, and obtain possession thereof, to swear whatsoever lawful oath by rights required, and do and swear canonical obedience to whomsoever it is due by reason of the cell, to ask and obtain whatsoever letters of admission, institution and induction are necessary, and to pay the fees required in this regard; and to do all necessary things in this regard; and if these things be such that they should demand further mandate, he promised to the notary, in place and name of those whom it might concern, that he would accept all that the proctor might do in this matter, giving his pledge and bond.

Witnesses: Richard Randolfe, priest, and Robert Hoton, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: registry of the monastery of Durham, 23 July 1462.

f.145v 30 July 1462

Memorandum that John Jamez, chaplain, was presented to the fourth vicarage in the church of Hemingbrough, vacant by the death of Robert Mawson', last vicar thereof, according to the form on f.131 of this book; 30 July 1462.

f.145v [30 July 1462]

Memorandum that John Watkynson', chaplain, was presented to the vicarage of the prebend of Skelton in the collegiate church of Howden, vacant by the death of John Raynold, last vicar thereof, according to the form on the folio specified above [see the preceding entry].

f.146r [approximately 1462]

Memorandum that John Skypton', chaplain, was presented to the fifth vicarage in the collegiate church of Hemingbrough, vacant by the resignation of John Watkynson, last vicar thereof, made by William Brineston, his proctor, before Robert Bartram, N.P., and witnesses, under £20 bond; with letters of presentation being issued in common form as on f.94 of this book.

f.146r 27 August 1462

Proxy by John prior and the chapter of Durham appointing Mr John Lounde, LL.B., Mr William Langton, LL.B., Mr Robert Wilson', LL.B., advocates of the court of York, and Mr William Laybron', LL.B., as their proctors, giving them general power and special mandate, to appear and act for them at the convocation of the clergy of the province of York, to be held in York Minster on Wednesday, 1 September next, with continuation of days and places, before William, archbishop of York, or his deputed lieutenants or commissaries, one or more.

Date: Durham, 27 August 1462.

f.146r [approximately 1462]

Memorandum that Mr John Segeden', S.T.B., was presented to the canonry and prebend of Saltmarshe in the collegiate church of Howden, vacant by the death of Mr John Lonesdall', last canon and prebendary thereof; with letters of presentation being issued in common form as on f.130 of this book.

f.146r-v 15 November 1462

Inspeximus by John, prior of Durham, of the following grant, in the archives of the cathedral church of Durham; this grant having been confirmed in letters patent by other kings of England to the prior and chapter and to their dependent cells; calling upon all the faithful to treat the priory's men and tenants favourably as often as they should come to them or to their places, or stay among them, and to bring about and permit others to cause nothing prejudicial to them, in goods or persons, in contravention of the force and effect of the said grant and confirmations.

Date: Durham, 15 November 1462.

Grant by Henry [II], king of England, to the prior and monks of Durham of all their liberties, immunities and free customs throughoout England, Normandy and all his sea-ports, ordering that they and all things sworn by their men to be their lords' property be quit of any toll, ferry-toll or custom, on pain of £10.

Witnesses: R[oger], archbishop of York, R[obert], bishop of Lincoln, Richard de Lucy.

Date: York [1154 x 1166].

The issue of a similar inspeximus on 23 February 1477 is recorded in a memorandum on f.179v.

Original (grant): DCD 3.1.Reg.4.; also copied f.24r above, in an inspeximus by Henry, earl of Northumberland, dated 3 October 1445.

f.146v 20 November 1462

Collation by John, prior of Durham, to Robert Clerke, priest, of the chantry of St Mary in the collegiate church of Darlington; willing that he should receive four marks yearly from the bursar of Durham and, should the bishop of Durham wish to confer upon him another chantry within the manor of Darlington in augmentation of his maintenance, giving him dispensation to receive and possess the same; and, should he acquire the said other chantry, or be provided to any other suitable portion from elsewhere in improvement of his maintenance, enjoining him to be present to celebrate divine offices with music (*cum nota*) in the said church and to minister as long as it please the prior, and as ordered by the prior while he live and by his successors.

Date: Durham, 20 November 1462.

(Marginal caption:) { "Collation of the chantry of St Mary in the church of Darlington at the supplication of the parishioners as appears in the small register of the lord prior"} [i.e. DCD Reg. Parv. III f.114r].

f.146v-147r 5 November 1462

Commission by Lawrence, bishop of Durham, to the prior and convent of Durham having received the following writ, appointing them as his collectors of the half tenth in his city and diocese, with exemptions as in the above writ, entrusting to them in his place the canonical compulsion of payment by ecclesiastical censure of those refusing to pay, and all and sundry things needed to carry out the foregoing; instructing them to answer to the king for the half tenth as in the foregoing.

Date: the bishop's manor in London, 5 November 1462.

Writ by Edward [IV], king of England, to Lawrence, bishop of Durham, since William, archbishop of York, present in person in his provincial council opened in York Minster on 30 April 1460 and, for certain legitimate reasons, continued and prorogued on various occasions and finally to 23 March 1461/2 last past, took care to encourage the provincial prelates and clergy to grant the king a subsidy; and since at length the archbishop and the other prelates and clergy granted the king a half of a tenth, with certain exceptions, the grant being put into writing and delivered to the king in the form of words following Grant by the prelates and clergy of the city, diocese and province of York, in provincial convocation in the chapter house of York minster, for the successful defence, protection and keeping of the English church, kingdom and people, and particularly for the defence of the marches of England towards Scotland and for other charges to be borne by them, of a half of a tenth from whatsoever their goods and benefices, spiritual and temporal, accustomed to pay the tenth, according to the new assessment, excepting: the priories of Drax, Mattersey, [North] Ferriby, Felley, Watton, Rufford, Ellerton, Shelford, Blyth, St Michael in Kingston upon Hull (Carthusian order), Holy Trinity York, and, because of their well-known poverty, the priories and monasteries of nuns holding goods and benefices within the province of York; and whatsoever the lands, possessions and benefices of all the monasteries aforesaid; the community of the chapel {of St Mary} <several words obliterated in red> and the Holy Angels [*al.* St Sepulchre York], the community of the said cathedral church, along with the parish church of Sturton [le Steeple] in the archdeaconry of Nottingham <obliterated in red: and the prebend of North Leverton [see below]>, newly-appropriated thereto, and the community of the collegiate church of St John Beverley; the churches of Misterton, Topcliffe, Brodsworth, appropriated to the said church of York, because of the rapid construction and destruction thereof; the churches of Huntington, Fryston on Ayre with the portion therein, and Barnburgh in the archdeaconry of York; half of the parish church of Treswell, on the south side of it, and the church of Little Markham, in the archdeaconry of Nottingham; the prebend of North Leverton in the collegiate church of Southwell; the prebends of Pelton and Lumley in the collegiate church of Chester le Street; the prebend of Eston [Escombe ?] in the collegiate church of Auckland; the church of Washington in the archdeaconry of Durham, because of over-assessment thereof; and the lands, tenements and possessions of the abbot and convent of Meaux destroyed by the waters of the sea and rivers; and all and sundry the priories, monasteries and benefices of Cumberland, Westmorland, Northumberland and Copeland and their attached temporalities and spiritualities; and all and sundry church properties temporal and spiritual assessed at ten marks or under according to the new or old extent (and if there be doubt concerning the assessment, the collectors deputed are not to be charged with these benefices unless it be found by inquisition of the ordinaries that they are assessed at a greater sum, such that neither the ordinaries and collectors nor those holding the benefices will be troubled or harmed by "our" officers; the lands, tenements, possessions and benefices of the monasteries and priories of Marton, Thurgarton, Newstead, Monk Bretton, Welbeck, Roche (*Rupo*),

Pontefract, Bolton in Craven, Haltemprice, Egglestone, Cockersand, and the churches of Kilvington, Babworth and Leake in the archdeaconry of Nottingham; Kirkham and Kirby Wiske in the archdeaconry of Richmond, Hinderwell in Cleveland, South Dalton in the provostry of the collegiate church of Beverley; Langtoft in the cathedral church of York; [East] Stoke by Newark [and] Edingley in the collegiate church of Southwell; Saltmarshe in the collegiate church of Howden; and also the temporalities of the provostry of Beverley and the parish [church] of Welwick appropriated thereto; because of fearful and unusual storms on the sea and the Humber.

They granted that the half of a tenth, with the said exceptions, was to be raised and paid at the term of Candlemas 1462/3; with the proviso that no clergy or their farmers be bound to pay the fifteenth along with secular persons for any property or revenues on which the tenth or part thereof ought to be paid, even though the property or revenues be in the hands of farmers; and that, if it be attempted otherwise, such clergy be discharged from payment of the half tenth; ordering the bishop to have trustworthy clergymen of the diocese, for whom he would answer to the king, deputed to raise and collect the half tenth; so that the half tenth be answered for (*respondeatur*) to the king at the said Candlemas; with the treasurer and barons of the Exchequer to be certified at the latest by the morrow of Hilary next to come of the names of those deputed for this purpose.

Witness: the king.

Date: Westminster, 16 October A.R. 2. [1462]

f.147r 16 January 1463

Written oath by Richard Creswell, chaplain of the chapel of Hylton in the parish of Monkwearmouth, giving notice that he has sworn to be obedient to the prior and convent of Durham, rectors of the said church of Wearmouth, and to observe all things contained in a certain agreement ordained by Hugh, bishop of Durham, between Germanus prior and the convent of Durham and Alexander Hilton concerning the chapel and future chaplain, and to preserve the chapel and the mother church from harm to their rights (&c); renouncing whatsoever appeals and their processes howsoever interposed by Robert Staynton, lately chaplain of the said chapel, in the Roman *curia* or elsewhere, and papal letters obtained or to be obtained in this regard, such that they neither provide support to him in future, nor bring harm to the prior and convent and their successors.

Date: Durham, 16 January 1462/3.

f.147v-148r 31 January 1463

Proxy by John prior and the convent of Durham appointing Mr Thomas Hope, LL.D., as their proctor, short of recalling other proctors already appointed, in all causes, actions, suits and business (&c) howsoever concerning the prior and convent, their church, monastery, college in the university of Oxford, their cells, appropriated parish churches and dependent chapels, their jurisdiction, liberties, privileges, exemptions, tithes, pensions, portions, possessions, interests or rights whatsoever, begun or to be begun by appeal, lawsuit or other way of law, in the Roman *curia* or outside, before Pope Pius II, his auditors of causes or their substitutes, or other judges ordinary or extraordinary, delegate or subdelegate, their commissaries or lieutenants, arbiters or conciliators, and whatsoever judges ecclesiastical or secular, acting by whosoever power, giving him general power and special and general mandate to act for them and for the state and utility of their church, monastery, college (&c), attending at whatsoever appointed dates and places, excusing and explaining the absence of the prior and convent, obtaining papal letters of grace from the Roman *curia* and pursuing the cancellation of papal letters obtained against them, &c, listing other responsibilities.

Date: [Durham] 31 January 1462/3.

f.148r [29 January 1463]

Nomination by the chancellor and the rest of the masters of the university of Oxford, of one accord, to John prior and the chapter of Durham certifying that Mr William Yve, vice-chancellor of Oxford, S.T.P., is their nominee for the parish church of Appleby, now lacking a rector, since a few years ago the prior and chapter granted them the right of nomination on this occasion.

Date: Oxford, 4 Kal. February.

Original: DCD 1.5.Ebor.51.

f.148r 8 February 1463

Mandate by John prior and the chapter of Durham to the prior of their cell of Lytham instructing him to present Mr William Yve, S.T.P., to the bishop of Lincoln [for institution in] the vacant church of Appleby, having nominated Mr William for presentation by reason of his nomination by the chancellor and the rest of the masters of the university of Oxford, of one accord, according to the authority assigned to them in a commission of the prior and chapter to present on one occasion.

Date: Durham, 8 February 1462/3.

f.148r-v 15 January 1463

Admission by John, prior of Durham, of Richard Creswell, chaplain, having received the following presentation, to the chapel of Hylton; according to the force and effect of an agreement anciently made between the prior's predecessors and the lords of Hylton, with Richard having first sworn an oath [cf. f.147r above] before Mr John Lilford', LL.D., official of the consistory court of Durham, William Seton, S.T.P., monk of Durham, William Layborn, LL.B., and others assigned in the prior's place for this purpose, to observe the agreement, and having also made and interposed before the same men a written renunciation of certain appeals and apostolic letters interposed and obtained by Robert Staynton', his immediate predecessor; so long as he should serve the chapel honestly, take on all burdens incumbent thereon, and keep the mother church of Monkwearmouth, from which the chapel depends, immune from damage in all things, as is fitting.

Date: Durham, 15 January 1462/3.

Presentation by Mr John Lounde and Mr Thomas Ascheley, clerks, and William Rakett, gentleman, feoffees of William Hilton, lately baron and lord of Hylton, since presentation to the chapel of Hylton pertains to them by reason of a certain enfeoffment and by authority of an agreement between the prior's predecessors and the lords of Hylton, whose turns at presentation they are lawfully exercising, of Richard Creswell', priest, to serve the chapel of Hylton following the death of Robert Staynton, the last to serve at the said chapel.

Date: (no place of issue) 26 November 1462.

Original (admission): DCD 3.4.Spec.23.

Original (presentation): DCD 3.4.Spec.26.

f.148v 25 February 1463

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Robert Walker, priest, in the church of Kimblesworth, vacant by the resignation of Richard Creswell', last rector thereof.

Date: Durham, 25 February 1462/3.

f.148v 16 April 1463

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute John Stayndrope, in the vicarage of Heighington, vacant by the resignation of Robert Dale, last vicar thereof; saving a yearly pension of 53s 4d due of old therefrom to the sacrist of Durham; and, considering Robert Dale's exertions during his incumbency there during no short time, desiring that the bishop assign him a suitable annuity or pension from the revenues of the said vicarage or elsewhere, in relief of his estate and for his life's necessities, and that he charge the said vicarage and its vicar with payment of the annuity during Robert's life; and, if the bishop should please to do this, giving their consent thereto by the presents.

Date: Durham, 16 April 1463.

f.148v-149r 19 June 1463

Notarial instrument recording that Mr William Fallan, canon of Howden collegiate church and prebendary of Skelton, as he asserted, held in his hands and made, read and interposed the following

Paper schedule whereby he, William Fallan, wishing for certain legitimate reasons to leave and discharge himself of the burden and cure of his canonry of Howden and prebend of Skelton, resigns the same in the hands of William, archbishop of York, or of another having power to accept the resignation, begging that his resignation be accepted and that he be assigned a suitable pension for the term of his life from the revenues of the said canonry and prebend.

Witnesses: Richard Ewdale, John Mason, and John Bill', of London dioc..

Notary: Robert Kent, LL.B., of Canterbury dioc., N.P. by apostolic authority (eschatocol recited).

Done: the dwelling-house of Mr William Fallan, within the king's palace of Westminster, 19 June 1463.

f.149r 29 June 1463

Presentation by John prior and the chapter of Durham asking William, archbishop of York, or his vicar-general in distant parts, to institute Robert Portyngton, clerk, in the canonry and prebend of Skelton in the collegiate church of Howden, vacant by the resignation of Mr William Fallan last canon and prebendary thereof.

Date: Durham, 29 June 1463.

*Related material in other DUL collections:* Related letter: DCD Loc.XXV:53\*.

f.149r 9 October 1463

Presentation by John prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute William Robynson, chaplain, in the vicarage of Ellingham, vacant by the resignation of William Yonghusband', chaplain, last vicar thereof.

Date: D[urham], 9 October 1463.

f.149r-v 2 November 1463

Notification of cancellation of proxy by John prior and the chapter of Durham for certain legitimate reasons, and on advice given to them by jurists, revoking the power given by them in letters appointing Mr Richard Barton, S.T.P., now deceased, Thomas Lewyn, monk of Durham, William Rosby, chaplain, and Mr John Paynell', LL.B., as their proctors [f.135r, above] to act in the business, long since commenced, of the union of the parish church of St Mary Binewerk, next to the west gate of the town of Stamford, and in the patronage of the prior and chapter, to the parish church of St Peter in the same town.

Date: Durham, 2 November 1463.

f.149v-150r 3 January 1464

Inspeximus by John prior and the convent of Durham confirming the following inspeximus, saving the rights, liberties and privileges of the cathedral church of Durham and of their chapter in all things.

Date: Durham, 3 January 1463/4.

Inspeximus by William [Tanfield] prior and the convent of Durham confirming the following charter, saving the right and liberty of the church of Durham and of their chapter in all things.

Date: Durham, 12 March 1308/9.

Charter by Hugh, bishop of Durham, to John prior and the convent of Carlisle, with the common advice of the parsons and of his church, confirming to them the churches which they have within the bishopric of Durham, taking customary pensions yearly from the parsons holding them, namely 26 marks from the church of Newcastle upon Tyne, 12 marks from the church of Newburn, 25 marks from the church of Warkworth, 9 marks from the church of Rothbury, 9 marks from the church of Whittingham, and half of the land, tithes and other income of the church of Corbridge, the other half being held by Peter de Ros, archdeacon of Carlisle, whom the bishop has instituted as parson in the other half on their presentation, rendering yearly therefor to them one pound of incense at Carlisle, at the Assumption of Mary, and likewise bearing the burden of officiating in the churches through honest vicars, rendering synodal dues and archdeacon's procurations (*hospitia*); and upon the deaths of the said parsons the vacant churches are to be kept in their own hands, with the revenues thereof to be turned to their own use; and they are to appoint vicars to serve the said churches, who will answer to the archdeacon and the bishop's officials for those things which pertain to them; freeing them from the bishop's procurations and and common aids, but requiring them to pay forty marks yearly (at the usual dates) in recompense to the bishop and his successors in perpetuity, less ten marks until any one of the said churches should pass into their hands.

Witnesses: Bertram, prior of Durham, Burchard and William, archdeacons, Simon the chamberlain, Mr Richard de Coldingham, Mr William Blesens', William de Houden, Mr Robert de Adington, Simon, John and Richard, chaplains, Mr Nicholas the doctor, Robert de Ellewith', Robert de Hedon', Robert of Durham, Mr William the almoner, Mr Adam, Mr Richard Hayrun, and William de Norham, clerks.

Date: *pridie ante* St Peter's Chair, 1193/4. [21 February 1194]

f.150r [14]63

Presentation by John prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Mr Thomas Wolhouse, chaplain, N.P. by apostolic authority, in the church of St Mary at the bridge Stamford, vacant by the death of John Lyndesay, last rector thereof; saving a yearly pension of five marks due of old to them and to their monastery of Durham.

Date: Durham, (blank) [14]63.

f.150r [1463?]

Grant (chirograph) [incomplete] by John prior and the convent of Durham to Humfrey Nevill', knight, for £40 paid to them at their exchequer of Durham of the marriage of Cuthbert, son and heir of Richard Byllyngham, [description of holding omitted \*], held by service of a tenth of a knight's fee and suit of court at their three chief courts held yearly, and by service of rendering to them, at their said exchequer, 20s yearly at the usual terms, as appeared from an inquisition in their full court of Durham held before Geoffrey Midelton, knight, their steward, and William Cuthbert, their terrar, after the death of the said Richard, and returned to their said exchequer; with the "said" lands and tenements reserved to the prior and convent by reason of minority until the full age of the said heir.

[\* Cuthbert Billingham is found holding in Billingham for 20s a year in 1495-6, ( *Durham Cathedral Priory Rentals Volume I Bursars Rentals*, ed. R.A. Lomas & A.J. Piper, (Surtees Society 198, 1989), p.166/23.]

f.150r 21 June 1464

Letters of confraternity by John prior and the chapter of Durham to Richard Welden, squire, being moved by the devotion of mind and the sincerity of heart which he has for their monastery, repaying him in accordance therewith by admitting him to the spiritual brotherhood of the chapter of Durham and granting him special participation in all their masses, prayers, vigils, fasts (&c) in the monastery of Durham and its dependent cells, in perpetuity, and prayers after his death, for all time, just as for their other spiritual brethren.

Date: Durham, 21 June 1464.

f.150r 22 July [1464]

Memorandum of petition by William Hogeson' of Fulford, York dioc., who struck and mortally wounded John Staynton of the same vill and dioc. on 18 June 1464, against his will but in self-defence, as he claimed; and, acknowledging his guilt, asked the sanctuary of St Cuthbert and his church.

Before the witnesses: Henry Preston, constable of Durham, Thomas Foster', gentleman, John Megre, chaplain, Thomas Folanseby; in Durham cathedral, 22 July.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.1 no.i.

f.150v 5 December 1464

Proxy by Richard prior and the chapter of Durham appointing Mr John Lax, LL.D., Richard Byllyngham, monk of Durham, Peter de Millinis and Antony de Egubio, proctors-general of causes in the Roman *curia*, as their proctors in their place and name in all causes, business, suits (&c) begun or to be begun in the Roman *curia* or outside, concerning or in any way touching the prior and chapter or any of them, or their monastery, college in the university of Oxford, other cells, appropriated churches and chapels dependent therefrom, their jurisdiction, liberties, privileges, exemptions, tithes, pensions, portions, possessions, interests or rights, after the withdrawal of any proctors otherwise appointed by them for the foregoing matters; giving them general power and special and general mandate to appear for them and their monastery (&c), at appointed dates and places, before Pope Paul II or his auditors of causes of the holy apostolic palace, or their substitutes, or other judges ordinary or extraordinary, delegate or subdelegate, their commissaries or lieutenants whomsoever, to excuse and show the cause of their absence, to obtain papal letters containing grace, favour or common justice, and to pursue the cancellation of papal letters obtained against them, &c, summarizing their responsibilities. Date: Durham, 5 December 1464.

f.151r 7 January 1465

Proxy by Richard prior of the chapter of Durham appointing Mr William Seton', S.T.P., sacrist of Durham, William Cuthbert senior, terrar, hostiller and stock-master, John Eden', prior of the cell of St Leonard, Stamford, monks of Durham, and Mr John Lord and Mr John Naseby, proctors-general of the court of Canterbury, Mr Robert Benett and Mr Thomas Wolhouse, proctors-general of the consistory court of Lincoln, as their proctors in the business of the union, annexation and appropriation of the church of St Mary Binewerk, by the west gate of the town of Stamford, Lincoln dioc., to the church of St Mary at the bridge, in the same town, both in the patronage of the prior and chapter, or otherwise to any other parish church of the same town, giving them, or at least two of them, and with the condition that the prior of Stamford of the time always be one of them, general power and special mandate to appear in name of the prior and chapter before the said ordinary of the place, or his commissaries deputed for the expediting of the said business, at whatsoever dates, times and places assigned to them, with responsibilities summarized, including the negotiation of indemnity for the prior and chapter; giving consent to whatever they will be able well and faithfully to accomplish, always saving the rights, liberties, privileges, dignity and indemnity of the church and monastery of Durham in all things.

Date: Durham, 7 January 1464/5.

f.151r-152r 5 January 1465

Notarial instrument recording that Richard Bell', prior of Durham; Thomas Caly, subprior; Mr William Seton', S.T.P., sacrist; Thomas Ayer'; Richard Kellow; John Pencher, prior of Coldingham; John Warner, master of the infirmary; Richard Blackburn', third prior and feretrar; John Ripon', one of the deans of the order; William Fyge; William Rodburne, master of the Galilee; Richard Wrake, chamberlain; William Cuthbert senior, terrar, hostiller and stock-master; William Byrden, almoner; John Eden, prior of Stamford; William Elwike, rectorer; Richard Billingham, chancellor; Thomas Holme, precentor; John Aley, the prior's chaplain; Thomas Derlyngton', steward of the prior's household; John Stele; Thomas Stayndrope; John Gryne, communar; Richard Stele, granator; Robert West; Thomas Halver; John Aukland'; Robert Byllingham, cellarer; Thomas Genor; William Masseham; John Ryton'; William Coveryngham; John Lee; William Brone; John Danby; Thomas Yonge; Thomas Collum; William Cuthbert junior; John Forest; Richard Hertilpole; George Corneforth'; John Lowe; John Rowland'; John Manby; John Swan'; and Richard Tanfeld, monks of Durham, making up the chapter of Durham, appointed Mr John Lilford', LL.D., Richard Byllyngham, monk of Durham, and Mr Robert Walker, priest, N.P. by apostolic authority, as their proctors, giving them general power and special and general mandate, in their place and names, in all and sundry causes, business, suits (&c) begun or to be begun, in the Roman *curia* or outside, concerning the prior and chapter or any of them, or their monastery, college in the university of Oxford, other cells, appropriated churches and chapels dependent therefrom, their jurisdictions, liberties, privileges, exemptions, tithes, pensions, portions, possessions, interests or rights, before Pope Paul II, his lieutenant, auditors of causes of the holy apostolic palace, or substitutes, or before other judges ordinary or extraordinary, delegate or subdelegate, their commissaries or lieutenants whomsoever, to appear for the state and utility of the prior and chapter, their monastery (&c), at whatsoever appointed dates, times and places, to excuse their personal absence and show the causes thereof, to obtain papal letters containing grace, favour or common justice, and to pursue the cancellation of papal letters obtained against them (&c, summarizing their responsibilities, and with the usual pledge given through the notary, in name of those whom it might concern).

Witnesses: John Hagerston, priest, John Sayer, gentleman, and Roger Morland, *literatus*, of Durham and Coventry & Lichfield dioc..

Under the common seal of the chapter as well as the notary's subscription.

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, deputed scribe and registrar of the acts of the prior and chapter (eschatocol recited).

Done: chapter-house of Durham, 5 January 1464/5.

f.152r-v 9 January 1465

Proxy by Richard prior and the chapter of Durham appointing Richard Byllyngham, monk of Durham, and Mr Robert Walker, N.P. by apostolic authority, as their proctors to pursue their causes and business at the Roman *curia*, giving them plenary power and special mandate to contract a loan up to the sum of £20 English and no more, with whatsoever merchants or others, and to commit the sum borrowed to the expediting of their causes and business for the utility of their monastery where and when the proctors should think fit; binding themselves and their monastery to the repayment of the said sum at whatever dates and places those making the loan should see fit to appoint, and renouncing all exceptions, generalizations and peculiarities which might be set up against the foregoing; submitting themselves and their monastery to the jurisdiction and coercion of whatsoever ecclesiastical judge whom the lenders, with the proctors or either of them, should see fit to choose (&c).

Date: Durham, 9 January 1464/5.

f.152v 10 January 1465

Letters testimonial by Richard, prior of Durham, for Richard Byllyngham, priest, religious of the order of St Benedict, and bearer of the presents, who, for certain legitimate reasons concerning the welfare of his soul and the utility of his monastery of Durham, which were put to the prior and approved by him, intends to visit the holy apostolic see, and who has asked for and been granted with the presents the prior's licence for this purpose; testifying to Richard's merits; asking those to whom and to whose places he should go, or among whom he should stay, to receive him favourably and not to allow prejudice to be caused to his person or goods.

Under the seal of his archidiaconal jurisdiction over appropriated churches, because the seal of his dignity has not yet been made.

Date: Durham, 10 January 1464/5.

f.152v

{Void}

Presentation by the prior and convent of Durham

[Evidently a wrongly-worded version of the following entry]

f.152v 5 February 1465

Presentation by Richard prior and the chapter of Durham asking the dean and chapter of York, keepers of the spirituality thereof *sede vacante*, to institute John Glover, chaplain, in the the perpetual chantry of Cliffe at the altar of St Mary in the collegiate church of Hemingbrough, vacant by the death of William Baynton, last chaplain thereof.

Date: Durham, 5 February 1464/5.

f.153r 21 May 1465

Appointment by Richard prior and the chapter of Durham of William Cuthbert, monk of Durham, since, for a number of reasons, they have discharged Thomas Hexham, monk of Durham, lately keeper of the priory or cell of Lytham and their proctor there, from the rule and administration of the said priory, creating him keeper, proctor and prior of the priory or cell of Lytham, committing to him the spiritual and temporal custody, agency, rule and administration thereof; on condition that the prior and chapter of Durham and their successors be permitted to remove him therefrom at will, with or without cause, and that he be bound yearly to render faithful account to the prior and chapter of the receipts and expenses administered by him; wherefor ordering all over whom they have authority to answer to and obey him as prior of the cell and as their proctor there in respect of all things pertaining to the said cell.

Date: Durham, 21 May 1465.

f.153r 21 May 1465

Presentation by Richard prior and the chapter of Durham to the archdeacon of Richmond or his vicar in distant parts since they have appointed William Cuthbert, monk of Durham, as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 21 May 1465.

f.153r 21 May 1465

Proxy by William Cuthbert, monk of Durham and appointed prior of Lytham by Richard, prior of Durham, being occupied with difficult business, appointing, with the licence of the said prior, Mr Robert Wilson, LL.B., Mr William Laybron', LL.B., and Mr John Smert, LL.B., as his proctors, giving them plenary power to appear on his behalf before the archdeacon of Richmond, his official or his vicar-general or lieutenant in distant parts, to excuse and explain his absence, to ask that he be inducted into bodily possession of the said cell, to receive possession of the cell, and to swear his obedience and whatsoever other lawful oath used and wont in this regard.

Under the seal of the keeper of the spirituality of the liberty of St Cuthbert within the bishopric of Durham, because his own is unknown to many; to the affixing of which the keeper testifies.

Date: Durham, 21 May 1465.

f.153r-v [1465?]

Form of oath sworn by William Cuthbert, monk of Durham, presented to the cell of Lytham by Richard prior and the chapter of Durham, that he will not sell, alienate (&c) the possessions, rights and liberties of the cell of Lytham to the prejudice of the cell or the prior and chapter of Durham; that he will neither obtain nor attempt nor cause others to obtain nor attempt anything which might be adverse to the liberties, statutes (&c) of the monastery of Durham or the said cell; and that he will not knowingly contravene any existing ordinances (&c) made by the prior and chapter concerning the cell.

f.153v 30 May 1465

Appointment by Richard, prior of Durham, of Thomas Hexham creating him prior of the cell of Finchale, committing to him the spiritual and temporal cure and administration thereof; wherefor ordering those whom it might concern to answer to and obey him in all things pertaining to the said cell, rendering faithful account yearly to the prior of all receipts and expenses of the cell.

Date: Durham, 30 May 1465.

f.153v 30 May 1465

Notarial instrument recording that John Eden, monk of Durham and prior, as he asserted, of the house or cell of St Leonard, by Stamford, held in his hands and made, read and interposed the following

Written resignation whereby he, John Eden, prior of Stamford, wishing for certain legitimate reasons to be discharged of the cure and rule of the said priory, withdraws from all title thereto, resigning the same in the hands of John, bishop of Lincoln, or of another having power to accept the resignation.

Witnesses: {John Swynton and Thomas Porter, of Durham dioc.}.

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: the registry of the monastery of Durham, 30 May 1465.

f.153v-154r 30 May 1465

Presentation by Richard prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to admit John Midelham, monk of Durham, to the keeping and rule of their cell of St Leonard, by Stamford, vacant by the resignation of John Eden, monk of Durham, last prior thereof.

Date: Durham, 30 May 1465.

f.154r 1 June 1465

Form of oath sworn by John Midelham, monk of Durham, presented to the house or priory of St Leonard, by Stamford, by Richard prior and the chapter of Durham, that he will not sell, alienate (&c) the possessions, rights and liberties of the cell of Stamford to the prejudice of the cell or the prior and chapter of Durham; that he will neither obtain nor attempt nor cause others to obtain or attempt anything which might be adverse to the liberties, statutes (&c) of the monastery of Durham or the said cell; and that he will not knowingly contravene any existing ordinances (&c) made by the prior and chapter concerning the cell.

Witnesses: Robert Bartram, N.P. by apostolic authority, and (blank).

Read: [Durham] before the prior and chapter in their chapter-house, 1 June 1465.

f.154r [1 June 1465]

[Memorandum] that John Midelham, prior of Stamford, appointed a certain Robert Bolt, *literatus*, as his proctor to present the letters of presentation given to him to the bishop of Lincoln, and to do all other things as in the proxy made by John Eden' and registered on the ninth folio preceding;

Witnesses: Robert Bartram, N.P. by apostolic authority, John Foster and John Brown', *literatus*, of Durham and York dioc.;

Date as above.

f.154r [1465]

Proxy by Richard, prior of Durham.

[Incomplete version of the following entry, from which it differs in construction, though not in substance.]

f.154v 11 June 1465

Proxy by Richard, prior of Durham, being unable in person to attend the coming provincial chapter of the prelates of the black monks in England, to be held by apostolic authority at Northampton on 1 July next to come, because of the compilation of a full inventory, on his having recently taken up office, of his and his monastery's goods, interests and possessions, according to the statutes of his order and the demands of law, and the sudden arrival in these parts, for the re-establishment and continuation of peace between the kingdoms of England and Scotland, of certain ambassadors of the king, with whom he needs to have an interview for the protection of his and his monastery's interests and possessions in the vicinity of the march, appointing Robert Ebchestr', scholar of theology, prior or warden of Durham College Oxford, as his excusator and proctor to appear and act on his behalf at the said chapter and to swear to the truth of his excuses.

Date: Durham, 11 June 1465.

Excuses printed: *Chapters of the English Black Monks III*, ed W.A. Pantin (Camden 3rd Series vol.liv, 1937), p.220.

f.154v 24 June 1465

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Robert Walker, priest, in the vicarage of Northallerton, vacant by the death of John Tremdon, last vicar thereof; saving a yearly pension of £20 due of old therefrom to the prior and chapter and their monastery.

Date: Durham, 24 June 1465.

f.154v 8 August 1465

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Robert Clerke, priest, in the church of Kimblesworth vacant by the resignation of Robert Walker, last rector thereof.

Date: Durham, 8 August 1465.

f.154v-155r 11 September 1465

Inspeximus by Richard prior and the chapter of Durham confirming the following grant, saving the rights and liberties of their church of Durham and monastery in all things.

Date: Durham, 11 September 1465.

Grant by letters patent by Lawrence, bishop of Durham, to James Typping, his servant, of the keeping of the park of Auckland, with all profits and advantages pertaining thereto; also the keeping of the castle, manor-house or manse of Auckland, with all profits and advantages pertaining thereto; to be held for life, in person or through his sufficient deputy or deputies, for whom James would answer to the bishop and his successors; taking each year from the bishop and his successors, by equal portions at Michaelmas and Easter: for keeping the park, the fees and wages used and wont to the office, to be paid by the hands of the head forester of Weardale, with all the said profits and advantages; for keeping the castle, manor-house or manse, the fees and wages used and wont to the office, to be paid at the exchequer of Durham by the hands of the bishop's receiver-general, with all other fees and profits belonging to the keepership.

By the hand of Henry Gillowe, clerk, the bishop's chancellor.

Date: Durham, 10 May, Pont. 8. [1465]

f.155r 13 September 1465

Form of oath sworn by James Typpyng, keeper of the manor and park of Bishop Auckland, that he will be of good will and faithful towards the prior and chapter of Durham and their fellow monks in dependent cells, cause them no injury, will at no time unjustly trouble them in their rights, liberties, jurisdictions, customs, goods or possessions, and will say or do nothing wherethrough they might sustain harm or be in any way ruined.

Date: Durham, 13 September 1465.

Original: DCD Loc.XXVIII:3(11).

f.155r-v 11 September 1465

Inspeximus by Richard prior and the chapter of Durham confirming the following appointment, saving the rights and liberties of their church and monastery of Durham in all things.

Date: Durham, 11 September 1465.

Appointment by letters patent by Lawrence, bishop of Durham, of Robert Marler', his servant, as bailiff of the liberty of Howden and Howdenshire, the office to be held in person or through his sufficient deputy, for whom he would answer to the bishop, for life; taking five marks each year from the bishop and his successors for the execution of the office, to be paid by the hands of the receiver there at Easter and Michaelmas by equal portions; and all other fees, wages and customs used and wont to the office of old; rendering account for the office to the bishop and his successors each year of all profits, revenues and reversions belonging to them; and, in the exercise of his office, keeping the bishop and his successors immune from loss as regards the king in his exchequer and other courts.

Date: Durham, 15 October, 1 Edward IV. [1461]

f. 155v 11 September 1465

Lease (by indenture) by Richard prior and the chapter of Durham, with the consent of Thomas Hexham, prior of the cell of Finchale, to Robert Bartram, clerk, of two united and annexed tenements with their buildings, gardens (&c), lying together in the parish of Durham St Mary in North Bailey, between other tenements belonging to the prior and monks of Finchale on either side, namely the tenement once in the hands by James Dunne to the south and and the tenement now in the hands of Thomas Wall' to the north, extending from the highway to the stone wall of the bishop of Durham on the west; to be held by Robert and his wife Joan, their heirs and assigns, from Pentecost last past for the term of seventy years; rendering yearly therefor 21s 4d (usual term dates) to the prior and monks of Finchale and their successors; and should the said rent be in arrears in whole or in part for a half year, if lawfully asked, then it is to be allowed to the said prior and monks of Finchale to distrain upon the tenements, remove the goods distrained and to hold them until satisfied of the rent and arrears; and should the rent be in arrears for a whole year, provided it be asked as above, and sufficient should not be found there for distraint, then it shall be allowed to the prior and monks to re-enter the tenements and possess them as before, the present indenture notwithstanding; and the prior and monks of Finchale will repair and maintain the tenements, with the houses and buildings erected there before the date of the presents, at their own expense during the said term; and if anything of new work be built afterwards by Robert and Joan, their heirs or assigns, within the bounds of the tenements, for their own convenience, they will maintain and repair it at their own expense, with the support of the prior and monks of Finchale.

Sealed alternately with the seals of the prior and chapter and of Robert Bartram.

Date: Durham, 11 September 1465.

Original sealed by Robert Bartram: DCD Misc. Ch. 1729.

M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.525, locating this portion of the Finchale holding in Lygate, as a result of the failure of the Receiver's Books to register that some properties actually fronted onto the west side of the North Bailey north of Lygate, see Large Woodfield Survey I.

f.156r-v 18 October 1464

Notarial instrument recording that Richard Billyngham, monk of Durham and proctor, as he asserted, of the subprior and chapter thereof, made, read and interposed, and asked for letters authorizing the following written

Appeal by him, Richard Byllyngham, that although the subprior and chapter be of unimpaired reputation (&c) and be unbesmirched by excommunication (&c), have lawfully obtained their estate, rank, orders and profession and have peacefully possessed the same along with the interests, lands, possessions, rights, liberties and privileges belonging to their monastery, and possess them at present; fearing from plausible reasons that prejudice may be engendered in future concerning the position of the subprior and chapter and their right and property in the church of Durham and whatsoever their appropriated churches and chapels, dependent cells, interests, rights (&c); and, lest someone by whatsoever authority or mandate, even if episcopal, attempt anything prejudicial, in various specified ways, including to the subprior and chapter, their churches and chapels, interests and rights (&c), disturbing, troubling or unduly visiting them in contravention of statutes and privileges granted to them by popes, kings of England, archbishops of York and bishops of Durham, he appeals to the apostolic see and for tuition to the court of York, subjecting the prior and chapter, their churches, chapels, rights, interests (&c), those adhering and wishing to adhere to them and him in their name, to the protection and defence of the said see and court; declaring that, if need be, he will alter the present appeal and put it into more proper form, and notify those concerned of a suitable time and place therefor. and that Robert asked the notary to reduce the foregoing into a public instrument.

Witnesses: Mr William Laybron', LL.B., William Killynghall', gentleman, John Steele, clerk, and Thomas Barnard, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: nave of Durham cathedral, 18 October 1464.

f.156v-157r 18 October 1464

Proxy by Thomas subprior and the chapter of Durham appointing Mr William Seton, S.T.P., sacrist of Durham and warden of Durham college Oxford, Richard Bell', S.T.B., prior of Finchale, Richard Blackburn', third prior and feretrar, Richard Byllyngham, chancellor of the church of Durham, Mr Robert Wylson, LL.B., and Robert Bartram, N.P. by apostolic authority, as their proctors, short of revoking other proctors already appointed within England, giving them general power and general and special mandate to act (responsibilities summarized) in all causes, suits (&c) brought by whatsoever adversaries, begun and to be begun *ex officio* or at the instance of parties, concerning them and their monastery of Durham, college in the university of Oxford, cells, appropriated churches and dependent chapels, their interests, jurisdictions, liberties, tithes, pensions, portions and rights, before whatsoever judges ordinary or delegate and their commissaries, and before executors, collectors, administrators, arbiters and conservators having any kind of jurisdiction, at whatsoever dates and places; to attend synods, consistories, councils, visitations, elections, chapters, congregations and other convocations on behalf of the subprior and chapter, their monastery, college (&c), and discuss and agree or disagree. Date: [Durham] 18 October 1464.

f.157r 7 November [1464]

Licence by letters patent by Lawrence, bishop of Durham, to Thomas subprior and the chapter of Durham having lately received their letters patent informing him that their priory is vacant by the death of John Burneby, last prior thereof, and begging licence to elect another prior, lest the priory suffer as a result of a long vacancy, granting that they be allowed to elect a suitable man as prior.

By the hand of John Lound, clerk, the bishop's chancellor.

Date: Durham, 7 November, Pont. 8.

Original: DCD Loc.XIII:15.

f. 157r-v 7 November 1464

Notarial instrument recording that in presence of his fellow monks assembled in chapter, Thomas Caly, subprior of Durham, held in his hands and made, read and interposed the following

Schedule by Thomas subprior and the chapter of Durham appointing 26 November, with continuation of days if need be, for the election of their future prior, to be held in their chapter-house; decreeing that all their fellow monks now absent who ought, wish or can conveniently be present at the said date and place, be forewarned and cited to proceed to the business of the election; and intimating to those absent that if they should care not to come they intend nevertheless to proceed with the election.

Witnesses: John Hagreston, priest, Thomas Barnard, Thomas Fayreher', and Richard Emeryson', *literati*, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: chapter-house of Durham, 7 November 1464.

f.157v 28 October 1464

Mandate by Lawrence, bishop of Durham, to the subprior and chapter of Durham since the priory of Durham is vacant by the death of John Burneby, last prior thereof, appointing Mr Richard Laverrok, LL.D., in his place to receive and keep the priory, and to retain it during the vacancy, and do what has been accustomed to be done by such keepers in such vacancies; and instructing the subprior and chapter to admit Richard to the foregoing in the said form in the bishop's name.

Date: *Grancister* [?Grantchester, Cambs.], 28 October 1464.

f.157v-158r 24 November 1464

Proxy by Thomas subprior and the chapter of Durham, the monastery being vacant by the death of Mr John Burneby, last prior thereof, appointing Richard Billyngham, chancellor of the priory of Durham, as their proctor, giving him plenary power and general and special mandate on their behalf to read, declare, notify and intimate publicly, at the date and place appointed for the election of their future prior, in the presence of the subprior and chapter and their counsel, the letters, public instruments, citations, certifications, proxies and other writings necessary to expedite the said election; to warn those suspended, excommunicate, under interdict or otherwise having no voice or interest in the election, to withdraw from the chapter-house, and, if need be to expel them; to denounce the absences of monks legitimately summoned and to punish their contumacy; to seek to proceed with every action of the said election; to ask for public instruments to be drawn up on the process of the election; to find a notary and witnesses; and to do everything else pertaining by custom and law to such a proctor, excepting only the things known to belong to the office of subprior.

Date: [Durham] 24 November 1464.

f.158r 20 November 1464

Certification by Richard Bell', prior of the cell of Finchale, to Thomas subprior and the chapter of Durham having lately received the following citation, that he has warned John Both', William Kellaw, John Hoton, Richard Schirburn', John Bedford', William Pelton' and Richard Blacwell', the monks dwelling with him in the said cell, to attend at the said time and place along with the subprior and chapter to proceed with this business, and notified them that the subprior and chapter intend to proceed with the business whether they attend or not.

Under the seal which he uses in the said cell.

Date: [Finchale] 20 November 1464.

Citation and mandate by Thomas subprior and the chapter of Durham to Richard Bell', prior of the cell of Finchale, informing him that, because of the vacancy of their monastery by the death of Mr John Burneby, last prior thereof, they have appointed 26 November for the election of their future prior, with the licence and agreement of those whom it concerns; summoning him and ordering him to cite his fellow monks dwelling with him to be present in person in the chapter-house of Durham, at the customary capitular hour on the said date, with continuation of days, along with the subprior and chapter, to deal with the foregoing matter and to do what the business of election requires; intimating that they intend to proceed with the election whether or not the prior and monks of Finchale come to the appointed place at the appointed time; and requiring to be certified at the said date, place and hour, by letters patent incorporating the contents of the presents, as to what he shall have seen fit to do in the foregoing.

Under the other part of the common seal.

Date: Durham, 14 November 1464.

Original: DCD Loc.XVI:12e.

f.158r 16 November [1464]

Certification by Robert Ebchester senior, monk of Durham in Durham College Oxford, to Thomas subprior and the chapter of Durham having lately received the following [citation and mandate] by Thomas subprior and chapter of Durham to Robert Ebchester, monk of Durham dwelling in Durham College Oxford, "as above", that he obeys and will obey the mandate, by authority whereof he has cited William Yowdall', Thomas Pikerynge, William Law, monks of Durham dwelling with him, to be present with the subprior and chapter to proceed with the business of election; that he has notified them that the subprior and chapter intend to proceed with the election whether they attend or not; and that he has thus been able duly to execute the mandate.

Under his own seal, [and with the subscription ?] *vester humilis orator* Robertus Ebchester.

Date: Oxford, 16 November.

Original (mandate fully recited): DCD Loc.XVI:12c.

f.158r-v 15 November 1464

Proxy by Robert subprior and the chapter of Durham appointing Richard Billynham, monk of Durham, as their proctor to warn and cite all and sundry monks of Durham dwelling within the monastery of Durham, or staying there for the time, to appear with the subprior and chapter in the chapter-house of Durham on 26 November, the date appointed for the election of their future prior, to carry out this election; giving him special and general power to notify all fellow-monks that the election will take place whether or not they are present; and ordering him to certify them at the said date and place as to what he shall have done in the foregoing.

Under the other part of the common seal.

Date: [Durham] 15 November 1464.

Original: DCD Loc.XVI:12j.

f.158v 7 [November] 1464

Proxy by Robert subprior and the chapter of Durham appointing Thomas Wall' as their proctor to warn and cite all and sundry monks of Durham dwelling and staying for the time at the cells of Jarrow and Wearmouth, to appear with the subprior and chapter in the chapter-house of Durham on 26 November, the date appointed for the election of their future prior, to carry out this election; giving him special and general power to notify all the said monks that the election will take place whether or not they are present; and ordering him to certify them at the said date and place as to what he shall have done in the foregoing.

Under the other part of the common seal.

Date: [Durham] 7 [November] 1464.

Original: DCD Loc.XVI:12g.

f.158v [November 1464]

Notification by John Bradebery, master or warden of the cell of Wearmouth, to the subprior and chapter of Durham informing them that he has read and understood their mandate shown to them by Thomas Wall', their nuncio, acknowledging that, by authority of this, the nuncio cited him and Thomas Lewyn, his fellow monk staying with him, to appear at the appointed date and place and take part in the election of their future prior, and that the nuncio warned them that the election would be held notwithstanding their contumacy; stating that, lest he be unable to be present at the said time and place because of his serious and daily infirmities, he has appointed certain proctors to attend on his behalf, and asking the subprior and chapter to see fit to accept them.

Original: DCD Loc.XVI:12g.

f.158v-159r 12 November 1464

Certification by John Middilham, prior of the cell of Holy Island, to Thomas subprior and the chapter of Durham having received the citation by Thomas subprior and the chapter of Durham to John Middilham, prior of the cell of Holy Island, "and so on" that he has, does and will obey the mandate, by authority whereof he has cited William Gerves, Thomas Wren and Robert Wardall', monks of Durham dwelling with him, to be present with the subprior and chapter at the appointed date and place and take part in the election of their future prior, with notification of his fellow monks that the election will be held whether they come or not; and that he, himself, with God's favour, will be present in person in the priory at the said date and time.

Date: Holy Island, 12 November 1464.

f.159r [26 November 1464]

Authorization by Thomas subprior and the chapter of Durham, and all monks of Durham who ought, want and are able to be present on this day in their chapter-house to hold the election of their future prior, and wishing to proceed to the election rightly and lawfully, to Richard Byllyngham, monk of Durham and chancellor thereof, giving him full, free, special and general power to require all those who are suspended, excommunicate or under interdict, and others who by right or custom ought not to be present, if such there be, to withdraw from the chapter and allow the election to take place; also to declare that they do not intend to admit such persons as having a right in the election or to proceed with them in the election, nor to depend upon their votes, but that their votes, if such persons be discovered in future to have been present, should offer support to no-one, nor bring harm to anyone, but be taken as not received and not accepted.

[Durham]

f.159r [26 November 1464]

Monition by Richard Byllyngham, monk of Durham and chancellor thereof, on this present day appointed by the chapter of Durham for the election of their next prior, their church being vacant by the death of Mr John Burneby, last prior thereof, and with all present who ought to attend this election, by his special power, from the mandate of the subprior and chapter gathered together for the election and having a voice therein, calling upon all those who are suspended, excommunicate, under interdict or otherwise prohibited, who ought not to take part in the election, if any there be, to withdraw from the chapter-house and allow those to whom the election pertains freely to elect; also declaring that it is not the intention of those having a vote to proceed with the election with such [disqualified] persons, nor to rely upon their votes, but that their votes, if discovered in future, should offer support to no-one, nor bring harm to anyone, but be taken as not received and not accepted.

[Durham]

f.159r

Pronouncement by Thomas subprior of Durham with authority by virtue of his office and with the consent of the chapter of Durham declaring that those monks of Durham now absent, though lawfully cited and long-awaited, are contumacious and liable to penalty for their contumacy.

f.159v-161r 26 & 27 November 1464

Notarized notification and supplication by Thomas subprior and the chapter of Durham to Lawrence, bishop of Durham, his vicar-general in spiritualities or his commissary having sufficient power for the following stating that the founders of canon laws enacted that cathedral and regular churches ought not to be vacant for more than three months, since churches might suffer serious losses because of a long vacancy, recounting that, with the vacancy of their priory by the death of Mr John Burneby, once his body had been committed to its burial-place, and after having sought and obtained licence from the bishop to elect a new prior, they entered their chapter-house on 7 November and appointed 26 November with continuation if need be for the election of their future prior, to be held in their chapter-house at the capitular hour customary for this purpose, decreeing that all monks of Durham, absent and present, who ought, would and could attend and have a voice in the election by custom or right, be summoned to appear, and intimating that they would proceed with the election notwithstanding the contumacy of those who might not attend;

that on 26 November, after the celebration of the mass *de sancto spiritu* at the high altar of Durham cathedral, they, the monks of Durham, namely Thomas Caly, subprior, S.T.B.; William Seton, sacrist, S.T.P.; Thomas Ayer'; Richard Kellow; Thomas Warde, master of Jarrow; Thomas Furde; John Pencher, prior of Coldingham; John Warner, master of the infirmary; Thomas Lewyn; Thomas Hexham, prior of Lytham; Richard (*Rec'*) Blacburne, third prior and feretrar; Richard Bell', S.T.B., prior of Finchale; John Both'; John Midelham, prior of Holy Island; John Rypon', dean of the order; William Kellow, subprior of Finchale; John Hoton'; John Bradbery, master of Wearmouth; William Fyge; William Rodburne, master of the Galilee; Richard Wrake, chamberlain; John Rall'; William Cuthbert senior, terrar, hostiller and stock-master; Richard Scherburne; William Birden', almoner; John Eden, prior of Stamford; John Kyerke; William [*? Elwick*], refectorer; William Jerwax; John Bedford'; Richard Byllyngham, chancellor; Thomas Holme, cantor; Thomas Haghton, bursar; Robert Knowte; John Acley; John Roose; Thomas Derlyngton, steward of the prior's household; John Steele; Thomas Wren, master of Farne; Thomas Standrope; John Gryne, communar; John Lilburne, succentor; Richard Steele, granator; Robert West; Thomas Halver; John Aukland'; Robert Byllyngham, cellarer; Thomas Genour; William Masseham; Richard Blacwell'; William Pelton'; Robert Ebchester; John Ryton'; William Coveryngham; Robert Wardall'; William Yowedall'; Thomas Pykeryng'; William Lawe; John Lee; William Browne; John Danby; Thomas Yonge; Thomas Collum; William Cuthberte junior; John Forest; and Richard Hertyllpole assembled in chapter, at the sounding of the chapter bell, as is the custom;

that those absent were declared contumacious by the subprior and, after preaching, the grace of the Holy Ghost was appealed to by the singing of the hymn *Veni creatur* [*!*] *spiritus*, the constitution *Quia propter* of the general council was read, as were the bishop's licence for the election and the monition by Richard Byllingham, monk of Durham [and chancellor thereof] (as recited on f.159r) and with the exclusion of those having no voice in the election, excepting the witnesses and the notary, the shutting and bolting of the chapter-house and cloister doors, and with everything else complied with that was required by right and custom, the subprior, monks and brethren aforesaid, with none gainsaying or abstaining, by way of inspiration, chose Richard Bell', S.T.B., in priestly orders, of full age, and free and legitimate (&c), as their prior; straight away, escorting him to the high altar, they sang the psalm *Te Deum laudamus*, their bells having solemnly been rung, and after the singing was finished the customary prayer was read out and the distinguished doctor, Mr William Seton', their fellow monk, by means of a short

discourse (*collacionis*) on the theme *Quod vocabunt eum*, published the election to the clergy and people gathered in a multitude at the high altar and announced it in the common tongue;

whereafter they, excepting their prior-elect, entered their chapter-house again and appointed the subprior and Mr William Seton as their proctors, giving them plenary power on their behalf to inform Richard Bell', their prior-elect, of their election and to ask his consent, and to do all other things necessary or useful for the completion of the election; and that the proctors at various times that day and on the morrow, in presence of the elect residing in the chapel of St Andrew within the infirmary of the monastery, exhorted him to give his assent to his election, and that at length, not daring to resist the divine will (&c), "with a fearful spirit, a heavy heart and tearful eyes" he gave his consent to his election, clearly and publicly in the [written] form of words by him, Richard Bell', monk of Durham and prior-elect thereof, by which he gives his consent to his election. and begging that the bishop confirm the election, commit the administration of the priory to their prior-elect and decree his installation.

Under the common seal of the chapter and the subscription of the notary.

Witnesses: Mr John Lilford', LL.D., Mr Robert Wylson', LL.B., Mr William Laybron', LL.B., of York and Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, scribe to the subprior and chapter in the business of this election (eschatocol recited).

Done: 26 and 27 November 1464.

f.161r 27 November 1464

Citation and monition by Lawrence, bishop of Durham, appointing Saturday 1 December next to come, about 8 o'clock, for the examination and confirmation, in the nave of Durham cathedral, of the process of the recent election of Richard Bell', S.T.B., [as prior of Durham] summoning all opponents and gainsayers of the election, and others whom it concerns, to appear before him or his deputed commissary at the said date and place if they should wish or be able by rights to propose anything against the election or its form, or the elect or the electors; warning them that he will preclude them in perpetuity from making any objection to the elect or the election if they do not appear, and that he or his commissary will proceed to the examination of the election notwithstanding their contumacy.

Date: Durham, 27 November 1464.

f.161r-v 29 November 1464

Commission by Lawrence, bishop of Durham, to his clerk Mr Richard Laverok, LL.D., since it is evident that Richard Bell', S.T.B., has been elected as prior of Durham, and since the monks of Durham are bound to present the said elect and his election to the bishop, as *princeps*, for confirmation or invalidation by reason of his regalian prerogative; and because the bishop is prevented by varied and difficult business from confirming or invalidating the election in person, authorizing him, in place of the bishop, and giving him power of canonical coercion, to receive and accept the presentation of Richard Bell', S.T.P., prior-elect of Durham, and the notification of his election; to enquire into, examine and investigate the cause and business of the election, to make good any defects and to confirm or invalidate the election according to law; to ask and receive canonical obedience from the prior-elect; to induct him into bodily possession of the monastery or priory; to call upon his fellow-monks to make their obedience used and wont to the said elect and confirmed; and to do all other things required in this regard; saving the rights (&c) of his cathedral church in all things; and ordering him to certify him at (*pro*) a suitable time and place of what he shall have done or found in the foregoing, [in letters] with the tenor of the presents.

Under the bishop's long seal.

Date: manor of Auckland, 29 November 1464.

f.161v [30 November] 1464

Proxy by Thomas subprior and the chapter of the priory of Durham, vacant by the death of Mr John Burneby, last prior thereof, appointing their fellow-monks Mr William Seton', S.T.P., sacrist of Durham, Richard Byllyngham, chancellor of Durham, as their proctors, giving them general power and special mandate on behalf of them and their monastery to appear before Lawrence, bishop of Durham, or whomsoever his vicegerent or special commissary, at whatsoever dates and places appointed by the bishop, and present Richard Bell', their prior-elect, and his unanimous election by the chapter by means of inspiration, in their chapter-house on 26 November; to beg and obtain confirmation of the election from the bishop or his vicegerent or commissary, verbally or in writing, showing any proof needed therefor and pursuing the business of confirmation of the election to completion; to defend the elect and the election against anyone opposing them, and to procure or swear any oath required by law in this regard.

Date: [Durham], 1464.

f.161v-162r [? December 1464]

Articles which the proctor of the subprior and chapter of Durham gives, makes, shows and intends to prove in the process of their election of Richard Bell', the priorate being vacant by the death of Mr John Burneby, last prior of Durham.

[1] that Mr John Burneby, last prior of Durham, died on 17 October 1464, and his body was buried in the monastery on 18 October.

[2] that on 7 November the subprior and chapter of Durham unanimously appointed Monday 26 November for the election of their future prior, and decreed that those who were absent and who ought, wished or could be present on that day, were to be summoned to proceed with them in the business of election.

[3] that on 26 November, when the mass *de Sancto Spiritu* had been celebrated at the high altar in the cathedral choir, all the monks of Durham having a voice in the election by right or custom were called to carry out the election.

[4] that all and sundry monks of Durham having a voice in the election by right or custom, assembled in chapter, without discussion, discrepancy or gainsaying, unanimously and suddenly chose Richard Bell' as prior and pastor of the said priory.

[5] that Richard Bell' had been a professed monk of the Benedictine order in the said priory long before his election;

[6] that Richard Bell' had been of lawful age and in priestly orders long before the election was held, and that he is free, legitimate and suitable for the rule and cure of the priory, in spiritualities and temporalities;

wherefor, having made faith, which is required in this regard, the proctor asks that the election be declared to have been held canonically and be duly confirmed; that the administration of the priory's spiritual and temporal goods be committed by the judge to Richard, the prior-elect; that he be inducted and installed in the priorate, and further that which were of law and that the decrees canonically dictate in the foregoing be adjudged to him; and asks that it be brought summarily to a conclusion, without [judicial] clamour or [delaying] form of words (*figura*), according to the *Novellas* on this matter.

f.162r [? December 1464]

Decree by Richard Laverok, LL.D., commissary and sole judge of Lawrence, bishop of Durham, for the following matters, lawfully deputed by letters of the bishop, seated tribunally, addressing Richard Bell', S.T.B., stating that he has examined the business of Richard's election and, with none protesting or gainsaying, found the election to be valid and Richard Bell' to be manifoldly distinguished with the necessary qualifications and merits; with the advice of jurists imparted, with the order of law having been observed in all things, and on the petition of Mr William Seton, sufficiently-constituted proctor of the subprior and chapter of Durham, pronouncing the election to have been lawful and confirming the same, making good any defects in the election in so far as law and the authority committed to him allow; committing the cure and rule of the priory to Richard Bell' and decreeing that he or his proctor be inducted into bodily possession of the priory and assigned and inducted into the choir stall and placed in the chapter-house of old used and wont to the prior of Durham; saving the rights belonging to the bishop of Durham by reason of his regalian prerogative and his episcopal dignity, and saving the liberties, privileges and dignity of the cathedral church of Durham in all things.

f.162r [? December 1464]

Form of Oath by Richard Bell', prior-elect and confirmed of Durham, swearing to be faithful and obedient, from this hour henceforth, to Lawrence, bishop of Durham, and his successors in things which are lawful and canonical. [Closing words omitted]

f.162v-163v 16 - 18 July 1465

Notarial instrument recording that on 16 July 1465 there were present in person in the house of Andrew Bell', Alnwick, John Eden', monk of Durham, prior, as he asserted, of Holy Island, and proctor of the prior and chapter of Durham, and John Pencher, prior of Coldingham, holding in his hand certain letters of compulsion of John de Ceretanis de Interampne, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux and auditor of the holy apostolic palace, which letters, dated at his house in Rome, 30 April 1465, had been sent to these parts; that John Pencher handed the letters to the notary for inspection and the notary found the letters to be above suspicion; that John Eden' asked, under the censures contained in the letters, a certain learned man, Mr William Layborn', LL.B., vicar of Pittington, N.P. by apostolic authority, to accept the letters and put them into effect; that William Laybron' accepted the letters and, having taken on the notary [of this instrument] as his scribe, stated his intention of setting out for the kingdom of Scotland on the following day in order more speedily to expedite the said letters; when preparing himself for the journey he was reliably informed that Andrew, bishop of Glasgow, Archibald, abbot of Holyrood, Mr James Lyndesay, keeper of the privy seal, and James, Lord Livingston, counsellors and ambassadors of the king of Scotland, were to arrive there that day or the next to treat with the commissioners of the king of England to confirm and agree upon a peace between the two kingdoms; and on that day, as reported, they came; that, when their arrival was known, Mr William, executor and papal nuncio, on the morrow, namely 17 July, having sent for the notary, gained access and went calmly to the said counsellors; and before them, in the vestry by the altar of the great chapel in Alnwick castle, the said apostolic letters were handed over for inspection; that, after inspection of the letters by the counsellors of the king of Scots, the said papal executor asked them to grant him safe conduct permitting him and his to enter Scotland and travel safely for the execution of the said letters, and to withdraw freely after execution without obstruction or interference to their persons or possessions; that the counsellors refused to grant the request, declaring that, even if they gave a safe-conduct to the executor and his company, they would not advise them or any Englishman to enter Scotland, on account of the recent outbreak of fighting there and the strength of the friends, kinsmen and associates of Patrick and John Home, those chiefly named in the papal letters; that the executor, realizing he could not obtain a safe-conduct, asked the Scottish ambassadors to show the letters at the castles and townships through which they would pass on their return, so that they might come to the notice of those mentioned therein, who might willingly declare themselves ready to act thereon [?: *qui id libenter se facturos dixerint*]

which being done, the executor, wanting to make the papal letters manifest in the places nearest to Scotland, after taking the letters [back] and following a public and oral declaration of his request and its refusal, went to the church of Norham, on the bounds of England and Scotland, no great distance from the cell of Coldingham, and, having heard that he might not freely enter Scotland, interposed in public, on 18 July, a (written) declaration by him, William Laybron, lawfully-deputed executor and papal nuncio, relating that he had asked the ambassadors (named as above) of the king of Scots for safe-conduct to enter Scotland for the execution of the papal letters, that because the ambassadors had refused him safe-conduct, and owing to the conflicts that had recently broken out between certain lords of the kingdom of Scotland, the enduring deadly feuds between inhabitants of either realm, and the dreadful strength and malice of Alexander Home, knight, and his accomplices, adhering to Patrick Home and John Home in their injustices and iniquities, and ever engendering ambushes and bodily

torment for papal nuncios, and a just fear that could descend on a steadfast man, he has not dared and does not dare to enter the said kingdom and execute the said apostolic letters;

whereafter the same Mr William Labron', the executor and nuncio, there proclaimed the said papal letters in the common tongue, and required and warned all and sundry lords, prelates, judges, officials (&c), chapters, convents, colleges, clerks and notaries, and others throughout the city and diocese of St Andrews specified in the letters of compulsion, having in their possession any written evidences (likely types of document and places of storage thereof listed) concerning the matters specified in the said letters, necessary for defence and knowledge of the rights of the parties chiefly named in the letters, and without which there might not be complete clarity as to the merits of this cause, to deliver within twelve days such evidences, whether originals, transumps, or reduced into a notarial instrument, otherwise under authentic seals, signs or signatures, or in a form valid in the Roman *curia* and elsewhere, in and out of court, and unaltered, to the prior and convent of Durham and to John Home or his substitute, to the prior of Coldingham, the principal parties, or their lawful proctor or the exhibitor of the letters of compulsion whomsoever, to the said lord auditor or another auditor in his place in the meantime, for taking away to the Roman *curia* ; and to do everything else demanded in the said letters of compulsion; under the penalties contained in the same letters; intimating that those to whom satisfaction were to be paid would be provided with a competent salary for their labours;

that, with this lawfully done, the executor had the letters of compulsion affixed by a certain William Barton', acolyte, to the door of the said church, in full view of the populace, and asked the notary, with suitable payment, to draw up instruments upon the foregoing, one or more as need be and as should seem expedient to him and his counsel.

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Witnesses: (dwelling of Andrew Bell', Alnwick) Thomas Maners, squire, Andrew Bell', Thomas Shorte, and Oliver Yonger, of Durham dioc.; (chapel of Alnwick castle) John Nevill', earl of Northumberland, lord Montagu and warden of the east and middle marches of England towards Scotland, Robert Ogle and Thomas Lomley, knights and barons, Mr Richard Andrew, dean of York, James Strangways, knight, Roger Thornton, squire; (Norham church) David Hesilden', of dioc. St Andrews, N.P. by imperial authority, Matthew, curate of Norham, and William Wedererd', chaplains, Robert Browne' and Peter Harlaw.

Done: the dwelling of Andrew Bell' in the town of Alnwick; 16 July; the vestry of the chapel of Alnwick castle, 17 July; Norham church, 18 July 1465.

Printed in *The Priory of Coldingham* , [ed J. Raine] (Surtees Society 12, 1841), p.196-201.

f.163v 6 December 1465

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute John Blande, chaplain, in the vicarage of Ruddington, vacant by the resignation of John Melton', last vicar thereof.

Date: Durham, 6 December 1465.

f.164r-165r 18 July 1465

Notarial instrument recording that John Eden', monk of Durham, prior of Holy Island, as he claimed, and one of the proctors of the prior and convent of Durham, lawfully appointed for the following and other matters, held in his hands certain letters of inhibition or compulsion sent to these parts, under the name and seal of Mr John de Seretan[is] de Interampne, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux, papal chaplain and auditor of the holy apostolic palace, and dated at his house in Rome, 30 April 1465, and also a certain citation written in English in a paper schedule; that he handed the letters and citation to the notary for inspection and, after the notary had found them to be above suspicion, handed them to a certain William Barton', *litteratus*, asking him, under pain of contempt, duly to execute the same; that William, being there deputed as a papal nuncio and taking on the task of executing the letters and citation, after a summary declaration of the papal letters had initially been made in the common tongue by Mr William Labron', LL.B., held, made, read and interposed the following citation and monition

Citation and monition by William Barton, papal messenger and mandatory, sufficiently deputed by authority of the letters citatory and mandatory lately obtained and sent from the Roman *curia*, under the name and seal of Dr John de Ceretanis de Interampne, deputed papal auditor in an appeal pending before him between the prior and convent of Durham and John Pencher, prior of Coldingham, appellants, and Patrick Home, alleged archdeacon of Teviotdale, appellee; and in another cause of the wrongful surreption and obreption of certain bulls of commission and of a false suggestion, unlawfully obtained at the instance of John Home, calling himself canon of Dunbar collegiate kirk, and directed to the bishop of St Andrews and others within Scotland for the removal of Patrick Home from the cell of Coldingham and the intrusion of himself therein, pending before the said auditor between the said prior and convent and the said John Home; being also required by the said appellant party to execute the same letters protesting his desire to obey papal commandments, and so to execute the said letter, but stating that he dare not seek out Patrick and John Home nor pass to their houses to serve summons upon them, considering that there is said to be war among certain lords of Scotland, the distances involved, the dangers of the roads, and the malicious purpose of the said Patrick and John, who, with their adherents, have sought to distress every mandatory attempting to execute anything against their intentions in these matters;

therefore, by this present edict, fixed in this church door: summoning Patrick Home and John Home, and all others claiming an interest, to appear in person or by proctor on the 140th (*viixx*) day after this summons, if a lawful day, or on the first lawful day thereafter, with all documentary evidence for use in their defence before the said doctor and auditor or his substitute, in answer to the prior and convent and John Pencher, principal parties, or their proctors, in the causes aforesaid (&c); prohibiting the bishop of St Andrews, his vicar-general, official, judges (&c) within the city and diocese of St Andrews or elsewhere, and Patrick Home and John Home, principal parties, and all others having an interest in these matters, from attempting anything to the prejudice of the jurisdiction of the pope or his auditor, or of the rights of the prior and convent or of John Pencher, pending the plea before the auditor; and, by authority of certain letters of compulsion sent from Dr John de Ceretanis, dated at Rome 30 April 1465, warning the bishop of St Andrew, the archipresbyter [dean of the collegiate church] of Dunbar, William Forman, canon of Dunkeld, and all other officials, judges, commissaries, executors, clerks and notaries (&c) in the city and diocese of St Andrews having in their possession any written evidences (likely types of document and places of storage thereof listed) concerning the

said matters, necessary for defence and knowledge of the rights of the said parties and without which the truth of the cause may not be known, to deliver within twelve days such evidences, whether originals, transumps, in the form of notarial instruments, under authentic seals, or in a form otherwise valid in and out of judgment, and unaltered, to the prior and convent of Durham or their lawful proctor, so that they might be sent to the auditor or his substitute, under pain of censure by the Church; letting them know that they will be competently rewarded for preparing the evidences *so that ye shalbe pleasid by Goddis grace.*

and that after the reading and publication of the citation with the inserted mandate the papal nuncio and mandatory fixed it, with the original letters of citation, inhibition and compulsion, with his hands to the door of Norham church, before the notary and witnesses;

and though, because of the newly-arisen fighting in Scotland, the distances between places, the perils of the roads, bodily torment and the threats of death, if he be seized, being made against him by Patrick Home, John Home and their adherents, a safe approach for citation of the same Patrick and John, or to the places specified in the original letters was not apparent to him, nevertheless, taking courage, the nuncio entered the kingdom of Scotland by main force, not without peril, for the execution of the premisses in person at the parish church of Upsettlington [now Ladykirk] on the same day; and, having read and published the citation, fixed and left the said original letters and the citation alike in the said church door, in sight, hearing and presence of various Scots (named below) travelling by at that time; whereafter the nuncio withdrew swiftly to England; and the nuncio asked the notary to produce instruments, one or more as need be, on the foregoing, for suitable payment.

Witnesses: (Norham) Matthew, curate of Norham; William Wederhard', chaplain; Robert Brown', Peter Harlaw, bailiffs of the vill of Norham; William Farom'; Thomas Ricard; Thomas Fuster, Adam Jacson'; Robert Saunderson; John Gyen; William Smyth'; Richard Baldekyn; Thomas Ferroure'. (Upsettlington) John Wilson, Richard Wood', and George Woode.

Notary: David Hesilden', priest of St Andrews dioc., N.P. by imperial authority (eschatocol recited, with note of an erasure).

Done: around noon, the nave of Norham church and at Upsettlington [now Ladykirk] church, 18 July 1465.

*Language:* Latin; English, Middle (citation and monition)

f.165r-v 19 July 1465

Notarial instrument recording that John Eden', monk of Durham, prior, as he claimed, of Holy Island, and proctor of the prior and chapter of Durham and of John Pencher, prior of Coldingham, holding in hands certain letters of inhibition or compulsion sent to these parts, under the name and seal of Mr John de Ceretanis de Interampne, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux and auditor of the holy apostolic palace, and dated at his house in Rome, Tuesday, 30 April [1465], handed the same to John Bell', a canon regular of the monastery of Whithorn in Scotland, as he claimed, for inspection; that when John Bell' had seen and understood the letters, the same proctor warned and required him to execute the letters within the kingdom of Scotland; that John Bell' bound himself to execute the letters according to their form and effect, accepting the task saving his life and interests; that after copies of the papal letters, drawn up in public instruments, with certain forms of citation, inhibition and monition, and a proxy sufficient to ask for the deeds, enactments and other things expressed in the letters of compulsion, directed to Mr Gilbert Heryng, Mr Archibald Whitlaw and Thomas Toderike, dwelling in Scotland, and now as before proctors of the said John Pencher', had been handed to John Bell', and a suitable salary had been paid to him for his efforts, he made his way into Scotland, promising in good faith to make the aforesaid proctor certain within 15 days, under praiseworthy witness, of the true and faithful execution of the same letters, to be carried out by him, by God's gift, unless impeded, of which [execution] there is, however, thus far no hope of certification or return having been achieved; and that the proctor asked the notary to produce instruments on the foregoing, one or more as need be, for suitable payment.

Witnesses: Robert Smyth', Robert Tomson', Thomas Short and Oliver Yonger, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: the church of Holy Island priory, 19 July 1465.

f.165v 15 December 1465

Presentation by Richard prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute John More, chaplain, in the church of Kirkby on Bain, vacant by the lawful deprivation of John Starkee, last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: Durham, 15 December 1465.

f.165v-166r 24 March 1466

Mandate by Lawrence, bishop of Durham, to the prior and chapter of Durham and all abbots, priors, also others elected, exempt and non-exempt, archdeacons, deans, chapters, convents, colleges and clergy of his city and diocese, having lately received and reciting the following citation, by authority whereof, citing the prior and chapter, and the abbots, priors (&c), to attend at the date and place aforesaid.

Date: Auckland castle, 24 March 1465/6

Citation and mandate by George, archbishop of York (&c), to Lawrence, bishop of Durham, or his vicar-general, having determined to convene a provincial council in York Minster on Saturday after the Easter synod, namely 26 April next, for discussion of reform of behaviour and the extirpation of vices, summoning him to appear, and ordering him to cite from within his said city and diocese the abbots, priors, archdeacons and deans to appear in person, the chapters, convents and colleges to appear by their sundry individual proctors, and the clergy to appear by two proctors, at the said date and place, with continuation of days if need be, before the archbishop or his commissaries; intimating to the bishop, and through him intimating to the said abbots, priors, archdeacons, deans and others, that he does not intend to treat him or them as excused from personal attendance on this occasion, but that he will punish them for contumacy if they should happen to be absent; with the archbishop requiring certification, directed to himself or to his commissaries, from the bishop in his letters patent incorporating the text of the presents, of the date of receipt of the presents, and of what he shall have done in the foregoing, with an attached schedule of the names of those cited.

Date: Westminster, the archbishop's lodging, 8 March 1465/6.

f.166r-v 16 April 1466

Proxy by Richard prior and the chapter of Durham appointing Mr William Poteman, LL.D., Mr John Lounde, B.A., LL.B., Mr William Langton, LL.B., and Mr Robert Wilson', LL.B., advocates of the court of York as their proctors, giving them full power to appear and be present on their behalf at the convocation of the clergy of the province of York, to be held in York minster on Saturday 26 April inst., with continuation of days and places, before George, archbishop of York, or his lieutenants or commissaries deputed for that purpose, to treat with them and the other prelates, proctors and clergy upon those matters which should happen there to be set out.

Date: Durham, 16 April 1466.

f.166v 17 May 1466

Letters of confraternity by Richard prior and the chapter of Durham to Henry Halsow, squire, and Katherine his wife, repaying them for the devotion of the mind and the affection of a sincere heart which they have for the monastery of Durham and chiefly for the nearby cell of Lytham and the monks of Durham residing therein, as they have lately learnt by report of William Cuthbert, prior of Lytham, by admitting them to the spiritual brotherhood of the chapter of Durham and granting them special participation in all masses, orisons, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren, for all time after their deaths, once they have certain knowledge thereof.

Date: Durham, 17 May 1466.

f.166v 22 May 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, to institute Mr John Topclyff' in the church of All Saints Pavement York, vacant by the resignation of Mr Edmund Mynskip, last rector thereof.

Date: Durham, 22 May 1466.

f.166v-167r 19 July 1466

Notarial instrument recording that Mr Thomas Benny, canon, as he claimed, of the collegiate church of Howden and prebendary of Skipwith in the same church, held in his hand and made, read and employed the following

Resignation in writing whereby he, Thomas Benne, clerk, canon (&c), wishing, for certain legitimate reasons, to be discharged of the cure and rule of his canonry in the collegiate church of Howden and the prebend of Skipwith in that church, resigning all his title thereto into the hands of George, archbishop of York, or another having power to accept his resignation.

Witnesses: Thomas Hilton' and John Hilton', chaplains of the city of York.

Notary: Henry Aleyn', clerk of Ely dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the parish church of St Denys Walmgate York, 19 July 1466.

f.167r 14 August 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, to institute Thomas Usburn', priest, brother of the hospital of St Leonard's York, in the canonry and prebend of Skipwith in the collegiate church of Howden, vacant by the resignation of Mr Thomas Benne, last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and chapter and their monastery.

Date: Durham, 14 August 1466.

f.167r 21 August 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr Robert Wilson, LL.B., in a canonry and the third prebend in the collegiate church of Hemingbrough vacant by the death of Mr William Langton', LL.B., last canon and prebendary thereof.

Date: Durham, 21 August 1466.

f.167r-v 5 September 1466

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Richard Langcake, canon, in the vicarage of Bedlington, vacant by the death of Mr John Eland', last vicar thereof.

Date: Durham, 5 September 1466.

*Related material in other DUL collections:* Related letter: DCD Loc.XXV:85.

f.167v [16 July] 1463

Dispensation by Pius [II], pope, to Richard Langcake, canon of the Augustinian church or monastery of Carlisle [Carlisle cathedral priory], having been influenced by trustworthy testimony as to Richard's qualities and favouring his supplications, that he be able lawfully to receive and hold *in commendam* whatsoever benefice, with or without cure, customarily governed by secular clergy, whether a parish church or a vicarage, parsonage or annalsman place, of whatsoever yearly value, and by right in the patronage of laymen, if otherwise canonically collated to him or if he be elected, presented or assumed thereto, and to give up this or any other benefice obtained by him and to receive in its place another similar or dissimilar benefice and hold it for life, along with his canonical portion in the monastery; and to dispose of and control the revenues thereof, though forbidding the alienation of any moveable and immoveable goods of the benefice; notwithstanding papal constitutions and ordinances, or those of Otto and Ottobuono, sometime papal legates in England, or of the church or monastery or order aforesaid.

Date: Tivoli, 17 Kal. August 1463.

As DCD 1.3.Pap.25

f.167v

Mandate [incomplete] by Lawrence, bishop of Durham, to the prior of Durham having admitted Richard Langcake, canon, sufficiently authorized by the apostolic see, to the vicarage of Bedlington, vacant by the death of Mr John Eland', last vicar thereof, on the presentation of the prior and convent of Durham; and having instituted him therein, with the charge of continuous and personal residence, upon which Richard has given his oath according to the legates' constitutions issued in this regard; [instructing] him, his archdeacon of Northumberland [i.e. in the priory's appropriated churches in Northumberland], to induct Richard into bodily possession.

(The folios numbered 168-191, which cover the period 1475-1480 and evidently belong between folios 215 and 216, intrude at this point; f.192 is the chronological successor to f.167, but owing to the absence of one or more folios there is a gap in the sequence and the above mandate to induct is left incomplete.)

## Missplaced section (f.168r-181v)

f.168r 8 January 1475

Notarial instrument recording that Richard Rassh', priest, vicar, as he claimed, of the church of Dalton-le-Dale, held in his hands and made, read and interposed the following Written resignation whereby he, Richard Rassh', vicar of Dalton, being racked by old age and judging that, because of various bodily infirmities, with which he is troubled daily and is at present exhausted, he is not equal nor is he likely to be equal in future to the cure of his parishioners' souls or to the other burdens incumbent upon him, and wishing because of this, and for other legitimate reasons, to be discharged of the cure and rule of his vicarage, with the licence and consent of those whom it concerns, resigns the vicarage into the hands of Lawrence, bishop of Durham, or of another having his authority in this regard; and, assured that the bishop will not delay in providing him with a suitable pension from the same vicarage or elsewhere for his maintenance during his life, lest he be forced henceforward to beg from door to door, he asks that such be granted him; and that Richard asked the notary to draw up instruments, one or more as need be, upon the foregoing, for suitable payment.

Witnesses: Robert Fery, priest, John Freman, John Richerdson and Robert Ludworth.

Notary: John Withed, priest, clerk of Coventry & Lichfield dioc., N.P. (authority not stated) (eschatocol recited).

Done: the choir of the church of Dalton-le-Dale, 8 January 1474/5.

f.168r 9 January 1475

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute William Aclyff, chaplain, in the vicarage of Dalton[-le-Dale] vacant by the resignation of Richard Rassh', last vicar thereof; and to assign a suitable pension from the revenues of the vicarage to the said resigning vicar for his relief and succour for the term of his life.

Date: Durham, 9 January 1474/5.

f.168r-v 9 January 1475

Grant by Richard prior and the chapter of Durham to their servant, John Bell, of the office of forester in the park of Bearpark, and the keeping of the moor thereof; to be held by him or his sufficient deputy, for whom he would answer to the prior and chapter, for the term of his life; taking from the prior and chapter and their successors each week seven white loaves and seven gallons of beer called *Tysedaiale*, 4½d each week for provisions, a prior's servant's robe each year and four ordinary loaves for keeping the moor, and also 10s for his footwear, to be paid by the bursar of the monastery by equal portions at the usual terms, along with the use and easement of a house or hut built within the park, along with the herbage of one small close lying next to it, with trees brought down by the wind and loppings (*scimis*) and branches of whatsoever trees henceforward to be given to outsiders, and the other profits, fees (&c) belonging to the office and keepership; so long as John should faithfully occupy the office, in person or through his deputy; and if John should fail through his own fault or negligence the foregoing things would be withdrawn until he made suitable amends.

Date: Durham, 9 January 1474.

f.168v 27 December 1474

Mandate by George, archbishop of York (&c), to Lawrence, bishop of Durham, having received the following mandate, under the king's great seal, ordering him to cite the prior and chapter of Durham, and the archdeacons, abbots, priors, convents, chapters and colleges, other prelates exempt and non-exempt, and the clergy of his diocese to appear before the archbishop or his lieutenant or commissary in York Minster on the Monday after Candlemas, namely 6 February next, with continuation of days and places, with the prelates attending in person, each convent and college attending through one proctor and the clergy attending through two proctors, and to discuss the business concerning the king and the English church and kingdom (&c); citing the bishop to attend in person for discussion of the said business at the said date and place; and ordering him to have this mandate executed so far as it concerns his diocese and, in as much as it concerns him, to certify the archbishop or his lieutenant or commissary at the said date and place, in letters patent incorporating the text of this letter.

Date: manor of Knoll, 27 December 1474.

Mandate by letters close by Edward [IV], king of England, to George, archbishop of York, or his vicar-general in distant parts, because of difficult and pressing business concerning the king, the security and defence of the English Church, his kingdom and his subjects (&c), instructing the archbishop to cause the clergy of his province to be convened, with all convenient speed, to appear before the archbishop in York Minster, or elsewhere as he should see fit, and discuss the foregoing and other matters which will be set before them.

Witness: the king.

Date: Westminster, 28 November, A.R. 14. [1474]

f.168v 3 February 1475

Proxy by the prior and chapter of Durham appointing Mr William Poteman, LL.D., Mr Hugh Snell', D.Dec., Mr Thomas Pereson', D.Dec., and Mr Robert Mason', LL.D.; Th[omas] Haughton', terrar, and Robert Werdale, bursar, monks of Durham; and Mr William Layburn, LL.B., as their proctors giving them general power and special mandate to attend and act on their behalf at the convocation of the clergy of the province of York, to be held in York minster on Monday, 6 February next, with continuation of days and places, before George, archbishop of York, or his deputed lieutenant or commissaries.

Date: Durham, 3 February 1474/5.

f.169r 25 February 1475

Notarial instrument recording that Lionel Wydevill', provost, as he claimed, of the collegiate church of Hemingbrough, made and read the following

Written resignation whereby he, Lionel Wydevill', provost of Hemingbrough, for legitimate reasons wishing to be discharged from the cure and rule of the said provostship, resigns the same into the hands of George, [arch]bishop of York, or of another having power to accept his resignation.

Witnesses: Mr Maurice ap David, B.Dec., Oliver Sompner, *literati* of St David's and Coventry & Lichfield dioc..

Notary: Simon Erle, clerk of Lincoln dioc., N.P. by apostolic authority (eschatocol recited, with note of interlineation)

Done: in a certain high hall of the Friars Minor in Oxford, 25 February 1474/5.

f.169r 21 March 1475

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, to institute Mr James Preston', S.T.P., in the provostship of the collegiate church of Hemingbrough, vacant by the resignation of Mr Lionel Wydevill', last provost thereof. Date: Durham, 21 March 1474/5.

f.169r 17 March 1475

Collation by Thomas Caly, subprior of Durham, to Robert Wright', chaplain, of the chantry at the altar of St John the Baptist in the church of Bywell St Peter, vacant by the death of Henry Bew, last chaplain thereof; instituting him therein according to the form and effect of its foundation; providing that he be present to celebrate masses and other divine offices there on Sundays and feast days with music (*cum nota*), barring legitimate impediment, and bear all other things incumbent upon him in the chantry.

Under the seal which they use for this purpose.

Date: Durham, 17 March 1474/5.

f.169r-v 10 May 1475

Letters of confraternity by Richard prior and the chapter of Durham to Thomas Cuthbert' and Christina his wife, repaying them for the devotion of the mind and the affection of a sincere heart which they have for the monastery of Durham and for the monks of Durham residing therein, which the prior and chapter know plainly and have experienced by their deeds, by admitting them to the spiritual brotherhood of the chapter of Durham and granting them special participation in all masses, prayers, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren, for all time after their deaths, once they have certain knowledge thereof.

Date: Durham, 10 May 1475.

f.169v [10 May 1475]

Letters of confraternity by Richard prior and the chapter of Durham to Thomas Davell' and Elizabeth his wife repaying them for the devotion of the mind and the affection of a sincere heart which they have for the monastery of Durham and for the monks of Durham residing therein, which the prior and chapter know plainly and have experienced by their deeds, by admitting them to their spiritual brotherhood, &c as above, under the same date.

[Date: Durham.]

f.169v 10 May 1475

Presentation by Richard prior and the chapter of Durham asking Thomas, bishop of Lincoln, or his vicar-general in distant parts, to admit William Yowdell', S.T.B., to the keeping and rule of the cell or house of St Leonard's Stamford, vacant by the resignation of John Aukland', S.T.B., last prior thereof.

Date: Durham, 10 May 1475.

f.169v [1475]

Memorandum that, before the issue of the above presentation, John Aukland', S.T.B., resigned the keeping and rule of the cell of Stamford in due form, by word and in writing; whereafter, William Yowdell', S.T.B., was made and succeeded him as prior or keeper of the cell or priory of Stamford, in the common and ancient manner; and John Aukland' was translated to the cell or priory of Holy Island as prior or keeper thereof; and they had letters in the common form therefor.

f.169v-170r 7 June 1474

Letters of confraternity and consorority by Richard [prior] and the chapter of Durham to John Robynson of the town of Newcastle upon Tyne, merchant, and Joan his wife, repaying them for the devotion of the mind and the completeness of the sincere love which they have for them and their monastery of Durham, as known from their deeds and particularly from their gift of a tenement in Pilgrim Street in Newcastle, belonging to them by hereditary right of the said Joan, lately made to the monastery in pure alms by charter of gift and enfeoffment, by enrolling their and their deceased parents' names in their books of benefactors living and dead, and by admitting them and their said parents as spiritual brethren and sisters of the chapter of Durham and granting them special participation in all masses, vigils, fasts, prayers (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren and sisters, for all time after their deaths, once they have certain knowledge thereof, and also for their said parents; and furthermore granting them an annuity of six marks to be paid to them each year to come by the prior and chapter and their successors so long as they or either of them should live: 4 marks 3s 4d to be taken yearly from the grain tithes of the vill and field of Simonside so long as the land belonging to the vill and tenants of Simonside should be cultivated and sown, and the remainder to be taken each year from the prior and chapter or their deputies assigned thereto; and if the land should be uncultivated, or lie as pasture and be unsown, they will be satisfied of the six marks, to be paid by the hands of the prior and chapter or their deputies (at the usual terms); the prior and chapter binding themselves and their successors to do the foregoing faithfully and well.

Date: Durham, 7 June 1474.

Also f.214r-v below, with added note of later version with annuity lower.

f.170r [1475?]

Letters by Richard prior and the chapter of Durham for Robert Watson as their mortuary-roll bearer; to endure at their pleasure.

Date: "&c".

f.170r-v 1 October 1475

Proxy by Richard prior and the chapter of Durham appointing William Law, S.T.B. and warden of Durham college, Oxford; Mr Peter de Mellinis and Mr John Gerona, papal auditors of causes; Mr Robert Kent and Mr John Naysby, proctors-general of the court of York; Walter Bledlow, William Chaunt, Nicholas Celles, and John Emelyn', N.P.s, as their proctors to act on their behalf in all causes, business, suits (&c) begun or to be begun before whatsoever judges ordinary, delegate, or subdelegate, their commissaries or lieutenants, concerning them, their monastery, their college in the university of Oxford, or whatsoever parish church within the kingdom of England appropriated to them and their monastery, or to their college, and especially the parish church of Frampton, Lincoln dioc., appropriated to the said college, giving them general power and special and general mandate, responsibilities listed.

Date: Durham, 1 October 1475.

f.170v 12 October 1475

Memorandum that Mr Thomas Stowyn', S.T.P., Mr John Arundell', B.Th., Mr Oliver Denham, M.A., and Mr John Goldsmyth, M.A., were admitted into the confraternity of the chapter of Durham, and that they have their letters testimonial therefor in the common form; 12 October 1475.

f.171r-v 18 November 1475

Inspeximus by Richard prior and the chapter of Durham confirming the following licences, saving the liberties and privileges of the said cathedral church and their monastery in all things.

Date: Durham, 18 November 1475.

Licence by letters patent by Robert, bishop of Durham, to John Lounde, clerk, William Raket, Robert Rodes, Richard Raket, Robert Sotheron', chaplain, and John Bynchestr', chaplain, to establish a certain fraternity or guild, of themselves and other priests, of both men and women, in the chapel of St Mary in the Galilee of the monastery of Durham; to receive whatsoever other persons as brothers and sisters of the guild each year in the future; that each year the brothers of the guild be able to elect from among themselves a master or keeper to have the rule, governance and oversight of the guild and the keeping of all lands, tenements, rents, possessions, goods and chattels which the guild might henceforward acquire; and that they might remove the master if need be and put another in his place as they please; to create a corporation of themselves and have and use a common seal for the business of the guild; that the master or keeper and his successors be able to plead and implead, under the description "master" or "keeper", for the guild and its lands, tenements (&c) in whatsoever actions and pleas, before whatsoever secular and ecclesiastical justices; that the master or keeper and the sundry brethren of the guild and their successors be able to convene at suitable times and places whenever they should please to discuss and make ordinances for the condition and good rule of the guild and of the brethren and sisters thereof and their successors, without the interference, accusation, disturbance or obstruction of the bishop or his successors, or of his or his successors' justices, escheators, sheriffs, other bailiffs or ministers.

By the hand of John Lound', clerk, the bishop's chancellor.

Date: 20 July, Pont. 11 [1448], *per ipsum episcopum Rakett*.

Licence by letters patent by Robert, bishop of Durham, to the brethren and sisters of the fraternity or guild of St Cuthbert in the chapel of St Mary in the Galilee of the monastery of Durham that they and their successors be able to acquire and hold lands, tenements and rents, not held of the bishop, to the value of ten pounds a year, for the support or assistance of the guild in perpetuity; notwithstanding the Statute of Mortmain, so long as it should appear, through inquisitions taken in the due form and returned to the chancery of the bishop and his successors, that it might be done without damage or prejudice to the bishop or his successors or anyone else.

By the hand of John Lound', clerk, the bishop's chancellor.

Date: Durham, 23 July, Pont. 11 [1448], *per ipsum episcopum Rakett*.

f.171v-172v [9 & 14 October] 1475

Notarized instrument by Henry Gillowe, B.Dec., rector of Houghton[-le-Spring], chancellor of the regality of Lawrence, bishop of Durham, and his deputed commissary for the things underwritten and other matters, giving notice that William Lambe, vicar of Hartburn, being incapacitated by old age and infirmity, as the commissary has learnt and knows from experience, and because of this and other legitimate reasons proposed before the bishop and the commissary in his place, wishing to be discharged of the cure and rule of his vicarage and to present his spirit more freely to the creator by the exercise of a contemplative life,

by licence of the bishop sought and obtained, on 9 October 1475 resigned his vicarage into the hands of the bishop of Durham, and into the hands of the commissary in his place, before a notary and witnesses, begging the commissary to accept the resignation and to assign a suitable pension to be paid to him for his support each year from the vicarage revenues during his life;

wherefore in the Galilee of Durham cathedral, in the consistory place there, seated tribunally on 14 October, the commissary accepted the resignation and discharged William Lambe of the cure and rule of the said vicarage, and subsequently, by the authority committed to him, collated the vicarage of Hartburn, thus vacant and belonging to the collation of the bishop of Durham, to Richard Swynburn', clerk, and instituted him therein, with the burden of continuous and personal residence there, and decreed that he or his proctor be inducted into bodily possession of the vicarage; saving the liberties, privileges and dignity of the bishop and cathedral church of Durham in all things;

whereafter Richard Swynburn', vicar of the said church, submitted his vicarage and all its revenues to the commissary's arbitration for the assessment of a pension, to be set according to the commissary's will and to be paid from the vicarage to the said William Lambe for the term of his life, and promised on oath to abide by the decision while he should remain vicar there;

and the commissary, accepting this submission and noting the situation of William Lambe, who was of advanced years (*in diebus suis non modicum processit*) and had no benefice or patrimony by which he might live in future, proceeded to the assessment of a pension, with the consent of William Lambe, Richard Swynburn' and others whom it concerned: Ordinance by Henry Gillowe, commissary and judge aforesaid, noting the labours of William Lambe as vicar of Hartburn, considering it absurd and inappropriate that William be forced to acquire his sustenance as a beggar, to the disgrace of the priestly order, because otherwise he has not the means to live, and having seen that the vicarage of Hartburn at present not only suffices for the burdens incumbent thereon but also for the payment of a suitable yearly pension to be assessed by the commissary, and is likely to suffice therefor in the future, as appears clear from an inquisition; imposing upon Richard Swynburn', his vicarage and his successors therein, a yearly pension of £12 from the revenues of the said vicarage to be paid by Richard and his successors to William Lambe during his lifetime by equal portions at the terms of Candlemas, the Invention of the Cross, St Peter's Chains [1 August] and Martinmas; warning Richard and his successors to comply with this ordinance on pain of great excommunication; decreeing that if the pension of £12 be in arrears in whole or in part for a month after any of the term dates, the revenues of the vicarage be sequestrated, sequestrating the revenues then as now by the presents and committing the keeping of the sequestrated revenues to the official of the consistory court of Durham until William Lambe or his proctor be fully satisfied, along with damages and expenses; with Richard Swynburn' giving his oath to observe this ordinance and taking on the burden of paying the pension

during his incumbency; also ordaining that Richard and his successors will not leave or resign the vicarage by reason of exchange or any other cause while they live, unless they clearly give notice to William of a suitable time and place for making the demission or resignation, under pain as above, so that William, in person or through another, might be present, if he wished, at the swearing of the oath at the time of collation, admission and institution of the next vicar, and ask for what is his; and decreeing that, in the event that the oath and notification were omitted, the collation, admission, institution and induction should be void; ordaining that anyone succeeding to the vicarage of Hartburn in future during the life of William Lambe, if suitably asked on the part of the said William Lambe, acknowledge before the bishop of Durham, his successor or his vicar-general in spiritualities, within thirty days of his institution, that he is bound to pay the pension; and, if he should not do so, ordaining that the vicarage revenues be sequestrated until the acknowledgement be made.

Under the seal of the official of the consistory court of Durham; with statement by the official, recording that he has had his seal affixed to the presents; and with the sign, subscription and name of the notary.

Witnesses: Mr John Rudd', B.Dec., Robert Sotheren, chaplain, canon and prebendary of the prebendal church of Norton, Durham dioc..

[incorporating the following statment of inspection and confirmation]

Notary and writer of the presents: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited, with note of an erasure and interlineation) specially taken on as the commissary's scribe for the present business.

Done: in part in the notary's house and in part in the Galilee of Durham cathedral, days and month as above [9 and 14 October] 1475.

[Statement of] Inspection and confirmation by Richard prior and the chapter of Durham of everything written above and below, shown to them on the part of the said William Lambe, chaplain, and Richard Swynburn, clerk.

Under the common seal of the chapter.

Date: Durham, 18 November 1475.

f.172v-173r 14 February 1476

Letters of consorority to Anne, duchess of Gloucester and consort of Richard, duke thereof by her devoted bedesmen, Richard prior and the chapter of Durham repaying them for the devotion of the mind and the completeness of the sincere affection which she has for them and for their monastery, which they know from experience (&c), by admitting her to their spiritual sisterhood and granting her special participation in all masses, vigils, fasts, prayers (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for her, just as for their other spiritual brethren and sisters, for all time after her death, once they have certain knowledge thereof.

Date: Durham, 14 February 1475/6.

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cclvii-ccclviii.

f.173r 3 March 1476

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr John Lilford', LL.D., in the canonry and the prebend of Skipwith in the collegiate church of Howden, vacant by the death of Mr Walter Buk, last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and chapter and their monastery.

Date: Durham, 3 March 1475/6.

f.173r 22 May 1476

Memorandum that Thomas Bartram, chaplain, Mr Robert Bartram, N.P. by apostolic authority, Robert's wife Joan and Isabel Miln', Joan's sister, were admitted as brethren and sisters of the fraternity of the chapter of Durham, having a joint letter testimonial in common form thereon: 22 May 1476.

f.173r-v 22 May 1476

Inspeximus by Richard prior and the chapter of Durham confirming the following appointment, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 22 May 1476.

Appointment by letters patent by Lawrence, bishop of Durham, although Thomas Longley, lately bishop of Durham, by his letters patent appointed Thomas Lomley, knight, as head forester of the forest of Weardale and overseer of all parks, coal mines and iron forges within the bishopric of Durham, holding the office for life and taking yearly therefor the customary wages and fees, and all other profits appertaining to the office, as more fully contained in the said letters patent, the said Thomas Lomley has returned these letters to the chancery of Durham for cancellation; creating the said Thomas Lomley, knight, and his son and heir George Lomley, knight, jointly and severally the head foresters of the said forest and overseers of the parks, coal mines and iron forges in the bishopric, holding the office for life and for the life of the longer lived of them, and taking yearly therefor the customary wages and fees, and all other profits belonging to the office; giving them full power to hold, hear and decide (*oyer & terminer*) all pleas, suits and attachments arising within [the jurisdiction of] their office according to the ancient custom of the said forest; saving to the bishop and his successors the fines and other things belonging to them; also giving them full power to let the said mines and forges, and the herbage of the forest out to farm, under the overall supervision ( *per supervisum capitalem*) of the steward of Durham; providing that they or either of them answer yearly for the revenues of their office to the bishop and his successors at the exchequer of Durham, as is the custom.

By the hand of Henry Gillowe, clerk, the bishop's chancellor.

Date: Durham, 23 April, Pont. 19 [1476]

f.173v 1 June 1476

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute John Glover', chaplain, in the sixth vicarage in the collegiate church of Hemingbrough, vacant by the death of Robert Daltre, last vicar thereof.

Date: Durham, 1 June 1476.

f.173v 21 June [1476]

Memorandum that John Yowdale and Matilda, his wife, were admitted to the confraternity and obtained a letter testimonial thereon in the form of the letter made for Thomas Cuthbert and his wife on the fifth folio preceding [169r-v]: 21 June.

f.173v-174r 23 June 1476

Inspeximus by Richard prior and the chapter of Durham confirming the following appointment, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 23 June 1476.

Appointment by letters patent by Lawrence, bishop of Durham, although Robert [Neville], lately bishop of Durham, by his letters patent appointed Henry Preston', squire, as constable of the castle of Durham, holding the office for life in person or through his sufficient deputy and taking yearly therefor twenty marks, to be paid to him in equal portions at the terms of Easter and Michaelmas, at the exchequer of Durham, by the hands of the receiver-general there, along with the profits and advantages of the two ditches lying together below the castle, and also of two gardens outside the castle, and all other profits and advantages of old used and wont to the office, and a gentleman's robe or 13s 4d in name thereof, at Christmas each year during his life, with full power to do everything pertaining to the office, as more fully contained in the said letters patent, the said Henry Preston' has returned these letters to the bishop for cancellation and surrendered his estate in the said office to the bishop in his chancery of Durham; creating Henry Preston' and the bishop's nephew Henry Radclyff', squire, jointly and severally the constables of the castle of Durham, holding the office for life and for the life of the longer lived of them, in person or through their sufficient deputies, for whom they would answer to the bishop and his successors, taking twenty marks yearly (to be paid as above) along with all other profits, advantages, customary rights and emoluments howsoever belonging to the office; also granting them a gentleman's robe or 13s 4d each year (as above) for life and for the life of the longer lived; and giving them full power to do everything pertaining to the office; ordering all his ministers and servants whom it concerns to assist them in their exercise of their office.

By the hand of Henry Gyllowe, clerk, the bishop's chancellor.

Date: Durham, 10 June, Pont. 19 [1476]

f.174r-v 23 June 1476

Inspeximus by Richard prior and the chapter of Durham confirming the following appointment, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 23 June 1476.

Appointment by letters patent by Lawrence, bishop of Durham, although Thomas Longley, lately bishop of Durham, by his letters patent appointed William Raket, as clerk of the chancery of Durham and keeper of the rolls of chancery, holding the office and keepership for life and taking yearly therefor a fee of forty shillings to be paid to him in equal portions at the terms of Easter and Michaelmas, at the exchequer of Durham, by the hands of the constable of the castle of Durham, along with all other fees, profits and emoluments howsoever belonging to the office and keepership, as more fully contained in the said letters patent, the said William has returned these letters to the bishop for cancellation and surrendered his estate in the said office and keepership to the bishop in his chancery of Durham; creating William Raket and John Raket, the bishop's servant, jointly and severally clerks of the chancery of Durham and keepers of the rolls of chancery, holding the office and keepership for life and for the life of the longer lived of them, in person or through their deputy or deputies, for whom they would answer to the bishop and his successors, taking from the bishop and his successors forty shillings yearly in the office, to be paid by the hands of the receiver-general (and otherwise as above) along with all other profits, advantages, customary rights and emoluments howsoever belonging to the office; also granting them a gentleman's robe or 13s 4d each year in name thereof, to be paid at Christmas each year for life and for the life of the longer lived.

By the hand of Henry Gyllowe, clerk, the bishop's chancellor.

Date: Durham, 12 June, Pont. 19 [1476]

f.174v-175v 6 September 1476

Notarized letters by Hugh Snell', D.Dec., commissary of Lawrence, bishop of Durham, along with a colleague, giving notice that they have been jointly and severally deputed to execute the following special commission

Commission by Lawrence, bishop of Durham, to Mr Ralph Makerell', LL.D., and Mr Hugh Snell', D.Dec., since the bishop has lately been shown a petition on behalf of the abbot and convent of Coverham, York dioc., containing that the revenues pertaining to their monastery have unwontedly decreased, and daily decrease and are expected to decrease in future, and they have become impoverished to the extent that the abbot and convent would in future be unable suitably to support themselves and the number of canons, servants and ministers in their monastery specified in the first foundation thereof, and to bear the burdens incumbent upon them, but rather, unless aided from elsewhere, would they be forced to reduce the number or abandon the monastery; begging the bishop for suitable remedy, and that, with consent of those whom it concerns, he should see fit to unite the parish church of Seaham, Durham dioc., to the monastery and grant it to the abbot and convent, present and to come, for relief of their penury; therefore, noting that it is not less to maintain an established house of religious than to found one, with regard for Richard, duke of Gloucester, urging him in this case, and wishing to help and provide for the said abbot and convent in the foregoing matter, by his authority giving plenary power in his place to Mr Ralph and Mr Hugh to investigate and proceed in the foregoing and, if the things suggested rest on the truth or there should be any other underlying reasonable cause for acting on what is written below, thereon to treat, in the name of the bishop and of all others whom it might concern, with the prior and chapter of Durham and, when consent has been applied, to unite, annex and incorporate the church of Seaham with, to and in the monastery of Coverham, giving and granting it to the abbot and convent of Coverham, to be held to the uses of the abbot and convent thereof, present and to come, and do all else necessary or opportune for the foregoing; reserving, however, to himself and his successors the power of endowing the vicar, of assigning a suitable portion from the revenues of the church to the vicar and his successors, so that they might fittingly keep themselves, maintain hospitality and suitably bear the burdens incumbent upon them, and of providing for his, his successors', the archdeacon of Durham's and his successors' (*successoribus* !) indemnities which will arise from this union and appropriation.

Date: his lodging outside Temple Bar, London, 17 May 1476.

by authority whereof the commissaries have conducted an inquiry concerning the articles set out in the foregoing commission and, since they found from the depositions of laudable persons, judicially produced, sworn and examined in due form of law before them, and by other sufficient documents, that the things alleged, proposed and suggested were true, and that evident need demands the appropriation of the church of Seaham to the monastery of Coverham and the abbot and convent thereof, with consent of those whom it concerns, with the advice and consent of Richard, duke of Gloucester, patron of the church of Seaham, of the prior and chapter of Durham, and of others considering themselves to have an interest in this matter of union, obtained beforehand, appropriating the church of Seaham to the monastery of Coverham and the abbot and convent thereof by the presents; providing that when the church of Seaham, should become vacant by the resignation or death of Mr Thomas Langton, rector thereof, or otherwise, the abbot and convent and their successors, their proctors or deputies, be allowed to take possession of the church of Seaham without further needing the licence and consent of the bishop of Durham; with the power of endowing the vicar of Seaham and the vicarage

thereof by assignment of a portion from the fruits, rents and proceeds to the vicar and his successors, from which they might suitably be maintained and bear the burdens incumbent upon them, and of doing other things written at the end of the above commission, reserved to the bishop and his successors; saving in all things the bishop's episcopal rights, the liberties, privileges and dignity of his church of Durham, and the right of the archdeacon of Durham and of whatsoever other; and signifying that they have lawfully carried out the foregoing as aforesaid.

[Printed to this point: R. Surtees, *The History and Antiquities of the County Palatine of Durham* 4 vols. (1816-1840), vol. I, p.298-299].

Under the seal of the official of the consistory court of Durham, along with the sign, subscription and name of the notary, who has been specially taken on as their scribe in this business.

Witnesses: Robert So[t]heron', Hugh Forster', and Thomas Bartram, chaplains of Durham dioc..

[incorporating the following statement of confirmation]

Confirmation by Richard prior and the chapter of Durham of the foregoing appropriation, on account of regard for (*ob contemplacionem*) Richard, duke of Gloucester.

Under the common seal of the chapter.

Date: Durham, {7 ...ember} [1475]

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited, recording absence for part of the proceedings through sickness, and with note of erasures and an interlineation)

Done: the Galilee of Durham cathedral, 6 September 1476.

f.175v-176v 29 July 1476

Notarized exemplification by Hugh Snell', D.Dec., vicar-general in spiritualities of Lawrence, bishop of Durham, in distant parts, and chief official of the consistory court of Durham, making it known that when seated judicially (place and date as below), there appeared in person before him, a certain Thomas Halver, monk of Durham, chancellor and almoner [of the monastery], claiming to be, along with others, a proctor or agent (*sindicus*) of the prior and chapter thereof, as was sufficiently apparent to the vicar-general; holding in his hands various muniments, whole and entire, concerning, as he claimed, the state, custom [?: *modum*] and utility of the church of Durham, which he showed and handed over, on behalf of the prior and chapter and in his own name, to the vicar-general for examination; declaring that the prior and chapter and he, of necessity, are sending these muniments, or true copies thereof, to various remote places for the protection of their interests, goods, liberties (&c), which are defended by force and authority thereof; that, since the proctor fears these original muniments, if sent to such remote places, might be damaged or destroyed through the hazards of the roads, flood, robbery, plunder, fire, loss, or other accidents, he begged the vicar-general to have the muniments transcribed and exemplified and reduced into public form; and that he, the vicar-general, accepting the petition as just, having received the muniments, examined them, found them to be above suspicion, announced that the following [1] [Charter] by Thomas, archbishop of York, to all archbishops, bishops and abbots in England and their successors, and to his own successors, "&c". [1070 x 1100 or 1108 x 1114]

[2] [Charter] by Thurstan, archbishop of York, "&c". [1114 x 1140].

[3] [Charter] by Roger, archbishop of York, "&c". [1154 x 1181]

[4] [Charter] Walter, archbishop of York, '&'. [1215 x 1255 or 1266 x 1279]

[5] [Bull] by Honorius [III], pope, "&c". Date: Lateran, 3 Id. April, Pont. 2 [11 April 1218]. [Cf. Cart. Vet f.37r, a copy of 2.1.Pap.11, now missing.]

[6] [Bull] by Honorius [III], pope, "&c". Date: Lateran, 6 Non. March, Pont. 11 [2 March 1227]. [Cf. Cart. I. f.10v-11r, a copy of 2.1.Pap.13, now missing.]

were to be copied and exemplified, and ordered this to be done by the notary, specially taken on as his scribe for this business and as scribe of the acts of the consistory court; and that he has ordered that as much faith, in and out of court, be applied to this present copy as ought to be applied to the original muniments if they should be brought to light. Under the seal of his office of official, along with the sign and subscription of the notary. Witnesses: Mr John Rudd', B.Dec., Mr John Pikering', LL.B., James Wilkynson' and William Clerk, chaplains, Mr John Whithede, N.P. by imperial authority, Thomas Claxton', gentleman, and William Fynlaw, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited)

Done: Durham, the customary place for passing sentences in the consistory, 29 July 1476.

Original, reciting the documents: DCD Loc.III:49.

f.176v-177v 31 July 1476

Notarial instrument recording that Thomas Halver, monk of Durham, chancellor and almoner of the church thereof, and proctor-general or agent (*sindicus*) of the prior and chapter thereof, held in his hand and made, read and interposed the following Appeal by him, Thomas Halver, proctor and agent of Richard, prior and the chapter of Durham, dwelling there and in the outside cells, lawfully appointed to say, allege and propose, for them and for himself that although the prior and chapter have held and hold the monastery of Durham, along with St Cuthbert's college Oxford, the cell of Coldingham and the parish church there, the cells of Finchale, Holy Island, Lytham, St Leonard's Stamford, Jarrow, Wearmouth and Farne, with the parish churches there, moreover the parish churches of St Oswald's Durham, Merrington, Heighington, Aycliffe, Billingham, [Bishop] Middleham, Hesleden, Dalton-le-Dale, Pittington, Bywell St Peter, Bedlington, Edlingham, Ellingham, Norham and Branxton, with the churches of Eastrington and [North]allerton, and with all dependent chapels thereof, these parish churches having been appropriated to the monastery and being held to its use in perpetuity, with their rights (&c), pensions and customary services, and they have possessed them for no little time; and the prior is the ordinary of the jurisdiction of the spirituality of St Cuthbert in the collegiate churches of Howden and Hemingbrough and the prebends thereof, along with the churches of Eastrington, Skipwith, Welton, Walkington, Brantingham, Holtby, [West] Rounton, [North]allerton and [Kirby] Sigston, with their dependent chapels; the prior and chapter be patrons of the York churches of Holy Trinity, All Saints and St Peter the Less; the warden and monks of the said college in Oxford are proprietors and rectors of the churches of Roddington, Fishlake and Bossall, appropriated to the college; the prior and chapter, likewise he himself, were and are of unimpaired reputation (&c); and they are manifoldly fortified and supported in the foregoing with rights, liberties (&c), goods and possessions granted and confirmed to them by popes, kings of England, archbishops of Canterbury and York, and bishops of Durham; nonetheless they and he fear, for plausible reasons, and particularly from certain dreadful threats said to have been made against them, in writing, by Lawrence, bishop of Durham, that he could in future engender prejudice in future to the rights (&c) recited above; and, lest someone by whatsoever authority or mandate, even if papal, archiepiscopal, episcopal, or archidiaconal, attempt anything in prejudice (&c) of the prior and chapter, their rights, liberties (&c), possessions and whatsoever other things aforesaid in various specified ways, including making new monetary impositions, he appeals to the pope and the apostolic see, subjecting the prior and chapter, himself, the things aforesaid acquired and possessed by them and him, and those adhering and wishing to adhere to them and him in this regard, to the protection, tuition and defence of the said see and court; declaring that he will alter the present appeal and reduce it into better and more proper form as often and when seems most fit, and notify those concerned of a suitable time and place therefor.

and that the proctor or agent asked the notary to reduce the foregoing into a public instrument, one or more as need be, for the prior and chapter and for himself in their name.

Witnesses: John Hagerston', chaplain, Thomas Claxton, gentleman, and Oliver Yonger, of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: registry of the monastery of Durham, 31 July 1476.

f.177v 18 September 1476

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or the dean and chapter thereof *sede vacante*, to institute John Hart', chaplain, in the canonry and first prebend in the collegiate church of Hemingbrough, vacant by the resignation of Mr William Laybron', last canon and prebendary thereof.

Date: Durham, 18 September 1476.

f.177v 16 September 1476

Notarial instrument recording that William Laybron', canon and prebendary of the first prebend in the collegiate church of Hemingbrough, as he said, appeared in person and held in his hands, made and read the following

Written resignation whereby he, William Laybron', clerk, canon and prebendary (&c), for certain legitimate reasons wishing to be discharged of the cure and rule of the said canonry and prebend, resigns the same into the hands of the archbishop of York, *sede plena*, or of the dean and chapter of York, *sede vacante*, or of another whomsoever having power to accept his resignation.

Witnesses: Robert Clerk' and William Meryman', chaplains of York and Durham dioc..

Notary: William Biller', clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: York Minster, 16 September 1476.

f.177v-178r 21 September 1476

Notarial instrument recording that Richard Rolleston', B.A., vicar of Northallerton, as he said, appeared in person and held in his hands, made, read and interposed the following Written resignation whereby he, Richard Rolleston', B.A., vicar of Northallerton, for certain legitimate reasons wishing to be discharged from the cure and rule of the said vicarage, resigns the same into the hands of the archbishop of York, *sede plena*, or of the dean and chapter of York, *sede vacante*, or of another whomsoever having power to accept his resignation.

Witnesses: John Sayer and John Claxton', squires of Durham dioc..

Notary: Edmund Bell', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Durham priory registry, 21 September 1476.

f.178r 21 September 1476

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or the dean and chapter thereof *sede vacante*, to institute William Halyman', chaplain, in the vicarage of Northallerton vacant by the resignation of Richard Rolleston', B.A., last vicar thereof; saving a yearly pension of £20 due therefrom of old to the prior and chapter and their monastery.

Date: Durham, 21 September 1476.

f.178r-v 6 October 1476

Notarial instrument recording that Nicholas Culcheth', B.Dec., rector of [Kirby] Sigston, as he said, appeared in person and held in his hands, made, read and interposed the following

Paper schedule whereby he, Mr Nicholas Culcheth', B.Dec., rector of [Kirby] Sigston, for certain legitimate reasons wishing to be discharged from the cure and rule of the said vicarage, resigns the same into the hands of Lawrence, archbishop of York, or of another whomsoever having power to accept the resignation.

Witnesses: Robert Oldum', of York dioc., Thomas Hert, of London dioc., *literati*.

Notary: John Jacobi alias Kendale, clerk of York dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: an upper room (*alta camera*) in the house of John Kendale, the notary, in Westminster, 6 October 1476.

f.178v 16 February 1477

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute William Clayton', B.A., in the church of [Kirby] Sigston, vacant by the resignation of Mr Nicholas Culcheth', B.Dec., last rector thereof; saving a yearly pension of ten marks due of old to the prior and chapter and their monastery.

Date: Durham, 16 February 1476/7.

f.178v 16 February 1477

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute (name erased), {chaplain} [over erasure], in the vicarage of Bossall, vacant by the death of Nicholas Machell', last vicar thereof.

Date: Durham, 16 February 1476/7; {9 April [147]7}.

[The presentee is referred to as William six lines from the bottom of the entry, but this repetition of the candidate's forename may have escaped erasure by an oversight. The candidate's name has been erased from the marginal caption and the name "...lynson" has been added above the space left by erasure. The second date may indicate when the presentation was actually issued. The entry is not marked "void", although a cross appears in the margin alongside.]

f.178v 25 November [14]76

Memorandum that Robert Patson and Joan his wife were admitted to the spiritual confraternity of the chapter of Durham, and received therefor a testimonial in the form of that made for Thomas Cuthbert and his wife, as on the tenth folio preceding [169r-v]: 25 November [14]76.

f.178v 9 November 1476

Memorandum that a certain Thomas Couper was adopted as mortuary-roll bearer of the monastery of Durham, and he obtained letters of authorization in the common form, to endure at the pleasure of the prior and chapter: 9 November 1476.

f.178v-179r 8 December 1476

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute John Lowdwyne', chaplain, in the vicarage of the prebend of Skelton in the collegiate church of Howden, vacant by the death of John Watkynson', last vicar thereof.

Date: Durham, 8 December 1476.

f.179r {4 March} 1477

Presentation by Richard prior and the chapter of Durham asking Thomas, bishop of Lincoln, or his vicar-general in distant parts, to institute {Edward Yonge} in the vicarage of Frampton, vacant by the death of Robert Wombwell', last vicar thereof.

Date: Durham, {4 March} 1476/7.

(The presentee's name originally given in both the text and the marginal caption has been erased. Edward Yonge's only replaces it in the caption, while blanks have been left in the text. The original date was altered.)

f.179r 11 January 1477

Presentation by Richard prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute Mr Ellis Bell', M.A., in a canonry in the collegiate church of Howden and the prebend of Skipwith therein, vacant by the death of Mr John Lilford', LL.D., last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and chapter and their monastery.

Date: Durham, 11 January 1476/7.

f.179r 13 January 1477

Letters of confraternity by their devoted bedesmen Richard prior and the chapter of Durham to Humfrey, lord de Dacre, and Mabel his wife, repaying them for the devotion of mind and the completeness of the sincere affection which they have for them and their monastery of Durham, by admitting them to the spiritual brotherhood of the chapter of Durham and granting them special participation in all masses, vigils, fasts, prayers, preaching, good works (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren, for all time after their deaths, once they have certain knowledge thereof.

Date: Durham, 13 January 1476/7.

f.179v 10 February 1477

Inspeximus by Richard prior and the chapter of Durham confirming the following grant, saving the rights and liberties of their church of Durham in all things.

Date: Durham, 10 February 1476/7.

Grant by letters patent by William, bishop of Durham, at the instance of Richard, prior of Durham, to Robert Batemanson', of the office of keeper of the park of Bedburn and of all woods and groves of old belonging to the said park; to be held to the bishop's advantage and honour by him or his sufficient deputy, for whom he would answer to the bishop and his successors, for life, with the fees, wages and profits used and wont of old to the said office.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Date: Durham, 8 February, Pont. 1 [1477]

f.179v 23 February [1477]

Memorandum that an inspeximus for the prior's tenants, that they be generally free of toll, was issued under the prior's long seal, in the form recorded on f.134 [now 146r-v]: 23 February.

f.179v-180r 28 March 1477

Proxy by Richard prior and the chapter of Durham, in possession of the parish church of Bossall, appropriated to themselves and their monastery and church of Durham, appointing William Lawe, S.T.P., monk of Durham, as their proctor in all causes and business, suits and actions, begun or to be begun, concerning them, the cathedral church of Durham and the said parish church, before whatsoever judges (&c), against whomsoever their opponents, at whatsoever dates and places; short of recalling any proctors previously appointed; giving him their special power and special and general mandate, responsibilities described, to act on their behalf.

Date: Durham, 28 March 1477.

f.180r 20 April 1477

Notarial instrument recording that John Gornay, chaplain, vicar of Bishop Middleham, as he said, appeared in person and held in his hands, made, read and interposed the following

Written resignation whereby he, John Gornay, chaplain, vicar of Bishop Middleham, for certain legitimate reasons, resigns the vicarage into the hands of William, bishop of Durham, or of another whomsoever having power to accept the resignation.

Witnesses: Mr Robert Bartram', clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, and Richard Scathlok of Durham dioc..

Notary: Edmund Bell', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Durham, in the garden of the house of Mr Robert Bartram, in the parish of St Mary in North Bailey, 20 April 1477.

f.180r 13 May 1477

Presentation by Richard prior and the chapter of Durham asking William, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Hall', chaplain, in the vicarage of Bishop Middleham, vacant by the resignation of John Gornay, chaplain, last vicar thereof; {saving to the prior and chapter a yearly pension of 40s due of old therefrom to the sacrist of Durham.}

Date: Durham, 13 May 1477.

f.180v 12 June 1477

Memorandum of petition by William Laydman' of Bowes that at Moss Sike head (*Mossesikeheued*) on 3 June 1477, against his will and in self-defence as he said, he struck and mortally wounded one John Williamson' of Bowes, smith, on the right side of his head with a turf spade; wherefore, acknowledging his guilt, he asked for the sanctuary of St Cuthbert and his church.

Before the witnesses Richard Banys, Thomas Porter, Thomas Herynger, Stephen Hobs, Robert Barbour, Oliver Yonger; in Durham cathedral, 12 June 1477.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.1-2 no.ii.

f.180v 26 July 1477

[Memorandum of] petition by Christopher Broun' who appeared in person and asked for the sanctuary of the church of St Cuthbert, for the reason that, at Leyburn near Middleham in Coverdale, on Friday the feast of St Wilfrid [12 October], 1459, he made an attack upon one Thomas Carter', riding and holding his three-year-old son before him; because of which attack Thomas, hastily dismounting, allowed his son to fall to the ground, and the horse, by an unhappy accident, trampled and crushed his son, from which he died within two days; and Christopher acknowledged that he was responsible for the boy's death.

Before Mr Edmund Bell', clerk, N.P. by apostolic and imperial authority, and the witnesses John Maynsforth', priest, master of Durham abbey schools, John Swynton'; in the nave of Durham cathedral, Saturday, 26 July 1477.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.2-3 no.iv.

f.180v-181r 1 September 1477

Proxy by Richard prior and the chapter of Durham appointing Mr William Poteman', LL.D., Mr Thomas Pereson', D.Dec., and Mr William Laybron', LL.B., giving them general power and special mandate on their behalf in the business of a reform of the old ordinances of the collegiate church of Hemingbrough, previously considered among the provost and canons-prebendary thereof, having an interest in this regard, to be opened and concluded by authority of Lawrence, archbishop of York: to appear before the archbishop or his commissaries, one or more, at the times and places appointed for expediting the business of this reform; to excuse and give the reasons for their absence; to demonstrate the right and title, possession and jurisdiction which the prior and chapter held in the said church at the time of the old ordinances and now hold; to agree to the making of this reform, so far as it pertains to the prior and chapter, with consent of those whom it concerns, if it should seem expedient or opportune; or not to agree; to do all other necessary things, having publicly summoned for this purpose the provost and canons-prebendary by name, and all others supposed to have an interest; saving and reserving the right, title, possession and jurisdiction which the prior and chapter have held from the time of the old ordinances and now hold in the church of Hemingbrough in all things.

Date: Durham, 1 September 1477.

Also DCD Reg. Parv. III f.176v-177r, dated 3 September.

f.181r 27 July 1477

Memorandum of homage done in due form by Thomas Blakeston' of Blakeston, squire, to Richard Bell', prior of Durham, for the lands which he holds of the prior in chief, in Blakeston, by knight service; in presence of John Vavisour', squire, servant of Richard, duke of Gloucester, John Claxton', John Sayer', Robert Kelynghall' and Roger Morland', the prior's chamberlain; in the revestry of Durham cathedral, 27 July 1477.

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclx.

f.181r 29 September 1477

Letters of confraternity by his devoted bedesmen Richard prior and the chapter of Durham to George, duke of Clarence, repaying him for the devotion of mind and the completeness of the sincere affection which he has for them, their monastery of Durham, and especially for their college in Oxford and the warden and their fellow monks dwelling therein, as they know from experience of the favour of his benignity, by his well-known deeds, by admitting him, if it please him, to the spiritual brotherhood of the chapter of Durham and granting him special participation in all masses, vigils, fasts, prayers, preaching, (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof.

Date: Durham, 29 September 1477.

f.181r [29 September 1477]

Memorandum that Leonard Thornburgh', squire, was admitted to the confraternity of the chapter of Durham, and obtained a testimonial therefor in common form..

f.181r 2 October 1477

Presentation by Richard prior and the chapter of Durham asking William, bishop of Durham, or his vicar-general in distant parts, to institute Mr Ellis Bell', M.A., in the vicarage of Bedlington, vacant by the death of Gilbert Graybarne, alias Clerk, last vicar thereof.

Date: Durham, 2 October 1477.

f.181r-v 15 October 1477

Proxy by Richard prior and the chapter of Durham appointing Mr William Poteman', LL.D., Mr Hugh Snell', D.Dec., as their proctors giving them general power and special mandate to attend and act on their behalf at the approaching convocation of the clergy of the province of York, to be held in York Minster on 21 October next to come, with continuation of days and places if need be, before Lawrence, archbishop of York, or his deputed commissaries, one or more.

Date: Durham, 15 October 1477.

## From the time of the entry of John Manbe, 22 January 1477 (f.181v-201r)

f.181v 6 October 1477

Memorandum of petition by William Rome and William Nicholson', parishioners of Forcett, who came to Durham cathedral, where, among other things, they asked Thomas Haughton', sacrist, and William Cuthbert, master of the Galilee, monks of Durham, to grant them sanctuary, in accordance with the privileges of old granted to St Cuthbert, for the felony committed and publicly confessed by them in their slaughter of William Aliand'; and they obtained immunity by the ringing of one bell, as the custom is. Being present there the witnesses William Heghyngton', Thomas Hudson', John Wrangham, and Th[omas] Strynger;  
Durham cathedral, 6 October 1477.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.3 no.v.

f.181v 12 February 1478

Letters of confraternity by his devoted bedesmen Richard prior and the chapter of Durham to Edward, bishop of Carlisle, repaying him for the devotion of mind and the completeness of the sincere affection which he has for them and their monastery of Durham, as they know from experience of the favour of his benignity, by his well-known deeds, by admitting him, if it please him, to the spiritual brotherhood of the chapter of Durham [and granting him special participation in] all masses, "&c, as in other letters".

Date: Durham, 12 February 1477/8.

f.181v 25 February [1478]

Letter to {the bishop of Durham} by his bedesmen Richard prior and the chapter of Durham letting him know that they have lately received his letters and have communed together, as Mr Robert Ebchester and Thomas Haughton', bearers of the presents, can, with his licence, inform him; and asking him to give credence to the bearers.

Written: Durham, 25 February.

*Language:* English

f.182r 26 February [1478]

Letter {by William, bishop of Durham, to the subprior and convent of Durham}, since they are to proceed to the election of a new prior, exhorting them to choose a suitable person, and warning them that there should be in the meantime no confederacies or conspiracies between them for the election, lest division arise among them, to the infamy of them and their house.

Written: London, 26 February [1478].

*Language:* English

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclxi.

f.182r 6 April 1478

Presentation by Richard prior and the chapter of Durham asking Thomas, bishop of Lincoln, or his vicar-general in distant parts, to institute John Walesby, chaplain, in the church of Biscathorpe, vacant by the death of William Rolland', last rector thereof.

Date: Durham, 6 April 1478.

f.182r 12 April 1478

Memorandum that Ralph, lord de Nevill', and Isabel his wife were admitted to the confraternity of the chapter, according to the form of a like letter given to Humfrey, lord de Dacre, and his wife, as on the third folio preceding; 12 April 1478.

f.182r 13 April [1478]

Letter {by Richard, duke of Gloucester, great chamberlain, constable and admiral of England, to the subprior and convent} [of Durham] having been informed that the subprior and convent intend to proceed with all haste to the election of a new prior, asking them to defer the election, considering it is said that the prior has the priorate in a *commendam*, and to remember the hurt and inconvenience which might result from their hastiness. Under his signet.

Date: Middleham castle, 13 April.

Language: English

f.182r-v 23 April [1478]

Letter {by William, bishop of Durham, to the subprior and convent} [of Durham] letting them know that on 22 April their late prior made his fealty to the king, and intends to be consecrated on 29 April, whereby the priory will be vacant, and that they must obtain the bishop's licence and royal authority before proceeding to the election of a new prior; exhorting them, since their monastery is now under his pastoral care, and setting aside all instructions given to them by their former prior, whose authority over them is now expired, to send letters of petition to him, under their common seal, asking for licence to elect a new prior, and to make letters of proxy, under their common seal, for Thomas Haughton' and some other person to present the said letters of [i.e. for ?] licence to the bishop; and, if their common seal be in such ward and keeping that they may not gain access to it, ordering the subprior to take with him Dr Ebchester, Thomas Halver and others of the most dependable (sad and discrete) brethren to break the guard that it is in, and to arrange for the seal to be put into safe-keeping; requiring them to be undivided in the execution of the foregoing, as they intend to have the favour of his good lordship. Written: the bishop's inn in London, 23 April.

Language: English

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclxi-ccclxii.

f.182v 28 April [1478]

Letter {by the subprior and chapter of Durham to the bishop of Durham} thanking him for his recent letters and informing him: that, in accordance with his wishes, they have sent their letters of petition for licence to elect, under their common seal, to their brethren Thomas Haughton and Thomas Halver; that in these letters they beseech him that they might perform all things concerning the election of a new prior; that, since the bishop is not near at hand, they ask him to grant power by his letters to persons of his choice to execute the election and everything concerning it, to avoid the burden, labour and expense that might otherwise ensue, as Thomas Haughton' shall more plainly inform him; and asking the bishop to give credence to Thomas Haughton'.

Written: Durham, 28 April.

Language: English

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclxii-ccclxiii.

f.182v 27 April 1478

Commission by William, bishop of Durham, to Hugh Snell', D.Dec., the bishop's vicar-general in spiritualities, appointing him keeper of the priory of Durham, recently vacant, and giving him plenary power in his place during the vacancy of the priory to do everything known to pertain to the bishop concerning keepership of this sort; willing that he engage vigilantly in the keepership lest any outsiders attempt anything which might be to the prejudice of the priory, and, conversely, that the monastery be unburdened by Hugh or his servants with heavy and unwonted expenses.

Date: the bishop's lodging of Duresmesyn', near Charing Cross, London, 27 April 1478.

f.182v-183r 30 April 1478

Memorandum that a general proxy was issued for Mr Robert Ebchestre, S.T.P., Thomas Haughton', sacrist, Thomas Pikryng, third prior and feretrar, Thomas Halver, almoner, [monks of Durham]; Mr John Pikryng, LL.B., and Edmund Bell', N.P. by apostolic and imperial authority, appointing them proctors of the subprior and chapter of Durham in all causes concerning the same, the sundry persons of the said chapter, their cells, appropriated churches with the chapels dependent therefrom, their interests, rights, liberties, tithes, pensions and portions, according to the form of a general proxy made for William Seton', S.T.P., and others (in this register, f.144 [now 156]) before the election of Richard Bell' as prior; 30 April 1478.

Original proxy: DCD Loc.XXI:50(20).

f.183r 1 May 1478

Memorandum that a general appeal was made and interposed for the subprior and chapter by Thomas Halver, almoner, their proctor-general, in the nave of Durham cathedral, before the witnesses Edmund Bell', N.P., John Sayer, squire, Nicholas Tirwhit, Nicholas Dixon', *literati* of Durham dioc., and John Bell', mason, *literatus* of York dioc., according to the form of the general appeal (in this register, f.144 [now 156]) interposed by Richard Billyngham, then proctor of the subprior and chapter, before the election of Richard Bell' as prior of Durham; Durham, 1 May 1478.

*Related material in other DUL collections:* Original appeal: DCD Loc.XIII:16.

f.183r 4 May [1478]

Licence by letters patent by William, bishop of Durham, to the subprior and convent of Durham, since the monastery of Durham is bereaved of its pastor by the consecration of Richard Belle, last prior thereof, and, by their most recently presented letters, he has been begged for licence for the election of a new prior, not wishing the priory to incur any loss as a result of a long vacancy, granting them his licence by reason of his regalian prerogative and urging them to elect a prior with the necessary qualities.

Date: London, 4 May, 18 Edward IV.

Original: DCD Loc.XIII:16a.

f.183r 5 May [1478]

Letter by W[illiam], bishop of Durham {to the subprior and convent} [of Durham] exhorting them in their election of a new prior to choose such a father and governor as may be most acceptable to God and most circumspect for the health of the monastery, and that there be no division among them in this; and advising them that, by conforming to the foregoing, they may not only bring respect to their house but also cause the bishop to be their good lord in future.

Written: London, 5 May.

Language: English

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccclxiii-ccclxiv.

f.183r 3 May 1478

Memorandum that a special proxy for Thomas Halver, almoner, creating him proctor of the subprior and chapter, as regards the execution of the election of the future prior, [was] made according to the form of a proxy given to Richard Billyngham, then chancellor, and in this register among the memoranda of the election of Richard Bell', last prior and now consecrated bishop of Carlisle [f.157v-158r]; 3 May 1478.

Original proxy: DCD Loc.XXI:50(19).

f.183r-v 4 May 1478

Notarial instrument recording that Thomas Caly, subprior of Durham, appeared in person before his fellow monks, assembled in chapter at the capitular hour, and held in his hands and made, read and interposed the following

Schedule by Thomas subprior and the chapter of Durham appointing 22 May, with continuation of days if need be, for the election of their future prior, to be held in their chapter-house; decreeing that all their fellow monks now absent who ought, wish or can conveniently be present at the said date and place, be forewarned and cited to proceed to the business of the election; and intimating to those absent that if they should care not to come they intend nevertheless to proceed with the election.

Witnesses: John Hagreston', priest, and John Claxton', squire, *litteratus*, of Durham dioc..

Notary: Edmund Bell', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Durham, the chapter house, 4 May 1478.

Original: DCD Loc.XIII:16c.

f.183v 4 May [1478]

Commission by letters patent by William, bishop of Durham, to John Kelyng, clerk, his chancellor of Durham, informing him that when his monastery of Durham was lately bereaved of its pastor by the consecration of Richard Belle, last prior thereof, the subprior and convent begged him for licence to elect a new prior, which licence he granted; and that the subprior and convent intend to proceed with the election; giving him special authority to receive and accept the presentation of the prior-elect, and in the bishop's name to offer his consent and assent to him, to grant him the bishop's favour, and to do all else which pertains to the bishop's regalian prerogative in this regard; and ordering him to certify him without delay as to what he shall have done by his authority.

Date: London, 4 May, 18 Edward IV.

f.183v 17 September 1478

Memorandum that a presentation was issued for Mr John Pikeryng' to the church of Kimblesworth, in the common form as shown on folio 142 [now 154] of this book, which was by way of resignation, [vacant] by the resignation of the last rector thereof, Robert Clerk' himself [154v showing the presentation of Robert Clerk'], which is placed among other resignations in chancery; 17 September 1478.

f.183v 15 October 1478

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute Mr Alexander Lee, M.A., in the canonry and prebend of Barmby in the collegiate church of Howden, vacant by the death of Mr Thomas Babthorp', last prebendary and canon thereof;

Date: [Durham] <28 September> {15 October} 1478.

f.184r 6 October 1478

Memorandum that a proxy was issued by the prior and chapter to Mr William Poteman', LL.D., and Mr Hugh Snell', D.Dec., to be present at the convocation of the clergy of the province of York, to be held in York Minster on the eve of Simon and Jude [27 October], according to the form of a like proxy made for the same men on third folio preceding [181r-v]; 6 October 1478.

f.184r 12 September 1478

Memorandum that a general proxy was issued to Mr John Gerona and Mr Peter de Melinis for causes moved or to be moved in the Roman *curia*, according to the form of a general proxy made for them and copied in this register on the 21st folio preceding [i.e. f.211r-v], noting a necessary change to the wording; 12 September 1478.

f.184r [12 September 1478]

[Memorandum] that a proxy was issued to Mr William Laybron', LL.B.; Thomas Haughton' and John Manbe, monks of Durham, and Mr Henry Husthwayt', N.P. by apostolic authority, to appear at the synod in York for the churches within York dioc., according to the form of a like proxy copied in this register on folio 89 [now 93].

f.184r [12 September 1478]

[Memorandum] that a general proxy was issued to Mr William Poteman, LL.D., Mr Thomas Pereson', D.Dec., Mr Robert Mayson, LL.D., Mr William Laybron', LL.B.; Thomas Haughton' and John Manbe, monks of Durham, and Mr Henry Husthwayt, N.P. by apostolic authority, proctor of the court of York, according to the form of a proxy copied in this register on f.121;.

f.184r-v 12 September 1478

Proxy by Robert, prior of Durham; Thomas Caly, S.T.B., subprior; John Warner'; William Kellowe; John Bradbery; William Fyge, refectorer; William Rodburn', chamberlain; William Elwik, master of the infirmary; Thomas Holm'; Thomas Haughton', sacrist; John Steyll'; Richard Steyll'; Thomas Halver', almoner; Robert Billyngham, master of the Galilee; Thomas Pikeryng', third prior and feretrar; John Lee, dean of the order; William Broun', the other dean of the order; John Danbe, communar; Thomas Yonge, granator; William Cuthbert, steward of the prior's lodging; Richard Hertilpole; George Cornforth', cellarer; John Manbe, chancellor; John Swan', bursar; Thomas Hesilden', precentor; Thomas Rolland'; John Waldowe, subsacrist; William Ogle, succentor; William Chaumbre; William Turnour'; Thomas Bolt; Geoffrey Forest, prior's chaplain; Henry Dalton'; John Hampsterle; Robert Balye; John Chestre; John Claxton'; John Leche; William Smyrk; and Th[omas] Lawson'; monks of Durham, making the chapter thereof, and having to their own use the parish churches of Jarrow, Monkwearmouth, Holy Island, [Bishop] Middleham, Bywell St Peter, St Oswald's [Durham], Aycliffe, Heighington, Merrington, Dalton-le-Dale, Hesleden, Billingham, Pitlington, Norham, Branxton, Ellingham, Edlingham, and Bedlington, along with the dependent chapels thereof, appointing Thomas Caly, S.T.B., subprior, Thomas Haughton', sacrist, Thomas Pikeryng, third prior and feretrar, Thomas Halver, almoner, John Manbe, chancellor, monks of Durham, Mr John Pikrynge, LL.B., and Mr Edmund Bell', N.P. by apostolic and imperial authority, as their proctors in all causes and business concerning them, their monastery, their cells and the churches and chapels aforementioned, moved or to be moved before whatsoever judges (&c), against whomsoever their opponents, at whatsoever dates and places, giving them [power and mandate to act on their behalf], responsibilities listed, and to attend on behalf of the prior and chapter, their monastery, cells, churches and chapels, at synods, visitations and councils of William, bishop of Durham, to be held by him or his commissaries in Durham dioc. or elsewhere, and at elections, consistories, chapters, and other convocations of clergy at which the prior and chapter are bound to appear by reason of their monastery, cells (&c), and to excuse and give the reasons for their not appearing in person.

Date: Durham, 12 September 1478.

f.184v-185r [24 October] 1478

[Memorandum of] petition by Robert Richardson' of Sedbergh, labourer, of the parish church of Kirkby Lonsdale, and Edmund Moyser of *Mawerthwayt* [? Marthwaite], tailor, of the parish church of Sedbergh, who came to Durham cathedral and asked for the sanctuary of the church of Durham by reason of a felony committed by them: on Friday after Easter last [27 March 1478], at Holme in the parish of Kirkby Lonsdale, they struck one Thomas Forster, in self-defence, they said, the said Thomas hitting this Thomas on the head with a club and Edmund mortally striking this Thomas upon his right knee in two places, with a drawn sword; from which Thomas, languishing thereafter, died within twenty-four weeks; and they rang the cathedral bells in token of this petition. Before Edmund Bell', N.P., and witnesses John Bell', mason, Henry Walker', Robert Wrake;

in the nave of Durham cathedral, Saturday before Simon and Jude 1478.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.4 no.vii.

f.185r 10 November 1478

Presentation by Robert prior and the chapter of Durham asking William, bishop of Durham, or his vicar-general in distant parts, to institute John Raweson', chaplain, in the vicarage of Bedlington, vacant by the resignation of Mr Ellis Bell', last vicar thereof. Date: Durham, 10 November 1478.

f.185r 10 & 15 November 1478

Mandate by William, bishop of Durham, to the prior of Durham having admitted, on the presentation of the prior and chapter of Durham [as above], John Rawson, priest, to the vicarage of Bedlington, and instituted him therein, with the burden of continuous personal residence there, sworn according to the form of the legatine constitutions issued in that regard, and with its rights, as more fully contained in his letters patent made thereon for the said John; ordering him to induct John or his proctor, or to have him inducted, into bodily possession of the vicarage.

Date: Auckland, 10 November 1478.

[with]

[? Endorsement] recording the execution of the mandate by John Manbe, chancellor, and archidiaconal official of the prior of Durham; 15 November.

f.185r-186r 9 November 1478

Notarized ordinance by William, bishop of Durham, having examined the register of Lawrence, his predecessor, from which it appears that his said predecessor ordered the church of Seaham to be appropriated by his commissaries, deputed for this purpose, to the abbot and convent of Coverham, York dioc., their monastery and their successors, to be possessed to their use in perpetuity; reserving, however, to himself and his successors the power to assign a suitable portion from the revenues of the church to the vicar and his successors, and to make provision for himself and his successors for the indemnities which will arise from this appropriation; and, since his said predecessor was prevented from carrying out this endowment and provision, proceeding, with the advice and assent of the chapter of Durham and of others having an interest, in this manner:

[1] as compensation to the cathedral church of Durham and as a token of the subjection of the church of Seaham, imposing a yearly pension of 6s 8d from the revenues of the church of Seaham, of which 3s 4d is to be paid to the bishop and his successors, 20d to the chapter of Durham, and 20d to the archdeacon of Durham and his successors, by the abbot and convent of Coverham, in equal portions at Pentecost and Martinmas, in all time to come; saving the right, dignity (&c) of the bishop and his cathedral church to himself, his successors and his said church, in all things; and enacting, if the said abbot and convent should happen not to make satisfaction of the pension at the term-dates after taking possession of the said church, unless they make amends for the delay within a month and pay the pension in full, that the revenues of the said church would be and remain sequestrated until he, his successors, the chapter of Durham and the archdeacon thereof were satisfied of the pension and of damages and expenses sustained by reason of this [delay];

[2] enacting that in the appropriated church of Seaham there be a suitable secular vicar or regular canon in priestly orders from the monastery of Coverham, to be presented by the abbot and convent and their successors to the bishop and his successors *sede plena*, or to the keepers of the spiritualities of the church of Durham *sede vacante*, to be admitted and instituted by the bishop, and to have cure of the parishioners and their souls, and make personal residence in the parish;

[3] ordaining that, after the retirement, resignation or decease of the current rector of Seaham, the vicarage should consist of these portions, namely: the rector's manse, excepting the barns of the said manse, reserved to the abbot and convent and their successors for storing the grains and other revenues of the benefice; 12 marks to be taken yearly in perpetuity from the abbot and convent and their successors (usual term-dates) from the revenues of the church of Seaham, and if this sum be in arrears in whole or in part one month after any term-date, the vicar shall be allowed to receive all the revenues and emoluments of the church and turn them to his own use until satisfied of the arrears; and that the abbot and convent be bound to pay 40s for the fabric of Durham cathedral as often as they fail in payment of the portion; [that] by this ordinance shall the abbot and convent bear all other burdens incumbent upon the church of Seaham at their own expense; appointing and declaring the manse and sum of money as a suitable vicarage portion for the vicar of Seaham for all time coming; and reserving the power to alter, correct or improve the aforesaid ordinance, if and when need be, and he were better informed about the foregoing;

Under the bishop's seal and, as commanded by the bishop, subscribed and published by the notary.

Witnesses: Mr John Newcorte, D.Dec., and John Lumley, chaplain, of Canterbury and Durham diocc..

Notary: John Hayne, clerk of Bath & Wells dioc., N.P. by apostolic authority, the bishop's registrar (eschatocol recited).

Date: a certain lower parlour in the manor of Auckland, 9 November 1478.

Printed in: R. Surtees, *The History and Antiquities of the County Palatine of Durham* 4 vols. (1816-1840), vol. I, p.299-300.

f.186r

(More than half of the folio left blank)

f.186v 20 December 1478

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute Robert Forman' in the chantry of St Cuthbert in the collegiate church of Howden, vacant by the death of {John Jacson}, last incumbent thereof, and belonging to their collation on this occasion, as is clear from the ordinance by Walter, sometime bishop of Durham, willing that the presentation of a chaplain should pertain to the prior and chapter of Durham if the chapter of Howden should delay more than thirty days in presenting a chaplain to the archbishop.

Date: Durham, 20 December 1478.

f.186v 18 December 1478

Memorandum that John Gower, squire, did homage in due form to Robert Ebchestr', prior of Durham, for the lands in Hett which he holds of the prior in chief by knight service, and paid the prior 6s 8d in part payment of the 13s 4d owed yearly to him (usual term-dates) for the free farm of these lands; of which sum the prior acknowledges that he has been paid, as shown by indentures made and sealed there with the consent of them both; in presence of Thomas Haughton, sacrist, John Danbe, communar, John Manbe, chancellor, Thomas Rolland', prior's chaplain, [and monks of Durham], Thomas Essepure, Roger Morland', John Claxton, and Mr Edmund Bell', N.P.; chapel of St Nicholas in the prior's lodging, Durham, 18 December 1478.

f.186v 3 February [1479]

Memorandum that a proxy for the convocation of the clergy of York to be held on 17 February [1479], made for Mr William Poteman', LL.D., and Mr Hugh Snell', D.Dec., was issued in the common form, 3 February.

f.186v-187r 12 June 1479

Notarial instrument recording that William Hauton' alias Wright', priest, vicar, as he claimed, of the church of Eastrington, appeared in person and held in his hands, made and read the following

Paper schedule of resignation whereby he, William Hauton' alias Wright, priest, vicar of Eastrington, for certain legitimate reasons wishing to be discharged of the cure and rule of the vicarage of the said church, resigns the vicarage into the hands of Lawrence, archbishop of York, or his vicar-general in distant parts, or of another having power to accept this resignation, begging the archbishop to accept his resignation. and that William asked the notary to draw up a public instrument for him upon the foregoing.

Witnesses: William Boys, priest, vicar of the {collegiate} church of Hemingbrough, and Roger Morland', gentleman, of York and Durham diocc..

Notary: Edmund Bell', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Durham, the great chamber in the prior's lodging, 12 June 1479.

f.187r 13 June 1479

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, to institute {Thomas Alce, chaplain} [added in space left blank], in the vicarage of Eastrington, vacant by the resignation of William Hauton' alias Wright, last vicar thereof. Date: Durham, 13 June 1479.

f.187r 15 April 1479

[Memorandum of] petition by Henry Jennyn' of Richmond, plumber, who came to Durham cathedral and asked for sanctuary of the church of Durham, for the reason that on Tuesday last [13 April 1479], at Ankirkirk in Richmond, he struck one William Markyndale, tailor, lethally on the head, by throwing a stone at him, from which William died within three days, as is said; and he rang the cathedral bells in token of his petition for sanctuary. Before Edmund Bell', N.P., and the witnesses Thomas Claxton', gentleman, Thomas Rihop', carpenter;

Durham cathedral Saturday, 15 April [a Thursday] 1479.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.4 no.viii.

f.187r 19 April [1479]

[Memorandum of] petition by Thomas Wadeson', lately of Sedbergh in Lonsdale, labourer, who came to Durham cathedral and rang a bell to ask for sanctuary of the church of Durham, for the reason that, around the feast of Mary Magdalen [22 July] 1477, he attacked one John Wilson' and feloniously struck him on the head with a clubstaff, and gave him a mortal wound from which he died within two days, as is said.

Present there and hearing the petition: Edmund Bell', N.P., Gilbert Crag', Robert Fenwik, John Riddyng;

Durham cathedral, Monday, 19 April.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.4-5 no.ix.

f.187r 1 December [1479]

Notarized [memorandum of] petition by Christopher Bowre, lately of *Holgilrig*, Sedbergh par., Yorks., who came to Durham cathedral and asked for sanctuary, for the reason that he was present with others and offered assistance at Sedbergh at St Peter's Chains [1 August] [14]70 or thereabouts, at the felonious slaying of one Thomas Lupton'; and he rang the bells in token of his petition; [also] for all felonies perpetrated by Christopher to date.

Before Edmund Bell', N.P., and the witnesses John Riddyng, Thomas Rihop, Th[omas] {Shawden'}, glazier, present there and hearing.

Durham cathedral, Wednesday, 1 December.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.7 no.xv.

f.187v 2 June 1479

Memorandum that the appointment of William Birden' [monk of Durham] as prior of Lytham was issued in the same form as that of William Cuthbert, shewn on folio [153r] preceding, in this book. {2 June} 1479

f.187v [2 June 1479]

[Memorandum] that the presentation of the same William was issued in common form as shewn on folio [153r] preceding.

f.187v [2 June 1479]

[Memorandum] that [William Birden's] proxy was issued, as above on folio [153r].

f.187v [2 June 1479]

[Memorandum] that [William Birden'] gave his oath in the form of the oath of William Cuthbert on folio [153r-v] preceding.

f.187v 12 June [1479]

Memorandum that the presentation of John Hertt', sub-treasurer of York minster, to the prebend of Howden, [vacant] by the resignation of Mr John Arundell', last incumbent thereof, which is given verbatim on the next folio [188r], was issued: 12 June.

f.187v 18 September 1479

Memorandum that the presentation of Hugh Wren' to the vicarage of Brantingham, [vacant] by the death of Mr William Benson, last incumbent thereof, was issued: 18 September 1479.

f.187v 15 October 1479

Memorandum that the presentation of John Marevell' to the second vicarage of Hemingbrough, vacant by the death of John Sails, was issued: 15 October 1479.

f.187v [8 September 1479]

Notarized [memorandum of] petition by Robert Pereson of Barnard Castle, carpenter, as he claimed, asking for sanctuary of the church of Durham from Thomas Halver, then sacrist, for the reason that on the morrow of SS Peter and Paul 16 Edward IV [30 June 1476], at Holdsworth, Halifax par., in a sudden fight, he mortally wounded one Thomas Ferrou in the throat, in self-defence, as he said, by shooting an arrow at him, from which Thomas died within nine days, as is said.

In presence of Edmund Bell', N.P., and witnesses Thomas Rihop, Thomas Robynson', of Durham dioc.,

in the sacrist's exchequer, Durham cathedral, Wednesday, nativity of St Mary.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.5 no.x.

f.187v [8 September 1479]

Notarized [memorandum of] petition by Robert Colynson' of the town of Lancaster, as he claimed, asking for sanctuary of the church of Durham, for the reason that, at Lancaster on Thursday 2 September last past, he feloniously struck one Edmund Smerthwayt on the head with a clubstaff from which Edmund died instantly, as is said. In presence of the aforesaid notary [Edmund Bell'] and witnesses Peter Barnard' and Thomas Shawden',

in the nave of Durham cathedral .

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.5 no.xi.

f.187v 18 September [1479]

Notarized [memorandum of] petition by Oiver Branthwayt of Ireshopeburn in Weardale asking for sanctuary of the church of Durham, for the reason that at Epiphany [6 January] 1477/8, at Sedbergh, Yorks., he attacked one Thomas Lupton' and feloniously struck him in the belly with a dagger, from which Thomas died, as is said.

Before the aforesaid notary [Edmund Bell'] and the witnesses John Smyth, Thomas Dun', Thomas Shawden' and John Emyrson',  
in the nave of Durham cathedral, Saturday 18 September.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.6 no.xii.

f.187v 3 November 1479

Notarized [memorandum of] petition by John Riddyng', lately of Birkshawe by Sedbergh, and Richard Riddyng, lately of Sedbergh, Yorks., asking for sanctuary of the said church, for the reason that they were present at Sedbergh at Epiphany [6 January] 1477, aiding and abetting in the slaying of the said Thomas Lupton, perpetrated there and then; and they asked sanctuary for this felony and for all others committed by them, or by either of them, outside the liberty of the church of Durham. I

n presence of the said notary [Edmund Bell'] and the witnesses Richard Fethirstanhalgh', John Thomson', John Boys, and John Riddyng', of Durham dioc.;  
in the nave of [Durham] cathedral, Wednesday, 3 November 1479.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.6 no.xiii.

f.187v 4 November [1479]

Notarized [memorandum of] petition by Gilbert Heg' asking for the aforesaid sanctuary, for the reason that on Friday, 15 October last past [1479], at Lambeth by the Thames, he feloniously struck a certain constable in the chest with a certain dagger, called a *whynyard*, in self-defence, as he claimed, from which the constable died within five days, as is said; and he asked sanctuary of the said church for this felony and for all others committed by him before this present petition.

In presence of the said notary [Edmund Bell'] and witnesses William Bicheburn', George Nevett, Robert Lyndley, John Bowebank, Miles Stevynson';  
in the nave of [Durham] cathedral, 4 November.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.6-7 no.xiv.

f.187v [6 December] 1479

Notarized [memorandum of] petition by Roger Midilton', of Kirkby Lonsdale par., asking for sanctuary of the church of Durham, for the reason that on 16 November last past [1479], at *Telesyd* ', Kirkby Lonsdale par., he attacked William Banys, and feloniously struck him in his right knee with an arrow, from which he died within five days thereafter.

In presence of Edmund Bell, N.P., and witnesses Henry Walker, Alan Hyne, and John Sclater', of York and Durham dioc.;  
in the nave of Durham cathedral, St Nicholas 1479.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.7 no.xvi.

f.188r 17 June 1479

Notarial instrument recording that Mr John Arundell', S.T.B. and, as he claimed, prebendary of Howden in the collegiate church of Howden, appeared in person, and held in his hands and read through the following  
Paper schedule whereby he, John Arundell', S.T.B., canon and prebendary of Howden in the collegiate church of Howden, wishing, for certain legitimate reasons, to be discharged of the cure and rule of his prebend of Howden, resigns the said prebend into the hands of Lawrence, archbishop of York, or of his vicar-general in spiritualities, or of another having power to accept the present resignation.  
Witnesses: John Mane and John Caterall', *literati*, of Exeter and York dioc..  
Notary: Richard Baili, clerk of York dioc., N.P. by apostolic and imperial authority (eschatocol recited).  
Done: in a lower chamber in Durham College Oxford, 17 June 1479.

f.188r 7 December 1479

Notarized [memorandum of] petition by Walter Noble asking for sanctuary of the church of Durham, for the reason that, on Ascension Day [27 May] 1473, at Hexham, York dioc., he attacked one Adam Wily and feloniously struck him in the chest with a dagger, through to the heart, from which Adam died at once.  
In presence of Edmund Bell', clerk, N.P., and witnesses Robert Barbour' and John Lonesdale, of Carlisle and Durham dioc.;  
in the nave of Durham cathedral, Tuesday, 7 December 1479.  
Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.8 no.xvii.

f.188r 11 January 1480

Presentation by Robert prior and the chapter of Durham asking Thomas, bishop of Lincoln, or his vicar-general in distant parts, to institute Mr William Dubber, M.A., in the church of Kirkby on Bain, vacant by the death of John Starke, chaplain, last rector thereof; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their monastery of Durham.  
Date: Durham, 11 January 1479/80.

f.188v 5 December 1479

Notarial instrument recording that Mr Robert Qwyntyn', canon of the collegiate church of Hemingbrough and prebendary of the second prebend therein, as he claimed, appeared in person and held in his hands and made and read the following  
Written resignation whereby he, Robert Qwyntyn', canon and prebendary of the second prebend in the collegiate church of Hemingbrough, wishing, for certain legitimate reasons, to be discharged of his canonry and prebend, resigns the said canonry and prebend into the hands of Lawrence, archbishop of York, or of another having power to accept his present resignation.  
Witnesses: William Cok, precentor of Beverley Minster, and John Fox, of York dioc..  
Notary: Henry Davison', clerk of York dioc., N.P. by apostolic authority (eschatocol recited and his sign reproduced).  
Done: Beverley Minster, 5 December 1479.

f.188v 9 December 1479

Memorandum that the presentation of Robert Wode to the second prebend of Hemingbrough, [vacant] by the resignation of Mr Robert Qwyntyn', last prebendary thereof, was issued: 9 December 1479.

f.188v [25 December] 1479

Notarized [memorandum of] petition by James Kipling', lately of Baldersdale ('Aldersdale'), par. Romalldkirk, York dioc., who came to Durham cathedral and rang the bell, asking for sanctuary of the church of Durham, for the reason that, on the Sunday before Mary Magdalen last past [18 July], at Baldersdale, along with Ralph Hogon', he made an assault upon one William Wightman' and feloniously struck him with a club on the left shin and the left forearm, from which, and from other wounds, William died within three days, as is said; and James asked immunity for this felony and for all others previously committed by him.

In presence of Edmund Bell', clerk, N.P., and witnesses William Symson', Henry Masse and Christopher More;

Durham cathedral, Christmas Day 1479.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.8 no.xviii.

f.188v 27 December 1479

[Memorandum of] petition by Robert Burton', lately of Dent in the dale ( "in valle" ) who came to Durham cathedral, asking for sanctuary of the church of Durham, for the reason that he is indicted because he, along with Ed[mun]d Smerthwayt, at Dent, seventeen years ago, secretly took away an ox of Henry Tatham's, wherefore he fears losing his goods if he should undergo law, when he is innocent of the deed.

In presence of Edmund Bell', N.P., and Thomas Mawer, clerk, before John Manbe, chancellor [and monk of Durham];

Durham cathedral, 27 December 1479.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.8-9 no.xix.

f.188v-189r 20 February 1480

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute Robert Haddyf', chaplain, in the vicarage of the prebend of Barmby in the collegiate church of Howden, vacant by the death of John Jamez, last vicar thereof.

Date: Durham, 20 February 1479/80.

f.189r 5 April 1480

Notarial instrument recording that Mr John Sharparowe, LL.B., proctor of Mr James Preston, S.T.P., provost of Hemingbrough collegiate church, appeared in person and held in his hands and made, read and interposed the following

Paper schedule whereby he, Mr John Sharparowe, LL.B., proctor of Mr James Preston, S.T.P., provost of Hemingbrough collegiate church, who wishes, for certain legitimate reasons, to be discharged of the cure and rule of the provostship, resigns the said provostship into the hands of Lawrence, archbishop of York, or of another having power to accept this resignation.

Witnesses: William Cok, precentor of Beverley Minster, and John Marslytt [*recte* Marflytt ?], chaplain, of York dioc..

Notary: Thomas Tone, clerk of York dioc., N.P. by apostolic authority (eschatocol recited, including note of interlineation).

Done: vestibule of Beverley Minster, 5 April 1480.

f.189r 12 April 1480

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to admit, according to the ordinance made thereon, and to institute Thomas Babthorp', M.A., as provost of the collegiate church of Hemingbrough, vacant by the resignation of Mr James Preston', S.T.P., last provost thereof.

Date: Durham, 12 April 1480.

f.189r-v 5 April 1480

Notarial instrument recording that Robert Wodde, canon, as he claimed, of the collegiate church of Hemingbrough and prebendary of the second prebend therein, appeared in person and held in his hands and made, read and interposed the following

Paper schedule whereby he, Robert Wodde, canon and prebendary of the second prebend in the collegiate church of Hemingbrough, wishing, for certain legitimate reasons, to be discharged of the cure and rule of his canonry and prebend, resigns the said canonry and prebend into the hands of Lawrence, archbishop of York, or of another having power to accept his present resignation.

Witnesses: William Cok, precentor of Beverley Minster, and John Marflitte, chaplain, of York dioc..

Notary: Thomas Tone, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: vestry of Beverley Minster, 5 April 1480.

f.189v 12 April 1480

Presentation by Robert prior and the chapter of Durham asking Lawrence, archbishop of York, or his vicar-general in distant parts, to institute Mr James Preston', S.T.P., in the canonry and second prebend in the collegiate church of Hemingbrough, vacant by the resignation of John [previously referred to as Robert] Wodd', last canon and prebendary thereof.

Date: Durham, 12 April 1480.

*Related material in other DUL collections:* York University Borthwick Institute, Register 22 f.280v, refers to the resignation of Robert Wodd in the institution of James Preston.

f.189v-190r 9 March 1480

Inspeximus by Robert prior and the chapter of Durham confirming the following lease, and granting the said tithes to the said William, Leonard and William by the presents, according to the form of the aforesaid letters.

Date: [Durham] 9 March 1479/80.

Lease by indenture by James Preston', provost, keeper or rector of the collegiate or parish church of Hemingbrough, to William Potman', clerk, Leonard Knyght' and William Bekwith', of all tithes of grain, hay, flax and hemp of the vill and township of Cliffe, belonging to the said provost by reason of the said church; to be held by the said William, Leonard and William, from the date of the presents for the term of sixty years; rendering 20s yearly at Michaelmas therefor to the provost and his successors; and if the said James should happen to die within the said term, then the present lease is to be void and of no force immediately after James's death.

Sealed alternately.

Date: (no place of issue), 17 February 1479/80.

f.190r-v 27 March 1480

Inspeximus by Robert prior and the chapter of Durham confirming the following ordinances, for themselves and their successors.

Date: Durham, 27 March 1480.

Ordinances (letters testimonial) by Lawrence, archbishop of York, relating that it has been shown to him on the part of Mr James Preston', provost of the collegiate church of Hemingbrough, that although John Kempe, the archbishop's predecessor, erected the parish church of Hemingbrough into a college, establishing there a provost who would have the principal cure of the ministers and parishioners thereof and would take, in person or through his deputed ministers, all the revenues belonging to the said church, from which he would pay certain sums each year to the other ministers established by the archbishop's said predecessor, namely £20 to the three canons for the corps of their prebends, and another ten marks each if resident, ten marks to each of the five vicars, four marks [as well as his portion] to the chaplain of the chantry of Wasse, called the first vicar, in addition to the said five, 40s to each of four clerks, and one mark each to the two holy-water clerks;

ordaining that the provost render account each year, before the prior of Durham or his deputy, and the canons, if resident, within eight days after St Peter's Chains [1 August], that he should take £40 for his own portion each year, and that any residue be placed in a chest secured by three keys held by the provost and two canons or senior vicars; and imposing other burdens upon the provost, as more fully contained in the said ordinances;

in modern times the resources of the said church have so decreased that they do not suffice for the aforesaid burdens, and that beyond the sums to be paid to the canons and minister little would remain for the provost's portion, from which he might fulfil his residency [requirement];

wherefore he has been begged on the part of the provost that, since the bishop's said predecessor reserved to his successors the power of changing his ordinances, as should seem most opportune;

therefore, having examined and understood his predecessor's ordinances, and since it appears to him from inquisitions, held by his authority, into the church of Hemingbrough, and from accounts shown to him, that the resources of the said church have decreased such that they are unable to bear the burdens imposed by the bishop's predecessor, proceeding, with the consent of the prior and chapter of Durham, the canons and other ministers of Hemingbrough, and of all whom it concerns, in this manner, enacting that:

[1] the provost be resident for at least thirteen weeks in the year; that, as previously ordained, he take all revenues pertaining to the said church; and that he shall have the rectory manse with all the ground which remains outside the vicars' bedern;

[2] the provost pay the vicars and other lesser ministers as before, each year and at the same terms;

[3] the provost pay each canon 53s 4d yearly for the corps of his prebend, by equal portions at Martinmas and Pentecost, and he shall not be obliged to pay more to any non-resident canon;

[4] if the chaplain of the Cliffe chantry should wish to be present at divine offices on feast days and days of nine lessons, the provost is to pay him 10s yearly by equal portions at the same term-dates;

[5] the vicars, present and to come, will have for their use in perpetuity half of the fuel tithes called *fagottes* or *kyddes* yearly, cut or fallen within the parish;

[6] the provost will bear all other charges, ordinary or extraordinary, or incumbent upon the said church, imposed or to be imposed;

[7] the executors of any provost dying after Michaelmas [29 September] and before St Mark [25 April] will have the harvest revenues of the preceding harvest and all tithes, greater and lesser, until St Mark next to come, and bear all the foresaid charges until the next Michaelmas; and if a provost die between St Mark and Michaelmas, then his executors will bear all the said charges with the revenues of the preceding harvest until Michaelmas, and the succeeding provost will not impede them in taking and receiving revenues before St Mark, all things taken or due as revenue before St Mark, or to be paid as such after St Mark; and this is to be observed whether a provost should happen to resign the provostship or leave it for any other cause;

wishing the ordinances of his predecessor to be observed in other respects, as much as they concern the provost, vicars and other ministers, and the charges to be borne; except for the account, to which the provost is to be bound in future, but the residue beyond the charges imposed by the bishop's predecessor and in part reformed by the bishop should tend to the provost's use, and be for the repair of buildings, hospitality and the provost's residence during the aforesaid period;

reserving to himself and his successors plenary power to alter these ordinances as often as need be, with the consent of the prior and chapter of Durham.

Date: manor of Southwell, 20 March 1479/80.

Original: DCD 1.3.Archiep.8, of which a full text is printed in Thomas Burton, *The history and antiquities of the parish of Hemingbrough in the county of York*, ed. J. Raine (York 1888) p.378-380

f.190v-191r 15 April 1480

Inspeximus by Robert prior and the chapter of Durham confirming the following grant, saving the rights of the church of Durham in all things.

Date: Durham, 15 April 1480.

Grant by letters patent by William, bishop of Durham, to John Luson', his servant, for his long and faithful service, of the keeping of his manor or house next to Charing Cross, London, along with the keeping of all gardens adjoining and belonging thereto; giving him one of the two chambers over the main gate built next to the highway; and appointing him receiver of the rents and profits of the said manor; occupying the said offices for life, in person or through his sufficient deputy, for whom he would answer to the bishop and his successors; taking yearly during his life for the said keepership and office from the bishop and his successors £4 13s 4d, at Easter and Michaelmas by equal portions, to be paid from and allowed to him out of the issues of his office; along with all other profits (&c) belonging to the same keepership and office; also granting him a gentleman's robe or 13s 4d in name thereof each year of his life, to be paid at Christmas from the issues of his office; always providing that John answer yearly to the bishop and his successors for fifty gallons of verjuice (*vergose*) from the produce of the said gardens. By the hand of John Kelyng, clerk, the bishop's chancellor.

Date: Durham, 28 March, Pont. 4. [1480]

f. 191r 26 April 1480

Written oath by John Luson', gentleman, keeper of the manor or house of the bishop of Durham at Charing Cross, London, to the prior and chapter of Durham and all and sundry their fellow-monks dwelling in dependent cells, swearing, promising and binding himself by the presents to be well-disposed and faithful towards them, to bring them no wrong or harm, not to trouble them in their rights and possessions, and not to say or do anything, in person or through another, whereby they might sustain injury or loss.

Date: Durham, 26 April 1480.

f.191r-v 14 May 1480

Inspeximus by Robert prior and the chapter of Durham confirming the following grant, saving the rights of the church of Durham in all things.

Date: Durham, 14 May 1480.

Grant by letters patent by William, bishop of Durham, to John Sheldon', his servant, of the office of keeper of the manor and garden of Howden, Yorks., although, by his letters patent, he appointed John Luson', his servant, as keeper of the manor, garden and park of Howden, to hold the office for life, in person or through his sufficient deputy or deputies; taking yearly in the offices the fees and wages used and wont thereto, by the hands of the bishop's receiver-general of Howden, along with other profits (&c) used and wont of old to the offices; as more fully contained in the said letters patent; nevertheless, John Luson' has returned the said letters to the bishop in his chancery of Durham for cancellation, and they have been cancelled; appointing John Sheldon' to the said office and also granting him the office of keeper of the grange in the manor of Howden; to be held by John Sheldon' for life, in person or through his sufficient deputy or deputies; taking yearly in the offices the fees and wages used and wont thereto, (usual term-dates) by the hands of the bishop's receiver-general of Howden, along with other profits (&c) used and wont of old to the offices.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Date: Durham, 20 April, Pont. 4. [1480]

f.191v [? 14 May 1480]

[Memorandum] that John Sheldon', by his letters drawn up in due form and sealed, as on the other side of this folio [in letters] by John Luson', and remaining in chancery, gave his oath to be well-disposed to the prior and convent [of Durham], their successors and monastery; "said day and year".

f.191v [? 14 May 1480]

[Memorandum] that letters of confraternity in common form were issued for Mr John Veysy, B.Th., one of the chaplains of William, bishop of Durham; "same day and year".

f.191v 8 May [1480]

Grant by way of exchange by William Broune, alderman of the guild of Holy Trinity, Stamford, and the guild brothers thereof, to Robert prior and the convent of Durham of a half acre of land in the field of Stamford, between the land of the said prior and convent to the north and south, the meadow of the duchess of York to the east, and the land of the said guild to the west; in exchange for another half acre of land given to them by the said prior and convent, as more fully contained in another charter made thereon [cf. f.216r below]; to be held by the prior and convent and their successors, in perpetuity, of the chief lords of that fee, by service used and wont therefor.

Date: Stamford, 8 May, 20 Edward IV.

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.298.

f.191v 17 May 1480

Letters of attorney by Robert prior and the chapter of Durham appointing William Yowdale, prior of St Leonard's Stamford, as their attorney to receive seisin on their behalf of a half acre of land in the field of Stamford (described as in the preceding entry) from William Broune, alderman of the guild of Holy Trinity, Stamford, and the guild brothers thereof, or their deputy, according to the form and effect of their charter [the preceding entry]; treating as approved whatever the attorney shall have done in their and his name in the foregoing.

Date: Durham, 17 May 1480.

f.192

(Following the folios numbered 168-191, which cover the period 1475-1480 and evidently belong between folios 215 and 216, the sequence interrupted after f.167 resumes at this point. f.192 is the nearest surviving chronological successor to f.167, but owing to the loss of one or more folios there is a gap in the sequence and f.192r opens with a presentation lacking all but its last four lines.)

f.192r 19 December 1466

[Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, to institute an unknown candidate] in the church of Dinsdale, [vacant by the resignation of Thomas Davill', last rector thereof] saving a yearly pension of 40s due of old therefrom to the prior and chapter and their office of sacrist of Durham.

Date: Durham, 19 December 1466.

*Related material in other DUL collections:* [See the next entry but one]

f.192r 20 December 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr William Poteman, LL.D., in the canonry and second prebend in the collegiate church of Hemingbrough, vacant by the death of John Lax, last canon and prebendary thereof, and to admit him according to the ordinances lately made thereon.

Date: Durham, 20 December 1466.

f.192r 11 December 1466

Notarial instrument recording that Thomas Davell', rector, as he claimed, of Dinsdale, appeared in person and made, read and interposed the following

Written resignation whereby he, Thomas Davell', rector of Dinsdale, for certain legitimate reasons, resigns the said rectory into the hands of Lawrence, bishop of Durham, or of another having power to accept his present resignation.

Witnesses: Ralph Dalton, vicar of Sockburn, Th[omas] Smyth and William Lound', of York and Durham dioc..

Notary: R. Walker, priest of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the choir, before the high altar, Dinsdale parish church, 11 December 1466.

f.192v 29 December 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute John Jamez, chaplain, in the vicarage of the prebend of Barmby in the collegiate church of Howden, vacant by the death of William Laverok, last vicar thereof.

Date: Durham, 29 December 1466.

f.192v 30 December 1466

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute William Boys, chaplain, in the fourth vicarage in the collegiate church of Hemingbrough, vacant by the resignation of John Jamez, last vicar thereof, and to admit him according to the form of the ordinances made thereon.

Date: Durham, 30 December 1466.

f.192v 16 January 1467

Presentation by Richard prior and the chapter of Durham, asking (blank) bishop of St Andrews, in Scotland, to admit Thomas Halghton, monk of Durham, to the priorate, rule and keeping of their cell of Coldingham, vacant by the death of John Pencher, last prior thereof.

Date: Durham, 16 January 1466/7.

f.192v-193r 20 January 1467

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr John Shirewode, S.T.P., in a canonry of the collegiate church of Howden and the prebend of Skipwith therein, vacant by the resignation of Thomas Usburn', last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and chapter and their monastery.

Date: Durham, 20 January 1466/7.

f.193r-v 5 January 1467

Mandate by the official of the court of York to all rectors, vicars, chaplains, curates, non-curates, and clerks and *literati* whatsoever within the city, diocese and province of York informing them that it has been intimated to him on the part of the prior and chapter of Durham, who have in their possession a number of appropriated churches and chapels, that, although the prior and chapter are and have been in peaceful possession of right in all causes pertaining to ecclesiastical courts, and particularly in matrimonial cases, raised between persons dwelling in the churches, places, districts and chapels subject to the prior and chapter, and especially proceeding therewith and deciding them without advice, consent or licence of the bishop of Durham; and the predecessors of the prior and chapter, and the current prior, are and have been considered and reputed to be as archdeacons in the said churches (&c);

and the prior and chapter, or at least the prior of the time, in their name, as much by custom, peacefully and unshakenly observed since before the memory of man, as by force of papal indults granted to them in this regard, have exercised this archidiaconal jurisdiction in all cases in which the bishop of Durham of the time happened to act beforehand [?: *prevenire*], in person or through their officials, commissaries and keepers of spiritualities, and they have used and enjoyed the same jurisdiction during this time with advice, consent, authority or grant of the bishop neither asked nor obtained, but with the bishop and his ministers knowing, tolerating, approving and not gainsaying; saving the grievances underwritten;

and that, fearing even so, from certain threats and plausible reasons, that prejudice might be engendered for them in future concerning the foregoing, an appeal has been and is being made on their behalf to the pope and the holy apostolic see, and to the court of York, for tuition;

nevertheless, a certain Mr Robert Mason', LL.D., official of the consistory of Durham, claiming that the foregoing did not, does not and ought [?] not to escape notice, notwithstanding the appeal and other things aforesaid, with bare words and unsupported by special authority, unable to do this by right, has inhibited Mr William Layburn', official and deputed keeper of the jurisdiction of the said prior and chapter in the churches (&c) subject to his and their jurisdiction, lest he proceeded or presumed to proceed in any causes raised between persons dwelling within the bounds of their jurisdictions, and has, without appeal, supplication, remedy or reasonable cause, recalled to his own hearing and cognizance cases [decided] by the prior and chapter or their deputed officials by their definitive sentences, and daily recalls parties, manifoldly creating labour and expense;

and thus and otherwise, by his persistent contriving (&c), has he impeded and wrongly threatened and daily threatens to impede the prior and chapter (or at least has approved and approves impeding done in his name) so that they might not enjoy the liberty of their jurisdiction, which they have long enjoyed, and exercise their jurisdiction as they ought, in person or through their keepers, to the hurt of the law and in prejudice of the said prior and chapter and their jurisdiction (&c);

wherefore, on the part of the prior and chapter, judging themselves unduly burdened by these injuries and those of them which can be made good, an appeal over them has been made in writing to the apostolic see and the court of York for tuition from the same; therefore enjoining them to inhibit Mr Robert Mason' in particular and all and sundry others in general from attempting anything in prejudice of the appellant party, lest the appellant party have free prosecution of either appeal; to cite Mr Robert Mason' to appear before the him or his commissary, or whomsoever the president of the court of York, in

York Minster in the place of the consistory thereof, on Thursday in the third week of Lent next to come [5 March], in the cause of the appeal for tuition; and requiring them, or that one of them who shall have executed this mandate, to certify him, or his commissary or whomsoever the president of the court of York, at the said date and place, by letters patent incorporating the contents of the presents, with an authentic pendant seal and the sign and subscription of a notary public, or the authoritative verbal statement of the same, of the dates of receipt of the presents and of the effecting of the inhibition and citation and the manner thereof.

Date: York, 5 January 1466/7.

f.194r 8 February 1467

Certification by William Herryson', chaplain, rector of Durham St Mary in South Bailey, to the official of the court of York, or his commissary or whomsoever the president of the said court, informing him that he received the official's letters, attached to this certification, on 10 January last, having been delivered by Thomas Halver, calling himself a monk of Durham and proctor-general of the prior and chapter thereof; by authority whereof he publicly and before witnesses served inhibition on Mr Robert Mason, LL.D., apprehended in person, in the nave of Durham cathedral on 12 January, and inhibited all others whom law demands to be inhibited, lest, with the cause of the appeal for tuition, specified in the official's letters, pending in the court of York, anyone attempt or cause to be attempted anything in any wise in prejudice of the appellant party so that the said party might not have free prosecution of either appeal noted in the official's letters, as were just;

he has also cited Mr Robert to appear before the official, or his commissary or whomsoever the president of the said court, at the date and place appointed in the official's letters; and he has done all else demanded in the same letters, a verbatim copy of which, in the form of this inhibition and citation, he had delivered to Mr Robert, at his request, on the afternoon of the same day.

Under the seal of the official of the archidiaconal jurisdiction of the prior of Durham, since he has no authentic seal of his own; with statement to this effect by this official.

Date: [Durham ?] 8 February 1466/7.

f.194r-195r 4 December 1466

Proxy by Richard prior and the chapter of Durham appointing Mr Robert Wilson, LL.B., Mr John Lancast', LL.B., Mr William Laybron, LL.B., advocates of the court of York, and Mr Henry Alan and Henry Ustwhath', N.P.s by apostolic authority and proctors of the court of York, as their proctors, short of recalling any proctors already appointed by them, giving them general power and special and general mandate in all and sundry causes, business (&c) concerning the prior and chapter, their monastery of Durham, college in the university of Oxford, cells, appropriated churches and chapels dependent therefrom, their archidiaconal jurisdiction, [lib]erties, papal indults, exemptions, tithes, pensions, portions, interests, goods, demesne lands, or whatsoever other rights, begun or to be begun in the court of York or outside, in whatsoever other place in the kingdom of England, by appeal or suit or other lawful means, before whatsoever judges (&c) ecclesiastical or secular, acting by whatsoever jurisdiction, authority, cognizance or power. to act, responsibilities described at length, on behalf of the prior and chapter for the use of their monastery, college (&c).

Date: Durham, 4 December 1466.

f.195r 3 April 1467

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr John Arundell', M.A., in a canonry of the collegiate church of Howden and the prebend of Howden therein, vacant by the death of Mr John Lounde, last canon and prebendary thereof;

Date: Durham, 3 April 1467.

f.195r 25 April 1467

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Mr Adam Morland', LL.B., in the church of Meldon vacant by the resignation of Richard Kighley, last rector thereof; saving a yearly pension of 40s due of old from rectors thereof to the prior and chapter and the sacrist of Durham.

Date: Durham, 25 April 1467.

f.195v 9 May 1467

Letters by Richard prior and the chapter of Durham for John Preston' as their mortuary-roll bearer; to endure at their will.

Date: Durham, 9 May 1467.

Original: DCD Loc.I:14.

f.195v 13 June 1467

Presentation by Richard prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Mr Richard Kimblawe, chaplain, in the church of St Mary at the bridge Stamford, vacant by the resignation of William Bolt, last rector thereof; saving a yearly pension of five marks due of old to the prior and chapter and their monastery.

Date: Durham, 13 June 1467.

f.195v-196r 16 June 1467

Grant by Richard prior and the chapter of Durham, to John Yodale of Durham and Matilda his wife, for various favours rendered, and, they hope, to be rendered, to the prior and chapter and their monastery, for life and to the longer lived of them, of a perpetual corrody, to be taken and had from the prior and chapter and their successors, taking each week: at the priory pantry, seven monastic loaves and seven gallons of conventual beer at *le Tunnyng*; at the priory kitchen, certain food, meat and fish according to the requirements of the time; and in all things just as the chaplain of St Mary's chantry, founded in St Margaret's chapel, Durham.

Date: Durham, 16 June 1467.

f.196r 28 July 1467

Memorandum that letters of confraternity, in the common form, were issued for John Lothyngton, gentleman, and Agnes, his wife, and also for John Dunnett and Alice, his wife, of London; 28 July 1467.

f.196r 21 August 1467

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Richard Bygod, clerk, according to the ordinance lately made thereon, in a canonry of the collegiate church of Hemingbrough and the second prebend therein, vacant by the resignation of Mr William Poteman, LL.D., last canon and prebendary thereof.

Date: Durham, 21 August 1467.

f.196r-v 20 August 1467

Notarial instrument recording that the prior of Durham appeared in person and held, made, read and interposed the following

Written declaration wherein he, Richard, prior of Durham, claiming that although he and certain of his predecessors have, out of courtesy and not otherwise, gladly received the secular judges of the bishop of Durham, their servants and, at times, their horses, according as it has pleased his successors [!] and him, to their hospitality, at least at times of the principal sessions held in the city of Durham, protests that it has not, however, been, is not and will not be his or his predecessors' intention or will that by this reception anything prejudicial be caused for the prior and his monastery in future, or that anything of new right or claim be acquired by the bishop or his judges present and to come, and that he intends, for himself and his successors, that this voluntary reception of judges, past and to come, be not made a precedent, and neither offer support to the bishop and his judges nor bring harm to the prior or his monastery; wishing and intending, however, notwithstanding this declaration, to admit Guy Fayrefax and Richard Pygote, here present as his special counsellors, to his hospitality as often as may be (*totiens quotiens*); but wishing to admit neither them nor others as secular judges of the bishop of Durham in prejudice of his house, nor intending to receive them in future.

Witnesses: Robert Gaskewyn, Thomas Aspur', William Killinghall', Richard Claxton, and John Sayer', gentlemen of York and Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: St Nicholas' chapel, next to the chamber of the prior of Durham, 20 August 1467.

f.196v 20 & 27 August [1467]

Notarized declaration by Richard, prior of Durham, in his own name and in name of his fellow monks, and with their consent, that although as obedientiaries, spiritual sons and subjects of the bishop of Durham they are bound to meet him and render him honour in copes, dressed in the only habit of old approved by custom in the same church, at least at the times of his installation and his return from overseas, and also on the day of his burial; and on other occasions when, as a pilgrim, he should come to his cathedral church from distant parts; concerning the arrival of Lawrence, bishop of Durham, returning from distant parts to his own after his various tribulations, from which, may the Most High be praised, he is newly delivered, and on this day, as is claimed, proposing to approach the shrine and body of St Cuthbert, they intend to meet the bishop on this occasion in copes, to the praise of God and the more than usually immense joy of the bishop's arrival, not without cause rejoicing together with all the clergy of this city and with the rest of the places and community [or county ?] thereof; protesting, nevertheless, that they do not intend to detract from their ancient custom by this meeting, nor is it their intention that anything of new right be gained by the bishop or his successors thereby, nor that the meeting be taken as precedent henceforward or offer support to anyone or bring harm to the prior and chapter or their monastery.

Written: 20 August.

Witnesses to the reading of the declaration: Robert Claxton, gentleman, John Porter.

Read by the prior before the said notary [Robert Bartram], in St Nicholas' chapel [Durham] as in the above declaration, 27 August.

f.196v-197v 12 September [1467]

Certification by John Wellez, chaplain of Durham dioc., deputed executor of the following on behalf of the prior and convent of Durham, to John de Ceretanis de *Interampne*, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux, papal chaplain, auditor of causes in the holy apostolic palace, and specially-deputed auditor of the below-written cause, recording that having, on 21 August 1467, received the auditor's various letters, presented to him by Richard Billingham, monk of Durham and proctor of the prior and chapter thereof, in the presence of Mr Robert Bartram, N.P. by apostolic authority, and witnesses, of which letters the tenor is a [mandate] by John de Ceretanis (&c) (not recited)

on 24 August he passed in person to Durham cathedral where, at the time of the procession there, in the presence of Lawrence, bishop of Durham, and the prior and convent of Durham, present in person at the procession and standing together in the nave of the cathedral, he boldly ascended the pulpit wearing stole and cope and, holding the auditor's letters open in his hand, plainly shown for anyone wishing to make an inspection, before a great multitude of people gathered at the altar to hear mass, in accordance with the request made to him and for the reasons noted above [in the auditor's letters] declared Patrick Home, papal prothonotary, and John Home, alleged canon of Dunbar collegiate kirk, to be excommunicate, by authority of the auditor's letters, with a cross held up in his hands, bells rung, and candles lit, extinguished and thrown to the ground; witnesses: Mr John Lilford', LL.D., Mr William Laybron, LL.B., Mr John Pikering, B.Dec., Robert Sotheron and Robert Pencher, chaplains, Mr Robert Bartram, N.P. by apostolic authority;

that later he began his journey to the vill of Norham, on the marches of England towards Scotland, 7 miles from the cell of Coldingham [12 by modern reckoning], where, on the feast of the translation of St Cuthbert, 4 September, after the gospel-reading in a high mass celebrated by him, he ascended the pulpit and, before known kinsmen and friends of the said Patrick and John, and some others, English and Scots, gathered in great numbers for the fair and market that same day, publicly declared Patrick and John Home excommunicate, in the same manner as above; witnesses: Thomas Taylour, chaplain, John Selby and James Home, gentlemen, Robert Saunderson, John Ridell', Alan Grene; that next, on his way home, he entered the church of St Nicholas in the town of Newcastle upon Tyne on 26 September and, after prayers in the high mass being celebrated by the parish chaplain there, he entered the pulpit dressed in cope and stole, with twelve other priests wearing stoles standing nearby, before many men and women and the mayor and worthies of the town, and declared Patrick Home and John Home excommunicate in the manner aforesaid; witnesses: Thomas Bartram, Thomas Davy and William Marchall', priests; Mr Robert Bartram, N.P., William Stott and William Cotom; and, so that this declaration might more swiftly come to their notice, he left schedules of the declaration affixed in the doorways of the several churches aforesaid, to confound them; reserving absolution of them to the auditor or his superior.

Since he has no authentic seal of his own, the presents are under the seal of Lawrence, bishop of Durham, and the sign and subscription of Mr Robert Bartram.

with

Attestation by Lawrence, bishop of Durham, stating that he was present when John Wellez, the executor, declared the excommunication in Durham cathedral, 23 August, and he saw and heard it done as above, and that he has had his seal affixed to the presents in witness of this declaration and of the other things in the foregoing, executed by John as he has sworn in the bishop's presence.

Date of the affixing of his seal: Durham Castle, 12 September.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.212-215.

f.197v 12 September 1467

Memorandum that the prior and convent of Durham issued a proxy in due form for Mr Peter de Mellinis, proctor-general of causes in the Roman *curia*, and Richard Billingham, monk of Durham, appointing them as their proctors with general and special power, revoking power assigned by the prior and convent to any others in the Roman *curia*, and ratifying anything previously done by them; 12 September 1467.

f.197v 28 November 1467

Presentation by Richard prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute (blank) in the church of St Mary Binewerk Stamford, vacant by the death of Mr John Tydde, last rector thereof; saving a yearly pension of 20s due therefrom and accustomed to be paid by the rector thereof to the prior and chapter and their monastery.

Date: Durham, 28 November 1467.

f.197v-198r 13 March 1467

Letters of consorority by Richard prior and the chapter of Durham to Isabel, countess of Northumberland and Lady Monthermer, repaying her for the enduring completeness of her affection for the monastery of Durham (&c) by admitting her as a spiritual sister of the chapter of Durham and granting her special participation in all masses, vigils, fasts, prayers, (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for her, just as for their other spiritual brethren and sisters, for all time after her death, once they have certain knowledge thereof.

Date: Durham, 13 March 1466/7.

f.198r 5 April 1468

Letters of confraternity by Richard prior and the chapter of Durham to John Marchall' of York, draper, and Alice his wife, repaying them for the devotion of mind and the affection of a sincere heart which they have for the monastery of Durham and for their fellow-monks coming to them, by admitting them to the spiritual brotherhood of the chapter and granting them special participation in all masses, prayers, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren, for all time after their deaths, once they have certain knowledge thereof.

Date: Durham, 5 April 1468.

f.198r 7 April 1468

Bond by Richard prior and the chapter of Durham to Robert Rodys, gentleman, and Agnes his wife, for £53 6s 8d to be paid to Robert and Agnes or their attorney at Michaelmas next after the date of the presents.

Date: Durham, 7 April 1468.

f.198r 26 April 1468

Letters of confraternity by Richard prior and the chapter of Durham to Mr William Say, S.T.P., repaying him for the devotion of the mind and the completeness of sincere affection which he has for them, their college in Oxford, and for the monks dwelling therein, just as they recognize from experience by his deeds and his well-known presents and valuable gifts to the prior and chapter and the said college, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, prayers, (&c) and good works in the monastery of Durham, its college in Oxford and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof. Date: [Durham] 26 April 1468.

f.198v [? June 1468]

Proxy by Richard prior and the chapter of Durham appointing Mr William Poteman, LL.D., and Mr Robert Wilson, LL.B., as their proctors, giving them general power and special mandate to attend on their behalf at the convocation of the clergy of the province of York to be held in York Minster on Tuesday next before Corpus Christi [14 June in 1468], with continuation of days and places, before George, archbishop of York or his lieutenant, or deputed commissaries or commissary, and to treat with the other prelates and proctors upon those matters set out there (&c).

Date: Durham, &c .

f.198v 146[?8]

Nomination by Richard prior and the chapter of Durham to William Cuthbert, prior of Lytham [and monk of Durham], of John Reve, chaplain, for presentation to the church of Appleby, vacant by the resignation of Mr William Yve, S.T.P., and ordering him, according to the faculty assigned to him, to present John Reve to the bishop of Lincoln, by reason of this nomination.

Under the other side of their common seal, namely the head of St Oswald.

Date: Durham (blank) 146[? blank].

f.198v 2 June [14]68

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute John Waldhave, chaplain, in the church of Edmundbyers vacant by the resignation of William Denton', last rector thereof.

Date: Durham, 2 June [14]68.

f.199r 29 June 1468

Letters of confraternity by Richard prior and the chapter of Durham to Mr Robert Pevesey, M.A., repaying him for the devotion of the mind and the affection of a sincere heart which he has and will have for them and their monastery of Durham, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, prayers, (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof.

Date: Durham, 29 June 1468.

f.199r 6 & [29] June 1468

Memorandum that three letters of confraternity and consorority were granted in like form on the same date: one to Mr John Borugh', S.T.B.; another to Mr John Hardyng, LL.B.; and a third to Alice, wife of John Townley of the vill of Townlay: [29 June 1468]; and a fourth to John Tounley: 6 June 1469.

f.199r 5 September 1468

Memorandum that Isabel wife of William Bowez, squire, was admitted as a spiritual sister of the prior and chapter of Durham, and obtained letters testimonial in like form as above: 5 September 1468.

f.199r-v 14 November 1468

Proxy by Richard prior and the chapter of Durham appointing Mr Peter de Melinis, Roman citizen and proctor-general of causes in the Roman *curia*, and Mr William Clayton', LL.B., after the recall of whomsoever their other proctors previously appointed to undertake the following in the said *curia*, as their proctors, giving them general power and general and special mandate to act on their behalf, in all causes, business, suits (&c) begun or to be begun concerning the prior and chapter, their monastery, their college at Oxford and their other cells, their appropriated parish churches or chapels and the chapels dependent therefrom, their jurisdiction, liberties, privileges (&c), by appeal, suit or other way of law, in the Roman *curia* or outside, to appear before Pope Paul II, or his auditor or auditors of causes, their substitutes and whatsoever other judges (&c), and excuse and explain the personal absence of the prior and chapter; to obtain papal letters containing grace, favour or justice, and to obtain the annulment of anything gained against the prior and chapter; to proceed with or begin anew the causes of the prior and chapter pending undecided there, &c, reciting their responsibilities at length.

Date: Durham, 14 November 1468.

f.200r 7 October 1468

Notarial instrument recording that Mr John Pemberton', canon, as he claimed, of Howden collegiate church and prebendary of the prebend of Thorpe in the same church, appeared in person and held in his hands and read the following

Parchment schedule whereby he, John Pemberton, canon of Howden and prebendary of Thorpe in the same church, wishing, for certain legitimate reasons, to be discharged of the cure and rule of the said canonry and prebend, resigns them into the hands of George, archbishop of York, or of another having power to accept his present resignation, and asked the notary to draw up a public instrument upon the foregoing.

Witnesses: Patrick Lee, chaplain, rector of the parish church of St Mary le Strand, and William Ward', *literatus* dwelling in London.

Notary: John Emlyn', clerk of St David's dioc., N.P. by apostolic and imperial authority (eschatocol recited, with approval of an interlineation).

Done: in a lower parlour in the dwelling-house of Mr John Pemberton, in the parish of St Clement Danes in the suburbs of London, 7 October 1468.

f.200v 23 November 1468

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr Robert Abdy, M.A., in a canonry of the collegiate church of Howden and the prebend of Thorpe therein, vacant by the resignation of Mr John Pemberton', last canon and prebendary thereof; according to the ordinance lately made thereon.

Date: Durham, 23 November 1468.

f.200v 1468

Nomination by Richard prior and the chapter of Durham to William Cuthbert, prior of Lytham [and monk of Durham], of Thomas Brown, chaplain, for presentation to the vacant church of Appleby, and ordering him, according to the faculty assigned to him, to present Thomas Brown' to the bishop of Lincoln, by reason of this nomination. Under the other side of their common seal, namely the head of St Oswald.

Date: Durham (blank) 1468.

f.200v-201r 24 June 1468

Notarial instrument recording that Mr William Laybron', LL.B., vicar of Pittington, as he claimed, appeared in person and was holding in his hands and made and read the following

Written resignation whereby he, William Laybron', priest, LL.B., vicar of Pittington, wishing, for certain legitimate reasons, to be discharged of the cure and rule of the said vicarage, resigns it into the hands of Lawrence, bishop of Durham, or of his vicar-general in spiritualities, or of another having power to accept his present resignation.

Witnesses: Mr William Poteman', LL.D., official of the court of York, Mr Henry Husthwaite and William Bekwith', clerks, N.P.s, of York dioc..

Notary: William Westerdale, clerk of York dioc., N.P. by apostolic authority, clerk of the acts and registrar of the court of York (eschatocol recited).

Done: in a certain large, principal chamber of the prebendal manse or house of South Cave, within the cathedral close of York Minster, 24 June 1468.

The register of the time of Thomas Pikeryng, chancellor, who entered the said office on 22 September 1469, begins (f.201r-205r)

f.201r 13 July 1469

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Mr William Layburne, LL.B., in the vacant vicarage of Pitlington.

Date: Durham, 13 July 1469.

f.201r-v

Proxy by Richard prior and the chapter of Durham appointing Mr John Lilford, LL.D., Richard Wrake, monk of Durham and prior of their house of St Leonard's Stamford, as their proctors in the business of the union, annexation and appropriation of the parish church of St Mary Binewerk, by the west gate of the town of Stamford, Lincoln dioc., in the patronage of the prior and chapter, with and to the sufficiently-neighbouring parish church of All Saints in the same town, to be done by the ordinary of these places, with the consent of all rightly considering themselves to have an interest; giving them general power and special mandate to appear on behalf of the prior and chapter and their monastery, before the said ordinary of the places or his commissaries, one or more, deputed for the expediting of the business, at whatsoever dates, times and places assigned to them, responsibilities described, including the negotiation of a yearly indemnity payment for the prior and chapter; giving consent to whatever they will be able to accomplish, by the best means, well and faithfully, always saving the rights, liberties, privileges, dignity and indemnity of the church and monastery of Durham in all things.

Date: Durham (blank).

{ "Item supra 135, 151" }

f.201v-202r 23 December 1469

Notarial instrument recording that John Bell', rector of [Kirby] Sigston, as he claimed, appeared in person and held in his hands and made, read and interposed the following Written resignation whereby he, John Bell', chaplain, rector of the church of [Kirby] Sigston, for certain legitimate reasons, resigns the said church into the hands of George, archbishop of York, or of another having power to accept this resignation. upon which resignation he asked the notary to draw up one or more public instruments, as need be. Witnesses: Richard Chadkirk', rector of Wolsingham, Robert Sotheren', canon and prebendary in the prebendal church of Norton, and John Fournesse, rector of St Mary in the North Bailey [Durham], of Durham dioc..

Notary: Robert Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority.

Done: in the notary's dwelling-house in the city of Durham, 23 December 1469.

f.202r 24 December 1469

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Nicholas Kelchith', priest, in the church of [Kirby] Sigston, vacant by the resignation of John Bell', last rector thereof; saving a yearly pension of ten marks due of old to the prior and chapter and their monastery.

Date: Durham, 24 December 1469.

f.202r 19 February 1470

Presentation by Richard prior and the chapter of Durham asking James, bishop of St Andrews in Scotland, or his vicar-general in distant parts, to admit Thomas Wrenne, monk of Durham, as prior of their cell of Coldingham, vacant by the resignation of Thomas Halghton, last prior thereof.

Date: Durham, 19 February 1469/70.

f.202r-203r 24 April 1470

Annulment of proxy and new proxy by Richard prior and the chapter of Durham for certain legitimate reasons, hereby revoking all power, and especially all power to arrange a loan on their behalf, given to their original proctors or their substitutes for defence of the prior and chapter and their actions instituted in the Roman *curia* before the date of the presents; declaring hereby that it is not their intention that, if anything be done by the same disempowered proctors or their substitutes after this revocation, it ought to tend to the prejudice or harm of the prior and chapter and their monastery; and appointing Mr Peter de Melinis, Roman citizen and proctor-general of causes in the *curia*, Richard Byllyngham, monk of Durham, and Mr James Bonelet, proctor of causes in the *curia*, as their proctors, giving them general power and special and general mandate to appear and act on behalf of and for the prior and chapter, and for their monastery, college, cells, churches, chapels, jurisdictions, liberties (&c), at whatsoever times, dates and places assigned to the prior and chapter, before Pope Paul II or the auditors of causes of the papal palace, or their substitutes, or any judges whatsoever (&c), in all causes and business (&c) concerning the prior and chapter and their monastery (&c), brought or to be brought by appeal, plea or other way of law, in the Roman *curia* or outside; to excuse and explain the absence of the prior and chapter, to give notice of the revocation aforesaid, to obtain papal letters containing grace, favour and justice, and to obtain the annulment of papal letters obtained against them, &c, further responsibilities described.

Date: Durham, 24 April 1470.

f.203r-v 24 April 1470

Proxy by Richard prior and the chapter of Durham appointing Mr Peter de Melinis and Mr James Bonelet, proctors of causes in the *curia*, as their proctors, giving them general power and special mandate on behalf of and for the prior and chapter and their monastery, to ask, raise and receive from the archbishop of Cologne (blank) of English money, which the same archbishop violently seized from Richard Billyngham, their proctor, against his will and without right, and now unjustly detains; also to ask, raise and receive twenty ducats *de camera* of good gold in the possession of Mr Francis de Salmat', and as many ducats of like gold in the possession of Mr Thomas Hope, owed to the prior and chapter and their monastery, and deposited with them by the said Richard, their proctor, because of the great faith which he had and has in them, for the expediting of certain business in the *curia*; and, after receipt thereof, to keep the sums for or deliver them to the prior and chapter for their and their monastery's use;

if need be, to pursue the archbishop of Cologne and Mr Francis and Mr Thomas, or any of them, before whatsoever judges, if they refuse to pay the sums to the proctors, and to recover the same sums along with damages, expenses and interest;

to give quittance for sums received and make an agreement to ask for no more;

and faithfully to answer and account to the prior and chapter when suitably asked so to do, at suitable times and places, for what has been received, raised and recovered with further clauses, characteristic of proxies, dealing with the appointment of substitutes, with doing all things expedient to execute the foregoing, even if such things might demand a more particular mandate, and with the pledge of the prior and chapter to accept the action taken by the proctors.

Date: Durham, 24 April 1470.

f.203v 5 June 1470

Presentation by Richard prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to admit John Auckland', monk of Durham, to the custody or government of their cell or house of St Leonard's Stamford, vacant by the resignation of Richard Wrake, last prior thereof.

Date: Durham, 5 June 1470.

f.203v 6 July 1470

Notarial instrument recording that Mr Alexander Fairclogh', S.T.P, as he claimed, and rector of Normanton on Soar, appeared in person and made and read the following Written resignation whereby he, Alexander Fairclogh', S.T.P., rector of the church of Normanton on Soar, wishing, for certain legitimate reasons, to be discharged of the cure and rule of the said church, resigns the same into the hands of George, archbishop of York, or of another having power to accept this resignation.

Witnesses: William Lawnslen', William Rilston', and Peter Rigby, *literati*, of York and Coventry & Lichfield dioc..

Notary: Robert Skayff', clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the cemetery of the parish church of Normanton on Soar, 6 July 1470.

f.203v 19 July 1470

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Oskill {Lathom} in the church of Normanton on Soar, vacant by the resignation of Mr Alexander Fairclogh', last rector thereof; saving a yearly pension of one mark due of old therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 19 July 1470.

with

[? Endorsed memorandum:] stating that William Rilston', asserted proctor, gave his oath in place and name of Oskill Lathom, in the hands of Mr Robert Bartram, for the good and faithful payment of the said pension of one mark by Oskill during his incumbency in the said church.

f.204r 4 February 1471

Memorandum of petition by Richard Robynson' of Kirkbymoorside, York dioc., who asked for sanctuary of the church of Durham, admitting that, at Stamford Bridge, on 11 November 1470, against his will, in self-defence, as he claimed, he struck and mortally wounded with a dagger one Lawrence Byrkshawe of Catton, from which Lawrence's death ensued, as is said.

Before Richard Claxton', John Sayer, squires, Robert Flecher', Ralph Tod', John Coke; Durham cathedral, 4 February 1470/1.

f.204r 1471

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute {Thomas Raw} [partly over erasures] in the vicarage of Norham, vacant by the resignation of Mr Richard Toune, S.T.P., last vicar thereof.

Date: Durham, (blank) 1471.

f.204r 15 May 1471

Notarial instrument recording that Robert Sotheron, priest, proctor, as he claimed, of Robert Walker, vicar of Northallerton, appearing to the notary to be lawfully appointed, appeared in person and held in his hands, made, read and interposed the following Written resignation whereby he, Robert Sotheron, priest, proctor of Robert Walker, vicar of Northallerton, who is manifoldly exhausted by bodily infirmities such that he is now unequal to the cure of souls in the said church, wishing, on behalf and with the consent of the same Robert Walker, to be discharged of the cure and rule of the said church, for the foregoing and other legitimate reasons, resigns the same into the hands of George, archbishop of York, or of another having power to accept this resignation; trusting and believing that the bishop or his vicegerent will not delay assigning a suitable pension from the vicarage revenues, to be paid yearly to Robert Walker so long as he live; asking that this be done lest Robert Walker, having no other means of support (*patrocinium*) by which he might live, be compelled to obtain his sustenance from door to door, to the disgrace of his orders. and, in place and name of Robert Walker, asked the notary to draw up public instruments upon the foregoing for him, one or more as necessary, for a suitable fee.

Witnesses: John Shotilworth, vicar of North Otterington, York dioc., and Thomas Hyndley, chaplain, of Durham dioc.. [N.P. not named]

Done: in the parish church of Durham St Mary in North Bailey, 15 May 1471.

f.204v 17 May 1471

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Bartholomew Radclyff, priest, in the vicarage of Northallerton, vacant by the resignation of Robert Walker, priest, last vicar thereof; saving a yearly pension of £20 due of old therefrom to the prior and chapter and their monastery of Durham; and, lest Robert Walker, having no means of support by which he might live, be known to obtain his sustenance from door to door, to the disgrace of his orders, asking the bishop that he should see fit to assess a suitable yearly pension from the vicarage revenues and assign it to him for the term of his life; and hereby giving their assent to the assessment and assignment of this pension.

Date: Durham, 17 May 1471.

Noting that they approve of the erasure of the words *xo viimo* and wish this to be free of suspicion.

f.204v 6 June 1471

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Gilbert Graybarne alias Clerk, chaplain, in the vicarage of Bedlington, vacant by the relinquishment (*dimissionem*) of Richard Langcake, last vicar thereof, and the acceptance of a second benefice in which he is invested (*intitulatus*).

Date: Durham, 6 June 1471.

f.204v 1471

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute, according to the ordinance lately made thereon, Mr Lionel Wydvyle, a man of noble birth, in the provostship of the collegiate church of Hemingbrough, vacant by the resignation of Mr Thomas Portyngton', last provost thereof.

Date: Durham, (blank) 1471.

f.204v-205r 29 June 1471

Mandate by Lawrence, bishop of Durham, to Mr John Rudde, his official on this occasion, informing him that he has admitted Mr Gilbert Graybarne *alias* Clerc, presented to him by the prior and convent of Durham, to the vicarage of Bedlington, vacant by the resignation of Richard Langcake, last vicar thereof, and instituted him therein, with the charge of continuous personal residence, to which he has given his bodily oath to the bishop, according to the legates' constitutions issued in this regard; instructing him to induct Gilbert Graybarne or his proctor into bodily possession of the vicarage without delay and requiring certification as to what he shall have done in the foregoing, in his letters patent incorporating the contents of the presents.

Date: his manor by Charing Cross, near Westminster, 29 June 1471.

## The register of the time of John Manbe, who entered the said office on 14 October 1471, begins (f.205r-209v)

f.205r 4 September 1471

Memorandum that Robert Tempest, squire, and Isabel his mother were admitted to the confraternity of the prior and chapter of Durham, such that they became participants in all masses, prayers, vigils, fasts, preaching, other divine offices, good works and intercessions (*suffragia*) whatsoever, in the monastery of Durham and its dependent cells, and they obtained letters therefor in the usual form; 4 September 1471.

f.205r 13 October 1471

Notarial instrument recording that Mr John Shirwod', S.T.P, canon of Howden collegiate church and prebendary of the prebend of Skipwith therein, as he claimed, appeared in person and was holding in his hands and made and read the following

Written resignation whereby he, Mr John Shirwod', S.T.P, canon of Howden collegiate church and prebendary of the prebend of Skipwith therein, for certain legitimate reasons, resigns his canonry and prebend into the hands of George, archbishop of York, or of his vicegerent whomsoever having power to accept this resignation.

Witnesses: John Shirwod' of York, and Stephen Talbott, squire, of York dioc..

Notary: William Westerdale, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: in a lower parlour in St Nicholas' hospital, in the suburbs of York, 13 October 1471.

f.205r 17 October 1471

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr Walter Buk, in a canonry of the collegiate church of Howden and the prebend of Skipwith therein, vacant by the resignation of Mr John Shirwod', S.T.P., last canon and prebendary thereof; saving a yearly pension of 13s 4d owed therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 17 October 1471.

f.205r-v 22 October 1471

Notarial instrument recording that Richard Creswell', chaplain of the chapel of Hylton, appeared in person and held in his hands and made, read and interposed the following Written resignation whereby he, Richard Creswell', chaplain of the chapel of Hylton, for certain legitimate reasons, resigns his chapel into the hands of Richard, prior of Durham, or of another having power to accept his present resignation. and asked the notary to draw up notarial instruments for him upon the foregoing, one or more as necessary, for a suitable fee.

Witnesses: Robert Sotheron, John Fournes, and John Hagerston', of Durham dioc..

Notary: John Bartram, clerk of Coventry & Lichfield dioc., N.P. by apostolic authority, (eschatocol recited).

Done: the church of St Mary in the North Bailey Durham, 22 October 1471.

Copy: DCD Loc.XIV:15.

f.205v 22 October 1471

Letters of admission by Richard, prior of Durham, to Richard Boweman', chaplain, having lately received the following presentation,

to serve the chapel of Hylton according to the form of an old composition between his predecessors the prior and convent of Durham on the one part and the lords of Hylton on the other part; having first given his oath before the prior to observe all things in the composition which pertain to him and to cause others to observe [these things] as far as he might; and having read and interposed before the prior a written and sealed renunciation of all appeals, processes and apostolic letters, if made, interposed or obtained by Robert Staynton, sometime chaplain of the chapel of Hylton; so long as he serve the chapel honestly, bear the burdens incumbent thereon, and keep the mother church of Monkwearmouth immune in all things as is suitable.

Date: Bearpark, 22 October 1471.

Presentation by William, baron of Hylton, asking Richard, prior of Durham, to institute Richard Bowman, chaplain, to serve as keeper of the vacant chapel of Hylton, in the parish of Monkwearmouth and dependent from the church thereof.

Date: manor of Hylton, 22 October 1471.

f.205v-206r 5 December 1471

Annulment of proxy and new proxy by Richard prior and the convent of Durham for certain legitimate reasons, hereby revoking all power given to their original proctors or their substitutes for the prosecution and defence of their causes and business instituted or pending in the Roman *curia* before the date of the presents, and especially revoking all authority committed to them to arrange a loan on their behalf or for the expediting of their business; declaring hereby that it is not their intention that anything done, said, or borrowed by these proctors, appointed at another time as aforesaid, or their substitutes after this revocation has been made should tend to the harm or injury of the prior and chapter and their monastery in any way in future, and that they want such things to be taken in perpetuity as not done, said or borrowed, such that they offer support to no-one and bring no harm to anyone in their person or property;

and appointing Mr Peter de Melinis, Roman citizen and proctor-general of causes in the *curia*, and Richard Billingham, monk of Durham, as their proctors, giving them general power and special and general mandate to appear and act in all causes and business (&c) concerning the prior and chapter, and their monastery, college in Oxford, cells, churches, chapels, places, archidiaconal jurisdiction, liberties, papal privileges and indults, exemptions, tithes, pensions, portions, possessions, and other rights, brought or to be brought by appeal, plea or other way of law, before whatsoever judges spiritual or temporal, in the Roman *curia* or outside, at whatsoever times, dates and places assigned to the prior and chapter, on behalf of and for the prior and chapter and their monastery, college (&c) before Pope Sixtus IV or the auditors of causes of the apostolic palace or their substitutes, other auditors, judges (&c); to excuse and explain the absence of the prior and chapter, to give notice of the revocation aforesaid, to obtain papal letters containing grace, favour or common justice, and to obtain the annulment of papal letters obtained against them, &c, further responsibilities described.

Date: Durham, the customary hour before noon, 5 December 1471.

(Marginal note: "pro Coldyngham" )

f.206v-209v 1 July 1471

Notarized mandate by Antonio de Grassis, LL.D., archpriest of Bologna, papal chaplain, auditor of causes of the apostolic palace, deputed by the pope to be sole executor of the matters written below, to Edward [IV], king of England, James [III], king of Scots, the archbishop of York, the bishops of Durham, St Andrews, Aberdeen, their vicars- or officials-general, the auditor-general of causes of the court of the papal chamber, all and sundry his vice-auditors or lieutenants, the abbots, priors (&c: listing other classes of clergy and clerks), collectors of revenues owed to the papal chamber, executors, also the dukes of Clarence and Gloucester, Henry, earl of Northumberland, or their lieutenants; John Mydylton', Gerard Wydryngton, Richard Oguyll', knights; Thomas Hagreston, squire (*Thome scutifero Hagreston*), and William and Henry his brothers, other lords, dukes, marquesses (&c: listing other classes of laity), judges &c, giving notice that not long ago Pope Pius II caused to be presented to John de Ceretanis, LL.D., archdeacon of Sernen' [? Cernes] in the church of Bordeaux, and at that time papal chaplain and auditor of the apostolic palace, by one of his couriers, the following

Schedule [not fully recited] of commission or supplication [by Pius II, pope] as f.138v above. Subscribed: "Mr John de Ceretanis is to hear, summon as asked and do justice by mandate of our lord the pope" ;

and that shortly afterwards Pius II's successor, Paul II, caused one of his couriers to present to the said John de Ceretanis, co-auditor of Antonio de Grassis, another Commission or schedule of appeal that he should see fit to hear the case of the deceitful procurement, invalidity and injustice of certain papal letters of provision in the form of a commission, obtained, or rather executed, at the instance of John Home, (f.207r) calling himself canon of the collegiate church of Dunbar, St Andrews dioc., and directed to the bishop of St Andrews and others, concerning the priory of Coldingham, belonging to the church of Durham and the prior and convent thereof by the devotion of kings and barons of Scotland and popes of Rome, and subsequent confirmation and approval, by reason of similar letters of provision obtained or rather extorted by Patrick Home from Pius II, and also after the commission of the cases of the appeal in respect of the devious acquisition of these letters and the serving of summons and inhibition upon the same Patrick and others by John de Ceretanis, papal auditor, the prior and convent of Durham and John Pencher, prior of Coldingham, are wickedly, unlawfully and unjustly removable and [being] robbed?; also the case (etc) . Subscribed: Mr John de Ceretanis is to summon as asked and do justice by mandate of our lord the pope;

and that the pope caused one of his couriers to present to the said John de Ceretanis, co-auditor of Antonio de Grassis, another

Commission or schedule of appeal to hear the case between the prior and convent of Durham cathedral on the one hand and John Home archdeacon and clerk of the diocese of St Andrew on the other about the priory or barony of Coldingham and the despoliation and intrusion into it (etc). Subscribed: (etc);

and that the pope caused one of his couriers to present to the said John de Ceretanis, co-auditor, another

Commission or schedule of appeal to hear the case of the prior and convent of Durham against Patrick Home firstly and John Home alleged clerk of St Andrews diocese secondly, about the spoliation of the priory or barony of Coldingham and the deceitful procurement of certain apostolic letters variously extorted from both Popes Pius II and [Paul II] (etc) concerning excommunication (etc) the said priory or barony held for three hundred years or thereabouts (etc);

John de Ceretanis's response (etc)

(f207v) two further commissions or schedules of appeal (etc)

John de Ceretanis's response (etc)

(f208r) further commission or schedule of appeal presented to John de Ceretanis (etc)

(f208v) publication of the excommunication of John Home and Patrick Home (etc)

and exhorting Edward, king of England, James, king of Scotland, the dukes of Clarence and Gloucester, Henry, earl of Northumberland, and the other earls, knights, squires, principal brandishers of swords and zealots of justice, and the archbishop, bishops, officials, judges and other persons aforesaid, to whom the presents are directed, requiring and warning them on pain of excommunication, and ordering them or any of them, within six days of presentation or notification of the presents, or of a request thereon made to them on behalf of the said prior, monks, chapter and convent, to act against the excommunicates John Home and Patrick Home by seizing their persons, property and goods, and to hold them fast, by main force, though without serious harm to their bodies, until [they should] come for trial before the auditor and obtain absolution from their sentences, [or] until they [the addressees] should be instructed otherwise; giving them licence and full power for all and sundry the foregoing; and urging the said kings of England and Scotland to implement the mandate, though without wishing to threaten them with the imposition of any sentence; rather more severe approach towards clergy (etc).

Witnesses: Mr John Nillis and Mr Henry de Hontrell', N.P.s, his scribes and clerks, of Cambrai dioc.

Notary: Yves de Gay, clerk of Nantes dioc., N.P. by apostolic and imperial authority (eschatocol recited and sign reproduced).

Date: Rome, St Peter's, seated in judgment in his customary place in the palace of causes, in which law is accustomed to be given, at the hour in the morning customary for hearing cases and giving law, Monday 1 July 1471.

Original: DCD Misc. Ch. 7052.

f.209v 17 January 1472

Letters of confraternity by Richard prior and the chapter of Durham to Ralph Hothom, gentleman, repaying him for the devotion of mind and the affection of a sincere heart which he has and will have for them and their monastery of Durham, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, prayers, (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof.

Date: Durham, 17 January 1471/2.

f.209v 21 January 1472

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute John Gurney, chaplain, in the vicarage of Bishop Middleham vacant by the death of Richard Blande, last vicar thereof; saving to the prior and chapter and their monastery a yearly pension of 40s due of old from the vicar thereof to the office of sacrist of Durham.

Date: Durham, 21 January 1471/2.

f.209v 4 June 1477

Memorandum of petition by Christopher Holme, in presence of Thomas Caly, subprior of Durham, and the notary and witnesses, confessing that, at the town of Newcastle upon Tyne on 24 April last, along with Henry Stobbes and Humfrey Ussher', he encountered one William Marlee, whom he assaulted then and there, and struck and gravely wounded with a staff called a *walsshbill*', from which, and from other wounds inflicted by him and the others, William's death ensued, as is said; for which Christopher asked and obtained sanctuary of the church of Durham.

Before Robert Bartram, N.P. by apostolic authority, Robert Holburn' of Gateshead and John Laweson' of Hylton;

Durham cathedral, 4 June 1477.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.2 no.iii.

The register of the time of John Manbe, chancellor, entering the said office  
on 14 October 1471, begins (f.210r-214r)

f.210r 17 October 1471

Memorandum that the presentation of Mr Walter Buke {to the prebend of Skipwith} due to the resignation of Mr John Shirwode, S.T.P., was issued in the form shown on the fifth folio preceding [205r, where the presentation of Buke is recited in full]; 17 October 1471.

f.210r [?1471]

[Memorandum] that the resignation of Mr John Shirwod' is shown verbatim on the fifth folio preceding [205r], with the notary's subscription.

f.210r 5 December 1471

Memorandum that a revocation of the power of proxy with new constitution of the same, in the form shown on the fifth and sixth folios preceding [evidently the revocation on folios 205v-206r] was issued on 5 December 1471.

f.210r 21 January 1472

[Memorandum] that a presentation of John Gornay to the vicarage of Bishop Middleham, due to the death of Richard Blande, last vicar thereof, was issued on 21 January 1471/2. As on f.209v.

f.210r 27 July [1473]

Letter by [Edward IV, king of England \*] to [the prior of Durham \*\*] although Robert Marshall', lately committed to prison for treason, has escaped and is in the church of Durham, wanting nothing to be attempted contrary to the liberties and immunity of the church of Durham, because of the king's zeal and devotion to the honour of God and St Cuthbert, and the favour and affection which he has for the bishop of Durham, his chancellor of England; therefore instructing [the prior] to keep Robert Marshall securely, since he will answer to the king for him.

Under the signet.

Date: Stamford, 27 July [1473: Bishop Booth chancellor]

[\* See sign manual, E, on the original]

[\*\* According to the endorsement on the original.]

*Language:* English

Original: DCD Loc.XXV:87.

f.210r [?1474]

[Incomplete]

Memorandum [of petition] by Robert Lyell' of Durham dioc., who, in 1474, against his will and in self-defence, as he claimed, struck and lethally wounded a certain...

f.210r-v

(The equivalent of almost half of one side of a folio is left blank.)

f.210v 29 May 1472

Memorandum that letters of confraternity were issued for Richard Claxton', squire, 29 May 1472.

f.210v-211r 20 October 1472

Lease by indenture by Richard prior and the chapter of Durham to John Tonge, alderman, Thomas Wade and Thomas Watson, guild brethren of Holy Trinity in the church of St Oswald's Durham, and to the other brethren of the said guild, of three waste burgages lying together on the west side of New Elvet, between the burgage of the chantry of St Andrew upon the new [i.e. Elvet] bridge on the east and the burgage of the prior and chapter on the corner, on the west;

on which the said John, Thomas, Thomas and the other guild brethren will newly construct, or have constructed, a building in which to hold their guild, and in which it will be lawful for the hostiller of Durham to have free entry and exit for himself, his officers, his servants and tenants, to hold his court of the borough of Elvet therein as often as need be, without gainsaying of the said guild brethren;

to be held from Martinmas next for the term of 79 years;

rendering 12d yearly therefor to the prior and chapter and their successors, at their exchequer of Durham, by equal portions at Pentecost and Martinmas;

also granting for themselves and their successors that, after the said term has been completed, the alderman and guild brethren will have a like term, [to be] renewed twice by new indentures, namely on the first occasion for a yearly rent of 18d and on the second occasion for a rent of 2s, to be paid in the said exchequer on the said term dates;

and, if the rent should happen to be in arrears in whole or in part for a year and a day after any term date on which it ought to be paid, and sufficient cannot be found in the said building for distraint, then it shall be allowed to the prior and chapter and their successors to re-enter the building and possess it as originally;

and the alderman and guild-brethren are to maintain the building as often as need be at their own expense during the said term, and are to return the building in sufficient repair at the end of the term.

Sealed alternately, with John, Thomas and Thomas affixing their seals in the name of their fellow guild brethren.

Date: Durham, 20 October 1472.

f.211r-v 18 September 1473

Annulment of proxy and new proxy by Richard prior and the convent of Durham for certain legitimate reasons, hereby revoking all power given to their original proctors or their substitutes for the prosecution and defence of their causes and business instituted or pending in the Roman *curia* before the date of the presents, and especially to arrange a loan on their behalf; declaring hereby that it is not their intention that anything done, said, or borrowed by these proctors, appointed at another time as aforesaid, or their substitutes after this revocation has been made should tend to the harm or injury of the prior and chapter and their monastery in any way in future, and that they want such things to be taken in perpetuity as not done, said or borrowed, such that they offer support to no-one and bring no harm to anyone in their person or property; and appointing Mr John Gerona, LL.D., proctor-general attendant (*expectantem*) in the Roman *curia* and Mr Peter de Mellinis, Roman citizen and proctor-general of causes in the Roman *curia*, and Richard Billingham, monk of Durham, as their proctors, giving them general power and special and general mandate to appear and act in all causes and business (&c) concerning the prior and chapter, and their monastery, college in Oxford, cells, churches, chapels, places, archidiaconal jurisdiction, lands, lordships, liberties, papal privileges and indults, exemptions, tithes, pensions, portions, possessions, and whatsoever rights, instituted or to be instituted by appeal, plea or other way of law, before whatsoever judges spiritual or temporal, in the Roman *curia* or outside, at whatsoever times, dates and places assigned to the prior and chapter, on behalf of and for the prior and chapter and their monastery, college (&c) before the pope or the auditors of causes of the apostolic palace or their substitutes, other auditors, judges (&c); to excuse and explain the absence of the prior and chapter, to give notice of the revocation aforesaid, to obtain papal letters containing grace, favour or common justice, and to pursue the annulment of papal letters obtained against them, &c, further responsibilities described.

Date: Durham, chapter house, the customary hour before noon for chapter, 18 September 1473.

f.211v 3 November 1473

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr Robert Quyntyne, M.A., in a canonry of the collegiate church of Hemingbrough and the second prebend therein, vacant by the resignation of Richard Bygod', last canon and prebendary thereof.

Date: Durham, 3 November 1473.

f.211v-212r [? c.December 1473]

Letters of confraternity by Richard prior and the chapter of Durham to Thomas, lord Stanley, repaying him for the devotion of mind and the completeness of affection which he has for them and their cell of Lytham and the monks dwelling there, as they have learnt from his deeds and know by experience, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, prayers, (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof.

Date: Durham *tali* &c.

f.212r [? c.December 1473]

Letters of consorority by Richard prior and the chapter of Durham to Margaret Bewford' [Beaufort], countess of Richmond and lady Stanley, noting the zeal of her faith and the fervour of the devotion which she has for them and in particular for their cell of Lytham, acceding to her petitions by granting her special participation in all the spiritual goods of the cathedral church of Durham and its cells, in masses, vigils, fasts, preaching (&c), and admitting her to the spiritual sisterhood of the chapter, with prayers for her, just as for their other spiritual brethren and sisters, each year for all time after her death, once they have certain knowledge thereof.

Date: [Durham] &c.

f.212r 26 January 1474

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Mr William Laybron, LL.B., in the canonry and {first} prebend of the collegiate church of Hemingbrough vacant by the death of Oliver Bland', last canon and prebendary thereof.

Date: Durham, 26 January 1473/4.

f.212r 8 September 1474

Memorandum that John Clerk, canon of Carlisle cathedral, having papal dispensation therefor, was presented to the church of Meldon, vacant by the resignation of Mr Adam Morlond', D.Dec., last rector thereof, by the prior and chapter of Durham, to the bishop of Durham, in due form; saving a pension of 40s yearly due of old therefrom to the prior and chapter and their office of sacrist; 8 September 1474.

f.212v 5 November 1474

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute Richard Rolleston', B.A., in the vicarage of Northallerton, vacant by the death of Bartholomew Radclyffe, last vicar thereof; saving a yearly pension of £20 due of old therefrom to the the prior and chapter.

Date: Durham, 5 November 1474.

f.212v 11 November [14]74

Collation by Richard prior and the chapter of Durham to Thomas Roye, chaplain, of the chantry in the chapel of Herrington, out of regard (*ad contemplationem*), on this occasion, for the queen of England; appointing him chaplain and keeper thereof, providing that he reside there, in no wise leave the chantry unofficiated for three months running, and bear all other incumbent burdens; and letting him know that they will proceed with his removal from the chantry if he be found negligent in the foregoing, behave dishonestly or lead a dissolute life.

Date: [Durham] 11 November [14]74.

f.212v 14 November 1474

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute John Marschall', chaplain, in the vicarage of Ellingham vacant by the death of William Yonghusbande, chaplain, last vicar thereof.

Date: Durham, 14 November 1474.

{Quashed by the bishop of Durham because of the disqualification of John Marschall'; another presentation follows}.

f.212v 1 December 1474

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute John Ellergyll' [metathetically Ellegyrll' at its second occurrence], chaplain, in the vicarage of Ellingham, vacant by the death of William Yonghusbande, priest, last vicar thereof.

Date: [Durham] 1 December 1474.

"There follows the mandate to induct the same presentee, as shown on the fourth folio following" [untraced]

f.213r 9 February 1473

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Mr John Pykering', LL.B., chaplain, in the vicarage of St Oswald's Durham, vacant by the death of Mr William Newton', last vicar thereof.

Date: Durham, 9 February 1472/3.

f.213r 10 February 1473

Letters of confraternity by Richard prior and the chapter of Durham to Mr James Bonelett {proctor of causes at Rome} repaying him for the devotion of mind and the affection of a sincere heart which he has for them and their monastery of Durham, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, prayers, (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren, for all time after his death, once they have certain knowledge thereof.

Date: Durham, 10 February 1472/3.

f.213r 16 February 1473

Mandate by Lawrence, bishop of Durham, to Richard Chadkirk saving the right of the prior and convent of Durham and also the right of the archdeacon of Durham, since he has admitted Mr John Pikeryng to the vicarage of St Oswald's Durham, on presentation by the prior and convent of Durham [the first entry of this folio], and instituted him therein, with the charge of continuous and personal residence, to which he gave his bodily oath, instructing him to induct Mr John Pikeryng' or his proctor, or to have him inducted, into corporal possession of the vicarage without delay; and requiring certification, in letters patent incorporating the tenor of the presents, as to what he shall have done in the foregoing.

Date: his manor by Charing Cross, near Westminster, London, 16 February 1472/3.

f.213r-v 2 January 1473

Proxy by Richard, prior of Durham, commended to the cathedral church of Chichester, howsoever to be vacant, by letters of Edward, king of England, giving notice that he has appointed Mr James Bonelett, proctor-general for the hearing of causes at the apostolic see, as his proctor, giving him general power and general and special mandate: to appear on his behalf before the pope, Sixtus IV, or his vicegerents, at whatsoever dates, places and times; to present the king's letters of commendation or true copies thereof and other letters missive to the pope for execution; to ask the pope for reservation of the church of Chichester according to the requirements of the king's letters; to beg for the prior to be provided to the said church at its next vacancy and, after the next vacancy, by virtue of such reservation or provision, for him to be admitted, instituted and installed as bishop at the church of Chichester or any other cathedral in England which might be reserved to him or to which he might be provided; to seek and obtain papal letters necessary for him in this regard; to treat with chamberlains and ministers of the papal *camera* for certain annates used and wont to the said *camera* on account of the church of Chichester or of any other church to which the prior might be provided, and to give a guarantee for making payment thereof at a time to be appointed; and, if need be, to find sufficient security, required therefor according to statutes of the *camera*; to swear due obedience to the pope and to offer, on the prior's soul, whatsoever other lawful oath necessary and required by law in that regard, &c, other responsibilities described;

revoking all the power earlier assigned to Richard Billingham, monk of Durham, to arrange a loan for the prior, and requiring Mr James to notify all judges, merchants, bankers and others whom it might concern, of this revocation.

Date: Durham, 2 January 1472/3.

f.213v 30 May 1473

{ Letter "given to William Massam, prior of Blyth" } recording that Richard, prior of Durham, in presence of certain fellow monks of the chapter, publicly said to William Massam, lately professed monk of Durham, present and standing by, that although William had, by accepting the priorate of Blyth, York dioc., lost and tacitly renounced all and sundry rights of a monk once in the cathedral church of Durham, nonetheless, at the request of his fellow monks and because of his singular fondness for William, he has granted that as often as William should come in person, as a visitor or pilgrim, to the monastery of Durham, he might use a frock just like that of a monk of Durham during the time of his stay, without any accusation in that regard, so long as he presume to claim no other right or entitlement of a monk of Durham, and cause no quarrels, conducting himself in a laudable manner among those dwelling there; and that if he did otherwise he would lose the use of a frock for ever.

Done: Durham, the chapel of St Nicholas next to the prior's chamber, 30 May 1473.

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.cccliv-ccclv.

f.213v-214r 28 February 1474

Collation by Thomas Caly, subprior of Durham, with consent of the convent of Durham, to Robert Chaloner of St Mary's chantry in the chapel of St Margaret over the old [Framwellgate] bridge of Durham; providing that he serve the chantry in a laudable manner and bear all incumbent burdens, in particular celebrating mass for the dead in general except on Saturdays, Sundays and solemn feast days, and every day saying *Placebo* and *Dirige* for the souls of the prior and convent of Durham, Ranulf, founder of the chantry, their benefactors and parents, and all faithful departed; and letting him know that he, with consent of the convent, will proceed with his removal from the chantry if he be found to have ceased from the services of the chantry without reasonable cause, or if he behave dishonestly.

Under the other side of the common seal, with the head of St Oswald.

Date: Durham, 28 February 1473/4.

f.214r 6 March 1474

Memorandum that Robert Watson' obtained letters patent as mortuary-roll bearer of the monastery, to endure at the pleasure of the prior and chapter, in common form: 6 March 1473/4.

f.214r 10 April 1474

Letters of confraternity by Richard prior and the chapter of Durham to Richard, duke of Gloucester repaying him for the devotion of mind and the completeness of the sincere affection which he has for them and their monastery of Durham, as they know from his deeds and by experience, by admitting him to the spiritual brotherhood of the chapter and granting him special participation in all masses, vigils, fasts, (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for him, just as for their other spiritual brethren and sisters, for all time after his death, once they have certain knowledge thereof.

Date: Durham, 10 April 1474.

f.214r [10 April 1474]

Memorandum that similar letters of confraternity were issued to William [*recte* John], lord Scrope of Bolton, on the same date.

f.214r 27 April 1474

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute William Barton, chaplain in the vicarage of the prebend of Saltmarshe in the collegiate church of Howden, vacant by the death of John Ellawe, last vicar thereof;

Date: Durham, 27 April 1474.

f.214r

(Erased:)

<Memorandum of letter of consorority ?>

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

## The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.214r [? 2 March 1474]

Memorandum that letters of consorority were granted to Alice Bell', in common form: date aforesaid.

f.214r-v [2 January 1479]

Letters of confraternity by Richard prior and the chapter of Durham to John Robynson', merchant of Newcastle upon Tyne, and Joan his wife, as f.169v-170r above.

Marginal note: {A letter in this form was issued on 2 January 1478/9, except with the annuity set at 56s 8d.}

f.214v 18 July 1474

Presentation by Richard prior and the chapter of Durham asking George, archbishop of York, or his vicar-general in distant parts, to institute William Hanton' *alias* Wright', in the vicarage of Eastrington, vacant by the death of Thomas Burneby, last vicar thereof. Date: Durham, 18 July 1474.

f.214v 21 September 1474

Presentation by Richard prior and the chapter of Durham asking Lawrence, bishop of Durham, or his vicar-general in distant parts, to institute Ralph Vasy, priest, in the vicarage of Norham, vacant by the death of Thomas Raw, last vicar thereof. Date: Durham, 21 September 1474.

f. 215r 30 September 1474

Inspeximus by Richard prior and the chapter of Durham confirming the following grant, saving the rights and liberties of the church of Durham in all things.

Date: Durham, 30 September 1474.

Grant by letters patent by Lawrence, bishop of Durham, to Thomas Tepyng', his familiar servant, of the office of one of the foresters or keeper of the park of Crayke; also the office of keeper of the castle or manor of Crayke; to be held for the term of his life, and occupied in person or through his sufficient deputy or deputies, for whom he would answer to the bishop and his successors; taking from the bishop and his successors 2d per day for keeping the park, and 1d per day for keeping the manor or castle, to be paid by the hands of the bishop's reeve or bailiff there, along with all profits, advantages, customary rights and emoluments howsoever belonging to the said offices.

By the hand of Henry Gillowe, clerk, the bishop's chancellor.

Date: Durham, 28 September, Pont. 17. [1474]

f.215r [30 September 1474]

Inspeximus by Richard prior and the chapter of Durham confirming the following grant,  
*ut supra*.

Date: [? Durham.]

Grant by letters patent by Lawrence, bishop of Durham, to Henry Massy, his familiar servant, of the office of parker or keeper of the park of Frankland, near Durham, with Midelwod, Ryton' and its other appurtenances; to be held for the term of his life, occupied in person or through his sufficient deputy, for whom he would answer to the bishop and his successors; taking from the bishop and his successors the fees and wages used and wont to the said office, by the hands of the bishop's head forester, along with all other profits, advantages and emoluments howsoever belonging to the said office.

By the hand of Henry Gillowe, clerk, the bishop's chancellor.

Date: Durham, 26 September, Pont. 17. [1474]

f.215r [30 September 1474]

Inspeximus by Richard [prior and the chapter of Durham] confirming the following grant,  
*ut supra*.

Date: [? Durham.]

Grant by letters patent by Lawrence, bishop of Durham, to James Oldham, his familiar servant, of the office of one of the foresters or keepers of the park of Wolsingham; to be held for the term of his life, occupied in person or through his sufficient deputy, for whom he would answer to the bishop and his successors; taking from the bishop and his successors 2d per day by the hands of the bishop's head forester, along with all other profits, advantages, customary rights and emoluments howsoever belonging to the said office.

By the hand of Henry Gyllowe, clerk, the bishop's chancellor.

Date: Durham, 20 August, Pont. 17. [1474]

f.215v 10 October 1474

Appointment by Richard prior and the chapter of Durham to Robert Knoute, monk of Durham, creating him keeper and prior of the priory or cell of Lytham in Amounderness and their proctor there, vacant by the death of William Cuthbert, monk of Durham, last prior thereof, removable at the will of the prior and chapter and their successors; committing to him the spiritual and temporal custody, stewardship, rule and administration thereof; on condition that the prior and chapter of Durham and their successors be permitted to remove him therefrom at will, with or without cause, and that he be bound yearly to render faithful account to the prior and chapter of the receipts and expenses administered by him; wherefor ordering all over whom they have authority to answer to and obey him as warden and prior of the cell and as their proctor there in respect of all things pertaining to the said cell.

Date: Durham, 10 October 1474.

f.215v 10 October 1474

Presentation by Richard prior and the chapter of Durham to the archdeacon of Richmond or his vicegerent in distant parts, of Robert Knoute, monk of Durham, since they have appointed him as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 10 October 1474.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.215v [10 October 1474]

[Memorandum] that Robert Knoute, having been appointed prior of Lytham, gave his oath in the manner as shown above in the appointment of his predecessor William Cuthbert [f.153r-v], before Mr Robert Bartram, N.P. by apostolic authority, and the witnesses John Claxton' and Roger Morland', gentlemen; [Durham].

f.215v 7 October 1474

Notarial instrument recording that Adam Morland', D.Dec., rector of Meldon, as he claimed, appeared in person and was holding in his hands and made, read out, interposed and did everything as contained in the following

Parchment schedule whereby he, Adam Morland', D.Dec., [rector] of Meldon, wishing, for certain legitimate reasons, to be discharged of the cure and guidance of souls of the parishioners of the said church, resigns the same church into the hands of Lawrence, bishop of Durham, or of another having power to accept this resignation.

Witnesses: William Lawrence, vicar choral of Salisbury cathedral, and John Hokys and William Thomelynson, *literati* of Salisbury dioc..

Notary: John Machon, clerk of Worcester dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: Salisbury, in the porch of the accustomed dwelling-house of John Tycle, succentor of the church of Salisbury, within the precincts of the canons' close, 7 October 1474.

[with]

[Memorandum] that, after this presentation [*sic*] thus made, John Clerk, canon regular of Carlisle cathedral, was presented to the same church, as shown in the fourth folio preceding [212r].

f.215-216

(The folios numbered 168-191, which cover the period 1475-1480, belong between folios 215 and 216.)

f.216r 17 May 1480

Grant by Robert prior and the convent of Durham to William Broune, alderman of the guild of Holy Trinity, Stamford, and the guild brethren thereof, of a half acre of land in the field of Stamford between the said guild's land to the south and the land lately of William Broune, merchant, to the north and east, and abutting the highway to the west; for which the said alderman and guild brethren have granted to the prior and convent another half acre of land in exchange, as more fully contained in another charter made thereon [cf. f.191v above];

to be held by the alderman and brethren and their successors in perpetuity, of the chief lords of that fee, by service used and wont therefor;

and giving notice that they have appointed William Yowdale, prior of Stamford, in their place to give livery of seisin of the said half acre to the said alderman and brethren.

Date: Durham, 17 May 1480.

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.298.

f.216r 16 May 1480

Citation and mandate by Robert, prior of Durham, deputed, by the presidents of the provincial chapter of the Black monks held last at Northampton, as visitor to visit all and sundry abbots, priors having no abbot of their own, monasteries and convents of the Black monks within the province of York, according to the form of the general council, to the abbot and convent of St Mary's York, informing them that on Wednesday 7 June next before St Barnabas, with continuation of days, he intends to visit them in their chapter-house, citing them to be present in person before him or his commissaries, one or more, at the said date and place, and at the capitular hour, enjoining the abbot to warn and cite all his fellow-monks who by right or custom would be accustomed to attend such a visitation, or cause them to be warned and cited to be present with him at the said date and place and undergo visitation; and requiring him to give certification to the prior or his commissaries, at the said date and place in letters patent incorporating the contents of the presents, of what he shall have done in the foregoing and of the names of all those whom he will have cited on account of the foregoing.

Date: Durham, 16 May 1480.

f.216r [16 May 1480]

[Memorandum] that three other citations in the above form were issued on the same day directed to: the abbot and convent of St German's Selby, to appear before the said commissaries on 5 June, the Monday before St William the archbishop; the abbot and convent of St Hilda's Whitby, to appear on 10 June, the Saturday before St Barnabas; the prior and convent of Monk Bretton, to appear on 3 June, the Saturday before St William the archbishop.

f.216r-v 17 May 1480

Commission by Robert, prior of Durham, deputed visitor of monasteries of the Black monks within the province of York [as the second entry on this folio], to William Lawe, S.T.P., and John Manbe, chancellor, monks of Durham, since he cannot in person attend to the office of visitation, being hindered by various and difficult business of the monastery, appointing them in his place to visit the monasteries of St Mary's York, Selby, Whitby and Monk Bretton at the dates and places fixed in his letters of citation, to enquire into failings, to punish and reform (&c), with power of canonical coercion.

Date: Durham, 17 May 1480.

f.216v 14 June 1480

Memorandum that letters of confraternity were granted to Robert Lucas and Margaret, his wife, under the common form: 14 June 1480.

f.216v 14 June 1480

Bond by Robert prior and the chapter of Durham to the abbots of the Cistercian order and their convents within the kingdom of England for £100 to be paid to the same abbots and their convents, their successors and assigns, at the Invention of the Cross next to come.

Date: Durham, 14 June 1480.

[with]

[Memorandum of defeasance] that, if the prior and chapter and their successors implement the condition of renewing the indenture for the lease of two pieces of the land of their college, called Durham College, in Oxford, between the prior and chapter on the one part and the Cistercian abbots and convents on the other part for the term of eighty-less-one (*octoginta uno minus*) years, always with the said term carried out, then the present bond is to be taken as null; otherwise would it remain in force.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.216v 18 June 1480

Memorandum that letters of confraternity made for William Raket and Sybil, his wife, were issued in the usual form on 18 June 1480.

f.216v-217r 20 October 1480

Inspeximus by Robert prior and the chapter of Durham confirming the following lease.  
Date: Durham, 20 October 1480.

Lease by indenture by Thomas Babthorp', clerk, provost, keeper or rector of the collegiate or parish church of Hemingbrough, for himself and his successors, to Robert Wod, clerk, and William Bekwith', of all the tithes of grain and hay, flax and hemp, of the vill and township of South Duffield, belonging to the said provost by reason of the said church; to be held by Robert and William from the said feast of St Mark [i.e. the date of this indenture] for the term of sixty years; rendering 4d yearly at Michaelmas therefor to the said provost and his successors; and this lease is to become void at once if Robert should die during the said term.

Sealed alternately.

Date: (no place of issue), St Mark [25 April] 1480.

f.217r 17 November 1480

Notarial instrument recording that Robert Hadyff, vicar of the prebend of Barmby, as he claimed, in the collegiate church of Howden, appeared in person and held in his hands and made, read and interposed the following

Written resignation whereby he, Robert Hadyff', vicar-prebendal of the prebend of Barmby in the collegiate church of Howden, wishing, for certain legitimate reasons, to be discharged from the cure and rule of his said vicarage, resigns his vicarage into the hands of the prior and convent of Durham, or of another having power to accept this, his resignation.

Witnesses: Mr Th. Ruda, B.Dec., and John Sproxton', chaplain, of York dioc..

Notary: Thomas Gedney, clerk of York dioc., N.P. by apostolic authority, (eschatocol recited, with note of an erasure).

Done: a certain dwelling-house of Thomas Glover, barber, in Gelgate [? Keldgate / Gilesgate], Beverley, 17 November 1480.

f.217r-v 25 November 1480

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Robert Ronson' alias Milner', chaplain, in the vicarage of the prebend of Barmby in the collegiate church of Howden, vacant by the resignation of Robert Hadyff, last vicar thereof.

Date: Durham, 25 November 1480.

f.217v 7 December 1480

Memorandum that John Catrik, squire, and Grace, his wife, and William Rowsby senior, of Durham, tanner, and Christina, his wife, were admitted to the brotherhood of the chapter of Durham, for which they had their letters testimonial in common form: 7 December 1480.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.217v 3 May [1475]

Quitclaim by Ralph Nevill', knight, lord Neville, son and heir of the deceased John Nevill', knight, for himself and his heirs, to William Whelpdale of Durham, gentleman, his heirs and assigns, of all right and title which he might have to the lands, tenements, rents and services which his said father John Nevill' lately had in Crossgate, Millburngate and South Street in the Old Borough of Durham, and in Saddler Street (*Sadlergate*) in Durham by gift and enfeoffment of the said William, and which William had by hereditary right after the death of Margaret Whelpdale, his mother.

Date: Brancepeth castle, 3 May, 15 Edward IV. [ Camsell p. 302]

Original: DCD 4.18.Spec.60. Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540 ", (York Univ. D.Phil. thesis 1985), p.302.

f.217v 23 June 1481

Inspeximus by Robert prior and the chapter of Durham confirming the following grant, saving the rights of the church of Durham in all things.

Date: Durham, 23 June 1481.

Grant by letters patent by William, bishop of Durham, to Thomas Metcalff' appointing him to the office of one of his auditors of accounts of all and sundry his accountable ministers and officers within the whole of his bishopric; to be held in person during his life; taking £10 yearly by the hands of the receiver-general of the exchequer of Durham, in equal portions at Pentecost and Martinmas, for duly performing the office; ordering all his ministers, officers and tenants whomsoever to submit to and assist Thomas in the exercise of his office.

By the hand of John Kelyng', clerk, the bishop's chancellor.

Date: Durham, 20 April, Pont. 5. [1481]

f.217v-218r 12 May 1481

Notarial instrument recording that John Skipton', chaplain, vicar of the fifth vicarage, as he claimed, of Hemingbrough collegiate church, appeared in person and held in his hands and made, read and interposed the following

Resignation (on a paper schedule) whereby he, John Skipton', chaplain, vicar of the fifth vicarage of Hemingbrough collegiate church, wishing, for certain legitimate reasons, to be discharged of the cure and rule of the said vicarage, resigns the same into the hands of Thomas, archbishop of York, or of another having power to accept this resignation. and asked the notary to draw up a public instrument upon the foregoing.

Witnesses: William Chaumbre and John Patenson', *literati* {of Durham dioc.}.

Notary: Edmund Bell', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: the register house of the prior and chapter of Durham, next to the prior's lodging, 12 May 1481.

f.218r 12 May 1481

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute John Ahtwyk' \*, chaplain, in the fifth vicarage of the collegiate church of Hemingbrough, vacant by the resignation of John Skipton', last vicar thereof.

Date: Durham, 12 May 1481.

[\* Athwik in the next-but-one entry below, q.v.]

f.218r 13 June 1481

Letters testimonial by Robert prior and the chapter of Durham for Robert Dighton' as their mortuary-roll bearer, to endure at their pleasure.

Date: Durham, 13 June 1481.

f.218v 20 June [1481]

Memorandum that, because John Athwik', by reason of infirmity, returned the presentation made for him [the next-but-one entry above], a presentation to the fifth vicarage in the collegiate church of Howden [ *sic*], vacant by the resignation of John Skipton', last vicar thereof, and granted to Richard Thomson', chaplain, was issued: 20 June.

f.218v [? 11 July 1481]

Memorandum that the collation of the chantries of SS James & Andrew upon Elvet bridge to Robert Pencher, chaplain, vacant by the death of John Runchorn', chaplain, made by John Barnby, lately prior, and the chapter of Durham {dated at Durham 22 July 1459} was not registered, and that the same Robert Pencher remained keeper of the said chantries for 20 years by virtue of the collation, namely from the death of the said John Runkhorn' until 11 July 1481, the date of his own death.

f.218v 11 July 1481

Collation by Robert prior and the chapter of Durham to Robert Hochonson' *alias* Moreslawe, chaplain, of the chantries of the chapels of St James at the end of the new bridge [Elvet bridge] in Durham, and of St Andrew upon the same bridge, vacant by the death of Robert Pencher', chaplain, last keeper thereof, providing that he duly bear the incumbent burdens thereof, in person, or through another chaplain if he be obstructed by legitimate impediment.

Date: Durham, 11 July 1481.

f.218v-219r 8 June 1479

Exchange by indenture by [1] Robert prior and the chapter of Durham and [2] William Elmden', knight, and William Elmden', his son and heir, [2] giving eight acres of land, namely six acres of enclosed land called *le Spitelcroft* and two acres of land called *le Balest hillez* between the highway which leads towards Tynemouth and *le Groundebbe* of the Tyne, on the west side of St Anne's chapel outside the gate of the town of Newcastle upon Tyne called Sandgate, to [1]; to be held by the prior and chapter and their successors of the chief lord of that fee, by service used and wont therefor, in perpetuity;

in exchange for a messuage with garden and twenty-eight acres of arable land in Tursdale;

on condition that: if the messuage, garden and lands in Tursdale or any part thereof be recovered against the said William and William, their heirs or assigns, by the prior and chapter or their successors, or by any others having right or title thereto before the date of the presents, or if William and William, their heirs or assigns be expelled from the messuage, garden and lands, or any part thereof by anyone having right or title thereto before the date of the presents, provided that William and William, their heirs and assigns be unable to enjoy their seisin and possession; then it shall be allowed to William and William, their heirs and assigns to re-enter and possess, as originally, part of the said eight acres of *Spitelcroft* and *Balest hillez* of as much yearly value as the part of the property in Tursdale which they lost;

[1] granting the said messuage, garden and lands in Tursdale to [2] and their heirs and assigns; to be held of the chief lord of the fee by service used and wont therefor; in exchange for the said eight acres of *Spitelcroft*' and *Balest hillez* ;

on condition that: if the said eight acres of *Spitelcroft*' and *Balest hillez* or any part thereof be recovered against the said prior and chapter or their successors by the said William and William, their heirs or assigns, &c, with provision for re-entry by the prior and chapter to property in Tursdale in the same terms as set out above for William and William Elmden'.

With mutual warranty clauses and sealed alternately.

Date: Durham, 8 June 1479.

f.219r 15 October 1481

Memorandum that letters of confraternity were issued, namely one to Mr Alexander Lee and another to Christopher Bamford', squire, and Joan, his wife, in common form: 15 October 1481.

f.219r 16 October 1481

Proxy by Robert prior and the chapter of Durham appointing Mr William Poteman', LL.D., and Mr Hugh Snell', D.Dec., as their proctors, giving them general power and special mandate on their behalf in the coming convocation of the clergy of the province of York, to be held in York Minster on 29 October next to come, with continuation of days and places if need be, before Thomas, archbishop of York, or his commissaries, one or more, to treat with the other prelates and clergy of the province and come to an agreement upon those things which happen to be set before them there.

Date: Durham, 16 October 1481.

f.219r 28 October 1481

Presentation by Robert prior and the chapter of Durham asking William, bishop of Durham, or his vicar-general in distant parts, to institute George Johnson', chaplain, in the vicarage of Pitlington, vacant by the death of Mr William Laybron', last vicar thereof. Date: Durham, 28 October 1481.

f.219v 1 December 1481

Proxy by Robert prior and the chapter of Durham, possessing the appropriated churches of Fishlake, Bossall, Ruddington and Giggleswick, appointing Mr Robert Est, LL.B., Thomas Haughton' and Thomas Pikryng, monks of Durham, and Robert Cheston', N.P. by apostolic authority, as their proctors to appear on behalf of them and their churches before Thomas, archbishop of York, or his vicar-general in spiritualities and his commissaries, one or more, or any judge competent in this respect, at whatsoever synods, to be held at whatsoever dates and places by whatsoever authority, duly to treat with the prelates and clergy there, &c, responsibilities described, giving them full and free power and special and general mandate in this regard.

Date: Durham, 1 December 1481.

f.219v-220r 1 December 1481

Annulment of proxy and new proxy by Robert prior and the convent of Durham for certain legitimate reasons hereby revoking all power given to Mr Henry \* Hustwhayt, N.P. by apostolic authority, their original proctor, or his substitutes, for prosecution and defence of the causes and business of the prior and chapter instituted in the Roman *curia* before the date of the presents, or howsoever to appear on their behalf; declaring hereby that it is not their intention that, if anything be done by the same Mr Henry or his substitutes after this revocation, it should tend to the prejudice or harm of the prior and chapter and their monastery, but should be taken as not done in perpetuity, such that it should offer assistance to no-one nor bring harm to anyone in property or person; and appointing Mr William Poteman', LL.D., official of the court of York, Mr Thomas Person', D.Dec., Mr Robert Mason', LL.D., Mr Robert Est, LL.B., Thomas Haughton', monk of Durham, Thomas Pikryng, monk of Durham, and Mr Robert Cheston', N.P. by apostolic authority, as their proctors, giving them special power and special and general mandate to appear and act on behalf of the prior and chapter and their monastery, cells, appropriated churches and the chapels dependent therefrom, at whatsoever dates and places, before whatsoever judges ordinary, delegate, their commissaries and others, having whatsoever jurisdiction, *ex officio* or at the instance of parties, in all causes and business (&c) concerning the prior and chapter and their monastery, brought or to be brought in the Roman *curia* or elsewhere by whomsoever their adversaries, &c, responsibilities described.

Date: Durham, the customary hour of chapter in the morning, 1 December 1481.

[\* First named here as Robert, but the "Mr Henry" of a few lines later is confirmed as correct by other entries in the register]

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.220r-v 5 December 1481

Notarial instrument recording that John Glover', vicar or chaplain, as he claimed, of Cliffe chantry in the collegiate church of Hemingbrough, appeared in person and held in his hands and read the following

Paper schedule whereby he, John Glover', priest, vicar or chaplain of Cliffe chantry in Hemingbrough collegiate church, wishing, for certain legitimate reasons, to be discharged of the cure and rule of the said vicarage or chantry, resigns the same into the hands of Thomas, archbishop of York, or his vicar-general in spiritualities, or another having power to accept the present resignation.

Witnesses: Robert Hawas and Edward Crocer, *literati* of York dioc..

Notary: Richard Bayle, clerk of York dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: a lower parlour in the dwelling-house of the aforesaid notary, 5 December 1481.

f.220v 13 December 1481

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Richard Hall', chaplain, according to the ordinance made thereon, in the sixth vicarage of the collegiate church of Hemingbrough, vacant by the resignation of John Glover', last vicar thereof.

Date: Durham, 13 December 1481.

f.220v 18 January 1482

[Memorandum of] petition by William Roughthwayt, lately of Beverley, Yorks., baxter, who came in person to Durham cathedral and there, after the bells had been tolled, asked for sanctuary of the the said church, because, at Beverley, on Monday next before the Conception of St Mary last past [3 December 1481], he assaulted one John Thomson' and, in self-defence, as he claimed, struck him in the left shin with a dagger and gave him a mortal wound from which he died that day.

Before Edmund Bell', clerk, John Henryson', shomaker', Thomas Hogeson', smyth', and Richard Spicer';

18 January 1481/2.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.9 no.xx.

f.220v [?1482]

Letter {by the prior and chapter [of Durham] to the bishop of Durham} replying to the bishop's letter seeking their consent to the disappropriation of the church of Simonburn in Tynedale from the king's college of Windsor, the church to be ordained a parsonage again as formerly; stating that they will be ready to ratify the bishop's ordinance for the church according to the king's pleasure and the duke of Gloucester; saving the rights and liberties of the bishop's church.

Date: Durham.

Language: English

f.220v-221r 24 May 1482

Letter of confraternity by Robert prior and the chapter of Durham to William Broun', merchant of Stamford, and Margaret, his wife, repaying them for the devotion of mind and the affection of a sincere heart which they have for the monastery of Durham and especially for their nearby cell of St Leonard's Stamford, and their fellow monks dwelling there, about which they have lately learnt from William Yowdale, prior of that cell, and which they have experienced by their deeds, by admitting them to the spiritual brotherhood of the chapter and granting them special participation in all masses, prayers, vigils, fasts (&c) in the monastery of Durham and its dependent cells, in perpetuity, with prayers for them, just as for their other spiritual brethren, for all time after their deaths, once they have certain knowledge thereof.

Date: Durham, 24 May 1482.

f.221r 15 June 1482

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Mr John Newcourt', D.Dec., in the canonry and prebend of Saltmarshe in the collegiate church of Howden, vacant by the death of Mr John Segden', last canon and prebendary thereof.

Date: Durham, 15 June 1482.

f.221r 13 September 1479

Commission by William, bishop of Durham, to William Emerson', Richard Emerson' and Edward Walton' informing them it has been shown to him on the part of the prior and convent Durham that, although the prior and convent of Hexham, by their express consent, have been bound under various penalties to pay a yearly pension of 40d, lawfully assigned by his predecessor, to indemnify the chapter of Durham for the appropriation of the church of Alston, the said prior and convent of Hexham, though often asked to pay the said pension at a suitable time and place, have long refused to pay the same, and they are at present refusing to pay; following a supplication for remedy on the part of the prior and convent of Durham, ordering William, Richard and Edward to find and sequester all the revenues of the parish church of Alston, wheresoever they may be in the diocese of Durham, to remain in their custody until the prior and convent of Durham be satisfied of the pension, in arrears as aforesaid; prohibiting anyone from presuming to violate the sequestration on pain of greater excommunication and instructing William, Richard and Edward to find any such violators and to cite them to appear before the bishop or his commissary in the chapel of the manor of Auckland, on a date to be set by them, and show why they ought not to be declared excommunicate; and requiring them to certify him or his commissary as to what they shall have done in the foregoing, when suitably asked so to do.

Date: manor of Auckland, 13 September 1479.

f.221r-v 10 September 1482

Presentation by Robert prior and the chapter of Durham asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Robert Burton', chaplain, in the church of St Mary at the bridge Stamford vacant by the death of Richard Kimblawe, last rector thereof; saving a yearly pension of five marks due of old therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 10 September 1482.

{ "it was rendered void because cancelled in chapter within 15 days of its issue" }

f. 221v 13 September 1482

Licence by Robert prior and the convent of Durham to Robert Segefeld', chaplain of the chantry at the altar of St Mary in the church of St Oswald's Durham, that he be able to enter, hold and possess, for himself and his successors as chaplains of the said chantry, in perpetuity, that burgage in New Elvet, between the burgage lately belonging to Thomas Tang, clerk, on one side, and the burgage lately belonging to John Aslakby on the other; to remain with the chaplains of the said chantry in perpetuity, for want of bodily heirs of Robert Forster and Margaret his wife, daughter of Thomas Raper', son of John Raper, as is clear from the charter [4.17.Spec.29] of the said Thomas Raper, dated the eve of Pentecost 4 Henry VI [18 May 1426]; which burgage is held of the prior and convent in chief, and is to be held by Robert Segefeld' and his successors, the chaplains or keepers of the said chantry, in increase of their maintenance, in perpetuity; the Statute of Mortmain notwithstanding, and with the proviso that they would not be able to enter or claim the burgage by reason of the said statute, but rather excluding themselves from the burgage by the presents; saving to themselves and their successors an annual rent of 8d and services used and wont.

Date: Durham, 13 September 1482.

Extracted in: M.M. Camsell, "The Development of a Northern Town in the Later Middle Ages: the City of Durham, c.1250-1540", (York Univ. D.Phil. thesis 1985), p.703.

f.221v 22 September [1482]

Memorandum that a presentation to the church of St Mary at the bridge Stamford, vacant by the death of Richard Kimblawe, last rector thereof, was issued for Edward Bowes, chaplain, saving a yearly pension of 5 marks, as above; on the same date Robert Burton', chaplain, who had been presented thereto, returned his presentation [the next-but-one preceding entry] for cancellation, and it was cancelled in chapter; also on the same date Edward, in the prior's great chamber in the priory of Durham, in presence of the prior and Edmund Bell', clerk of the prior's register, promised the prior that he would pay a yearly pension of 40s due from the said church to the prior of the cell of St Leonard's Stamford, so long as he should remain rector of the said church: 22 September.

f.221v-222r 26 & 30 September 1482

Disappropriation by William, bishop of Durham, although Thomas [Hatfield], sometime bishop of Durham, his predecessor, on the petition of Edward [III], king of England, and with the consent of the chapter of Durham and with the agreement of all others by rights asked in that regard, appropriated the church of Simonburn to the chapel royal and the warden and college of St George the martyr, Windsor, Salisbury dioc., briefly describing the structure and function of the college, mentioning the king's font, the clergy and the aged poor and decrepit soldiers, on the petition of the proctor of the dean and canons of the said college, alleging in the presence of the bishop in the chapel of his manor of Auckland that the revenues of the church of Simonburn have decreased and, through fire, invasions of the Scots and other miseries, are now so meagre that they scarcely suffice for the support of a vicar and of the other burdens incumbent upon the church, and with the consent of the chapter of Durham, revoking the appropriation for the foregoing and other reasons and willing that, at the death, resignation or removal of the present vicar, it should be allowed to whomsoever the patron to present a suitable clerk to the bishop or his successors for institution as rector of the said parish church; saving to the bishop and his successors a pension of 40s to be paid yearly in perpetuity at the Annunciation [25 March] from the revenues of the said church; the bishop having found the said church to have been previously burdened with this pension.

Date: manor of Auckland, 26 September 1482.

with

Confirmation by Robert prior and the chapter of Durham of the above letters, saving the rights, liberties and privileges of the church of Durham in all things.

Date: Durham, 30 September.

f.222r-v 18 December 1482

Inspeximus by Robert prior and the chapter of Durham confirming the following grant, saving the rights of the church of Durham in all things.

Date: Durham, 18 December 1482.

Grant by letters patent by William, bishop of Durham, although his predecessor, Lawrence Both', lately bishop of Durham, by his letters patent granted to James Horner' the office of parker of his park of Gateshead, with the pasturage therein, and the keeping of the tower there; the office and keepership to be occupied, in person or through his sufficient deputy, for whom he would answer, for the term of his life, taking yearly 1½d per day for keeping the park and 1d per day for keeping the tower, to be paid equally at the terms of Easter and Michaelmas, and a robe for a *valettus*, or 8s in name of the robe, yearly at Christmas, along with all other profits, expenses, fees and advantages belonging to the office and keepership; as more fully contained in the letters patent made for him; nevertheless, the said James has returned the said letters to the bishop in his chancery of Durham for cancellation, and they have been cancelled; appointing the said James and the bishop's servant Walter Cawod', jointly and severally, as parkers of the park of Gateshead and keepers of the bishop's tower there, with the office and keepership to be held for the term of their lives, and the life of the longer-lived of them, to be occupied in person by both or either of them, or by their sufficient deputy or deputies, for whom they would answer; (taking from the bishop and his successors the sums as above, at the terms as above, and the pasturage of the park) to be paid by the hands of the bishop's master forester, for life and for the life of the longer-lived of them, and with all other profits (&c) belonging to the office and keepership, and a robe or 8s, as above.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Date: Durham, 20 April, Pont. 6. [1482]

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.222v 20 December 1482

Oath by Walter Cawood' swearing to be of good will and faithful to the prior and chapter of Durham and the monks of the dependent cells, neither bringing them harm nor troubling them in their rights and possessions (&c), nor saying nor doing anything in person or through another whereby they might sustain harm or be losers in anything.

Date: Durham, 20 December 1482.

Original: DCD Loc.XXVIII:3(17).

f.222v-223r 20 March 1483

Inspeximus by Robert prior and the chapter of Durham confirming the following grant, saving the rights of the church of Durham in all things.

Date: Durham, 20 March 1482/3.

Grant by letters patent by William, bishop of Durham, to his servant Walter Cawod' of the office of receiver of the cash revenues and profits of the lordship of Howden and Howdenshire; to be held for life, in person or through his deputy; rendering to the bishop, his deputies or ministers, reasonable account yearly of all the moneys and receipts coming into his hands or received by him or his deputy from the issues and profits of the said lordship; granting that neither Walter nor his deputy should be charged for revenues of the lordship other than those happening to come into their hands, but that they be discharged on the account and quit in perpetuity by producing on his account the names of the bishop's debtors of the said lordship, without proceedings by the bishop or his executors; taking £10 yearly during his life from the bishop and his successors out of the receipts of the said lordship, by his own hands or those of his deputy, in equal portions at the terms of Easter and Michaelmas, and all other profits previously pertaining to the said office; giving Walter full power to carry out everthing pertaining to the office, therefore ordering all his bailiffs, officers and sundry tenants of the said lordship, and calling upon all those of goodwill in the lordship, to assist and be obedient to Walter and his deputy carrying out the office.

By the hand of John Kelyng', clerk, the bishop's chancellor.

Date: Durham, 6 March, Pont. 7. [1483]

f.223r 20 March 1483

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in spiritualities, to institute Mr John Topcliff, B.Dec., in the vacant church of All Saints Pavement York,

Date: Durham, 20 March 1482/3.

f.223r 6 May 1483

Memorandum that Mr John Rude, dean of Lanchester, was admitted into confraternity of the chapter, in common form: 6 May 1483.

f.223r 2 April 1483

Presentation by Robert prior and the chapter of Durham asking (blank) bishop of St Andrews, or his vicar-general in distant parts, to institute Mr Alan Hyndmerse, M.A., in the vacant vicarage of Berwick upon Tweed,

Date: Durham, 2 April 1483.

f.223r-v 24 June 1483

Presentation by Robert prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute William Beverlay, chaplain, in a canonry in the collegiate church of Howden and the prebend of Thorpe therein, vacant by the death of Mr Robert Abdy, last canon and prebendary thereof; according to the ordinance lately made thereon.

Date: Durham, 24 June 1483.

f.223v 8 July 1483

[Memorandum of] petition by Richard Hawle, lately of *Parva Worsall*, [N.R.] Yorks., who came in person to Durham cathedral and there, after the bells had been tolled, asked for sanctuary of the said church, because, on Sunday before the translation of St Thomas the martyr last past [6 July 1483], he assaulted one William Kenrwith' of Worsall, and, in self-defence, as he claimed, feloniously struck him on either arm and on his left shin with a certain *Kendall' clwbe*, and gave him a mortal wound from which William died that day.

Before Thomas Watson of Elvet, John Foster' and Robert Laxe, apparitor;  
Tuesday, 8 July 1483.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.9 no.xxi.

f.223v 18 July [1483]

[Memorandum of] petition by Stephen Blande, who, in person in the nave of Durham cathedral, in presence of Thomas Pikeryng', [monk of Durham and] chancellor of the said church, and the witnesses, asked for sanctuary of the said church, because, on Friday, 4 July last, at Stepney near London, in self-defence, as he claimed, he feloniously struck one Christopher Rwith' in the chest, under the left breast, with a dagger and gave him a mortal wound from which Christopher died that day.

Before William Dosse, chaplain, Nicholas Henrison, Nicholas Dixon, Robert Cwle and <John> Christopher Awderson;  
Tuesday, 18 July.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.10 no.xxii.

f.223v 30 August [1483]

Memorandum that a presentation to the canonry and prebend of Saltmarshe in Howden was issued for Mr John Martocke, by the resignation of Mr John Newcourte, last canon and prebendary thereof, as shewn on the third folio preceding [221r]; 30 August.

f.223v 5 September [1483]

[Memorandum of] petition by Thomas Wall' {of Durham} who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the the said church, because, on Sunday after the Assumption of St Mary [17 August], between the townships of Ayton and Barnaby [Guisborough par.] in [N.R.] Yorks., he assaulted a servant of Thomas Palmer of York, and feloniously struck him in the chest with a dagger called a *whynyard'*, from which blow he died that day, as is said.

Witnesses: Hugh Wall', Robert Betes, William Sanderson, masons;  
5 September [1483].

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.10 no.xxiii.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.223v 24 November 1483

Memorandum of petition by Henry Lycock of Carlisle dioc., who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, on 27 October [1483], in a wood called Whinfell Park, Westmorland, he began a quarrel with one John Robynson of Carlisle dioc. and, as a result of certain insulting words exchanged between them, struck John on his right upper arm with an axe called a *wode ax*, from which blow, as is said, he died.

Before (witnesses' names omitted);

24 November 1483.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.10-11 no.xxiv.

f.223v 7 March 1484

Memorandum that Richard Hanserde, squire, and his wife were admitted into the confraternity of the chapter, in common form: 7 March 1483/4.

f.224r 11 May 1484

Memorandum that a presentation to the vicarage of Saltmarshe, [vacant] by the death of William (blank), last vicar thereof was issued for Thomas Goodale: 11 May 1484.

f.224r 1 June 1484

Memorandum that James Scaresberge, squire, and {Elizabeth} his wife were admitted into the confraternity of the chapter, in common form: 1 June 1484.

f.224r 14 June 1484

[Memorandum of] petition by Robert Menell' of Yorks., yeoman, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, [because] near the township of Hilton, [N.R.] Yorks., in [self-]defence, as he claimed, he feloniously struck one John Ayr' in the head with a dagger, from which blow he shortly died, as is believed.

Witnesses: [.....], clerk, Robert Johnson', Edward Patonson and David Fawconer';  
14 June 1484.

[Some text, including the whole of the first witness's name, has been lost due to damage to the right-hand side of the page.]

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.11 no.xxv.

f.224r 2 July 1484

Presentation by William subprior and the chapter of Durham, the priorate thereof being vacant, asking John, bishop of Lincoln, or his vicar-general in distant parts, to institute Richard Hyndmers', B.A., in the church of Blyborough, vacant by the death of (blank) last rector thereof;

Date: Durham, 2 July 1484.

f.224r [26 July] 1484

[Memorandum of] petition by Roland Carlyll', yeoman of Durham dioc., who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, about the start of February 1482, in the township of Ashby [several possible identifications], Leics., he assaulted one John Cowton of the same township, and feloniously struck him on the head with a certain axe called a *wodax*, from which John shortly died, as he believed; also because he stole a certain horse belonging to the same John, so that he might escape more quickly; and asked for sanctuary for these and all other felonies.

Witnesses: {George Cornforth} [monk of Durham and] sacrist of the said cathedral church, Robert Atkynson' and Ralph Greneakres.

The morrow of St James 1484.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.11 no.xxvi.

f.224v 26 July 1484

Memorandum that a presentation to the vicarage of Bywell St Peter, [vacant] by the death of William Hyne, last vicar thereof, was issued for Richard Sandir: 26 July 1484.

f.224v 6 August 1484

Memorandum that a collation was issued for Richard Paton of the chantry of St Thomas the martyr in the collegiate church of Howden, [vacant] by the removing of William Allanson, last chaplain thereof: 6 August 1484.

f.224v 9 August 1484

[Memorandum of] petition by John Hudson, lately of Ripon, Yorks., shoemaker, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the the said church, because, on 1 August [1484] near the town of Ripon, he along with others assaulted one Stephen Wylson of Ripon, tanner (*barker*), and feloniously struck him on the head with a certain *Wallishbyll'*, and gave him a wound from which he quickly died, as he believed.

Witnesses: William Smyth, Richard Wryght and John Hudson.

9 August 1484.

f.224v 16 August 1484

Memorandum that a presentation to the vicarage of the prebend of Howden, [vacant] by the resignation of William Bell', last vicar thereof, was issued for Richard Cowke: 16 August 1484.

f.224v 19 August 1484

Memorandum that a presentation to the fifth vicarage in the collegiate church of Hemingbrough, [vacant] by the resignation of Richard Thomson, last vicar thereof, was issued for William Radclyffe: 19 August 1484.

f.224v 23 September 1484

Memorandum that a presentation to the church of [West] Rounton, [vacant] by the death of Richard Nykson, last rector thereof, was issued for William Halyman: 23 September 1484.

f.224v 24 September 1484

Memorandum of petition by Richard Somer' of London, merchant, as he claimed, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because he laid an ambush for one William Unthank of Blencarn, near the hamlet of Blencarn by Penrith in the county of Carlisle, and there, around 10 August [1484], he feloniously struck him with a certain *wallyshbyll* in the neck and knees and gave him a mortal wound from which he died that day.

Witnesses: John Batmanson, clerk, N.P., and William Clerk, of Durham, chaplain.

24 September 1484.

f.225r 15 November 1484

Memorandum of petition by Robert Moyne who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, at the town of Wetherby, [W.R.] Yorks., on Friday before Palm Sunday [9 April 1484], he feloniously struck Thomas Beere in the belly with a sword, in self-defence as he claimed, and gave him a mortal wound from which he quickly died.

Witnesses: John Batmanson, clerk, N.P., John Somer' and Edward Patonson.

15 November 1484.

f.225r 23 December 1484

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in Durham dioc. *sede vacante*, to institute Mr Bertram Harbotell', LL.B. in the vicarage of Bishop Middleham, vacant by the resignation of Thomas Haull', chaplain, last vicar thereof; saving a yearly pension of 40s due of old therefrom to their sacrist of Durham.

Date: Durham, 23 December 1484.

f.225r [23 December 1484]

Memorandum that a presentation in like form to the vicarage of Bedlington, [vacant] by the death of John Rawson', last vicar thereof, was issued for Thomas Haull'; same day.

f.225r 2 January 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Mr John Pykeryng, LL.B. in the church of Holtby, vacant by the death of Mr Thomas Moss', D.Dec., last rector thereof; saving a yearly pension of 25s due of old therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 2 January 1484/5.

f.225r 14 October 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Mr Hugh Wren, LL.B. in the {vicarage} of Giggleswick, vacant by the death of Richard Falthropp', last vicar thereof; "&c., as on folio 57 of this register"

Date: Durham, 14 October 1485.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.225v 7 February 1485

[Memorandum of] petition by Richard Perpound of Chipstede, Essex, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, near the town of Ipswich, Suff., he feloniously struck one Robert Hause, gentleman, in the left upper arm with a *wodknyf* and gave him a mortal wound from which he quickly died.

Witnesses: John Batmanson, N.P., William Kelyngall, gentleman, and William Howlet.

7 February 1484/5. [Printed: Sanctuaries, 12, no. xxvii]

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.12 no.xxvii.

f.225v 7 & 12 February 1485

Memorandum that a presentation to the church of Kimblesworth, [vacant] by the resignation of Mr John Pykeryng, was issued for Mr Ralph Hamstirley, 7 February 1484/5; and another, to the church of St Peter the Less York, [vacant] by the resignation of John Whelpyngton, last rector thereof, was issued for Richard Loncastre, 12 February 1484/5.

f.225v 14 October 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Mr John Curwen, M.A., in the vicarage of Brantingham vacant by the resignation of Mr Hugh Wren, last vicar thereof. Date: Durham, 14 October 1485.

f.225v-226r 20 November 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute John Ratlif, chaplain, in the vicarage of the prebend of Howden in the collegiate church of Howden, vacant by the death of Richard Cooke, last vicar thereof;

Date: Durham, 20 November 1485.

*Related material in other DUL collections:* For Cooke's presentation see f.224v above.

f.226r [?20 November 1485]

[Memorandum] that a like presentation to the vicarage of the prebend of Howden [*recte* Saltmarsh] in the parish and collegiate church [of Howden], was issued for Thomas Hemelsey "day and year aforesaid"

*Related material in other DUL collections:* See DCD Reg. V f.15v for his resignation.

f.226r 23 November 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Robert Marshall, B.A., in the vicarage of the prebend of Barmby in the collegiate church of Howden, vacant by the death of Robert Jonson, last vicar thereof;

Date: Durham, 23 November 1485.

f.226r 20 December 1485

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute William Artays, chaplain, in the church of St Peter the Less York, vacant by the resignation of Richard Loncastre, last rector thereof.

Date: Durham, 20 December 1485.

f.226v 26 January 1486

Presentation by John prior and the chapter of Durham asking Thomas, archbishop of York, or his vicar-general in distant parts, to institute Lancelot Claxton, B.A., in the church of Holtby, [vacant] by the death of Mr John Pykering, last rector thereof; saving a yearly pension of 25s due of old therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 26 January 1485/6.

f.226v 25 February 1486

[Memorandum of] petition by James Manfeeld, lately of Wycliffe [N.R. Yorks.], gentleman, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, around 26 January 1485/6, as he believed, near the township of Ovington, [N.R.] Yorks., along with others he assaulted one Roland Mebburn', chaplain, and feloniously struck him in the body with a *wallychbyll* and gave him a mortal wound from which he died at once.

Present: the vicar of Kelloe, Roger Morland and Nicholas Dixon.

25 February 1485/6.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.12-13 no.xxix.

f.226v 1 February 1486

Presentation by John prior and the chapter of Durham asking John, bishop of Durham, or his vicar-general in distant parts, to institute Mr Bertam Harbotell', LL.B., in the vicarage of St Oswald's Durham, vacant by the death of Mr John Pykering', last vicar thereof;

Date: Durham, 1 February 1485/6.

f.226v [1 February 1486]

Memorandum that a presentation in common form to the church of Bishop Middleham was issued for William Wayke: same day and year.

f.227r 8 May 1486

Presentation by John prior and the chapter of Durham to the archdeacon of Richmond or whomsoever his vicegerent in distant parts since they have appointed William Cuthbert as prior of their cell of Lytham; to perform for the archdeacon what has hitherto customarily been performed for his predecessors by priors thereof.

Date: Durham, 8 May 1486.

f.227r 22 March 1486

Memorandum that a presentation to the vicarage of Hesleden, in common form, was issued for Robert Rudd', chaplain: 22 March 1485/6.

f.227r 13 May 1486

Presentation by John prior and the chapter of Durham asking John, bishop of Durham, or his vicar-general in distant parts, to institute John Ledell', chaplain, in the vicarage of Dalton-le-Dale, vacant by the death of William Nicholl', last vicar thereof;

Date: Durham, 13 May 1486.

f.227r 12 May 1486

[Memorandum] that a collation to John Brown of the chantries of the chapels of St James at the end of the New [Elvet] bridge in Durham and of St Andrew on the said bridge, [vacant] by the death of Robert Hochonson, last chaplain or keeper thereof, was issued, in the form shewn on the ninth folio preceding [218v]: 12 May 1486.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.227r-v 18 June 1486

Presentation by John prior and the chapter of Durham asking John, bishop of Durham, or his vicegerent in distant parts, to institute Mr Hugh Snell', D.Dec., in the vicarage of St Oswald's Durham, vacant by the death of Mr Bertram Harbotell', last vicar thereof.

Date: Durham, 18 June 1486.

f.227v 18 June 1486

Presentation by John prior and the chapter of Durham asking John [*recte* Thomas], archbishop of York, or his vicar-general in distant parts, to institute Geoffrey Wren', B.A., in the vicarage of Brantingham, vacant by the resignation of Mr John Curwen', last vicar thereof.

Date: Durham, 18 June 1486.

f.228r 10 October [1482]

Licence by letters patent by William, bishop of Durham, to the prior and convent of Durham that they be able to acquire and hold lands, tenements and rents, which are not held of the bishop by military service, to the value of £20, for themselves and their successors, to assist in the repair of the cathedral church of Durham in perpetuity, notwithstanding the Statute of Mortmain, so long as it should appear by inquisition returned to the chancery of the bishop and his successors that it may be done without damage or prejudice to the bishop and his successors or of others whomsoever; saving services used and wont therefor to the chief lords of the fees.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Date: Durham, 10 October, Pont. 7.

Original: DCD 1.10.Pont.7.

f.228r-v 20 January [1483]

Writ of *melius sciri* by William, bishop of Durham, to his escheator in the county of Durham ordering him to hold an inquisition as to whether it might be to the damage or prejudice of the bishop or others if he should allow John Pykryng, clerk, Robert Hode, clerk, John Stayndrop, clerk, John Hagirston, Thomas Goswyk, Thomas Steyll, chaplains, Edmund Bell, and Roger Morland, to give and assign 8 and a third messuages, 5 cotlands, 15½ tofts, 3 crofts, 24½ burgages, 10 tenements, 448 acres of land, 15 acres 37½ roods of meadow, 9s 9d worth of rent in Cleatlam, Little Haswell, Wolviston, Ferry[hill], Billingham, Aycliffe, Morton Tinmouth, Hebburn, the barony of Elvet, the borough of Elvet, the Old Borough of Durham, Gilesgate, the borough of Durham and the South Bailey of Durham to Robert Ebchestre prior and the convent of Durham, to be held by them and their successors to assist in the repair of the cathedral church of Durham in perpetuity, in part satisfaction of £20 of lands, tenements and rents, not held of the bishop in chief by military service, which the bishop, by his letters patent, has allowed the prior and convent to acquire;

and [to enquire]: if it should be to the damage or prejudice of the bishop or others, to what damage or prejudice and to whom; in what way and of whom the said messuages, cotlands (&c) be held, and by what service; how much they be worth per annum in all revenues according to the true value thereof; who and how many are the mesne tenants of the said messuages, cotlands (&c) between the bishop and the said John Pykryng, Robert Hode (&c); what lands and tenements remain to the said John Pykryng, Robert Hode (&c) over and above the gift and assignment, where and of whom they be held, by what service, how much they be worth *per annum* in all revenues, and whether these lands and tenements remaining suffice for the customary dues and services owed from the said messuages, cotlands (&c) as well as from the other lands and tenements retained by them; and whether they suffice for all other burdens which they are accustomed to bear, as in suits, views of frankpledge, aids, tallages, watch and ward (*vigiliis*), fines, reliefs (*redemptionibus*), amercements, contributions and whatsoever other arising charges; and whether the heirs of the said John Pykryng, Robert Hode (&c) might serve on juries as their forbears were accustomed to do before the gift and assignment, that the *patria* be not burdened more than usual for want of heirs of the said John Pykryng, Robert Hode (&c);

and requiring the escheator to send a return of the inquisition, under his seal and the seals of those by whom the inquisition will have been taken, to the bishop in his chancery. By the hand of John Kelyng, clerk, chancellor.

Date: Durham, 20 January, Pont. 7.

f.228v-230v 3 February [1483]

Return of inquisition *ad quod damnum* before John Essh, squire, escheator of the bishop of Durham in Co. Durham, by virtue of a certain writ [the preceding entry], and upon divers articles contained in the said writ, giving in full the findings of the inquisition.

Jurors: William Elmeden, knight, John Sayer, squire, John Claxton, squire, Robert Melot, squire, Robert Hall, Thomas Fairhare, Thomas Berker, Henry Massy, John Scrutvile, William Swalwell, Robert Cuthbert, Robert Paitson, and William Walker.

Taken: Durham, Monday 3 February, Pont 7.

Another copy: DCD 1.10.Pont.6; see its calendar entry for details of the findings of the inquisition.

f.230v-231r 18 May 1486

Certification by John, prior of Durham, to William, abbot of St Mary's York, deputed by the provincial chapter of the Benedictine Order, held last at Northampton, as visitor of the monasteries and other houses of the said order within the province of York, or to his commissaries, one or more, having, on 7 May last past, received the following citation, informing him that he has obeyed his letters and mandate, has caused all his fellow monks and brethren, who ought by right or custom to be present, to be summoned to appear at the appointed date and place and undergo visitation and accept what the nature of such business demands;

stating that he has had the names of those summoned written on a schedule attached to the presents, and that he has done everything else incumbent upon his office in this respect.

Date: Durham, 18 May 1486.

Citation and mandate by William, abbot of St Mary's York, deputed visitor by the presidents of the provincial chapter of the Black Monks (as above), to the prior and convent of Durham since he intends to visit them in their chapter-house, on 1 June next to come, with continuation of days, citing the prior to appear, and ordering him to cite all of his fellow-monks who by right or custom ought to be present, to appear in person before him or his commissaries, one or more, and undergo visitation; requiring the prior to certify him or his commissaries, at the said date and place, as to what he shall have done in the foregoing, by letters patent incorporating the contents of the presents, giving the names of those cited by him in this regard in an attached schedule.

Date: St Mary's York, 5 May 1486.

Also DCD Reg. Parv. IV f.7v-8r.

f.231r-v 27 [?May] 1486

Citation by John, prior of Durham, deputed by the presidents of the provincial chapter of the Black Monks, held last at Northampton, to visit the prior and convent of Winchester, to the prior and convent of the cathedral church of St Swithin Winchester, since he intends to visit them in their chapter-house on 27 June next to come, with continuation of days, citing the prior to appear, and ordering him to cite all of his fellow-monks who by right or custom ought to be present, to appear in person before him or his commissaries, one or more, and undergo visitation; requiring the prior to certify him or his commissaries, at the said date and place, as to what he shall have done in the foregoing, by letters patent incorporating the contents of the presents, giving the names of those cited by him in this regard in an attached schedule.

Date: Durham, 27 June [*recte* May ?\*] 1486.

[\* The date set for the visitation was 27 June; the commission to conduct it was 27 May, see next entry.]

Also DCD Reg. Parv. IV f.8r-v, with the same date.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.231v 27 May 1486

Commission by John, prior of Durham, deputed in the provincial chapter of the Black Monks, held last at Northampton, to visit the prior and convent of Winchester, to Thomas Rowland, S.T.B., and Robert Bailley, monks of Durham, since he cannot in person undertake the office of visitation, being impeded by varied and difficult business of the monastery, appointing them in his place to visit the monastery of St Swithin Winchester, and the prior and convent thereof, on the days and at the places set out in his letters of citation, and enquire concerning spiritual and temporal excesses and defects, and other matters concerning the business of visitation; and there to correct, punish and duly reform (&c) and do what the prior might have done had he been there in person; with power of canonical coercion.

Date: Durham, 27 May 1486.

Also DCD Reg. Parv. IV f.8v-9r.

f.232r 4 October 1485

Lease by indenture by John prior and the chapter of Durham to William Watson of Brantingham and his wife Margaret of a piece of land called Kirkcroft, abutting (*habundant*) on the church of Brantingham, on which piece of land William and Margaret will have a house built, fit for any tenant, according to the custom of the place, at their own expense; to be held by William and Margaret and their heirs and assigns from Pentecost next to come for the term of seventy-nine years;

rendering 20d yearly therefor, in equal portions at Pentecost and Martinmas, to the prior and chapter and their successors or to the warden of Durham College Oxford;

and, if this rent be in arrears in whole or in part for half a year after any term date, it shall be allowed to the prior and his successors to re-enter the said piece of land and possess it as originally, and to distrain all goods and chattels found there and keep them until satisfied of the said rent and its arrears;

and William and Margaret will repair the house, once built, and leave it sufficiently repaired at the end of the said term.

Sealed alternately.

Date: (no place of issue), 4 October 1485.

Original: DCD 1.3.Ebor.27.

f.232v-233r 30 January 1484

[Incomplete]

Notarial instrument recording that after the mass *de Spiritu Sancto* had been sung in the choir of Durham cathedral Mr Robert Ebchestre, prior of Durham, and the other conventual brethren and monks who were able to be present, along with the lawfully-appointed proctors of certain absent monks, having gathered in the chapter-house as the chapter of Durham for the election of the future bishop of the said church, vacant by the death of William Dudley, last bishop thereof, on the date appointed by them for the election, with continuation of days until completion of the election, sang the hymn *Veni Creator Spiritus*, after the word of God had been preached;

and when all having no interest in the business of election had been expelled, and whatsoever doors giving entry to the cloister closed, they subsequently caused royal letters granting licence to elect a bishop to be read through;

certifications of citations of all and sundry monks absent in the cells and in Durham College Oxford, and having a voice in the election, summoned to attend at the appointed date and place, were shown by the priors, masters and keepers of the cells and the college, and Robert Ebchestre, prior, deemed those cited and in no wise in attendance to be contumacious, and declared them [barred] from taking further part in the election; the prior and those assembled as the chapter gave special mandate and free power in their name to Thomas Pykering', monk of Durham and chancellor of the cathedral church, to call upon all those who were suspended, excommunicate or under an interdict, and any others prohibited by right or custom of the church of Durham from taking part in the election and who ought not to be present, to leave the chapter house and allow the prior and monks to conduct the election;

and this he did in the following

Warning and declaration by Thomas Pykeryng', monk and chancellor of Durham, on the day and at the place appointed for the election of a future bishop (&c) and with all those who ought or would be present assembled in chapter and having a voice in the election (&c) having special power thereto in name of the chapter, warning and requiring all who are suspended, excommunicate or under interdict, and any others who ought not to be at the election, if they be among those present, that they should withdraw at once from the chapter-house and allow those to whom the election is known to pertain freely to elect; declaring that it is not the intention of the persons properly present or having a voice as aforesaid to proceed with the election with such persons [as above] or to rely on their votes: rather would their votes, if such were discovered later, offer support to no-one at all or bring harm to another, and be taken as not received and not accepted &c.

after this had been done and the constitution *Quia propter* of the general council had been read out by the said Thomas Pykeryng by order of the prior, the prior and the other priors, the monks and proctors of those absent, assembled in chapter, together discussed by what way ... (left unfinished at this point)

Done: Durham, cathedral choir and chapter house, 30 January 1483/4.

f.233v

(blank)

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins  
(f.214r-239v)

f.234r

Index to presentations on folios 1-34 [of Register V, according to the original foliation. Owing to mistakes in this original numbering, these folios now correspond to the present folios 2-37 and folio 1, now lost, which contained:]

Presentation of Mr Appleby to the vicarage of St Oswald's Durham,

Presentation of Richard Davyson to the vicarage of Ellingham.

f.234v

(blank)

f.235r 25 June [1484]

Commission by letters patent by John, bishop-elect of Durham, to Mr Hugh Snell', D.Dec., appointing him keeper of the priory of Durham, vacant by the death of Mr Robert Ebchestre, S.T.D., lately prior thereof, giving him full power in his name to do the sundry things known by right or custom to pertain to the bishop concerning custody of the priory during a vacancy in the priorate; willing that he should occupy himself diligently in the business of this custody, lest anything be usurped or procured by outsiders which might tend to the prejudice or loss of the priory, and that the monastery of Durham be not burdened by him or his [servants] with heavy and unpaid expenses during the vacancy. By the hand of John Kelyng, clerk, the bishop's chancellor.

Sealed, since his own seal has not yet been made, with the seal of Edward IV, king of England, left in the chancery of Durham long ago.

Date: Durham, 25 June, Pont. 1.

Original: DCD Loc.XVI:15a1.

f.235r 25 June [1484]

Mandate by John, bishop-elect of Durham, to the subprior and chapter of Durham since the priorate is now vacant by the death of Mr Robert Ebchestre, S.T.D., last prior, and he has appointed Mr Hugh Snell', D.Dec., rector of Haughton[-le-Skerne], in his place and name as keeper of the priory, to do what has been accustomed to be done in such vacancies, as more fully contained in letters by William, his predecessor, to the chapter; ordering them to admit Mr Hugh to the priory, in his name in form aforesaid, on condition that he should not exceed the terms of the said letters in any respect.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Sealed, since his own seal has not yet been made, with the seal of Edward IV, king of England, left in the chancery of Durham long ago.

Date: Durham, 25 June, Pont. 1.

Original: DCD Loc.XVI:15a2.

f.235r 26 June 1484

Petition by William subprior and the chapter of Durham to John, bishop-elect of Durham, asking him for licence to elect a suitable person as prior, since the priorate is vacant by the death of Mr Robert Ebchestre, last prior thereof, and informing him that they have sent Robert Wardall', prior of Finchale, and Thomas Pykeyryng, S.T.B. and chancellor of the cathedral church of Durham, monks of Durham, with the presents to the bishop, begging that he might see fit to bestow such a licence upon them, his sons.

Date: [Durham] 26 June 1484.

f.235r-v 26 June [1484]

Licence by John, bishop-elect of Durham, to the subprior and chapter of Durham as they have recently intimated to him by their letters patent that the priorate of Durham is vacant by the death of Mr Robert Ebchestre, S.T.D., last prior thereof, and by the same letters they have begged him to grant them a licence to elect another suitable man as prior, granting them special licence to elect a suitable prior, who should be acceptable to God, pleasing to the bishop, and profitable for the bishop's church, just as God should inspire them.

By the hand of John Kelyng, clerk, the bishop's chancellor.

Sealed, since his own seal has not yet been made, with the seal of Edward IV, king of England, left in the chancery of Durham long ago.

Date: Durham, 26 June, Pont. 1.

Original: DCD Loc.XVI.15b.

f.235v 27 June 1484

Proxy by William subprior and the chapter of Durham, the priory being vacant by the death of Mr Robert Ebchestre, last prior thereof, with one accord appointing Thomas Pykeryng, monk of Durham and chancellor of the priory thereof, as their proctor giving him plenary power and general and special mandate on their behalf to read and announce, at the date, place and time assigned for the election of their future prior, whatsoever letters, public instruments, certifications, proxies and all other authentic writings necessary to the chapter and given and granted to them for the expediting of their election, from the opening of the election until its conclusion, at opportune places and times, before the chapter and their counsel; to warn and require whomsoever those suspended, excommunicate, under interdict, and others not having a voice or interest in the election, to remove themselves from the chapter-house, and, if need be, to expel them; to denounce the absences of lawfully-cited and non-appearing monks, under pain for their contumacy; to ask further for all and sundry actions of the election to be carried forward; to ask for public instruments to be drawn up upon everything done concerning the election; to request and call upon notaries and witnesses, present there and engaged in due form of law; to do everything else pertaining to the office of a proctor of this kind by custom or by rights; excepting the nomination and election of the future prior, which they reserve to themselves and to him, and excepting other things known to pertain to the office of subprior in this regard.

Date: Durham, 27 June 1484.

f.235v-236r 10 July 1484

Certification by Robert Wardall', prior of the cell of Finchale, to William subprior and the chapter of Durham having lately received the following citation, informing them that he has forewarned John Bedforth', John Wadow, William Turnur, Thomas Bowt, John Leeche and John Roose, his fellow monks to appear at the said date, place and time, and announced to them that the prior and chapter intend to proceed with the election whether or not they attend.

Under the seal which he uses in the said cell.

Date: [? Finchale] 10 July 1484.

Citation by William subprior and the chapter of Durham to William Wardall', monk of Durham, prior of the cell of Finchale, because their monastery is vacant by the death of Mr Robert Ebchestre, last prior thereof, they have appointed 16 July next to come for the election of their future prior, with the licence and consent of those whom it concerns, citing him, and ordering him to cite all monks of Durham dwelling with him, to be in person in the chapter-house of Durham at the capitular hour, on the appointed date, with continuation of days, if he and they consider it to be their concern, to deal with the foregoing and do whatever else the business of the election demands; intimating to him, and wishing him to intimate to his fellow monks, that they intend to proceed with the election at the said date, time and place whether or not he and his fellow monks come; and requiring him to certify them at the said date, place and time as to what he shall have done in the foregoing, in letters patent incorporating the presents.

Under the other side of the common seal.

Date: Durham, 28 June 1484.

f.236r [?23] July 1484

Proxy by Thomas Bowt, monk of Durham dwelling at the cell of Finchale, detained by serious infirmities and loss of bodily strength, and fearing that he will be so detained on 26 July, such that he will be unable to be present in person in the chapter-house of Durham on that date for the election of the future prior, appointing John Swan, bursar of the cathedral church of Durham, as his proctor, giving him general power and special mandate to be present on his behalf on the said 26 July at the election of the future prior of Durham, with continuation of days and places as need be, to excuse and give the cause of his absence, to cast his vote, &c, summarizing his responsibilities.

Under the seal of the officiality of the jurisdiction of the Durham priory, since his own seal is unknown. With statement by the official to the effect that he has affixed his seal at the request of the principal.

Date: Durham, 33 [? *recte* 23] July 1484.

f.236v-238r 16 - 18 July 1484

Notarized notification and supplication by William subprior and the chapter of Durham to Thomas, archbishop of York, his vicar-general in spiritualities or his commissary having sufficient power for the following stating that the founders of canon laws enacted that cathedral and regular churches ought not to be vacant for more than three months, since churches might suffer serious losses because of a long vacancy, recounting that, with their priory vacant by the death of Mr Robert Ebchestre, last prior thereof, once his body had been committed to its burial-place, and after having sought and obtained licence from the regalian authority to elect their future prior, they entered their chapter-house on 16 July [*sic*] and appointed 16 July, with continuation if need be, for the election of their future prior, to be held in their chapter-house at the capitular hour customary for this purpose, decreeing that all monks of Durham absent and present, who ought, would and could attend and have a voice in the election by custom or right, be summoned to appear, and intimating that they would proceed with the election notwithstanding the contumacy of those who might not attend;

that on 16 July, after the celebration of the mass *de sancto spiritu* at the high altar of Durham cathedral, they, the monks of Durham, namely William Elwyk, subprior, William Kellow, William Fyge, John Ryhall', William Rothburn', William Byrden, prior of Lytham, John Bedforth', John Steyle, Thomas Wren (The entry is interrupted at this point by sufficient space for around twenty-five lines of text, presumably for the names of the remaining monks) assembled in chapter, at the sounding of the chapter bell, as is the custom; that those absent were declared contumacious by the subprior and, after preaching, the grace of the Holy Ghost was appealed to by the singing of the hymn *Veni Creator Spiritus*, the constitution *Quia propter* of the general council was read, as were the licence from the regalian authority for the election and the following

Monition by Thomas Pykeryng, monk of Durham, warning and requiring all of those suspended, excommunicate and under interdict, and others debarred from electing, who by right or custom ought not to be present at the election, to remove themselves from the chapter-house and allow those to whom the business of election is known to belong freely to elect; and declaring that it is not the will of those having a voice in the election to proceed in the election with such [debarred] persons, or to rely on their votes, but rather that their votes, if subsequently discovered, should afford no-one support nor bring harm to anyone, and be taken as neither received nor accepted.

and with the exclusion of those having no voice in the election excepting the witnesses and the two notaries, the shutting and bolting of the chapter-house and cloister doors, and with everything else complied with that was required by right and custom, the subprior, monks and brethren aforesaid, with none gainsaying, by way of inspiration, with one voice, Mr John Aukland alone excepted, cast their votes and elected Mr John Aukland, S.T.P., in priestly orders, of lawful age, and free and legitimate (&c), as their prior;

they had the election published by Thomas Pykeryng, their proctor (form of words used for this purpose recited), and straight away, escorting the prior-elect to the high altar, they sang the psalm *Te Deum laudamus*, their bells having solemnly been rung; and, after the singing was finished, the customary prayer was read out and John Manby, monk of Durham, by means of a short discourse (*collationis*) on the theme *Johannes est nomen eius* [Luke 1:63], published the election to the clergy and people gathered in a multitude before the high altar, and expounded it in the common tongue;

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

whereafter they, excepting their prior-elect, entered their chapter-house again and appointed William Yowdell', prior of Stamford, and Thomas Pykeryng, chancellor, as their proctors, giving them plenary power on their behalf to inform Mr John Aukland, their prior-elect, of their election and to ask his consent, and to do all other things necessary or useful for the completion of the election;

that the the proctors at various times that day and on the morrow, in presence of their prior-elect residing in the chapel of St Andrew within the infirmary of the monastery, exhorted him to give his assent to his election (&c), and that at length, not daring to resist the divine will (&c), "with a fearful spirit, a heavy heart and tearful eyes" he gave his consent to his election, clearly and publicly in the following

[Written] form of words by him, John Aukland, monk of Durham and prior-elect thereof, by which he gives his consent to his election. and begging that the bishop confirm the election, commit the administration of the priory to their prior-elect and decree his installation.

Under the common seal of the chapter and the subscriptions of the notaries.

Witnesses: Mr John Rudd', B.Dec., Mr Robert Hochonson, chaplain, B.A., Thomas Bawkok, chaplain, of Durham dioc..

Notaries: John Batmanson [no dioc. of origin], specially taken on as scribe by the subprior and chapter in the business of this election, and John Whithede, clerk of Coventry & Lichfield dioc., both N.Ps by apostolic and imperial authority (one notarial sign, bearing the motto *solī Deo honor et gloria*, reproduced and both eschatocols recited).

Done: 16 and 17 July 1484. Sealed: 18 July 1484.

f.238r 13 July 1486

[Memorandum of] petition by Robert Lonysdale and Christopher Lyndesey, who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church and the liberty of St Cuthbert between Tynes and Tees, for themselves, their chattels and goods because, after Martinmas around eight or nine years ago, during the night, they began a quarrel or brawl with one Lawrence Falshed' and others near the manor of Hallgyll' in Dent, [W.R.] Yorks., and they, or at least one of them, struck him in the chest next to the heart, as they believed, with a certain *egelome*, from which he soon died.

[Witnesses:] John Batmonson, N.P., George Cornfforth, sacrist [and monk of Durham], William Brown, feretrar [and monk] of Durham, Richard Dixon, William Wright', and John Bell', mason.

13 July 1486.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.13 no.xxx.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.238r 20 June 1495

[Memorandum of] petition by Thomas Borell', of Thornton [Steward / Watlass] par., Richmondshire, who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, on Wednesday next before the date of the presents, he attacked one William Claypham, of [East / West] Witton par., Richmondshire, and feloniously struck and wounded him on the front of his head with a bill', and he died immediately from the wound thus inflicted.

Witnesses: Mr Richard Emrison, N.P. and clerk of the register of the prior of Durham, Edward Patonson and John Brown, servants of the said cathedral.

20 June 1495.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.12 no.xxviii, changing the A.D. to 1485, though without specifying the reason.

f.238v 13 January 1490

[Memorandum of] petition by Alexander Tayllezour, baker, of Newcastle, who asked for sanctuary of the church of Durham, in person in the nave of Durham cathedral, in presence of William Cawthorne, [monk of Durham and] chancellor of the said church, and the below-written witnesses, because, on Wednesday next after Epiphany [13 January, i.e. the day of the petition], near Cale Cross (*Caylecrosse*) in Newcastle, in self-defence, as he asserted, he feloniously struck one Thomas Smythe in the left breast with a dagger, from which Thomas died the same day.

Witnesses: George Cornefurth, [monk of Durham and] sacrist of the said church, Edward Pattonsune, William Sawndersune, and Hugh Walle, servants.

13 January 1489/90.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.15 no.xxxiv.

f.238v 2 February 1490

[Memorandum of] petition by Robert Tomsune of Rudby, [N.R.] Yorks. who asked for sanctuary of the church of Durham, in person in the nave of Durham cathedral, in presence of William Cawthorne, [monk of Durham and] chancellor of the said church, and the below-written witnesses, because, at Candlemas of the same year [2 February 1490, i.e. the day of his petition], at the end of the bridge between Rudby and Hutton [Rudby], in self-defence, as he asserted, he feloniously struck one Thomas Barbur in the chest with a dagger, under the left breast, from which Thomas died within two days on the same day (*infra duos dies extunc proxime sequentes mortuus est eodem die*).

Witnesses: George Cornefuth, [monk of Durham and] sacrist of the said church, John Brune and John Gray, servants.

2 February 1489/90.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.15 no.xxxv.

f.238v 16 December 1495

[Memorandum of] petition by John Boner of Gateshead, labourer, who came in person to Durham cathedral and, after the bells had been tolled, asked for sanctuary and the privilege of St Cuthbert, because, on Sunday next before St Peter's Chains, fourteen years ago [? 29 July 1481], he attacked one Alexander Stevenson by the park of Dotland in Hexhamshire, and feloniously struck him in the chest with a dagger or *whynzurd*, from which blow Alexander died at once.

[Witnesses:] Stephen Birys {butcher}, Hugh Wall' and William Blyth of Durham, masons.  
16 December 1495.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.26 no.lxi.

f.238v [24 April] 1496

[Memorandum of] petition by John Stedman of Morland par., Applebyshire, Westmorland, Carlisle dioc., who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, on Low Sunday [10 April 1496], he attacked one Thomas Wilkynson' of the same township of Morland and feloniously struck him on the head with a staff called a *clubbe*, from which blows Thomas died at once.

Witnesses: Geoffrey Ledell' of Durham, dyer, John Billy, servant of John Rakett, and John Coke, *literatus*.

Sunday after St George 1496.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.28 no.lxv.

f. 239r 30 June 1490

Citation by John, bishop of Durham, to John, prior of Durham, since he has thought fit, for difficult and admissible reasons moving him thereto, to convene a convocation of abbots, priors, abbots and priors elect, rectors, vicars and the whole clergy of his dioc., to be held in the Galilee of Durham cathedral on Tuesday 20 July next to come, summoning him to appear in person and ordering him to summon the chapter of Durham and the clergy of his archdeaconry to appear through sufficient proctors at the date and place aforesaid, with continuation of days and places if need be, before the bishop or his commissary or commissaries, concerning certain pressing matters to be set out for discussion (&c); and requiring certification to the bishop or his commissaries, at the date and place aforesaid, in letters patent containing the tenor of the presents, of the date of receipt of the presents and of what he shall have done in respect of the foregoing.

Under the seal of the officiality of his consistory court of Durham.

Date: [? Durham] 30 June 1490.

f.239r [c.12 July 1490]

Proxy by John prior and the chapter of Durham appointing John Manbe, subprior, John Danby, almoner, William Roy, chancellor, monks of Durham, and Mr John Walkar, LL.B., as their proctors, giving them general power and special mandate to attend and be present on their behalf at the convocation of the clergy of Durham dioc., to be held in the Galilee of Durham cathedral on Tuesday 20 July next to come, with continuation of days and places if need be, before John, bishop of Durham, or his deputed commissaries, one or more, and to treat with the bishop or commissaries, and the other prelates and clergy upon those things which should happen to be set out there (&c).

[Durham, prob. c. 12 July 1490, given the date of the following entry]

f.239r 12 July 1490

Citation by John, prior of Durham, archdeacon of churches in Durham dioc. appropriated to himself and the chapter of Durham, to the vicar of {for instance (*vel*)} Norham, having received a mandate from John, bishop of Durham, to summon all vicars and other clergy of his archdeaconry to appear before the bishop or his commissaries at the date and place specified in the mandate, in a convocation of clergy to be held by him; summoning him to appear before the bishop or his commissaries in the Galilee of Durham cathedral on Tuesday 20 July, with continuation of days and places if need be, to discuss certain difficult and pressing business concerning the state, defence, use and honour of the said cathedral church, to be set out there by the bishop or his commissaries, and further to do and receive in all things as the business of the convocation demands of him; and informing him that the prior will give credence to the bearer of the presents concerning the execution of these letters in the event.

Date: Durham, 12 July 1490.

f.239v 18 July 1490

[Protocol for copy of] certification by John prior and the chapter of Durham to John, bishop of Durham, having, on 30 June received a [mandate by John, bishop of Durham, not recited] (instruction to copy out the mandate) by authority whereof they have cited all vicars in their archidiaconal jurisdiction in Durham dioc., to appear before the bishop or his commissaries at the date and place expressed in his letters, and take on, undergo and receive the business of such a convocation as should seem appropriate to the bishop or his commissaries in this regard; stating they have thus executed the bishop's mandate.

Date: Durham, 18 July 1490.

f.239v 21 November 1490

[Memorandum of] petition by G.....ius [George ?] Huntley of Longwitton, Northumb., who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, attacking one William Bewyke of Longwitton around Martinmas of the previous year [11 November 1489], he feloniously struck him in the throat with a dagger, and cut (*cidit*) his throat, from which blow and wound thus inflicted William died at once.

Witnesses: William Smeders, keeper of the bishop's prison, Hugh <&gt; Walle and William Saunderson of Durham, masons, and John Dawgles of Durham, sievemaker.

21 November 1490.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.16-17 no.xxxviii.

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

f.239v 1 December 1491

[Memorandum of] petition by John Woderelt [?] of the township of Bolam, Northumb., who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, on Tuesday next after Low Sunday, namely 13 [?] April [1491, in which year Tuesday after Low Sunday fell on 12 April], he feloniously struck one Roland Sharpe, also of Bolam, on the head with a *walsh' bille*, utterly overthrew him, and, as he lay on the ground, twice or thrice inflicted irreparable wounds on Roland's body with a dagger, from which Roland died at once.

Witnesses: Nicholas Blaxton, gentleman, John Foster, John Gosdon, of Durham dioc., and Richard Emryson clerk of the register of the prior of Durham.

1 December 1491.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.20 no.xlvi.

See also DCD Reg. Parv. IV f.21v.

f.239v 20 June 1495

[Memorandum of] petition by Alexander Hudeles of Kirkoswald par., Carlisle dioc., who came to Durham cathedral and, after the bells had been tolled, asked for sanctuary of the said church, because, on 17 June [1495], he attacked one Hugh Berty and feloniously struck him in the face with a *woddeaxe*, from which blow Hugh died at once.

Witnesses: Mr Alexander Bell', notary, Peter Westwodde, and John Emryson.

20 June 1495.

Printed: *Sanctuarium Dunelmense et Sanctuarium Beverlacense*, (Surtees Society [5], [1837]), p.26 no.lx.

See also DCD Reg. Parv. IV f.21v.

f.240

A modern paper insert with explanatory notes on the verso relating to the following three leaves.

f.241r-243v later 15th century

Former endpapers and a flyleaf.

Fragments of the obituary roll of Robert Ebchester, prior of Durham [d. 1484].

Most of the entries are reported in *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Soc. 31, 1856), p.90-91, but it is clear that f.241r was then pasted down at the front of this register and f.243r at the back, since in neither case are their entries reported.

The pattern of the mortuary-roll bearer's likely itinerary suggests the pieces were originally adjoining, or almost, since the rectos of f.242, 241 and 243 run on from one another in a natural geographical sequence, and likewise the corresponding versos.

*Tituli* of:

f.241r

identity of house cropped away;

the monastery of St Mary's, Binham, Benedictine order, Norwich dioc.;

identity of house indecipherable;

the monastery of the cathedral church of Holy Trinity, Norwich;

the order of Friars Minor, Norwich;

the order of Carmelites, Norwich;

the order of Friars Preachers, Norwich;

the order of Hermit Friars of St Augustine, Norwich;

the monastery of Carrow, outside the walls of the city of Norwich;

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

the monastery of St Benet of Hulme, Norwich dioc.;  
the monastery of Holy Cross, Bungay, Norwich dioc.;  
the monastery of St Mary, Sibton, Cistercian order, Norwich dioc.;  
the monastery of St Mary, Leiston, Premonstratensian order, Norwich dioc.;  
the monastery of St Mary, Snape, Benedictine order, Norwich dioc.;  
the monastery of St Mary, Butley, Augustinian order, Norwich dioc.;

f.241v

the order of Friars Preachers, Worcester dioc.;  
the cathedral church of St Mary, Worcester, Benedictine order;  
the church of St Mary and St Michael Archangel, Great Malvern, Benedictine order, Worcester dioc.;  
the monastery of St Mary, Tewkesbury ... Worcester dioc.;  
the monastery of St Mary, Llanthony by Gloucester, Augustinian order, Worcester dioc.;  
the monastery of St Peter, Gloucester, Benedictine order, Worcester dioc.;  
the monastery of St Mary, Cirencester, Augustinian order, Worcester dioc.;  
the monastery of St Mary and the Apostles Peter and Peter and Paul and St Aldhelm the bishop, Malmesbury, Salisbury dioc.;  
the monastery of St Mary, Bradenstoke, Augustinian order, Salisbury dioc.;  
the monastery of St Mary, Stanley, Cistercian order, Salisbury dioc.;  
... Lacock, Salisbury diocese;

f.242r

the church of St Mary, St James and St Guthlac, Freiston;  
the hermits [?] of St Augustine of Boston;  
the friars minor of St Botolph's [Boston], Lincoln dioc.;  
the order of the Hermit Friars of St Augustine, [King's] Lynn, Norwich dioc.;  
the order of Friars Preachers, [King's] Lynn episcopi, Norwich dioc.;  
the order of Friars Minor, [King's] Lynn, Norwich dioc.;  
the order of Carmelite Friars of St Mary, Mother of God, of Mount Carmel, South [King's] Lynn;  
the monastery of St Benedict the abbot, Blackborough;  
the monastery of St Mary Magdalen, [Pentney ?], Augustinian order, Norwich dioc.;  
the monastery of St Mary and All Saints, West Acre, Augustinian order, Norwich dioc.;  
the monastery of St Mary, Castle Acre, Cluniac order, Norwich dioc.;  
identity of house indecipherable;  
the monastery of St Mary de Pratis, [North] Creak, Augustinian order, Norwich dioc.;  
the order of Friars Minor, Walsingham;

f.242v

the monastery of St Mary the Virgin, Osney near Oxford, Augustinian order, Lincoln dioc.;  
the monastery of St Frideswide the Virgin, Oxford, Augustinian order, Lincoln dioc.;  
the monastery of St Francis, Oxford, Friars Minor, Lincoln dioc.;  
the order of Friars Preachers, Oxford, Lincoln dioc.;  
the order of Hermit Friars of St Augustine, Oxford, Lincoln dioc.;  
the Friars of the Order of St Mary Mother of God of Mount Carmel, Oxford, Lincoln dioc.;  
the monastery of St Mary the Virgin, Eynsham, Benedictine order, Lincoln dioc.;  
the monastery of St Mary, Bruern, Cistercian order, Lincoln dioc.;  
the monastery of St Mary the Virgin and the Most Precious Blood of Our Lord, Hailes, Cistercian order, Worcester dioc.;  
the monastery of St Mary and St Kenelm, king and martyr, Winchcombe, Benedictine order, Worcester dioc.;

The register of the time of Thomas Pikeryng, chancellor, entering the said office 6 Non. March 1473 [2 March 1474], begins (f.214r-239v)

the monastery of St Mary and St Egwin, bishop and confessor, Evesham, Worcester dioc.;  
the monastery of St Mary and St Edburga the Virgin, Pershore, Worcester dioc.;  
f.243r

identity of house cropped away;  
the order of Friars Preachers, Ipswich, describing Prior Ebchester as "Dom. Ellerton" ;  
the monastery of St John the Baptist, Colc[hester], Benedictine order, London dioc.;  
the monastery of St Bot..., Colchester, Augustinian order, London dioc.;  
the order of Friars Minor, Colchester;  
... of the apostles Peter and Paul and St Osyth virgin and martyr and queen [a/. Chich],  
Augustinian order, London dioc.;  
the order of Friars Preachers, Sudbury;  
the order of Hermit Friars of St Augustine, Clare;  
the church of St Mary, Merton, Augustinian order, Winchester dioc.;  
the church of St Andrew the Apostle, Rochester, Benedictine order, Rochester dioc.;  
the monastery of St Saviour, Faversham, Benedictine order, Canterbury dioc.;  
Christ Church, Canterbury, the first metropolitan church of the English, Benedictine order;  
the monastery of the Apostles Peter and Paul, and of St Augustine, Apostle of the English,  
outside the walls of Canterbury, Benedictine order;  
identity of house cropped away;

f.243v

identity of house cropped away;  
the monastery of St Mary and St Matthew the Apostle, Augustinian order, Maide[n Br]adley,  
Salisbury dioc.;  
the monastery of the Assumption of St Mary the Virgin and St Edward king and martyr,  
Shaftesbury, Benedictine order, [Salisbury] dioc.;  
the monastery of St Mary and St Sampson, Milton, Benedictine order, Salisbury dioc.;  
the monastery of St Mary, St Peter the Apostle and St Edwold confessor, Cerne, Benedictine  
order, Salisbury dioc.;  
the monastery of St Mary, Sherborne, Benedictine order, Salisbury dioc.;  
the monastery of St Mary, Bruton, Augustinian order, [Bath &] Wells dioc.;  
the hospital of St John the Baptist, Wells, Augustinian order, Wells & Bath dioc. (with  
mention of ... Hewet, brother of the same house, Marjory Welschot, Roger Welshot);  
the monastery of St Augustine by Bristol, order of [the Augustinian congregation of] St  
Victor, Worcester dioc.;  
the order of Carmelite friars, Bristol;  
identity of house indecipherable

Most of the entries are reported in *The Obituary Roll of William Ebchester and John Burnby*,  
ed. J. Raine, (Surtees Society 31, 1856), p.90-91.

Printed in *Receuil des Rouleaux des Morts vol.iv*, ed J. Dufour (Paris 2008), p.507-519.

*Related material elsewhere:* Probably originally part of the same roll as DCD Loc.I:12 & 13.