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Calendar of Durham Cathedral Archive: Register III

Date range of material: 1401-1444 with occasional earlier and later items

Durham University Library
July 2024

Contents

Preface	iii
Introduction	1
Catalogue of material:	
f.Er-Hv.....	2
f.Ir-XIv.....	3
f.XIIIr-XXIv.....	21
Register of the prior and convent of Durham from A.D. 1401.....	22
Prioratu Dunelmense Vacante.....	72
The register of brother John Fysshburn', chancellor of the monastery of Durham, begins, A.D. 1417 &c.....	76
Acta Antonii episcopi Dunelmensis in visitacione sua contra priorem et capitulum....	109
Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua.....	116
The register of brother William Dalton, chancellor of the priory of Durham, begins, A.D. 1431.....	169
The register of the time of Robert Westmerland, chancellor, who entered the said office on 5 October 1439.....	267

Preface

Creation of catalogue

Created in Wordperfect 5.1 by Charles Kelham, 1995-1999. XML EAD markup M.M.N. Stansfield 2004-2005.

Contact details

Durham University Library: Archives and Special Collections
Palace Green
Durham
DH1 3RN
England
Telephone: 0191 334 2972
Email: PG.Library@durham.ac.uk
URL: [http://www.dur.ac.uk/library/asc/
ark:/32150/s1h415p9532/PDF](http://www.dur.ac.uk/library/asc/ark:/32150/s1h415p9532/PDF)

Introduction

Collection title: Durham Cathedral Archive: Register III

Reference code: GB-0033-DCD-Regr-3

Dates of creation: 1401-1444 with occasional earlier and later 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. The volume was still *in quaterno* in 1421, see reference at f.Hr. 340 leaves, foliated e-h(modern), i-xxiv (modern), 1-4, 4*, 5-311 (near contemporary)

Size: 260 x 380mm

Repository: Durham University Library, Archives and Special Collections

Creator: Durham Cathedral Priory

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

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.

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.E-H Flyleaves.

f.ir-xiiv Copies of mainly earlier documents.

f.xiiir-xxiv Index to f.1r-311v.

f.1r-51r Priory register 1401-1417 in roughly chronological order, with some copies of earlier documents.

f.51r-140r Priory register *tempore* John Fishburn chancellor 1417-1431, with some copies of earlier documents.

f.140v-239v Priory register *tempore* William Dalton chancellor 1431-1439, with some copies of earlier documents.

f.240r-311v Priory register *tempore* Robert Westmerland chancellor 1439-1444, with some copies of earlier documents.

Conditions of access

Open for consultation.

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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 listed by Martin Snape in a typescript list in 1961. 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 2004-2005.

Copies

Digitised and available online.

f.Er-Hv

f.Er-Hv

f.Er

(Raised pastedown) blank.

f.Ev

Cross-reference to Register IV, partly obscured by glue from the turn-in of the former outer covering.

f.Ev

Form of Durham Cathedral Priory's *titulus* for mortuary rolls.

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.xix n.

f.Fr

Blank apart from a [?] pen-trial.

f.Fv

Blank apart from (upside-down) "Willelmus Se[ton] Monachus Dunelm".

f.Gr-v

Blank.

f.Hr

Blank apart from "Littera G", i.e. the letter assigned to this volume by 1421 among the books in the monastic chancery, see *Catalogi veteres* p.124.

f.Hv

"Registrum tertium"

f.Hv

Note of Crosthwaite vicarage being vacant by the death of Mr Richard Morgon the last vicar.

f.lr-XIiv

f.lr

{F}, letter added in top right-hand corner, later than, and presumably superseding, that on f.Hr above, *q. v.*

f.lr 22 April [1403]

Licence by Walter, bishop of Durham, and the prior and convent of Durham, with unanimous consent of the whole chapter for themselves and their successors, to Robert de Bolton', clerk, to give four tofts in Howden to the chapter of the collegiate church of Howden, and to the same Robert and to Peter del Hay, that they and their heirs should be able to give two messuages, ten tofts, two cottages, two gardens, 31 acres of land, 3 acres of meadow, £4 of rent, and half an oxgang of land in the same vill and in Knedlington, Asselby, Barmby [on the Marsh], Skelton, Saltmarshe, Cotness, Metham, Yokefleet, Laxton, Kilpin, Belby, Linton, Thorpe, Balkholme, Eastrington, Owsthorpe, Cavil, and Newsholme to the said chapter of Howden; to be held by the said chapter and their successors, namely: the four tofts for the dwelling, to be constructed anew, of the vicars, deacons and other ministers and servants of the said church; and the two messuages, ten tofts, the cottages, gardens, land, meadow and rent for carrying out certain anniversaries and other good works in the said church, and for maintenance of the dwelling-houses aforesaid in perpetuity; with licence to the said chapter to receive the aforesaid tofts, messuages (&c) and to the chapter and their successors to retain the same in perpetuity; the Statute of Mortmain notwithstanding; saving in perpetuity the services used and wont to the bishop, prior and convent.

Under the seal of the bishop and the common seal of the chapter of Durham.

Date: Durham, 22 April, 4 Henry IV.

f.Ir-v 12 September [1404]

Inspeximus by John prior and the chapter of Durham confirming the following ordinance, Ordinance by Walter, bishop of Durham, since Richard II, lately king of England, gave the bishop licence by letters patent [recited in the following entry]: to found a chantry for one chaplain, to celebrate daily for the bishop's health while he lives, his soul after his death, and the souls of his parents, benefactors and all faithful deceased, at the altar of St Cuthbert in the collegiate church of Howden; and to give a messuage, eight cottages, and 40s of rent in Howden to the same chaplain and his successors; to be held by them in perpetuity; as in the said letters patent, dated at Westminster, 10 February 18 Richard II [1395]; establishing such a chantry and appointing Nicholas Kayser as chaplain of the said chantry for life, to celebrate there and do other things as reasonably ordained; and, by the said royal authority, granting eight cottages in Howden between the bishop's manor gate on the west and the rent-yielding tenement of Stephen Cecill' on the east, and between the said manor on the south and Howden market[-place] on the north to Nicholas Kayser and his successors as endowment, valued at six marks yearly, in part maintenance of Nicholas and his successors; to be held by them in pure alms, in perpetuity; rendering to the bishop and his successors the rent of old used and wont, and 8d yearly besides of new increase from the approvment of waste, for all other service and secular demand.

Witnesses: Alexander de Metham, Gerard Salvayn and Thomas Bosevyll', knights; John de Aske, Peter del Hay, William Roscelyn', Stephen Cecill'.

Date: Howden, 1 September 1404.

saving to themselves and their successors over Nicholas and his successors all manner of jurisdiction which they have been accustomed to exercise over other chaplains of the church of Howden.

Date: Durham, 12 September [1404].

Another copy: DCD Cart.III, f.ii.21v-22r.

Original (ordinance): DCD Loc.X:27.

f.Iv-IIIv 12 September 1404

Inspeximus by John [Hemingbrough] prior and the chapter of Durham confirming the following foundation and ordinances.

Foundation and ordinances by Walter [Skirlaw], bishop of Durham, of a chantry at the altar of St Cuthbert in Howden collegiate church stating that, because few churches, chapels, altars or any other holy places had been founded in veneration of St Cuthbert, he has built and constituted an altar dedicated to him in the collegiate church of Howden, with consent and assent of the prior and chapter of Durham, who have jurisdiction in the said church, and with authorization from Richard, archbishop of York; and that, by the following recited royal licence and archbishop's licence,

Licence by letters patent by Richard [II], king of England, for Walter [Skirlaw], bishop of Durham, who intends to found a chantry of one chaplain celebrating daily for the bishop's health while he live, his soul after his death, and the souls of his parents and benefactors, at the altar of St Cuthbert in Howden collegiate church; and to build anew a certain hall and other necessary offices for a suitable lodging for the vicars and other ministers and servants of the said church, and for the three chaplains of the chantries at the altars of SS Mary, Thomas and Catherine, who were accustomed to dwell separately, to their great expense; to have regard for the need of chaplains of these chantries of poor and middling value, as is said, and charitably to ordain for their relief with his resources; for himself and his heirs, and for ten marks paid by the bishop into the king's Hanaper, granting licence to the said bishop to establish a chantry (as described above), and give one messuage, eight cottages and 40s rent *per annum*, held of the king, in Howden or elsewhere in the county of York, to be held in perpetuity by the chaplain of the said chantry and his successors, celebrating (as above) and doing other things according to the bishop's ordinance; and granting licence to the chaplain to receive and hold, for himself and his successors, the said messuage, cottages and rent in perpetuity; the Statute of Mortmain notwithstanding; not wishing the bishop or his heirs [*sic*] or the chaplain and his successors to be troubled by the king, his heirs, ministers or his heirs' ministers by reason of the foregoing; saving services used and wont therefor to the chief lords of that fee.

Witness: Edmund, duke of York, keeper of England.

Date: Westminster, 10 February, 18 Richard II [1395]

Licence by Richard [Scrope], archbishop of York, to Walter [Skirlaw], bishop of Durham, following the bishop's supplication, to create, found and ordain a chantry of one chaplain at the altar of St Cuthbert in the collegiate church of Howden, provided there be sufficient income assigned thereto, to place, institute and induct a suitable person therein, and to do what further things are necessary in this regard; with the patronage of the chantry and the presentation thereto henceforward to [belong to] the bishop and his assigns, according to the bishop's ordinance to be made thereon; saving the right, jurisdiction, dignity and privilege of the archbishop, his successors, and their cathedral church of York.

Date: manor of Scrooby, 5 January 1403/4.

and with the consent of the said prior and chapter, he ordains, creates, makes and founds a perpetual chantry of one chaplain, and institutes first therein Nicholas Kayser, priest, as perpetual chaplain for life, to celebrate and officiate at the said altar and elsewhere in the said church in the manner described below: Nicholas and his successors are

[1] daily, barring legitimate reasons, to celebrate mass at the said altar for the bishop's happy condition while living and his and his parents' souls after death, saying a special collect in the mass and saying obsequies according to the use of the church of York, unless at festivals and times excluded (*exceptis*) in the ordinal of the church of York, [2] to wear the habit as worn by the vicars of the said church and to officiate in the choir, singing, reading and otherwise ministering in divine offices and in processions inside and outside the church, just as the vicars and other chaplains of their rank do, apart from the office of hebdomadary and daily mass assigned to them as above, [3] to have the fifth stall in the choir on the south side, and to have this position on this side in processions and other offices, [4] to have the upper room at the south-east corner (*versus austrum et orientem*) in the new bedern built by the bishop for the priests, vicars, deacons, and other ministers of the said church, and live there according to the constitutions ordained and to be ordained there;

and, by the royal authority above, granting eight cottages in Howden between the bishop's manor gate on the west and the rent-yielding tenement of Stephen Cecill' on the east, and between the said manor on the south and Howden market[-place] on the north, to Nicholas Kayser and his successors as endowment, valued at six marks yearly, in part maintenance of Nicholas and his successors; to be held by them in pure alms, in perpetuity; rendering to the bishop and his successors the rent of old used and wont, and 8d yearly besides of new increase from the approvment of waste, for all other service and secular demand; and assigning to Nicholas and his successors six marks in perpetuity from the chapter of Howden, as evident in the indentures made thereon, in addition to the six marks they will receive from the tenement, in supplement of their support; with Nicholas and his successors to swear at their admission to observe these ordinances and to appropriate in prejudice of the said chapter nothing from the tithes and oblations coming to the said altar or elsewhere in the said church;

ordaining also that at each vacancy of the chantry a chaplain is to be presented by the bishop during his life and by the chapter of Howden after the bishop's death, for admission thereto by the archbishop of York and induction therein by the keeper of the spirituality of Howden and Howdenshire; exhorting the chapter of Howden to present no-one to the chantry other than a current priest of good and honest behaviour, setting aside all affection, dislike and fear, answering for this as they would before God; and, if the chapter should delay for thirty days in presenting a chaplain to the chantry when a vacancy occurs, the presentation of such a chaplain is to pertain to the prior and chapter of Durham in their place; and, if the prior and chapter of Durham neglect to present for the same length of time, the archbishop of York is to provide the chantry with [a chaplain] in their place; with the presentation reserved to the chapter of Howden in other vacancies; and the prior and chapter of Durham are to have in the persons of Nicholas and his successors all the jurisdiction which they have been accustomed to have and exercise in other chaplains of Howden whomsoever.

Date: manor of Howden, 23 May 1404.

Date: Durham, 12 September 1404.

Original (foundation): 3. 1. Archiep. 2a; duplicate copy (with minor variations in wording): 3. 1. Archiep. 2b.

Calendared (royal licence)from the chancery copy: *C.P.R. 1391-1396* , p.539.

f.IIIv-IVv 20 October 1405

Notarized record by Thomas Rome, B.Th., and William Barry, monks of Durham, deputed commissaries, in the manner below-written, of the prior of Durham, having lately received the following commission

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in York dioc., to Mr John Harwod', advocate of the court of York; Thomas Rome, B.Th., and William Barry, monks of Durham, since he is unable, being manifoldly hindered by assorted troublesome business of his monastery, to be present in person at the coming visitation of the said spirituality, giving them power, until revoked, to undertake the visitation of the churches of Holtby, Skipwith, Hemingbrough, Howden, Brantingham, Welton, Walkington and Eastrington, their dependent chapels and the clergy and people thereof.

Date: Durham, 21 September 1405.

and lawfully visiting the church of Howden by authority of the said letters, they were informed that although Walter, bishop of Durham,

[a] considering that the vicars, chaplains, deacons and other ministers and servants of the said church dwelt scattered among the laity, and in houses of the laity in the company of women, and because of this they were most maligned as negligent in their divine offices and remiss concerning incontinence and other excesses, and were publicly deemed extremely dissolute, and slanders and grievances arose through this among the clergy and people,

[b] wishing to do away with the opportunity for dissolution and put an end to excess, neglect and scandal, and lead the vicars, chaplains and deacons back to shared and praiseworthy manner of life, and the virtuous and honest life,

had a hall, chambers, and other necessary houses, commonly called a bedern, newly built for the cohabitation of the vicars, chaplains, deacons and ministers at his lavish expense, and [although] some vicars (&c) have now dwelt in the bedern for seven years and more, and have made their residence therein, behaving praiseworthily and leading an honest and virtuous life, that certain of the vicars, chaplains and deacons, dwelling in their original fashion dispersed among the laity, have refused to reside in the bedern, although often asked so to do; considering therefore the bishop's pious intention, the scandals which it is hoped to avoid through a shared manner of life, and the good which it is hoped will arise thereby, the commissaries held a discussion upon these matters with Mr Thomas Weston', canon of Howden, then present there, and with all the vicars, chantry chaplains and deacons of and ministering in the church of Howden, namely Robert de Parlyngton of Howden, William Blake of Barmby [on the Marsh], John Hemmyngburgh' of Thorpe, John Grene of Skelton, and Thomas de Barneby of Saltmarshe, vicars of the [stated] prebends of Howden,

John Lybens of St Mary, Robert Buterwyk of St Catherine, Thomas de Cotyngnam of St Thomas the martyr, and Nicholas Kayser of St Cuthbert, chaplains of the [stated] chantries,

Thomas Snawe of Howden, Thomas Thorpe of Barmby [on the Marsh], John Cutler of Thorpe, John Wydouson' of Skelton, and Stephen Cutler of Saltmarshe, deacons of the [stated] prebends of Howden,

being present before them; and that at length, after some debate, the abovenamed vicars, chaplains and deacons agreed and promised for themselves and their successors that they and their successors would dwell together and make continuous residence in the bedern and would be bound to stay in accordance with what the vicars and ministers of the churches of York, Beverley and Southwell have been accustomed to do and do

at present; and that they and their successors should be able to be compelled by whatsoever ordinary or ordinaries, by means of ecclesiastical censure and sequestration of their stipends and the revenues of their benefices, on condition that each chantry chaplain or deacon ministering in the said church be able to pay out eight marks sterling yearly from the fruits, rents, stipends, obventions and other revenues, belonging to him in the same church or elsewhere.

With the subscription of the notary and under the seal of the prior of Durham, procured in witness of the foregoing.

Witnesses: Mr John Harwod, advocate of the court of York, Thomas Appelby, clerk, N.P., Thomas Rose and Richard Stanton', clerks of York and Durham dioc.

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

Date: church of Howden, 20 October 1405.

Also below f.19r-v.

f.IVv-Vr 2 March 1406

Agreement by indenture between John prior and the chapter of Durham, patrons of the prebends and vicarages in the collegiate church of Howden and having ordinary jurisdiction, and being in possession of the patronage and jurisdiction, for themselves and their successors, and Mr John de Suthwell', Mr Thomas de Weston', Mr John Wycham, Mr Richard de Wynwyk, and Robert de Bolton', canons and prebendaries of the prebends of Howden, Barmby [on the Marsh], Thorpe, Skelton and Saltmarshe, in Howden collegiate church, for themselves and their successors, although the prior and chapter have confirmed the gift and grant of some rents, lands, messuages and cottages made by Walter, bishop of Durham, to the chapter of Howden for the maintenance of the chaplains of the newly-created chantry of St Cuthbert and the support of other burdens in the church of Howden, declaring and agreeing that, though the letters of the said gift and grant, and of the confirmation, contain that the rents (&c), are granted to the chapter of Howden for the maintenance aforesaid, nevertheless nothing of a new right or possession is acquired by the canons or prebendaries, their successors or the chapter of Howden, by such mention of the chapter of Howden in the said confirmation, nor is anything added besides that contained in the bishop's letters and the confirmation by the prior and chapter; but that the prior and chapter of Durham will henceforward [continue to] have ordinary jurisdiction in the prebends, canonries, vicarages and chantries, and over the canons and prebendaries, vicars, chaplains and ministers whomsoever, serving and to serve in the said church, vicarages and chantries, and other things, places and persons within the territory of Howden, and the right of patronage and the jurisdiction will be reserved unimpaired to the prior and chapter and the church of Durham; and that the canons and prebendaries, vicars, or chaplains of the church of Howden, and their successors will usurp nothing of any new right by reason of the said confirmation and will attempt nothing in prejudice of the right of patronage or jurisdiction of the prior or chapter of Durham, excepting what is confirmed in the bishop's letters and the confirmation by the prior and chapter; with anything done to the contrary to be taken as not done and to have no force; saving the rights, privileges, liberties and immunities of the cathedral church and prior and chapter of Durham in all things.

Sealed alternately, with the seals of the canons aforesaid and the common seal of the chapter of Howden on one part, and the common seal of the chapter of Durham on the other part.

Date: 2 March 1405/6.

Original: DCD 4.1.Ebor.50.

f.Vr [soon after 20 October 1405 ?]

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr Alan de Neuwerk and Mr John de Southewell', referring to the visitation of the church, dependent chapels and people of Howden by Thomas Rome, S.T.B., and William Barry, his commissaries, monks of Durham, [cf. f.IIIv-IVv above], in which it was found that: the prebendary of Skipwith some time ago withdrew the ordained priest, whom, by the canonical ordinance of his prebend, he is bound to provide to minister continually in the church of Howden every year, and refuses to provide [another]; because the churchyard of Howden is not adequately enclosed against the entry of animals, and of swine in particular, many dishonourable and shameful things often happen there; and that the vicars, deacons and chantry chaplains serving in the said church dwell dispersed in houses of the laity, in the company of women &c, reciting much of the record on f.IIIv-IVr, above, concerning the promise of the vicars, deacons and chantry chaplains (named) to reside in the bedern; and authorizing Mr Alan and Mr John, with power of whatsoever coercion, in place of the prior, to correct and reform these things that had been found and learnt, to make regulations concerning the cohabitation of the vicars, deacons, chantry chaplains, and their successors in the bedern, in the manner to be observed by them therein and to do everything which should be necessary or opportune in the foregoing (&c).

Date: Durham, "&c"

f.Vv-VI^r [6 August 1343]

Bull by Clement [VI], pope, to all prelates of the Church, having received a complaint from the master and brethren of the military house or hospital of St Mary, Roncevalles, Pamplona dioc., stating that the said brethren, when seeking [oblations] for their fellow brethren and alms for the poor, according to their custom confirmed by apostolic authority, pass to the churches of certain priests, they [these priests] are unwilling to receive them, they are not afraid to eject them from their churches when they ought to listen to them and urge their parishioners to give them alms for the poor; added to this the priests demand a part of the alms;

instructing them to enjoin all priests subject to their power, on pain of office and benefice, to allow the said brethren or their nuncios to preach for the benefit of the poor and ask for alms in their churches without any gainsaying, saving the authority of the council-general, and not to presume to demand or extort anything from them; and if a complaint should come to their attention concerning violation of this precept by the said priests, they are to punish them according to the level of blame, such that they be remorseful for their temerity, and so that for want of justice the brethren should not have to travel to the pope; and instructing them, if the pope should hear of any of their parishioners who leave anything to the brethren in their testament, whose heirs or those in possession of their goods oppose paying the legacy, and if the said brethren should lodge a complaint thereon, that they warn and compel those named by the brethren to pay the things bequeathed to them by testament, with the obstacle of appeal removed, or show execution of justice in remote appeal of the presents [?];

and if, once warned, they do not comply, the prelates are to excommunicate them, without appeal, until they make condign satisfaction; {Margin: *nota istam clausulam* } releasing any penitents contributing to the support of the hospital from a third of the penalty of confessed sins and three years and 100 days of imposed penance; all *confratres* and *consorores* giving to the hospital a certain quantity of their goods and annually providing benefits for the brothers and their nuncios and bequeathing goods, to be able to choose annually a suitable priest empowered to grant them full absolution for all confessed sins, except those to be referred to the apostolic see;

granting to the master and brothers of the hospital that any layman suspended from entering a church or performing a penance around the church to be released for the day in the church in which the nuncios of the hospital are collecting; any Christian dying without communion or overtaken in any way by another [kind of] death, and found to be named in the hospital's confraternity, to be buried in a cemetery unless named as excommunicate by ecclesiastical censure; in any interdicted city, castle or place visited by the nuncios the churches to be opened once in a year, with excommunicates and interdicted [persons] ejected, for divine offices to be celebrated, for them to exhort concerning the getting of alms, without contradiction from the chapter *De abusioibus*.

Date: Avignon, 8 Id. August, Pont. 2.

"{Examined against a transcript by J. F. and W. Bentelay}" [J. F. is almost certainly the monastic chancellor John Fishburn.]

f.VIv-VIIIr 28 March 1424 & 5 April 1424

Treaty by indenture made between

[1] James [I], king of Scotland, and

[2] John, bishop of London; Thomas, bishop of Durham; Henry, earl of Northumberland and warden of the East March; Ralph Neville, earl of Westmorland; Richard Neville, warden of the West March; William Alnewyk, keeper of the privy seal; Thomas, lord Dacre; John, baron Greystoke; and Robert Umfreville, knight, deputed commissaries of Henry [VI], king of England, by the following commission,

Commission by letters patent by Henry [VI], king of England, to John, bishop of London; Thomas, bishop of Durham; Henry, earl of Northumberland; Ralph Neville, earl of Westmorland; Richard Neville, warden of the West March; William Alnewyk, keeper of the privy seal; Thomas, lord Dacre; John, baron Greystoke; and Robert Umfreville, appointing eight, seven or six of them as his deputed commissaries, authorizing them to treat with James, king of Scots, or his or the kingdom of Scotland's deputed commissaries, concerning a final and perpetual peace, or a general or particular truce, as much by sea as by land, between the two kings and their kingdoms, lands, lordships, lieges and subjects.

Witness: the king.

Date: Westminster, 14 February 2 Henry VI [1424]

witnessing that the said king James and the commissaries have concluded a truce by land and sea, for the said kings, their heirs and successors, and their kingdoms, lands, lordships, vassals, lieges and subjects, beginning at sunrise on 1 May next to come and to endure for seven years, namely until sunset on 1 May 1431 (reciting articles of the truce);

and naming the conservators of the truce as Humfrey, duke of Gloucester, Thomas, duke of Exeter, Edmund, earl of March, Richard, earl of Warwick, Henry, earl of Northumberland, Ralph, earl of Westmorland, Robert, lord Willoughby, admirals of the said king Henry and wardens of the marches of England; Robert Umfraville and Walter Hungerford', knights; for the part of the said king Henry; and Murdoch, duke of Albany, Walter, earl of Atholl, Alexander, earl of Mar, Archibald, earl of Wigtown, George, earl of March, William [Hay], constable of Scotland [omitted from a subsequent resumé of the conservators' first names], John, lord of Seton, Thomas, lord of Somerville, James, lord of Dalkeith, John Forster, wardens of the marches of Scotland (their function summarized).

The part remaining with King Henry under the privy seal of the King James at Durham and under his great seal at Melrose.

Date: Durham, 28 March 1424; Melrose, 5 April 1424.

Printed in: T. Rymer, *Foedera, Conventiones, Literae* ... 20 vols. (1704-1735) vol. X, p.328-332.

f.VIIIr 28 March 1424

Bond by James [I], king of Scots, to Henry [VI], king of England, for £40,000 English, to be paid to the said Henry and his heirs and successors, or their undoubted representative, in St Paul's cathedral, London, thus: 10,000 marks within six months counting from the first day of James's entry to his kingdom of Scotland, or from the first day when it would be his own fault if he should not enter his kingdom; and 10,000 marks each following year, within six months of the anniversary of the date of James's entry to his kingdom or the date when he could have entered his kingdom, in St Paul's, until the sum of £40,000 be fully paid; binding himself, his heirs and successors, kings of Scots, and their goods (&c) to making the payment, and submitting to the rights, coercion, usage, compulsion, statutes, customs and open (*mero*) examination of the *curia* of the papal *camera* and its auditors and viceauditors, and of other courts, whether ecclesiastical or secular and wherever constituted, in which the present bond, or an authentic transumpt hereof, might happen to be shown or produced; renouncing any means by which he might in any way be assisted to contravene the present bond.

Under the privy seal.

Date: [? Durham] 28 March 1424.

f.VIIIr-v 29 March 1424

Mandate by letters patent by Henry [VI], king of England, to William Bowes, knight, Mr William Dancastr', LL.B., and William Parke, squire, or two of them, since an agreement concerning the liberation of James [I], king of Scots, has lately been concluded between [1] Philip, bishop of Worcester, the king's clerks John Stafford', treasurer of England, and William Alnewyke, keeper of the privy seal, and other commissaries and deputies of the king, and

[2] William, bishop of Glasgow, John, abbot of Balmerino, George, archdeacon of Glasgow, and other ambassadors and commissaries of the kingdom of Scotland in which, amongst other things, it is stated that King James will, within four days of the first day of his entry to Scotland, swear to implement the agreement and not to do anything to contravene those things agreed, or any of them; instructing them to ask for and take the oath of King James in the said manner.

Witness: the king.

Date: Durham, 29 March 1424.

"per consilium Haseley"

"And the said king of Scotland swore the said oath on the third day of his entry into Scotland, in his chamber within the abbey of Melrose, with the said commissaries and many lords present."

f.IXr-XIr [17 May] 1312

Inspeximus by William {Couton'} [*sic* - actually William Tanfield] prior and the convent of Durham of the following inspeximus

Inspeximus by Richard [Kellaw], bishop of Durham, exemplifying the following return of an inquisition

Return of an inquisition taken before Thomas de Fisscheburn' and William de Denum by William de Heberne, John de Aldewod', William, lord of Medomsley, Henry de Lumeley, Thomas de Graystones, Robert de Bepole, Richard de Moreton', William, lord of Newton, William Postell, Peter de Trillesden', Richard Stere de Wolviston, and John de Qwhetley, on the following writ of *melius scire*

Writ of *melius scire* by letters patent by Richard [Kellaw], bishop of Durham, to Thomas de Fissheburn' and William de Denum stating that he accepts, from a complaint by the master and brethren of the hospital of St Giles, Kepier, that certain charters and muniments by which they and their predecessors held their lands, rents and tenements were destroyed by a fire in a certain house within the hospital in which they were deposited; through which the danger of disinheritance may readily threaten the master and brethren, their successors and the hospital; assigning them to conduct an inquisition on oath of men of the counties of Durham and Sadbergh, the better to know the truth as to:

what lands, rents and tenements the master and brethren, or their predecessors held at the time of the said fire, and from what time, of whom, and by what service; which properties were held by charters and muniments, and by what charters and muniments; which properties were held without charters and muniments, and by what means they were held; in what places the lands, rents and tenements were; and by whom, when and how these properties were conferred upon the hospital;

instructing them to send him a return of the inquisition under their and the jurors' seals; and by this writ ordering the sheriff to cause good and law-worthy men to come before them at certain dates and places of which they are to let him know.

By the hand of Denum', the bishop's clerk.

Date: Durham, 6 December, Pont. 1. [1311]

the jurors saying that at the time of Peter de Thoresbye, late master of the said hospital, charters and muniments placed in a house within the hospital by the said Peter were destroyed by a sudden fire in the said house on the morrow of St Brendan the abbot [17 May] 1306, and on the day of the fire the master and brethren had the charters and muniments as [numbered and] written below (some in full, but most in summary), of lands, tenements and rents, granted by various persons in perpetuity.

{1} Grant by Ranulf, bishop of Durham, giving notice that he has had this church dedicated to the honour of God and St Giles, that he gives the things underwritten in perpetual alms to the said church for the maintenance of the clerk who is to serve there and of the poor who are to be admitted to the hospital which he has established there, and that they [his arrangements] should perpetually remain for the bishop's soul, the redemption of the souls of those who nourished him, namely William the Conqueror and Matilda his queen, of King William [II] who elevated him to the episcopacy, King Henry [I] who confirmed him in that honour, and the souls of those making any gift to the church of St Cuthbert; of his vill of Caldcotes, a mill on the Milneburn, two sheaves [from each thrave of the corn tithe] from his demesnes in the vill of Newbottle, Houghton[-le-Spring], Wearmouth, Ryhope, Easington, Sedgfield, Sherburn, Quarrington, Newton, Chester[-le-Street], Washington, Boldon, Cleadon, Whickham and Ryton, to the said church of St Giles and the hospital for the poor.

Date of dedication: 3 Id. June 1112.

The master and brethren had one sheaf from the said demesnes, and that they did not know of the other sheaf;

{2} Grant by Hugh [of Le Puiset], bishop of Durham, [c.1170 x 1184], to the master and brethren of Kepier hospital giving notice that he has confirmed the gifts which Ranulf, his predecessor, made in favour of Kepier hospital, and that he gives free burgage in Gilesgate (*in vico Sancti Egidii*) to the master and brethren, and to all their men to whom they have granted liberty, quit of military service, aid, in-toll, out-toll, custom, burdens and demands; and pasture for their livestock within and without the hedge, timber and fencing where it be most convenient for them, without [the fine of] waste (*sine vasto*); quit of pannage throughout the bishop's forest; and a certain part of the peatery of Newton, by those bounds by which William de Houeden' and Philip the forester gave them seisin on the bishop's behalf; and a toft in every vill where they have tithes from the bishop's demesne, namely Houghton[-le-Spring], Ryhope, Easington, Darlington, Sedgefield, Boldon and Whickham; and ordering that none of his ministers should accept goods of the brethren taken as distraint, either inside or outside the borough, unless they annul their right in court, and then by licence of the bishop or of his justices; all of this given in perpetual alms.

{3} Grant by Hugh [of Le Puiset], bishop of Durham, [c.1170 x 1184], giving notice that he has given to the master and brethren of St Giles, for the reception and maintenance of the poor there the vill of *Clifton*', in perpetual alms; and one thrave of corn from every carrucate of the bishop's demesne in the bishopric of Durham, as given to the hospital of St Peter in Yorkshire; and the tithes of all the bishop's fields, i.e. from lands which were not cultivated before the bishop's time, which the bishop reclaimed as arable from marshes and thorn-brakes, in the province of York, the bishop's own diocese and the parish of Howden; in perpetual alms, quit of synodals and all other customs which the archdeacon or dean are in the habit of demanding, with the thraves which barons and others of the bishop's diocese have granted them.

{4} Grant by Ralph de Eppelynden' &c of one carrucate of land in Eppleton, &c. No date

{5} Grant by Gilbert Haunsard' &c, of the whole of his land in Amerston and rent of 40s in the same vill, &c. No date

{6} Grant by William Witton' &c, of the whole of his land of Frosterley. No date

{7} Grant by Hugh [of Le Puiset], bishop [of Durham], &c, of Whitelees and Swynleys, next to the Derwent, with his pasture within Rookhope, &c. No date

{8} Grant by John Ramesey &c, of rent of 65s from the whole of his half of the vill of Claxton, &c. No date

{9} Grant by Robert Corbeth &c, of the vill of Hunstanworth, &c. No date

{10} Grant by Robert Corbeth &c, of the common pasture of Hunstaneworth, &c. No date

{11} Grant by Robert [Stichill or Holy Island], sometime bishop of Durham, giving notice that he has given to the church of St Giles, Kepier, and the master and brethren serving thereof his whole tenement in the vill of Crawcrook, which he had by gift of Thomas of Hollinside and Isolda his wife, with the mill and the whole suit [of the mill ?] of the same vill just as the bishop has freely held it, the *redditus* of Daniel and John Loty, their land and whole *sequela*, and the land which Adam of Ryton sometime held, and a certain wood called *le Frith*, with the whole other wood pertaining to the demesne, the whole *Aldetonsid'* descending from the mill as far as *le Fright*, all labour-service of the vill, with the fishing of the Tyne, and the whole tenement in Crawcrook which the bishop had by gift of Laurence de Lyntz; and of the whole vill of Iveston, which the bishop had by gift of James Layroun; as attested in the charters of the said Thomas, Isolda, Laurence and James; to be held by the masters and brethren in free and perpetual alms; doing service used and wont to the bishop and his successors. [1261 x 1283]

{12} Grant by Ralph de Amundevile &c of a thrave of corn from each plough of his vill of Sedgfield, demesne and otherwise, for the support of the poor, from wheresoever assembling there, &c. No date

{13} [Licence] by Gilbert camerarius &c, to create a pond for the mill of Kepier upon his land, &c. No date

{14} Grant by William Herz &c, of two bovates in the vill of Claxton, &c. No date

{15} Grant by Quenilda, wife of Richard de Lokes, &c, of 12 acres of land in Medomsley, &c. No date

{16} Agreement between [1] Germanus prior and the convent of Durham, and [2] Adam, canon, proctor of the hospital and brethren of St Giles, with the consent of Hugh, bishop of Durham, namely that the prior and monks quitclaim the corn tithe of *Clifton'* to the house of St Giles, which until that time used to be rendered to the church of Elvet, St Oswald; on condition that the brethren at no time render [any tithe] from the said land, but the whole corn tithe of that land will remain quit to the said brethren in perpetuity, just as other obventions, without any diminution or withdrawal; and the brethren will render in recompense, every year in perpetuity, upon the altar of Elvet, St Oswald, on St Oswald's day, one bezant or two shillings; moreover they have quitclaimed in perpetuity to the said church two tithe-sheaves of the lordship of *Neuton'*, which from the time of Bishop Ranulf, as contained in his charter thereof, until that time, used to be rendered to the said hospital; on condition that at no time [they demand] any tithe by reason of their charters or privileges within the bounds of the vill of *Neuton'* but the whole corn tithe therein shall remain quit to the church of Elvet, St Oswald, like other obventions, without diminutions or withdrawal, in perpetuity; and lest either party be able to repudiate the agreement, they have promised in the presence of Bishop Hugh to observe it; and the bishop has confirmed it by his charter.

Date: [no place date] 7 Kal. August 1190 [*recte* 1189], Pont. 36. [26 July 1189]

{17} Grant by Henry Lightefot' &c, his whole land which he has at Darncrook, &c; rendering therefor yearly at the exchequer of Durham 10s at the four terms of the year. No date

{18} Grant by William Walchore, Robert Cucwald and their eighteen associates, &c of 9s for the thraves of their ploughs in Bedlingtonshire No date} (Omitted from the body of the text and entered separately at the end)

{19} Grant by Stephen *capellanus* &c, the whole of his land of *Suthcrofte* in Gilesgate, with buildings. No date

Under the seals of the jurors.

Date: Durham, Tuesday, the feast of Thomas the apostle [21 December] Pont 1 [1311].

and wishing to assert the truth of the foregoing, lest the said master and brethren or their successors incur the threat of disinheritance in the future for the want of their muniments.

Date: Kepier, 11 March 1311/12.

prohibiting the said master and brethren and their successors from selling or alienating any of their lands, tenements or rents without licence of the bishop or his successors; granting for himself and his successors that the said master and brethren hold all the lands, rents, tithes and tenements of which they were seized on the date of the presents, for themselves and their successors in perpetuity; and that they are to use and enjoy all liberties and free customs which they or their predecessors have used or enjoyed in the past, without contradiction of the bishop or his successors; and confirming the gifts, grants and confirmations to the said master and brethren, as contained in the said inquisition;

Date: Kepier, 11 March 1311/12.

saving the right of the prior and chapter in all things.

Date: Durham, 16 Kal. June [11 June] 1312.

Printed from a complete version incorporated in an inspeximus by Robert Neville, bishop of Durham, of 1445: *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896), p.192-207.

Printed {1}, with commentary and list of other copies: *Durham Episcopal Charters 1071-1152*, ed H.S. Offler (Surtees Society 179, 1968), p.64-65.

Printed {2} in *English Episcopal Acta 24 Durham 1153-1195*, ed. M.G. Snape (Oxford 2002), p.46-48.

Printed {3} in *English Episcopal Acta 24 Durham 1153-1195*, ed. M.G. Snape (Oxford 2002), p.48-49.

{11} In other inspeximuses in: (1337) DCRO D/Lo/D42; (1381) TNA C66/310 m.20; (1444) TNA Durh 3/43 m.6.

Printed {11}: W. Dugdale, *Monasticon Anglicanum* vi, p.733; *Memorials of St Giles*, ed J. Barmby, (Surtees Society 95, 1896), p.201-202; *English Episcopal Acta 29: Durham 1241-1283*, ed P.M. Hoskin (Oxford 2005), p.166-167.

The prior and convent's copy of {16}, DCD 4.16.Spec.45a, supplies certain significant words omitted from the copy here, including "ix" from the *anno domini*.

f.XIir-v 3 June 1315

Inspeximus by Geoffrey prior and the convent of Durham confirming the following ordinance.

Ordinance by Richard, bishop of Durham, noting the depressed state of the hospital of St Giles of Kepier and that it will be unable to sustain the good works and responsibilities incumbent upon it unless given succour from elsewhere concerning the tithes of newly-tilled land and of assarts brought into cultivation, from Pont. 18 and three months [March/April 1301] of Bishop Antony until the date of his death [3 March 1311], within the parish of the prebendal church of Auckland, St Andrew, and in the following places, namely &c having treated with those whom it concerns, and with the consent of the chapter of Durham,

creating a prebend in the said church, which he names the fourteenth prebend, annexing and assigning the same in perpetuity to the master of the hospital of Kepier and granting it to the hospital for carrying out the things written below and for supporting charitable works; decreeing that the master is henceforward to have a stall in the choir and a place in the chapter with the other prebendaries for maintaining a subdeacon in the church of Auckland, whom the bishop wishes to be paid 30s per year, and two additional chaplains in the hospital of Kepier, celebrating there for the bishop, his predecessors and successors;

on condition that, counting the master, there be eight priests there, receiving ten paupers each day above the customary number at evening distributions and celebrating the bishop's anniversary each year, with thirteen paupers being entertained, each one of whom is to be satisfied with a 60s loaf, drink, pottage, and three herrings; and each priest is to celebrate a mass for the bishop's soul within eight days of his anniversary each year; and, because the masters of Kepier are, by the bishop's ordinances, burdened beyond any other prebendary thereof, ordaining that they be not bound to attend synod, chapters, visitations or convocations whatsoever by reason of the said prebend, or bound to any ordinary burden other than maintaining a subdeacon; wishing the masters to reside continuously in person at the hospital, and to be ordained priests; and if any of the masters neglect to do any of the foregoing, it is to be allowed to the bishop and his successors to make arrangements at their will concerning the hospital and prebend (unless the masters be sojourning at the side of the bishop or his successors) declaring them vacant thenceforward and to belong to their collation.

Witnesses: Geoffrey, prior of Durham; Thomas de Goldesburgh', archdeacon of Durham; Mr William de Quicham, then official of Durham; Ralph Fitzwilliam (*filiu Willelmi*), Richard Marmeduk', then steward of Durham, Walter de Wessyngton', Thomas de Whitworth, John de Coygners, knights; William de Denum, Patrick de Kellowe, William de Brakenbiry, Nicholas Pollard, Geoffrey de Henknoll'.

Date: Durham, 1 June 1315.

Date: Durham, 3 June 1315.

This entry omits the detailed description of the assarts, also certain other passages. An apparently full text is printed in *Registrum Palatinum Dunelmense* vol. II, ed T.D. Hardy (Rolls Series 62 1874), p.1272-1277.

f.XIv [c.1170 x 1184]

Ordinances for the hospital of Kepier by Hugh [of Le Puiset], bishop of Durham describing the provision for thirteen *conversi* in the house, made up of: six chaplains celebrating masses in the chapel of Kepier for the souls of the said bishop Hugh, Bishop Ranulf, founder of the hospital, and all benefactors of the hospital, with one chaplain being assigned prior by the master of the hospital, with consent of the monks, to hear confessions of the *fratres conversi* and the infirm in care; each of the other seven being assigned to an office (specified).

[n.d.]

Other versions: DCD Reg. II, f.324r; Cambridge Gonville & Caius College MS 159/209 p.99.

Printed in: *Collectanea ad statum civilem et ecclesiasticum comitatus Dunelmensis spectantia*, [ed. G. Allan (Darlington 1769-c.1779)]; W. Hutchinson, *The History and Antiquities of the County Palatine of Durham*, 3 vols. (1785-1794), vol. II, p.200n; *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896), p.196n; *English Episcopal Acta 24 Durham 1153-1195*, ed. M.G. Snape (Oxford 2002), p.45-46 using two further texts (one being DCD Reg. II, f.324r), although the above is more authoritative than either of these.

f.XIir 2 April 1258

Remission by Innocent, papal *scriptor*, proctor of the church of Haughton[-le-Skerne] to the use of the nuns of Neasham priory, Durham dioc., of the corn tithe which they used to take in Little Burdon that it be allowed to them freely to collect and have the same, just as granted to them by Richard [Poore], sometime bishop of Durham, by his charter [see next entry]; promising not to impede them in future in this respect, but that he will be of help, and intercede with John de Ebolo, rector of Haughton, that the bishop's grant should be confirmed in letters.

Date: Haughton[-le-Skerne], 2 April 1258.

f.XIir [13 December 1235]

Grant by Richard [Poore], bishop of Durham, giving notice that, since the church of Haughton[-le-Skerne] is vacant by the death of Ruffinus Vertellen', late rector thereof, W., archdeacon of Durham has committed whatever he said he has of right in the said church to the ordinance of the bishop; noting that the revenues and possessions of the archdeaconry of Durham are meagre and insufficient to bear the weight of such a dignity, with the consent of the chapter of Durham, and ordaining concerning the said church thus:

uniting the tithe sheaves of eight carrucates of his demesne in Haughton parish, and all the tithe sheaves of the following villis, namely Barmpton, Skerningham, Coatham, Nesbith', and Graystones, to the archdeaconry; enacting that the said W., archdeacon, and his successors are to take the said tithes in perpetuity; on the other hand, by this charter granting the tithe sheaves of the vill of Little Burdon to the prioress and convent of Neasham, to be taken and possessed to their use in perpetuity, without any burden, and moreover the remaining tithes, whether great or small, possessions, rents, and all manner of fruits which pertained to the said church in the past or might pertain in future; saving to the archdeacon and his successors the tithe sheaves assigned to the archdeaconry, and to the prioress and convent of Neasham the aforementioned tithe sheaves of Little Burdon; and, without gainsaying of the archdeacon and his successors, reserving to himself and his successors the collation of the church to a suitable man, who, instituted by the bishop and his successors, will serve there, maintaining all episcopal or archidiaconal burdens annexed to the church.

Under the seals of the bishop and of the said archdeacon.

Witnesses: Simon, the bishop's penitentiary; Geoffrey de Wudehorn'; Michael, vicar of Benton [Longbenton ?]; W. de Arundell; John de Rames [*recte* Rumes'], the bishop's steward; Peter de Derlingt[on], Stephen de Burd[on], Roger de Laley, the bishop's clerks. By the hand of Henry, the bishop's chaplain.

Date: Auckland, St Lucy, Pont. 8.

Printed: *English Episcopal Acta 25: Durham 1196-1237*, ed M.G. Snape (Oxford 2002), p.294-295.

f.XIir [1235 x 1244]

Confirmation by Thomas prior and the convent of Durham of the grant by Richard, bishop of Durham, of the tithe sheaves of Little Burdon to the nuns of Neasham.

[n.d.]

See also DCD Misc. Ch. 334 & Reg. I, ii f.5r.

f.XIiv [6 May 1237]

Confirmation by Gregory [IX], pope, to the prioress and nuns of Neasham, and following their supplication, of the grant to them by the bishop of Durham of ten marks each year from the revenues belonging to the church of Washington, and of certain tithes belonging to the church of Haughton[-le-Skerne], with the assent of his chapter and of the rectors of the said churches.

Date: Viterbo, 2 Non. May, Pont. 11.

f.XIIIr-XXIv

f.XIIIr-XXIv

Table of contents of the register, classified into:

f.XIIIr-v Presentations [to benefices].

f.XIVr Blank.

f.XIVv Confirmations and ratifications.

f.XVr-XVIr Presentations to churches and collations of chantries [for the latter see in fact f.XXr].

f.XVIr-v Confirmations.

f.XVIv-XVIIr Proxies.

f.XVIIr-v Elections, commissions, assignations submissions, institutions and inductions.

f.XVIIv Manumissions.

f.XVIIv Appointments, citations, monitions and mandates.

f.XVIIIr Transumps, certifications and testimonials, records.

f.XVIIIv Pensions, liveries or corrodies, offices.

f.XIXr Bonds, quitclaims, releases, quittances, pardons, defeasances, letters of indemnity, leases, notifications and indentures, and revocations, letters of reception.

f.XIXr Indentures and exchanges.

f.XIXv Letters of confraternity and breviatory, letters excusatory, licences and letters of attorney.

f.XXr-v Collations of chantries, elections, visitations, appropriations, resignations, ordinances and instruments, statutes, inspections, appeals, titles, agreements, dispensations, letters dimissory and admissions.

f.XXIr Homages, forms of doing homage and fealty.

f.XXIr-v Inquisitions, dispensations, legal processes, acts and letters.

f.XXv 14 April 1418

Letters testimonial by Henry [Bowet], archbishop of York, having inspected the register of the time of the vacancy of the see of York by the the death of Richard [Scrope], lately archbishop, and his own register, giving notice that it appears that John Orven', acolyte of York dioc., was ordained by William [Northbrugge], bishop Pharensis, by authority of the chapter of York, as subdeacon on the Ember day 21 May 1407 in the conventual church of the Dominican friars, York, and as deacon on the Ember day 10 March 1407/8 in the conventual church of the Franciscan friars, York; and that the same John Orven', deacon, was ordained priest by the same bishop, by authority of the archbishop, on the Ember day 9 June 1408 in the said church of the Dominican friars, on the title of the abbot and convent of Jervaulx; whereof he considered himself content.

Date: Cawood, 14 April 1418.

Register of the prior and convent of Durham from A.D. 1401

f.1r 12 April 1401

Nomination by John prior and the convent of Durham to T., prior of Lytham, of Roger Moreton', clerk, for presentation by him to the church of Appleby, Lincoln dioc., vacant by the death of Mr Walter Wavasour, last rector thereof. Under the other part of the common seal, the head of St Oswald.

Date: Durham, 12 April 1401.

f.1r

Summary of presentation addressed to the keeper of the spirituality of the bishopric of Lincoln, *sede vacante*.

f.1r 16 April 1401

Presentation by the prior and brethren of Lytham addressed to Henry, bishop of Lincoln, of Mr Roger Moreton', LL.B. canon and civil, to the church of Appleby. Under the seal of the archdeacon of Richmond, "since they do not have the common seal".

Date: Lytham, 16 April 1401.

f.1r 8 August 1401

Presentation by J[ohn] prior and the convent of Durham addressed to Richard, archbishop of York, of William de Almanby, chaplain, to the vicarage of Eastrington.

Date: Durham, 8 August 1401.

f.1r-v 31 August 1401

Form of citation by John, prior of Durham, visitor of the Benedictines in the province of York, deputed by the presidents of the provincial chapter of the Benedictines held at Northampton, to the abbot and convent of N., informing them that he intends to undertake a visitation of them on 3 October next, with continuation; summoning them to attend on that date, in their chapter house, before him or his commissaries, one or more; instructing them to cite all their fellow monks who ought to be present to attend and undergo visitation; and requiring certification, on the date of visitation, as to what they shall have done in respect of the foregoing, and of the names of those cited.

Date: Durham, 31 August 1401.

(Addressed to the abbot and chapter of St Mary's York, according to the marginal caption.)

Printed: *Chapters of the English Black Monks III*, ed W.A. Pantin (Camden 3rd Series vol.liv, 1937), p.226.

f.1v 26 September 1401

Commission by John, prior of Durham, visitor of the Benedictines in the province of York, deputed in the provincial chapter of the Benedictines held at Northampton, to R[obert] B[laklaw], S.T.P., and T[homas] R[ome], B.Theol., monks of Durham, to undertake the visitation of the monasteries of St Mary's York, Selby, Whitby, and Monk Bretton in his place, as if he were personally present, since he is unable to carry out the visitation himself due to the business of his monastery.

Date: Durham, 26 September 1401.

f.1v 6 November 1401

Presentation by J[ohn] prior and the convent of Durham addressed to Walter, bishop of Durham, of J[ohn] de Hexham, chaplain, to the church of Edmundbyers, vacant by the resignation of William de Hyndely *alias* Lamesley, last rector thereof.

Date: Durham, 6 November 1401.

f.1v

Form of resignation by N. rector or vicar of B., Durham or York dioc., of the cure of his church, in the hands of N., bishop of Durham, or his vicar general in distant parts.
("Resignation of the church of Edmundbyers " according to the marginal caption.)

f.2r 1 November [1401]

Bond by John prior and the convent of Durham to Thomas Pollowe and John Pollowe, burgesses of Hartlepool, and John de Staynton' and John del Hall' (vicar of Hart), canons of Guisborough, for £32 to be paid to them, one of them or the attorney of one of them, in £4 instalments at the terms of Martinmas and Whitsun in the four years following the date of these presents; binding their farms and rents of Hartlepool, the tithes of Monk Hesleden, and all their goods to the payment of the sum.

Date: Durham, 1 November, 3 Henry IV.

Original: DCD Loc.XXVIII:32(19).

f.2r 26 November 1401

Presentation by John prior and the convent of Durham addressed to Richard, archbishop of York, or his vicar general in distant parts, of Mr Thomas de Weston', LL.Lic. to the canonry and prebend of Barmby, in the church of Howden.

Date: Durham, 26 November 1401.

f.2r 18 December 1401

Presentation by J[ohn] prior and the convent of Durham addressed to Walter, bishop of Durham, or his vicar general in distant parts, of Thomas Cundale, chaplain, to the vicarage of Ellingham, vacant by the resignation of William de Werdale, last vicar thereof.

Date: Durham, 18 December 1401.

f.2v 28 September [1401]

Certification by Thomas, abbot of Whitby, to John, prior of Durham, deputed visitor of the Benedictines in the province of York, by authority of the provincial chapter of that order held at Northampton, incorporating the citation, not recited, by John, prior "&c as in the preceding folio" received on 6 September; informing him that he has had his fellow monks cited to attend and undergo visitation, and that the names of those cited are given in an attached schedule.

Date: "&c" 28 September.

f.2v ?6 September [1401]

Certification by Thomas, abbot of St Mary's York, to John prior of Durham, deputed visitor of Benedictines in the province of York by the presidents of the provincial chapter of that order in England held at Northampton, incorporating the citation, not recited, by John, prior "&c" received on 23 September; informing him that he has had his fellow monks cited to attend, the stated day and place, and that the names of those cited are given in an attached schedule.

Date: [York] 6 [sic] September.

f.2v 7 October [1401]

Certification by John, abbot of Selby, to John, prior of Durham, "&c, as in the second certification preceding" incorporating a citation, not recited, by John, "&c", by authority of which he has had his fellow monks cited to attend for visitation, and that their names are in an attached schedule.

Date: [Selby], 7 October.

f.2v-3r 9 January 1402

Proxy by J[ohn] prior and the chapter of Durham appointing Mr T. de Weston', archdeacon of Durham, T. Langton, William Lasungby and William Bekwyth as their proctors to attend on their behalf the parliament to be held at Westminster on the Monday after Candlemas [6 February] next.

Date: Durham, 9 January 1401/2.

f.3r-v 4 February 1402

Notarial instrument recording that J[ohn], prior of Durham, T., subprior, J. Bisshopton', Richard Stokton', Walter Tesedale, John Durham, Robert Langchestr', T. Lyth', R. Maynesforth', W. Mounceaux, W. Pokelyngton', W. Appelby, W. Whytby, W. Durham, Richard Hessewell', J. Kirkeland', Roger Langchestr', J. Ryton', W. Barry, T. Rome, J. Tynemouth', J. Bywell', T. Whitton', J. Lethome, J. Fisschewyk, monks of Durham, appointed Mr James de Submago, Mr John Tyre, Mr John Shrynan' of Placencia, Mr William Lovell' and John Thornewton', vicar of Pontefract, as their proctors with general powers to act on their behalf at the papal *curia*, to obtain certain letters of grace from the pope, obtain revocations against gainsayers, agree to or reject judges, notaries and locations (&c).

Witnesses: William de Wynlaton', John de Gaynesburgh', clerks of Durham and York dioceses.

Notary: Thomas de Ryhale, clerk of Lincoln dioc., NP by apostolic authority.

Done in the chapter house of Durham, 4 February 1401/2.

f.3v 30 March 1402

Presentation by J[ohn] prior and the convent of Durham addressed to Richard, archbishop of York, or his vicar general in distant parts, of John Grene, vicar of Wystowe [Wistow, York dioc. ?], to the vicarage of the prebend of Skelton, in the church of Howden, to effect an exchange of benefices with Thomas Luft, vicar of Skelton.

Date: Durham, 30 March 1402.

f.4r 5 April 1402

Proxy by John prior and the chapter of Durham appointing T[homas] de Hexham, vicar of Haltwhistle, R. Moreton', rector of Appleby, J. Staynton', proctor at the court of York, as their proctors to attend the convocation of clergy to be held at York by Richard, archbishop of York, or his commissaries, one or more, on Thursday after the Sunday when the office *Misericordias domini* is sung [13 April], next to come.

Date: Durham, 5 April 1402.

f.4r 20 April 1402

Inspeximus by J[ohn] prior and the convent of Durham confirming the following lease. Lease by indenture by Walter, bishop of Durham, to Roger de Thorneton' of Newcastle upon Tyne of the lead mines of Black Dene *Estr'* and *Westr'*, and *Alde Wodeclogh'*, and another place called *Harderake*, to be held by Roger and his assigns for 12 years from Michaelmas last; rendering yearly to the bishop and his successors the ninth load of lead ore as extracted, when asked by any minister of the bishop assigned for this purpose; Roger having a suitable shieling in Weardale for the sustenance of his horses carrying ore from the mines, and paying therefor the ancient farm to the head forester; and working the mines sufficiently, in the view of the surveyor of the bishop's mines, according to the law and custom of lead mines in Weardale; the bishop granting that Roger have sufficient timber for maintenance of the mines and place abovesaid, by view of the head forester; and Roger having wayleave for carrying ore, timber and other necessities. (In French) Sealed interchangeably.

Date: 1 December, 3 Henry IV. [1401]

Date: Durham, 20 April 1402.

Language: Latin; French

f.4v 28 April 1402

Presentation by J[ohn] prior and the convent of Durham addressed to Richard, archbishop of York, or his vicar general in distant parts, of Thomas de Westwyk, prebendary of West Auckland in the church of Auckland St Andrews, to the church of [Kirby] Sigston, to effect an exchange of benefices with William de Grandisden', rector of [Kirby] Sigston; saving a yearly pension of 10 marks due of old to the prior and convent from the church of [Kirby] Sigston.

Date: Durham, 28 April 1402.

f.4v 12 May 1402

Inspeximus by J[ohn] prior and the convent of Durham confirming the following grant Grant by Walter, bishop of Durham, to Robert Jakson of the office of coroner of Easington ward; to be held for life, receiving fees and profits pertaining to the office, as accustomed to be received by other coroners there.

By the hand of Robert de Wyclif', the bishop's chancellor.

Date: Durham, 10 April, Pont. 14. [1402]

saving rights and liberties of the church of Durham.

Date: Durham, 12 May 1402.

f.4v 18 May 1402

Presentation by J[ohn] prior and the convent of Durham addressed to Walter, bishop of Durham, or his vicar general in distant parts, of Henry de Flynton', vicar of Grindon, to the church of Edmundbyers to effect an exchange of benefices with John de Hexham, rector of Edmundbyers.

Date: Durham, 18 May 1402.

f.4*r [14 September] 1410

Grant by indenture by the prior and chapter of Durham to Robert del Hall' of the office of forester of the park of *le Haynyng'* and the keeping of *le Hoterell'*, the moor, woods, ponds, quarries and all warrens in the lordship of Wardley, for as long as he should perform well and faithfully; and, for his service as forester and keeper, 5s yearly, the garment of a prior's servant (*valetus prioris*) each year when the general livery of cloth is made, a three-weekly allowance of 3 strikes of wheat from the farmers of the manor of Westoe, and rights, specified, to bark and branches in the said park and *le Hoterell'* ; and a house and an acre and a half of land in the vill and field of Nether Heworth, which earlier foresters had; Robert binding himself to keep the park and *le Hoterell'* (&c) well and faithfully during his time in office, either by himself or through others, should he be incapacitated; and to repair the entire enclosure of *le Haynyng'*, its stone walls, fences and ditches, at his own expense, within two years of entering office, and to maintain the enclosure while he remain in office; and granting that he should be liable for damage caused by his or his deputy's negligence, up to the value of 6s 8d, as determined by six trustworthy men in the next halmote within the county (*Wyralshir'*); and if he make no amends within 40 days following, or if, in the view of the prior, he be otherwise notably at fault, that the prior and convent be able to remove him from office and put another in his place.

Date: Durham, Exaltation of Cross 1410.

f.4*r-v [16th century]

[Memorandum] of endowments of the church and vicarage of Chillingham

- by Julius Caesar [*sic, recte* Gulielmus de Vesci ?] (describing lands in the vill of Chillingham, including reference to the burn, *le Brodmedow*, *le Manis* on the eastern side of the high street, the water of Till, the wood of Chillingham, *le stane cross'* in *Clapton hed/Clapon hed'*, *le thre surdis*, *le marce stanis*, *le beglu'* [?], half of *le holing hust*, three great stones, *le ra bush*, *le Hynd'shaw*);
- by Richard Mustians [i.e. Muschamps], knight, lord of Chillingham, to the church of Chillingham and to Richard Sandner' [?], vicar of Chillingham, and the vicars there (referring to *le Lameford'flatt* and rights in the wood of Chillingham) in 1242;
- by John Glocistr' to William Sclater and the vicars of Chillingham (referring to the vill of *Trillylton'* [cf. Trickle Hill], *le medew baug'* [?]) in 1270;
- by Robert Gloucistr', son and heir of John, to the said church and said vicar and his successors (referring to *Salms leche*, *le Kyrkkellech'*, *le How lech'*, *Kyrk liche* in 1278;
- by Nicholas Hepburn' to the chapel of St Mary in Chipburn' [Chibburn ?] and the vicar of Chillingham (referring to the *chapell rudis* to the south of the said chapel, the territory of the vill of Chillingham, honey and wax offerings from the vill of Hepburn, and to the vicar's responsibility for celebrating divine service at the chapel on three days in the year) 12 March 1271/2;
- by Thomas Hoton' to the vicar of Chillingham of a chamber over the gate of Chillingham castle and a stable for two horses in the west hall of the castle.

Witnesses: John Hoton', Alan Hoton', John Turme [?], William, lord of Hoton'; in 1348.

Printed in J. Hodgson, *A History of Northumberland* , part III vol. II, (Newcastle upon Tyne 1828) p.119-120. Discussed, with English extracts, in *A History of Northumberland* , vol. XIV (Newcastle upon Tyne 1935), p.307-308.

f.4*v [16th century]

[Memorandum] of composition between Thomas Hatfeld', bishop of Durham, and Thomas Hoton', knight, lord of Chillingham, concerning the tithes of the mill of Chillingham, 1348. Printed in J. Hodgson, *A History of Northumberland* , part III vol. II, (Newcastle upon Tyne 1828) p.120.

f.4*v [16th century]

[Memorandum] of the conclusion of the cause between William Sclater, vicar of Chillingham, and Thomas Wilkynson' and Richard Jonson', villeins of Chillingham, before the bishop of Durham; 1348.

Printed in J. Hodgson, *A History of Northumberland* , part III vol. II, (Newcastle upon Tyne 1828) p.121.

f.5r 31 May 1402

Bond by J[ohn] prior and the convent of Durham to Mr Thomas Weston, archdeacon of Durham, for £40, to be paid to him, his executors or his attorney, at Durham, at Martinmas next.

Date: Durham, 31 May 1402.

f.5r

[Memorandum] of a bond by the prior and convent [of Durham] that they are to submit to the ordinance of Mr Robert Oxton', Mr Robert Assheburn, Mr Alan Newerk and Mr John Harewode, clerks and jurists, arbiters in various causes between [1] the prior and convent and their commissaries of the spirituality of Allerton, and [2] William Levan, chaplain, if they [the arbiters] come to an agreement by James the Apostle next [25 July]; failing which they are to submit to the ordinance of Mr Thomas Weston', archdeacon of Durham, umpire, if he can come to a compromise by the Assumption of St Mary [15 August], whereafter the present bond is to be invalid; and, if neither the arbiters nor the umpire arrive at a compromise in the foregoing by the set dates, the present bond is to be invalid.

(Marked as void in the margin:)

Memorandum that the foregoing was not issued.

f.5r

[Memorandum] of a bond by the prior and convent [of Durham] that they are to submit to the ordinance of Mr Richard Holme, Mr Robert Assheburn', Mr Alan Newerk and Mr John Harewode, arbiters, in various causes between the prior and convent and William Levan, chaplain, providing the arbiters come to a decision before St Peter's Chains [1 August]; failing which they will submit to the ordinance of Mr Thomas [Weston'], umpire, providing he can come to a compromise by All Saints [1 November] next, whereafter the bond is to be invalid.

{In the margin, beside the lines in which St Peter's Chains and All Saints are mentioned, the alternatives Christmas and Easter have been added.}

f.5r 1 July 1402

Proxy by J[ohn], prior of Durham, appointing Mr R[obert of] B[lacklaw], monk of Durham, S.T.P., prior of Durham College, Oxford, as his proctor to attend in his name the impending provincial chapter of the abbots, priors and other prelates of the Black Monks in England, to be held at Northampton, by apostolic authority, on Monday before the Translation of Thomas the Martyr [3 July], with continuation; being unable to attend personally, because, approaching his 68th year, he cannot travel to such distant parts without peril of serious infirmity or death, and because of the threat of invasion by the Scots.

Date: Durham, 1 July 1402.

Printed: *Chapters of the English Black Monks III*, ed W.A. Pantin (Camden 3rd Series vol.liv, 1937), p.206.

f.5v 1 September 1402

Proxy by J[ohn] prior and the chapter of Durham appointing Richard Aynesforth' and T[homas] Rome, monks of Durham, and Mr J. Staynton' as their proctors to attend the impending convocation of clergy to be held at York by Richard, archbishop of York, or his commissaries, one or more, on Tuesday next before the Nativity of St Mary [5 September].

Date: Durham, 1 September 1402.

f.5v [20 September] 1402

Bond by John prior and the convent of Durham to William de Blaykeston', knight, John Kyllingall', and John de Bekwyth', for £36 2s, to be paid to them, their heirs or executors at Durham, in equal portions at Candlemas [2 February] and Midsummer [24 June].

Date: Durham, vigil of St Matthew 1402.

f.5v 10 January 1403

Proxy by J[ohn] prior and the chapter of Durham appointing Mr J. Staynton and Mr William Brescow as their proctors to attend the impending convocation of clergy to be held at York by Richard, archbishop of York, &c, on Monday next after Hilary, namely 15 January next to come.

Date: Durham, 10 January 1402/3.

f.5v-6r 5 March 1403

Inspeximus by J[ohn] p[r]ior and the chapter of Durham confirming the following grant Grant by Walter, bishop of Durham, to Peter de la Hay, his squire, of the wardship of the lands, tenements and heir of William Bowes, knight, held of the bishop in chief and in the bishop's hands by William's death and the minority of his heir, until the heir reach lawful age; along with the marriage of the heir, without disparagement; and the wardship and marriage of any heir to the heir if the heir die before reaching lawful age, "and so from heir to heir" ; rendering to the bishop and his successors, at the exchequer of Durham, the annual rent used and wont from the lands and tenements before they came into the hishop's hands.

By the hand of Robert de Wycleff, the bishop's chancellor.

Date: Durham, 8 October, Pont. 15. [1402]

saving the rights of the prior and chapter.

Date: "&c" 5 March 1402/3.

f.6r 5 March 1403

Inspeximus by John p[rrior] and the chapter of Durham confirming the following grant
Grant by Walter, bishop of Durham, to Peter de la Hay, his squire, of the wardship of the lands, tenements and heir of Thomas de Claxton', squire, held of the bishop in chief and in the bishop's hands by Thomas's death and the minority of his heir, until the heir reach lawful age; along with the marriage of the heir, without disparagement; and the wardship and marriage of any heir to the heir if the heir die before reaching lawful age, "and so from heir to heir" ; rendering to the bishop and his successors, at the exchequer of Durham, the annual rent used and wont from the lands and tenements before they came into the hishop's hands.

By the hand of Robert de Wycleff, the bishop's chancellor.

Date: Durham, 8 October, Pont. 15. [1402]

saving the rights of the prior and chapter.

Date: [Durham] 5 March 1402/3.

f.6r-v 12 March 1403

Certification by John p[rrior] and the chapter of Durham of the following mandate
Mandate by Walter, bishop of Durham, to the prior and chapter of Durham instructing them to have his excommunication of the alleged heretic James Notyngham, priest, who has failed to attend before the bishop as cited, announced during masses in Durham cathedral and in every parish church in their jurisdiction, on Sundays and feast days, when the greatest number of people will be present, until otherwise instructed; to inhibit the bishop's subjects from assisting the said James in his errors, with the threat of excommunication of transgressors by the bishop; to cause the said James to be cited, in every church in which he has been denounced, to appear before the bishop or his commissaries in the great chapel in the manor of Auckland on Wednesday 14 March next to say why he ought not to be pronounced a heretic; announcing to the said James that the bishop will proceed to sentence him, his absence notwithstanding, should he fail to appear at the said date; and to give certification by the said Wednesday as how they shall have executed this mandate.

Date: manor of Auckland, 23 February 1402/3.

received on 25 February and executed in all its points along with a similar mandate concerning John Wh..by.

Date: Durham, 12 March 1402/3.

Original (mandate): DCD Loc.XVII:27.

f.6v 14 March 1403

Presentation by John prior and the convent of Durham addressed to Richard, archbishop of York, of John Staynfeld (amended from Staynton), rector of Barningham, to the vicarage of [North]allerton to effect an exchange of benefices with Robert de Redmershill', vicar of [North]allerton; saving the yearly pension of £20 owed of old to the prior and convent from the vicarage.

Date: Durham, 14 March 1402/3.

f.6v 27 March 1403

Memorandum that Mr Richard Courtney was presented to Henry, then bishop of Lincoln, to the church of St Mary Binewerk, Stamford, vacant by the resignation of Mr John Selowe; saving a 20s pension; 27 March 1403.

f.6v 13 April 1403

Presentation by John prior and the convent of Durham addressed to Henry, bishop of Lincoln, of John West, chaplain, to the church of Biscathorpe, vacant by the resignation of John de Streton', last vicar thereof.

Date: Durham, 13 April 1403.

f.7r 6 May 1403

Bond by John prior and the convent of Durham to Thomas Ullesby, clerk, for £40 to be paid to him or his attorney at Durham at Whitsun next to come.

Date: Durham, 6 May 1403.

Original: DCD Loc.XXVIII:32(23).

f.7r [n.d.]

Proxy by John prior and the convent of Durham, patrons of the churches of Ruddington, Bossall, and Fishlake, annexed to Durham College, Oxford appointing Mr Robert Appilton', John Harwod', John Staynton, John Wyghtman and Thomas Rose, clerks, as their proctors to attend whatsoever inquests held by Richard, archbishop of York, or his commissaries, one or more, *ex officio* or at the instance of parties, concerning the exercise of patronage of the said churches, or their possessions or other rights.

f.7r 18 September 1417

Mandate by the official of the bishop of Durham to the parochial chaplains of the churches of St Nicholas and All Saints, Newcastle upon Tyne since Matilda Burgh' and Margaret U{sshar}, servants of Peter B{axter} of the said town, went to Durham cathedral dressed in men's clothing, with the intention of approaching the shrine of St Cuthbert, knowing this to be forbidden to women on pain of great excommunication; since they were committed before the official sitting in judgment, and confessed; and since, with the agreement of Mr J[ohn] H{onteman}, vicar general of the bishop of Durham, and other jurists, the official imposed penances on the women, to march, in presence of the procession, around St Nicholas's church on three feast days and around All Saints' church on another three feast days, in the same male clothing and manner in which they came to Durham cathedral; instructing them to convene the women to carry out their penances; to announce the cause of the penances to the people; to cite Peter Baxster and his wife to appear before the official or his commissary in the Galilee of Durham cathedral on Monday after Michaelmas next to come and show why they ought not to be punished; and to give certification as to what they shall have done in respect of the foregoing.

Date: Durham, 18 September 1417.

Printed in W. Hutchinson, *The History and Antiquities of the County Palatine of Durham*, 3 vols. (1785-1794), vol. II, p.297.

Reference to the certification of the foregoing mandate on the third folio following [f.10v].

f.7v 15 June [1403]

Certification by William de Cawod to Richard, archbishop of York, of the following mandate
Mandate by Richard [Scrope], archbishop of York, to Mr William Cawod, LL.Lic., canon of Southwell, since John FitzWilliam presented Robert Mason, priest, to the church of Ruddington, and Edmund de Byngham, rector of Odell (Wodhill), Lincoln dioc., and brother and heir of Richard de Byngham, lately lord of Bingham, presented Mr Roger Bottall', priest, LL.B., to the same church, each claiming the presentation as his; instructing him to hold an inquisition of local clergymen in the collegiate church of Southwell on Wednesday after the date of the presents, into the vacancy and patronage, etc. of the church of Ruddington; and to return the findings of the inquest in his letters patent and close incorporating the contents of the presents.

Date: manor of Scrooby, 9 June 1403.

returning that he took an inquisition, in the said church, of the rectors and vicars of the deaneries of Nottingham and Bingham named in the attached schedule; and that the jurors said that the goods of the church of Ruddington were occupied, detained and received by the monks of Durham; that they did not know whether the church was vacant, or who its patron was; that Lord Newell', father of the present lord, was last to present thereto; that the church was not disputed or shared, barring the portion for the prior of Lenton, worth 11 marks yearly; that the church was assessed at 50 marks and was worth that much yearly; and that they did not know so far as the other articles in the commission were concerned.

Under the seal of the chapter of Southwell, because his own seal is unknown to many.

Date: Southwell, 15 June.

[with] Schedule of jurors

Deanery of Nottingham: the rectors of Arnold, Epperstone, Gonalston, Wollaton, Strelley, Bilborough, Reyston' [Beeston ?], and Nottingham St Nicholas; and the vicars of Lowdham and Burton [Joyce];

Deanery of Bingham: rectors William, of Bingham; Robert, of Clifton; William, of Hickling; John, of Langar; William, of Gotham; John, of Rempstone; Thomas, of Bridgford; John, of Elston; Elias, of Wilford; and the vicars Richard, of Bunny; Robert, of Colston Basset.

f.7v 22 July 1403

Presentation by John prior and the convent of Durham addressed to Henry, bishop of Lincoln, or his vicar general in distant parts, of John Smyth' of Normanton upon Soar, to the church of St Mary Binwerk, Stamford; saving the pension of 20s owed of old to the prior and convent.

Date: Durham, 22 July 1403.

f.8r 20 August 1403

Memorandum that Mr Peter Redley was presented to the church of [North]allerton, vacant by the death of John de Staynfeld', last vicar thereof, to Richard, then archbishop of York; saving a pension of £20; 20 August 1403.

f.8r 13 September 1403

Memorandum that William de Dalton' was presented to the church of Normanton, by reason of an exchange with Nicholas Haukerigge, last rector thereof, to Richard, then archbishop of York; saving a pension of 13s 4d; 13 September 1403.

f.8r 24 September 1403

Grant by indenture by John prior and the convent of Durham to William Chambre of the office of forester of the park *del Haynyng'* and the keeping of *le Hoterell'*, the moor, woods, ponds, and all warrens in the lordship of Wardley, for life; and, for his service as forester and keeper, 5s yearly, a servant's garment each year when the general livery of cloth is made, a three-weekly allowance of 3 strikes of wheat, and rights, specified, to bark and branches in the said park and *le Hoterell'*; and a house and an acre and a half of land in the vill and field of Nether Heworth, which earlier foresters had; William binding himself to keep the park and *le Hoterell'* (&c) well and faithfully during his time in office, either by himself or through others, should he be incapacitated; and, through his whole term, to make and maintain the enclosure of *le Haynyng*, its fences and ditches, at his own expense, with the prior and convent maintaining the stone wall there at their own expense; and granting that he should be liable for damage caused by his or his deputy's negligence, by the view of the terrar, bursar or steward of the prior in the next halmote within the county (*Wyralshir'*), and making amends according to the judgement of twelve trustworthy men of Wardley; and if he should give or sell trees from the said park without consent of the prior, terrar or bursar, or make no amends within 40 days following the assessment of damage, that the prior and convent be able to remove him from office.

Date: Durham, 24 September 1403.

f.8r 25 November 1403

(Headed "not issued")

Memorandum that a proxy was issued to William Lokton' and Thomas Merkynfeld' to attend for the prior and chapter at the parliament to be held at Coventry on Monday after St Andrew next [3 December]; 25 November 1403.

f.8v 14 November 1403

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Walter, bishop of Durham, to Robert de Ogle, son of Robert de Ogle, knight, of the custody (office of constable, according to the marginal caption) of the castle of Norham, with the offices of justice, steward, sheriff and escheator in Norhamshire and Islandshire, for life; receiving for these offices that which is contained in indentures made between the bishop, Robert son of Robert, and Robert Raymes.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 6 September, Pont. 15 [1403 by temporalities dating]

saving their rights whatsoever.

Date: [Durham] 14 November 1403.

f.8v 5 December 1403

Inspeximus by John prior and the chapter of Durham confirming the following grant.
Grant by Walter, bishop of Durham, to John de Buckeley the office of doorkeeper (*janitor*) of the manor of Auckland, for life; receiving 40s yearly therefor at the exchequer of Durham by the hands of the constable.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 27 August, Pont. 15 [1403 by temporalities dating].

Date: [Durham], 5 December 1403.

f.8v 4 January 1404

Memorandum that a proxy was issued to Richard Ulston', clerk, John Darill', and John Haryngton' to attend for the prior and chapter of Durham at the parliament to be held at Westminster on the morrow of Hilary next [14 January]; 4 January 1403/4.

f.8v 2 January 1404

Proxy by John prior and the convent of Durham appointing Thomas Colvill', knight, Richard Norton, John Conyers, William Laysyngeby, and Richard Beverlay, their proctors to treat with Thomas Rymeston' in matters concerning three bovates of land in Ruddington.

Date: "&c" 2 January 1403/4.

f.8v-9r 1403

Inspeximus by J[ohn] prior and the chapter of Durham confirming the following confirmation.

Confirmation by Walter, bishop of Durham, to William Melot of the office of parker and keeper of the park of Frankland for life, granted to him by William Stubbes, to whom the office had been granted for life by John, lately bishop of Durham; receiving the wages and fees pertaining to the office.

By the hand of Robert de Wycliff', the bishop's chancellor.

Date: Durham, 1 December, Pont. 16. [1403]

Date: "&c" 1403.

f.9r 22 February 1404

Presentation by J[ohn] prior and the convent of Durham addressed to W[alter], bishop of Durham, or his vicar general in distant parts, of John Byry, vicar of Leake, York dioc., to the vicarage of Billingham, to effect an exchange of benefices with John Killom', vicar of Billingham.

Date: Durham, 22 February 1403/4.

f.9r 27 February 1404

Inspeximus by John prior and the chapter of Durham confirming the following grant.

Grant by Walter, bishop of Durham, to John Heppell, his squire, the office of apparitor general in the diocese of Durham, for life; receiving those fees used and wont to the office.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 23 February, Pont. 16. [1404]

Date: "&c" 27 February 1403/4.

f.9r-v 4 March [1404]

Inspeximus by J[ohn] prior and the chapter of Durham confirming the following grant.

Grant by Walter, bishop of Durham, to William de Staynton', his squire, of the offices of parker and doorkeeper (*janitor*) of the manor of Howden, for life; receiving the liveries, wages and fees used and wont to the office; with power to appoint substitutes in his name as he should see fit.

Under the bishop's privy seal.

Date: manor of Auckland, 3 March 1403/4.

Date: [Durham] 4 March.

f.9v 17 January [1404]

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

Grant by Walter, bishop of Durham, to Mr Alan de Newerk, clerk, of the keepership of Sherburn hospital, vacant by the removal of John Burgeys, last keeper thereof.

Witnesses: Mr Thomas de Weston', archdeacon of Durham; Mr Richard {de} Holme, canon of York.

Date: his chamber in the manor of Auckland , 2 January 1403/4.

Date: 17 January.

f.9v 17 January 1404

Bond by Alan de Newerk to the prior and convent of Durham and their successors promising to serve them in their causes and business and give and keep counsel, saving retinue given by him to any others before the date of the presents; on condition that they satisfy him of expenses if he happen to travel on their business.

Date: Durham, 17 January 1403/4.

f.9v-10r

Indenture of retinue and reciprocal grant between Mr Robert Appilton' and John prior and the chapter of Durham Mr Robert promising to be of the counsel of the prior and convent and their successors for life, in all business and causes, saving in all things his prior lords the chapter of York and the abbot and convent of York St Mary's; and to further their business according to his power; on condition that the prior and convent supply suitable expenses for his service within England; the prior and convent granting a pension of 40s yearly to Mr Robert until they should promote him to a benefice. [The entry is evidently void: its first four lines, namely those on f.9v, are struck through; its marginal caption appears to have been erased; it ends abruptly in mid-clause; moreover it has clearly been superseded by the indenture entered on f.12r.]

f.10r 21 April 1404

Inspeximus by John prior and the convent of Durham confirming the following grant. Grant by Walter, bishop of Durham, to John Heppell', his squire, of the office of gaoler and doorkeeper of the castle of Durham, for life; receiving 100s and a robe yearly at Michaelmas, at the exchequer of Durham; providing he take nothing from tenants of the bishop and his successors who have been committed to prison for debt; but taking all fees, used and wont to the office of gaoler, from others committed to prison; the duties of John and any substitutes being set out in general terms, though with specific mention that he is liable to pay a fine for the escape of prisoners; having profit of the moats outside the outer wall of the castle, along with other customary fees, but saving certain improved parts of the moats rented to the exchequer of Durham.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 14 April, Pont. 16. [1404]

Date: "&c" 21 April 1404.

f.10v 16 April 1404

Bond by John prior and the convent of Durham to Mr Thomas Weston, archdeacon of Durham, for £40 to be paid to him, his executor or attorney, at Durham at John the Baptist [Midsummer].

Date: Durham, 16 April 1404.

with

Condition namely that the prior and convent submit to the ordinance of Mr Thomas concerning causes raised between them and William Lenan, chaplain [?]; upon which Mr Thomas is to come to a decision by Peter's Chains [1 August] next, or else the bond is to be void.

Original: DCD Loc.XXVIII:32(24).

f.10v 21 April 1404

Inspeximus by John prior and the chapter of Durham confirming the following grant. Grant by Walter, bishop of Durham, to John Burgh', his clerk, parson of Ryton, and his successors, parsons of Ryton of an underground aqueduct from the spring called Stothwell, location described, to the rectory of the said church; and of licence to excavate in the bishop's land in order to repair and alter the aqueduct as required.

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

Date: Durham, 11 April, Pont. 16. [1404]

Date: [Durham] 21 April 1404.

f.10v

Certification by Robert Croft, chaplain of All Saints [Newcastle], to the official of the bishop of Durham that on the authority of the mandate on f.7r, he called M[atilda] and Margaret, who appeared and performed the penances by going around All Saints' church in presence of the procession last Sunday, being ready to do so on the other Sundays if not dispensed, but that it would be good for them to be graciously spared; and has cited the said P{eter} [Baxter] to appear [before the official] according to the mandate; and stating that Peter's wife, exhausted by a pair of twins, is unable to appear.

f.11r-12r 8 August 1403

Inspeximus by John prior and the chapter of Durham confirming the following inspeximus. Inspeximus by Walter, bishop of Durham, confirming the following chirograph charter which had been given without licence of the bishop's predecessors, and is now confirmed at the supplication of William de Norham, chaplain and now keeper of the said chantry Chirograph charter by Alan son of Roger Prester, and Alan, called Prester, of Gateshead, granting to Roger de Thorington', their chaplain at St Mary's altar in the north *porticus* of the parish church of Gateshead, saying masses daily for their souls and the souls of their parents (&c), 4 tenements, 6 messuages and an annual rent of 6s 8d from one tenement (a tenement running between that once held by Broun Adam on the north and the water-course of St Marywell on the south, the tenement between the messuages of Gilbert Maltoun and of Alan Seler, a messuage in Pipewelgate between land of Gilbert Gategang and of Robert Tryppe and extending from *Hengledyk* to the ground ebb of the Tyne, a messuage in Hillgate between land once held by Clement de *Boveria* and the common stream and running from Hillgate to the ground ebb of the Tyne, a tenement between land of Peter de Lewe and of Thomas de Vaux and running from the highway to demesne lands on the east, the messuage between the vennel called St Mary's on the north and land of Walter de Crayk on the south and running from the highway to Walter's land on the east, land running from the road beside the cemetery wall to the land once of Stephen the reeve (*prepositus*) in *Aykewelgate* and between the highway as far as Richard Schell's land, all the tenement between the messuage once of Ralph dyer (*tinctor*) and that of Hugh dyer (*tinctor*), all the messuage with buildings between the messuage once of Hugh fishmonger (*piscarius*) and that of John Gategang running from the highway to the stream from St Helen's well, all the messuage with buildings running from the highway to *Aykewelburn* and between land of William Lardener and of Adam Seler, all the messuage with buildings in *Aykewelgate* running from the highway to the bishop of Durham's demesne land and between land of Peter fuller (*fullo*) and land once of Thomas Mylis, an annual rent of 6s 8d from the tenement between that once occupied by Robert Littester and land held by Peter Littester in fee from Gilbert Gategang and running from the highway to John Roughed's curtilage) and all in the town and territory of Gateshead held by the grantors, by gift, enfeoffment or inheritance, at the date of the presents;

to be held by Roger and his successors, of the chief lords of the fee, by service used and wont; willing that, after their death, the community of the town of Gateshead have the right of patronage of the chantry, providing that twelve, ten or eight men of the community chosen thereto, be able to chose a suitable chaplain whenever the chantry be vacant after the death of Roger de Thorington'; with the responsibilities of the chaplains described.

Under the seals of Alan and Alan, Roger, and the community of the town of Gateshead. Witnesses: Peter de Lewe, then bailiff of Gateshead; John Gategang', James Gategang', William son of Hutred, Roger Rede, Robert Horne, Thomas Vaux, Stephen Nedeler, Thomas de Bowes, Walter Potter, Ralph Brydok, John Lardener, Richard de Tesedall', William Horner.

Date: Gateshead, Sunday, Matthias the apostle, 1330/1. [24 February 1331]

the properties to be held by William de Norham and his successors, chaplains and keepers of the chantry, singing masses at the said altar for the souls of the bishop and his parents, and for the souls of Alan and Alan and their parents (&c), in perpetuity; with the right of patronage belonging to the community of Gateshead, presenting future chaplains to the bishop for admission and institution; with induction being carried out by

the rector of Gateshead or, in his absence or during a vacancy, by the parochial chaplain; and with William de Norham and his successors giving their oath to pray daily for the souls of the bishop and his parents, and Alan and Alan and their parents (&c); the Statute of Mortmain notwithstanding.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 2 November, Pont. 15. [1402]

Date: [Durham] 8 August 1403.

f.12r 4/8 July 1403

Indenture of retinue and reciprocal grant between J[ohn] prior and the chapter of Durham and Mr Robert Appilton, Mr Robert promising to be of the counsel of the prior and convent and their successors for life, in all business and causes, saving in all things his prior lords the chapter of York and the abbot and convent of York St Mary's; and to further their business according to his power; on condition that the prior and convent supply suitable expenses for his service within England; the prior and convent granting a pension of 40s yearly to Mr Robert until they should promote him to a benefice; which pension is to cease and be replaced with a pension of 100s yearly should they send him to the Roman *curia* on their business, for every year in which he should remain there; with expenses of 10 marks for his travel there, of another 10 marks likewise from the *curia*, of 10s weekly while at the *curia* on their business, and more if the obtaining of apostolic bulls and the advantage of the prior and convent require it; and on his return he is to have a pension of 5 marks, which is also to supplant the 40s pension, until promoted to a suitable benefice.

Sealed interchangeably, firstly by the prior and convent and later by Mr Robert.

Date: Durham, 4 July 1403, and York, 8 July 1403.

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

A complete version of the entry on f.9v-10r.

Another version: DCD Loc.XXVIII:20.

f.12r 10 May 1404

[Memoranda] Letters of confraternity were issued to Geoffrey Casterton' and Margaret his wife 10 May 1404.

f.12r 10 May 1404

The presentation of Robert (blank) to the church of St Mary Binewerk, Stamford was issued 10 May 1404.

f.12v 17 January [1404]

Inspeximus by John prior and the chapter of Durham confirming the following grant.

Grant by Walter, bishop of Durham, to Alan de Newerk, clerk, of the keepership of the hospital of Sherburn, vacant by the removal of John Burgeys, lately keeper, because of his bad and unjust rule, for life.

Witnesses: Mr Thomas de Weston', archdeacon of Durham, and Richard Holme, canon of York.

Date: manor of Auckland, 3 January 1403/4.

Date: [Durham] 17 January.

f.12v 20 May 1404

Inspeximus by John prior and the chapter of Durham confirming the following confirmation. Confirmation by Walter, bishop of Durham, of a grant by Robert Ennersson', to whom and to William Fetherestanhalth' the keeping of the park of Stanhope had been granted by John, late bishop of Durham, to Thomas Ennerston' and Adam his brother of the said office, for the whole of their lives; receiving 2d per day, with rights to pasture and hay, specified, the latter to be assigned by the master forester.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 20 March, Pont. 16. [1404]

Date: [Durham] 20 May 1404.

f.12v-13r 22 May 1404

Inspeximus by John prior and the convent of Durham confirming the following grant. Grant by Walter, bishop of Durham, to John Blaket of Stanhope of the office of forester which William Fetherestanhalth' the son lately held at the bishop's will; to be held for life, taking the wages pertaining to the office, so long as John occupy the office in his own person.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 13 March, Pont. 16. [1404]

Date: [Durham] 22 May 1404.

f.13r 22 May 1404

[Inspeximus by John prior and the chapter of Durham confirming the following grant.] Grant by Walter, bishop of Durham, to John Walssh' of the office of forester of the four foresters in the high forest of Weardale, in place of Adam Batemanson', deceased, to be held for life with the wages customary to the office, so long as John stay in the office in his own person.

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

Date: Durham, 12 April, Pont. 16. [1404]

Date: [Durham] 22 May 1404.

f.13r 20 May [1404]

Inspeximus by J[ohn] prior and the chapter of Durham [confirming the following grant.] Grant by Walter, bishop of Durham, to William de Staynton', his squire, of the office of parker of the park of Crayke, which John de la Ryver [?] occupied; to be held for life, receiving the customary 2d daily; with power to appoint substitutes.

Date: manor of Auckland, 11 April 1404 Trans. 17.

Date: [Durham] 20 May.

f.13r 2 May 1404

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

Commission by Walter, bishop of Durham, to Reginald Porter, vicar of Pitlington, of the keepership of St Edmund's hospital, Gateshead, for life.

Date: manor of Auckland, 3 September 1308 [*recte* 1398]. Trans. 11.

Date: [Durham] 2 May 1404.

f.13r-v 24 May [1404]

Inspeximus by J[ohn] prior and the chapter of Durham [confirming the following grant]
Grant by Walter, bishop of Durham, to John Edmundson' the elder of the office and keepership of the woods of *Clak* and Cotcliffe, in the lordship of Allertonshire, for life; receiving the same as he has been accustomed to receive in the same office.

Date: manor of Auckland, 11 April 1404. Trans. 17.

Date: Durham, 24 May.

f.13v 21 September 1412

(Marked in margin "*non emanavit*")

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, of John <Suthewell> {Cateryk}, clerk, to the prebend of Skipwith in the church of Howden, vacant by the death of Robert Crull', last prebendary thereof; saving a yearly pension of 13s 4d owed to the prior and convent.

Date: Durham, 21 (apparently altered) September 1412.

f.13v-14r [20 July 1397 x 20 June 1398]

Grant by indenture by Walter, bishop of Durham, by licence of Richard II, king of England, to the chapter of Howden collegiate church of four tofts in Howden between *Briggate* and *le Parsonlane* ; two messuages, ten tofts, two cottages, two gardens, 31 acres of land, three acres of meadow, four librates of rent and half a bovate of land in the villis of Howden, Knedlington, Asselby, Barmby [on the Marsh], Skelton, Saltmarshe, Cotness, Metham, Yokefleet, Laxton, Kilpin, Belby, Lynton, Thorpe, Balkholme, Eastington, Owsthorpe, Cavil, and Newsholme; the four tofts to be used for houses and dwellings for the clergy of Howden, and the other properties to be used for annual rents for the chaplains of the chantries at the altars of SS Mary, Thomas, Martin and Catherine, for anniversaries and other works of charity in the said church, and for maintaining the houses and dwellings; to be held of the chief lords of the fee by service used and wont in perpetuity;

sealed interchangeably by the bishop and the said chapter.

Witnesses: Thomas de Metham and Thomas Bosevill', knights; Peter del Hay, Stephen del Fall', Stephen Cecill', and Stephen Cok of Howden.

Date: 20 (blank), 21 Richard II.

f.14r 20 July [1403]

Memorandum that bishop Walter gave another charter to the same chapter in the same form, dated 20 July, 4 Henry IV.

("Not issued" according to the marginal caption.)

f.14r 1 July 1404

Memorandum that Roger Hauksey was presented to the prebend of Skelton, vacant by the resignation of Mr Richard Wynwyk; 1 July 1404.

f.14r 1 August 1404

Inspeximus by John prior and the chapter of Durham confirming the following grant.

Grant by Walter, bishop of Durham, to Hugh atte Halle, his *famulus*, of the office of keeper of the park of Gateshead; to be held for life, receiving, by the hands of the master forester, 1½d daily, along with other fees which John Kempe lately used to take for the said office.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 24 July, Pont. 16 [1404 by temporalities dating]

Date: [Durham] 1 August 1404.

f.14r 1 August 1404

Inspeximus by John prior and the chapter of Durham confirming the following grant. Grant by Walter, bishop of Durham, to Robert Kyng, his *serviens*, of the office of keeper of the manor of Wheel Hall and of the garden there; to be held for life, receiving yearly 40s at the hands of the receiver of Howden.

Date: manor of Howden, 6 July 1404.

Date: [Durham] 1 August 1404.

f.14r-v 5 May 1404

Inspeximus by J[ohn] prior and the chapter of Durham confirming the following lease. Lease by indenture by Walter, bishop of Durham, to Ralph, earl of Westmorland, of all his lead mines in the forest of Weardale, to be held by the earl and his assigns from Michaelmas last past for five years; rendering yearly to the bishop and his successors six fothers of lead at Michaelmas; with existing farmers of the mines to pay during their terms the same farm and dues to the earl as they owed to the bishop. (In French).

Date: 1 May, 5 Henry IV [1404]. Trans. 16 [i.e. dating by spiritualities and so 1403, but by temporalities, "Pont.", more appropriate for this matter, would be 1404].

Date: [Durham] 5 May 1404. [Printed, with some errors of transcription: HDST, cxcii]

Language: Latin; French

f.14v [16 August] 1404

Proxy by John prior and the convent of Durham appointing William Appylby and Thomas Rome, monks of Durham, and Richard Clyfforth de Ruddington as their proctors to treat and come to an agreement with Thomas de Rymston' [? knight] concerning three bovates of land in Ruddington.

Date: Durham, the morrow of the assumption of St Mary 1404.

f.14v 1 July 1404

Inspeximus by John prior and the chapter of Durham confirming the following collation. Collation by Walter, bishop of Durham, to John Kylpyn, priest, of the chantry of the chapel within the manor of [North]allerton, for life; receiving yearly by the hands of the receiver of [North]allerton £4 stipend and 3s 4d for bread, wine and wax for the celebration of masses in the chapel, as John's predecessors were accustomed to receive from the bishop and his predecessors; saving episcopal rights and the dignity of the church of Durham.

Date: manor of Howden, 1 June 1404. Trans 17.

saving their archidiaconal jurisdiction in the parish church of [North]allerton, the rights and liberties of their church of Durham, and the indemnity of the mother Church.

Date: [Durham] 1 July 1404.

f.15r 7 September 1404

Presentation by John prior and the convent of Durham asking Richard, archbishop of York, to institute Robert Perlyngton', vicar of Ganton in the vicarage of the prebend of Howden to effect an exchange of benefices with William Aghton', vicar of the prebend of Howden.

Date: Durham, 7 September 1404.

f.15r 11 September 1404

Licence by John prior and the convent of Durham to Richard de Elvett and John de Elvett, clerks, and Gilbert de Elvet, that they be able to give and assign a messuage, in which Thomas de Blenkhowe now dwells, in Elvet next to the churchyard of Durham St Oswald, and two messuages lying together in *Novo Elvet* in Durham, which are held of the prior and convent; to William de Fyschburne, chaplain, keeper of the chantry of SS John the Baptist and John the Evangelist, newly founded or to be founded in the said church at the altar of the said saints by Richard, John and Gilbert, by licence of Walter, bishop of Durham [see f.17r below]; to be held by William and his successors, chaplains celebrating at the said (*predictum* i.e. singular) altar according to the ordinance made therefor by the said Richard, John and Gilbert, of the prior and convent and their successors, by service used and wont, in perpetuity; with the prior [and convent] and their successors (*nec ego nec successores nostri*) able to have no right to enter the messuages by virtue of the Statute of Mortmain.

Date: [Durham] 11 September 1404.

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.589, 677. Also on f.59v below and DCD Cart II f.282r.

f.15r 27 September 1404

Proxy by John prior and the convent of Durham appointing J. Conyers, and William Appilby and Thomas Rome, monks of Durham, as their proctors to treat and come to an agreement with Thomas de Rymeston, concerning actions raised over two bovates of land in Ruddington and the patronage of the church there.

Date: [Durham] 27 September 1404.

f.15r 27 September 1404

Proxy by J[ohn] prior and the chapter of Durham appointing J. Rome, clerk, Thomas Cowpland, squire, and Conyers, William Appilby, and Thomas Rome, monks of Durham, as their proctors to attend the parliament to be held on 6 October next to come at Coventry.

Date: Durham, 27 September 1404.

f.15v 25 September 1404

Bond by John prior and the convent of Durham to Richard Pykeryng, clerk, for 10 marks, to be paid to Richard or his certain attorney at Durham, at Easter next after the date of the presents.

Date: [Durham] 25 September 1404.

f.15v 4 October 1404

Presentation by J[ohn] prior and the chapter of Durham addressed to Richard, archbishop of York, of John Claypole, rector of North Cerney, Worcester dioc., to the church of Normanton upon Soar to effect an exchange of benefices with William de Dalton', rector of Normanton upon Soar.; saving a yearly pension of one mark owed of old therefrom to the prior and convent.

Date: Durham, 4 October 1404.

f.15v 10 October 1404

Nomination by John prior and the convent of Durham to Thomas, prior of Lytham, of John Bernard', rector of North Thoresby, Lincoln dioc., for presentation to the church of Appleby, to effect an exchange of benefices with Mr Roger Morton', rector of Appleby.

Date: Durham, 10 October 1404.

f.15v 13 October 1404

Letters of confraternity by John prior and the convent of Durham to James de Haryngton', knight, and Ellen, his wife, because of the affection which they bear towards the monastery of Durham and its cell of Lytham granting participation for them in all masses, vigils (&c) in the monastery of Durham and its dependent cells, and prayers each year after their deaths.

Date: Durham, 13 October 1404.

f.15v-16r

Inspeximus by John prior and the convent of Durham [confirming the following lease.] Lease by indenture by Walter, bishop of Durham, to Mr Alan Newerk of the manor of Quarrington, except for the works (*overeignes*) which belong to the bishop and are to be paid to his exchequer; to be held by Mr Alan and his assigns from Martinmas last past for 30 years; rendering yearly to the bishop and his successors £18 8s 10d in equal portions at Whitsun and Martinmas, beginning at Whitsun next; with Mr Alan to maintain the property and return it in as good condition as when he received it, and to have allowance of the render, as assessed by good men, for loss of profit due to war (in French).

Date: Durham, 1 May, 5 Henry IV. [1404]

Language: Latin; French

f.16r 10 November 1404

Inspeximus by John prior and the convent of Durham confirming the following licence, saving the rights and liberties of the church of Durham.

Licence by letters patent by Walter, bishop of Durham, accepting, from an inquisition held by his escheator, Robert Conyers, that there is no harm or prejudice to himself or others in granting to Richard Fysshlake, chaplain, to give to Richard Willesby, chaplain, keeper of the chantry of St John the Evangelist in the church of All Saints, Newcastle upon Tyne, to be held by him and his successors, chaplains and keepers of the said chantry, of the bishop and his successors for service used and wont, in perpetuity, a messuage in Gateshead between the tenement of Agnes Lutter on the north, once held by Thomas de Moderby, and the tenement of Nela de Chatton', once held by Thomas Surteys knight, on the south, and an annual rent of 9s 6d from the tenement in the same town of the late John Cuke, now in the tenure of Margaret his wife, which are held of the bishop, in chief; with licence to Richard Willesby, to receive the messuage and rent; the Statute of Mortmain notwithstanding; not wishing either party and their heirs or successors to be troubled by any of his officers; saving to the bishop and his successors, and to other chief lords of the fee, rents and services used and wont.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 20 October, Pont. 17. [1404]

Date: Durham, 10 November 1404.

f.16r-v 1404

Presentation by John prior and the convent of Durham addressed to Henry, bishop of Lincoln, or his vicar general in distant parts of Thomas atte Hall', rector of North Scarle, Lincoln dioc., to the church of Blyborough, to effect an exchange of benefices with John Wystow, rector of Blyborough.

Date: "&c" 1404.

Related material in other DUL collections: Related letters: DCD Loc.XXV:102 and 118.

f.16v 20 November 1404

Presentation by J[ohn] prior and the convent of Durham asking Richard, archbishop of York, or his vicar-general in distant parts, to institute Mr John Suthewell', clerk, in the vacant prebend of Howden in the church of Howden.

Date: [Durham] 20 November 1404. (Crossed out and annotated as not issued:)

f.16v 14 November 1404

Presentation by John prior and the convent of Durham asking Henry, bishop of Lincoln, or his vicar-general in distant parts, to institute John Martyn, rector of Aylesby, in the church of Kirkby on Bain to effect an exchange of benefices with Mr John Gotham, rector of Kirkby on Bain.

Date: "&c" 14 November 1404.

f.16v 10 December 1404

Presentation by J[ohn] prior and the convent of Durham asking Henry, bishop of Lincoln, or his vicar-general in distant parts, to institute John Duffeld of Scarle, rector of Hameringham, in the church of Kirkby on Bain, to effect an exchange of benefices with Mr John Gotham, rector of Kirkby on Bain; saving the yearly pension of 40s due of old therefrom to the prior and chapter and their monastery.

Date: [Durham] 10 December 1404.

f.16v 18 November 1404

Confirmation clause of an inspeximus by the prior and convent.

Date: [Durham] 18 November 1404.

[A fuller text of the concluding clauses of the following entry, to which there are matching cross-referencing marks.]

f.17r 18 November 1404

Inspeximus by John prior and the chapter of Durham confirming the following licences. Licence by letters patent by Walter, bishop of Durham, to Richard de Elvet, clerk, John de Elvet, clerk, and Gilbert de Elvet, to found a chantry, with one chaplain to celebrate in perpetuity for the souls and condition of divers persons, forbears and heirs of Richard, John and Gilbert, at the altar of SS John the Baptist and John the Evangelist in the church of Durham St Oswald, according to the ordinance to be made by them; and that they be able to procure lands, tenements and rents to the value of 10 marks yearly, from their own fee, the bishop's fee or from another's, for the maintenance of the chaplain, to be held by the chaplain and his successors in perpetuity, so long as the properties which Richard, John and Gilbert acquire, and are held of the bishop, be held of the bishop in socage or burgage, the Statute of Mortmain notwithstanding, and so long as it be apparent by inquisition returned to the bishop's chancery that it can be accomplished without loss or prejudice to the bishop, his successors and others whomsoever.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 5 June, Pont. 16 [1404 by temporalities dating].

Licence by Walter, bishop of Durham, referring to the above licence and reciting its terms, to Richard de Elvet, clerk, John de Elvet, clerk, and Gilbert de Elvet to grant to the chaplain, as in the above licence: the manor of Edderacres, a messuage in Fleshergate in the borough of Durham, which are held of the bishop in socage; two messuages in the borough of Elvet and a messuage in *Veteri* Elvet next to St Oswald's cemetery, which are held of the prior of Durham; which an inquisition taken by Robert Conyers, the bishop's escheator in County Durham, by the bishop's mandate, and returned to the bishop's chancery, found to be worth £6 10s in all; to be held by the chaplain and his successors in full satisfaction of the 10 marks' worth of property, as in the above licence; with licence to the chaplain and his successors to receive and hold the said properties in perpetuity; not wanting Richard, Gilbert, John and their heirs, or the chaplain and his successors to be troubled by reason of the foregoing by the bishop, his successors or his ministers.

By the hand of Robert de Wycliff, the bishop's chancellor.

Date: Durham, 6 August, Pont. 16 [1404 by temporalities dating].

[Marginal cross-reference to Cart. II f.281 for the foundation of the chantry: Cart. II f.280v-282r, a copy of 4.16.Spec.34b. Marginal cross-reference to the prior and chapter's licence "infra in anno &c xvij": f.59v below, among documents issued in 1418, although the licence is dated 1404 and is also copied f.15r above and, as an addition, Cart. II f.282r.]

Date: [Durham] 18 November 1404.

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.677.

f.17v 12 December 1404

Inspeximus by J[ohn] prior and the chapter of Durham confirming the following grant. Grant [letters patent] by Walter, bishop of Durham, to Thomas de Cowton', chaplain, of two cottages with their gardens in the vill of Houghton, lately held of the bishop by John Freman', to be held by Thomas, his heirs and assigns, of the bishop and his successors for the term of 70 years; rendering yearly the old farm of 18d and 2d increment.

By the hand of Robert de Wycliff "&c".

Date: Durham, 1 November, Pont. 17. [1404]

Date: Durham, 12 December 1404.

(Crossed out and annotated as not issued:)

f.17v 22 January 1405

Presentation by J[ohn] prior "&c" addressed to Richard, archbishop of York, or his vicar general in distant parts, of Thomas Hilton', canon of Lincoln cathedral, prebendary of Carlton cum Thurlby, to the prebend of Skipwith in the church of Howden, to effect an exchange of benefices with Robert Crull', prebendary of Skipwith; saving a yearly pension of 13s 4d owed of old to the monastery of Durham.

Date: [Durham] 22 January 1404/5.

(Annotated as not dispatched:)

f.17v 18 February 1405

Presentation by John prior and the convent of Durham addressed to Richard, archbishop of York, or his vicar general in distant parts, of Thomas del Hay to the prebend of Skelton in the church of Howden, vacant by the death of Mr Richard de Wynwyk', last prebendary thereof.

Date: [Durham] 18 February 1404/5.

f.17v 9 March 1405

Letters of attorney by John prior and the convent of Durham appointing Thomas Langley, dean of York, and William Appilby, monk of Durham, as proctors to treat with Thomas Remyston' and come to an agreement with him over certain suits pending concerning two bovates in Ruddington and the patronage of the church thereof.

Date: "&c" 9 March 1404/5.

Memorandum that other letters of attorney were issued to William Appilby alone, of the same form and date as above.

f.18r 9 March 1405

Notice by John prior and the chapter of Durham that they have not given power to Stephen de Houeden and John de Fyschburn', monks of Durham, to appear and act in their name or that of Durham college, Oxford, before any ecclesiastical judges whatsoever, and that they do not accept anything done by them in their name, and will not unless it can be shown by authentic letters that they have given power to them.

Date: "&c" 9 March 1404/5.

f.18r 18 May 1405

Letters of confraternity and consorority by John prior and the convent of Durham to Richard Schropschyr' and Hawise his wife because of the affection which they bear towards the monastery of Durham and its cell of Stamford St Leonard's granting them participation in all masses, vigils (&c) in the monastery of Durham and its dependent cells, and their prayers after their deaths, just as for other brothers and sisters.

Date: [Durham] 18 May 1405.

f.18r 8 June 1405

Inspeximus by J[ohn] prior and the chapter of Durham confirming the following grant. Grant by letters patent by Walter, bishop of Durham, since he granted to John Clocroft, his servant (*serviens noster*), a messuage, which John built at his own expense, and an acre of land which he had enclosed, outside the bishop's waste called *Geffrayhope*, at the side of a pasture called *Oxonpastur'*, near *le Burnmouth'*, within the territory of the bishop's vill of Easington; to be held for the term of John's life, of the bishop and his successors; rendering 6s 8d yearly at the four terms customary in the bishopric; and since he granted to John's sons William and Robert, after his death, the same messuage and land, to be held for the term of their life, rendering the same; and John, William and Robert have surrendered their estate of the said tenements; to the said John, his heirs and assigns of the said messuage and garden for the term of 60 years, rendering the same sum.

By the hand of Robert de Wyclif, the bishop's chancellor.

Date: Durham, 1 June, Pont. 15. [1403]

Date: Durham, 8 June 1405.

f.18v 26 June 1405

Presentation by J[ohn] prior and the chapter of Durham addressed to the dean and chapter of York, *sede vacante*, of Mr John de Hagthrop', canon of Lanchester, prebendary of Newbiggin, to the church of St Peter the Less, York, to effect an exchange of benefices with Mr Robert Asshburn', rector of St Peter the Less.

Date: "&c" 26 June 1405.

f.18v [28 June] 1405

Proxy by J[ohn], prior of Durham, appointing William Appilby, prior of Durham College Oxford, as proctor to attend and act in his name at the impending provincial chapter of the prelates of the black monks, to be held by apostolic authority at Northampton, on Monday next before the translation of Thomas the Martyr [6 July 1405]; the prior not wishing to attend in person because of the war and disturbances in the region and because of his old age.

Date: Durham, the eve of Peter and Paul 1405.

f.18v 14 July 1405

Presentation by J[ohn] prior "&c" addressed to W[alter], bishop of Durham, or his vicar general in distant parts, of Mr Robert Asshburn', LL.B., to the vicarage of Durham St Oswald, vacant by the death of William Langcestr', last vicar thereof.

Date: [Durham] 14 July 1405.

f.18v 18 September 1405

Presentation by John prior and the convent of Durham addressed to W[alter], bishop of Durham, of Thomas Crokay, chaplain, to the vicarage of Dalton[-le-Dale], vacant by the death of Richard [Wolveston], last vicar thereof.

Date: "&c" 18 September 1405.

f.18v-19r 3 September 1405

Mandate by John, prior [of Durham], ordinary of the spirituality of the liberty of St Cuthbert in York dioc., to the keeper of the spirituality of the church of Hemingbrough in the said liberty, instructing him to cite all chaplains in the church and parish of Hemingbrough and six, five, four or three persons from each vill according to its size, to appear before him or his commissary, one or more, in the parish church of Hemingbrough on 17 October next, and undergo visitation; and to be present there himself; and requiring to be informed at the said date and place, by letters patent incorporating the contents of the presents, as to what he shall have done in respect of the foregoing, and to be informed of the names of those cited.

Date: Durham, 3 September 1405.

(Added marginal note [by John Fishburn ?]: it should not be done in this way from now on since nobody ought to be keeper of the spirituality of Hemingbrough except by authority of the prior and chapter.)

f.19r 3 September 1405

Mandate by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howdenshire, to his official of the said spirituality instructing him to cite all the beneficed clergy and ministers of all the undermentioned churches, chapels and places, and to cite twelve, eight, six, four or two persons from every vill of these parishes according to its size, to appear (personally or by proctors, depending on right or custom) before him or his commissary, one or more, <a reference here to other lieutenants for this purpose struck out> in the parish churches of Holtby, Skipwith, Hemingbrough, Howden, Brantingham, Welton, Walkington and Eastrington on the coming 15, 16, 17, 19, 21, 22, 23 and 24 October respectively next and undergo visitation; and requiring to be informed at the said dates and places as to how he shall have executed this mandate, and of all those cited on account of the premisses.

Date: Durham, 3 September 1405.

f.19r-v 21 September 1405

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert, York dioc., to Mr John Harewood, advocate of the court of York; and T[homas] Rome, B.Th., and W[illiam] Barry, monks of Durham, since he is unable, being manifoldly hindered by assorted troublesome business of his monastery, to be present in person at the coming visitation of the said spirituality, giving them power, until revoked, to undertake the visitation of the churches of Holtby, Skipwith, Hemingbrough, Howden, Brantingham, Welton, Walkington and Eastrington, their dependent chapels and the clergy and people thereof.

Date: Durham, 21 September 1405.

Also Reg.III f.IIIv above.

f.19v 29 October 1405

Presentation by John prior and the convent of Durham addressed to W[alter], bishop of Durham, or his vicar general in distant parts, of Richard Knapton', chaplain, to the vicarage of Dalton-le-Dale, vacant by the resignation of Thomas Crokaa, last vicar thereof.

Date: Durham, 29 October 1405.

f.19v-20r 18 December 1405

Proxy by the prior and chapter of Durham, patrons of the collegiate church of Howden and its prebends and benefices, appointing Mr John Staynton', Mr Robert Esyngwald, and Mr William Bristow as their proctors to appear in their name before Mr John de Neuton', LL.D., treasurer of the church of York and Mr Thomas de Weston', archdeacon of Durham, arbiters or compromissaries in the dispute pending between Mr John Swthwell, clerk, and Thomas Axoy, concerning the prebend of Howden in the church of Howden.

Date: Durham, 18 December 1405.

f.20r 14 December 1405

Mandate by John Harwod, LL.B., advocate of the court of York, commissary of Mr John Ermyn', B. Dec., vicar general in spiritualities, in distant parts, of Mr Stephen Lescrop', archdeacon of Richmond, to Mr Robert Avenell, dean of Amounderness, and Richard, vicar of Preston, specially deputed to the following matter, instructing them to induct Robert Masham, monk of Durham, as prior of the cell of Lytham; and requiring them to inform the said vicar general or himself as to what they shall have done in the foregoing.

Date: York, 14 December 1405.

f.20r 6 February 1406

Proxy by John, prior of Durham, appointing John Rome, clerk, Thomas Merkynfeld', squire, and William Slegill', chaplain, as his proctors to attend in presence of the king, in a parliament to be held at whatsoever date and place.

Under the chapter seal.

Date: D[urham], 6 February 1405/6.

f.20r 6 March 1406

Memorandum that the presentation of William Reson', chaplain, to the vicarage of Merrington, vacant by the death of William Fraunceys was issued to Walter, bishop of Durham; 6 March 1405/6.

f.20r-v 27 March 1406

Inspeximus by John prior and the convent of Durham confirming the following collation and certification.

Collation by Walter, bishop of Durham, to William Yharum, priest of Durham dioc., of the parish church of Durham St Nicholas, vacant by the death of John de Hayton', last rector thereof.

Date: manor of Howden, 22 March 1405/6

Certification by the official of the archdeacon of Durham reciting, having lately received the following mandate

Mandate to induct by Walter, bishop of Durham, to the archdeacon of Durham or his official informing them that he has collated the church of Durham St Nicholas to William Yharum, priest, and instituted him therein; instructing them to induct William or his proctor into corporeal possession of the church; and requiring certification in letters patent incorporating the contents of the presents.

Date: manor of Howden, 22 March 1405/6.

stating that he has inducted William into possession of the said church and its rights and appurtenances.

Date: Durham, 23 March [1406].

Date: [Durham] 27 March 1406.

f.20v 12 April 1406

Presentation by John prior and the chapter of Durham, addressed to the administrators and keepers of the spiritualities of the vacant see of Durham, of Thomas Roose, deacon, to the vicarage of Merrington, vacant by the death of William Fraunceys, last vicar thereof.
Date: [Durham] 12 April 1406.

f.20v 26 July 1406

Presentation by J[ohn] prior and the chapter of Durham addressed to the dean and chapter of York *sede vacante* of Thomas Sutton', chaplain, to the church of Brantingham, vacant by the death of Laurence Allerthorp', last rector thereof; saving a pension of 10 marks yearly owed of old therefrom to the monastery of Durham.
Date: [Durham] 26 July 1406.

f.20v 8 July [1405]

Grant by J[ohn] prior and the convent of Durham to Mr John Swthwell', clerk, for his counsel, of a pension or annual rent of 38 marks, for the term of his life or until promoted by the prior and convent to an acceptable benefice; to be held by Mr John of the prior and convent and their successors, and to be received at York at Peter's Chains, Martinmas, Candlemas and the Invention of the Cross, by equal portions, beginning at Peter's Chains 1405; with the right to distrain for arrears forty days after any of the term days, and to keep anything so distrained until satisfied of the arrears and of damage caused by non-payment.
Date; [Durham] 8 July.

f.20v 29 June 1406

Presentation by John prior and the chapter of Durham addressed to the dean and chapter of York, *sede vacante*, of {John Southu'}, M.A., [cf. preceding entry] to the church of York All Saints Ousegate, vacant by the death of John Lund, last rector thereof.
Date: [Durham] 29 June 1406. Omnibus ad quos

f.21r 29 June 1406

Presentation by John prior and the chapter of Durham addressed to the dean and chapter of York, *sede vacante*, of Mr William Bristow to the church of York St Peter the Less, vacant by the resignation of Mr John Hagthorp', last rector thereof.
Date: [Durham] 29 June 1406.

f.21r 19 May 1406

Proxy by John prior and the chapter of Durham appointing Thomas Rome, B. Theol., and William Barry, monks of Durham as their proctors to present to Thomas Longley, dean of York and chancellor of England, their election of him to the bishopric of Durham, vacant by the death of Walter Skyrlaw, last bishop thereof, and to seek his consent to his election.
Date: [Durham] 19 May 1406.

f.21r 28 June 1406

Proxy by the prior and chapter of Durham, *sede vacante*, appointing William Appelby and Thomas Rome, monks of Durham, as their proctors to treat and come to an agreement with the dean and chapter of York, *sede vacante*, concerning the dispute between the prior and chapter and the dean and chapter over the right to administer the spiritualities of the church, city and diocese of Durham during vacancies of the said churches.
Date: 28 June 1406.

f.21r-v 27 June 1406

Notarial instrument recording that John de Hemyngburgh', prior of Durham, interposed a certain appeal "written below" [but not in fact recited] directly to the Roman *curia*.

Witnesses: Thomas Roose and William Ysop', clerks of Durham dioc.

Done: chapel of St Nicholas in the abbey of Durham, 27 June 1406.

(Added marginal note [by Thomas Swalwell] "patet registro paruo f. 156", not readily traceable.)

f.21v 8 July 1406

Presentation by John prior and the chapter of Durham addressed to the dean and chapter of York, *sede vacante*, of John de Foxton', chaplain, to the vicarage of Fishlake, vacant by the death of John de Clayton', last vicar thereof.

Date: [Durham] 8 July 1406.

f.21v 1 July 1406

Proxy by John prior and the chapter of Durham appointing Mr John Staynton' and Mr William Bristow as their proctors to attend the impending convocation of clergy of the province at York, on Monday after the Translation of St Thomas next to come.

Date: [Durham] 1 July 1406.

f.21v 10 January 1407

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, of William Ysop', chaplain, to the vicarage of Bywell St Peter, vacant by the death of Nicholas Yngilby, last vicar thereof.

Date: Durham, 10 January 1406/7.

f.21v-22r 6 June 1407

Bond by John prior and the convent of Durham to Thomas de Weston', Richard de Holme, Alan de Newerk, clerks, and Peter de la Hay of Spaldington, for £102 14s to be paid to them, or their undoubted attorney showing the presents, at York, namely £72 14s at Candlemas next, and £30 at Nativity of John the Baptist thereafter.

Date: Durham, 6 June 1407.

Original: DCD Loc.XXVIII:32(25).

f.22r-25r 17 - 19 May 1406

Notarial instrument recording that John Hemmyngburgh', prior, and Robert Rypon', S.T.P., subprior; priors John Acle, S.T.P., of Coldingham, Robert Pykton' of Stamford St Leonard's, Thomas Dautry of Finchale, and Robert Massam of Lytham; masters of cells Richard Eden' of Farne, Walter Tesdale of Jarrow, and John Hoton' of Wearmouth; William Appelby, keeper of Durham College Oxford; and John Byshopton', B.Th., John Bolton', John Heryngton', Robert Langchestur, Thomas Launcells', infirmarer, William de Kellowe, Thomas de Insula, third prior, Richard Stokton', refectorer, Reginald de Belyngham, Thomas Lythe, precentor, John Barton', chamberlain, Roger Maynesforth', terrar, Robert Crayke, hostiller and cellarer, John Rypon', John Bywell', William Blakeston', Thomas Stapelay, William Pokelyngton', S.T.Bacc. and keeper of the shrine of St Cuthbert and the church's relics [i.e. feretrar], William Graystones, William Whytby, John Herle, Thomas Rome, S.T.Bacc., chancellor and sacrist, John Durham, Thomas Esshe, William Sothewyk, Robert Emeldon', William Kybblesworth', keeper of the monastery church, Robert Eseby, John Ryton', bursar, John Lethum, keeper of the Galilee, William Barry, John Wessyngton', John Gysburn, John Fyssshewyk, John Fysssheburn' elder, John Mores, Hugh Warkeworth', William Durham, John Swynshed', granator, Roger Langchestur, Thomas Moreby, Thomas Wytton', Thomas Herle, Thomas Hatfeld', and Henry Fereby in priestly orders, and Richard Routhebury, deacon, monks of Durham, were assembled in chapter for the election of a bishop of Durham, the church being vacant by the death of Walter de Skyrllowe, last bishop thereof; that the following licence was read through and shown to the prior and the heads of cells, the certificators of the citations to the monks in cells, and it was established that John Neuburn', prior of Holy Island, prevented from attending by his infirmity, was represented by the aforementioned Thomas Lythe, as his proctor; and that Stephen Howeden', Richard Heswell', John Kyrkeland', Henry Helagh', Robert Hornby, Thomas Neuthorph', William Drax, Thomas Leget, John Aukeland', John Charleton', John Fysheburn' younger, and William Trolloppe were absent; Licence by letters patent by Henry [IV], king of England, to the prior and convent of Durham to elect a bishop of Durham.

Witness: the king.

Date: Westminster, 25 April, 7 Henry [IV]. Gaunsted' [1406]

that the prior and chapter gave power to the abovementioned Thomas Rome, monk of Durham, to make a declaration, recited, calling upon all who ought not to be present to withdraw from the chapter; that it was decided to conduct the election by means of a ballot, and that power was given to Robert Rypon', subprior, John Acle and Robert Pykton, priors [of Coldingham and Stamford St Leonard's] to act as scrutineers; that, in a corner of the chapter house, in the presence of the notary and witnesses, each of the three scrutineers was put to an oath (form given) by his two colleagues, and cast his vote (form of words given);

and that the scrutineers administered the oath to the prior and chapter, individually and privily, and asked for the vote of each monk in turn (each vote recorded); that there were 56 chapter members, regular and in priestly and holy orders, present in person, and another present through his proctor, and that 47 cast their vote in favour of Thomas Langeley, dean of York, chancellor of England, 9 voted for Mr Thomas Weston', archdeacon of Durham, and 1 for Henry Bowet, bishop of Bath and Wells; that for this and other reasons Thomas Langeley was nominated as bishop; that John Acle, deputed by the scrutineers and chapter to present Thomas Langeley as bishop, provided him to the said church and published his election to the chapter (form of words recited); that

the chapter ratified the election; and that John Acle later published the election to the clergy and people, knights and squires assembled in a great multitude.

Witnesses: Mr John Harewode, advocate of the court of York, Mr William Brystowe and Thomas Ryhale, clerks, NPs of York, Carlisle and Durham dioceses.

Notary: John Stanton', clerk of York dioc., NP by apostolic and imperial authority (eschatocol given).

Done: in the choir of Durham cathedral, c. 8th hour, etc.; 17-19 May 1406.

Related material elsewhere: For related documents about Langley's election, see DCD Loc.VI:2 and Loc.XVI:4a-d.

f.25r 20 June 1407

Presentation by John prior and the chapter of Durham addressed to the dean and chapter of York, *sede vacante*, of William Colynson' of Whickham, chaplain, to the church of Holtby, saving a yearly pension of 25s owed of old therefrom to the monastery of Durham.

Date: Durham, 20 June 1407.

Related material in other DUL collections: Related letters: DCD Loc.XXV:139 and 140.

f.25v 5 September 1407

Proxy by John prior and the chapter of Durham to Mr William Bristowe, rector of York St Peter the Less, appointing him as their proctor to appear before the pope or other judges whatsoever, in the papal *curia* or elsewhere, in whatsoever causes arising between them and the chapter of York concerning the spiritual jurisdiction of the church of Durham when the sees of York and Durham are vacant together.

Date: Durham, 5 September 1407.

f.25v 8 September 1407

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, of John Appelby, chaplain, to the vicarage of Pittington, vacant by the death of Reginald Porter, last vicar thereof.

Date: Durham, 8 September 1407.

f.26r 23 September 1407

Collation by John prior and the chapter of Durham to Mr John de Hakethrope, clerk, of the chantry of St Helen, over the abbey gate of Durham, lately held by John de Appelby, chaplain, and now vacant since he obtained the vicarage of Pittington; to be held along with the free chapels of SS Bartholomew and Leonard next to Durham; providing that he secure promotion to priestly office within a year of the date of the presents, and that in the meantime he should cause the priestly office required at the said chapel to be carried out, and perform or have another perform all other incumbent duties.

Date: Durham, 23 September 1407.

Also DCD Reg. Parv. II, f.3v-4r, dated 20 September.

f.26r October 1407

Bond by John prior and the convent of Durham to Robert Conyers, knight, for £53 6s 8d, to be paid to Robert or his assigns at Candlemas next.

Date: [Durham] (blank) October 1407.

f.26r 4 December 1407

Collation by John prior and the convent of Durham to Thomas de Ryhale, clerk, of the chantry in the chapel of St Katherine in the manor of Bearpark, receiving 5 marks yearly from their exchequer of Durham, at the hands of the bursar, and 13s 4d yearly from their almoner, with pasture in the park of Bearpark for two cows and their offspring of one year; providing that he secure promotion to priestly orders within a year of the date of the presents, and thenceforward perform, or have a suitable chaplain perform, all duties required at the chantry.

Date: Durham, 4 December 1407.

f.26v 9 January 1408

Grant by indenture by John prior and the convent of Durham to Thomas de Mapperley the elder of Nottingham, of an annual rent of 20s for the term of his life.

Sealed interchangeably.

Date: 9 January 1407/8.

Original: DCD 2.5.Ebor.19b.

f.26v 19 April 1408

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of Walter Bosun, dean of Chester-le-Street collegiate church, to the vicarage of Durham St Oswald, to effect an exchange of benefices with Mr Robert Asscheburne, LL.B., vicar of Durham St Oswald.

Date: Durham, 19 April 1408.

f.26v 28 [April] 1408

Proxy by John prior and the chapter of Durham appointing Mr John Southewell', Mr Roger Moreton' and Mr John Staynton' as their proctors to attend the impending convocation of clergy, to be held in York minster by Henry, archbishop of York, or his commissaries, one or more, on 4 May.

Date: Durham, 28 May [*recte* April ?] 1408.

f.27r 27 May 1408

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of John Durham, chaplain, to the vicarage of Branxton, vacant by the death of William de Bywell', last vicar thereof.

Date: Durham, 27 May 1408.

f.27r 20 June 1408

Proxy by John prior and the chapter of Durham appointing Mr John Southewell', Mr Robert Ragnell', Mr Thomas Grenewode and Mr John Staynton', as their proctors to attend the impending convocation of clergy, to be held in York minster by Henry, archbishop of York, or his commissaries, one or more, on 28 June, with continuation.

Date: Durham, 20 June 1408.

f.27r 12 July [1408]

Certification by John prior and the convent of Durham to Thomas, bishop of Durham, having received on 1 July and reciting the following citation

Citation by Thomas, bishop of Durham, to the prior and convent of Durham instructing them to attend before him in their chapter house on 23 July next, with continuation of days, and undergo visitation; warning them against attempting any conspiracies in prejudice of the visitation, on pain of great excommunication; and requiring a return in letters patent by eight days before the said date as to what they shall have done in respect of the foregoing, giving the date of delivery of the presents, and reciting the contents hereof.

Date: Stockton 11 June 1408.

informing him that they intend to appear for visitation, date and place as said, saving their rights (&c).

Date: Durham, 12 July.

Original: DCD Loc.XXVII:25.

f.27v 1 June 1408

Proxy by John prior and the convent of Durham, having the parish churches of Jarrow, Monkwearmouth, Holy Island, <Witton>, {[Bishop] Middleham}, <Whitworth>, <{Ellingham}>, Bywell St Peter, [Durham] St Oswald, Aycliffe, Heighington, Merrington, Dalton le Dale, Hesleden, Billingham, Pittington, Norham, Branxton, Ellingham, Edlingham, Bedlington, {[Bishop] Middleham (in margin)} to their own use, appointing Thomas Rome, John Wessyngton', monks of Durham, Mr John Staynton', proctor of the court of York, and Thomas de Ryhale, clerk, as their proctors to act in all causes (&c) concerning them and their monastery, cells, churches and dependent chapels, before whatsoever judges (&c) and against whatsoever adversaries; and also in synods and visitations held by Thomas, bishop of Durham, or his commissaries.

Date: Durham, 1 June 1408.

f.27v-28r 24 July 1408

Proxy by John prior and the convent of Durham, having the parish churches of Northallerton, Eastrington, Bossall, Fishlake and Ruddington, in York dioc., to their own use, appointing Mr Thomas Grenewode, LL.B., and Mr John de Stanton', clerk, as their proctors to act in all causes (&c) concerning them, the church of Durham, and their said parish churches, before whatsoever judges (&c) and against whatsoever adversaries.

Date: Durham, 24 July 1408.

f.28r 24 July 1408

Proxy by John prior and the convent of Durham, having the parish churches of Fishlake, Bossall and Ruddington, in York dioc., to their own use, appointing Mr Thomas Grenewode, LL.B., and Mr John de Stanton', clerk of York, as their proctors to attend, for them and their said churches, at whatsoever synod held before the archbishop of York, his vicar general and commissaries whomsoever, or another judge.

Date: Durham, 24 July 1408.

f.28r 23 July 1408

(Cancelled as void:)

Proxy by John prior and the chapter of Durham appointing Mr Thomas Grenewode, LL.B., and Mr John Stanton', proctor of the court of York, as their proctors to attend the convocation of clergy to be held in York minster by Henry, archbishop of York, or his commissaries, one or more, on Monday after James the apostle [30 July].

Date: Durham, 23 July 1408.

f.28v 22 July 1408

Proxy by John prior and the convent of Durham appointing Mr Thomas Grenewode, LL.B., and Mr John Stanton', clerk as their proctors to attend the impending convocation of clergy to be held in York minster by Henry, archbishop of York, or his commissaries, one or more, on Monday after James the apostle, namely 30 July.

Date: Durham, 22 July 1408.

f.28v 16 August 1408

Proxy by J[ohn] prior and the chapter of Durham appointing W[illiam] de Appelby, keeper of Durham College Oxford, T[homas] Rome, S.T.B., monks of Durham, Mr J[ohn] Suthewell', LL.B., and Mr J[ohn] Stanton', proctor of the court of York, their proctors to attend the impending convocation of clergy of the province of York, to be held by Henry, archbishop of York, or his commissaries, one or more, in York minster on 20 August with continuation of days, concerning the matter of the union of the Church.

Date: Durham, 16 August 1408.

f.28v 29 August 1408

Mandate by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, to his official of the said liberty, instructing him to warn Thomas Westwyk, rector of [Kirby] Sigston, to satisfy the monastery and office of the common of Durham of arrears of their pension owed from his church (sums and term dates specified) within twelve days of the warning, by payment to the keeper of the said common [i.e. the communar]; enjoining him to sequester the issues of the said church if the rector should care not to make satisfaction; and requiring to be notified by Michaelmas, in letters patent, as to what he shall have done in respect of the foregoing.

Date: Durham, 29 August 1408.

f.29r 4 September 1408

Letters by John prior and the convent of Durham for Stephen de Lyth' as their mortuary-roll bearer; to last for two years only.

Date: Durham, 4 September 1408.

f.29r 18 September 1408

Presentation by J[ohn] prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Crokaa, rector of Musgrave, Carlisle dioc., to the church of York All Saints Pavement, to effect an exchange of benefices with Mr John Wyghtman', rector of All Saints Pavement.

Date: "<Durham> in our chapter house", 18 September 1408.

f.29r 1 October 1408

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of Richard Gardener, chaplain, to the church of Dinsdale, vacant by the death of Richard Talbot, last rector thereof; saving a yearly pension of 40s due of old therefrom to them and to their office of sacrist of Durham.

Date: Durham, 1 October 1408.

f.29v 11 October 1408

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas del Hay to the canonry and prebend of Barmby in the church of Howden.

Date: Durham, 11 October 1408.

f.29v 21 October 1408

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Byrdale, vicar of Haltwhistle, to the church of [Kirby] Sigston, to effect an exchange of benefices with Thomas de Westwyk, rector of [Kirby] Sigston. Saving a yearly pension of 10 marks due of old therefrom to them and their house of Durham.

Date: Durham, 21 October 1408.

f.29v 18 December 1408

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John Sothewell', to the prebend of Skelton in the church of Howden, vacant by the death of Mr de Wynwyk, last prebendary thereof.

Date: Durham, 18 December 1408.

f.30r 24 December 1408

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, of Mr John de Cateryk to the prebend of Skipwith in the church of Howden, vacant by the death of Robert Crull', last prebendary thereof. Saving a yearly pension of one mark owed therefrom to the prior and convent.

Date: Durham, 24 December 1408.

Cf. the memorandum on f.30v and the presentation on f.39r below.

f.30r 14 August 1408

Grant by indenture by the prior and convent of Durham to Mr John Holdernes, LL.B., for his service, advocacy and counsel to be rendered in future to the church of Durham and its dependent offices and cells when asked of a yearly pension of 6 marks, to be received from the bursar of Durham, along with a cloth allowance, specified, of clerks' and servants' (*valettorum*) stuff, a chamber called the clerks' chamber, with candles and fuel, food and drink for himself and a clerk, in accordance with their rank, in a suitable place according to the disposition of the prior; Mr John binding himself to labour diligently within the kingdom of England in the causes and business of the prior and convent, at their expense; and swearing to have no responsibility for anything which might cause loss or damage to the prior and convent.

Sealed alternately.

Date: Durham, 14 August 1408.

f.30r 12 January 1409

Presentation by J[ohn] prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Richard de Kellawe, chaplain, to the vicarage of Saltmarshe in the church of Howden, vacant by the death of T[homas] de Barneby, last vicar thereof.

Date: Durham, 12 January 1408/9.

(Marginal caption: ' "The presentation of {John Bentele over erasure} to the vicarage of Saltmarshe")

f.30v January 1409

Memorandum that the presentation of John Bentele, chaplain, to the vicarage of Saltmarshe in the church of Howden, by the death of Thomas de Barneby, was issued "as is clearly expressed on the other side of this folio" ;

(blank) January 1408/9.

f.30v

Memorandum that letters of confraternity granted to John de Werk', Joan his wife, and John their son (in the form as made to Thomas Barton' and his wife, on f.138 of the {red} register) were issued 22 January [1409].

[The red register remains to be identified.]

f.30v 1 February 1409

Grant by John prior and the convent of Durham to Robert de Hemmyngburgh' elder, of a squire's corrody, so long as he is able to serve in the rank of squire; and of a weekly allowance, specified, for the rest of his life when incapacitated by infirmity or old age, and a squire's garment when the livery of cloth to other squires happens to be made, with 7s yearly.

Date: Durham, 1 February 1408/9.

f.30v 1 February 1409

Grant by John prior and the convent of Durham to Mr John de Suthewell', clerk, of a yearly pension or annual rent of 8 marks for the term of his life, or until promoted to an acceptable benefice; to be held of the prior and convent and their successors, and to be paid at York, beginning at Martinmas 1409; with the right to distrain upon the priory's properties in the county of York and the bishopric of Durham for arrears of the pension if unpaid in whole or part forty days after a term date, and to retain the goods distrained until satisfied of the arrears, likewise of damage caused by non-payment.

Date: Durham, 1 February 1408/9.

f.30v 12 February 1409

Memorandum that a presentation of [Mr] J. Cateryk, clerk, to the canonry and prebend of Skipwith in the church of Howden, was issued to Henry, archbishop of York, in the form of similar records (*sub consimilibus annotatis*); 12 February 1408/9.

Cf. the presentations on f.30r and 39r.

f.31r 2 April 1409

Presentation by John prior and the chapter of Durham addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of Thomas de Ryhale, clerk, to the church of Blyborough, vacant as is said.

Date: Durham, 2 April 1409.

With a note stating that the presentation was duplicated *verbatim*, but that in the second presentation the words "as is said" (*ut dicitur*) were removed.

Related material in other DUL collections: Related letter: DCD Loc.XXV:118.

f.31r 10 April 1409

Proxy by J[ohn] prior and the covent of Durham, having the appropriated church of Lytham in the deanery of Amounderness, appointing Mr J[ohn] Suthewell', LL.B., Mr J[ohn] Holderness', LL.B., and J[ohn] Stanton', proctor of the court of York, as their proctors to attend before Mr Thomas Grenewode, LL.B., vicar general, acting in distant parts in spiritualities, of Mr Stephen Lescrop', archdeacon of Richmond, in York minster on Thursday before St George [18 April], with continuation of days, and defend the annexation of the said church of Lytham.

Date: D[urham], 10 April 1409.

f.31r 26 June 1409

Memorandum that the presentation of John Porter to the vicarage of Skipwith, by way of exchange with Robert Hemmyngburgh', previously vicar thereof, was issued 26 June 1409.

f.31r 3 July 1409

Presentation by John prior and the convent of Durham addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of Thomas Bowet, vicar of Congresbury, Bath & Wells dioc., to the church of Kirkby on Bain, to effect an exchange of benefices with John Duffeld' of Scarle, rector of Kirkby on Bain; saving a yearly pension of 40s due therefrom of old to the monastery of Durham.

Date: Durham, 3 July 1409.

Related material in other DUL collections: Related letter: DCD Loc.XXV:74.

f.31r 25 September 1410

Memorandum that the presentation of Mr Thomas Robert to the vicarage of Durham St Oswald, by way of exchange with Walter Bosum, previously vicar thereof, was issued 25 September 1410.

f.31v 10 July 1409

Proxy by J[ohn] prior and the convent of Durham appointing Mr Thomas Grenewod', LL.B., and J[ohn] Stanton', proctor of the court of York, as their proctors to attend at whatsoever visitations of the priory's appropriated churches in York dioc. are to be conducted by Henry, archbishop of York, or his deputed commissaries.

Date: Durham, 10 July 1409.

f.31v 21 August 1409

Presentation by J[ohn] prior and the convent of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of Robert Claxton', chaplain of the chantry at St Mary's altar in the church of York, St Laurence Walmgate, to the vicarage of Bossall, to effect an exchange of benefices with Stephen Hunmandeby, vicar of Bossall.

Date: Durham, 21 August 1409.

f.31v 10 September 1409

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John Wiles to the church of York, All Saints Ousegate, vacant by the resignation of Thomas Croka, last rector thereof.

Date: Durham, 10 September 1409.

f.32r 8 September 1409

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Richard Pykeryng', chaplain, to the church of Hemingbrough, vacant by the death of Mr Thomas de Walworth', last rector thereof; saving a yearly pension of 5 marks owed therefrom of old to the prior and convent and their office of chamberlain of Durham.

Date: Durham, 8 September 1409.

f.32r 30 September 1412

(Added:)

Memorandum that Mr John Rekyng' hale, archdeacon of Northumberland, was presented to the church of Hemingbrough, vacant by the death of Richard Pykryng', last rector thereof; 30 September 1412.

Related material in other DUL collections: Related letter: DCD Loc.XXV:111.

f.32r 24 November 1409

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of John Porter, vicar of Brodsworth, to the vicarage of the prebend of Howden in the church of Howden, to effect an exchange of benefices with Robert de Parlington', vicar of Howden.

Date: Durham, 24 November 1409.

f.32r 10 January 1410

Proxy by J[ohn] prior and the chapter of Durham appointing J. Thoraby, rector of Lockington, as their proctor to attend, in presence of the king, in the coming parliament to be held on 27 January next at Westminster.

Date: "&c" 10 January 1409/10.

f.32v 10 February 1410

Proxy by John prior and the chapter of Durham appointing Mr John Sowthwell', Mr Robert Ragenhill', Robert de Hemmyngburgh', vicar of Skipwith, and Thomas de Rihall', clerk, as their proctors to attend the impending convocation of clergy to be held at the collegiate church of Beverley St John by Henry, archbishop of York, or his lieutenants or commissaries, one or more, on 15 February next to come.

Date: Durham, 10 February 1409/10.

f.32v 19 March 1410

Letters of consorority by John prior and the convent of Durham to Margaret Bowman' because of the ardour of her devotion towards the monastery of Durham granting to her and to John Bowman', her husband while alive, participation in the spiritual goods of the church of Durham and its dependent cells, in all masses, vigils (&c); and admitting her into sorority.

Date: Durham, 19 March 1409/10.

f.32v 5 April 1410

Letters by John prior and the convent of Durham for Stephen de Lyth', as their mortuary-roll bearer; to last for two years only.

Date: Durham, 5 April 1410.

f.33r 1 April 1410

Proxy by John, prior of Durham, appointing Mr Thomas Grenewode, advocate of the court of York, and Mr John Stanton', proctor of the same court, as his proctors to attend the impending convocation of clergy to be held at the collegiate church of Beverley St John or elsewhere, by Henry, archbishop of York, or his lieutenants or commissaries, one or more, on 11 April next to come.

Under the chapter seal.

Date: Durham, 1 April 1410.

f.33r 4 May 1410

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Ayrmyrn, chaplain, to the vicarage of the prebend of Thorpe in the church of Howden.

Date: Durham, 4 May 1410.

f.33r 13 May 1410

Presentation by John prior and the convent of Durham addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of Thomas Dalton', chaplain, to the church of Stamford St Mary Binewerk saving a yearly pension of 20s due therefrom of old to the monastery of Durham.

Date: Durham, 13 May 1410.

f.33v 7 May 1410

Institution by Henry, archbishop of York, admitting Thomas Ayrmyn, priest, to the vicarage of the prebend of Thorpe in the church of Howden, vacant by the death of John Hemmyngburgh', last vicar thereof; following on his presentation thereto by the prior and convent of Durham.

Date: manor of Thorpe [Bishopthorpe] next to York, 7 May 1410.

Original is DCD 3. 2. Archiep. 2.

f.33v-34r 14 May 1410

Mandate by Henry [Bowet], archbishop of York (&c), to the keeper of the spirituality of Allerton and Allertonshire, instructing him to cite, or have cited, the clergy, categories listed, of the said spirituality, and three, four, five or six men from each vill of the spirituality, depending upon the size of the vill, to appear before him or his commissaries at the places and on the dates set out in the attached schedule, and undergo visitation; giving further instructions, and prohibiting the keeper and, through him, the prior and convent of Durham from doing anything in prejudice of the visitation; and requiring certification of the date of receipt of the presents and of what he shall have done in respect of the foregoing and its attached schedule, in letters patent incorporating the presents; with the names of those cited to be given in a separate schedule. Date: castle of Cawood, 14 May 1410.

The marginal caption describes the above as a mandate for a visitation of Howdenshire

f.34r 13 [July 1410]

Schedule announcing that the archbishop's visitation is to take place: in the hospital of [North]allerton, 11 July [1410]; in the church of [North]allerton, for that church and its vicarage, and the churches of Birkby and Cowesby, 12 [July 1410]; and in the same church of [North]allerton for the church and vicarage of Leake, and the church, vicarage and portionaries of Osmotherley, 13 [July 1410].

f.34r 1 May [1410]

Grant by J[ohn] prior and the chapter of Durham to Mr Alan de Newerk, clerk, of a yearly pension of 40s, for the term of his life or until promoted to an acceptable benefice; to be paid at Durham, beginning at Whitsun 1410.

Date: Durham, 1 May.

f.34r 16 November 1410

Presentation [by John prior and the convent of Durham] addressed to H[enry], archbishop of York, or his "&c" of John Conne, rector of Fiskerton, Lincoln dioc., to the vicarage of Eastrington to effect an exchange of benefices with William de Almanbury, vicar of Eastrington.

Date: Durham, 16 November 1410.

f.34r 1 December 1410

[Memorandum] of the presentation by J[ohn] prior and the convent of Durham to H[enry], archbishop of York, of John Kirkeby, vicar of Langtoft, to the church of Holtby, by reason of exchange with William Colynson', rector thereof; saving a yearly pension of 25s; 1 December 1410.

f.34v 12 February 1411

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Westhorp', chaplain, to the vicarage of the prebend of Thorpe in the church of Howden, vacant by the resignation of Thomas Ayrmyrn, chaplain, last vicar thereof.

Date: Durham, 12 February 1410/11.

f.34v 9 February 1411

Notarial instrument recording that Thomas Ayrmyrn, chaplain, read through a schedule stating that he, Thomas Ayrmyrn, vicar of Thorpe in the church of Howden, resigned the said vicarage in the hands of the archbishop of York and asked the notary (not named) to draw up a public instrument thereon.

Witnesses: Mr Hohn Holderness', LL.B., John Bynchestr', chaplains of York and Durham dioceses.

Done: in the nave of Durham cathedral, 9 February 1410/11.

f.34v 3 March 1411

Collation by John prior and the convent of Durham to Thomas Ayrmyrn, chaplain, of the chantries of the chapels of St James at the end of the new [i.e. Elvet] bridge in Durham and St Andrew on the said bridge.

Date: Durham, 3 March 1410/11.

f.35r 23 May 1411

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Litster, vicar of Wystow [Wistow, York dioc. ?], to the vicarage of the prebend of Howden in the church of Howden, to effect an exchange of benefices with John Porter, vicar of Howden.

Date: Durham, 23 May 1411.

f.35r 13 June 1411

Ratification by John prior and the convent of Durham of the compurgation made by Robert Masham, prior of Lytham, before the commissary of the official of the archdeacon of Richmond concerning his alleged crime of fornication committed within the archdeaconry of Richmond in Amounderness, as appears by letters of the official; declaring the said Robert's innocence, in view of the confession, as shown in a public instrument, made by certain rivals who had defamed him.

Date: Durham, 13 June 1411.

f.35r 20 September 1411

Grant by John prior and the convent of Durham to Mr John Hovyngham, LL.D., archdeacon of Durham, of an annual rent of 100s from the manor of Billingham; to be held so long as he live, or until promoted to an acceptable benefice; with the right to distrain upon the manor of Billingham for arrears of the pension if unpaid in whole or part forty days after a term date, and to retain the goods distrained until satisfied of the arrears.

Date: Durham, 20 September 1411.

f.35r 21 September 1411

Presentation by J[ohn] prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of Thomas Coweton', chaplain, to the vicarage of Bedlington, vacant by the death of William de Shireburn', last vicar thereof. Date: Durham, 21 September 1411.

f.35v 6 November 1411

Proxy by J[ohn] prior and the convent of Durham appointing Mr J[ohn] Suthewell', rector of St Denis Walmgate, Mr T[homas] Grenewod', rector of St Michael Ousegate, and J[ohn] de Stanton', proctor of the court of York, as their proctors to attend the convocation of clergy to be held by Henry, archbishop of York, his legate, lieutenant or commissaries, one or more, in York minster on Tuesday next after Martinmas. Date: Durham, 6 November 1411.

f.35v [25 November] 1410

Memorandum a licence was issued to J. Fysshwyk for visiting the apostolic see; dated Bearpark, St Catherine 1410. Notarized licence by John, prior of Durham, for John de Tynemouth', monk of Durham, to visit the apostolic see for certain causes concerning his conscience, on his friends' expense; on condition that he return to Durham within a year of the date of the presents. Written (eschatocol recited) by Thomas de Ryhale, clerk of Lincoln dioc., NP by apostolic authority. Witnesses: Thomas Ross, vicar of Merrington, John de Bynchestr', chaplains of Durham dioc.. Date: Durham, 9 January 1411/12. Presentation by John prior and the convent of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of Robert del Hay, prebendary of [Chester-le-Street in] the church of Chester-le-Street, to the prebend of Barmby in the church of Howden, to effect an exchange of benefices with Thomas del Hay, prebendary of Barmby. Date: Durham, 11 January 1411/12.

f.35v 9 January 1412

Notarized licence by John, prior of Durham, for John de Tynemouth', monk of Durham, to visit the apostolic see for certain causes concerning his conscience, on his friends' expense; on condition that he return to Durham within a year of the date of the presents. Written (eschatocol recited) by Thomas de Ryhale, clerk of Lincoln dioc., NP by apostolic authority.

Witnesses: Thomas Ross, vicar of Merrington, John de Bynchestr', chaplains of Durham dioc..

Date: Durham, 9 January 1411/12.

Original: DCD 1.2.Archid.Dunelm.65.

f.35v 11 January 1412

Presentation by John prior and the convent of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of Robert del Hay, prebendary of [Chester-le-Street in] the church of Chester-le-Street, to the prebend of Barmby in the church of Howden, to effect an exchange of benefices with Thomas del Hay, prebendary of Barmby.

Date: Durham, 11 January 1411/12.

f.36r 31 January 1412

Memorandum that the presentation of Thomas Rihale to the rectory of Blyborough was issued, because Thomas at Halle had accepted another benefice; 31 January 1411/12.

Related material in other DUL collections: Related letters: DCD Loc.XXV:102 and 118.

f.36r 15 January 1412

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of Robert de Aukeland', rector of Meldon, to the church of Edmundbyers, to effect an exchange of benefices with Henry Flynton', rector of Edmundbyers.

Date: Durham, 15 January 1411/12.

f.36r [15 January 1412]

Memorandum that Henry Flynton' was presented to the rectory of Meldon by reason of the said exchange; saving a pension therefrom of 40s to the office of sacrist of Durham.

f.36r 13 February 1414

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of John de Newburgh' to the vicarage of [Bishop] Middleham, vacant by the death of John de Crayk, last vicar thereof; saving a yearly pension of 40s owed of old therefrom to the sacrist of Durham.

Date: Durham, 13 February 1413/14.

f.36v 18 February 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of John Waldeby, rector of Blaby, Lincoln dioc., to the church of Normanton on Soar, to effect an exchange of benefices with John Claypole, rector of Normanton on Soar; saving a yearly pension of one mark owed therefrom of old to the prior and convent.

Date: Durham, 18 February 1411/12.

f.36v 20 February 1412

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of William Caton', vicar of Woodhorn, to the vicarage of Durham St Oswald, to effect an exchange of benefices with Mr Thomas Robert, vicar of Durham St Oswald.

Date: Durham, 20 February 1411/12.

f.36v 20 March 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of John Ronctorn', clerk, to the church of [West] Rounton, vacant by the death of Thomas Ade of Bowes, last rector thereof; saving an old pension of 40s owed therefrom to the prior and convent.

Date: Durham, 20 March 1411/12.

f.37r-v

Inspeximus by John prior and the chapter of Durham confirming the following ordinance, saving their rights, liberties and immunities.

Ordinance by Thomas, bishop of Durham, with consent of the prior and convent of Durham appropriating the parish church of Staindrop, now vacant, to the collegiate church of Staindrop, which Ralph, earl of Westmorland, by licence of the bishop, has founded for a warden, eight chaplains, four clerks, six squires, six servants (*valetti*), and six paupers, and to which the earl granted the patronage of the parish church; establishing a perpetual vicarage there, with the master and chaplains presenting thereto a suitable chaplain to the bishop of Durham and his successors as often as there be a vacancy, and bearing expenses, specified; assigning a vicarage portion of 20 marks to be paid in equal portions at Nativity of John the Baptist and Martinmas, which the vicar has the right to exact if in arrears, and with 20s to be paid to the alms of the bishop, for distribution to the poor or for another pious use, should the 20 marks be in arrears fifteen days after a term date; imposing pensions of 40s yearly to the bishops and 20s yearly to the prior and convent of Durham, to be paid by the master, chaplains (&c) in equal parts at Cuthbert in September and March in recompense for loss to the church of Durham by reason of the appropriation; saving a pension of 10s yearly, owed of old from the glebe of Staindrop to the bishop and his predecessors, and the rights and liberties of the church of Durham in all things; and saving the rights and customs of the archdeacon of Durham.

Date: manor of Auckland, 18 April 1412.

Date: Durham (blank).

Ordinance printed from Langley's register, where it is dated 29 April: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. II*, ed R.L. Storey (Surtees Society 166 1957), p.11-14.

f.38r 13 February 1414

Proxy by John prior and the chapter of Durham appointing Mr Thomas Grenewod', LL.B., as their proctor to secure the issue of papal letters of grace at the Roman *curia*, and to impugne and seek the revocation of [letters] obtained against them.

Date: Durham, 13 February 1413/14.

f.38r 9 July 1412

Letters by John prior and the convent of Durham for Stephen de Lyth' as their mortuary-roll bearer; to last for two years only.

Date: Durham, 9 July 1412.

f.38v 18 August 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of William Aunger, chaplain, to the vicarage of the prebend of Saltmarshe in the church of Howden, vacant by the resignation of John Bentele, chaplain, last vicar thereof.

Date: Durham, 18 August 1412.

f.38v 17 August 1412

Notarial instrument recording that John Bentele, chaplain, vicar of the prebend of Saltmarshe in the church of Howden, read a schedule stating that, by this writing, he resigned the vicarage of Saltmarshe into the hands of the archbishop of York and asked the NP (not named) to make a public instrument upon his resignation.

Witnesses: Mr John Holderness', LL.B., and John Bynchestr', chaplain.

Done: in the grounds (*planicie*) of the abbey of Durham, 17 August 1412.

f.39r 20 September 1411

Grant by John prior and the convent of Durham to Mr John Hovyngham, LL.D., archdeacon of Durham, of an annual rent of 100s from the manor of Billingham, to be taken so long as he be archdeacon of Durham, or until promoted to another acceptable benefice; Mr John being allowed to distrain upon the manor of Billingham for arrears of the annual rent when unpaid in whole or part three months after a term date, and to retain the goods distrained until satisfied of the arrears.

Date: Durham, 20 September 1411.

f.39r 21 September 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John Cateryk, clerk, to the prebend of Skipwith in the church of Howden, vacant by the death of Robert Crull', last prebendary thereof; saving a yearly pension of 13s 4d owed therefrom to the prior and convent.

Date: Durham, 21 September 1412.

Cf. the presentation and memorandum on f.30r&v.

f.39v 3 October 1412

Presentation by J[ohn] prior and the convent of Durham addressed to T[homas], bishop of Durham, or his vicar general in distant parts, of John de Burton', vicar of Marton, York dioc., to the church of Dinsdale, to effect an exchange of benefices with Richard Gardener', rector of Dinsdale. Saving a yearly pension of 40s owed of old therefrom to the prior and convent and the office of sacrist of Durham.

Date: Durham, 3 October 1412.

f.39v 23 October 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Robert Dalby, chaplain, to the vicarage of the prebend of Barmby in the church of Howden, vacant by the death of William Blake, last vicar thereof.

Date: Durham, 23 October 1412.

f.39v 3 January 1413

Letters of consorority by John prior and the convent of Durham to Joan, wife of Robert Coniers, knight, granting participation in all masses, vigils (&c) and the rest of the spiritual goods of the church of Durham and its dependent cells, and, after her death, prayers each year for all time, as is customary for their other sisters.

Date: Durham, 3 January [14]12/13.

f.40r 9 September 1412

Grant by indenture by J[ohn] prior and the convent of Durham to John Dale of Bearpark of the office of keeper of their stock and pasturage within the bishopric of Durham, for as long as necessary and so long as he be able to work well in the office; providing that he render a yearly account thereof; and of 26s 8d stipend for his service in the office, and 13s 4d for his riding and other expenses; and pasturage for one cow and its offspring of one year in each cow-pasture of the prior and convent, a garment of a servant (*valettus*) of the prior of the time, and a squire's allowance of food and drink when he should come to the monastery; and an allowance, specified, when incapacitated by old age or infirmity, with the stipend and expenses then ceasing.

Sealed alternately.

Date: Durham, 9 September 1412

with [Addendum] the prior and convent granting to J[ohn] D[ale], so long as he should occupy the office, the chamber within the abbey which was formerly the terrar's hall.

f.40r 24 December 1412

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John Holldernes, LL.B., chaplain, to the vicarage of Giggleswick, vacant by the death of William de Stalmyn, last vicar thereof.

Date: Durham, 24 December 1412.

f.40r 16 April 1413

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Thomas Ayrmyrn, chaplain, to the church of [West] Rounton, vacant by the resignation of John [Runctorn], chaplain, last rector thereof; saving an old pension of 40s due therefrom to the prior and convent.

Date: Durham, 16 April 1413.

f.40v 15 April 1413

Notarial instrument recording that John Runctorn' (or Ronctorn'), chaplain, rector of the church of [West] Rounton, read a schedule stating that, by this writing, he resigned the church of [West] Rounton into the hands of the ordinary of his said church and asked the NP (not named) to make a public instrument upon his resignation.

Witnesses: John de Bynchestr' and William de Fyssheburn', chaplains.

Done: in the chancery of the prior and convent of Durham, 15 April 1413.

f.40v 16 April 1413

Collation by John prior and the convent of Durham to John Ronctorn', chaplain, of the chantries of the chapels of St James at the end of the new [Elvet] bridge in Durham and St Andrew on the same bridge, vacant by the resignation of Thomas Ayrmyrn, chaplain, last keeper thereof.

Date: Durham, 16 April 1413.

f.40v 10 June 1413

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John de Middleton', canon and prebendary of Good Easter, London dioc., in the royal free chapel of St Martin-le-Grand, London, to the canonry and prebend of Thorpe, in the church of Howden, to effect an exchange of benefices with John Wykeham, canon and prebendary of Thorpe.

Date: Durham, 10 June 1413.

f.40v 3 October 1413

Letters of attorney by John prior and the convent of Durham appointing Thomas Rome, S.T.P., monk of Durham, James Strangewasch', and Christopher Boynton', to treat and come to an agreement with the executors and heirs of Thomas Remston', knight, or with whatsoever persons claiming a right in two bovates of land in Ruddington and to the patronage of the church thereof.

Date: Durham, 3 October 1413.

f.41r 1 May 1414

Grant by indenture by John prior and the convent of Durham, and John, prior of Coldingham, to Alexander de Home, esquire, in view of his service, rendered and to be rendered, as under-bailiff of the priory of Coldingham of a yearly pension of £10 Scots; to be held for life, being received from the hands of the prior of Coldingham; being allowed to distrain upon the demesne lands of the prior of Coldingham, in the vill of Great Reston or wheresoever should seem suitable, for arrears of the pension, unpaid in whole or part for three months after a term date; and to retain the goods distrained until satisfied of the pension and arrears; Alexander giving his oath to the prior of Coldingham to observe the premisses.

With one part of the indenture under the seals of the chapter of Durham and the prior of Coldingham, and the other part under the seal of Alexander de Home.

Date: Durham, 1 May 1414.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.87-88.

f.41r 1 May 1414

Appointment by John prior and the convent of Durham, and John, prior of Coldingham, of Archibald, earl of Douglas, lord of Galloway, Annandale and Hutton, as bailiff and governor of the lordship and lands of the house and barony of Coldingham, functions specified, for the term of his life.

Date: Durham, 1 May 1414.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.86-87.

f.41r 30 September 1414

Presentation by J[ohn] prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of John Soulby, B.Dec., to the church of Kimblesworth, vacant by the resignation of John Skyrwyth, last rector thereof.

Date: Durham, 30 September 1414.

f.41v 31 October 1414

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of William Caton', vicar of Durham St Oswald, to the vicarage of Giggleswick, to effect an exchange of benefices with John Holderness', vicar of Giggleswick.

Date: Durham, 31 October 1414.

f.41v [31 October 1414]

Memorandum of the presentation, by the prior and convent, of John Holdernesse to Thomas, bishop of Durham, to the church [*sic*] of Durham St Oswald, by reason of exchange of his vicarage of Giggleswick, in form as immediately above.

f.41v 16 September 1414

Proxy by John prior and the chapter of Durham appointing Thomas, abbot of York St Mary, Robert Appelton', canon of York minster, and Mr Peter Radle, as their proctors to attend on their behalf the general council (purpose described) to be held at Constance or elsewhere, on 1 November next to come, with continuation of days; and to excuse and explain their absence.

Date: Durham, 16 September 1414.

f.42r 16 November 1414

Notarial instrument recording that John [Catrik], bishop of St David's, possessing the canonry and prebend of Skipwith in the collegiate church of Howden, employed a written statement whereby, for certain unspecified reasons he resigned the said canonry and prebend of Skipwith in the hands of H[enry], archbishop of York, or another having power to accept the resignation; although having papal authority to retain, until promoted to a wealthier cathedral church, any benefice which he held at the time of his promotion by John XXIII to the bishopric of St David's.

Witnesses: Thomas Dale, chaplain, and Robert Walhull, *literatus*, of York dioc.

Notary: Simon Kempston', clerk of Lincoln dioc., NP by apostolic authority (eschatocol recited).

Done: in the townhouse of the bishop of St David's, parish of St Peter the the Little, London, 16 November 1414.

f.42r 24 November 1414

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Mr John Hovyngham, LL.D., to the canonry and prebend of Skipwith in the the church of H[owden], vacant by the resignation of John, bishop of St David's, last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and convent.

Date: Durham, 24 November 1414.

Related material in other DUL collections: Related letter: DCD Loc.XXV:123.

f.42v 14 January 1415

Presentation by John prior and the convent of Durham addressed to Henry, archbishop of York, or his vicar general in distant parts, of Peter de Watford', rector of Woolsthorpe, Lincoln dioc., to the vicarage of Ruddington, to effect an exchange of benefices with Ralph de Dalby, vicar of Ruddington.

Date: Durham, 14 January 1414/15.

f.42v 6 January 1415

Proxy by John prior and the convent of Durham appointing Mr John Southewell' the elder, canon of Howden, Mr John Selowe, Dec. Lic., Mr William Doncastre, B.C.L., and Mr John Staynton', proctor of the court of York, as their proctors to attend the convocation of the clergy of the province of York to be held in York minster by H[enry], archbishop of York, or his commissaries, one or more, on 9 January *inst.*, with continuation of days.

Date: Durham, 6 January 1414/15.

f.42v 4 April 1415

Inspeximus by John prior and the chapter of Durham confirming the following pardon and licence.

Pardon and licence by Thomas, bishop of Durham, to Ralph de Eure, knight, forgiving his fortification of his manor of Witton [in Weardale], begun without licence of the bishop or his predecessors; and granting him licence to fortify the said manor, with a wall of stone and lime etc, what he has made therefor being held by Ralph and his heirs, of the bishop and his successors, without hindrance from the bishops' ministers.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 23 September, Pont. 5. [1410]

Date: [Durham] 4 April 1415.

f.43r 16 June 1415

Admission and induction by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert, York dioc., of John Polayn, chaplain, in the person of his proctor, Richard Polayn, into the chantry of St Katherine in the church of Hemingbrough, vacant by the death of Thomas Wase, last chaplain thereof, on the presentation of Mr John Rykynghall', S.T.P., rector of Hemingbrough; saving the rights of the church of Durham.

Date: Durham, 16 June 1415.

See also DCD Reg.Parv.II, f.22r-v.

f.43r 5 June 1413

Grant by indenture by John prior and the convent of Durham to Thomas Pomfrayt the elder for his service in the rank of squire to the prior of Durham, for as long as his obedience and service are pleasing, of a squire's allowance of food and drink and other necessities, and, when incapacitated by infirmity or old age, of a weekly allowance, specified, a squire's garment at the general livery of cloth to other squires, and 10s yearly; Thomas swearing fealty to the prior and convent.

Sealed interchangeably.

Date: Durham, 5 June 1413.

f.43r 17 October 1415

Presentation by John prior and the convent of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of John de Popilton', rector of York St Margaret, to the church of York St Peter the Less, to effect an exchange of benefices with Mr William Bristowe, rector of St Peter the Less.

Date: Durham, 17 October 1415. 43r-v Presentation by J[ohn] prior [and the convent of Durham] addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of Mr John Thetford', vicar of Preston, in Holderness, York dioc., to the church of Blyborough, to effect an exchange of benefices with Roger Saxton', rector of Blyborough. Date: Durham, 19 November 1415.

f.43v 9 December 1415

Commission by John prior and the convent of Durham to John Aclif, prior of Coldingham, S.T.P., since the countess of Angus and Mar, as they have been informed by her letters, intends to restore by quitclaim the woods and lands of Brockholes, *Harewode*, and *Denwode* [probably Coldingham parish], occupied by her and hers, to the prior and convent, on condition that she and her adherents be absolved from any excommunication or suspension incurred by reason of this occupation, authorising him, once restitution and the quitclaim has been made, to absolve the countess and whomsoever others concerned from any such excommunication or suspension.

Date: [Durham] 9 December 1415.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.88.

f.43v 27 January 1416

Proxy by John prior and the convent of Durham, possessing the parish church of Giggleswick, York dioc., annexed to them and their cell of Finchale, appointing Richard Tempest, knight, Mr T. Dautr', clerk, T. de Lethu', vicar of Bracewell, Thomas Forest', layman, as their proctors at the visitation of the church of Giggleswick by H[enry], archbishop of York, and Mr Stephen le Scrupe, archdeacon of Richmond, or by their deputed commissaries, one or more.

Date: Durham, 27 January 1415/16.

f.44r 31 March 1416

Letters by John prior and the convent of Durham for John Bewcher of Selby as their mortuary-roll bearer; valid for two years only.

Date: Durham, 31 March 1416.

f.44r 30 April 1416

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of John Durham, chaplain, to the vicarage of Norham, vacant by the resignation of John Turnor', last vicar thereof.

Date: Durham, 30 April 1416.

Related material in other DUL collections: Related letter: DCD Loc.XXV:17.

f.44r 29 April 1416

Presentation by John prior and the convent of Durham addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of John Turnour, chaplain, to the vicarage of Frampton, vacant by the death of Robert de Fryston', last vicar thereof.

Date: [Durham], 29 April 1416.

f.44r 2 June 1415

Presentation by John prior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of Robert {Goll'}, chaplain, to the vicarage of Branxton, vacant by the resignation of John Durham, last vicar thereof.

Date: Durham, 2 June 1415.

f.44v 1 March 1416

Lease by indenture by John prior and the convent of Durham, and John, prior of Coldingham, to James de Whytlow (margin: Whitlaw), of the lands of Brockholes and *Harwod*, in the sheriffdom of Berwick, for the term of sixteen years from Whitsun next, rendering yearly six marks Scots to the prior of Coldingham, or his undoubted assignees, at Coldingham; James having paid the farm of the first four years beforehand; and, if he die within these first four years, the priors and convent are to make a *pro rata* refund to his heirs, executors or assignees; with a reasonable allowance of the farm to be made to James for war [damage], as for other farmers of the district, at the discretion of trustworthy men chosen by either party.

Sealed interchangeably.

Date: Durham, 1 March 1415/16 (when the seal of the prior and convent of Durham was affixed).

f.44v-45r 3 July 1416

Proxy by John prior and the convent of Durham, having the churches of Northallerton, Eastrington and Giggleswick, York dioc., appropriated to their church of Durham, and the churches of Bossall, Fishlake and Ruddington appropriated to their college at Oxford, appointing Mr Thomas Grenewod', canon of York, Mr John Selaw, Lic. Dec., and Mr John Stanton', proctor of the court of York, as their proctors to attend for them and for their portions, tithes, pensions and jurisdictions of Howden and Howdenshire, Allerton and Allertonshire, at the visitation of the said churches and parishes by Henry, archbishop of York, in person or through his deputed commissaries, one or more.

Date: Durham, 3 July 1416.

Original: DCD 3.6.Ebor.5.

f.45r 24 July 1416

Presentation by John prior and the convent of Durham addressed to Philip, bishop of Lincoln, or his vicar general in distant parts, of Richard Lumbard', chaplain, to the church of Kirkby on Bain, vacant by the death of Thomas Bowyet, last rector thereof; saving a yearly pension of 40s owed of old therefrom to the monastery of Durham.

Date: [Durham], 24 July 1416.

f.45r 12 August 1416

Letters of consorority by John prior and the convent of Durham to Isobel, lady of Horden, sometime wife of William Claxton, knight, granting special participation in all the spiritual goods of the church of Durham and its dependent cells, in all masses, vigils (&c), and admitting her into sorority; with prayers to be offered for her each year for all time after her death, as is customary for their other brothers and sisters.

Date: Durham, 12 August 1416.

Related material in other DUL collections: Related letter: DCD Loc.XXV:74.

f.45r 4 September 1416

Presentation by J[ohn] prior and the chapter of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of William Barkar, chaplain, to the vicarage of the prebend of Saltmarshe in the church of Howden, vacant by the death of William Auger [?], last vicar thereof.

Date: "&c", 4 September 1416.

Prioratu Dunelmense Vacante

f.45v 27 October 1416

Presentation by Robert subprior and the convent of Durham addressed to Thomas, bishop of Durham, or his vicar general in distant parts, of John de Burton', vicar of Marton, York dioc., to the church of Edmundbyers, to effect an exchange of benefices with Robert de Aukland, rector of Edmundbyers.

Date: Durham, 27 October 1416.

(Crossed out and annotated *ista presentacio non est executata*)

f.45v 3 November 1416

Presentation by Robert subprior and the chapter of Durham addressed to H[enry], archbishop of York, or his vicar general in distant parts, of Robert de Nevill', clerk, to the prebend of Skelton in the church of Howden, vacant by the death of Mr John Southwell', last prebendary thereof.

Date: Durham, 3 November 1416.

f.45v 4 December 1416

Presentation by Robert subprior and the convent of Durham addressed to Henry, [archbishop of York, or his vicar general in distant parts], of William Brygham, rector of Waberthwaite, York dioc., to the vicarage of Skipwith, to effect an exchange of benefices with Robert de Hemmyngburgh', vicar of Skipwith.

Date: Durham, 4 December 1416.

f.45v 27 December 1416

(Marked as void:)

Presentation by John prior and the convent of Durham addressed to Henry, [archbishop of York, or his vicar general in distant parts], of Richard Stanton', clerk, to the church of Holtby, vacant by the death of John Kirkeby, last rector thereof; saving a yearly pension of 25s owed therefrom to the monastery of Durham.

Date: Durham, 27 December 1416.

f.46r-48r 5 & 6 November 1416

Notarized supplication by the subprior, convent and chapter of Durham notifying Thomas, bishop of Durham, of their election of a new prior, including some details of the process, informing him that, following the death of John Hemmyngburgh, prior of Durham, on 15 September 1416 and his burial on 17 September, having obtained from the bishop a licence for an election, and having, on 18 September, appointed 5 November as the date for the election, Robert Ripoun, S.T.P., subprior; John Acley, S.T.P., prior of Coldingham; Richard Eden; Thomas Ile; Robert Crake, third prior and feretrar; John Neuburn, prior of Holy Island; Thomas Stapelay, also proctor of Thomas Neuthorp; William Poklyngton, B.Theol., prior of Finchale; William Graystanes, communar; Thomas Room, S.T.P., prior of Durham College Oxford; John Durham the elder, *decanus ordinis*; Thomas de Essh, master of Farne; William Drax, bursar and proctor of John Hoton; John Aukland; Robert Masseham, subprior of Finchale; Robert Emeldon; Robert Eesby, master of the infirmary; Stephen Houden, chamberlain; John Liethom, cellarer; William Barry, terrar and hostiller; Richard Hessewell, prior of Lytham; John Wessyngton, chancellor and sacrist; John Gisburn, almoner; John Fysshburn, official; John Moor, master of Jarrow; Hugh Werkeworth, precentor; John Tynemouth; William Durham; Roger Langchestr, refectorer; John Swynesheued; Thomas Moorby, *decanus ordinis*; Thomas Witton, master of [Monk] Wearmouth; Thomas Hatfeeld; Henry Feryby, master of the Galilee; Henry Helawe; Robert Horneby; Thomas Sparowe; John Gonwerton, also proctor of William Blaykeston; John Castell; John Durham the younger, subsacrist; William Ebchestr, also proctor of Robert Pykton, prior of St Leonard's, Stamford, and William Laysyngby; Robert Clyfford; Robert Moorby; William Waryner; John Wyclyffe; Richard Barton; Thomas Neesbitt; Richard Fowne; Thomas Hesilryg; John Merley; John Durward; George Cyther; John Barlay; John Wymond; Thomas Cotom; William Lyham; William Crake; John Mody; John Lombeley; Thomas Ayre; John Oll; Thomas Heppell; John Moorby; and William Perteryke; monks of Durham, assembled in chapter on the said date; those monks absent and having no voice in the election being John Boner, who had been imprisoned, and Adam Durham and John Fysshwyke, who had left the priory without good cause; Thomas Room was deputed to warn all those who ought not to be present to leave the chapter house; the chapter unanimously elected John Wessyngton as their prior; Thomas Room was deputed their proctor to publish the result of the election and to seek John Wessyngton's consent to his election; and that John Wessyngton gave his consent to Thomas Room on 6 November; and asking for the bishop's confirmation of the election.

Witnesses: Mr Thomas Greenwood, canon of York; John Selawe, Inc. Dec.; William Doncastr, LL.B.; Thomas de Ryhale and Richard Staneton, clerks, NPs of York and Lincoln dioceses.

Notary: John de Staneton, clerk of York dioc., NP by apostolic and imperial authority (eschatocol recited).

Done: in the church of Durham, and the chapter house and infirmary chapel thereof, 5 & 6 November 1416.

Original (with some variation in the spelling of names) is DCD Loc.XIII:11a.

Printed, from another copy, in: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. II*, ed R.L. Storey (Surtees Society 166, 1957), p.116-123.

Related material in other DUL collections: Related letter: DCD Loc.XXV:167.

f.48r-v 22 December 1416

Confirmation by Thomas, bishop of Durham, to John Wessyngton' of his election as prior of Durham; incorporating, at the instance of William Barry, the prior-elect's proctor, his instrument made, sitting in judgment in the chapel of his manor of Howden, with the assent of his jurists sitting in council, by licence of Henry, archbishop of York, to John Wessyngton' pronouncing him prior-elect, committing to him the cure and administration of the priory of Durham, and decreeing that he be inducted into corporal possession of the priorate.

Date: the manor of Howden, 22 December 1416.

Original is DCD Loc.XIII:11b.

Printed, from another copy, in: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. II*, ed R.L. Storey (Surtees Society 166, 1957), p.128-130 (nos.437 & 439).

f.48v

[Memorandum of the commission to induct directed to Thomas Lyes, the bishop's vicar general in spiritualities, as incorporated in the following entry.]

f.48v-49r 2 January 1417

Certification by Thomas Lyes, dean of Auckland, of the following mandate

Mandate to induct by Thomas, bishop of Durham, to Thomas Lyes, dean of Auckland, B.Dec., informing him that he has confirmed the election of John Wessyngton' as prior of Durham; instructing him, since the archdeacon of Durham is absent, to induct the said John into real possession of the priory, assigning him his stall in the choir and his place in the chapter house, and to commit the cure of the priory to him, causing the monks to do due obedience to him; and requiring certification as to what he shall have done in the foregoing.

Date: manor of Howden, 22 December 1416.

stating that he carried out the mandate on 24 December in all particulars.

Under the seal of the bishop's vicariate-general, in Thomas's possession for the time being.

Date (of the affixing of the said seal) 2 January 1416/17.

Original is DCD Loc.XIII:11c.

Printed, from another copy, in: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. II*, ed R.L. Storey (Surtees Society 166, 1957), p.130-132 (nos.440 & 441).

f.49r 26 December 1419

Memorandum that the following commission should not from now on be made under the common seal of the monastery of Durham, but under the prior's seal, as customary of old.

Commission by John prior and the chapter of Durham for Mr John Selow, Lic. Dec., appointing him official or keeper of the jurisdiction of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire.

Date: Durham, 26 December 1416.

f.49r-v 27 December 1417

Presentation by John prior and the convent of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Richard Stayneton', clerk, in the church of Holtby, vacant by the death of John Kyrkeby, last rector thereof; saving a yearly pension of 25s due therefrom to the monastery of Durham.

Date: Durham, 27 December 1417.

f.49v 31 December 1416

Memorandum that a proxy was issued to Mr Thomas Greenwood', Mr John Selowe, Mr John Staneton', and Mr Thomas Ryhale, in the form as above on f.27:

Durham, 31 December 1416.

f.49v 2 January 1417

Proxy by John prior and the convent of Durham appointing Mr Thomas Greenwood', canon of York, Mr John Selowe, Lic. Dec., Mr William Doncastr', LL.B., and Mr John Stayneton', proctor of the court of York, as their proctors to attend the convocation of the clergy of the province of York, to be held in York minster by Henry, archbishop of York, or his lieutenants or commissaries, one or more, on 5 January *inst.* with continuation of days.

Date: Durham, 2 January 1416/17.

f.49v-50r 3 January 1417

Nomination by John prior and the convent of Durham to Richard, prior of Lytham, of Robert Valaunce, rector of Beddington, Winchester dioc., for presentation to the church of Appleby, Lincoln dioc., to effect an exchange of benefices with John Barnard, rector of Appleby.

Under the other part of the common seal, namely St Oswald's head.

Date: Durham, 3 January 1416/17.

f.50r-v 12 January 1413

Proxy by John prior and the chapter of Durham, having the appropriated churches of Jarrow, Monk Wearmouth, Holy Island, [Bishop] Middleham, Bywell St Peter, [Durham] St Oswald, Aycliffe, Heighington, Merrington, Dalton-le-Dale, Billingham, Pitlington, Whitworth, Norham, Branxton, Ellingham, Edlingham, and Bedlington, with the chapels pertaining thereto, along with their archidiaconal jurisdiction over the clergy and people thereof, appointing John Wessyngton', monk of Durham, and Thomas de Ryhale, clerk, as their proctors to act in all causes and business concerning the church of Durham, the aforementioned parish churches and chapels, and their jurisdictions and rights; before whatsoever judges (&c), against whatsoever adversaries; and to attend for them, their church of Durham and their said parish churches (&c), at synods, consistories, councils, visitations, chapters, congregations, and other convocations whatsoever.

Date: Durham, 12 January 1412/13.

f.50v 20 April 1397

Appointment by Thomas de Dalby, archdeacon of Richmond, of Edmund Esshlak', chaplain, as curate and coadjutor to John Ipirs, rector of Bootle in Copeland [Cumberland], who is incapacitated by imbecility.

Date: York, 20 April 1397.

f.50v-51r 9 March [c.1400]

Letters by the prior and convent of Durham to the king of England acknowledging receipt of his letters commending John Selby, clerk of his chapel, to them for the next vacant prebend and canonry in the collegiate church of Howden; being unable to write back with a suitable reply using the bearer of the king's letters, because the bishop of Durham, by whom they are governed in difficult matters, was not in the region; asking that an answer from the bishop concerning their intention and wishes in this matter be acceptable to him.

Date: Durham, 9 March (no A.D.)

Related material in other DUL collections: Related letter: DCD Loc.XXV:89.

The register of brother John Fysshburn', chancellor of the monastery of Durham, begins, A.D. 1417 &c

f.51r 21 March 1418

Letters of consorority by John prior and the convent of Durham to Beatrice de Seton because of the ardour of her devotion towards the monastery of Durham granting participation in the spiritual goods of the church of Durham and its dependent cells, in all masses, vigils (&c), and admitting her into sorority; with prayers to be offered for her each year for all time after her death, as is customary for their other brothers and sisters. Date: Durham, 21 March 1417/18.

f.51r 18 May 1417

Presentation by John prior and the convent of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute John Synderby, chaplain, in the vicarage of Ellingham, vacant by the resignation of Thomas Cundall', last vicar thereof; Date: Durham, 18 May 1417.

Related material in other DUL collections: Related letter: DCD Loc.XXV:155.

f.51r [3 April] 1417

Letters by W[illiam] prior and the convent of Westminster for R. de Crofte as their mortuary-roll bearer; valid for three years.

Date: [Westminster] 3 Non. April 1417.

Printed: *The obituary roll of William Ebchester and John Burnby, priors of Durham: with notices of similar records preserved at Durham, from the year 1233 downwards, letters of fraternity, &c*, [ed. J. Raine], (Surtees Society 31, 1856), p.102-103 and *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.381-382.

f.51r-52r 6 November 1416

Notarized proxy by Robert Ripon, S.T.P., subprior; John Acley, S.T.P., prior of Coldingham; Richard Eden'; Thomas Ile; Robert Crake; John Neweburne, prior of Holy Island; Thomas Stapellay; William Pokelyngton', B.Theol., prior of Finchale; William Graystanes; John Durham the elder; Thomas Esch', master of Farne; William Drax; John Aukeland'; Robert Masham; Robert Emeldon'; Robert Esey; Stephen Howeden', chamberlain; John Lethom', cellarer; Richard Hessewell', prior of Lytham; John Gisburne, almoner; John Fisshburn'; John Moors, master of Jarrow; Hugh Werkeworth', precentor; John Tynemouth'; William Durham; Roger Langchestr'; John Swynesheued'; Thomas Moorby; Thomas Witton', master of [Monk] Wearmouth; Thomas Hattefeeld'; Henry Feryby, master of the Galilee; Henry Helay; Robert Horneby; Thomas Sparowe; John Gouerton'; John Castell'; John Durham the younger, subsacrist; William Ebchestr'; Robert Clifford'; Robert Moorby; William Warner'; John Wycliffe; Richard Barton'; Thomas Neesbitte; Richard Foune; Thomas Hesilryg'; John Marlay; John Durward'; George Cyther'; John Barlay; John Wymond'; Thomas Cotom'; William Lyham, priest; William Crake, priest; John Mody; John Lomley; Thomas Ayre; John Oll'; Thomas Heppell'; John Moorby; and William Perteryke; monks of Durham, assembled in chapter; appointing Thomas Room, S.T.P., and William Barry, terrar and hostiller, monks of Durham, and Mr John Selowe, Inc. Dec., as their proctors to present the election of John Wessyngton' as prior of Durham to Thomas, bishop of Durham, or his deputed commissaries or vicegerents.

Under the common seal as well as the sign and subscription of the notary.

Witnesses: Mr Thomas Greenwod', canon of York, William Doncastr', LL.B., Richard Stayneton' and Thomas de Ryhale, clerks and NPs of York and Lincoln dioc.

Notary: John de Stayneton', clerk of York, NP by apostolic and imperial authority (eschatocol recited).

Date/done: the chapter house [Durham], 6 November 1416.

f.52r 30 April 1417

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert, York dioc., being unable to be present in person at the visitation of the said spirituality, due to manifold and difficult business of the monastery of Durham, appointing Mr Thomas Rome, S.T.P., monk of Durham, Mr John Selowe, Lic. Dec., and John Fyschburn', monk of Durham, to conduct the visitation of the churches of Northallerton, [West] Rounton, [Kirby] Sigston, Holtby, Skipwith, Hemingbrough, Howden, Brantingham, Welton, Walkington, Eastington, their dependent chapels and the clergy and people thereof.

Date: Durham, 30 April 1417.

f.52r-v 3 May [1417]

Certification by the keeper or official of the spirituality of St Cuthbert in Allerton and Allertonshire to John, prior of Durham, having received on 20 April 1417, and reciting the following mandate

Mandate by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, to his official of the said spirituality instructing him to cite all and sundry clergy of the spirituality, and twelve, ten, eight, six, four or two trustworthy men from each vill of the parishes, according to the size of vill, to attend before the prior or his deputed commissaries, one or more, on the days, at the places, and in the manner as contained in the attached schedule, and undergo visitation; and requiring certification as to how he shall have executed the foregoing, with the names of those cited, in letters patent incorporating the contents of the presents.

Date: Durham, 16 April 1417.

informing him that he has cited Thomas Ayermyn, rector of Rounton, Thomas Birdale rector of Kirby Sigston, Mr John Corbrige, vicar of [North]allerton, John Kylpin, chaplain of the chantry within the [bishop of] Durham's manor, William Midilton', chaplain of the chantry of St Mary in the church of [North]allerton, all and sundry holding divine service in the churches of [West] Rounton, Kirby Sigston, and [North]allerton, and their dependent chapels; Richard Tode of Brompton, John Landmote of Sigston, and John Masham of [North]allerton, holy-water clerks; and eight, six, four or two men from every vill of the said parishes; to attend for visitation, at the times and places prescribed; that the names of the chaplains and laity, parishioners cited on account of the mandate, will appear in an attached schedule; and that he himself will be present on the sundry days of the visitation of the sundry churches.

Under the seal of the office of official aforesaid.

Date: [North]allerton, 3 May.

f.52v [?1417]

[Mandate] by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to his official of the said spirituality "&c as above".

f.52v 18 April 1417

Mandate by the keeper of the spirituality of Howden and Howdenshire to John Walkyngton', his apparitor, instructing him to cite the clergy, as given in the attached letters, to attend and undergo visitation, on the dates and at the places specified; and requiring certification of his execution of the presents.

Date: York, 18 April 1417.

f.52v 13 June 1417

Memorandum that a proxy was issued appointing Thomas Lethom', vicar of Bracewell, R. Tempest, knight, Thomas Forester and John Walkar, laymen, as proctors to attend before H[enry], archbishop of York, Stephen Scrope, archdeacon of Richmond, or their deputed commissaries, at whatsoever visitations of the church of Giggleswick: 13 June 1417.

f.52v June 1417

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, appointing Thomas Westhorpe, vicar in the collegiate church of Howden, to the office of master of the choir of the said church, responsibilities specified; until the prior should see fit to revoke the commission.

Date: Durham, (blank) June 1417.

f.52v-53r 1416

Proxy by Robert subprior and the chapter of Durham appointing W. Cuke, *literatus*, as their proctor to cite the monks of Durham in the cells of Lytham, Stamford, and Durham College Oxford to attend in the chapter house of Durham for the election of a prior of Durham on 5 November, with continuation; empowering him to appoint and replace substitute proctors for carrying this out; and to warn, by himself or through his said substitutes, all those cited, that the chapter will proceed with the election whether or not they appear at the appointed time; requiring certification at the said time and place as to what he shall have done in respect of the foregoing.

Date: [Durham] 18 "day of the said month" 1416.

f.53r 24 June 1417

Memorandum that a proxy was issued appointing T[homas] Rome as proctor for the prior at the provincial council to be held at Northampton, Monday next before the Translation of Thomas the martyr, in form as above on f.18: Durham, 24 June 1417.

f.53r 24 December 1418

Presentation by John prior and the convent of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute William Doncastr', deacon, LL.B., in the vicarage of Bedlington, vacant by the death of Thomas Coweton', last vicar thereof.

Date: Durham, 24 December 1418.

f.53v-54v 20 June [1417]

Certification by John, prior of Durham, to William, prior of St Mary's [York], commissary in place of Thomas, abbot of the latter monastery and deputed visitor of the Benedictine houses in the province of York by the provincial chapter of that order held at Northampton, having received, on 17 May last, and reciting the following notarized citation and mandate Notarized citation and mandate by William Dalton', prior of York St Mary's, commissary and visitor by the following notarized commission

Notarized commission by Thomas, abbot of York St Mary's, deputed visitor (&c, as above), to William Dalton', prior of York St Mary's; since he has been appointed proctor for Henry, archbishop of York, and the other prelates and clergy of the province, to attend the general council being held at Constance, and is unable to be present personally at the visitation of the conventual houses of the Benedictine order in the province of York, authorizing the prior to carry out the visitation in his stead, at the appointed dates and places.

Written by, and with the subscription and sign of Mr Richard Stanton', clerk of York, NP by apostolic authority, the abbot's scribe (whose eschatocol is recited).

Witnesses: Mr John Selow and Mr Thomas Clyveland, clerks of the court of York, advocates; John de Stanton', clerk of the province of York, NP, and proctor of the same court.

Date: St Mary's monastery, York, 11 November 1414

summoning the prior and convent of Durham to attend before him in the chapter house of Durham on Monday before John the Baptist next, with continuation, for his visitation; instructing the prior to cite every monk of Durham, who by right or custom ought to be present, to attend at the said date and place, and undergo visitation; and requiring the prior to give certification on the appointed date as to what he shall have done in the foregoing, along with the names of those cited, in letters patent incorporating the contents of the presents.

Written by, and with the subscription and sign of Mr Richard Stanton', clerk of York, NP by apostolic authority, the prior's scribe (whose eschatocol is again recited).

Witnesses: Mr Thomas Clyveland, advocate of the court of York, Henry Neuton' and William Masham, and Mr John de Stanton', clerk of York, NP.

Date: St Mary's monastery, York, 4 May 1417.

and informing him that he has complied and will comply with his mandate, and has caused all monks of Durham who ought to attend to be warned of the visitation, their names being attached to the presents.

Date: Durham, 20 June.

f.54v

Proxy by John prior and the chapter of Durham appointing Thomas, abbot of York St Mary's, as their proctor to act for them and defend their interests at the general council at Constance.

Date: Durham.

f.54v-55r 1 January 1417

Proxy by John prior and the chapter of Durham appointing Thomas, abbot of York St Mary's, as their proctor to excuse their absence from, and take part in their name at the general council ordained at Constance for the extirpation of schismatics (&c).

Date: Durham, 1 January 1416/17.

f.55r

Agreement by indenture between John [Fossor *], prior of Durham, and Alan de Shutelyngton', rector of Hemingbrough, and his parishioners, to settle the action raised in the court of York between

[1] the said Alan and certain parishioners of Hemingbrough, appellants, and

[2a] Mr Henry de Gaytegang', rector of Welton, York dioc., <Uthred de Daunneburgh> {Uthred Bolton'}, and John de Byshopton, monks of Durham, commissaries of the prior of Durham, ordinary of Hemingbrough, for visiting the church of Hemingbrough, the appealed, and

[2b] John [Fossor], prior of Durham, who, an interested third party, was admitted to the entire defence of the case, his commissaries having been removed, concerning the citation made for the visitation of Hemingbrough by the prior, and the form of citation; that the process in the court of York should be nullified and the prior released from the inhibition laid upon him by the said court; and that the prior, when drawn to visit the church of Hemingbrough, should have the power to cite, etc. those bound to appear and undergo visitation and demand execution.

Sealed interchangeably by Alan and the prior.

n.d.

[* A successor to Alan was presented in April 1375 following his death, Reg. II, f.231v.]

f.55r 16 July 1417

Commission by John, prior of Durham, and ordinary of the jurisdiction of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr John Selowe, official or keeper of the said jurisdiction, instructing him to impanel a jury of clergy and laity of the said jurisdiction and go with them to the manse of the prebend and canonry of Skelton in the church of Howden, and take an inquisition there to assess the condition of the manse and the cost of repairs; and to make certification of their findings, along with the names of the jurors, by letters patent incorporating the contents of the presents; because he has been informed by Robert Nevill', prebendary of Skelton, that his late predecessor, Mr John Southwell', did not repair the houses, buildings and walls pertaining to the prebend during his long occupancy, to their decay and ruin and to the diminution and impoverishment of the prebend.

Date: Durham, 16 July 1417.

(The marginal caption calls this entry "Sequestration of the fruits of the prebend of Skelton for Robert Nevill' ")

f.55v 17 August 1417

Nomination by John prior and the convent of Durham to Richard, prior of Lytham, of Thomas Whitehed', priest, for presentation to the church of Appleby, Lincoln dioc., vacant by the resignation of Robert Valunce, last rector thereof; providing that the resignation of Robert appear to him to have been lawfully made in letters predating the presents. Under the other part of the common seal, namely St Oswald's head.

Date: Durham, 17 August 1417.

("Sir Richard Vernon', knight, lord of Appleby " is written in the margin beside this entry)

f.55v 18 September 1417

Quitclaim by the prior and convent of Durham in favour of John Duncan' of York, chaplain, and Richard Knapton', vicar of Dalton le Dale, executors of the testament of John Shaffeld', late citizen and skinner of York, of all actions (&c) concerning certain tenements in Ousegate, York, demised to John Shaffeld' for the term of 45 years, as appears in an indenture made between John and the prior and convent and their predecessors.

Date: Durham, 18 September 1417.

f.55v 26 September 1417

Mandate by John, prior of Durham, archdeacon in the churches appropriated to the church of Durham, to Thomas [de Ireland], vicar of Edlingham, instructing him to cite the clergy of the parish, along with eight, six, four, or three trustworthy men from each vill of the parish, depending on the size of the vill, to attend before the prior or his commissaries, one or more, in the parish church on 14 October next to come, in order to undergo visitation; and requiring, at the said time and place, letters patent incorporating the contents of the presents, as to what he shall have seen fit to do in the foregoing, along with the names of those cited.

Date: Durham, 26 September 1417.

Recited in: DCD 2.2.Arch.Northumb.7.

f.55v [26 September 1417]

Memorandum that letters of like tenor were issued to William, vicar of Bywell St Peter, for a visitation on Monday after St Denis [11 October]: [Durham n.d.].

f.56r 8 October 1417

Commission by John, prior of Durham, archdeacon in all churches appropriated to the church of Durham, to John Fyscheburn', monk of Durham, and Mr W[illiam] Doncastre, LL.B., to carry out the impending visitation of the churches of Holy Island, Norham, Branxton, Ellingham, Edlingham, Bedlington, and Bywell St Peter, their dependent chapels, and their clergy and people; in place of the prior, since he is prevented by manifold priory business from being personally present at the visitation.

Date: Durham, 8 October 1417.

f.56r 14 October 1417

Certification by Thomas [de Ireland], vicar of Edlingham, to John, prior of Durham, of his lately-received mandate as on f.55v, not recited here in full, by authority whereof he has cited the ministers and men as required, their names appearing on the attached schedule.

Because his own seal is unknown, under the seal of the officialty of the archdeaconry of Northumberland, as the official attests.

Date: Edlingham, 14 October 1417.

Original: DCD 2.2.Arch.Northumb.7.

f.56r 15 [October 1417]

Memorandum of a like certification made at Ellingham.

f.56r 13 October [1417]

Memorandum of a like certification made at Bedlington.

Original: DCD 2.2.Arch.Northumb.8.

f.56v 6 November 1417

Presentation by John prior and the convent of Durham, asking Henry, archbishop of York, or his vicar general in distant parts, to institute John Selby, clerk, in the canonry and prebend of Skipwith in the church of Howden, vacant by the death of Mr John Hovyngnam, last canon and prebendary thereof; saving a yearly pension of 13s 4d owed therefrom to the monastery of Durham.

Date: Durham, 6 November 1417.

Related material in other DUL collections: Related letters: DCD Loc.XXV:89 and 157.

f.56v

Memorandum that the said J[ohn] Selby pledged to pay one noble [6s 8d] of the yearly pension due for the next Martinmas term to J[ohn] Fyshborn', in the event that the executors of the testament of John Hovyngnam refuse to pay the said noble.

Witnesses: Thomas Ryhall', N.P., J. Holme, *litteratus*, and John Wayte, layman of Selby.

f.56v 7 December 1417

Nomination by John prior and the convent of Durham to Richard, prior of Lytham, of William Golderyng, vicar of Haughley, Norwich dioc., for presentation to the church of Appleby, Lincoln dioc., to effect an exchange of benefices with Thomas Wythede, rector of Appleby.

Under the other part of the common seal, namely St Oswald's head.

Date: Durham, 7 December 1417.

f.57r 7 December 1417

Grant by indenture by John prior and the convent of Durham to William Bolton', servant of the church of Durham, of the whole of that livery or corrody in the hospital of Witton [Gilbert], which Emma, the late wife of John Appilton' of Durham, held during her life; to be held for life and received at the hands of the almoner and cellarer of Durham, as at present received by any brother or sister of the said hospital; praying for the souls of the founders and benefactors of the hospital and all faithful dead, as required of old; with an allowance, specified, if unable, through infirmity or old age, to minister in the office of servant; William swearing neither to attempt fraud or guile nor to reveal secrets to the damage of the church of Durham, and binding himself to efficacy in raising the farms of the sacristy of Durham, and in other business, so long as he is able to serve.

Date: Durham, 7 December 1417.

f.57r-v 1 September 1417

Proxy by John prior and the convent of Durham, possessing the churches of Fishlake, Bossall, Ruddington {and Giggleswick}, York dioc., appointing Mr John Selowe, Lic. Dec., Mr John Staynton', proctor of the court of York, and Mr William Doncastr', LL.B., as their proctors to attend, in their name and in name of their churches, at whatsoever synod, held by whatever authority, before the archbishop of York, or his vicar general in spiritualities, or his commissaries, one or more, or any competent judge, wheresoever, at whatsoever date or place.

Date: "&c" 1 September 1417.

f.57v 4 January 1418

Memorandum of homage by William Hudilston', lord of Esh, to John Wessyngton', prior of Durham, for his lands then held in chief of the prior, in the villis of Barmpton and Skirningham, by {knight and other service, as shewn in the *feodarium* of Thomas de M[elssonby], prior of Durham [d. 1244]}.

In presence of Thomas Langton', the prior's steward, Christopher Boynton', William Lamberte, Guy Fayrefax, Thomas Cuke of Fishburn, Thomas Pompefreth', John Holme, the prior's chamberlain.

Done in the prior's chamber, Durham, 4 January 1417/18.

f.57v [4 January 1418]

Memorandum of homage by John Hedworth' of Southwick, squire (*domicellus*), to John W[essyngton'], prior of Durham, for his lands then held of the prior, in the villis of Southwick and Hedworth, by (blank) service.

Done before the said persons, the same date and place.

f.57v 29 March 1418

Memorandum of homage and fealty by William de Fery to John, prior of Durham, for his lands and tenements in Ferry[hill], East [now Kirk] Merrington, and West Merrington [now Westerton], held of the prior by knight service and by suit of court from quindene to quindene.

In presence of Thomas Langton', steward, John Hoton' of Tudhoe (*Todhow*), and John Holm', chamberlain.

Done in the prior's chamber, 29 March 1418.

f.57v 31 March 1418

Memorandum of homage and fealty by John Wyndilston' and John Hegyngton' to John, prior [of Durham], for their lands and tenements in East [now Kirk] Merrington, which are held of the prior in chief for homage and suit of court.

In presence of John Thoraby, rector of Whitburn, John Hedworth', and Thomas de Fery.

Done: 31 March 1418.

f.57v

Form of homage.

Language: English

f.57v

Form of fealty.

Language: English

f.57v

Note stating that more homages may be sought below, on the third, fifth and [blank] folios following [i.e. by inclusive reckoning, counting this folio as the first].

f.58r [20 January x 10 March 1401]

Act of parliament

pronouncing forfeiture of all the lands and tenements which Thomas Holand, sometime earl of Kent, John Holand, sometime earl of Huntingdon, John Montagu, sometime earl of Salisbury, Thomas, sometime Lord Despenser, and Ralph Lumley, knight, held in fee simple at 5 January, 1 Henry IV [1400], together with all their goods and chattels, for their treason in raising war against the king, notwithstanding that they died without process of law.

Done in parliament, London, 2 Henry IV [20 January x 10 March 1401: the terminal dates of the only parliament of 2 Henry IV]

Language: French

f.58r-v [1 February] 1415

Reciprocal grant by indenture by [1] John prior and the convent of Durham and [2] John de Whytton' of Durham

[1] granting to [2] one acre of meadow upon Mountjoy next to Durham, between the meadow to the west and east pertaining respectively to the hostiller and the communar of the prior and convent; to be held by John, his heirs and assigns, from Whitsun next after the date of the presents for the term of 100 years;

[2] granting to [1] one acre of land lying among the demesne lands of the prior and convent in the manor of Elvet Hall; to be held by the prior and convent and their successors from the said Whitsun for the term of 100 years;

under conditions allowing the prior and convent to re-enter the acre of land should they be ejected from the acre of meadow, or part thereof, by John, his heirs or assigns, or anyone else having title pre-dating the presents, or by any widow of his with a right to dower; and likewise allowing John to re-enter the acre of meadow if ejected from the acre of land by the prior and convent and their successors, or by anyone else having title pre-dating the presents.

Sealed interchangeably.

Date: [Durham] St Brigid 1414/15.

f.58v 31 January 1418

Letters by J[ohn] prior and the convent of Durham for John Leesmaker, as their mortuary-roll bearer, for prayers for the souls of John, lately prior of Durham, and their fellow monks, their *conversi*, familiars and benefactors valid for two years.

Date: Durham, 31 January 1417/18.

f.58v

Presentation by J[ohn] prior and the convent of Durham asking (blank) bishop of St Andrews, to institute John Forman, chaplain, in the vicarage of Fishwick, vacant by the death of John Chirnesyde, last vicar thereof.

(Incomplete and "not issued in this form" according to the marginal note, cf. next entry.)

f.58v-59r 30 January 1418

Presentation by J[ohn] prior and the convent of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute John Forman, chaplain, in the vicarage of Fishwick, vacant by the death of John Chernysyde, last vicar thereof.

Date: Durham, 30 January 1417/18.

f.59r 31 January 1418

Presentation by John prior and the convent of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to admit William de Drax as prior of the cell of Coldingham.

Date: Durham, 31 January 1417/18.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.89.

f.59r 1 February 1418

Letters of confraternity by John prior and the convent of Durham to George de Dunbar, earl of March (*Estmarchie in Scocia*), and Cristiana his wife, because of their devotion towards the monastery of Durham granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, with prayers to be offered for them each year for all time after their death, as is customary for other brothers and sisters of the prior and convent.

Date: Durham, 1 February 1417/18.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.90.

f.59r 15 February 1418

Memorandum that a proxy was issued appointing Mr John Selow, Mr John Staynton' and Mr William Doncastr' as proctors for the prior and chapter at the convocation of clergy to be held in York minster, 20 February: Durham, 15 February 1417/18.

f.59r 6 March 1418

Presentation by John prior and the convent of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Adam Walsh', chaplain, in the vicarage of the prebend of Howden in the church of Howden, vacant by the resignation of Thomas Lytstr', last vicar thereof.

Date: Durham, 6 March 1417/18.

Related material in other DUL collections: Related letter: DCD Loc.XXV:20.

f.59v 4 February 1419

Memorandum of homage and fealty by John Gylforde of Gateshead to John, prior of Durham, for his lands and tenements in East Rainton, which are held in chief of the prior by homage and suit of court.

In presence of: Thomas Cuk of Fishburn; Mr Roland [Thorneburgh], dean of Chester[-le-Street]; Mr Thomas Lees, dean of Auckland; Thomas Pomfrete; Richard Hemmyngburgh'; John Bynchester, chaplain; Robert Walworth'.

Done: 4 February 1418/19.

f.59v 11 September 1404

Licence by John prior and the convent of Durham to Richard de Elvet and John de Elvet, clerks, and Gibert de Elvet that they be able to give and assign a messuage, now inhabited by Thomas de Blenkowe, next to St Oswald's churchyard in *Vetus* Elvet, and two messuages lying together in *Novus* Elvet which are held of the prior and convent; to William de Fysh'born', chaplain, keeper of the chantry of SS John the Baptist and John the Evangelist, newly founded or to be founded in St Oswald's church at the altar of the said saints by the said Richard, John and Gilbert, by licence of Walter, bishop of Durham; to be held by William and his successors, chaplains celebrating divine service at the said altar according to the ordinance made therefor by the said Richard, John and Gilbert, in perpetuity, of the prior and convent and their successors, by service used and wont; with the prior and convent and their successors able to have no right or claim to enter the messuages by virtue of the Statute of Mortmain.

Date: [Durham] 11 September 1404.

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.589.

Copy, with minor differences, of licence on f.15r above; the bishop's licence is on f.17r above

f.59v-60r

Letters by W. abbot and the convent of Bury St Edmunds for W. T. as their mortuary-roll bearer.

Printed: *The obituary roll of William Ebchester and John Burnby, priors of Durham : with notices of similar records preserved at Durham, from the year 1233 downwards, letters of fraternity, &c*, [ed. J. Raine], (Surtees Society 31, 1856), p.103 and *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.384.

f.60r 16 May 1418

Licence by John prior and the convent of Durham to John Holdernese, clerk, and Alan Hayden', chaplain, that they be able to give and assign:

seven messuages on the south side of Allergate, Durham, five lying together between a tenement of Richard Couhirde and a tenement of the prior and convent, and two between a tenement of the late John Chester' and a tenement of William Catrik; a messuage with croft on the north side of Allergate between a tenement of the late John Chester' and a tenement of the prior and convent; three messuages in Crossgate, Durham, of which two lie together on the north side between tenements of Agnes, daughter and heiress of Peter Dryng', and one lies on the south side between a tenement of the prior and convent and the vennel leading to the almoner's orchard (*le Almnerorcherd'*);

a messuage in South street, Durham, between the tenement of John Kylllynghall' and the vennel leading to St Helen's well; a messuage and an acre of land upon Bellasis, between lands of the keeper of St Mary's chantry in St Margaret's chapel, Durham, and of Thomas Pyttyngton';

six acres of meadow next to Allergate, between the highway and the land of Ralph Euer, knight, of which two lie below Codesley (*Coddeley*) wood and once belonged to William Chilton' and later John son of Stephen Aspour, and of four below Redhill, two were once John Foussour's and two were once Richard Cowhird's;

and 13s 4d rent from a messuage in the Old Borough of Durham, and from 18 acres of the land of Thomas Gray, clerk, upon Bellasis;

which are held of the prior and convent in chief, by fealty, certain annual rents, suit of court of the borough and other customary service; to John Palman, chaplain, keeper of the chantry of St Katherine, newly founded or to be founded by the said John Holderness' and Alan in the church of Durham St Mary in the North Bailey by licence of Thomas, bishop of Durham; to be held by John Palman and his successors, holding divine service at St Katherine's altar in accordance with the ordinance made by John Holderness' and Alan, of the prior and convent and their successors, by service used and wont; the Statute of Mortmain notwithstanding; and with John, Alan, their heirs, the chaplains and their successors to be undisturbed by the prior and convent and their ministers by reason of the foregoing; saving fealty, rents, and suit of court aforesaid, and whatsoever other services due to the prior and convent and their successors, from the lands, tenements and burgages aforesaid, in perpetuity.

Date: [Durham] 16 May 1418.

f.60v 18 March 1418

Letters by Robert abbot and the convent of Furness for J[ohn] Leesmaker as their mortuary-roll bearer, for prayers for the souls of William, lately abbot of Furness, and their fellow monks, familiars and benefactors; valid for two years.

Date: Furness, 18 March 1417/18.

Printed: *The obituary roll of William Ebchester and John Burnby, priors of Durham : with notices of similar records preserved at Durham, from the year 1233 downwards, letters of fraternity, &c*, [ed. J. Raine], (Surtees Society 31, 1856), p.102 and *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.382-383.

f.60v-61r 13 December [1417]

Inquisition taken before William Claxton', escheator &c, by virtue of a writ of the bishop of Durham directed to him, concerning various articles &c, the jurors saying that there is no prejudice to the bishop or others should the bishop grant to John Holdernes, clerk, and Alan Hayden', chaplain, that they be able: to found a chantry of one chaplain holding divine service at St Katherine's altar in the church of Durham St Mary in the North Bailey for the souls of John Belasys and Sybil, lately his wife, and of all the faithful dead; and to give and assign 21 messuages, 14½ acres of meadow, and 39s 4d rent in Durham to the chaplain of the said chantry (the properties being those described in the licence on f.60r, noting valuation and terms of tenure, and that some tenements are waste, mentioning additionally that two tenements on the north side of Crossgate are in the tenure of Roger Esingwald', and giving *Goddessley* as the name of the wood near Allergate) the jurors also saying that the prior is the mesne tenant between the bishop and the said John Holdernes and Alan for the said properties.

Held in Durham, 13 December, Pont. Thomas [Langley] 12.

f.61r

{Note: perpetual privilege of the prior and chapter for dispensing their monk in his 22 [year] for priesting}

f.61r [14]17

Form of dispensation by John, prior of Durham, having received and applying the terms of a bull by John XXIII, pope, not recited. for A. de B., monk of Durham, being in his twenty-second year, to advance to the priesthood and then to minister in it, notwithstanding his want of age, and other contrary apostolic constitutions, statutes, customs and the rest.

Date: "&c" [14]17.

f.61r 6 June 1418

Memorandum of homage and fealty by John Hedworth' of Hedworth to John, prior of Durham, for his lands and tenements in Hedworth, held in chief of the prior, by homage, suit of court and other customary services.

In presence of Mr William Donecaster'; William Hunter, clerk of the prior's exchequer; William Trollope, clerk of the prior's chapel; John Fysh'born', monk.

Done in the prior's chapel, 6 June 1418.

f.61r 2 July 1418

Grant by John prior and the convent of Durham to Robert Harlsey, chaplain, of a livery of food and drink, specified, including reference to the granator's role in apportioning beer at the time of *le tunnyng*, for life.

Date: Durham, 2 July 1418.

f.61v 1 December 1417

Quitclaim by John prior and the convent of Durham to John Holdernes, clerk, and Alan Hayden', chaplain, executors of the testament of John Belasys, and their heirs and assigns, of all right or claim by reason of gift or legacy of the said John Belasys to a certain waste messuage on the south side of Crossgate between a tenement of the prior and convent and the vennel leading to the cellarer's garden; saving their right of suit of the court of their Old Borough of Durham, free farm of the messuage and whatsoever other services used and wont.

Date: [Durham] 1 December 1417.

Cf. 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.81

f.61v-62r 10 July 1418

Inspeximus by John prior and the convent of Durham confirming the following licence Licence by letters patent by Thomas, bishop of Durham, to John Holdernes, clerk, and Alan Hayden, chaplain, to found a chantry of one chaplain holding divine service in perpetuity at the altar of St Katharine in the church of Durham St Mary in North Bailey for the souls of John Bellasys and Sybil, lately his wife, and all faithful dead, according to the ordinance of the said John Holdernes and Alan; and to give and assign to the chaplain of the chantry and his successors four messuages and five and a half acres of meadow which are held of the bishop in chief in the city of Durham, and seventeen messuages and nine acres of meadow, and 39s 4d of rent in the same city which are not held of the bishop; and that the chaplain be able to receive the said properties from John Holdernes and Alan, and he and his successors be able to hold the same properties in perpetuity; the Statute of Mortmain notwithstanding because the four messuages, and five and a half acres of meadow are held of the bishop in chief; not wishing John Holdernes and Alan or the chaplain and his successors to be troubled by his ministers by reason of the foregoing; saving to himself and his successors, and to other chief lords of the fee, the rents and services used and wont therefor.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 28 June, Pont. 12. [1418]

providing only that John Holdernes and Alan Hayden appropriate to the chantry, and that the chaplain and his successors acquire thirteen messuages and seven acres of meadow held in chief of the prior and convent, and 13s 4d rent from a messuage and eighteen acres of land upon Bellasis, which Thomas Gray, clerk, now holds of the prior and convent in their Old Borough of Durham, in no wise without obtaining the licence of the prior and convent; saving rents, suit of court of the Old Borough, and other services used and wont whatsoever from the said properties.

Date: Durham, 10 July 1418.

Original: DCD Misc.Ch. 1697.

f.62r 12 September 1418

Presentation by John prior and the convent of Durham asking Philip, bishop of Lincoln, or his vicar general in distant parts, to institute Adam de Lowthe, vicar of Sutton on Trent, York dioc., in the church of Blyborough, to effect an exchange of benefices with Mr John Thetford, rector of Blyborough.

Date: Durham, 12 September 1418.

f.62r 2 November 1418

Memorandum that a dispensation was issued to Thomas Heppell' [monk of Durham] to take priestly orders, according to the old form:

Durham, 2 November 1418.

f.62r 2 November [c.1418]

Letters [by the prior and convent of Durham] [to the bishop of Durham] informing him that the means of their monastery are insufficient to bear the expense of maintaining their cells of Monk Wearmouth and Jarrow, and asking that he impart his counsel in this matter to William Ebchester, monk of Durham, who is more fully informed of the condition of these cells, and whom they have sent to him.

Written: Durham, 2 November [no A.D.].

f.62r-61v 27 May 1486

[Added at a later date, with its final lines at the foot of the preceding folio:]

Proxy by John, prior of Durham, to the presidents of the provincial chapter of the black monks being held at Northampton on Monday before the translation of Thomas the martyr [3 July in 1486], namely 30 June [sic] next to come, appointing Thomas Rolland, warden of Durham College Oxford, as his proctor to attend the chapter, excuse his absence and act on his behalf, because, due to business concerning his monastery, he is unable personally to be present.

Date: Durham, 27 May 1486.

f.62v-63r 31 October 1418

Notarial instrument of proxy recording that John, prior of Durham, Robert Rypon', subprior, D.Theol., John Acley, S.T.P., Thomas Rome, S.T.P., Thomas Ile, John Newburn', Thomas Stapley, William Graystones, sacrist, John Durham senior, Robert Esby, Stephen Houeden, John Lethom, William Barry, John Gyseburn', John Fysshburn', Hugh Werkworth, precentor, William Durham, Roger Langchestr', John Swenneshede, <William Warner', Richard Fowne, Thomas Hessylryg', John Marley, John Durward', George Syther' crossed out, as misplaced, see below>, Thomas Wytton', Henry Feryby, Henry Helay, John Gunnorton, John Durham junior, William Ebchestr', Robert Clyfford', Thomas Nesebet, William Warner', Richard Fowne, Thomas Heselryge, John Marley, John Durward', George Syther', John <Wi> Barley, William Lyham, William Crayk, John Mody, Thomas Aeyr, John Olle', William Partrik, Thomas Pomfert, Thomas Lawson', Richard Kellow, Thomas Hexham, John Gatesehede, and John Harum, monks of Durham assembled in chapter, appointed Mr Thomas Grenewode, D.Civ.L. and canon of York minster, as their proctor to secure the issue of papal letters of grace at the Roman *curia*, and to impugne and seek the revocation of any obtained against them, and with general powers to act on their behalf.

Witnesses: John Bynchestr', chaplain, William Bentlay, clerk, of York and Durham diocc. Notary: William Doncaster, clerk of York dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the chapter house of Durham, 31 October 1418.

f.63r 8 December 1418

Memorandum that a presentation was issued for Richard Pyngill', chaplain, to the vicarage of Edlingham, vacant by the resignation of Thomas de Ireland, last vicar thereof:

Durham, 8 December 1418.

{ "he does not have letters of his holy orders, except insufficient evidence" }

f.63r 11 December [c.1418]

Letters excusatory by the prior and chapter of Durham to the duke of Bedford, lieutenant of the king of England, having received his letters for the promotion of his clerk, T[homas] Bradshawe, to the next vacant prebend in the collegiate church of Howden, explaining that they are unable to implement his request, since the priory sustained grave displeasure as a result of certain promises made by the late prior, concerning non-vacant benefices, which they had not been able to keep; adding that they had often similarly apologized to the earl of Northumberland and other magnates in respect of requests for the promotion of their clerks.

Written: Durham, 11 December [no A.D.].

Related material in other DUL collections: Related letter: DCD Loc.XXV:112.

f.63r

Presentation by John prior and the convent of Durham asking Thomas, bishop of Durham, or his suffragan in distant parts, to promote Thomas Byshopton', B.A., ordained acolyte of Durham dioc., to all holy orders which he has not yet obtained, on the priory's title. (incomplete)

f.63v 23 December 1418

Notarial instrument of proxy recording that Thomas Haxey, residentiary canon of York and canon and prebendary of Howden in the collegiate church of Howden, appointed Mr Thomas Appilby, N.P., and John Wartr', clerk of York dioc., as his proctors to resign the canonry and prebend of Howden in the hands of Henry, archbishop of York, by reason of an exchange of benefices.

Witnesses: Mr John Staynton', proctor general of the court of York, and Mr Thomas Dautr', N.P.

Notary: Peter Wynton', clerk of Carlisle dioc., N.P. by apostolic authority (eschatocol recited).

Done: in the dwelling hall of Thomas Haxey, within the close of York minster, 23 December 1418.

f.63v-64r 26 December 1418

Notarized resignation by J[ohn] Warter', clerk of York dioc., proctor of Thomas [Haxey], canon and prebendary of Howden in the church thereof, whereby he resigns the canonry and prebend of Howden, on Thomas' behalf, in the hands of Henry, archbishop of York.

Witnesses: William Bentlay and John Scarburgh', clerks of York dioc.

Notary: Mr William Doncastr', N.P.

Done: in the chancery of Durham, 26 December 1418.

f.64r 26 January 1419

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to Adam Walch', vicar of the prebend of Howden, and John Cone [?], vicar of Eastrington, to induct Mr John Selowe or his proctor into corporal possession of the canonry and prebend of Howden in the church of Howden, vacant by the resignation of Thomas Haxey, last prebendary and canon thereof, and to which he has been instituted by the archbishop of York; and to sequester the revenues of the canonry and prebend, in whosoever hands they be, and keep them until competent repair can be made of the ruinous house and buildings at the manse of the prebend.

Date: Durham, 26 January 1418/19.

f.64r 26 [?January] [1419]

Presentation by John prior and the convent of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Mr John Selowe, Lic.Dec., in the canonry and prebend of Howden in the church of Howden, vacant by the resignation of Thomas Haxey.

Date: Durham, 26 (no month given) 1418.

f.64v 19 January [?1419]

Letters excusatory [by the prior and chapter of Durham] to {the earl of Northumberland} having received his letters, directed to them by Thomas Langton', his squire, asking that they accept his chaplain, John Barton', for the next vacant prebend in the collegiate church of Howden, and particularly for the prebend of Mr John de Midilton, who, they hear, is troubled by no bodily infirmity; explaining that they are unable to implement his request, since the priory sustained grave displeasure as a result of certain promises made by the late prior, concerning non-vacant benefices, which they had not been able to keep; adding that they had oftentimes similarly apologised to the duke of Bedford and other magnates in respect of requests for the promotion of their clerks.

Written: Durham, 19 January [no A.D.].

Related material in other DUL collections: Related letter: DCD Loc.XXV:156.

f.64v 4 February 1419

Commission by John, prior of Durham, archdeacon in [the priory's appropriated] churches, to John Murs, prior of Holy Island, Mr William de Doncastr', LL.B., and John de Durem, vicar of Norham, as keepers of his archidiaconal jurisdiction in churches within the archdeaconry of Durham, in his place, until revoked.

Date: Durham, 4 February 1418/9.

f.64v 4 March 1419

Memorandum of homage by Thomas Brone and Roger de Staynton' to John W[essington], prior of Durham, in presence of the prior, for the lands which they held of him by knight service in the vill of Ferry[hill].

Witnesses: Richard de Walleworth', chaplain, John Holme, and William de Weremuth'. Done in the prior's chamber, [Durham], Saturday 4 March 1418/19.

f.64v 21 April 1419

Memorandum of homage by Thomas de Fery of Newcastle upon Tyne to John de W[essington], prior, for his lands in the vills of Ferry[hill], Billingham and Cowpen held by knight service.

In presence of Mr Roland, dean of Chester[-le-Street], T. Langton', the prior's steward, Christopher de Baynton', and Mr William de Donchaster', vicar of Bedlington.

Done in the prior's chamber, [Durham], Friday 21 April 1419.

f.65r 10 February 1419

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to Mr Richard Arnall', canon of York minster, and Mr Nicholas Newton' and Mr John Carleton', rectors of Thwing and Escrick, York dioc., jurists, to impanel a jury of clergy and laity and hold an inquisition concerning the defects of the houses, buildings, walls &c of the prebend of Howden in the church of Howden; to establish:

the state in which Thomas Haxey, last canon and prebendary of Howden before Mr John Selowe, now canon and prebendary thereof, received them; whether he had anything from any predecessor for repairing defects; if so, what and how much; whether he put anything towards repairs in his time; which defects are threatening at the present; and the cost of putting them right; to sequester the goods of Thomas Haxey, in whosoever hands they be, to the estimated sum of the defects, and to keep them until further mandate; with the laying of hands on the goods to be prohibited on pain of excommunication until the repair has been ordered; and to report the findings of the inquisition and what goods and where sequestered, when required by Mr John Selowe, in their or his letters patent or close, under any authentic seal.

Date: Durham, 10 February 1418/19.

f.65r May 1419

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Richard Ingoldesby, priest, in the canonry and prebend of Howden in the church of Howden, vacant by the resignation of Mr John Selowe, last prebendary and canon thereof.

Date: Durham, (no day given) May 1419.

f.65v 3 May 1419

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr John Holdernes, LL.B., in the vicarage of Heighington, vacant by the death of John de Catton', last vicar thereof; saving a yearly pension of 53s 4d due therefrom of old to the sacrist of Durham.

Date: Durham, 3 May 1419.

f.65v 22 May 1419

Memorandum of homage by John More of Hett to John de W[essington], prior, for his lands and tenements which he has by gift of Thomas Blaykeston' in the vill of Hett. In presence of Richard Gower, abbot of Jervaulx, John Garneby, constable of Brancepeth, John Huton' and William Cokfeld', squires.

Done: 22 May 1419.

f.65v 8 June 1419

Memorandum that the presentation of William Wynlawton' to the vicarage of Pitlington, vacant by the resignation of John Appelby, last vicar thereof, was issued: 8 June 1419.

f.65v-66r 12 May 1308

Notarial exemplification of the following chirograph.

Chirograph notification by Michael, archdeacon of Stowe, papal judge-delegate, and Nicholas, chancellor of Lincoln, subdelegate of the archdeacon of Northampton, co-judge with the archdeacon of Stowe, in the dispute moved before them (with the treasurer of Lincoln, the third co-judge, excused), between [1] Nicholas [Farnham], bishop of Durham, in name of the church of Durham, and [2] John abbot and the convent of St Albans, and the prior and convent of Tynemouth, in name of the monastery of Tynemouth, concerning the visitation of the parish church of Tynemouth and the obedience claimed by the bishop from the prior of Tynemouth by reason of that parish church and others belonging to the monks of Tynemouth within Durham dioc.; of amicable settlement, with the consent of the chapter of Durham, that the bishop and his successors, or their officials, should carry out visitation in the parochial part of the church of Tynemouth, without procurations, and without interfering with the monks of Tynemouth and their cell; saving the privileges of the monks; priors of the cell to be sent and removed by the abbot of St Albans, or the prior during a vacancy, with his chapter's consent, to promise canonical obedience to the bishop, by reason of the parish churches, but not, by reason of this obedience, to be called to any synod, chapter or other ecclesiastical meeting against the tenor of their privileges; vicars of Tynemouth to be presented by the prior and convent of Tynemouth, with their abbot's assent, and to answer to the bishop for the spiritualities and to the monks for the temporalities.

Sealed interchangeably by [1] the bishop and chapter of Durham and [2] the abbot and convent of St Albans and the prior and convent of Tynemouth, and also under the seals of the judges.

Present: the abbot of Newminster, and the archdeacons of Nottingham, St Albans, and Shrewsbury, Mr Hugh de Stanbrige, Mr William de Burgo, Mr Odo de Kelkenny, and John the Frenchman (*Francigena*).

Date: (blank) May 1247.

Notary's eschatocol (recited in full), recording that this part of the indenture bearing the seals of the bishop of Durham, the chapter of Durham, the archdeacon of Stowe, and the chancellor of Lincoln, having been transcribed by Thomas, son of Walter de Hurthworth', clerk of Durham dioc., N.P. by imperial authority, at Tynemouth priory.

Witnesses: Nicholas de Wyteley, Robert de Glykburn, and Richard Stranghale.

Date: Tynemouth priory, 12 May 1308.

For printed copies, see: W.S. Gibson, *The history of the monastery founded at Tynemouth* vol.II (1847), App. p.xli-xlii; .H.H.E. Craster, *A History of Northumberland vol. VIII The Parish of Tynemouth* (Newcastle-upon-Tyne 1907), p.73n and *Matthaei Parisiensis monachi Sancti Albani, Chronica Majora*, ed H. Richards Luard (Rolls Series) iv p.615-616.

Calendar: *English Episcopal Acta 29: Durham 1241-1283*, ed P.M. Hoskin (Oxford 2005), p.249.

Another version translated and discussed: W.S. Gibson, *The history of the monastery founded at Tynemouth* vol.I (1846), p.84-85.

f.66r 3 June 1419

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Robert Clyfford', chaplain, in the vicarage of Bossall, vacant by the death of Stephen Hunmandby, last vicar thereof.

Date: Durham, 3 June 1419.

f.66r 9 December 1419

Memorandum that a presentation was issued, directed to the bishop of Durham, for Mr William Doncastr' to the vicarage of Aycliffe, through the death of William Barton', last vicar thereof: 9 December 1419.

f.66r 10 December 1419

Memorandum that a presentation was issued for John Stillyngton' to the vicarage of Bedlington, through the resignation of Mr William Doncastr', last vicar thereof: 10 December 1419. .

f.66v-67r 14 June [1419]

Intimation by Thomas Lyes, dean of Auckland collegiate church, vicar general in spiritualities in distant parts to Thomas, bishop of Durham, that since he accepted the resignation on 7 June 1419 of the vicarage of Pittington by John Appelby, made due to his infirmity, and, on the morrow of the resignation, admitted William Wynlaton', priest, to the said vicarage, on the presentation of the prior and chapter of Durham; and following William's submission of his vicarage and its revenues to the disposal of the vicar general; he has made, in the presence of both William and John, and with their consent and that of the bishop and prior and chapter of Durham, in view of the inadequate means of John Appleby, this ordinance assigning to John Appleby a yearly pension, for life, of eight marks sterling from the revenues of the vicarage of Pittington, to be paid to John or his proctor in equal portions at the terms of Peter's Chains, All Saints, Candlemas and the Invention of the Cross, by the said William and his successors; charging William and his successors with effectual payment of the pension, on pain of excommunication and sequestration of the revenues of the vicarage; with John to be informed in advance of any dimission or resignation of the vicarage, and to be able to attend the oath-taking at the time of institution of future vicars, and that John and William have confirmed the ordinance and sworn to observe it. The letters to remain in the treasury of the church of Durham for the greater security of the two parties.

Date (of sealing): 14 June.

Original: DCD 2.2.Archid.Dunelm.1.

f.67r-v 25 June 1419

Presentation by John prior and the convent of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute William de Stychill', vicar of Alncroune [Ancrum ?], Glasgow dioc., in the vicarage of Earlston, to effect an exchange of benefices with Robert de Sprowston', vicar of Earlston; saving a yearly pension of 10 marks owed of old from the glebe of the church of Earlston to the prior and convent.

Date: Durham, 25 June 1419.

f.67v 3 July 1419

Letters of confraternity by John prior and the chapter of Durham to Robert Humfrayvile, knight, and Isobel his wife, because of their devotion towards them and their monastery of Durham acceding to their petitions and granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, and admitting them as brother and sister with prayers to be offered for them each year for all time after their death, as is customary for other brothers and sisters of the prior and convent.

Date: Durham, 3 July 1419.

f.67v 3 July 1419

Memorandum that letters of confraternity were issued to William, baron of Hylton, and Denise his wife, in form as above, on this folio: 3 July 1419.

f.67v 30 July 1419

Memorandum that the presentation of William Newton', chaplain, to the vicarage of [Durham] St Oswald was issued: 30 July 1419.

f.67v 9 August [14]19

Memorandum that the presentation, directed to Henry, archbishop of York, of John Staynton', clerk of York, to the church of Holtby, vacant by the resignation of Richard Staynton', last rector thereof, was issued; saving a yearly pension of 25s owed therefrom to the monastery of Durham: 9 August [14]19.

f.67v 13 September 1419

Memorandum that the presentation, directed to Henry, archbishop of York, of Mr T[homas] Leys, dean of Auckland collegiate church, to the canonry and prebend of Skipwith in the collegiate church of Howden, vacant by the death of John Selby, last canon and prebendary thereof, was issued; saving a yearly pension of 13s 4d owed therefrom to the monastery of Durham: 13 September 1419.

Related material in other DUL collections: Related letter: DCD Loc.XXV:157.

f.67v 27 September 1419

Memorandum that the presentation, directed to the bishop of Durham, of Mr William Bryscowe to the vicarage of Durham St Oswald, by reason of exchange with William Newton', last vicar thereof, was issued: 27 September 1419.

f.67v 29 October 1419

Memorandum that letters of confraternity were issued to Thomas {Clyffe}, rector of Bottesford, {Lincoln dioc.}, in form as above, on this folio: 29 October 1419.

f.68r 24 August 1419

Mandate by John Huntman, S.T.M., and Thomas Lyes, dean of Auckland, B.Dec., vicars general in spiritualities in distant parts to Thomas, bishop of Durham, to Robert Wolveston', sworn apparitor (*apparitori iurato*), to the said bishop, informing him that they have received a plaint from the prior and chapter of Durham, concerning an assault with drawn swords and bow and arrows on Wednesday the eve of St Bartholomew last, by Thomas Claxton' and Thomas Byllyngham, squire, with Walter Fetherstonhalfe and others adhering to them, upon William Drax, prior of Coldingham, while on the highway, riding towards Durham; during the course of which Robert Horslee, servant of the said William, was seriously wounded; instructing him to cite Thomas, Thomas, Walter and others whose names he is able to find, personally if possible, otherwise by affixing an edict of citation to the doors of the cathedral church and of the churches of Durham St Nicholas, St Oswald and St Margaret, to appear, in person or by their proctors, before either or both of the vicars general on 1 September next to come, in the church of Durham St Oswald, and give cause as to why they should not be excommunicated on account of the foregoing; and requiring certification, at the date and place as above, with the presents reported, as to what he shall have done in respect of the premisses.

Under the seal of their vicarate.

Date: Durham, 24 August 1419.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.92-93.

f.68r-v 4 October 1419

Proxy by J[ohn] prior and the chapter of Durham appointing J[ohn] Thoraby, rector of Whitburn, Christopher Boynton', and Robert Lampton', squires, as their proctors to attend before Henry, king of England, or his agent in distant parts, John, duke of Bedford, keeper of England, at the next parliament, to be held at Westminster on 6 of this month of October.

Date: Durham, 4 October 1419.

f.68v 28 October 1419

Notarial instrument recording that Robert de Pykton', monk of Durham and prior of St Leonard's, Stamford, resigned the priory of St Leonard's reciting his written resignation of the said priory in the hands of Philip, bishop of Lincoln.

Witnesses: William Bentlay, clerk, and William Bolton' *literatus*, of York and Durham dioc.

Notary: Robert Berhagh', clerk of Durham dioc., N.P. by apostolic authority.

Done: Durham cathedral, 28 October 1419.

f.68v 29 October 1419

Presentation by John prior and the chapter of Durham asking Philip, bishop of Lincoln, to admit John de Swyneshede, to the keeping and rule of the cell of St Leonard's near Stamford.

Date: Durham, 29 October 1419.

f.69r 26 December 1419

Notarial instrument recording that John Fysschburn', monk of Durham, proctor of the prior and chapter of Durham, interposed, also seeking *apostolos*, an appeal to the apostolic see and, for tuition, to the court of York, fearing, for certain unspecified reasons, that the estate and rights of the prior and convent might in future be prejudiced, and lest anyone, by whatever authority, episcopal or otherwise, take any legal action against the prior and convent in respect of the peaceable possession of their estate, interfere with their rights, or attempt any monetary demand upon their possessions; submitting the prior and convent, himself in their name, and their said possessions and rights to the protection of the apostolic see and the court of York; and declaring his wish to be able to make amendments to the appeal if need be, and to give notice of the appeal to all those having an interest therein.

Witnesses: Robert Berehalgh' and William {Bentlay}, clerks of York and Durham dioc.

Done: Durham cathedral, 26 December 1419.

(The marginal caption describes this as "Special appeal to the apostolic see or the court of York on the bishop's visitation".)

f.69r-v 31 December 1419

Bond by J[ohn] prior and the chapter of Durham to Roger Thorneton', burgess of Newcastle upon Tyne, for £100 to be paid to him, his executors or his attorney, at Newcastle, at Martinmas next to come.

Date: Durham, 31 December 1419.

f.69v 4 January 1420

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Roger Wakelein, chaplain, in the church of Dinsdale, vacant by the resignation of Richard Gardyner, last rector thereof; saving a yearly pension of 40s due therefrom of old to the prior and convent and to their office of sacrist of Durham.

Date: Durham, 4 January 1419/20.

f.69v 4 January 1420

Collation by John, prior of Durham, to Richard Gardyner, chaplain, of the chantry of St Mary, Darlington, vacant by relinquishment (*dimissio*) of Roger Wakelein, last chaplain thereof.

Date: Durham, 4 January 1419/20.

f.69v

Form of resignation by W. S., vicar or rector of B., of the said vicarage or rectory, in the hands of the bishop of Durham.

f.69v 6 December 1419

Memorandum that the nomination of John de Hilton', clerk, [for presentation] to the church of Appleby, [vacant] by resignation of William Goldryng, last rector thereof, was issued to the prior of Lytham: 6 December 1419.

Original nomination: DCD 3.4.Ebor.22.

f.70r 31 December 1419

(The last two lines of an entry begun on another folio; marked as "void" in the margin:) "... has been appended, given at Durham in our chapter house, the last day of the month of December A.D. 1419"

f.70r 11 January 1420

Proxy by John prior and the chapter of Durham appointing Mr John Selowe, Lic. Dec., William Doncastr', B.C.L., and John Staynton, proctor of the court of York, as their proxies to attend the convocation of the clergy of the province of York, to be held in York minster by H[enry], archbishop of York, or his lieutenant or commissary, one or more, on the coming 13 January with continuation or days.

Date: Durham, 11 January 1419/20.

f.70r 10 February 1420

Collation by Robert subprior and the convent of Durham, to Reginald Wardone, chaplain, of St Mary's chantry in the church of Pitlington; and, since John, prior of Durham, has granted Reginald an annual rent of 40s from the lands in Hawthorn assigned to a chaplain of the chantry of St Katherine in the church of Pitlington, because of the poverty of St Mary's chantry, and until its revenues increase sufficiently to support a chaplain, Reginald is to celebrate masses at St Katherine's chantry on three days of the week, and at St Mary's on the remaining four; reserving to the subprior and convent and their successors the right to remove him from the chantry at will.

Under the seal used by the subprior.

Date: Durham, 10 February 1419/20.

f.70r 10 March 1420

Memorandum that the presentation of William Newall, chaplain, to the church of Dinsdale, [vacant] by the resignation of Roger Wakelein, last rector thereof, was directed to the bishop of Durham: 10 March 1419/20.

f.70v 22 March 1420

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Robert Kereby, vicar of Laughton en le Morthen, York dioc., in the vicarage of Fishlake, to effect an exchange of benefices with John Foxton, vicar of Fishlake.

Date: Durham, 22 March 1419/20.

f.70v 15 April 1420

Memorandum of homage and fealty by Richard de Heghyngton to John Wessyngton', for his lands in East [now Kirk] Merrington, which are held in chief of the prior, by knight and other service as contained in the feodary.

Witnesses: Thomas Roos, vicar of Merrington, William Ysope, vicar of Bywell St Peter, and John Windilton',

Done: the prior's *camera*, Durham, 15 April 1420.

f.70v-71r 10 October 1419

Confirmation by indenture by

[1] John prior and the chapter of Durham of a charter of John Swynton', of Scotland, squire, granting to

[2] the prioress and convent of Coldstream, and their successors, his lands and tenements in Little Swinton, sherifffdom of Berwick, held of the prior and chapter of Durham and the prior of Coldingham in chief, by knight service and suit of court at three head courts in the year at the cell of Coldingham, and rendering 13s 4d [Scots] yearly for the old free farm, and 8s [Scots] yearly for the king's corrody from the same lands and tenements, as more fully contained in the said charter made thereon; saving the said services and rents, along with the corn tithes and other services used and wont; but excepting wardships, marriages, reliefs and escheats, for which [2] grant by the presents an annual rent of 13s 4d [Scots], beyond the foresaid rents, to the prior and chapter of Durham and the prior of Coldingham, from the said properties in Little Swinton; with [2] granting that the prior and chapter of Durham and the prior of Coldingham be able to distrain upon the said properties if the said annual rents be in arrears, in whole or in part, forty days after any given term date, retaining goods distrained until satisfied of the arrears. Sealed interchangeably, with [2] retaining the part with the seal of [1], and *vice versa*. Date (when sealed by [2]): Coldstream, 10 October 1419.

f.71r 21 June 1420

Proxy by John, prior of Durham, appointing Mr T[homas] Rome, S.T.P., and John Fysshburn, monks of Durham, as his proctors to attend the coming provincial chapter of the prelates of the Black Monks in the kingdom of England, to be held by apostolic authority at Northampton on Monday next after the translation of Thomas the martyr [8 July]; being unable to attend in person: because he has been forewarned to expect the arrival of Henry, earl of Northumberland, in Durham on Wednesday after John the Baptist next to come [26 June], for a conference, concerning in particular the cell of Coldingham, damaged in turn by the English and Scots in the course of their conflict; and because an invasion by the Scots is expected, and he dare not leave his monastery.

Date: Durham, 21 June 1420.

Printed: *Chapters of the English Black Monks III*, ed W.A. Pantin (Camden 3rd Series vol.liv, 1937), p.209, 220.

f.71v 21 June 1420

Bond and reciprocal grant by indenture made between [1] John prior and the chapter of Durham and [2] Robert Cok of Allerton, smith (smyth'), [2] binding himself to dwell with and serve [1] from the date of the presents for the term of his life in the office of *valectus* of the granaries or janitor at the abbey gate, or in any other office of *valectus* assigned by [1] to him, and also to travel as necessary within the kingdom of England on the business of [1] and on the expense of [1]; so long as he is able to serve, and so long as his work be pleasing to [1]; [1] granting a corrody, specified, including 7d soulsilver' weekly, and a valet's garment and a stipend of 26s 8d yearly to [2], to be received for life; although, if away from the abbey for a week or more on priory business, he is to receive half the corrody for the time of his absence; and, if unable to serve further in any office assigned to him, or if his work be unacceptable to [1], the payment of the stipend is to cease; with [2] swearing to comply with the terms of the foregoing.

Sealed interchangeably.

Date: Durham, 21 June 1420.

f.71v-72r 20 July 1420

Presentation by John prior and the convent of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute Patrick Boldon', chaplain, in the vicarage of Ednam, vacant by the death of John Portus, last vicar thereof.

Date: Durham, 20 July 1420.

f.72r 2 August 1420

Memorandum that the presentation of Mr William Doncastre to the vicarage of Durham St Oswald was directed to the bishop of Durham: 2 August 1420.

f.72r 4 August 1420

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Walter Shiryngton, prebendary of Givendale in the church of York, in the prebend of Barmby in the church of Howden, to effect an exchange of benefices with Robert del Hay, prebendary of Barmby.

Date: Durham, 4 August 1420.

f.72r-v 31 August 1420

Ordinance by John prior and the chapter of Durham because of the copious gifts oftymes conferred upon their monastery by Walter de Skyrlaw, late bishop of Durham, his expenditure on the construction of their dormitory and cloister, and his gift to them, in perpetuity, of lands and tenements to the value of four marks yearly in the villis of Wolviston and Monkton, and in the city of Durham, for the maintenance of an altar where the said bishop's body is interred, and to cover other expenses; and since they have in fact received the said lands and tenements, and wishing to make spiritual recompense to the said bishop for his generosity; they bind themselves to the establishment of a priested monk to celebrate daily masses (including the collect *Deus qui inter apostolicos* &c) for the bishop, at the said altar, to the celebration each year of an obit with *Placebo*, dirge and mass for the soul of the bishop, and to the payment of 13 groats to 13 paupers on the date of the obit; all in perpetuity; submitting themselves and their successors to the coercion and judgment of the bishops of Durham for observance of the foregoing.

Date: Durham, 31 August 1420.

f.72v-76r

Articles (the first six with added letters, and thereafter with numbers and/or letters added) debating whether a criminous clerk who escapes from a bishop's prison to a cathedral within the walls of the bishop's castle can be taken from sanctuary there. Citing, besides *Corpus iuris canonici*, "Jess[ellin de Cassagnes] in capitulo primo de peni et remiss' in cle[mentinas]" (b), Jo[hannes] An[dree] (c, 10, Ad 5), "abbas" [Nicholas de Tudeschis] (c), "arch[jidiaconus]"?: Guido de Baysio] (11, Ad 6, Ad 10), "Will. de Vita" [?] (Ad 5), and Ottobuono (Ad 11).

f.76r 22 September 1420

Memorandum that the presentation of William Paxton', chaplain, to the vicarage of Aycliffe, [vacant] by the resignation of Mr William Doncastr', last vicar thereof, was directed to the bishop of Durham: 22 September 1420.

f.76r 11 November 1420

Memorandum that the presentation of William Neuton', chaplain, to the vicarage of Bywell St Peter, [vacant] by the death of William Ysop', last vicar thereof, was directed to the bishop of Durham: 11 November 1420.

f.76v 3 October [1420]

Quittance by John, prior of Durham, to the mayor and community of the town of Newcastle upon Tyne on receipt of £9 3s 4d, by the hands of a monk of Farne Island, due at Michaelmas last; in payment of a pension granted in alms to the prior and monastery of Durham by the progenitors of the present king, to be taken yearly at Michaelmas from the fee farm of the said town.

Date: Durham, 3 October, 8 Henry V.

f.76v 5 October 1420

Collation by John, prior of Durham, with consent of the almoner of Durham, to William Durham, chaplain, of the chantry of St Mary in the church of Durham St Nicholas, vacant by the death of Robert Stanhop', last chaplain thereof.

Under the seals of the prior and the almoner.

Date: Durham, 5 October 1420.

f.76v 31 December 1417

Quittance by John, prior of Durham, to H[enry] de P[ercy], earl of Northumberland, on receipt of 26s 8d sterling, by the hands of W. de L. younger, the earl's receiver in Northumberland, due for the chapel of Mary Magdalen near Warkworth, demised to him in farm, for the terms of Whitsun and Martinmas last.

Date: 31 December 1417.

f.76v-77r 11 October 1420

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, to Mr William Doncastr', LL.B., as keeper, in his place, of his jurisdiction in the spirituality of the said liberty, until revoked.

Date: Durham, 11 October 1420.

f.77r 2 January 1417

Commission by John, prior of Durham, archdeacon in churches appropriated to his church of Durham, to John Fysshburn', monk of Durham, as keeper and official, in his place, of his archdiaconal jurisdiction within Durham dioc.; to endure at the prior's pleasure.

Date: Durham, 2 January 1416/17.

f.77r 1 October 1420

Proxy by J[ohn], prior of Durham, for J. Walkar of Billingham as collector of alms (*questor*) for the fabric of St Cuthbert's church Durham in Durham dioc. and the liberty of Hexhamshire, carrying with him one of the sandals used by St Cuthbert in celebrating divine office and a silver and gold cross containing certain relics from the church of Durham; and revoking other proxies [of this type] and in particular that given to T. Baynton'; valid for three years.

Date: Durham, 1 October 1420.

f.77r 28 November 1420

Memorandum that the presentation of John Baynton', chaplain, to the vicarage of Frampton, [vacant] by the death of John Turnour, last vicar thereof, was directed to the bishop of Lincoln: 28 November 1420.

f.77v-78v [9 April] 1336

Declaration by Hugh Burdon'; John Randalf; John Faloudon'; John Bill'; John Brunnynghill'; John de Haldwod'; Robert de Brakynbery; Roger, lord of Newton; William son of Mr William de Kellawe; Richard, lord of Lintz; William de Edmundisly; William Chaunceller; Adam Scott; John de Welpdall'; William son of Adam Scott; William Bill' of Langley; William de Billey of *Brakynbery*; Ralph de Warshop'; John de Seton'; John Scott of Brandon; Thomas son of Richard of Lintz; John Fraunkelayne; John del Brome; and William Ausforth' that since Alice del Slade, in the court of Richard de Bery, bishop of Durham, lately summoned an assize of novel disseisin by the following writ Writ by Richard, bishop of Durham, to the sheriff of Durham since Alice oth' Slade has pleaded that William, prior of Durham, and John Turnour unjustly disseised her of her common pasture in the Old Borough of Durham, pertaining to her free tenement there since the first crossing of Henry [III] to Gascony [1230], instructing him, if Alice has given security to pursue her claim, to have a jury of twelve men from the vicinity view the pasture and tenement, and summon them before Thomas de Hoppescotes, Roger de Essh', and Simon de Grymesby, for examination, at a date and place which he is to make known to these three, and to take security and reliable pledges that the prior and John, or their bailiffs, be there to hear the examination. By the hand of Nicholas Gategang, the bishop's clerk.

Date: Durham, 28 June, Pont. 1. [1334]

by reason of which the prior and John were attached, and the suit was contested before the justices of the said bishop, as the rolls and memoranda of the same justices record, in manner following:

Record of court action before Thomas de Heppiscotes, Roger de Essh, and Simon de Grymesby, justices, held on Tuesday the morrow of St James, Pont. 1, to examine the plea of Alice oth Slad that William, prior of Durham, and John Turnour had unjustly disseised her of her rights, pertaining to her free tenement in the Old Borough of Durham, of common in 40 acres of moor and pasture, for all manner of her draught animals throughout the year; with William, prior of Durham, present, and John Turnour represented by Henry de Hett, his bailiff; adjourned to Tuesday after the Circumcision [3 January 1335], Tuesday after the end of Easter week [25 April 1335], Wednesday the morrow of St James [26 July 1335], Monday after Michaelmas [2 October 1335], Tuesday after the Circumcision [2 January 1336], Monday after the end of Easter week, Pont. 3 [8 April 1336]; and the prior, not wishing to cause Alice further impediment, and with the consent of his chapter and the consideration of the more noble of his council, convened for that purpose, gave his mandate to John Barneby, monk of Durham, terrar of the priory, as attorney to restore Alice to her common pasture, along with the others with like title; and on Tuesday after the end of Easter week [9 April 1336] John went to Bearpark moor, a moor of the Old Borough, and, in the presence of Nicholas Gattegang', chancellor of the bishop's temporalities, Thomas de Heppescotes, Roger de Essh', and Robert Parnyng, justices of the bishop, and others specially asked, reseised Alice in her pasture, likewise restoring all the free tenants of the Old Borough to the common pasture, in perpetuity; testifying that they [the twenty-four individuals in whose name the document is issued], neighbours from the locality, have seen from beginning to end the things contained in the foregoing record and process, and were personally present at the restitution and reseisin. Under their seals. Witnesses: W[illiam] Scott, J[ohn] Whelpdall', A[dam] Scott, W[illiam] Chaunceller, W[illiam] Edmundsley, Richard Lynce, R[oger] de Neuton', R[obert] Brakynbery, J[ohn] Aldewod', J[ohn] Brynynghill', J[ohn] Bill', H[ugh] Burdon', J[ohn] Randalfe, J[ohn] Faloudon', J. Lill', W[illiam] de Rilley, R[alph] Warshop', J[ohn] Seton',

J[ohn] Scott, T[homas] de Lynce, J[ohn] Fraunkelayne, J[ohn] de Brome, W[illiam] de Auforth'.

Date: Bearpark moor, Tuesday after the end of Easter week 1336.

(According to the marginal caption a "certain pretended process... handed to J[ohn] Hemmyngburgh', prior of Durham, by the burgesses of the Old Borough of Durham, 1406". A further marginal note that the process "has been entirely most falsely forged, as appears by the rolls of assizes in the chancery of the lord bishop of Durham".)

?Original: DCD 2.6.Spec.58.

Another version (record of court action): DCD 2.6.Spec.48.

f.78v 23 September [1359] - March [1360]

Record of court action before John Moubray and his associates, justices of the bishop of Durham, [beginning] at Durham on Monday after Matthew the Apostle, Pont. Thomas [Hatfield *] 15 [23 September 1359], to examine the plea of John Potter that J[ohn], prior of Durham, Adam Bourserman, J. de Bolton', J. Myne, Robert Carter and Richard Bourserman unjustly disseised him of his rights of common, pertaining to his free tenement in Durham, for all manner of beasts, throughout and at any time of the year, in three acres of pasture; with J. de Elvet as bailiff for the prior and the others, who did not come, replying for the said Adam, John, John, Robert and Richard that they had done no injury or disseisin, and for the prior, as tenant of the said three acres, saying that John Potter had never been seised of the common pasure as pertaining to his free tenement; and challenging T. de Coxside, Richard de Stafford, Walter Underside, J. del Bowes, T. de Petyngton', Richard Cosour, Laurence Jakes, William de Harhelme, J. de Plumpton', William de Chilton', J. de Heryngton', T. Goldsmyth', Alan Clerk, J. Lambe, Stephen Palman, William de Gildeford, Robert Sadeler, William Cok, and William de Kyreby, named in the panel of jurors, as well as others who did not come, because they were free tenants in the Old Borough of Durham, and would also want to claim common rights if John Potter succeeded in his action; and with Gilbert de Holm and William de Ludeworth', chosen to try the jurors, finding that the panel favoured John Potter, the whole panel was removed, and the sheriff summoned a new panel from the ward of Darlington, to appear on Wednesday after Epiphany [8 January 1360]; and the action being adjourned to Monday in the fifth week of Lent [23 March 1360], when none came, the sheriff added eight [days ?]; on which date John Potter and the said bailiff came, and a jury was chosen which said that John Potter had never been seised of the common aforesaid as pertaining to his free tenement.

Held at Durham, 23 September [1359] - March [1360]

(An addition to the marginal caption locates the pasture on the northern side of Godesley.)

(* John Mowbray was a justice under Bishop Thomas Hatfield: 2.3.Pont.8.)

Original: DCD 2.6.Spec.44.

Another copy: DCD Cart. IV, f.92r-v.

Exemplification by Bishop Thomas Langley: DCD 3.3.Pont.5.

f.79r 12 November 1420

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Thomas Nicoll', chaplain, in the chantry of Cliffe in the church of Hemingbrough, vacant by the death of John de Ellerton', last chaplain thereof.

Date: Durham, 12 November 1420.

f.79r 10 September [1420]

Writ of *certiorari* by Thomas, bishop of Durham, to William Chaunceler, constable of Durham castle, instructing him to send the records, kept under his custody in the bishop's treasury, of an action held by writ of Thomas, late bishop of Durham, Pont. 35 [7 August 1379 x 6 August 1380] at Durham before Thomas de Ingelby and his associates, lately justices of the said bishop, between the prior of Durham and Robert Hanslap', vicar of [Bishop] Middleham, concerning £12 arrears of an annual rent of 40s.

The writ being made in accordance with the law of the kingdom of England and of the bishop's regalian liberty; by the hand of William Chaunceller, the bishop's chancellor.
Date: Durham, 10 September, Pont. 15.

f.79r-v [20 September 1379]

Record of court action held before Thomas de Ingelby and his associates, justices &c, on the plea by the prior of Durham that Robert Hanslap', vicar of [Bishop] Middleham, clerk, render him £12 arrears of an annual rent of 40s owed to him; the prior, through J. Elvet, his attorney, saying that J[ohn] Fossour, late prior of Durham, had been seised of the annual rent by William Fraunceys, late vicar of [Bishop] Middleham, just as his predecessors were seised by vicars of the said church, from time without mind; that for six years before 17 November, Pont. 34 [1378], when he sued out a writ [the annual rent had been unpaid]; that the said current vicar refuses to pay the annual rent; and that he has suffered damage thereby, to the value of 40s; Robert Hanslap', present in person, being unable to gainsay the prior; and the prior recovered against the vicar a total of £13 annual rent and arrears, along with 40s damages, whereupon he remitted the arrears and damages.

Held: Durham, Tuesday before Matthew the Apostle, 3 Richard II .

f.79v 16 September [1420]

Writ by Thomas, bishop of Durham, to his justices assigned to hold pleas at Durham notifying them that he has sent them the record of the suit between the prior of Durham and Robert Hanslap', as in the preceding two entries, under the half seal; and instructing them that, having inspected the record, on the action of John, the current prior of Durham, they should raise (*fieri faciatis*) [the debt].

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 16 September, Pont. 15.

f.79v 17 September [1420]

Writ of *scire facias* by Thomas, bishop of Durham, to his sheriff of Durham [referring to the action of 1379] informing him that John, prior of Durham, has notified him that the annual rent of 40s due from the vicar of [Bishop] Middleham is in arrears by 60s for the terms of Whitsun Pont. 13 [1419] and the following Martinmas and Whitsun; and instructing him to let John Neweburgh, now vicar of [Bishop] Middleham, know that he is to be before the bishop's justices at Durham, on Friday next after the Circumcision, to show why the 60s ought not to be rendered to the prior according to the form of the earlier recovery.

Witness: R. de Eure.

Date: Durham, 17 September, Pont. 15.

[Memorandum] referring to another writ of *scire facias* in connexion with this suit, to be found below on f.93.

f.80r 3 December 1420

Supplication by the official of the prior of Durham, archdeacon in his churches, to Thomas, bishop of Durham, notifying him that H. de L., whom, at the instance of W. de H. or *ad instanciam officii mei* he excommunicated for his manifold contumacy, has remained in contempt of the power of the keys for forty days and more; and asking him to coerce the said H. by using his regalian power in accordance with the custom of the kingdom of England.

Date: Durham, 3 December 1420.

f.80r 25 January 1421

Supplication by the official of the prior of Durham, archdeacon in his churches, to Thomas, bishop of Durham, notifying him that Marion Story, lately dwelling within the prior's jurisdiction at Bearpark, whom he excommunicated *ad instanciam officii mei* for her manifold contumacy, has persevered in contempt of the power of the keys for forty days and more after this denunciation; and asking that he write for the arrest of the said Marion, and extend his secular arm against her, according to the custom of his regalian liberty.

Date: Durham, 25 January 1420/1.

(Described in a marginal caption as "alia forma ", i.e. to the preceding entry.)

f.80r 26 January [1421]

Mandate by Thomas, bishop of Durham, to the sheriff of Durham to bring to justice Marion Story, lately of Bearpark, excommunicated by the prior of Durham on his authority as ordinary, as notified by the prior's official, until she should make satisfaction to the Church for the sleight and injury caused by her.

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 26 January, Pont. 15 [1421].

f.80r 6 February 1421

Letter by the official of the prior of Durham, archdeacon in his churches, to Thomas, bishop of Durham, informing him that, since Marion Story has humbly returned to the bosom of the church, he has discharged her of the sentence of excommunication [cf. two preceding entries and next but two below]; and asking him to order her release from imprisonment.

Date: 6 February 1420/1.

f.80v 8 January 1421

Presentation by Ralph, earl of Westmorland, lord of Neville, Raby and Middleham, asking Henry, archbishop of York, to institute Mr John Wyles, rector of York, All Saints Pavement, in the church of Walkington, to effect an exchange of benefices with John Bolton', rector of Walkington; saving a yearly pension of 100s due therefrom to the prior and chapter of Durham, and their jurisdiction in the said church.

Date: 8 January 1420/1.

Related material in other DUL collections: Related letter: DCD Loc.XXV:126.

f.80v 11 January 1421

Presentation by John prior and the chapter of Durham, asking Henry, archbishop of York, to institute John Bolton', rector of Walkington, in the church of York All Saints Ousegate, to effect an exchange of benefices with Mr John Wyles, rector of All Saints Ousegate.

Date: Durham, 11 January 1420/1.

Related material in other DUL collections: Related letter: DCD Loc.XXV:126.

The register of brother John Fysshburn', chancellor of the monastery of Durham, begins, A.D. 1417 &c - Acta Antonii episcopi Dunelmensis in visitacione sua contra priorem et capitulum

f.80v 10 February [1421]

Writ by Thomas, bishop of Durham, to the sheriff of Durham, referring to the mandate on f.80r, informing him that the official of the prior of Durham has notified him by letters patent that the prior of Durham [the prior's official according to the last entry on f.80r] has discharged Marion Story of Bearpark of the sentence of excommunication; and instructing him to have Marion delivered from prison.

By the hand of William Chauncellar, the bishop's chancellor.

Date: Durham, 10 February, Pont. 15.

Acta Antonii episcopi Dunelmensis in visitacione sua contra priorem et capitulum

f.81r-v [24 April] 1300

Notarial instrument recording that Mr Robert de Abbuurwyk, official of Antony, bishop of Durham, {and Hugh de Bolton', rector of Brancepeth} in procession before the high mass, read out the following mandate

Mandate by Antony, bishop of Durham, to his official of Durham and Hugh de Boulton', rector of Brancepeth, instructing them, on pain of canonical distraint, to denounce or cause to be denounced as excommunicate, on every Sunday and feast day until Whitsun next, in the cathedral and the collegiate and parish churches of the diocese all those violating or plotting to violate the rights, liberties, jurisdictions or possessions of the bishop and church of Durham; and requiring, by eight days after the said Whitsun, a return as to what they shall have done in execution of the foregoing, incorporating the contents of this mandate and giving the date of receipt of the same. [ca. 1300]

by authority whereof they carried out the denunciation publicly, in the presence of the monks of Durham and of the clergy and chapter, in the form as written, recited; and that they expounded the denunciation, along with the contents of the mandate, in English to the populace, and declared that they, themselves or through others, were due to execute the mandate in the sundry churches and chapels of Durham dioc..

Witnesses: Ralph, rector of St Mary's, South Bailey; Richard, rector of St Mary's, North Bailey; William, vicar of [Durham] St Oswald's; John de Celest'; Thomas de Maynesford; Gilbert Runcthecar; Robert de Hottone; William de Rolay; John Carram; Andrew chancellor; Walter baker (*pist'*); Robert de Burynghill'; Geoffrey de Blida; John de Laycestr'.

Notary: Adam (eschatocol not recited).

Done: {Durham cathedral} 8 Kal. May 1300.

Printed in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.58-59.

f.81v-83v [20 May] 1300

Notarial instrument recording that Antony, bishop of Durham, personally came to his cathedral of Durham in full chapter (*pleno capitulo*), where the prior and convent or chapter of Durham were, by mandate of the bishop, and that after the following [first] certification

Certification by Richard prior and the convent of Durham, to Antony, bishop of Durham, of the following mandate

Mandate by Antony, bishop of Durham, to the prior and convent of Durham enjoining them to be present with him in Durham cathedral on the morrow of the Ascension [20 May], with continuation as need be, and undergo his visitation; and instructing them to certify him of the date of their receipt of the presents, in letters patent incorporating the contents of the same.

Date: Darlington, 10 Kal. May [22 April] 1300.

received on Wednesday after Mark the Evangelist [27 April].

Date: Durham, 4 Non. May [4 May 1300]

and the following [second] certification

Certification by Richard, prior of Durham, to Antony, bishop of Durham, having received on 5 Kal. May [27 April] the following mandate

Mandate by Antony, bishop of Durham, to the prior of Durham, enjoining him to cite or have cited the priors of Holy Island, Finchale, Stamford and Lytham, and their fellow monks having office in these places, along with the masters of Jarrow and Wearmouth and their associates, and other monks of Durham dwelling in sundry places in the vicinity of Durham, to attend before the bishop on the morrow of the Ascension and undergo his visitation; and requiring certification, by letters patent incorporating the contents of the presents, of the date of receipt of the presents, and of what he shall have done in respect of the foregoing.

Date: Darlington, 10 Kal. May [22 April] 1300.

informing him that he has executed the mandate in all points.

Date: Durham, 4 Non. May [4 May 1300]

had been read, the bishop ordered the reading and publication by Roger de Waltham, clerk, of certain monitions and sentences

Monitions and sentences by Antony, bishop of Durham, warning against conspiracies in prejudice of his visitation, and requiring those knowing of any such conspiracies to reveal them to him or his deputies; inhibiting anyone from saying anything during the visitation liable to arouse hatred (&c); warning against any impeding of the visitation by the prior and monks of Durham; and inhibiting all and sundry of the convent from taking any action to the detriment of the religious and secular clerks undertaking the bishop's visitation; all on pain of excommunication, with the bishop reserving absolution from such excommunication to himself; with the bishop asking Mr Adam de Lyndeseya, N.P. of the holy Roman church, to make a public instrument upon the foregoing.

and recording that: the prior and convent withdrew from the chapter; the prior returned, with certain clerks and monks, and said that some other things were to be said and read before the bishop; others assisting the bishop said: "Lord Prior, ye intend to do nothing but impede the visitation of our lord bishop "; the prior swore that nothing else would be read except a proxy for himself and the convent; a certain monk read out the proxy, and then read out an appeal; the bishop protested and said that he would proceed to the visitation in accordance with canon law and the custom of Durham; it was said on the part of the religious that they were not bound

to undergo visitation if the bishop came accompanied; the bishop protested, through Mr Reginald de Brandon', canon of St Paul's, London, that he was willing to conduct the visitation after dismissing all his company except for three or four of his clerks and a notary; the bishop told the religious that they were to comply with the agreement known as *Convenit*, but the religious asked him if he could wait until they had consulted their advocates, whereafter they refused to undergo the visitation presented to them in manner as shown above, and withdrew; and the bishop declared the prior and convent to be contumacious, having failed to attend and undergo visitation, and caused Roger de Waltham, clerk, to read out, in the chapter and in the nave of the church of Durham, in presence of the clergy and people, the following sentence.

Sentence in the name of Antony, bishop of Durham, recalling that he had cited the prior and convent of Durham, including the monks of their cells, specified, to attend and undergo visitation in the chapter house of Durham, 13 Kal. June [20 May] 1300; and that, although they had attended, they contumaciously refused to undergo visitation as canonically presented to them, not unaware of his monitions; excommunicating Richard, prior of Durham, and the subprior, third prior, sacrist, precentor, cellarer, terrar, hostiller, chamberlain, bursar, granator, and refectorer thereof, and John of Barnard Castle, Geoffrey de Bordon', and Robert de Routhbery, monks of Durham, for their transgression, and reserving the right to impose other condign penalties upon them at his will; and declaring contumacious the convent of Durham, the priors of Holy Island, Finchale, Stamford, and Lytham, the masters and keepers of Jarrow and Wearmouth, and the other administrators of the same places, and reserving to himself and his commissaries the power to inflict canonical punishment upon them.

Witnesses: Hugh, bishop of Byblos; Mr William de Sancto Botulpho, archdeacon of Durham; Mr Reginald de Brandon', canon of St Paul's, London; Mr Adam de Duffeld [*recte* Driffeld] canon of Ponteland; Mr Robert de Alberwyk', dean of Auckland; Mr Alan de Esyngwald', rector of Ryton; Peter de Tylcynsby, master of Kepier; William de Insula, master of Sherburn; Hugh de Burn', rector of Brancepeth; and Richard de Ganeris, N.P..

Notary: Adam son of Adam de Skyme of Botelich' called of Lindsey, N.P. by apostolic and imperial authority (eschatocol recited).

Done: the chapter [house] of Durham, 13 Kal. June 1300.

Printed, with some witnesses' names corrected, in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.59-67.

Original (mandate, 22 April 1300): Durham University Library, DCD 2.7.Pont.14.

f.83v-84r [20 May] 1300

Notarial instrument recording that Antony, bishop of Durham, in his castle of Durham, in the presence of the witnesses Peter de Thoreby and Andrew de Labice, priests of Durham, commissioned Mr Richard de Morpath', official of the archdeacon of Durham, to cite the prior and convent or chapter of Durham to appear before the bishop or his commissaries, one or more, on the morrow, and receive sentences for their transgressions, notoriously committed before the bishop; that the official then passed to the prior's chamber in the priory of Durham, where, in the absence of the prior, who was said to be in his chapel, and in the presence of the prior's clerks and familiars, he warned and cited the prior; and that the official then gave notice to the prior and convent to appear before the bishop or his commissaries on the morrow and hear sentence, making this public to many monks of Durham, before the entrance to the chapter house, in presence of clerks and familiars of the religious. Witnesses: Andrew of the bailey (*de ballio*) of the city of Durham; Richard, rector of Durham St Mary, North Bailey; William Hopilaund'; and Adam de Laycestr'.

Notary: Adam "&c " (eschatocol not recited).

Done: Durham, 13 Kal. June 1300.

Printed in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.67-68.

f.84r [21 May 1300]

Commission by Antony, bishop of Durham, to Mr John de Lascy, chancellor of Chichester, and Robert de Albervyk, dean of Auckland, authorizing them, in his place, to proceed against and impose penalties upon: Richard, prior of Durham, and the subprior, third prior, sacrist, precentor, terrar, cellarer, hostiller, chamberlain, bursar, granator, and refectorer thereof, and John of Barnard Castle, Geoffrey Burdon', and Robert de Routhebery, monks of Durham, upon whom he has pronounced sentence of excommunication; likewise the convent of Durham, the priors of Finchale, Holy Island, Lytham, and Stamford, the masters or keepers of Jarrow and Wearmouth, and the monks holding office or administration in these places, whom he has pronounced contumacious; and to come to a judgment upon the transgressions committed by the prior and the other monks of Durham, and undertake deprivations of rank and position, and deprivations of and provisions to administration and office.

Date: Durham, Saturday after Ascension, Pont. 17.

Printed in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.68-69.

f.84v-85r [21 May] 1300

Notarial instrument recording that Mr John de Lascy, chancellor of Chichester, and Robert de Alberwyk, dean of Auckland, commissaries of Antony, bishop of Durham, sitting in judgment in Durham cathedral, to whom it was certain that the prior and convent of Durham were cited to receive canonical punishment and sentence for their transgressions, notoriously committed before the bishop, as contained in a public instrument by the hand of Adam, notary underwritten, proceeded against the said religious, oftentimes called and not appearing, and made the following pronouncement by Mr John de Lascy, chancellor of Chichester, and Robert de Alberwyk, dean of Auckland, commissaries of Antony, bishop of Durham, referring to the citations to attend for visitation, and the certifications thereof, indicating acceptance of the visitation; to the bishop's inability to proceed with the visitation; and to their commission, depriving Richard, prior of Durham, of his office, for disobedience, perjury, and contempt of his monastic rule (&c); absolving those monks of Durham who are out of obedience to him, and inhibiting obedience to him on pain of excommunication; removing from office Thomas of Newcastle, subprior, {Geoffrey over erasure} de Burdon' [*rectius* Ralph de Mordon: see Misc. Ch. 5523/22], sacrist, Richard de Werellaue [*recte* Kellaue], third prior, Thomas de Aldewod', chamberlain, John de Seleby, hostiller, John de Wlveston' the elder, granator, Roger de Stanhop', cellarer, William de Daltone, refectorer, Walter de Egislue, precentor, and Robert de Routhbery, keeper of the seal, whom the bishop has excommunicated for contumacy; excommunicating John of Barnard Castle, Geoffrey de Castro [*rectius* Burdon], Nicholas de Routhbery, John de Appelby, John de Wolvestone the younger, and Richard de Runcton' [*rectius* Brunton], whom the bishop has pronounced contumacious, reserving punishment of them to himself or his commissaries, and who have persisted in their contumacy; and requiring the convent of Durham, the priors of Holy Island, Finchale, Stamford and Lytham, the masters or keepers of Jarrow and Wearmouth, and monks having administration in these places, to appear before the bishop, wherever he be in his diocese, on Monday after the Ascension [23 May], and receive condign punishment.

Witnesses: Mr William, archdeacon of Durham; Mr Reginald de Brandon', canon of St Paul's, London; Richard de Morpath' and Richard de Luceby, clerks.

Done: Durham cathedral, 12 Kal. June 1300.

Printed, with some names corrected, in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.69-72.

f.85r-v [10 August] 1300

Notarial instrument recording that Antony, bishop of Durham, promoted Henry de Luceby, monk of Durham and prior of Holy Island, whether absent or present, to the vacant priorate of Durham, appointing Mr Adam de Driffeld', rector of Ponteland, his chancellor, as the instrument of his voice, to read and publish in a form of words, in writing, this provision by Antony, bishop of Durham, granting and committing the cure, rule and administration of the spiritualities and temporalities of the priory of Durham, to Henry de Luceby, monk of Durham, and now prior of Holy Island; with the bishop reserving power to remove those whom he should see fit to remove and to promote others to office in their place, at times and places suitable to him.

Witnesses: Mr William de Sancto Botulpho, archdeacon of Durham; Mr Reginald de Brandon', canon of St Paul's, London; Mr Robert de Abberwyk, dean of Auckland; William de Bliburguth', canon of Auckland; William de Insula, keeper of Sherburn hospital; Mr Philip Martel and Mr William de Fiderynwgrave, advocates; Richard de Ganio, N.P..

Notaries (eschatocols of both recited): Adam son of Adam Suayny of Boteruyli, of Lindsey, Lincoln dioc., N.P. by apostolic and imperial authority, writer of the instrument; Richard son of the late Henry de Ganeyo, clerk of Coventry and Lichfield dioc., N.P. by imperial authority, witness to the writing of the instrument.

Done: the chapel of the manor of Auckland , 4 Id. August 1300.

Printed, with some names corrected and the omission of a small amount of text, in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.74-76.

f.86r-v 2 October 1300

Notarial instrument recording that Antony, bishop of Durham, handed over to the notary the following letters, bearing the seals of Richard de Hotton', monk of Durham, Hugh, bishop of Byblos, and William de Sancto Botulpho, described in detail, for exemplification, the following resignation.

Resignation by Richard de Hottone, sometime prior of Durham, of all right to the priorate of Durham; renouncing all appeals (&c) interposed at the apostolic see and York, in his name and in name of the prior and convent of Durham, while he was prior and thereafter, in respect of Antony, bishop of Durham, by reason of the said bishop's visitation; renouncing anything done or attempted in pusuit [of these appeals] at the Roman *curia* or at York, while he was prior or afterwards, by brothers Robert de Routhbery, Geoffrey de Burdon' and John de Appelby, and by Mr Alexander de Ponteceby, or any others calling themselves proctors of the prior and convent, and revoking any proxies made in his name or in name of the prior and convent to the said Robert, Geoffrey, John and Alexander.

Under the abovenoted seals.

Witnesses: Reginald de Barnebui', William de Gyseburne, Robert de Stamford, monks of Durham; Ralph de Hengahama, William de Bunnetone; Mr Robert de Albeuueza, dean of Auckland; Mr Adam de Driffeld', rector of Guisborough; Thomas de Revesham; Gerard de Conderardo, James de Essendam, chaplains.

Date: Auckland, Michaelmas [29 September] 1300.

Notary: Richard, son of the late Henry de Ganio, clerk of Coventry and Lichfield dioc., N.P. by imperial authority (eschatocol recited).

Witnesses: William de Insula, keeper of Sherburn hospital, Mr Adam de Driffeld', rector of Ponteland, John de Insula, Prof.C.L., clerks.

Done: Wheel Hall, 2 October 1300.

Printed, with some names corrected and the omission of a small amount of text, in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.76-78.

The register of brother John Fysshburn', chancellor of the monastery of Durham, begins, A.D. 1417 &c - Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

f.87r-91r [20 & 21 May 1300]

Notarial instrument recording that when Antony, bishop of Durham, came to his church of Durham to perform the office of visitation on 20 May 1300, with the chapter of the religious convened there for that reason, and he entered, with a great multitude, clerks and laymen, being present, along with Mr Elias de Couton', Mr Adam, called de Lindesaya, and Mr Richard de Gany, N.P.s, and the notary underwritten, he preached on a text and caused the reading out of a certification to be begun; and since the religious judged the mode of visitation to be unwonted and prejudicial to their rights, as customary in sundry visitations of the archbishops of York and bishops of Durham, they asked that the bishop commence his visitation after removing those who ought to be removed; adding that the bishop had that day, in his chamber in the castle of Durham, with his council, promised to hear, immediately after his sermon, any things which the religious wished to put forward which by right might prevent his proposed course of action; and that, since the bishop did not care to acquiesce to their petitions and ordered the reading of the said certification to be continued, the prior and convent withdrew from the chapter, with Robert de Routhebiry, monk of Durham, remaining before the bishop, with the prior's clerks, and reading out the following notarial instrument

Notarial instrument recording the making of the following Proxy, by Richard prior and the convent of Durham appointing Robert of Rothbury, monk of Durham, as their proctor in all causes and business concerning them, their church or chapter, before whatsoever judges ordinary or delegate, or their commissaries (&c), against whatsoever adversaries, at whatsoever dates and places; and giving notice hereof, by the tenor of the presents, to all judges, adversaries and those having an interest. Notary: Elias de Couton', clerk, N.P. by apostolic authority (with a short eschatocol recited).

Done: Durham, in full chapter, 13 May *exeuntis* [19 May] 1300.

and then renewed an appeal to the court of York, failing which the apostolic see, which had been interposed on the preceding Thursday [19 May], by reading out the following [first] declaration

Declaration by Robert of Rothbury, monk of Durham, proctor of the religious of the monastery of Durham, to Antony, bishop of Durham, that he hereby appeals to the court of York, failing which to the apostolic see, in the name of the said religious, subjecting the said religious, their associates, rights and properties (&c) to the protection of the abovenoted sees, lest the bishop of Durham attempt anything prejudicial to the liberty and immunity of the said religious, or attempt to impose penalties on them; because they have the right to be visited by the bishop alone, and are accustomed to supply one or more of their number to assist the bishop, should he need clerks to carry out his visitation; and in view of what is implied in the letters directed to the said religious by the bishop concerning his visitation, and because of the manifest and unamended hurt done to the religious by the bishop in the recent past [19 May 1300]

and renewed another appeal, interposed at the court of York, failing which the apostolic see, by reading out the following [second] declaration

Declaration by Robert de Routhebery, monk of Durham, proctor of Richard, prior of Durham, to Antony, bishop of Durham, that he hereby appeals to the court of York, failing which to the apostolic see, subjecting the prior, his estate, and all his adherents (&c) and goods to the protection of the said sees, as a precaution lest the bishop should impose any penalties upon him; in view of the implication in the bishop's

letters concerning his visitation that he intends to act in prejudice of the prior, and because of the threats made against and hurt caused to the prior by the bishop. and read out the following exception

Exception made by Robert de Routhebery, monk of Durham, proctor of the prior and convent of Durham, before Antony, bishop of Durham, declaring that it is known to all and sundry in Durham dioc. that the religious of the priory of Durham have had the right, from time without mind, to admit the bishops of Durham alone, without other religious or secular clerks and with one or more monks of the chapter taken in place of a notary, when the bishops have hitherto made their visitation; notifying the bishop that he can neither bring others with him on the visitation which he intends now to undertake nor force the religious of the priory of Durham to admit such others for the visitation, particularly since there are no secular clerks in Durham cathedral; and asking for the foregoing to be proved before a competent judge. [20 May 1300] and that the proctor withdrew, with the abovementioned certification having been read out; whereafter the bishop passed general sentence, in writing by Roger de Waltham, his commensal clerk, appointing him as his agent (not recited, because the copy thereof made for the notary was not extant); and recording that the bishop summoned the prior and convent and they returned, asking for the removal of those who ought not to take part in the visitation and that the bishop attempt no infringement of their liberties, and declaring themselves willing to undergo visitation should the bishop not overstep the due form thereof; that the bishop, though appearing willing to grant their petition, was not allowed to do so by certain of his [company], and warned the religious to undergo visitation without the removal of any of his clerks, on pain of the most serious punishment; that the prior and convent withdrew, and the bishop and his council deliberated and put their deliberation in writing; that the religious returned and considered the result of this deliberation, withdrawing protesting as soon as the bishop started to have the same read out [by Roger de Waltham] and appealing to the court of York, failing which the apostolic see, concerning the pronouncement and their other grievances; and that after the bishop's pronouncement had been read he excommunicated the prior, obedientiaries and certain others of the convent for their disobedience, and denounced the rest of the convent and the priors of the cells as contumacious, reserving to himself the imposition of penalties. Witnesses: Mr Adam de Derington', Mr Robert de Cava, Mr Alexander de Pundsonby, Mr Peter de Kellawe, Mr Elias de Coutona, N.P. by apostolic authority, and Mr Richard de Ganyo, N.P. by imperial authority.

Done: at the chapter house of Durham, 20 May 1300.

[These details come from towards the end of the instrument, where the witnesses to the various bits of business at different places and times are grouped together.] And that, at the hour of vespers, there came to the entrance of the chapter house in the cloister Mr Richard de Morpath', official of the archdeacon of Durham, along with Mr Adam de Lyndesey, N.P., as nuncios of the bishop, and read out to Mr Robert de Cave, Mr Peter de Kellow, Richard de Kyrkeham, Thomas de Egesclive, Hugh de Whyteby, and others, clergy and laity there present, the bishop's excommunication, and citing those excommunicated to appear before the bishop or his commissaries, one or more, in Durham cathedral on the coming Saturday, and receive punishment; and that, with this done, Robert de Routhebery, interposed in writing the following [first] appeal

Appeal by Robert de Routhebery, monk of Durham and proctor of the prior and convent thereof, to the court of York, failing which, to the apostolic see, rehearsing and bringing up to date the narrative of events contained in earlier appeals, stating that, notwithstanding earlier appeals, the bishop had, against the form of law, fulminated excommunication upon the prior of Durham, and the subprior, third prior, sacrist, chamberlain, infirmarer, cellarer, hostiller, bursar, granator, and *incanar'* [?] and other obedientiaries thereof, the almoner and feretrar alone excepted, and Geoffrey de Burdon', John of Barnard Castle, and John de Appleby, monks of Durham, and cited them to appear before him or his commissaries in Durham cathedral, outside the chapter house, to receive punishment; and, knowing the prior and convent, himself and the monastery of Durham to be unduly burdened because of this, appealing in their name to the said court and see, placing the prior and convent and their goods (&c) in the protection of the said court and see, lest the bishop should attempt punishment, or anything prejudicial against them. [20 May 1300]

witnesses: Mr Robert de Cave, Mr Peter de Kellawe, Richard de Kyrkeham, Thomas de Egesclive, and Hugh de Whyteby.

Done: in the cloister of Durham, 20 May 1300.

[Details from near the end of the instrument.]

And recording that on the Saturday following Mr Robert de Albrewyk and Mr John de Lascy, canons of Auckland, calling themselves commissaries of the bishop of Durham, sitting in Durham cathedral with a great company, both clerks and others, of the bishop's household, had their commission from the bishop read out in public; and that they had it announced to the prior and obedientiaries of Durham who had been excommunicated the day before that they were to appear and receive punishment; and that Robert de Routhebery appeared for them and renewed the aforementioned appeal in the name of the prior and convent, and that, while he was still reading the appeal, Mr John de Lascy pronounced sentence upon the prior of Durham, depriving him of his office, along with the abovementioned obedientiaries, reserved sentence upon the priors of the priory's cells and the sundry monks of the convent for their contumacy, and decreed the replacement of the said prior and obedientiaries with others.

Witnesses: Mr Robert de Cava, Mr Alexander de Pundsonby, Mr Peter de Kellawe, Henry de Menyl and Thomas de Egesclive, clerks.

Done: Durham cathedral, 21 May 1300.

And recording that, after nine o'clock, there was interposed the following [second] appeal

Appeal by Robert de Routhebery, monk of Durham, proctor of the prior and convent thereof, to the court of York, failing which, the apostolic see; with reference to the sentence imposed, against the form of law, by Antony, bishop of Durham, through Mr John de Lascy and Mr Robert de Albrewyk, his clerks, canons of Auckland, calling themselves his commissaries, upon Richard, prior of Durham, depriving him of office, and also upon the obedientiaries of the prior, excepting the almoner and the feretrar, removing them from office; and to the decree that they were to be replaced; and to the reservation of punishment upon the priors of the priory's cell and the sundry members of the convent, wrongly considered contumacious; placing the prior and convent and their goods (&c) in the protection of the said court and see.

Done: Durham cathedral, 21 May 1300.

Notary: Andrew, son of the late William de Tang', clerk of York dioc., N.P. by apostolic authority (eschatocol recited), who produced the instrument in two pieces, joined together; with the interlineation of the words *de Cave* on line 25 of the second leaf, found to be missing after a close examination made with the assistance of Geoffrey de Burdon' and Warner de Pontefr', clerk; and with his customary sign on the seam as well as at the end.

Done: [Durham, 20 & 21 May 1300].

Original: Durham University Library, DCD Loc.XXVII:27, which is as described in the eschatocol.

Printed, with some small passages of text omitted, in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.191-204.

Original (notarial instrument): Durham University Library, DCD Loc.VII:51.

Original (first declaration): Durham University Library, DCD Misc.Ch. 5523 (a) and Loc.VII:42.

Original (exception): Durham University Library, DCD Loc.VII:3, 3*, 3**.

Original (first appeal): Durham University Library, DCD Loc.VII:52.

f.91r-v 5 July [1421]

Commission by letters patent by Henry [V], king of England, to Roger Thornton' and William Chaunceller appointing them to raise those customs duties, rates specified, owed by alien merchants in return for rights given to them in perpetuity by Edward [III], king of England, and the customs and subsidy likewise owed as laid down by statute of the parliament of Henry [IV], king of England, held at Westminster 11 Henry [IV: 1410], within the port of Newcastle upon Tyne and in sundry ports and places lying adjacent thereto; and to collect the subsidy on wool, hide and wool-fells and the custom on woollen cloth, rates specified, owed to the king by both denizens and aliens, in the said port and places; for so long as it please the king; collecting in their proper persons, and not by substitutes, and receiving to the king's use; and appointing them to keep the king's seal, called *Coket*, in the said port; providing that they answer at the king's exchequer for the moneys raised thereby; and instructing them to attend diligently to the foregoing.

By treasury bill Wymbyssh'.

Witness: John, duke of Bedford, keeper of England.

Date: Westminster, 5 July, 9 Henry [V].

f.91v 5 July [1421]

Commission by letters patent by Henry [V], king of England, to Roger Thornton' and William Chaunceller appointing them to raise, in Newcastle upon Tyne and the sundry ports and places adjacent thereto, the subsidy on imports and exports, rates and exemptions specified, granted to him for keeping the sea secure, for the term of his life from Michaelmas A.R. 3 [1415], by parliament at Westminster on Monday after All Saints A.R. 3 [4 November 1415]; collecting the subsidy in their own persons, without deputies or lieutenants, under penalty as contained in the statute, and answering to the king's exchequer for the moneys issuing therefrom; to endure for so long as it please the king; and instructing them to attend diligently to the foregoing.

By treasury bill Wymbyssh'.

Witness: John, duke of Bedford, keeper of England.

Date: Westminster, 5 July, 9 Henry [V].

f.92r-v [26 February 1306 x 10 February 1309]

Appeal by J[ohn] of Barnard Castle, monk of Durham, to the apostolic see and the court of York, and notification thereof to Stephen de Malo Lacu [*Mauley*], archdeacon of Cleveland and dean of Auckland, and Mr W[illiam] de Sancto Botolpho, archdeacon of Durham, deputed commissaries of Antony, bishop of Durham, for visitation of the chapter of Durham, having been accused by the commissaries of receiving the monastic habit by simony, and of conspiring against the bishop so that the bishop's liberty was taken into the king's hands, and the bishop and his officers were brought before the king's justices for examination, and an inquisition on the death of William Pollard was taken in a secular court, and other inquisitions; reciting exceptions {numbered 1-7 in margin}: that the visitation should not be undertaken since visitation should be conducted charitably and not sparked by vindictiveness; that through the bishop's negligence when required by the king to amend injuries and grievances caused by his officers and through his contempt of the king in imprisoning William de Brumpton, a royal messenger, the liberty was taken into the king's hands, and not as a result of conspiracy; that by law and custom of the realm of England all cases between any persons certainly belong to the king's court, testamentary and matrimonial matters excepted; that no religious should be admitted for impleading in the king's court except an abbot or prior; that for keeping a monastery's rights and liberties, repulsing injuries and recovering goods unjustly detained and improperly alienated monks may, and by right in virtue of obedience, adhere to an abbot or prior against any adversaries, etc.; that the bishop is a party and judge and can in his own cause pronounce the right for himself (*ius sibi dicere*) and exact revenge, which right manifestly prohibits; and that in respect of anything brought to light in the visitation and requiring correction he [John] is ready to submit to correction etc. before the prior, to whom correction of his monks belongs in the first place; and subjecting himself, his fellow monks &c to the protection and tutelage of the said see and court. [26 February 1306 (Bishop Bek referred to as patriarch of Jerusalem) x 10 February 1309 (commissaries appointed (*Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.137); dated to 1309, (C.M. Fraser, *A History of Antony Bek Bishop of Durham 1283-1311*, (Oxford 1957), p.172.)]

f.93r 8 March 1420

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Robert del Hay, canon of York, in the church of Brantingham vacant by the death of Thomas Sutton, last rector thereof; saving a yearly pension of 10 marks due of old therefrom to the monastery of Durham.

Date: Durham, 8 March 1420.

Related material in other DUL collections: Related letter: DCD Loc.XXV:75.

f.93r 19 March 1421

Memorandum that the presentation of Mr John Eland', priest of Durham dioc., to the vicarage of Bedlington, [vacant] by the death of John Styllington', last vicar thereof, was directed to the bishop of Durham: 19 March 1420/1.

f.93r 3 January [1421]

Writ of *scire facias* by Thomas, bishop of Durham, to the sheriff of Durham referring to the recovery by the prior of Durham in the court of Thomas, late bishop of Durham, before his justices Thomas de Ingelby and his associates on Tuesday after Matthew the apostle 3 Richard II, against Robert Hanslap, then vicar of [Bishop] Middleham, of an annual rent of 40s owed to the church of Durham from the church of [Bishop] Middleham [as f.79r-v above]; stating that he accepted, on information of John, now prior of Durham, that there are arrears of 60s for the said annual rent for the terms of Whitsun, Pont. 13 [1419], and the following Martinmas and Whitsun; and that he had instructed him to let John Neweburgh', now vicar of [Bishop] Middleham, know that he was to be before the bishop's justices at Durham on Friday next after the Circumcision last [3 January 1421] to show why he ought not to render the 60s to the said prior according to the form of the aforementioned recovery; and that the vicar had come before the justices and pleaded that he had found the said church discharged of the annual rent, and that he was unable to charge or discharge the church of the annual rent without John Wessyngton', prior of Durham and patron of the said church, and Thomas, bishop of Durham, ordinary of the said church, and that he asked the assistance of the said patron and ordinary, which was granted to him; and instructing him to let the said patron and ordinary know that they are to be before the bishop's justices at Durham on Thursday in Easter [27 March 1421] week to respond.

Witness: T. R. de E.

Date: Durham, 3 January, Pont. 15.

f.93v 16 February 1421

Letters dimissory by Thomas Leys, dean of the collegiate church of Auckland, vicar general in spiritualities of Thomas, bishop of Durham, in distant parts outside his city and diocese, to Thomas Hexham, monk of Durham, giving licence to him to be promoted to orders, holy or otherwise, and to any ordaining bishop to confer the same upon him; providing he be licensed therefor by his prior of Durham.

Date: 16 February 1420/1.

f.93v 8 April 1421

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute William Barkar', priest, in the vicarage of [North]allerton, vacant by the resignation of Mr John Corbrig', last vicar thereof; saving a yearly pension of £20 due of old therefrom to the monastery of Durham.

Date: Durham, 8 April 1421.

f.93v 8 April 1421

Memorandum that the presentation of Mr John Corbrig', priest, to the vicarage of Ruddington, [vacant] by the death of John Watford', last vicar thereof, was directed to the archbishop of York: 8 April 1421.

f.93v 30 May 1421

Memorandum that the presentation of William Spryg', priest, to the vicarage of the prebend of Saltmarshe [vacant] by the resignation of William Barkar', last vicar thereof, was directed to the archbishop of York: 30 May 1421.

f.93v 12 June 1421

Memorandum that letters were issued to John de Muston' as mortuary-roll bearer: 12 June 1421.

f.93v 2 July 1421

Memorandum that the presentation of Thomas Appelby, clerk {of the city} of York, to the church of Holtby, vacant by the death of John Staynton', last rector thereof, saving a yearly pension of 25s due therefrom to the monastery of Durham, was directed to the archbishop of York: 2 July 1421.

f.94r 17 September 1421

Memorandum that a proxy was issued, in the form as on f.70, to Mr John Selowe, Mr Robert Ragnell', Mr William Doncastre and Thomas Appelby, clerk, to attend the convocation of the clergy of the province of York: 17 September 1421.

f.94r 19 September 1421

Memorandum that a proxy, in the form as on f.57, was directed to Mr William Doncastr' and Thomas Appelby, clerk, to appear for the three churches of the college at Oxford and the church of Giggleswick at the synod at York: 19 September 1421.

f.94r 14 October 1421

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute John de Essyngwald', priest, in the vicarage of [Bishop] Middleham, vacant by the resignation of Mr John de Neuburgh', last vicar thereof; saving a yearly pension of 40s due of old therefrom to the sacrist of Durham.

Date: Durham, 14 October 1421.

f.94r 1 January 1421

Quittance by John, prior of Durham, to the master and students of Balliol College Oxford, for 10s from the terms of Midsummer and Christmas last, for a yearly pension due to the prior and chapter of Durham by reason of indemnity of the church of Longbenton, Northumberland.

Date: Durham, 1 January 1420/1.

f.94r 13 October 1421

Mandate [by the prior of Durham] [to the prior of Durham College Oxford,] instructing him to receive in Durham College, by Martinmas next, John Spense, clerk of Durham dioc., whom he and the monks of Durham have admitted as a student in place of Richard Witton', who, they have heard, has withdrawn; and instructing him to take John's oath to observe the college statutes.

Written: Durham, 13 October 1421.

f.94v 11 February 1422

Notarial instrument of resignation recording that John Swynesheued, monk of Durham and prior of Stamford St Leonard, read through a schedule of resignation (on paper) of his office of prior, in the hands of Richard, bishop of Lincoln, or another having power to accept the resignation.

Witnesses: John Runccorn', N.P., and Robert Barker, chaplains, and William Bentlay, clerk, of Coventry and Lichfield, Durham, and York dioc.

Notary: Thomas de Ryhall {clerk} of Lincoln dioc., N.P. by apostolic authority (eschatocol recited).

Done: Durham cathedral, 11 February 1421/2. Presentation by John prior and the chapter of Durham asking Henry, bishop of Lincoln, to admit Henry Helay, monk of Durham, as prior of their cell of Stamford St Leonard, Date: Durham, 14 February 1421/2.

f.94v 16 March 1422

Memorandum that the presentation of Richard Walworth', priest, to the church of Edmundbyers, vacant by the death of Robert de Aukland, last rector thereof, was directed to the bishop of Durham: 16 March 1421/2.

f.94v-95r 19 April 1422

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr John Corbrig, priest, in the vicarage of Heighington vacant by the death of Mr John Holdernes, last vicar thereof; saving a pension of 53s 4d due of old therefrom yearly to the prior and chapter and their sacrist of Durham.

Date: Durham, 19 April 1422.

f.95r 22 April 1422

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute Henry Merston, prebendary of *Ruspauell* in the collegiate church of St Buryan, Exeter dioc., in the prebend of Saltmarshe in the collegiate church of Howden, to effect an exchange of benefices with Robert Bolton', prebendary of Saltmarshe.

Date: Durham, 22 April 1422.

f.95r 23 April 1422

Memorandum that the presentation of Thomas Westthorp', priest, to the vicarage of Ruddington, [vacant] by the resignation of Mr John Corbrig', last vicar thereof, was directed to the archbishop of York: 23 April 1422.

f.95r 21 April 1422

Memorandum that a proxy was issued, to Mr John Selowe, Mr Robert Ragnell', Mr William Doncastre and William Driffeld, clerk, to attend for the three churches of the college at Oxford, namely Bossall, Fishlake and Ruddington, and for the church of Giggleswick, at the synod at York: 21 April 1422.

f.95r 2 May 1422

Memorandum that the presentation of William Barkare, priest, to the vicarage of the prebend of Thorpe in the church of Howden, [vacant] by the resignation of Thomas Westthorp', last vicar thereof, was directed to the archbishop of York: 2 May 1422.

f.95v 21 April 1422

Proxy by John prior and the chapter of Durham appointing Mr William Doncastre, LL.B., and William Driffeld', clerk, as their proctors to appear and act on their behalf before whatsoever judges, at whatsoever times and places, and at whatsoever synods, visitations, consistories, chapters and convocations of clergy.

Date: Durham, 21 April 1422.

f.95v 8 May 1422

Presentation by John prior and the chapter of Durham asking Henry, archbishop of York, or his vicar general in distant parts, to institute William Middilton', priest, in the vicarage of [North]allerton, vacant by the resignation of William Barkare, last vicar thereof; saving a yearly pension of £20 due of old therefrom to the monastery of Durham.

Date: Durham, 8 May 1422.

f.96r 11 May 1422

Memorandum that the presentation of William Laveroke, priest, to the vicarage of the prebend of Saltmarshe in the church of Howden, [vacant] by the resignation of John Spryg, last vicar thereof, was directed to the archbishop of York: 11 May 1422.

Related material in other DUL collections: Related letter: DCD Loc.XXV:26.

f.96r

[Memorandum] of the names of the proctors staying at the Roman *curia* : Mr John de Scribanis the elder; Robert Sutton'; Thomas Rossell'; John Wath; Henry Hobynk; John Blodwell', proctor of the abbot of St Mary's York; Mr John Forestere, canon of York.

f.96r-v 1 June 1422

Notarial instrument of proxy recording that John Wessyngton', prior of Durham; Stephen Houeden', subprior; Thomas Rome, S.T.P. and sacrist; William Blakeston'; John Hoton'; John Durham the elder; William Drax, prior of Coldingham; Robert Eseby; John Lethome, chamberlain; William Barry, terrar and hostiller; John Gesseburn', third prior; John Fysshburn', chancellor; Hugh Werkworth', precentor; William Durham, *decanus ordinis* ; Roger Langchestre; John Swynnesheued'; Thomas Moreby, cellarer; Thomas Nesebit, communar; John de Gonerton'; John Durham the younger; Richard Fowne; John Marlay; Thomas Hesilrige; John Durward'; George Sither; John Barlay; William Liham; William Craike; John Lumle; Thomas Ayre; John Oll'; William Parterike; Thomas Lawson'; Richard Kellawe; Thomas Hexham; John Harome; Thomas Warde; Robert Arcowe; Thomas Forde; Thomas Forster; William Dalton'; John Burneby; William Eden'; monks of Durham, appointed Mr John de Scribanis, Mr Robert Sutton', Mr Thomas Rossell', Mr John <Wil> Wath', Mr Henry Hobynk, and Mr John Blodwell' as their proctors to act on their behalf in any actions raised or to be raised, in or outside the Roman *curia*, concerning the priory of Coldingham, against whatsoever persons, before whatsoever judges, and at whatsoever times and places.

Witnesses: Mr Thomas Tange and Mr Robert Berall', N.P.s, John Bynchestr', chaplain, and William Bentlay, clerk, of Durham and York dioc.

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

Done: chapter house of Durham, 1 June 1422.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.94-95.

f.96v-97r 1 June 1422

Notarial instrument of proxy recording that John Wessyngton', prior of Durham; Stephen Houeden', subprior; Thomas Rome, S.T.P. and sacrist; William Blakeston'; John Hoton'; John Durham the elder; William Drax, prior of Coldingham; Robert Eseby; John Lethome, chamberlain; William Barry, terrar and hostiller; John Gysseburn', third prior; John Fysshburn', chancellor; Hugh Werkeworth', precentor; William Durham, *decanus ordinis*; Roger Langchestre; John Swynnesheued'; Thomas Moreby, cellarer; Thomas Nessebit, communar; John Gonerton'; John Durham the younger; Richard Fowne; John Marlay; Thomas Hesilrige; John Durward'; George Sither; John Barlay; William Liham; William Crayke; John Lomlee; Thomas Ayre; John Oll'; William Parterik; Thomas Lawson'; Richard Kellowe; Thomas Hexham; John Harom'; Thomas Warde; Robert Arcowe; Thomas Forde; Thomas Forestre; William Dalton'; John Burnby; William Eden'; monks of Durham, appointed Mr John de Scribanis, Mr Thomas de Rihall', Mr Robert Sutton' and Mr John Blodwell' as their proctors to act on their behalf in any actions raised or to be raised, in or outside the Roman *curia*, concerning their monastery, against whatsoever persons, before whatsoever judges, and at whatsoever times and places.

Witnesses: Mr Thomas Tange and Mr Robert Berall', N.P.s, John Bynchestre, chaplain, and William Bentlay, clerk, of Durham and York dioc.

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

Done: chapter house of Durham, 1 June 1422.

f.97r 16 July 1422

Memorandum that the presentation of Stephen de Thorp', chaplain, to the church of Holtby, [vacant] by the resignation of Thomas Appelby, last rector thereof, saving a yearly pension of 25s due therefrom to the monastery of Durham, was directed to the archbishop of York: 16 July 1422.

f.97r-v 13 June 1422

Notarial instrument of resignation recording that Mr Thomas Appelby, rector of Holtby, read a written resignation of the church of Holtby, in the hands of Henry, archbishop of York, or another having power for that purpose.

Witnesses: Thomas Qweldrik, chaplain, and Mr William Beroby, clerk, N.P., of York dioc.

Notary: Robert de Scurneton' (or Scurueton'), clerk of York dioc. N.P. by apostolic authority (eschatocol recited).

Done: York minster, 13 June 1422.

f. 97v 13 July 1422

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute James del Yate, chaplain, in the vicarage of Stichill.

Date: Durham, 13 July 1422.

f.97v 13 July 1422

Nomination by John prior and the chapter of Durham to Richard, prior of Lytham, of John Lenche, vicar of Stoke by Nayland, Norwich dioc., for presentation to the church of Appleby, to effect an exchange of benefices with William Goldring, rector of Appleby. Under the other part of the common seal, namely St Oswald's head.

Date: Durham, 13 July 1422.

f.97v-98r 18 July 1422

Collation by John, prior of Durham, to Robert Bett, alias Girissemere, priest, of the chantry of St Mary, Darlington, vacant by the death of Bernard Warde, last priest of that chantry; providing that he assist the vicar of Darlington in his office of parish priest, according to the discretion of the vicar, as well as bear the duties pertaining to the chantry, by himself or by another suitable priest.

Date: Durham, 18 July 1422.

f.98r 18 August 1422

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Robert Kemp', priest, in the church of Kimblesworth, vacant by the death of John Clerk', last rector thereof.

Date: Durham, 18 August 1422.

f.98r 11 October 1422

Mandate [by the prior of Durham] [to the prior and students of Durham College Oxford] informing them that he has seen fit to choose Richard Rakett, clerk of Durham dioc., to their college at Oxford, in place of an absent student from the lordship of Allertonshire, having, along with certain older fellow-monks, found him suitable, and with no replacement having been nominated to him from the said lordship; and instructing them to admit him to the college, after receiving his bodily oath according to the college ordinances.

Date: Durham, 11 October 1422.

f.98r 1 November 1422

Memorandum that the presentation of John Alnewyk, priest, to the church of York St Peter the Less, [vacant] by the death of John Popilton', last rector thereof, to the monastery of Durham, was directed to the archbishop of York;

Durham : 1 November 1422.

f.98r-v 15 November 1422

Proxy by John prior and the chapter of D[urham] appointing Mr Robert Ragnell', advocate of the court of York, William Barry, monk of Durham, Mr William Doncastr', LL.B., and William Driffeld', clerk, proctor of the said court, as their proctors to attend and act in their name at the impending convocation of the clergy of the province of York, to be held at York by H[enry], archbishop of York, or his commissaries, one or more, on 18 November, with continuation, and to treat with those gathered there on the matter of the general council, soon to be held by authority of Pope Martin [V] in the city of Pavia.

Date: Durham, 15 November 1422.

f.98v 15 November 1422

Supplication by John, prior of Durham, to Thomas, bishop of Durham, informing him that John Marlay, lately professed monk of Durham, has absented himself without licence, and is now passing from place to place in secular habit within the bounds of the regality of Durham; and asking him to assist in the arrest and return of the said John, should he come into the bishop's jurisdiction.

Date: Durham, 15 November 1422.

f.98v 10 November [1422]

Writ by Thomas, bishop of Durham, to the sheriff of Durham instructing him to have John Marlay, monk of Durham [see the preceding entry], arrested, should he be found within his bailiwick, and to have him delivered to the prior of Durham or his attorney for punishment according to the rule of his order.

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 10 November, Pont. 17.

f.98v 18 November 1422

Supplication by John, prior of Durham, archdeacon in his churches, to Thomas, bishop of Durham, or his vicar general in distant parts, informing him that William Clerk, dwelling at Hardwick in the parish of Hesleden, though excommunicated by the prior's ordinary authority and at the instance of the prior's official for his manifold contumacy, has persisted for forty days and more in wickedly defying the power of the keys; and asking for the assistance of the bishop's secular arm, and for the issue of a writ for the said William's arrest.

Under the seal of the offic[iality] of the prior's archdeaconry.

Date: Durham, 18 November 1422.

f.99r 24 November 1422

Supplication by Thomas Leys, dean of Auckland, vicar general of Thomas, bishop of Durham, in spiritualities in distant parts beyond his city and dioc., to Thomas, bishop of Durham, informing him that John, prior of Durham, archdeacon in churches appropriated to the prior and chapter of Durham, has made known to him that William Clerke, dwelling within his archdeaconry &c, as in the preceding entry; and that the prior has required him to write to the bishop for the bodily arrest of the said William; and asking the bishop to extend his secular arm against the said William.

Under the seal of his office of vicar.

Date: Auckland, 24 November 1422.

f.99r 1 December [1422]

Writ by Thomas, bishop of Durham, to the sheriff of Durham, informing him that the excommunicate William Clerk, parishioner of Hesleden [see the preceding two entries], is unwilling to be compelled by ecclesiastical censure; and instructing him to bring the said William bodily to justice according to the custom of England, until he shall have made satisfaction to the Church.

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 1 December, Pont. 17.

f.99r 18 January 1423

Memorandum that the presentation of John Gresmere, priest, to the vicarage of Pittington, vacant by the resignation of William Wynlaton', last vicar thereof, saving a yearly pension of 25s due therefrom to the monastery of Durham, was directed to the bishop of Durham; Durham : 18 January 1422/3.

f.99r-v 10 February 1423

Mandate by Thomas Lyes, dean of Auckland, vicar general in spiritualites to Thomas, bishop of Durham, in distant parts outside his city and dioc., to the parochial chaplain of Durham St Oswald, informing him that a cause concerning the prior and convent of Durham, who have the said church [appropriated] to their own use, has been expounded to him: namely that a number of sons of iniquity of the said parish have conspired, in public and in secret, to make no offerings at weddings, churchings, and funerals, contravening the tenor of the synodal constitution of Durham *Cum omnis pontifex*; that they also prevented parishioners from offering candles into the hands of the priest at Candlemas last, and impeded others, seizing the candles from their hands and taking them into their keeping; and that he has been asked by the prior and convent for suitable remedy; and instructing him to warn the conspirators to cease their wrongdoing within twelve days and to make satisfaction to the prior and convent; and, if they fail to comply, to pronounce sentence of great excommunication upon them and upon those adhering to and assisting them; with their public denunciation to be repeated on Sundays and feast days until they earn absolution with condign satisfaction.

Under the seal of his office of vicar.

Date: Auckland, 10 February 1422/3.

f.99v 1 May 1423

Letters of attorney by John, prior of Durham, appointing Nicholas Smyth' of Edmondsleyrawe to purchase, for the prior's use alone, and at whatsoever dates and places, whatsoever beasts or other victuals and goods are needed by the prior, with that liberty which other prelates and churchmen are accustomed to and ought to enjoy; to endure for two years.

{Margin caption: "... sent out under the prior's long seal ..."}

Date: Durham, 1 May 1423.

Also DCD Reg. Parv. II, f.70v.

f.100r 20 September 1421

Inspeximus by John, prior and the convent of Durham, confirming the following licence. Licence by letters patent by Thomas, bishop of Durham, to Thomas Hode, parson of Wath near Ripon; Roger Crome; John Pygot; Robert Percyvall'; and Richard Weltden'; feoffees of the late Richard Norton', formerly chief justice of the court of Common Pleas, in all his properties in the manor of Norton Conyers since Henry [V], king of England, has granted licence to them to found a chantry for one chaplain at the chapel of St Cuthbert in Norton Conyers celebrating masses for the health of the said Roger while he live, for his soul after his death, and for the souls of his progenitors, of Richard Norton and Katherine his wife and others; and to grant a vacant plot of land 200ft by 100ft in the same vill to the chaplain for a house and garden for himself and his successors; and to grant 8 marks annual rent to the chaplain and his successors from the said property of the manor; granting that the said Thomas, Roger, John, Robert and Richard be able to grant the said plot and annual rent, held in chief of the bishop, to the chaplain and his successors in perpetuity, and that the said chaplain and his successors be able to receive and hold the land and annual rent from the said Thomas, Roger, John, Robert and Richard; the Statute of Mortmain and other statutes and ordinances notwithstanding; saving to himself and his successors rents and services used and wont.

Date: London, 2 July 1421.

Date: Durham, 20 September 1421.

f.100v 18 March 1423

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute William Durham, priest, in the vicarage of Berwick upon Tweed, vacant by the death of William Werdale, last vicar thereof.

Date: Durham, 18 March 1422/3.

f.100v 7 April 1423

Grant by John prior and the chapter of Durham to Thomas Fery of Durham and Joan his wife of a corrody, specified, and a yearly pension of £7, and of a garment with fur, as for a bishop's gentleman (*generosus*), to Thomas, yearly at Christmas; to be held by Thomas and Joan, and the longer lived, for life, with the first term for payment beginning at Whitsun next to come.

Date: Durham, 7 April 1423.

[with marginal note: *Reqir' defezanciam istius obligacionis*, but no more]

f.100v 15 May 1423

Letters of consorority by John prior and the chapter of Durham to Katerine de Aylesbery of the county of Lincoln, because of her affection towards the monastery of Durham and its cell at Stamford, admitting her to sorority with the chapter, and granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, with prayers to be offered for her each year for all time after her death, as is customary for other brothers and sisters of the prior and convent.

Date: Durham, 15 May 1423.

f.101r [15 May 1423]

Memorandum that letters of confraternity of like tenor to those abovewritten were directed to Thomas del Ware and de Manchestr', canon of York and Lincoln, rector of Swineshead.

f.101r [15 May 1423]

Memorandum that the presentation of William Marschall' to the vicarage of Fishwick, vacant by the resignation of John Wydirspone, last vicar thereof, was directed to Henry, bishop of St Andrews.

f.101r 12 May [1423]

Memorandum that letters for John de Muston' as mortuary-roll bearer, to last for two years, were issued: 12 May.

f.101r-v 21 June [1423]

Certification by letters patent by John, prior of Durham, to William, abbot of Selby, visitor of the Benedictines in the province of York, deputed by the presidents of the provincial chapter of the black monks in England held at Northampton, reciting the following citation and mandate, which he received on 6 May; informing him that he has complied with the foregoing, and has cited all and sundry his fellow monks to attend on the said date, with continuation if need be, with their names being given in an attached schedule.

Citation and mandate by William, abbot of Selby (&c), to the prior and convent of Durham informing them that he or his commissaries, one or more, will visit them in their chapter house on Monday, 21 June next; enjoining them to be present before him or his commissaries on that date; instructing the prior to cite his fellow monks, or have them cited to attend; and requiring certification from the prior, on the date of visitation, in letters patent, as to what he shall have seen fit to do in the foregoing, along with the names of all his fellow monks.

Date: [Selby abbey] 20 April 1423.

Date: Durham, 21 June.

f.101v 25 June 1423

Notarial instrument recording that John Wessyngton', prior of Durham, read and interposed a precautionary appeal to the pope and the apostolic see subjecting himself, the monks of Durham, their goods and adherents to the protection of the pope and see aforesaid; lest anyone, by whatsoever authority, attempt any action (by way of citation, ecclesiastical censure or sentence, or undue disturbance) in future in prejudice of the persons, estate, or reputation of himself and his fellow monks; and declaring that, at a suitable time and place, he will amend the appeal and give notice of it to those whom it might concern.

Witnesses: John Bynchestre, chaplain, and William Bentlay, clerk, of York and Durham dioc.

Done: chapel of St Nicholas, commonly called the prior's [Durham], 25 June 1423.

f.101v-102r 11 December 1423

Presentation by J[ohn] prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute John Regill', vicar of Otterington, York dioc., in the church of [West] Rounton, to effect an exchange of benefices with Thomas Ayrmyrn', rector of [West] Rounton; saving to the prior and convent a yearly pension of 40s due of old therefrom.

Date: Durham, 11 December 1423.

f.102r-103r 26 April 1391

Notarized ordinance by Walter, bishop of Durham, following upon a petition by the prior and convent of Brinkburn, of the Augustinian order, shown to the bishop with Thomas de Wytton', abbot of Brinkburn, attending: asking, in view of the reduction in their revenues caused by frequent plague, invasion by the Scots and disasters of war, so that they have insufficient for support of their canonical duties, for rebuilding work at their monastery, and for hospitality; the more so since the monastery stands on the public road, and is often burdened with armies going towards Scotland and with the reception of guests; that the church of [Long] Horsley, of which they are patrons, be appropriated to them and their successors; acceding to their supplication and, after discussion with the prior and chapter of Durham, and with their assent, appropriating the church of [Long] Horsley to the priory of Brinkburn; establishing a perpetual vicarage, served by a canon of Brinkburn, [the first] to be presented by the prior and convent of Brinkburn to the bishop for institution following the death or resignation of the present incumbent; reserving the power to ordain a suitable vicarage portion; indemnifying his church of Durham by reserving pensions from the church of [Long] Horsley, to be paid by the prior and convent of Brinkburn, of 6s 8d yearly to himself and his successors (or to the prior and chapter of Durham *sede vacante*, to be kept for the next bishop), and 3s 4d yearly to the prior and convent of Durham; saving his, his church's and his successors' authority, power and dignity.

With consent by Robert prior and the convent of Durham appended.

Notary: Mr John de Cokyn', clerk of Durham, bishop's scribe, N.P. by apostolic authority (eschatocol recited, including note of an amendment).

Under the seals of the bishop, and of Robert prior and the convent of Durham.

Witnesses: Mr Thomas de Gretham, the bishop's official, and Mr Thomas de Weston', LL.Lic., canon of Wells.

Date: Durham, 26 April 1391.

Original: DCD 3.2.Pont.11.

f.103r 10 January 1424

Presentation by J[ohn] prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute Mr Marmaduke de Lumley, rector of Charing, Canterbury dioc., in the prebend of Saltmarshe, in the church of Howden, to effect an exchange of benefices with Henry Merston', prebendary of Saltmarshe.

Date: Durham, 10 January 1423/4.

Related material in other DUL collections: Induction mandate (26 January 1424): DCD 4.1.Ebor.42b.

f.103r 2 February [1424]

Memorandum that the presentation of John Regill' to the church of [West] Rounton, as on the second folio preceding excepting the date, was issued: 2 February.

f.103r 11 February 1424

Presentation by J[ohn] prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute Nicholas Warter, bishop of Dromore, vicar of Skeckling, York dioc., in the church of Holtby, to effect an exchange of benefices with Stephen Thorp', rector of Holtby; saving a yearly pension of 25s due of old therefrom to the monastery of Durham.

Date: Durham, 11 February 1423/4.

f.103v 21 January 1424

Proxy by John prior and the chapter of Durham appointing John Fysshburn', monk of Durham, Mr William Doncastre, LL.B., Thomas Tang', N.P., Thomas de Ryhall', N.P., and William Driffeld', N.P., as their proctors to act on their behalf in all causes, suits and business, begun or to be begun, concerning the prior and convent, their church of Durham, their parish churches and chapels, interests, jurisdictions, liberties and rights, before whatsoever judges (&c), *ex officio* or at the instance of parties, at whatsoever dates and places, with general powers; and to attend synods, consistories, councils, visitations, chapters, congregations and whatsoever other convocations and act for the prior and convent and their interests, as above.

Date: Durham, 21 January 1423/4.

f.104r 21 January 1424

Notarial instrument recording that John Fysshburn', monk of Durham, proctor of the prior and chapter of Durham, as apparent to the notary by their proxy, under their common seal, in green wax, read out and interposed a precautionary appeal by John Fysshburn', monk of Durham, proctor of the prior and chapter of Durham, to the pope and the apostolic see, and to the court of York, although the prior and convent be of good reputation, and no suspension or sentence of excommunication or interdict damages their name, and fearing the engendering of prejudice to the prior and chapter and to their estate, reputation and good name, in whatsoever their privileges, liberties, customs, rights and possessions, by whatsoever their rivals, and in particular the dean and chapter of York, subjecting the prior and chapter, himself in their name, their privileges, liberties, customs, possessions, rights, adherents and potential adherents to the protection, tutelage and defence of the see and court aforesaid; lest anyone, by whatsoever authority, attempt any action (by way of citation, ecclesiastical censure or sentence, or undue interference with their rights and possessions) in future in prejudice of the persons, estate, or reputation of himself and his fellow monks; and declaring that, at a suitable time and place, he will amend the appeal, if need be, and give notice of it to those whom it might concern.

Witnesses: John Bynchestre, chaplain, Mr Thomas de Ryhall', N.P., William Bentlay and John Hore, clerks of Durham, Lincoln, York and Bath dioc.

Notary: William Doncastre, clerk of York dioc., N.P., by apostolic authority (eschatocol not recited).

Done: chapter house of Durham, 21 January 1423/4.

f.104r-105r 26 January 1424

Notarial instrument recording that Mr William Doncastre, LL.B., proctor of the prior and chapter of Durham, as apparent to the notary by their letters patent, under their common seal in green wax, read and interposed an appeal by William Doncastre, clerk of York dioc., proctor of the prior and chapter of Durham, to the chapter of York, *sede vacante*, although the prior and chapter and their predecessors have been successively immune from making any exaction (*prestatio*) of obedience to the archbishop of York, *sede plena*, or to the dean and chapter of York, *sede vacante*, with the dean present or acting in distant parts, and immune from the insertion of "obedience" in their letters of presentation to benefices in the city and dioc. of York; because a certain John Regill', priest, lately calling himself vicar of Otterington, and aware of the foregoing immunity, showed, in the chancery of the chapter of York, before the keeper of spiritualities of the archbishopric, *sede vacante*, a presentation to the church of [West] Rounton, without the word "obedience", made for him by the prior and chapter of Durham by reason of exchange with the vicarage of Otterington, in the patronage of the master of the hospital of Northallerton; and the said keeper had refused to accept the presentation, dated 11 December 1423, for want of the word "obedience", sending back for a new presentation; and, without the knowledge of the prior and chapter, the said John forged a new presentation, or had one made, including the word "obedience" and with the common seal taken from the previous presentation; and, after this had been shown in presence of the keeper and his ministers, the said John was admitted to the said church, being inducted therein by authority of letters of the dean and chapter directed to the keeper of spiritualities of Allerton and Allertonshire, against the will and to the grave injury of the religious of Durham; perceiving the prior and chapter to be oppressed by these troubles, and subjecting the prior and chapter, himself in their name, the church of Durham, its said possession, and all those adhering or wishing to adhere to them or him in this regard, to the protection and defence of the chapter of York, *sede vacante* ; declaring that, at a suitable time and place, he will amend the appeal, if need be, and give notice of it to those whom it might concern; and stating that he has given his oath that ten days have not elapsed since these troubles became known to the prior and convent, and that he believes the contents of this appeal to be true, and to be provable at a suitable time and place. written in a paper schedule, which he held in his hand. Witnesses: Mr Robert Ragenhill', advocate of the court of York, W[illiam] Driffeld' and T[homas] Appelby, proctors of the court of York, of York and Lincoln diocs.

Notary not named.

Done: York minster, 26 January 1423/4.

(The opening of the instrument - though summarized at the start of the entry - is recited in full on f.105, at the end of the entry.)

See also f.127v below.

f.105r

Memorandum that on Monday, 3 April 1424, James [I], king of Scotland, entered the kingdom of Scotland peacefully, with his queen, leaving 28 hostages in England for £40,000 to be paid to the king of England for his expenses in England and France during eighteen years.

f.105r 2 May 1424

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Thomas Preston', priest, in the vicarage of Hesleden, vacant by the resignation of Thomas Yafforth', last vicar thereof.

Date: Durham, 2 May 1424.

f.105r-v 2 June 1424

Presentation by J[ohn] prior and the chapter of D[urham] asking Richard, bishop of Lincoln, or his vicar general in distant parts, to institute Robert Conynge, rector of Ordsall, York dioc., in the church of Blyborough, to effect an exchange of benefices with Adam Louth, rector of Blyborough.

Date: Durham, 2 June 1424.

f.105v 16 June 1424

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute Thomas Barton', rector of Corney in Copeland, York dioc., in the vicarage of Skipwith, to effect an exchange of benefices with William Brigham, vicar of the prebendal church of Skipwith.

Date: Durham, 16 June 1424.

f.105v 9 July 1424

Presentation by John, prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Thomas Stare, vicar of Stranton, Durham dioc., in the vicarage of Billingham, to effect an exchange of benefices with John de Byry, vicar of Billingham.

Date: Durham, 9 July 1424.

f.105v-106r 16 July 1424

Commission by John prior and the chapter of Durham to David Home, squire, authorising him, in the absence of Archibald, earl of Douglas, and Alexander Home, respectively principal bailiff and under-bailiff to the prior and convent in the barony of Coldingham, to take the vill of Swinwood into the hands of the prior and convent, and have it safely kept for the use of the prior of Coldingham; since they have heard that John Aclyff, sometime prior of Coldingham, contrary to the will of the prior and convent, and contrary to the statutes of canon law and of the kingdoms of England and Scotland, gave the said vill of Swinwood, in the barony of Coldingham, as security for a loan to a certain Thomas Purvas; and notifying all concerned in this matter that it was done without their authority, and that they consider everything done following on therefrom to be undone.

Date: Durham, 16 July 1424.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.97.

f.106r 8 August 1424

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute William Bramley, rector of Sprotbrough, York dioc., in the church of York All Saints Pavement, to effect an exchange of benefices with John Bolton', rector of All Saints Pavement {and subdiaconal canon prebendary in the chapel of St Mary and All Angels [*al.* St Sepulchre] York.}

Date: Durham, 8 August 1424.

f.106r 3 October 1424

Proxy by John prior and the chapter of Durham appointing Mr Robert Ragenell', advocate of the court of York, Mr William Doncastr', LL.B., and William Driffeld, clerk, proctor of the court of York, as their proctors to attend for them at the convocation of the clergy of the province of York, to be held in York minster by the dean and chapter of York, *sede vacante*, or their commissaries, one or more, on the coming 6 October, with continuation of days.

Date: Durham, 3 October 1424.

f.106r-v 3 October 1424

Proxy by John prior and the chapter of Durham, having the churches of Fishlake, Bossall, Ruddington and Giggleswick, York dioc., annexed to their church of Durham, appointing Mr Robert Ragenell', advocate of the court of York, Mr William Doncastr', LL.B., and William Driffeld, clerk, proctor of the court of York, as their proctors to attend for them, and in name of the said churches, before the dean and chapter of York, *sede vacante*, and their vicar general and commissaries whomsoever, one or more, or any judge competent in this regard, at whatsoever synods, held at whatsoever dates and places, and by whatsoever authority.

Date: Durham, 3 October 1424.

f.106v-107r 7 October 1424

Inspeximus by John prior and the chapter of Durham confirming the following licence
Licence by letters patent by Thomas, bishop of Durham, to John Dolfamby of Gateshead to found a chantry for one chaplain celebrating mass in St Mary's church Gateshead, for the health of the bishop and the said John while they live, their souls after their deaths, and the souls of William Johanson', lately burgess of Newcastle upon Tyne, and their fathers, mothers (&c), according to the said John's ordinance, in perpetuity; and to grant to the chaplain fourteen messuages in Gateshead, which are held of the bishop in burgage, and which are to be held by the chaplain and his successors in perpetuity; and to the chaplain, that he be able to receive the messuages from the said John; the Statute of Mortmain notwithstanding; not wishing that John, his heirs, the chaplain and his successors be troubled by the bishop or his successors or their ministers by reason of the said statute *seu aliorum premissorum*; saving to the bishop and his successors, and to the chief lords of the fees, services used and wont.

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 1 June, Pont. 15. [1421]

saving the right of the chapter, if any they have, in the messuages, or any of them, in rent therefrom.

Date: Durham, 7 October 1424.

f.107r-v

{ Certification } [by Oswald, bishop of Whithorn, to the dean and chapter of York, *sede vacante*, reciting the following letters of institution.]

Letters of institution by Oswald, bishop of Whithorn, suffragan and vicar-general in spiritualities in distant parts to Walter, bishop of Durham, to Mr John Hagthorp, lately canon of Lanchester and prebendary of Newbiggin, having lately received and reciting the following commission to institute

Commission to institute by the chapter of York, *sede vacante*, and with the dean thereof acting in distant parts, to Walter, bishop of Durham, or his vicar-general in spiritualities, stating that Mr John Hagthorp', canon of Lanchester and prebendary of Newbiggin, and Mr Robert Asshburn', rector of York St Peter the Less, intend to exchange benefices, if approved; and with Mr Robert's resignation of the church of St Peter the Less received by the bishop, in place and by authority of the chapter, committing to him in their place the institution of Mr John, who stands presented to them by the prior and chapter of Durham for admission to the said church; reserving the induction to themselves; and asking for certification, by his letters patent, of his carrying out the commission.

Date: York, 2 July 1405.

having approved the exchange and accepted Mr Robert's resignation from Peter de Kirkeby, his proctor, admitting Mr John to the church of St Peter the Less, with the latter's canonical obedience reserved to the chapter of York.

Under the seal of the officiality of Durham.

Date: Durham, 8 July 1405.

f.107v-108r [29 June] 1421

Grant by John Dolphanby of Gateshead to John Vescy, chaplain of the chantry of SS John the Evangelist and John the Baptist, lately founded by John Dolphanby in the church of St Mary, Gateshead, and to his successors as chaplains there, of fourteen tenements in Gateshead, one in *Akewelgate*, four (one with a graden) on *le Westrawe*, and nine (one with two selions of land) on *le Estrawe* (one tenement in *Akewelgate* between those of John Wermouth on the north and the chantry of St Mary in the said church on the south and running from the highway to the bishop of Durham's demesne lands; another tenement on the *Westrawe* between those of Euphemia Copper on the south and of Robert Heworth on the north and running from the highway to the *Holthare*; two other tenements lying together on the *Westrawe* between those of Thomas Fleschewer on the south and Agnes Surres on the north and running from the highway to a garden held in fee of the grantor by Christopher Charles, with a garden between tenements of the said Christopher and the grantor on the east and a croft held in fee of the grantor by William Bulmer on the west and running from Robert Whelpyngton's garden on the south to the grantor's on the north; another tenement on the *Westrawe* on the corner of *Pipewelgate* between Agnes Surres' tenement on the south and *Pipewelgate* on the north and running from the highway to Roger de Thorneton's tenement at the back; another tenement on the *Estrawe* between that recently of John Banke to the north and that held in fee of the grantor by William Codlyng to the south and running from the highway to the ground ebb of the Tyne; another tenement on the *Estrawe* between Hillgate vennel on the north and William Strewane's tenement on the south and running from the highway to that recently of John Stokdale at the back; another tenement on the *Estrawe* between that recently of William Langeton on the north and the *Overkirkechare* on the south and running from the highway to the said *Kirkechare* at the back; another tenement on the *Estrawe* between that recently of Hugh Barebour on the north and Robert Whelpyngton's to the south and running from the highway to the common gutter at the back, with two selions of land between land of Thomas Surtays knight on the south and land of William Hilton on the north and running from the highway to the road towards Durham behind; four tenements lying together on the *Estrawe* between those of Adam del Graunge on the north and of John Gilford on the south; another tenement on the *Estrawe* between that recently of Robert Galeford [?] on the north and John Sutton's to the south and running from the highway to *Akewelgate*) to be held of the chief lords of the fees for service used and wont, in perpetuity.

Witnesses: Henry Eton', rector of Gateshead, Robert Helton', William Gategang, John Gilford, William Boltby, Robert Cok, Thomas Hedlam.

Date: Gateshead, SS Peter and Paul 1421.

f.108r 17 November 1424

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute Mr John Castell', S.T.P., in the prebend and canonry of Skelton, in the church of Howden, vacant by the resignation of Robert Nevile, last prebendary thereof.

Date: Durham, 17 November 1424.

f.108r-109v 31 July 1366

Notarized record by {Mr William de Farnham} official of Durham, of a process in the consistory court of Durham, between the prior and convent of Tynemouth, rectors of the church of Tynemouth, plaintiffs, and John de Horseley, John Colson', Robert Savage, William Mayreson', William Caw, John Hornyngwold', Adam Shirtyng, William May, William de Whitby, Robert de Gysburgh, William servant (*serviens*) of Robert Savage, John de Raynton', John de Selby, William de Kyrkeby, John Barkare, William Couper, Richard Walkare, of the vill of [North] Shields, Adam Tabard', Nicholas Wright, [all] parishioners of Tynemouth and defendants, with the plaintiffs represented by Mr William Alman', their proctor, having sufficient mandate by the following proxy

Proxy by Clement prior and the convent of Tynemouth, having the parish church of Tynemouth to their use, appointing Mr William Alman' and Hugh de Brandon', clerks, as their proctors, to act for them in all causes and business moved or to be moved concerning the prior and convent and their church of Tynemouth, before whatsoever judges, at whatsoever dates and places.

Date: Tynemouth, 12 June 1366.

narrating that, with the defendants cited to appear before the official at a certain date and place, and being personally present, and with the following libel

Libel addressed by the proctor of the prior and convent to the official of the bishop of Durham, or his commissary, against the defendants, as above (excepting minor differences in spelling, and "William *famulus*..." for "William *serviens*..."), parishioners of Tynemouth, and against anyone lawfully acting for them, concerning the tithes of Tynemouth, which, saving the vicarage portion, belong to the priory of Tynemouth, with no memory existing of a time when this was not the case, and especially concerning the tithe of fish caught from boats, at sea or in the river, by fishermen of the parish of Tynemouth, and landed at the shore and port of [North] Shields or consumed at sea by the fishermen, and the tithe of profits from such fish, including fish-oil, and the tithe of such fish and fish products sold outside the parish, or of money realized from the sale thereof; asserting that this present year the defendants have caught and landed fish whereof the tithe is estimated at 100s sterling or more, and that they have refused and continue to refuse to pay, and that all these things they have often confessed in presence of the said prior and convent and they are public knowledge in the parish and the vicinity; and asking for the payment of the said tithe, for a definitive pronouncement of the right of the prior and convent, the restitution of the fish tithe, and the canonical compulsion of payment of the tithe by the defendants.

having been offered and handed to the defendants on the part of the plaintiffs; following exchanges, described, a date was assigned for sentence, and on this date the plaintiffs appeared before the official by their said proctor and the defendants were absent, for which the latter were deemed contumacious; and the official found, as much through witnesses as by confessions of the parties, and saving the present suit, that the custom has been proved and that the prior and convent have taken and should continue to take the tithe of fish, whether great or small, fresh or salted, caught from whatsoever boats, at sea or on the river, by whatsoever fishermen of the parish of Tynemouth, and landed at the shore and port of [North] Shields, and the tithe of money realized through the sale of such fish at Newcastle or elsewhere outside the parish of Tynemouth, without recompense or remuneration for salt and other expenses; awarding costs to the plaintiffs, assessed by the official at 100s.

Witnesses: Mr John de Nessebyt', advocate of the court of Durham, Mr John de Hakthorp', Mr John de Derlyngton' and Mr John de Barnyngham, proctors of the court of Durham, Richard Talbot', rector of Dinsdale.

Under the official's seal.

Notary: Roger de Catrik, clerk of York dioc., N.P. by apostolic authority (eschatocol recited, from which the name of the official is supplied)

Date: galilee of Durham, 31 July 1366.

Original: DCD 1.3.Spec.41.

Printed: W.S. Gibson, *The history of the monastery founded at Tynemouth* vol.II (1847), App. p.cxvii-cxviii.

f.110r 8 October 1366

Notarial instrument recording that since a lawsuit had lately been pending in the consistory court of Durham before the official of the bishop of Durham, between the prior and convent of Tynemouth and William Cawe, John Colson', John de Horseley, William Mayrson', Robert Savage, Adam Tabard', Nicholas Wright, John de Hornwald', Richard Walkare, Adam Shirtyng, William May, William Kirkby, and William Couper, fishermen and parishioners of Tynemouth [*cf.* the list of defendants in the preceding entry], concerning the tithe of fish, as in the preceding entry, including reference not only to fish oil, fish consumed at sea and "other profit", but also to fish heads [?: *capita dictorum piscium*], and the said William Cawe, John Colson' and the others had been sentenced to pay the tithe to the prior and convent according to the tenor of the libel shown by the procurator of the prior and convent; the said William and John, of [North] Shields and fishermen of the parish of Tynemouth, personally present, saw fit to obey the sentence pronounced against them, and, in their name and in name and by mandate of the others abovenamed, paid and restored 40s to William de Fenrother, monk and sacrist of the priory of Tynemouth, and proctor of the said prior and convent.

Witnesses: William de Meryngton', chaplain, Hugh de Brandon', *domicellus*, Thomas Roust, layman, of Durham dioc.

Notary: Adam de Fenrother, clerk of Durham dioc., N.P. by apostolic authority (eschatocol recited, including note of a correction).

Done: the prior's hall in Tynemouth priory, 8 October 1366.

f.110v 6 December 1424

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute Robert Frend', clerk, master of St Mary's hospital in Bootham, outside the walls of York, and prebendary or portioner of Osmotherley, York dioc., in the prebend and canonry of Saltmarshe in the church of Howden, to effect an exchange of benefices with Mr Marmaduke Lomeley, LL.B., prebendary and canon of Saltmarshe.

Date: Durham, 6 December 1424.

Related material in other DUL collections: Related letter: DCD Loc.XXV:119.

f.110v 10 February 1425

Letters of consorority by John prior and the chapter of Durham to Joan Brounflete of the county of Durham, having been informed of her affection towards the monastery of Durham, admitting her to sorority with the chapter, and granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity, with prayers to be offered for her each year for all time after her death, as is customary for other brothers and sisters of the prior and convent.

Date: Durham, 10 February 1424/5.

f.110v 10 February 1425

Bond by John prior and the chapter of Durham to William Paxton', chaplain, for £40 to be paid to him or his undoubted attorney, at Durham at the feasts of Martinmas and Whitsun next after the date of the presents, by equal portions.

Date: Durham, 10 February 1424/5.

f.111r 2 March 1422

Institution by Robert Leke, LL.D., canon of Lincoln, vicar general to Richard, bishop of Lincoln, in spiritualities in distant parts, to Henry Helay, monk of Durham, priest, on presentation by the prior and chapter of Durham, admitting him to the keepership of the priory of St Leonard's, Stamford, vacant by the resignation of John Swyneshed', last keeper thereof; saving episcopal customs in all things and the dignity of the church of Lincoln.

Under the bishop's seal *ad causas* used in this office.

Date: Liddington, 2 March 1421/2.

f.111r 13 March [1422]

Testimonial of induction by the official of the archdeacon of Lincoln having lately received and reciting the following mandate

Mandate to induct by Mr Robert Leke, LL.D., canon of Lincoln, vicar general to Richard, bishop of Lincoln, in spiritualities in distant parts, to the archdeacon of Lincoln or his official informing him that, on presentation by the prior and chapter of Durham to the bishop of Lincoln, he has admitted Henry Helay, monk of Durham, priest, to the keepership of the priory of St Leonard's, Stamford, vacant by the resignation of John Swyneshede, last keeper thereof; and instructing him to install the said Henry in, and induct him into possession of the said priory.

Under the bishop's seal *ad causas* used in this office by the bishop's express will.

Date: Liddington, 2 March 1421/2.

and stating that, by authority of the foregoing, he has inducted Henry Helay into bodily possession of the said priory.

Under the seal of his office.

Date: Stamford, 13 March.

f.111r-v 9 June 1419

Mandate to institute and induct by Henry, bishop of St Andrews, to Richard de Spott, dean of the Merse, informing him that, on presentation by the prior and convent of Durham, and on the recommendation of the same prior and convent and of other trustworthy persons, he has collated the office of prior of Coldingham to William de Drax, monk of Durham, and provided and personally invested him therewith by handing over his ring; instructing him, on sight of the presents, to go in person to the priory of Coldingham and to institute the said William in, and to induct him into the priorate of Coldingham; and, as a token of institution, to affix his seal of office to the presents after (*post*) the bishop's seal, subscribing the date, place, names of witnesses and form of execution in due form.

Date: St Andrews, 9 June 1419.

Original: DCD Misc.Ch. 1295 (with the next entry below).

f.111v 27 July [1419]

Attestation of induction, subscribed to the foregoing, by Richard de Spott, dean of the Merse, signifying that he has inducted William Drax as prior of the cell of Coldingham, and invested him therein with the keys of the church, chalice, stole and corporal cloth. Witnesses: Dene John de Huton', monk, William Bene, chaplain, William de Crainyston' of Graden, N.P., Nicholas de Paxton', John de Wardelaw, John de Crainyston', Robert Raylston'.

Date: [Coldingham] 27 July.

f.111v 25 February 1425

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr John Fayte, priest, in the vicarage of Aycliffe, vacant, as is said, by the resignation of William Paxton', last vicar thereof.

Date: Durham, 25 February 1424/5.

f.111v-112r 12 March [?1425]

Supplication by John prior and the chapter of Durham to {James [I], king of Scots}, referring to the letters which, through the prior of Coldingham, they had lately delivered to him at his parliament in Perth, and to his declaration of their right in the cell of Coldingham; stating that the charters made in favour of the monks of Durham by Edgar, king of Scots, whereby they were granted, amongst other things, their house of Coldingham and their vill of (*Meikle*) Swinton, had been confirmed up to the present day by Edgar's successors, with these gifts being protected by their royal power; except that the abbot and convent of Dunfermline had robbed them of their cell and occupied the same for a time, and granted the vill of Swinton to John Swynton', knight, and his heirs, in *feu* and heritage; and that, by virtue of this pretended gift, William de Wethirburn', tutor to the said John, now claims to have delivery of the vill from the prior of Coldingham; and asking the king to attend to their grievance and restrain the said William lest he disturb the prior in his possession of Swinton.

Written: Durham, 12 March.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.97-99. Also in DCD Reg. Pap. f.23v-24r, where it is dated 1424 [1425].

f.112r 24 April 1424

Collation by Thomas, bishop of Durham, to Ranulf Byrdd', priest of York dioc., of the chantry in his manor of Darlington, wishing him to receive 60s yearly from his reeve of Coatham Mundeville as maintenance; and giving dispensation that, if the prior and chapter of Durham wish to confer upon him another chantry, in the parish church of Darlington, in increase of his maintenance, he be able to receive and possess the same; and, if this other chantry be obtained, enjoining that Ranulf be present to celebrate mass in the said church as long as it please the bishop, and as ordered by the bishop or his successors.

Date: manor of Auckland, 24 April 1424.

f.112v 19 May 1425

Bond by John Halywell', Richard Reede, glover, and Thomas Wilkynson', barker, all of Durham, to John, prior of Durham, for 113s 4d, to be paid to the prior or his undoubted attorney at Durham at Martinmas and the Invention of the Cross next to come; submitting themselves and their goods to distraint of whatsoever judge the prior might choose, and to the payment of any expenses incurred thereby; and renouncing any market privileges by which the repayment could be delayed.

Date: 19 May 1425.

(According to the marginal caption a "form of bond of goods at whatsoever court")

f.112v 23 April 1424

Collation by John, prior of Durham, to Ranulf Byrd', priest of York dioc., of St Mary's chantry in the collegiate church of Darlington; wishing him to receive 4 marks yearly from the bursar of Durham and giving dispensation that, if the bishop of Durham should wish to confer upon him another chantry, in his manor of Darlington, in increase of his maintenance, he be able to receive and possess the same; and, if this other chantry be obtained, enjoining that Ranulf be present to celebrate mass in the said church as long as it please the prior, as ordered by the prior or his successors.

Date: Durham, 23 April 1424.

Also DCD Reg. Parv. II, f.30v.

f.112v 27 August 1425

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute John Birkeheued, priest, in the vicarage of Giggleswick vacant by the death of William Katen', last vicar thereof.

Date: Durham, 27 August 1425.

f.113r-v 30 June 1425

Notarial instrument of proxy recording that John Wessyngton', prior of Durham, Stephen Houeden', subprior, W. Poklington', S.T.B., John Durham, third prior, T. Essh', J[ohn] Lethom', chamberlain, John Fyssheburn, chancellor and almoner, H[ugh] Werkeworth', precentor, W[illiam] Durham, *decanus ordinis*, Ro[ger] Langchestr', rectorer, J[ohn] Swynesheued, H. Feryby, sacrist, H. Helagh', terrar and hostiller, J[ohn] Gonerton, master of the Galilee, J[ohn] Durham the younger, bursar, Robert Moreby, S.T.B., Richard Barton', S.T.B., J. Wycliff, J[ohn] Barlay, T[homas] Nesebitt, T[homas] Lawson', J[ohn] Durward', W[illiam] Lyam, communar, T[homas] Ayre, J[ohn] Oll', W[illiam] Pertrik, granator, T[homas] Hexham, J. Gatesheued, J[ohn] Harome, R[obert] Arcow, T[homas] Forde, J. Pencher, W. Clifton', J. Birtly, R. Westmerland', J. Heworth', R. Blackburn, R. Emuldon', J. Waren', T. Lewyn, T. Hexham, and J. Wheldryk, monks of Durham, forming the convent or chapter of Durham, appointed Mr Robert Sutton', LL.B., Mr William Swan', papal clerk (*litterarum apostolicarum scriptor et abbreviator*), and Mr John Wachtendunk, proctor of the Roman *curia*, as their proctors to act for them in all actions raised or to be raised concerning them and their church, against whatsoever persons and before whatsoever judges, and at whatsoever dates and places, when and as often as need be, with general powers enumerated, and to obtain in the Roman *curia* papal letters of grace or common justice, and to obtain the annulment of contradictory letters.

Witnesses: Mr William Doncastr', LL.B., N.P., and John Bynchestr' and John Parteryk, chaplains, of York and Durham dioc.

Notary: Thomas de Ryhale, clerk of Lincoln dioc., N.P. by apostolic authority (eschatocol recited).

Done: Durham, 30 June 1425.

f.113v 1 March 1425

Proxy by John prior and the chapter of Durham appointing William Ebchestr', monk of Durham, as their proctor to appear for them, their church of Durham, their college at Oxford and their cell of St Leonard's, Stamford, before whatsoever judges and at whatsoever suitable dates and places, in all actions raised or to be raised against them, their church, college and cell aforesaid, their appropriated parish churches, and their rights of patronage, their jurisdictions and pensions due from whatsoever churches and chapels.

Date: Durham, 1 March 1424/5.

f.114r

(Three lines of text at the top of the folio erased, perhaps an alternative opening to the following entry.)

Libel addressed to the official of the bishop of Durham by the proctor of John Asplion junior and Richard Lomeley against John Fysshburn', monk, calling himself official of the jurisdiction of the prior of Durham in the appeal pending before the official of the bishop between John Asplien and Richard Lomeley, appellants, and John Fysshburn', the appealed, consisting of ten articles, recited in full, largely concerned with matters of procedure, but also referring to the laying of violent hands on, and defamation of, a priest and to public knowledge in the parish of Durham St Oswald and the vicinity.

f.114v 12 September [1425]

Letter [by the prior and chapter of Durham] {to J[ohn], duke of Bedford}, having received the duke's letters asking for the promotion of his clerk Thomas Bradschaw to the church of Hemingbrough; informing him that the church of Hemingbrough was appropriated to their monastery in the time of Edward III, but that they had not been able to use this appropriation because cardinals had occupied the church continuously, by provision of the apostolic see, since before the Statute against Provisors; that they have long intended that the church of Hemingbrough be divided into prebends, after the fashion of their collegiate church of Howden; that shortly before receiving his letters they were informed that the said church was vacated and presented the duke's kinsman, Robert Nevill', thereto, hoping that he will become the provost of Hemingbrough when the church has been divided; and that the said Robert will give up his prebend in the collegiate church of Auckland, valued at £20 yearly, to be conferred, as Thomas, bishop of Durham, has promised them, upon Thomas, the duke's clerk.

Under the other part of the common seal.

Date: Durham, 12 September.

Related material in other DUL collections: Related letter: DCD Loc.XXV:117.

f.114v 2 January 1426

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Roger Moreby, chaplain, in the vicarage of Dalton[-le-Dale] vacant by the death of Richard Knapton', last vicar thereof.

Date: Durham, 2 January 1425/6.

Related material in other DUL collections: Induction mandate is: DCD 1.2.Archid.DuenIm.28.

f.114v 27 March 1426

Memorandum that letters of confraternity in common form were issued for William Borthewyk, knight, and his wife Alice: 27 March 1426.

f.115r 9 March 1426

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute T[homas] Westthorp' { *alias* Byll'}, chaplain, in the vicarage of the prebend of Skelton in the church of Howden, vacant by the death of John Grene', last vicar thereof.

Date: Durham, 9 March 1425/6.

f.115r 3 February 1426

Presentation by John prior and the chapter of Durham asking Richard, bishop of Lincoln, or his vicar general in distant parts, to admit John Wycliff, monk of Durham, as keeper of the cell of St Leonard's, Stamford.

Date: Durham, 3 February 1425/6.

f.115r 3 February 1426

Presentation by John prior and the chapter of Durham asking the keeper of spiritualities of the cathedral church of Lincoln, *sede vacante*, to admit John Wycliff, monk of Durham, as keeper of the cell of St Leonard's, Stamford.

Date: Durham, 3 February 1425/6.

{ "This presentation was not executed" }

f.115r 9 March 1426

Presentation by John prior and the chapter of Durham asking the dean and chapter of York, *sede vacante*, to institute William Voute, chaplain, in the vicarage of Ruddington, vacant by the resignation of Thomas Westthorp', last vicar thereof.

Date: Durham, 9 March 1425/6.

f.115r 13 May 1426

Memorandum that the presentation of Robert de Dalleston', chaplain, to the vicarage of Branxton, was issued in customary form: 13 May 1426.

f.115v 2 February 1426

Notarial instrument of resignation recording that Henry Helay, monk of Durham and prior of St Leonard's, Stamford, read through a schedule of resignation (on paper) of his office of prior, in the hands of Richard, bishop of Lincoln, or, *sede vacante*, the keeper of the spiritualities thereof, or another having power to accept the resignation.

Witnesses: John Hor' and William Broun, clerks of Wells and Bath, and Durham dioc.

Notary: Thomas Ryhale, clerk of Lincoln dioc., N.P. by apostolic authority (eschatocol recited).

Done: vestry of Durham cathedral, 2 February 1425/6.

f.115v 7 August 1426

Memorandum that a proxy was issued in the usual form to Mr Robert Ragenell, Mr William Doncaster' and Mr William Driffeld', to appear for the prior and convent of Durham at the convocation of clergy to be held in York minster by John, archbishop of York, on 12 August: 7 August 1426.

f.115v 6 December 1426

Collation by John, prior of Durham to William Byndelowes of Burton in Lonsdale, hermit, of the hermitage of Pountese, next to the river Tees.

Date: Durham, 6 December 1426.

f.116r [14 May] 1425

Proxy by Richard Hessewell', prior of St Cuthbert's, Lytham, appointing John Fyssheburn', monk of Durham, as his proctor and excusator, to appear for him at the annual chapter of John prior and the convent of Durham, and the priors and keepers of their dependent priories and cells, to be held in the chapter house on Monday after the Ascension next to come [21 May]; since he is unable to be present in person, it being necessary for him to work on the construction of a new work at Blackpool for preventing the tides from destroying lands and tenements of the cell of Lytham.

Date: Lytham, Monday next before the Ascension 1425.

f.116r 10 November 1426

Letters of confraternity by John prior and the chapter of Durham to Thomas, duke of Exeter, because of the magnificent liberality of his donation to the monastery of Durham, admitting him to fraternity with the chapter, granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity, with prayers to be offered for him each year for all time after his death, as is customary for other brothers and sisters of the prior and convent.

Date: Durham, 10 November 1426.

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

f.116v 21 November 1426

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Ranulf Byrde, chaplain, in the church of Dinsdale vacant by the death of William Newall', last rector thereof; saving a yearly pension of 40s due of old therefrom to the sacrist of Durham.

Date: Durham, 21 November 1426.

f.116v 30 November 1426

Commission by John prior and the chapter of Durham to William Drax, prior of Coldingham, informing him that, because William de Douglas, earl of Angus, intends to restore by quitclaim to the prior and chapter and their cell of Coldingham the woods, lands and tenements of Brockholes, *Harwod'* and *Denwod'*, which have long since been withheld from them by the earl and his ancestors, they are releasing him and his adherents from whatsoever suspensions or sentences of excommunication they have incurred by reason of the withholding of the said properties; and authorising him to release the earl, and others claiming absolution in this case, from such suspensions and sentences, once the restitution has been effected.

Date: Durham, 30 November 1426.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.99-100.

f.117r-119r 11 April 1402

Notarized commission by John, abbot of Wendling, Praemonstratensian order, dioc. Norwich, executor for the purpose as below, specially deputed by the apostolic see, with the close of his mandate quoted, along with his colleagues as given below, to the archbishops and bishops of the kingdom of England, and ordinaries and vicars general in spiritualities, officials of the courts of Canterbury and York, commissaries or lieutenants, advocates of the said courts, ministers, and all others whom the following business concerns or might concern in future; giving notice that he has received from the abbot and convent of West Dereham, in presence of the notary and witnesses underwritten, the letters of grace, with grey and red silk cords, and the bull of executory following, namely the following indult and mandate

Indult by Boniface [IX], pope, to the abbot and convent of West Dereham, Praemonstratensian order, Norwich dioc., inclining to their supplications and granting that, for those parish churches subject to them and in their patronage, and outside the diocese in which their monastery lies, they and their successors might attend by proctors rather than in person the synods and convocations held by the ordinaries of those churches.

Date: St Peter's, Rome, Non. September, Pont. 12. [5 September 1401]

Mandate by Boniface [IX], pope, to the bishop of Tuden'[eh?] and the abbots of Welbeck and Wendling, Norwich dioc., informing them that he has granted to the abbot and convent of West Dereham "&c" (details of the preceding indult not recited); and instructing them not to allow the said abbot and convent to be vexed or troubled contrary to the tenor of this grant.

Date: St Peter's, Rome, Non. September, Pont. 12. [5 September 1401]

giving notice of the contents of the recited papal letters, lest any be able to excuse himself from ignorance; and instructing them that they might in no wise contravene the above indults and compel the said abbot and convent or their successors to attend in person for their churches lying outside the diocese of Norwich at synods and convocations held outside that diocese by the ordinaries of these churches, aid opponents of the tenor of the indult, or trouble the said abbot and convent on any pretext concerning the premisses [dating] from the time since the indult; giving them six days, when the present proceedings have come to their notice, to withdraw or rescind any action against or sentence upon the abbot and convent by reason of the foregoing; setting out the sentences to be applied for failure to implement the foregoing, or for acting against the indult, and committing power in his place, being occupied with other difficult business, to all abbots, priors, delegates, subdelegates, conservators, commissaries, &c, specified, deans, subdeans and varieties of beneficed and unbeneficed clerks (listed), to execute these papal letters, on pain of great excommunication; with further clauses concerning the publication of the papal letters and this record of the executor's actions, the authority of the executor's colleagues, and other aspects of the effective execution of the letters; with the papal letters and the present record to be held by the said abbot and convent, and be detained by no other; wishing copies of the premisses to be made for them if wanted, at their expense; and reserving absolution from the aforesaid sentences to himself or his superior.

Under his seal and the sign and subscription of the notary.

Witnesses: John Beeston' and William Brassyngton', and John Mengy, *literati* of Norwich and Coventry & Lichfield dioc.

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

Date: church of the monastery of West Dereham , 11 April 1402.

f.119r 20 December 1426

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Robert Frende, canon of the prebend of Saltmarshe in the collegiate church of Howden, and residentiary therein, appointing him master of the choir of the said church, with power to appoint a suitable vicar or priest as master in his absence as often as need be; notwithstanding any letters previously directed to any other persons for the said reason, which letters the prior annuls by the tenor of the presents; enjoining all ministers of the said church to obey the master or his substitute in matters concerning the foregoing.

Date: Durham, 20 December 1426.

f.119r 28 January [?1427]

Letters excusatory {by J[ohn], prior of Durham, to the duke of Norfolk} having received the letters in which the duke asks, in consideration of his gift, that the prior might grant the next vacant prebend in the church of Howden, and in particular that of Mr John Middilton', who, according to information given to the duke, cannot live long owing to his age and infirmity, to his clerk, John Bolton'; explaining that he is unable to satisfy his wish, since he and his fellow monks have borne the displeasure of princes and lords when they have not been able to keep promises made in the time of his predecessor concerning vacant benefices; and, since his said predecessor and his fellow monks ordained that such promises should not be made in the future, he and his fellow monks have oftentimes excused themselves to the king and queen, the duke of Bedford and other magnates urging them to promote their clerks.

Written: Durham, 28 January (no A.D.)

f.119v

Articles from {Mr John Wycliff's} *Dialogus*: eighteen conclusions condemned by T[homas Arundel], archbishop of Canterbury, and his council.

[The articles were examined by Arundel and his council in February 1397: Margaret Aston, *Thomas Arundel: a study of church life in the reign of Richard II*, (Oxford 1967), p.331-333.]

f.120r

Note concerning the custom of the offering of candles by parishioners at Candlemas, citing canon law authorities.

f.120r 3 June 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Laverok, chaplain, in the vicarage of the prebend of Barmby, in the church of Howden, vacant by the death of Robert Dalby, last vicar thereof.

Date: [Durham] 3 June 1427.

f.120r 5 June 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Marcellinus Brady, chaplain, in the vicarage of the prebend of Saltmarshe, in the church of Howden, vacant by the resignation of William Laverok, last vicar thereof.

Date: [Durham] 5 June 1427.

The register of brother John Fysshburn', chancellor of the monastery of Durham, begins, A.D. 1417 &c - Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

f.120v 26 June 1427

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to Richard Cliff', priest, appointing him as keeper of the jurisdiction of the spirituality of the collegiate church of St Mary, Hemingbrough, duties specified, for as long as it please the prior.

Date: Durham, 26 June 1427.

f.120v 9 April [1426]

Letters {by Martin V, pope, to the prior and convent of Durham}, asking them to help Thomas Chapman, LL.B., secretary of Richard, bishop of Lincoln, and resident at the *curia* gain possession of the church of Hemingbrough, vacant and reserved for apostolic disposal.

Under the *anulus piscatoris*.

Date: Rome, St Peter's, 9 April, Pont. 9.

Printed in: Thomas Burton, *The history and antiquities of the parish of Hemingbrough in the county of York*, ed. J. Raine (York 1888) p.372.

f.121r-123v 1 & 16 March 1427

Ordinances by John [Kempe], archbishop of York, for the erection of the parish church of Hemingbrough into a collegiate church; having been shown by John prior and the chapter of Durham that Edward III, king of England, had granted licence, under certain conditions, by letters patent, for himself and his heirs, to the said prior and chapter to appropriate the church of Hemingbrough, being in their patronage; and that this licence was, for certain reasonable causes, not applied; and since the prior and chapter have besought him to erect the said church, whose revenues suffice, they assert, for the support of a number of ministers, as a collegiate church; and, for this purpose have made the following submission

Submission by letters patent by John prior and the chapter of Durham of the church of Hemingbrough (whereof the patronage, jurisdiction and a yearly pension of five marks pertain to them) with its lands and revenues, and all right therein which might belong to them by the appropriation of the church once granted to them by John [Thoresby: DCD 4.2.Archiep.2] sometime archbishop of York, to the ordinance of John [Kempe], archbishop of York, for erection into a collegiate church; promising to take as valid and acceptable anything which should be ordained, enacted or provide by the archbishop in the premisses.

Date: Durham, 10 November 1426.

having sought a licence from the king for this purpose, and after an inquisition into the yearly value of the church and its revenues, and with the consent of the dean and chapter of York, of the parishioners of Hemingbrough, and of others considered to have an interest, founding the church of Hemingbrough as a collegiate church, made up of a provost or keeper, who is to be a canon of the said church; three other canons, being the prebendaries of three prebends to be distinguished by the names of first, second and third prebend, and having stalls on either side of the choir; six vicars, of whom the first in rank is to be the chaplain of the chantry of Wass in the said church; and six clerks *de secunda forma*, of whom two are to be holy water clerks, as were previously there; and ordaining and appointing the arrangement and governance of the collegiate church in eighteen further statutes, recited in full (the beginning of each being indicated in the margin).

Under the seals of the archbishop and of the prior and convent of Durham.

Dates: the archbishop's lodging near Westminster, 1 March 1426/7; Durham, 16 March. "Checked against the original by John Fysshburn', chancellor, and William Smart, clerk, N.P."

Marginal notes, added [by Thomas Swalwell c.1500], some probably relating to the new ordinances of 1480, see DCD 1.3.Archiep.8, 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.

Original: DCD 1.3.Archiep.6; printed (from the register copy): Thomas Burton, *The history and antiquities of the parish of Hemingbrough in the county of York*, ed. J. Raine (York 1888) p.372-378; *ibid.*, p.67-69 gives a summary of the statutes.

f.123v-125r 26 October 1426

Licence by letters patent by Henry [VI], king of England, referring to the licence [exemplified in DCD 2.3.Reg.6] given by E[dward] III to the prior and convent of Durham for appropriation of the church of Hemingbrough, the Statute of Mortmain notwithstanding, under certain conditions, namely that they should maintain: a monk or secular chaplain to celebrate mass daily in the Galilee of Durham cathedral for the souls of his grandfather, E[dward I], king of England, and his progenitors; one monk or secular chaplain at the altar of St Cuthbert in the said cathedral, and another in the church of Hemingbrough to celebrate mass daily for the health of his consort Philippa, queen of England, and their heirs (&c) and for their souls after their deaths; and six candles, size and location specified, burning in the cathedral every Sunday, every feast of the apostles and on other principal feasts, during mass, matins and other canonical hours; and that the prior and convent and their successors were to hold an anniversary mass yearly for the king's said ancestor [Edward III] once he had died, in the choir of the cathedral, with five copes at least, were to pay 60s to the convent each anniversary day for a pittance, and were to be bound to distribute a penny each every year to a thousand poor people on the day of the anniversary, likewise on St Cuthbert's day while the said ancestor still lived; with the prior and convent being discharged of the foregoing obligations until they had secured full possession of the church of Hemingbrough; and since the licence was never put into effect, because the then prior and convent were unable to obtain licence and confirmation from the apostolic see, and the said church was at the time and for a long period thereafter occupied by provision of the said see; and the prior and convent, now propose to found in the said church a college of a provost or keeper with priests, vicars, clerks and ministers celebrating masses for the king's health while he live, his soul after his death (&c), and celebrating anniversary masses for Edward I, Edward III (&c), with a distribution to paupers each year; and because the sometime prior and convent remised and released in perpetuity the £40 yearly granted to them and their successors by Edward I and confirmed by Edward III, for payment at the exchequer of Berwick upon Tweed, and all their right to the advowson of Simonburn, to have been obtained by royal licence upon the appropriation of Hemingbrough; granting, with assent of his great council, for himself and his heirs, that the prior and convent of Durham be able to erect the church of Hemingbrough, which is in their patronage, into a college of a provost, three canons-prebendary, six vicars, six clerks, and other ministers celebrating masses for the king's health while he live, his soul after his death, the souls of his father and his said progenitors, their heirs and children, and all the faithful dead, and celebrating anniversary masses for Edward I, Edward III and their heirs and children in perpetuity, with a distribution to paupers each year, according to the ordinance to be made therefor, on the date of the anniversary; and granting that the provost, prebendaries (&c) be called the provost, prebendaries (&c) of the collegiate church or college of St Mary, Hemingbrough; that they be capable of acquiring property, with royal licence; that they should have a common seal; and that they be able to pursue and defend legal actions as a college; the Statute aforesaid and any other statute or ordinance to the contrary notwithstanding; not wishing the prior and convent or the provost, prebendaries (&c) or their successors to be troubled by him or his justices, sheriffs (&c) by reason of statute or ordinance aforesaid, of charges contained in the said letters of Edward III, or of the said appropriation of the church of Hemingbrough, but rather discharging them of any burdens associated with the £40 yearly or with the appropriation of Hemingbrough.

Witness: the king.

Date: Westminster, 26 October 1426.

"Checked as before" [cf. preceding entry].

Original: DCD 1.5.Reg.2.

f.125r 10 January 1427

Letters of consent by the chapter of York, with the dean thereof acting in distant parts, unanimously agreeing to the erection by John, archbishop of York, of the church of Hemingbrough into a collegiate church, and the creation of prebends therefor; the prior and convent of Durham having submitted the church of Hemingbrough to the archbishop's ordinance for this purpose.

Date: York, 10 January 1426/7.

"Checked as previously"

f.125r-v 25 April 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to admit John Radburn', priest, to the newly-erected and vacant provostship of the collegiate church of Hemingbrough.

Date: Durham, 25 April 1427.

f.125v 25 June 1427

Mandate to induct by John [Kempe], archbishop of York, to John prior and the chapter of Durham informing them that, on their presentation, he has admitted John Radburn', priest, in the person of John Radcliffe, chaplain, his proctor, as provost of the collegiate church of Hemingbrough, and instituted him therein on his oath to observe its statutes and ordinance; instructing them to induct John Radburn' or his proctor into corporal possession of the provostship, assigning him the principal stall in the choir of the church; and requiring certification by letters patent containing the tenor hereof as to what they shall have done in the foregoing.

Date: the archbishop's lodging near Westminster, 25 June 1427.

Original: DCD 2.3.Archiep.2.

f.125v 4 July 1427

Mandate to induct by John, prior of Durham, to Richard Cliff, keeper of the jurisdiction of the spirituality of the collegiate church of Hemingbrough, informing him that the archbishop of York has sent him a mandate to induct John Radburn', priest, as provost of Hemingbrough, summarising the contents of the mandate, as in the preceding entry; and instructing him to induct the said John into corporal possession of the provostship on his behalf, assigning him his choir stall.

Date: Durham, 4 July 1427.

f.126r 25 April 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Marmaduke de Lumley, LL.B., in the newly-erected and vacant first canonry and prebend in the collegiate church of Hemingbrough.

Date: Durham, 25 April 1427.

Related material in other DUL collections: Related letters: DCD Loc.XXV:103 and 104.

f.126r 25 April 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Thomas Bradeschaw, clerk, in the newly-erected and vacant second canonry and prebend in the collegiate church of Hemingbrough.

Date: Durham, 25 April 1427.

Related material in other DUL collections: Related letters: DCD Loc.XXV:116 and 124.

f.126r-v 25 April 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Robert Pacok, clerk, in the newly-erected and vacant third canonry and prebend in the collegiate church of Hemingbrough.

Date: Durham, 25 April 1427.

f.126v 25 April 1427

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Polayn, chaplain of the chantry of Wass, in the newly-erected and vacant first vicarage in the collegiate church of Hemingbrough.

Date: Durham, 25 April 1427.

f.126v [25 April 1427]

Memorandum that Richard Cliff, priest, was presented by the prior and chapter to the second vicarage in the collegiate church of Hemingbrough, in the style of the presentation of John Polayn, above.

f.126v [25 April 1427]

Memorandum that John Preston', priest, was presented by the prior and chapter to the third vicarage in the collegiate church [of Hemingbrough], in the style of the presentation of the said John Polayn.

f.126v [25 April 1427]

Memorandum that William Colyngham, priest, was presented by the prior and chapter to the fourth vicarage in the collegiate church [of Hemingbrough], in the style of the presentation of the said John Polayn.

f.126v [25 April 1427]

Memorandum that John Rowley, priest, was presented by the prior and chapter to the fifth vicarage in the collegiate church [of Hemingbrough], in the style of the presentation of the said John Polayn.

f.126v [25 April 1427]

Memorandum that John Forest, priest, was presented by the prior and chapter to the sixth vicarage in the collegiate church [of Hemingbrough], in the style of the presentation of the said John Polayn.

f.127r 19 September 1427

Collation by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to Simon de la Seller', chaplain, of the chantry at St Mary's altar in the collegiate church of Howden, vacant by the resignation of John Lubyas, last chaplain thereof.

Date: Durham, 19 September 1427.

f.127r 21 January 1428

Memorandum that letters of confraternity were issued for William Douglas, earl of Angus, and Christiana, his wife, and for Thomas Purvas, squire, and his wife: 21 January 1427/8.

f.127r 1 August 1428

Presentation by John prior and the chapter of Durham asking John, archbishop of York, &c, to admit Mr John Harpour', priest, to the provostship of the collegiate church of Hemingbrough, vacant by the death of John Radburn', last provost thereof.

Date: Durham, 1 August 1428.

Also on f.128r.

f.127r 7 June 1428

Presentation by John prior and the chapter of Durham asking Richard, bishop of Lincoln, to institute William More, priest, in the church of St Mary at the bridge, Stamford, vacant by the resignation of John Smyth', last rector thereof; saving a yearly pension of five marks owed of old by rectors of the said church to the monastery of Durham.

Date: Durham, 7 June 1428.

f.127v 1 September 1428

Bond by William More, rector of St Mary at the bridge, Stamford, to John, prior of Durham, for £40 sterling, to be paid to the prior and his successors, or their undoubted attorney, at Stamford, at John the Baptist [Midsummer] next after the date of the presents.

Date: 1 September 1428

Defeasance nullifying the foregoing if the said William make full security to the prior within a year after the date of the presents to pay him the yearly pension of 5 marks from the rectory of the said church for the whole time during which he should remain as rector.

[apparently predated, see memorandum below and presentation above].

f.127v 7 June 1428

Memorandum that William [More] sealed the abovewritten original bond.

Present: John Fysshburn', chancellor, Richard Barton', S.T.B., and George Syther', communar, monks of Durham; Thomas Percy, *domicellus*; Thomas Cuke, clerk of York and Durham dioc.; and the writer (*et me*) William Smart, clerk and N.P.

In the exchequer of the chancery of Durham cathedral, 7 June 1428.

f.127v 7 September 1428

Protestation by John prior and the chapter of Durham stating that they and their predecessors have, from time out of mind to the date of the presents, been accustomed to present suitable persons to benefices in their patronage in the city and dioc. of York without writing the word "obedience" in their letters of presentation to the archbishops of York, *sede plena*, or to the dean and chapter of York, *sede vacante*; and that John, present archbishop of York, though not yet fully informed of this usage, as he claims, wishes henceforward to admit persons presented by the prior and chapter in the manner hitherto customary to benefices in his city and dioc., so long as the prior and chapter exercise no new right thereby; and protesting that it is not their will that any prejudice be generated anew to the archbishop by their presentations or his admissions of this sort.

Date: Durham, 7 September 1428.

Also DCD Reg. Parv. II, f.36r-v. See also f.104r-105r above.

f.128r 1 August 1428

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to admit Mr John Harpour', priest, to the provostship of the collegiate church of Hemingbrough, vacant by the death of John Radburn', last provost thereof.

Date: Durham, 1 August 1428.

Also on f.127r.

f.128r 5 October 1428

Letters of consent by John prior and the chapter of Durham to John, archbishop of York, or his vicar general in distant parts, since John Birkheued, vicar of Giggleswick, feeling himself unequal to the governance of his cure because of his age and ill-health, has submitted himself and the vicarage to the archbishop's ordinance, as is clear from his letters of submission; accepting the said John's submission, and agreeing that the bishop assign a suitable portion of the vicarage revenues for John's sustenance and clothing while he should live.

Date: Durham, 5 October 1428.

f.128r 5 October 1428

Letters of confraternity by John prior and the chapter of Durham to John Mordon', citizen of London, and Alice, his wife, having been informed by trustworthy monks of Durham, of their affection for, and the sincerity of their devotion to the monastery of Durham, admitting them into confraternity and consorority with the chapter, granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity, with prayers to be offered for them each year for all time after their death, as is customary for other deceased brothers and sisters of the prior and chapter.

Date: Durham, 5 October 1428.

f.128v 14 October 1428

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Wodhous, priest, in the vicarage of Giggleswick, vacant by the resignation of John Birkheued', last vicar thereof.

Date: Durham, 14 October 1428.

f.128v 8 October 1428

Notarial instrument of resignation recording that in the presence of John Selow, Lic. Dec., residentiary canon of York, vicar general of John, archbishop of York, Mr John Hewet, clerk, N.P., and proctor in name of John Birkheued', vicar of Giggleswick, as clear from his instrument of proxy drawn up by Mr William de Kerby, clerk of Carlisle dioc., N.P., by apostolic authority, read through the schedule (on paper) wherein he John Hewet, as proctor of John Birkheued', resigns the vicarage of Giggleswick, having power so to do in the proxy made to him by John Birkheued', in the hands of Mr John Selow, Lic. Dec., (&c) vicar general in spiritualites to the archbishop of York, and asking the vicar general to accept the resignation, and the vicar general accepted the resignation. Witnesses: John Wodhous and William Newbald', chaplains, and William Grenefeld', layman, of York dioc.

Notary: John Beluas, N.P. (eschatocol not recited beyond the opening "Et")

Done: in a house within the rectory of the church of Bolton, York dioc., and next to the gate thereof, 8 October 1428.

f.129r

Pen-trial in top margin: "Kyng gn"

f.129r 3 December 1428

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, to Mr John Selow, Lic. Dec., appointing him as keeper of the whole jurisdiction of the spirituality aforesaid, and of all the parishioners, both clergy and laity, responsibilities specified, in place of the prior and to endure at the prior's will.

Date: Durham, 3 December 1428.

f.129r 30 May 1428

Appointment by John, prior of Durham, of David Home of Wedderburn, squire, as bailiff of the cell of Coldingham, responsibilities specified, to endure for four years from the date of the presents.

Date: Durham, 30 May 1428.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.102.

Another copy in DCD Reg. Parv. II, f.38v.

f.129r-v 18 February 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, &c, to institute William Swaynby, chaplain, in the vicarage of the prebend of Skipwith, vacant by the resignation of Thomas Barton', last vicar thereof.

Date: Durham, 18 February 1428/9.

f.129v 4 March 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to admit John Wythir', priest, to the provostship of the collegiate church of Hemingbrough, vacant by the resignation of Mr John Harpourt', last provost thereof.

Date: Durham, 4 March 1428/9.

f.129v 3 March 1429

[Schedule] wherein William Laveroke, priest, and constituted by public instrument as proctor of Mr John Harpourt, provost of Hemingbrough, collegiate church, resigns the provostship, in the name of the said Mr John, in the hands of the archbishop of York or his vicegerent in his name.

Present: Arsculf Killerby and John Henton', clerks of York and Salisbury dioc.

Notary: William Smart, N.P.

Done: St Andrew's chapel in the infirmary of the abbey of Durham, 3 March 1428/9.

f.129v 28 March 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Thomas Bradeschaw, clerk, in the canonry and prebend of Thorpe, in the church of Howden, vacant by the death of Mr John Middilton', last canon and prebend thereof.

Date: Durham, 28 March 1429.

f.130r 21 January 1428

Commission (indented) by John prior and the chapter of Durham appointing William de Douglas, earl of Angus, lord of Liddesdale and Jedburgh forest, as protector of the rights, liberties, privileges, lands, tenements, possessions and tenants pertaining to them and to their cell of Coldingham, within the sheriffdom of Berwick, some responsibilities specified, with the consent of and in name and place of James [I], king of Scots, who lately took the priory of Coldingham under his protection, and is now unable personally to exercise the same; and ordering all those whom it might concern to obey the earl in all causes concerning the protector, under due pain of law.

Sealed alternately by the prior and chapter and the earl.

Date (of sealing by the prior and chapter): [Durham] 21 January 1427/8.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.101-102.

f.130r 21 January 1428

Erased: < Memorandum that the above was issued without ... notwithstanding that it was sealed in the chapter house Durham 21 January 1427/8>

f.130r-v 10 August 1427

Quitclaim by William Douglas, earl of Angus, lord of Liddesdale, Jedburgh forest and Bunkle, for himself and his heirs, in perpetuity, in favour of the prior and chapter of Durham, the prior of Coldingham, and their successors, of the lands and woods of Brockholes, *Harewod'* and *Denewod'*, in the sheriffdom of Berwick, by these bounds: from *Middeldenesheued'* by *Mereburneheued'* westwards as far as *Cratokecrestrete*, and along that road as far as *Eiford*.

Witnesses: David Home, William Craynston', Alexander Hebburn', Hugh de Spens, Nicholas Paxton', squires.

Date: Bunkle, 10 August 1427.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.100.

f.130v 2 December 1428

Letters of attorney by John prior and the chapter of Durham for Henry Helay, their terror, to deliver seisin to William Bedford' of Elvet in Durham, or his attorney, of a messuage and four cottages in the borough of Elvet, which sometime belonged to Richard of Barnard Castle, in accordance with a charter drawn up for the said William.

Date: Durham, 2 December 1428.

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.705.

f.130v 4 December 1428

Letters of attorney by John prior and the chapter of Durham for Henry Helay, their terror, to deliver seisin to Thomas Holden', squire, of a messuage and sixty acres of land in Ludworth, in accordance with a charter drawn up for the said Thomas.

Date: Durham, 4 December 1428.

f.130v 1 January [14]29

Quittance by John prior and the chapter of Durham for the annual pension of four marks, lately granted to the prior and chapter by the ordinance made thereon, and due yearly by reason of indemnity, for the terms of Whitsun and Martinmas last past, received from the provost of Hemingbrough collegiate church on the date of the presents.

Date: Durham, 1 January [14]28/9.

Also DCD Reg. Parv. II f.39r.

f.130v-131r 22 June 1429

Proxy by John, prior of Durham, appointing Mr William Ebchestr', S.T.P., monk of Durham, to attend and act for them and in their name at the impending provincial chapter of the jointly-presiding abbots, priors and other prelates of the black monks of England, to be held by apostolic authority at Northampton on 4 July next to come; the prior being unable to attend because an embassy of certain bishops, earls, barons and others, appointed by the king's council to go to Scotland to renew the peace, is to set off and pass close by at the same time as the chapter is being held, and it is necessary for the prior to conduct a discussion with them in person, with a view to recovering the [priory's] possessions, rights and goods in districts near the March, which have long since been detained.

Date: Durham, 22 June 1429.

Also DCD Reg. Parv. II f.40r.

f.131r 22 June 1429

Transumpt by John, prior of Durham, having inspected in the Durham archives the following notification

Notification by Henry II, king of England (&c), informing his justices, sheriffs, barons, reeves, ministers and others that he has granted to the prior and monks of Durham all their immunity from tolls, transport dues and customs throughout his land of England and Normandy, and through all his sea ports, in markets and in all places; with forfeiture of ten pounds for anyone troubling them in this regard.

Witnesses: R., archbishop of York, R., bishop of Lincoln, and Richard de Lucy.

Date: York (no A.D.) [1155 x March 1166: before the death of R. bishop of Lincoln late in 1166 and so before the king's departure for France in the preceding March] stating that the foregoing letters have been confirmed to the prior and chapter of Durham and their cells by successive kings of England, in letters patent; and requiring those whom these present letters reach not to trouble the priory's ministers for toll, in contravention of the foregoing letters, when they are buying, selling or transporting goods for the prior and chapter.

Date: Durham, 22 June 1429.

Also, omitting mention of royal letters patent: DCD Reg. Parv. II, f.39v-40r, which is printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccxviii.

Original (notification): DCD 3.1.Reg.4.

f.131r-v 8 August 1429

Testimonial of induction by the official of the archidiaconal jurisdiction of the prior of Durham having lately received and reciting the following mandate

Mandate to induct by [Mr] Thomas Leys, dean of Auckland collegiate church, vicar general to Thomas, bishop of Durham, in spiritualities in distant parts, outside his city, to the prior of Durham, archdeacon within Durham dioc., of churches appropriated to himself and the chapter of Durham, or his official, informing him that, on presentation by the prior and chapter of Durham, he has instituted Roger Moreby, priest, in the vicarage of Dalton[-le-Dale], vacant by the death of Richard Knapton', last vicar thereof; and instructing him to induct the said Roger or his proctor into corporal possession of the said vicarage.

Date: Auckland, 2 January 1425

and stating that, by authority of the foregoing, he has caused the said Roger to be inducted by Robert Morby, monk of Durham, his commissary deputed for that purpose, into corporal possession of the said vicarage, by the handing over of the ring of the door, bell-ropes, books and other ornaments of the church of Dalton.

Under the seal of his office.

Date: Durham, 8 August 1429.

f.131v-132r 17 June 1428

Return of inquisition taken by Sir William, baron of Hylton, at the instance of John, prior of Durham, on the one part, and William Byngham, chaplain or rector of the chapel of Hylton, on the other part; the jurors stating that William de Byngham used to take all the corn tithes and hay tithe from the demesne lands pertaining to the manor of Hylton and from one carrucate called *Turblardland*, namely: at *Mylnesyd* from 50 acres, on the east of the orchard from 10 acres, on the west of *le Marelpotte* from 10 acres, at *Westeflatte* from 50 acres, at *Hardacres* from 30 acres, at *le Broxes* from 20 acres, at *le Rydyng'* lying between *le Haynyng'* and the field of *Rysom'* from 50 acres, in a close called *le Haynyng'* from 40 acres, and from his own lands belonging to the endowment of the said chapel from 48 acres; totalling 473 acres [!] according to the old *compositio* ; and from the following lands belonging to the tenures of the ten[ants] in the vill of Hylton (though whether justly or unjustly they did not know), namely: at *Mylnesyd* from 10 acres, at *Westeflatt* from 4 acres, at *Hardacres* from 24 acres, at *Esthundlaw* from 10 acres, at *Westhundlaw* from 10 acres, next to *Westhundlaw* upon *Wardrych '* from 4 acres, at *le Broxes* at the eastern exit of the vill of Newton from 10 acres, in the south field at *Morehede* from 9 acres, between *Stiklaw* and *Castelway* from 15 acres called *Russelland'*, at *le Mor* from 4 acres called *Patesland'* ; at *le Broxes* from *husbandria* in one place 4 acres; and that they did not know whether the hay tithe from 6 acres called *Haythwhathclos* pertained to the said chaplain or to the mother church at Wearmouth; totalling 117 acres [!] after the old *compositio* made therefor; and also stating that in the vill of Hylton aside from the above lands, and aside from the field of *Risome*, the moor of Hylton and the field of *Newton*, there are 512 acres pertaining to 24 husbandlands and 6 cottages, wherein all the tithes, greater and lesser, pertain to the mother church of Wearmouth.

Witnesses (inserted in another hand): Mr W. Doncaster, John Fysshburn'.

Jurors: John Chaumer, Robert Jonson', Robert Kellowman', Robert Hesilden' and William Maulard of Boldon, and John Belyngeham of Hylton.

Date: Hylton, 17 June 1428.

f.132r 17 August 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Bramcote, rector of Nuthall [Nottinghamshire], York dioc., in the vicarage of Ruddington, to effect an exchange of benefices with William Vout, vicar of Ruddington.

Date: Durham, 17 August 1429.

f.132r 16 September 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Welles, priest, in the vicarage of the prebend of Thorpe in the church of Howden, vacant by the resignation of William Barker', last vicar thereof.

Date: Durham, 16 September 1429.

f.132r-v 15 September 1429

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Barkar', priest, in the church of York, St Peter the Less, vacant by the death of John Alnewyk', last rector thereof.

Date: Durham, 15 September 1429.

f.132v 16 September 1429

Appointment by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howdenshire, of John Aylse as apparitor of the said spirituality and of the parish of the collegiate church of Hemingbrough, responsibilities specified, to endure at the prior's will.

Date: Durham, 16 September 1429.

Also DCD Reg. Parv. II f.41v.

f.132v 3 December 1409

Collation by John, prior of Durham, to John Bynchester, chaplain, of the chantry of St Helen over the abbey gate of Durham, along with the chapels of SS Bartholomew and Leonard near Durham, long since assigned for the maintenance of the chaplain serving at the said chantry.

Date: Durham, 3 December 1409.

f.132v-133r 31 March 1417

Grant by John prior and the chapter of Durham to John Bynchester, chaplain, referring to the prior's earlier collation of St Helen's chantry over the abbey gate, as in the preceding entry, and, because of the chaplain's service and for the messuage with 44 acres and a rood in East Rainton which he conferred upon the prior and chapter, augmenting the allowance of food and drink which he has hitherto received as his portion, with improvements specified, for the term of his life, and without increasing the entitlement of his successors.

Date: [Durham] 31 March 1417.

f.133r 5 December 1404

Collation by Thomas de Dautr', subprior of Durham, to William Byschopton', lately vicar of Bishopton, of the chantry of St Mary in the chapel of St Margaret beyond the old bridge at Durham; the subprior being able, with the consent of the convent, to remove him should he cease without due cause to celebrate masses there, as specified, including those for the soul of Ranulf, founder of the chantry.

Date: Durham, 5 December 1404.

f.133r [1234 x 1244]

Statute by Thomas [of Melsonby] prior and the convent of Durham for the celebration of masses in the chapel over (*ultra*) the gate for the soul of Mr Henry de Melsemy; with the prior of the time to provide a chaplain to say masses every weekday for the souls of Mr Henry and all faithful departed and likewise sing the *Commendatio*, *Placebo*, *Dirige* and *Exultabunt*, and on Sundays and feast days to celebrate a mass for a special day (*ad solemnitatem pertinentem*); and the chaplain to have for his needs 20s from the mill of *Duna* [Pittington], which the said Mr Henry bought for the maintenance of a chaplain. There will be as the first prayer of the mass for the dead *Deus cui proprium*, i.e. the minor, with the prayers of the mass for the dead following.

(Out of sequence)

For a different version, see *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.xxxix.

f.133r-v 5 November 1429

Collation by Stephen Houden', subprior of Durham, to John Partryk', priest, of the chantry of St Mary in the chapel of St Margaret within the Old Borough of Durham; vacant by the death of William Byschopton', last chaplain thereof; the subprior, with consent of the convent, to proceed to deprive John of the chantry should he cease without due cause to conduct services there as specified.

Date: Durham, 5 November 1429.

f.133v 1 August 1429

Mandate by John, prior of Durham, archdeacon in the churches appropriated to the prior and chapter of Durham, to the vicar of Pittington, enjoining him, since, by both common law and having been enacted by provincial consistories, parishioners are to consider and contribute to the repair of the nave and bell-tower of their church as often as need be; and since he has been informed that the tower of Pittington church is in need of repair; to warn his parishioners to assemble and agree upon the repair of the tower and to contribute thereto, as they are bound to; so that the tower be suitably restored by All Saints next to come, on pain of suspension of the said church by the prior or his commissary; and to send certification, when returning the presents, as to his execution of the mandate and giving the names of any parishioners who do not want to obey the foregoing.

Date: Durham, 1 August 1429.

f.133v 1 December 1429

Quittance by John, prior of Durham, to Thomas Leys, prebendary of Skipwith in the church of Howden, for 13s 4d sterling, received on the date of the presents, and due from the prebendary of the said prebend for the terms of Whitsun and Martinmas last past by reason of a yearly pension owed to the monastery of Durham.

Date: Durham, 1 December 1429.

f.133v-134r [1218 x 1341]

Grant by Ranulf, chaplain of St Margaret, to the altar of St Mary in the chapel of St Margaret, and for the maintenance of poor people, in pure alms, in perpetuity, of a house in South Street between the houses of Robert de Ripun and Stephen, brother of William [of Durham, d.1218 *], late prior of Durham, wherein the chaplain of the said altar is to receive paupers each night and minister to their needs; his land of *Cokeshey* [? Coxhoe], by the bounds given in his charter from Roger Burd'; 2½ acres which belonged to the late Thomas son of Seman', lying between land of John miller to the south and of the daughter of Agnes in the field of South Street; the house once Harvey Scatergote's, rendering 6d yearly; and the house which Ralph mason once held, rendering 12d yearly, close to the house of Ellis mason to the north in South Street; and the house which William mason holds, and renders 6d yearly; and the garden which belonged to Richard Tall', between Tunnoc Ruffe's garden in South Street above the Wear, and the house which was the said Tunnoc's, neighbouring the house of Alexander chaplain, in South Street towards the south; and the house which William Bul holds; and the house once of Harvey ashburner (*cenderar'*), close to the stream running down from the prior's orchard; and a house in Crossgate, next to the house of Walterd, which William clerk holds; and a house once of Richard felter (*filtrarii*), close to the house of Cecily *super hoke* in Framwelgate to the south, which renders 4d yearly; and a house in Allergate, which Andrew de Plawesworth holds, once of John baker, which renders 16d yearly; and 6d a year from the house of Walter de Lumle, above the Mill burn; and the house which once of John Cultell', between the houses of William de Syreb' above the Wear, and of Isolda (*Ysouda*), which renders yearly to the said altar 2 lbs wax; and one booth to the east on (*super*) the old bridge, next to the booth bought by Ranulf from Harvey smith, which renders 3s 6d yearly. Ranulf giving the above lands saving the liberty, right and farm of their lords; with the chaplain to do fealty to the prior and convent of Durham, to celebrate the required masses, specified, and to receive neither offerings for masses (*triannalia nec annalia*) nor any other burden by which he might not discharge the said service; the charter being made to God, St Mary and the subprior and convent of Durham that they should provide for the said altar and benefice; with the subprior and convent to collate the same to a suitable chaplain, whom they are to remove and replace, should he be dishonest.

[* The chantry was certainly in existence before the death of the next prior William in 1341, see Camsell, p.87]

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.37, 56, 137, 217bis, 219.

f.134r 17 May 1430

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Mr John Wendesley, priest, in the church of York, All Saints Pavement, vacant by the resignation of William Bramley, last rector thereof.

Date: Durham, 17 May 1430.

Related material in other DUL collections: Related letter: DCD Loc.XXV:14.

f.134v

<Petition by John prior and the chapter of Durham to Richard, bishop of Lincoln>
(Crossed out: An evidently unacceptable version of the letters registered immediately following, omitting reference to the pension and asserting comparable impoverishment of the two churches concerned.)

f.134v 18 May 1430

Petition by John prior and the chapter of Durham to Richard, bishop of Lincoln, asking him to unite the churches of St Mary at the Bridge and St Mary Binewerk, Stamford, since they were informed that the rector of St Mary at the Bridge intended to resign the church because of the meagreness of the revenues, and since the church of St Mary Binewerk, from which they are due a pension of 20s yearly, has long been vacant due to lesser impoverishment; and offering their consent should it please him so to do. Saving their patronage and their pension.

Date: Durham, 18 May 1430.

f.134v-135r 14 June 1430

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Mr John Bonour', D.Dec., in the first canonry and prebend of Hemingbrough collegiate church, vacant by the consecration of Marmaduke de Lumley, last prebendary thereof, as bishop of Carlisle.

Date: Durham, 14 June 1430.

f.135r 1 June 1430

Lease by indenture by John, prior of Durham, to Thomas Starr', vicar of Billingham, of the tithes of flax, hemp and hay growing on the arable of the parish of Billingham {excepting these tithes from the manors of Billingham, Belasis and Bewley}; to be held of the prior for a term of three years from the date of the presents; rendering 5s yearly at Christmas to the prior or his successors.

Sealed alternately.

Date: Durham, 1 June 1430.

f.135r [29 June] 1430

Letters of recommendation by John, prior of Durham, for Jacobo de Sancto Severeno, knight, of the Italian nation, who came to the prior's presence on 27 June, having been sent by the earl of Northumberland with his safe conduct, and showed the prior the letters of recommendation and safe conduct of the kings and lords through whose kingdoms and lordships he had passed; exhorting those whom Jacobo should meet, on account of reverence for the said earl and for other lords of this country, neither to cause nor allow trouble or harm to him and his servants in their persons or belongings, but to treat benignly with him.

Date: Durham, SS Peter and Paul 1430.

Also DCD Reg. Parv. II f.43r.

f.135r-v 5 July 1430

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr Thomas Hepden', D.Dec., in the church of Meldon, vacant by the death of Henry Flynton', last rector thereof; saving a yearly pension of 40s due of old from the rectors thereof to the sacrist of Durham.

Date: Durham, 5 July 1430.

f.135v 4 August 1430

Proxy by John prior and the chapter of Durham appointing Mr John Selow, Lic.Dec., Mr Robert Ragenell', B.C.L., Mr William Doncastr', B.C.L., and William Dirfeld', proctor of the court of York, to attend and act for them at the convocation of the clergy of the province of York to be held in York minster by John, archbishop of York, or his lieutenant or commissaries, one or more, on the coming 8 August, with continuation of days.

Date: Durham, 4 August 1430.

f.135v 1 August 1430

Commission by John, prior of Durham, appointing Robert Babthorp', knight, Mr John Selow, Lic.Dec., John Fyssh'burn', monk of Durham, Mr William Doncastr', LL.B., and Richard Burton' of Howden, clerk, as auditors of all the accounts of John Wythir, provost of Hemingbrough collegiate church, giving them full power to perform their office; and directing the provost to be attentive and obedient to the auditors in the execution of their commission.

Date: Durham, 1 August 1430.

Also DCD Reg. Parv. II f.43r-v .

f.136r [10 August?] 1430

Memorandum of fealty and homage done by John de Gilford', son and heir of John de Gilford', to John Wesshyngton', prior, in his chamber at Durham, for his lands in East Rainton, which he holds of the prior in chief by knight service, and by other services contained in the prior's feodary.

Witnesses: Christopher de Boynton', the bishop's justice, Thomas Langton', the prior's steward, John Holme, the prior's chamberlain, Thomas Percy, the prior's marshal.

Date: St Laurence, 1430.

f.136r 1 September 1430

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Robert Foston', lately bishop of Elphin, in the church of Kimblesworth.

Date: Durham, 1 September 1430.

f.136r 11 September 1430

Citation by John, prior of Durham, to John Wythir, provost of Hemingbrough collegiate church, bound by the lately-made ordinances of the said collegiate church to account on oath to the prior each year for the revenues of the said church, requiring him to appear personally before him or his deputy in the rectory house of Hemingbrough on 9 and 10 October next to come and render account in writing, and do that which the order of account (*ordo compoti*) requires; notifying him that he will proceed canonically against him according to the order of law if he should not obey the above citation and monition; wishing faith to be placed in his sworn nuncio, the bearer of the presents, concerning delivery of the presents.

Date: Durham, 11 September 1430.

Also DCD Reg. Parv. II f.44v-45r.

f.136r 14 January [1383]

Writ by John [Fordham], bishop of Durham, to the bailiffs of the prior of Durham in Burdon instructing them, since the common council of the king of England has provided that any free man who owes suit of court to his lord be able to appoint an attorney to render suit for him, to accept the attorney whom Katherine, who was the wife of Thomas Yngelby, knight, by her letters patent, wants to do suit for her at the said prior's court of Burdon. Date: Durham, 14 January, Pont. 2.

f.136v 25 September [?1430]

Commisssion by John, prior of Durham, to Robert Babthorp', knight, and Mr John Selow, Lic.Can.L., informing them that John, archbishop of York, has appointed commissaries to delimit and assign suitable houses and places as dwellings for the provost, canons, vicars and other ministers of the lately-erected collegiate church of Hemingbrough in the house and grounds of the rectory of Hemingbrough and in other lands belonging to that church, on Monday after Michaelmas next to come; and appointing and empowering them to go out and come to a consensus with the said commissaries, one or more, at the said date and place, in this business, all the way to a final decision.

Date: Durham, 25 September.

Also DCD Reg. Parv. II f.45r-v.

f.136v 3 October 1430

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in York dioc., to Mr John Selowe, Lic.Dec., and Mr William Doncastr', LL.B., giving them full power, until revoked, to conduct in his place a visitation of the churches of [West] Rounton, [Kirby] Sigston, Northallerton, Holtby, Skipwith, Hemingbrough, Howden, Eastrington, their chapels, hospitals and other dependencies, and the clergy and people thereof; the prior being manifoldly prevented by the varied and difficult business of his monastery from being present in person at the impending visitation of the said spirituality.

Date: Durham, 3 October 1430.

f.136v 4 November 1430

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Thomas Burne of Wheldrake, chaplain, in the vicarage of Bossall, vacant by the death of Robert Clyfford', last vicar thereof.

Date: Durham, 4 November 1430.

f.137r 18 November 1430

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Robert Beleby, priest, in the fourth vicarage of Hemingbrough collegiate church, vacant by the resignation of William Colyngham, last vicar thereof.

Date: Durham, 18 November 1430.

f.137r 685

Charter [spurious] by Ecgrith, king of the Northumbrians, granting to [St] Cuthbert the vill of Crayke [N.R. Yorks.] and the city of Carlisle, giving circumstances of grant, perimeter lengths of the lands concerned, and the names of eight subscribing witnesses.

Date: at the synod held next to the river Aln, at Twyforth', 685;

Written: at the time of Pope Agatho [678-681], in Ecgrith's fortieth year and the fifteenth year of his reign. "John de Kyngeston and Richard of Barnard Castle recovered the original of this copy by indenture of Roger de Alverton, by precept of the lord prior"

Listed in: P.H. Sawyer, *Anglo-Saxon Charters*, (London 1968), no. 66.

f.137v 1 April 1427

Licence by John, prior of Durham, to Henry Helay, monk of Durham, at the instance of Robert Clyfford, vicar of Bossall, to receive the administration of the said Robert's goods from the ordinary, to dispose of the goods according to the ordinance of the said Robert, and to do everything which an executor might do.

Date: Durham, 1 April 1427.

Printed in: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccxv-ccxvi.

Another copy: DCD Reg. Parv. II, f.45v.

f.137v 11 December 1430

Grant by John prior and the chapter of Durham to Thomas Preston', chaplain, of a livery, specified.

Date: Durham, 11 December 1430.

f.137v-138r 22 December 1430

Agreement by indenture between John prior and the chapter of Durham and John Stele, cantor, with John Stele being retained and sworn to serve the prior and chapter for life, by teaching those monks of Durham and eight lay boys, whom the prior is to assign to him, to play (*modulandum*) the organ and sing *pryktenote*, *faburdon*, *deschaunte* and *counter*', to the full extent of his knowledge, concealing nothing; by being present at masses and vespers in the choir of the cathedral to play the organ if necessary, and to sign tenor; and by being present daily at St Mary's mass in the Galilee, with music, singing plain chant or *organum* as the others happen to be singing, unless legitimately excused; and the prior and chapter granting John Stele, in return for this service, a daily allowance, specified, a gentleman's garment of coloured stuff every Christmas, five marks yearly, and a suitable house in the Bailey for his dwelling or one mark per year; all the foregoing to be had and received from the prior and chapter at their monastery of Durham; it being also agreed that if John Stele's wife Isabel die before him, and John should not marry again, the above corrody will cease, John will be commensal with the gentlemen of the prior's *curia*, and the prior will assign him an honest chamber in the monastery for his dwelling.

Sealed alternately.

Date: Durham, 22 December 1430.

{Void because of a later agreement, made as shown in the fourth register, f.60}

f.138r [20 April 1197 x 22 April 1208]

Grant by Philip [of Poitou], bishop of Durham, to his burgesses of Gateshead, confirming their privileges, in the same terms as the grant by Bishop Hugh (Reg. I.ii, f.47r-v, but here with *portante* not *piscante*), "as contained in the charter of Bishop Hugh".

Printed: H. Bourne, *The History of Newcastle upon Tyne*, (1836), p.171-172; [W.H. Brockett] *Early Palatine Charters to the Burgesses of Gateshead*, (Gateshead 1853) p.6-7; (translated) G.N. Drinkwater *Archaeologia Aeliana* (4th series xxxvi) p.170-171; *English Episcopal Acta 25: Durham 1196-1237*, ed M.G. Snape (Oxford 2002), p.216-217.

f.138r 18 January 1431

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Nicholas Warter, bishop of Dromore, rector of Holtby, in the church of York, St Peter the Less, to effect an exchange of benefices with William Barker', rector of St Peter the Less.

Date: Durham, 18 January 1430/1.

f.138v 18 January 1431

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Barker', rector of York, St Peter the less, in the church of Holtby, to effect an exchange of benefices with Nicholas Warter, bishop of Dromore, rector of Holtby; saving a yearly pension of 25s due of old from the church of Holtby to the monastery of Durham.

Date: Durham, 18 January 1430/1.

f.138v 22 March 1431

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, to institute William Fawkes, rector of Leathley, York dioc., in the church of Dinsdale, to effect an exchange of benefices with Ranulf Byrd', rector of Dinsdale; saving a yearly pension of 40s due of old therefrom to the office of sacrist of Durham.

Date: Durham, 22 March 1430/1.

f.138v-139r [20 March] 1431

Letters of consorority by John prior and the chapter of Durham to Joan, countess of Westmorland, prompted by her flourishing affection towards their monastery of Durham (&c) admitting her into sorority with the chapter, granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity, with prayers to be offered for her each year for all time after her death, as is customary for their other deceased brothers and sisters.

Date: Durham, St Cuthbert 1430/1.

f.139r 29 April 1431

Letters of confraternity by John prior and the chapter of Durham to Richard Nevyle, earl of Salisbury, lord Monthermer, prompted by his generosity and affection towards their monastery of Durham (&c) admitting him into fraternity with the chapter, granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity, with prayers to be offered for him each year for all time after his death, as is customary for their other deceased brothers.

Date: Durham, 29 April 1431.

f.139r 6 May 1431

Memorandum that letters were issued for John de Muston' as their mortuary-roll bearer, to endure for two years; 6 May 1431.

f.139r-v 2 June 1431

Inspeximus by John prior and the chapter of Durham confirming the following commission. Commission by letters patent by Thomas, bishop of Durham, to Thomas Holden', his squire, of the keeping of that field of waste in the moors of Shotton and Easington, now called *Flemyngfeld'*, which Robert, sometime bishop of Durham, gave to John le Flemyng of Newcastle, his wife Isabel and their heirs and assigns, for homage and service, rendering 66s 8d to the bishop and his successors, as fully contained in the said bishop's charter; (this field having passed to Gibert le Flemyng', kinsman and heir of John; later being taken into the hands of Thomas, sometime bishop of Durham, because Gilbert died without heir; and, as appears from an inquest taken before Robert Eur', the [current] bishop's escheator, having been leased to certain persons, rendering to the said bishop 13s 4d yearly for all service, because the field lay waste and unenclosed; and having been leased to the said persons for the same farm by John and Walter, lately bishops of Durham) along with a parcel of land of the said moors 8 ft by 40 perches for the making of a new ditch between the old ditch of the said field and the said moors; to be held by Thomas and his assigns for ninety years, along with common pasture in the said moors for all his and their livestock, and the easements (&c) pertaining to the field at the time of John le Flemyng'; with the bishop and his successors retaining the right to make enclosures in the said moors; rendering therefor to the bishop and his successors 20s yearly at the four terms appointed in the bishopric; on condition that the said Thomas enclose the said field with hedge and ditch at his own expense within the said term; and of the keeping of a toft and 100 acres of land called *Andrewhous* next to Tanfield, formerly in the tenure of Ralph Bekley and later John Britley, rendering therefor 13s 4d to the bishop's exchequer, and now vacant for want of tenants; to be held by the said Thomas and his assigns for the term of ninety years, rendering therefor 13s 4d yearly to the bishop and his successors at the usual terms, as rendered by Ralph and John to the bishop and his predecessors.

By the hand of William Chaunceller, the bishop's chancellor.

Date: Durham, 18 January, Pont. 25. [1431]

Date: Durham, 2 June 1431.

f.139v-140r 11 October 1430

Appointment by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, of Thomas Westthorp', vicar in the collegiate church of Howden, as master of the choir of the said collegiate church, instructing all ministers of the said church to obey him in this regard. Date: Howden, 11 October 1430.

Also DCD Reg. Parv. II f.48r.

f.140r 14 June 1431

Appointment by John, prior of Durham, of William Partrik, monk of Durham, as prior of the cell of Lytham, instructing those whom it may concern to obey William in all things pertaining to the said cell; with account of the cell's receipts and expenses to be rendered yearly.

Date: Durham, 14 June 1431.

Also DCD Reg. Parv. II f.49r.

f.140r 17 June 1431

Presentation by John, prior of Durham, to the archdeacon of Richmond, or his vicar in distant parts, informing him that he has appointed William Partryk as prior of Lytham; to do for the archdeacon what has hitherto customarily been done for his predecessors by priors thereof.

Date: Durham, 17 June 1431.

Also DCD Reg. Parv. II f.48v-49r.

f.140r 17 June 1431

Proxy by William Partryk, monk of Durham, having been appointed prior of Lytham by John, prior of Durham, being occupied with difficult business, and having special licence from the prior of Durham, appointing Mr William Doncastr', LL.B., as his proctor to ask the archdeacon of Richmond, or his vicar general in distant parts, to induct him as prior of Lytham, doing whatever has been accustomed to be done in this regard.

Under the seal of the keeper of the spirituality of Howden and Howdenshire, because his own seal is unknown to many.

Date: Durham, 17 June 1431.

Also DCD Reg. Parv. II f.49r-v.

The register of brother William Dalton, chancellor of the priory of Durham, begins, A.D. 1431

f.140v 20 June 1431

Admission by Roger Esyngwald', LL.B., vicar general in distant parts to Henry Bowett, archdeacon of Richmond in the church of York, of William Partryk', monk of Durham, in the person of Mr William Doncastr', LL.B., his proctor, to the cell of Lytham, to which John, prior of Durham, has presented him, decreeing that he be inducted therein through his said proctor; saving the rights of the archdeacon and his archdeaconry.

Under the seal of his vicariate.

Date: York, 20 June 1431.

Also DCD Reg. Parv. II f.49r.

f.140v 20 June 1431

Mandate by Roger Esyngwald, vicar general in distant parts to Henry Bowett, archdeacon of Richmond, in the church of York, to Richard, vicar of St Michael [on Wyre ?], to induct William Partryk, monk of Durham, in the person of Mr William Doncastr', LL.B., his proctor, or cause him to be inducted into corporal possession of the cell of Lytham, in the manner long since usual.

Date: York, 20 June 1431.

Also, with endorsement, DCD Reg. Parv. II f.49v-50r.

f.140v 13 August 1431

Bond by John, prior of Durham, to William Elmeden', knight, for £100 to be paid to him or his executors at Easter next after the date of the presents [20 April 1432].

Date: 13 August 1431.

f.140v-141v 13 August 1431

Agreement by indenture between John, prior of Durham, and William Elmeden', knight, witnessing that, since either party is bound, in writing, to pay the other £100 by Easter next to come, the prior grants that if the said William accept the decision of John Morley, William Strother', John Trollop' and William Wilberfosse, squires, Guy Fairfax, William Vincent, Robert Danby, John Stafford' and Robert Lamberton', learned in the law, arbiters chosen on the part of the prior, or four of them, of whom two should be squires and two learned in the law, and of Christopher Conyers, John Fenwyk, Robert Jakson' and Willilam Bedford', squires, William Alcogh', Thomas Gower', John Horsley, Robert Rodes and William Huton', learned in the law, arbiters chosen on the part of the said William, or four of them, of whom two should be squires and two learned in the law, concerning all actions real and personal, quarrels and debates between the prior, his tenants and servants and whomsoever of them, and the said William Elmeden', his tenants and servants and whomsoever of them; or if the said William implement the decision of William Chaunceller and William Lambeton', squires, umpires chosen by common assent of the prior and the said William; on condition that the decision of the said arbiters be given in writing, under their seals, by Hilary next to come, or that the decision of the said umpires be likewise given by Easter next to come; the bond made by the said William Elmeden' would be rendered void; and the said William Elmeden' grants, for himself and his executors, that if the prior accept and implement the decision of the arbiters or umpires (names and terms as above), the bond made by the prior would be rendered void.

Sealed alternately.

Date: 13 August 1431.

f.141v 20 August 1431

Bond by John, prior of Durham, to Joan Gower, gentlewoman, and Thomas Gower, her son, for £20 to be paid to them or their executors at Lammas next to come.

Date: 20 August 1431.

with

Defeasance rendering the bond void if the prior accept and implement the decision of Robert Whelpyngton' and William Huton', arbiters chosen on the part of the prior, or of two similar arbiters to be chosen on his part, and of Robert Rodes and John Horsley, arbiters chosen on the part of Joan and Thomas, or of two similar arbiters to be chosen on their part, concerning all actions (&c) moved between Joan, Thomas, their tenants and servants, and the prior and his tenants and servants; or if the prior abide by and implement the decision of James Strangways and Christopher Boynton', umpires chosen by common assent of Joan and Thomas and the prior; the bond otherwise remaining in force; on condition that the decision by the said arbiters be given by the end of the next sessions to be held in Durham after Christmas next to come, and that the decision by the said umpires be given by the next sessions to be held in Durham after Whitsun next to come.

Original: DCD Loc.XXVIII:26.

f.141v-142r [14 September] 1431

Letters of confraternity by John prior and the chapter of Durham to Richard Knyght acceding to his petitions and admitting him to fraternity with the chapter, granting participation in all masses, vigils (&c) in the church of Durham and its dependent cells, in perpetuity.

Date: Durham, Exaltation of Cross 1431.

f.142r-143r 20 September 1431

Grant by indenture by John prior and the chapter of Durham to Richard Catlyngson of Durham of one messuage in Northrawe in the vill of Little Haswell and 30 acres of land in the territories of the vills of Little Haswell and Great Haswell, which formerly belonged to Thomas Blakcharle; to be held by Richard, his heirs and assigns, in perpetuity, of the chief lords of the fee, for service used and wont; in exchange for 4 acres of meadow (*prati materni* ?) in the territory of Haswellgrange; on condition that if Richard, his heirs or assigns, or anyone having prior lawful title to recover or enter the 4 acres or any part thereof, or to distrain upon or claim anything from the said 4 acres, should by lawful means exercise their title, the prior and chapter, their successors or assigns are to be allowed to enter or possess as before, in perpetuity, as much of the messuage and 30 acres as shall have been entered or recovered in the 4 acres against them in this manner; and by Richard Catlyngson' to John prior and the chapter of Durham of the said 4 acres of meadow to be held by the prior and chapter, their successors and assigns, in perpetuity, of the chief lords of the fee, for service used and wont; in exchange for the said messuage and 30 acres of land; on condition that if the prior and chapter &c, in the same terms as used in the grant by the prior and chapter.

Sealed alternately.

Date: Durham, in the chapter house for the affixing of the common seal of the chapter, and in the cathedral for the affixing of Richard's seal; 20 September 1431.

In the margin: "This indenture is in the hands of the prior of Finchale".

f.143r 2 October 1431

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr John Seelowe, residentiary of York minster, Mr Richard Arnald', subdean, and Mr William Doncaster', LL.B., to carry out, in his place, the corrections, punishments and reforms lately found necessary during his visitation of the collegiate church of Howden; he being unable to attend to this personally due to his monastery's business.

Date: Durham, 2 October 1431.

Also DCD Reg. Parv. II f.50v-51r.

f.143r 21 November [1431 ?]

Petition [by John, prior of Durham] {to the archbishop of York} stating that Thomas Bradshawe, one of the prebendaries of Hemingbrough collegiate church, has oftentimes complained to him that although a lifetime pension of ten marks yearly over and above his canonry was prescribed for him by the archbishop and the prior at the erection of the collegiate church, to be paid by the provost of the said church from the revenues of the said church, the present provost refuses to pay the pension, claiming that he is not bound by the statutes of the church to make payment thereof, and that he has received no order from the archbishop concerning payment; and asking the archbishop, who has the power, with the advice and assent of the prior, to alter the statutes of the said church, that he should see fit to send to the provost a written demand that he make satisfaction of the pension without delay.

Written: Durham, 21 November "&c".

Also DCD Reg. Parv. II f.52r.

f.143r-v 11 December 1431

Agreement by indenture between John prior and the chapter of Durham, having the churches of Durham St Oswald, and its dependent chapels of Croxdale, Witton [Gilbert], and St Margaret in the Old Borough of Durham, to their own use, and Thomas Byllyngham, John Fossour, John Perteryke, chaplain of St Mary's chantry, William Rakett, Richard Cowehyrd, John Dawetrye, William Steel, William Wharram, Thomas Coken', Robert Aleyneson', John Glovere, John Bell', and Thomas Hunton', proctors or attorneys of all and sundry the inhabitants of the streets of Sidegate, Framwelgate, Milburngate, Crossgate, Allergate, South Street, Herberhouse, and the vill of Newton, or at least of the greater and saner part of the parishioners of the said church of St Oswald, witnessing that, in consideration of their labours borne in the burial of bodies and the receipt of sacraments because of the distance of the church of St Oswald from the above places, and wishing to give remedy for their supplications in this matter, the prior and chapter have granted licence that the parishioners cause the chapel and cemetery of St Margaret to be dedicated, and that they have free sepulture, and receive all rites and sacraments there; providing that the parishioners indemnify the mother church of St Oswald for tithes, offerings, mortuary dues, obventions, blessed bread, repairs and all other charges owed thereto; with the prior and chapter and their successors allowed to suspend this use of and place an interdict upon St Margaret's chapel and the cemetery thereof if any of the said parishioners attempt anything in prejudice of the said mother church of St Oswald, the suspension and interdict lasting until satisfaction has been made for any loss; with the parishioners and those coming after them to maintain and repair the choir, nave and cemetery of the chapel and to provide vestments, books, chalice, ornaments, lights and all other things required for celebrating mass and due to the charge (*ad onus incumbentibus*) of the chapel, accustomed to be found at their expense; the exception being that the prior and chapter and their successors, who are to appoint and remove at their will the chaplain celebrating masses in the chapel, will, as hitherto, keep the said chaplain in wax, bread and wine for the celebration of masses.

Sealed alternately.

Date: Durham, the chapter house for the affixing of the common seal of the chapter, and the cathedral for the affixing of the said proctors' seals; 11 December 1431.

Copy: (c.1800) DCL RAI 45 p.117.

f.144r 26 December 1431

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Raynald', chaplain, in the church of Normanton-on-Soar, vacant by the death of John Waldeby, last rector thereof; saving a yearly pension of one mark due of old therefrom to the monastery of Durham.

Date: Durham, 26 December 1431.

f.144r-v 24 February 1432

Inspeximus by John prior and the chapter of Durham confirming the following lease
 Lease by indented charter by Thomas, bishop of Durham, to Robert de Babbethorp', knight, stating that although Louis, bishop of Durham, by his indented charter given at Boldon, 3 August 1319, granted to Robert de Babbethorpe 20 acres of arable and 40 acres of meadow of his demesne in the vill of Barmby, to be held by Robert and his bodily heirs, by service of the fortieth part of a knight's fee, of the bishop and his successors, rendering 100s yearly at the appointed terms in Howdenshire, the said land and meadow were for certain reasons later taken into the hands of a successor to Louis, and still remain in Bishop Thomas' hands as demesne of Barmby; and lying among lands held by his tenants of Barmby, as pieces of their bovates, west of his demesne, with them also holding from the bishop 20 acres of land called *les Oldedales*, east of his demesne and extending from the 40 acres of meadow as far as the field of Brackenholme to the east; and considering that because of this the land of *les Oldedales* does not lie conveniently for his tenants; he has, at the instance of his tenants, taken *les Oldedales* into his own hands, assigned to them from his said demesne 20 acres of meadow called *le Newefeeld'* lying next to their said bovates, to be held, along with their said holdings, of the bishop and at the bishop's will; and that he has granted and demised in farm the 20 acres of land, 20 acres of meadow and the 20 acres of *les Oldedales* remaining in his hands, to Robert Babbethorp', knight, to be held by him, his heirs and assigns, for the term of 90 years from the making of the presents, rendering to the bishop and his successors 100s yearly at the four terms of the year appointed in Howdenshire; with the bishop and his successors having the right to distrain upon the said property for arrears of the rent, unpaid in part or in whole, fifteen days after any term date, and to retain goods taken until satisfied of the arrears; and having the right to enter and retain the land as before if the rent be in arrears, in whole or in part, six months after any term date, this charter notwithstanding.

Sealed alternately.

Date: Stockton, the morrow of Michaelmas [30 September] 1431.

always saving the right of the church of Durham in all things.

Date: Durham, 24 February 1431/2.

f.144v-145v 24 March 1432

Inspeximus by John prior and the chapter of Durham confirming the following lease
 Lease by indenture by Thomas, bishop of Durham, to Richard Denom' of the county of Durham, yeoman, of the manor or grange of Middridge wherein have now been built a new hall with walls of dressed (*opere cementar'*) stone 55½ feet long inside and with similar walls at the ends of 18½ feet, a chamber at the north end of the hall with similar walls, 48' x 12', and a stable 30' x 15', all three being roofed with stones, and, roofed with straw, and, together with the stable, walls of stone worked with clay, a barn 105' x 18', another barn 117' x 19½', a building under one roof, 66' x 13½', for a bakehouse, cowshed, colt-house (*pullinaria*), pigsty and hen-house, and an ox-byre 75' x 16½'; and which contains 21 bovates and five acres of arable, each bovat containing 15 acres; whereof 80 acres lie between *Kempilburn'* and *Mydrygeburn'* to the east of the manor or grange, and 240 acres lie to the west thereof, with 140 acres on the eastern side of the common road called Aukland way and 100 acres to the west thereof; and also 85½ acres of meadow, lying in meadows called *Kyngeskerr'*, *le Hoolmedewe*, *Meedlesse*, *Burnecrokes*, *le Deen Medewe*, *Grenesmedewe*, *le Horsemewe*, (individual acreages specified, totalling 62½), all on the eastern side of the said manor or grange; and in meadows called *Cobleche*, *Smaleburnes*, and in a close called *le Newecloos* (individual acreages specified, totalling 23), on the western side of the same; and also 158 acres of pasture, whereof 128 lie in a close called *le Oldecloos*, eight of which were once meadow, 20 lie in a close called *le Newecloos*, of which six acres called *Toftewelleflatte* were once meadow, and four, three, one, one and one acres [respectively] lie in fields called *le Deenbanke*, *le Grenesway*, *Kapildeenheued*, *Chestrebuskes*, and *le Deenflatte*, and were once meadow; and also 3 cottages in the vill of Middridge, one bovat of arable in the field of Middridge, a cottage with barn over in the vill of Redworth; and 60 days' work, variously specified, from the tenements of John Donald' in the vill of Middridge, and of the bishop of Durham in the same vill, in the tenure of John Smyth; of the bishop of Durham in Killerby, in the tenure of John Peg; and of the tenements of John Heghhyngton', William Eure, knight, the late Alan Huntere, John Taillour, William Redworth', William Lyn', John Smale, and Henry Redworth', all in the vill of Redworth; the bishop also handing over and demising in farm to Richard a plot of ten acres of arable called *Scottesland'*, on the northern side of the manor or grange, for which he used to pay 9s yearly to the collector of Redworth, and a plot of 40 acres of land called *le Oldtowne*, on the eastern side of the said manor or grange, for which he used to pay 40s yearly to the collector of Middridge; to be held by Richard from Michaelmas next to come for the term of 40 years; rendering therefor yearly £24 10s at Christmas, Lady Day, Midsummer and Michaelmas by equal portions; with Richard to maintain the property; and the bishop, his successors and assigns, having the right to distrain upon the said manor or grange for arrears of the rent, unpaid in part or in whole, after any term date, and to retain goods taken until satisfied of the arrears; and having the right to expel the said Richard, his heir or assigns, and to re-enter the said property as previously, with the term of the lease expiring from that point, notwithstanding the present demise, if the rent be unpaid in whole or part for half a year after a term date, or if Richard or his executors should have failed to repair buildings or enclosures six months after the discovery of a defect therein, or if he should refuse to implement reasonable ordinances of the bishop's steward for the good management of the manor or grange, or should infringe the same, or if he bring in any outside power or *manutenenciam* [wrongful support ?] or demise the manor or grange or any part thereof without licence of the bishop.

Sealed alternately.

Date: Stockton-on-Tees, the morrow of Michaelmas, [30 September] 1431.

always saving the right of the church of Durham in all things.

Date: Durham, 24 March 1431/2.

f.145v 18 April 1432

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar general in spiritualities, to institute George de Shoryswod', priest, in the vicarage of Stichill, vacant by the resignation of Patrick Weir, last vicar thereof.

Date: Durham, 18 April 1432.

f.146r 28 March 1432

Notarial instrument of resignation recording that William More, rector of St Mary at the Bridge, Stamford, resigned the said church in the hands of William, bishop of Lincoln, reading and interposing a written resignation whereby he surrenders the cure and rule of the church of St Mary at the bridge in the hands of Richard, bishop of Lincoln.

Witnesses: Thomas Dyke and Richard Fylby, *literati* of Lincoln dioc.

Notary: Geoffrey Hallesworth', clerk of Norwich dioc., N.P. by apostolic and imperial authority (eschatocol recited, with mention of an interlineation).

Done: a hall within the house of Thomas Dyke, parish of St Sepulchre, Northampton, 28 March 1432.

{ "The original of this instrument was shewn in the presence of Mr William Doncastr', N.P. of York dioc., John Pertryke and Arsculf Kyllerby of the same dioc., in the chamber of the prior of Durham, 3 May 1432" }

f.146r-v 3 May 1432

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar general in distant parts, to institute Thomas Crosse, chaplain, in the church of St Mary at the Bridge, Stamford, vacant by the resignation of William Moor, last rector thereof; saving a yearly pension of five marks due of old to be paid by rectors of the said church to the monastery of Durham.

Date: Durham, 3 May 1432.

f.146v 22 June 1432

Proxy by John prior of Durham appointing Mr William Ebchestre, S.T.P., prior of Holy Island, as his bearer of excuses and proctor, to attend and act for him at 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 the last day of June next to come; for the reason that he is at present ill, and fears he would incur more serious sickness by travelling to distant parts, and that he is also prevented from attending personally because serious discords have arisen among the magnates of the district, and, for the restoration of peace, he is expected by the sheriff and others of the council of his lord of Durham to wait in the region.

Date: Durham, 22 June 1432.

Also DCD Reg. Parv. II f.62v.

f.146v-147r 2 June 1432

Notarial instrument of resignation recording that William Faukys, rector of Dinsdale, renounced the said church in a written resignation whereby he surrenders the cure and rule of the church of Dinsdale in the hands of the ordinary.

Witnesses: William Wade, chaplain, John Barbour, clerk, of York dioc.

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

Done: the church of the Augustinians, York , 2 June 1432.

f.147r 22 July 1432

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute John Skargyll', chaplain, in the church of Dinsdale, vacant by the resignation of William Faukys, last rector thereof; saving a yearly pension of 40s due of old therefrom to the office of sacrist of Durham.

Date: Durham, 22 July 1432.

f.147r 29 September 1432

< Proxy by the chapter of Durham appointing Mr William Doncastr', LL.B., Thomas Neesbitt, monk of Durham, and Mr William Dryffeeld', proctor of the court of York, as their proctors to attend and act in their name at the provincial convocation to be held in York minster before John, archbishop of York, on 3 October next to come.

Date: Durham, 29 September 1432.>

{ "void" }

f.147v 30 September 1432

Proxy by John prior and the chapter of Durham appointing Mr William Doncastr', LL.B., Thomas Neesbit, monk of Durham, and Mr William Dryffeeld', proctor of the court of York, as their proctors to attend and act in their name at the convocation of the clergy of the province of York, to be held in York minster before John, archbishop of York, or his lieutenants or commissaries on 3 October next to come, with continuation of days.

Date: Durham, 30 September 1432.

f.147v-148r [25 December] 1431

Letters, in elaborate terms, by Roger abbot and the convent of Darley for Robert Tremes as their mortuary-roll bearer soliciting prayers for the soul of Simon, lately abbot of Darley, who died 11 Kal. December last past [21 November 1431].

Date: Darley, Christmas 1431.

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.104-105 and *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.559-560.

f.148r 27 November 1432

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

Date: Durham, 27 November 1432.

Related material in other DUL collections: Related letter: DCD Loc.XXV:18.

f.148r 1 February 1433

Letters by John prior and the chapter of Durham for John de Muston' as their mortuary-roll bearer; valid for two years.

Date: Durham, 1 February 1432/3.

Printed in *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.561-562.

f.148v 7 February 1433

Lease by indenture by John prior and the chapter of Durham to William Hoton' of Hardwick, next to Sedgfield, of a close called *le Brakeleyes* containing 30 acres of arable land, lying within the field of Bradbury between the field of Hardwick on the east and the moor of Bradbury on the west; a close called *le Monkemedewe* containing fourteen acres of meadow, lying next to the water of Skerne, within the bounds of Bradbury; to be held by William and his assigns in severalty from Martinmas 1433 for the term of 40 years; rendering 8s yearly therefor by equal portions at the terms of Whitsun and Martinmas to the prior and chapter and their successors, with payment to commence at Whitsun 1434; with William to re-erect the old embankments around both closes within eight years of the date of the presents, according to their ancient bounds, to maintain them at his own expense, and to return them in satisfactory condition at the end of the lease; and if the farm of 8s be in arrears in whole or in part for a year after any term date, or if William, or anyone in his name, effect recovery or plevin against the taking of goods in distraint for unpaid rent, or if sufficient distraint cannot be found within a year, or if William claim and occupy any common pasture for his draught animals except within the two closes, or if he die within the term of the lease: the prior and chapter are to be able to re-enter the closes and possess them as before in perpetuity, providing that William's assigns be able to hold the closes for a complete year after his death, if he die within the forty-year term.

Sealed alternately: in the chapter house by the prior and chapter and in the cathedral church by William Hoton'.

Date: Durham, 7 February 1432/3.

{ "This indenture is in the keeping of the almoner" }

f.148v-149r 1 February 1433

Inspeximus by Agnes, sometime wife of Gilbert de Hoton', daughter and heiress of John de Herdewyke; and William Hoton' of Hardwick next to Sedgfield, son and heir of Agnes, confirming the following grant

Grant by Thomas [of Melsonby] prior and the convent of Durham to John de Herdwyke and his heirs of five acres of land in the vill and territory of Hardwick, with toft and croft, in the western part of the vill, which William de Herdewyke gave to the almoner of Durham in pure and perpetual alms; to be held of the prior and convent, and rendering therefor 2s yearly.

Sealed alternately.

approving it for themselves and their heirs in perpetuity, having delivered one penny to the prior and convent in name of possession of the said rent.

Under their seals.

Date: Hardwick, 1 February 1432/3.

{ "This confirmation is in the keeping of the almoner" }.

Original: DCD 3.4.Elemos.8.

f.149r 12 March 1433

Letters of confraternity by John prior and the chapter of Durham to David Home of Wedderburn, squire, and Alice his wife, noticing the affection of their devotion and sincerity towards the monastery of Durham, the cell of Coldingham, its prior and monks, granting them special participation in all masses, vigils (&c) in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 12 March 1432/3.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.106.

f.149r-v 20 March 1433

Revocation by John prior and the chapter of Durham giving notice that they, trusting in the dominion of James [I], king of Scots, under whose protection their priory of Coldingham has flourished and flourishes, nonetheless issued an indented commission, with no limit of time, empowering William de Dowglas, earl of Angus, lord of Liddesdale and Jedburgh forest, to set the lands and tenements of the cell of Coldingham at farm, with the consent of the prior thereof and saving all rents and issues therefrom to the prior and cell of Coldingham; and annulling this commission from the date of the presents, discharging the earl and others acting in his name from all administration of the possessions of the said cell, because he has abused his power in prejudice of the priory of Coldingham.

Date: Durham, 20 March 1432/3.

Printed in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.106-107.

f.149v-150r 25 April 1433

Proxy by John prior and the chapter of Durham, patrons of the church of Fishlake, York dioc., annexed to their college at Oxford, appointing Mr William Doncastr', LL.B., Mr Thomas Appelby, N.P., Robert Keerby, vicar of Fishlake, and Thomas Mysyne, *literatus*, as their proctors to act on their behalf in whatsoever causes, business, suits and actions moved or to be moved, pertaining to inquisitions and trials before whatsoever judge ordinary or delegate, commissaries or under-delegates, held at whatsoever dates and places, proceeding *ex officio* or at the instance of a party, concerning the prior and chapter and the rights and revenues of the said church and the possession thereof.

Date: Durham, 25 April 1433.

Original: DCD Loc.XXI:50(5).

f.150r-v 20 May 1433

Inspeximus by John prior and the chapter of Durham confirming the following licence
 Licence by letters patent by Thomas, bishop of Durham, to Thomas Kyrkeby, parson of Whitburn, for £20 paid by the latter to the bishop, to found, according to his ordinance, a chantry of one chaplain, celebrating masses daily at the altar of SS John the Baptist and John the Evangelist in the church of St Nicholas, Durham, for the health of the bishop and the said Thomas while they live, for their souls after their deaths, for the soul of Mr John Cokyn', lately dean of Lanchester, and those of his parents and ancestors; and to assign to the chaplain fourteen messuages and 6s rent in Durham and in the North and South Baileys of Durham, which are held of the bishop in free burgage, and three messuages, three roods of land and three roods of meadow in Cocken and Gilesgate, which are not held of the bishop; to be held by the chaplain and his successors in perpetuity; and likewise to the said chaplain that he be able to receive these properties from the said Thomas and that he and his successors be able to hold them in perpetuity as aforesaid; the Statute of Mortmain notwithstanding, since the fourteen messuages and the rent are held of the bishop in burgage; and not wishing the said Thomas, his heirs, or the chaplain and his successors to be troubled by the bishop, his successors or their ministers, by reason of the statute or other premisses; saving to the bishop and his successors, and to other chief lords of the fees, the rents and services used and wont.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 22 September, Pont. 3. [1408]

saving their following rents and services: to the almoner of Durham, 8s annual rent from a messuage and large garden on *Southrawe* in Claypath in Durham, sometime belonging to John Tywe and Richard de Cokyn'; to the sacrist of Durham, 5s 6d annual rent from a burgage on *Westerawe* in Fleshergate in Durham, sometime belonging to William Burghward' and Richard de Cokyn'; and to the prior of Finchale, ½lb cumin and suit at the same prior's court in the vill of Cocken from a messuage and three roods of land in the same vill, sometime belonging to the said Richard de Cokyn'; and saving any other right belonging to the monastery of Durham in this regard.

Date: Durham, 20 May 1433.

f.150v-152r

(The following four entries relate to the same conveyance. The use of the letters A-D in the margin of the register distinguishes them as a group.)

f.150v 1 December 1428

Grant by indenture by William Bedford' of Elvet in Durham to John prior and the chapter of Durham of a messuage and 60 acres of land and meadow in Ludworth once belonging to Robert Fenrother', to be held by the prior and chapter and their successors in perpetuity of the chief lords of that fee by service used and wont therefor; providing that: if a messuage and four cottages, or any part thereof, in the borough of Elvet, which lately belonged to Richard of Barnard Castle, and which the said William shall have by grant of the prior and chapter, with certain conditions being made, should lawfully be recovered in time to come against William, his heirs or assigns, by anyone having prior claim thereto; or if William, his heirs or assigns should likewise lawfully be expelled from the messuage and cottages or any part thereof; or if these properties, or part thereof, should be charged other than with rents or services due to the chief lords of the fee, and rent reserved in the charter of the prior and chapter granting the messuage and cottages to him; William, his heirs and assigns, are to be able to re-enter the messuage and land in Ludworth and retain the same as before, the charter and livery of seisin notwithstanding. Sealed alternately.

Witnesses: William Chaunceller', Thomas Langton', John Trolloppe, squires; Thomas Tang' and Robert Berall', clerks.

Date: Durham, 1 December 1428.

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.704.

Original: DCD 2.8.Spec.14.

f.150v-151r 2 December 1428

Grant by indenture by John prior and the chapter of Durham to William Bedford' of Elvet in Durham of a messuage and four cottages in the borough of Elvet, once belonging to Richard of Barnard Castle, and lying between the messuage of the prior and chapter on the south side and the messuage of Thomas Aspour on the north side; to be held by William, his heirs and assigns in perpetuity; rendering therefor yearly to the prior and chapter and their successors 3s 4d sterling, by equal portions at the feasts of St Cuthbert in September and March; with the prior and chapter being able to distrain upon the said messuage and cottages for arrears of the rent, in whole or in part, and to retain goods distrained until satisfied of the arrears; providing that: if a messuage and 60 acres of land and meadow, or any part thereof, in Ludworth, which the prior and chapter have by grant of William, certain conditions having being made, should lawfully be recovered in time to come against the prior and chapter, their successors or assigns, by anyone having prior title thereto; or if this property, or part thereof, should be charged other than with rents or services due to the chief lords of the fee; or if the prior and chapter, their successors or assigns, be lawfully expelled from the said property in Ludworth, or part thereof, by anyone having prior title thereto; the prior and chapter, their successors and assigns, are to be able to re-enter the messuage and cottages in Elvet, the charter and livery of seisin notwithstanding.

Sealed alternately.

Witnesses: William Chaunceller', Thomas Langeton', John Trolloppe, squires; Thomas Tang' and Robert Berall', clerks.

Date: Durham, 2 December 1428.

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.705.

Original: DCD 2.8.Spec.15.

f.151r-v 3 December [1428]

Grant by indenture by Thomas Holden', squire, to John prior and the convent of Durham of two messuages and 50 acres of land and meadow in Wingate and West Merrington [now Westerton] and 6s 8d rent issuing from two messuages of the hostiller of the prior and convent, lying together to the east of a certain messuage of Alice, widow of John Aslakby, on the northern side of the street of Novus Elvet; to be held by the prior and convent and their successors in perpetuity, of the chief lords of the fee, by service used and wont; providing that: if a messuage and 60 acres of land and meadow, or any part thereof, in Ludworth, which lately belonged to Richard of Barnard Castle, and which the same Thomas shall have by grant of the prior and chapter, with certain conditions being made, should lawfully be recovered in time to come against Thomas, his heirs or assigns, by anyone having prior title thereto; or if Thomas, his heirs or assigns should likewise lawfully be expelled from the messuage and land in Ludworth, or from any part thereof, by reason of such title; or if these properties, or part thereof, should lawfully be charged other than with rent or services due to the chief lords of the fee; Thomas, his heirs and assigns, are to be able to re-enter the messuages, land and meadow in Wingate and West Merrington and rent in Elvet, and retain the same as before, this charter and livery of seisin notwithstanding.

Sealed alternately.

Witnesses: William Eure, William Bowes, Thomas Surteys, knights; William Chaunceller', Thomas Langeton', squires.

Date: Durham, 3 December, 7 Henry VI.

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.696.

Original: DCD 2.8.Spec.11.

f.151v-152r 4 December [1428]

Grant by indenture by John prior and the convent of Durham to Thomas Holden', squire, of a messuage and 60 acres of land and meadow in Ludworth, to be held by Thomas, his heirs and assigns, of the chief lords of the fee by service used and wont in perpetuity; providing that: if two messuages and 50 acres of land and meadow in Wingate and West Merrington [now Westerton], and 6s 8d rent in Elvet, or any part thereof, which the prior and chapter have by grant of Thomas, certain conditions having being made, should lawfully be recovered in time to come against the prior and chapter, or their successors, by anyone having prior title thereto; or if the prior and chapter, their successors or assigns, be lawfully expelled from the said property in Wingate (&c), or part thereof, by reason of such title; or if this property, or part thereof, should lawfully be charged other than with rents or services due to the chief lords of the fee; the prior and chapter, and their successors, are to be able to re-enter the messuage, land and meadow in Ludworth, and retain them as before, the charter and livery of seisin notwithstanding.

Sealed alternately.

Witnesses: William Eure, William Bowes, Thomas Surteys, knights; William Chaunceller', Thomas Langeton', squires.

Date: Durham, 4 December, 7 Henry VI.

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.696.

Original: DCD 2.8.Spec.10.

f.152r-v 14 & 18 October 1433

< Agreement by indenture between John prior and the chapter of Durham, having the church of Fishlake, York dioc., to the use of their college at Oxford, and Robert Sikes of Sykehouse, Thomas Fayrebarn' of *Dowesthorp'*, John Draper' of the same, Robert de le Lane of the same, Roger Cruste of West End, John Howson' of *Toghwhan'*, John Blakewod' of *Stertebrig'*, Robert Thorp' of Eskholme, William Shirwod' of *Plawes*, William Geppeson' of *Mallesonhowses*, John Parkar' of *Rycardehowses*, Richard Howson' of *Tiddeworthhagh'*, William Howson' of *Howesoneend'*, John Clerke of *Astynthorp'*, and John Tomson' of *le Whitehowses*, parishioners of Fishlake and inhabitants of the places of Sykehouse, *Dowesthorp'*, West End, *Toghwhan'* [?Topham], *Stertebrig'*, Eskholme, *Plawes* [?Plaice], *Mallesonhowses* [?Mawson...], *Ricardehowses*, *Tiddeworthhagh'*, *Howesoneend'*, *Astynthorp'*, and *le Whitehowses*, between the [river] Went and *Mikilledyke* and within the said parish, witnessing that the prior and chapter have given licence, for themselves and their successors, saving the right of any other, to the same inhabitants that they might have a chapel or oratory newly erected and consecrated within their locality at their own expense, served by a chaplain, maintained at their own expense; the chaplain, before celebrating mass or administering sacraments, to be presented to the vicar of the parish and to promise obedience and swear before the vicar to keep the parish church immune from damage, and to administer no sacrament or sacramental to the said inhabitants, other than holy water and blessed bread, without special licence of the vicar and proctors of the said church, except in peril of urgent need or death, and when such a licence has been obtained previously; with the said inhabitants to furnish, maintain and repair the chapel or oratory at their own expense, and to continue to pay all charges incumbent upon parishioners of Fishlake and maintain their offerings as before; and not, by reason of the chapel, to absent themselves from masses at the mother church unless obstructed by flood or danger on the road; and in the event of contravention of this licence by inhabitants or chaplain in prejudice of the said mother church, the prior and chapter are to be able to place the chapel under interdict and suspend the chaplain until the mother church be satisfied in this matter.

Sealed alternately, with the half held by the prior and chapter bearing the seals of the said inhabitants.

Date: Durham, 14 October 1433, for the affixing of the common seal of the prior and chapter; and Fishlake, 18 October 1433 for the affixing of the seals of the said inhabitants.>

{ "Void" }

Original: DCD 4.5.Ebor.7a.

f.152v 31 October 1433

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute Mr Edward de Roule, chaplain, in the vicarage of Ednam, vacant by the death of Thomas de Hirdemanston', last vicar thereof.

Date: Durham, 31 October 1433.

f.153r-v 14 & 18 October 1433

Agreement by indenture between John prior and the chapter of Durham, having the church of Fishlake, York dioc., to the use of their college at Oxford, and Robert Sykes of Sykehouse, Thomas Fayerbarne of *Dowesthorp'*, John Draper' of the same, Robert de le Lane of the same, Roger Cruste of West End, John Howson' of *Toghwhan'*, John Blakewod' of *Stertebrig'*, John Wryghte of Eskholme, John Aelsee of *Plawes*, William Geppeson' of *Mallesonhoweses*, John Parkar' of *Ricardehowses*, Richard Howeson' of *Tyddeworthehagh'*, William Howeson' of *Howesoneend'*, John Clerke of *Astynthorp'*, and John Thomson' of *le Whitehoweses*, parishioners of Fishlake and inhabitants of the places of Sykehouse, *Dowesthorp'*, West End, *Toghwhan'* [?Topham], *Stertebryg'*, Eskholme, *Plawes* [?Plaice], *Mallesonhoweses* [?Mawson...], *Ricardehoweses*, *Tyddeworthehagh'*, *Howesoneend'*, *Astynthorp'*, and *le Whytehoweses*, between the [river] Went and *Mykilledyke* and within the said parish, witnessing that the prior and chapter have given licence, for themselves and their successors, saving the right of any other, to the same inhabitants that they might, at Sykehouse in *Dowesthorp'* within their locality, have a chapel or oratory dedicated to the Holy Trinity newly erected at their own expense, and served by a chaplain maintained at their own expense; the chaplain, before celebrating mass or administering sacraments, to be presented to the vicar of the parish and to promise obedience and swear before the vicar to keep the parish church immune from damage, and to administer no sacrament or sacramental to the said inhabitants, other than holy water and blessed bread, without special licence of the vicar and proctors of the said church, except in peril of urgent need or death, and when such a licence has been obtained previously; with the said inhabitants to furnish, maintain and repair the chapel or oratory at their own expense, and to continue to pay all charges incumbent upon parishioners of Fishlake and maintain their offerings as before; and not, by reason of the chapel, to absent themselves from masses at the mother church unless obstructed by flood or danger on the road; and in the event of contravention of this licence by inhabitants or chaplain in prejudice of the said mother church, the said inhabitants grant, for themselves and their successors dwelling in the said places, that the chapel be placed under interdict by authority of the archbishop of York, ordinary of that place, and that the chaplain remain suspended, by the same authority, until the parish church be satisfied of damage sustained.

Sealed alternately.

Date: Durham, 14 October 1433, for the affixing of the common seal of the prior and chapter; and Fishlake, 18 October 1433 for the affixing of the seals of the said inhabitants.

Original: DCD 4.5.Ebor.7a.

f.153v 28 November 1433

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Thomas Morton', canon of Chichester and prebendary of the prebends of Sidlesham and Bishopstone, in the prebend of Barmby, in Howden collegiate church; to effect an exchange of benefices with Walter Shiryngton', prebendary of Barmby.

Date: Durham, 28 November 1433.

f.153v 16 December 1433

Memorandum that a proxy was issued by the prior and chapter of Durham appointing John Fisshburne and William Dalton', monks of Durham, Mr William Doncastr', LL.B., William Driffeeld', Thomas Tang', and Thomas Appelby, N.P.s, according to the form shown on f.103.

Date: Durham, 16 December 1433.

See f.156v-158v below.

f.153v-154v 31 December 1433

Notarial instrument recording that William Dalton', monk of Durham, proctor of the prior and chapter of Durham, as was sufficiently apparent to the notary, read and interposed a [precautionary] appeal by William Dalton', lawfully constituted proctor of the prior and chapter of Durham, stating that the prior and chapter are of good fame and under no sentence (&c), and that the prior has held his office, canonically obtained, long and peacefully; but fearing, for certain reasons, that prejudice to the estate, rights and churches (&c) of the prior and chapter could be engendered in future, appealing to the apostolic see and the court of York for protection, and placing the prior and chapter, himself in their name, their adherents, rights, goods spiritual and temporal in the monastery of Durham or its cells, their appropriated churches and dependent chapels (&c) under the protection of the apostolic see and the court of York, lest anyone by whatsoever authority, or by episcopal or other jurisdiction, obtain or unduly attempt anything against the prior and chapter or anything belonging to them; and stating that he wishes, if need be, to amend or withdraw the appeal, and notify those whom it concerns.

Witnesses: Mr John Binhgham, LL.B., John Elstobbe, chaplain, and William Baudry, *literatus*, of York and Durham dioc.

Notary: Thomas {de} Tang, clerk of Durham dioc., N.P. by apostolic authority (eschatocol recited).

Done: the nave of Durham cathedral, 31 December 1433.

f.154v 6 January 1434

Mandate by John, prior of Durham, archdeacon of all churches within dioc. of Durham appropriated to the monastery of Durham, to John Smyth', his apparitor, informing him that he intends to visit the churches of Jarrow, Monk Wearmouth, Dalton-le-Dale, Aycliffe, Heighington, Merrington, [Bishop] Middleham, Hesleden, Billingham, Pittington, Durham St Oswald, and their dependent chapels; instructing him to cite or have cited the vicars, beneficiaries, chaplains and ministers of all and sundry churches, chapels and places of the said parishes, and, from each vill of these parishes according to size, twelve, ten, eight, six, four or three trustworthy men, to appear before the prior or his commissaries, one or more, in the parish churches of Jarrow 13th January, Monk Wearmouth 14th, Dalton le Dale 15th, Aycliffe 18th, Heighington 20th, Merrington 21st, [Bishop] Middleham 22nd, Hesleden 26th and Billingham 27th, (Pittington and Durham St Oswald not mentioned), and undergo visitation; with the beneficed clergy to show letters of their acquisition of their benefices, and the chaplains to show their letters of ordination (&c); and requiring certification as to how he has executed this mandate, giving the names of those cited, to be supplied to the prior or his commissary on the stated days.

Date: Durham, 6 January 1433/4.

f.155r 28 January 1434

Notarial instrument of resignation recording that Robert Beleby, priest, vicar, as he has asserted, of the fourth vicarage in Hemingbrough collegiate church, which William Colyngham lately held, read a written resignation whereby he discharges himself of the cure and rule of the said vicarage in the church of Hemingbrough, lately held by William Colyngham, surrendering the same in the hands of John, archbishop of York, or anyone having the power to accept the resignation.

Witnesses: Richard Aldeston', chaplain, William Stokton', *literatus*, of York dioc.

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

Done: the church of St John the Evangelist Micklegate, York, 28 January 1433/4.

f.155r-v 1 February 1434

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Mr Robert Crokelyn', chaplain, in the fourth vicarage of Hemingbrough collegiate church, vacant by the resignation of Robert Beleby, last vicar thereof.

Date: Durham, 1 February 1433/4.

f.155v 28 February 1434

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Rikehall', chaplain, in the vicarage of the prebend of Saltmarshe in Howden collegiate church, vacant by the resignation of Marcellinus Bradee, chaplain, last vicar thereof.

Date: Durham, 28 February 1433/4.

f.155v-156r 6 April 1434

Admission by John, prior of Durham, of John Blakewell', chaplain, having received from him the following presentation

Presentation by William de Hilton', knight, baron of Hylton, asking John, prior of Durham, to admit John Blakewell', chaplain, to serve the chapel of Hylton, presentation to which pertains to William by reason of an agreement reached between his predecessors and those of the prior, vacant by the death of William Byngham, priest, who last served the chapel.

Date: Hylton, 23 March 1433/4.

to serve the chapel of Hylton, in accordance with the aforementioned agreement; saving the prior's right and that of the mother church of Wearmouth, of which it [the chapel] is known to be a dependency; and with John Blakewell' having sworn to serve the chapel and do other things as in the said agreement.

Date: Durham, 6 April 1434.

Also DCD Reg. Parv. II f.76v-77v.

f.156r 8 April 1434

Letters of confraternity by John prior and the chapter of Durham to Robert Babbethorp', knight, noticing the affection of his devotion and sincerity towards their monastery of Durham, granting them special participation in all masses, vigils (&c) in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 8 April 1434.

Printed in T. Burton, *The History and Antiquities of the Parish of Hemingbrough*, ed. J. Raine (York 1888), p.391-392.

f.156r 14 April 1434

Commission by John, prior of Durham, ordinary of the liberty of St Cuthbert in Howden and Howdenshire, Allerton and Allertonshire, to Mr John Selowe, residentiary of York minster and keeper of the spirituality of St Cuthbert in Howden and Howdenshire; William Dalton', monk of Durham; Mr Robert Ormesheued', advocate of the court of York; to preside in his place at whatsoever synods are to be held in the collegiate church of Howden, to enquire, correct, punish (&c) with full power of canonical coercion; to last during the prior's pleasure.

Date: Durham, 14 April 1434.

Also DCD Reg. Parv. II f.77v.

f.156r-v 5 February 1434

Notarial instrument of resignation recording that Marcellinus Bradee, chaplain of York dioc., vicar of the prebend of Saltmarshe in Howden collegiate church, as he has asserted, surrendered his vicarage in the words of a written resignation whereby he discharges himself of the cure and rule of the said vicarage in the church of Howden, renouncing the same in the hands of the prior and convent of Durham, or of whomsoever else having power therefor.

Witnesses: George Westeby, John Everard', *literati*, William Edmund', of Salisbury dioc. Notary: John Warham, clerk of Salisbury dioc., N.P. by apostolic authority (eschatocol recited).

Done: the church of St Thomas the Martyr, Salisbury , 5 February 1433/4.

f.156v-158v 23 April 1434

Notarial instrument recording that Mr William Driffeeld', clerk of York, proctor of the prior and chapter of Durham, as was sufficiently established by the proxy

Appeal by William Driffeld', clerk of York, proctor of the prior and chapter of Durham, to whose use the churches of Fishlake, Bossall, Ruddington and others, their dependent chapels, some cells, portions of tithes and pensions, things, jurisdictions, liberties and other rights within York and Durham dioc. and the province of York, excepting certain vicarage portions, are annexed; stating that although the said churches (&c), rights (&c) are canonically held, have long been peacefully possessed, and their revenues have been freely raised; and the prior and chapter, their predecessors and their officers have exercised spiritual authority in all matters pertaining to ecclesiastical jurisdiction, described, in the collegiate churches of Howden and Hemingbrough and the parish churches of Brantingham, Walkington, Welton, Eastrington, Skipwith, Holtby, [North]Allerton, [Kirby] Sigston and [West] Rounton, and over the clergy and parishioners thereof, with the visitation of the archbishop of York and certain others of high authority excepted, in accordance with papal decree; all of the foregoing having been enjoyed during successive periods and being now enjoyed by the prior and chapter and having been approved without gainsaying by those whom it concerned, in particular by the archbishops of York; and the prior and chapter are of good fame, under no sentence, and charged with no notable crime; fearing, for certain reasons, that prejudice to the prior and chapter and their monastery could be engendered in future, appealing to the apostolic see and the court of York for protection for the prior and chapter and their churches, cells, rights and other interests; placing the prior and chapter, their churches, cells, rights, possessions, and adherents under the protection of the apostolic see and the court of York, lest anyone by whatsoever authority, or by episcopal or other jurisdiction, obtain or unduly attempt anything against the prior and chapter or anything belonging to them; and stating that he wishes, if need be, to amend or withdraw the appeal, and notify those whom it concerns, and now publicly shown, holding in his hands the following appeal.

Proxy by John prior and the chapter of Durham appointing John Fisshburn', William Dalton', monks of Durham; Mr William Doncastr', LL.B.; William Driffeeld', Thomas Tang', and Thomas Appelby, N.P.s, as their proctors to appear and act, powers given *in extenso*, for them in all causes and business, moved or to be moved, concerning the prior and chapter, their church of Durham, their parish churches, chapels, interests, jurisdictions, liberties and rights, before whatsoever judges ordinary or delegate or their commissaries (&c) of whatever kind of jurisdiction or cognizance, *ex officio* or at the instance of parties, by whatsoever adversaries, at whatsoever dates and places.

Date: Durham, 16 December 1433.

Witnesses: Thomas Warnar', chaplain of York, John Tesedall', William Crofte, clerk, John Holme, donzel literatus, of York dioc.

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

Done: chapter house of York, 23 April 1434.

Original: DCD Loc.XXI:38.

f.158v 15 May 1434

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar general in distant parts, to institute Mr Robert Burton', S.T.P., in the church of Blyborough, vacant by the death of Robert Conyng', last rector thereof.

Date: Durham, 15 May 1434.

Related material in other DUL collections: Related letters: DCD Loc.XXV:23 and 143.

f.158v 22 May 1434

Bond by John prior and the convent of Durham to Nicholas Hulme, clerk {rector of Redmarshall}, for £31 6s 8d, to be paid to Nicholas, his executors or assigns, at Martinmas next to come.

Date: 22 May 1434.

{ "Memorandum that this sum has been paid by William Dalton" }

f.159r 22 May 1434

Bond by John prior and the convent of Durham to Nicholas Hulme, clerk {rector of Redmarshall}, for £31 6s 8d to be paid to Nicholas, his executors or assigns, at Candlemas next to come.

Date: 22 May 1434.

f.159r 12 February [1433]

Writ, by {Henry VI} king [of England] to Henry, earl of Northumberland, and Ralph, earl of Westmorland, his kinsmen; his faithful Thomas Dacre, Robert Umfrayvyle, Ralph Gray and William Tempest; and Laurence Acton', John Cartyngton', Robert Whelpyngton', John Horseley and Hugh Salkeld'; appointing them, [or] ten, nine, eight "&c" [of them], of whom one is to be either Laurence Acton' or John Horseley, to hold inquisitions in the counties of Northumberland, Cumberland and Westmorland, inside liberties as well as outside, into the evasion, concealment, false assessment (&c) of wardships, marriages, reliefs, escheats and rights pertaining to him, into escapes from prisons, deceptions, misprison, extortions, encroachments, negligence (&c) touching the crown's rights; and that he has instructed the sheriffs of these counties to impanel juries for this purpose.

Witness: "&c".

Date: 12 February, 11 [Henry VI].

f.159r-164v [1 April 1433]

Return of inquisition taken at Hartlepool in the county of Northumberland, before Henry, earl of Northumberland, William Tempeste, John Cartyngton', and John Horseley, commissioners of the lord king by virtue of the king's letters patent directed to them and to other commissioners; Jurors: Robert Hilton', knight, Ralph Bulmer, knight, Thomas Lamberd', knight, William Lumbeley, knight, William Lumbeley, squire, John Trollop', John Hedworth', Thomas Billyngham, Robert Merlay, William Heron', William Bruntofte, Henry Tailboyse, William Alwent, Richard Kirkeby, John Gentill', who said that:

[1] free tenants of the bishopric of Durham had enjoyed certain privileges, specified, by virtue of the charter of privileges by John, king of England, to the *Haliwerfolk*, dated at Kirkby Kendal 21 August, 10 John [1208] [as DCD Cart. Vet. f.63r];

[2] Thomas, bishop of Durham, and his predecessors had had cognizance before their justices of all pleas arising in the liberty of Durham, and likewise in the wapentake of Sadberge, Northumberland, since the time of Henry III, king of England;

[3] the bishop had encroached upon the rights of the present king and those of Henry V and Henry IV when Nicholas de Lyndeley acquired a messuage and 140 acres of land in Sherburn for himself and his heirs from Percival de Lyndeley, squire, with the messuage and land being held of the bishop of Durham in chief, and worth 100s per annum beyond reprises, and the bishop had taken the said property into his own hands on 20 May, 12 Henry IV [1411], and received the revenues thereof until Thursday after Michaelmas 1 Henry V [5 October 1413]; the reason being that Nicholas did not obtain a licence therefor until the said Thursday, when he paid a fine of 100s to the bishop for livery of the messuage and land out of the bishop's hands; and the bishop, in contempt of the king and to the loss of the people, had done the same in respect of other lands and tenements obtained by various men, taking revenues worth £100 and imposing heavy fines;

[4] the bishop had appointed William Chaunceller', squire, Thomas Holden', Robert Jakson', and Richard Bukley, clerk, as his j.p.s for the liberty of Durham and wapentake of Sadberge, to do what pertained to the king's justices to do, and they, at the plaint of John Spence, on 20 January, 11 Henry VI [1433], arrested one Thomas Claxton', squire, and imprisoned him until he found surety before the said j.p.s [in] acknowledgment that he owed £100 to the bishop, on condition that if he did not keep the bishop's peace, in particular towards the said John Spence, the said sum would have to be raised on his lands and chattels, for the bishop's use; and on the same day, both at Durham and Sadberge, the said j.p.s had held inquisitions and took indictments, &c as done by the king's j.p.s in other counties, in prejudice of the crown;

[5] the said bishop had for the last twenty years appointed a sheriff and an escheator in the said liberty and wapentake to do everything pertaining to the king's offices of sheriff and escheator elsewhere in England; that the bishop had appointed Robert de Eur' as sheriff and escheator in the said liberty and wapentake on the morrow of Michaelmas, 7 Henry V [30 September 1419], and he had thus far continuously occupied the office, weakening the crown, in contravention of the king's statutes, and in contempt of the king; and from the said date the bishop had prevented any royal sheriff or escheator of Northumberland from acting for the king's profit in the said liberty and wapentake;

[6] Henry Ravenesworth' had, in the bishop's chancery on 24 November, 11 Henry VI [1432], requested the bishop's writ for the reception of his attorney to perform suit in the bishop's court on his behalf, for a messuage and 100 acres of land which the same Henry holds of the bishop in Gateshead by suit; and the bishop denied this to Henry, and compelled him at a 40d fine for doing suit; and the bishop had denied writs of this sort to various tenants in the said liberty and wapentake over twenty years, forcing them

to render suit or imposing a fine; notwithstanding the statute enacted at Merton, allowing any free man to render suit of court through an attorney;

[7] the late John Gilleford', squire, had died on 1 September, 6 Henry VI [1427], seised in his demesne as in fee of three messuages and 100 acres of land in Gateshead, held in chief of the bishop by knight service, and of a messuage and ten acres of land in Gateshead worth 100s yearly, held of William Tempest', knight; and his son and heir John Gilleford', squire, had been thirty years old and more on the date of his father's death; and all the foregoing property had been taken into the bishop's hands by Robert Eur', the bishop's escheator, on 1 October, 7 Henry VI [1428], with the bishop taking the issues thereof until Michaelmas, 8 Henry VI [1429], on which feast John Gilleford' had paid a £4 fine to the bishop for livery of the said properties out of the bishop's hands; and the bishop was in the habit of taking the lands and tenements of deceased tenants within the said liberty and wapentake into his own hands, taking the issues thereof until [the heirs: this text has *haberet* for *heredes*, cf. R.L. Storey, *Thomas Langley and the Bishopric of Durham 1406-1437*, (1961), p.250] had procured a writ of *diem clausit extremum* and writs of livery for the lands and tenements out of the bishop's hands; and during a period of twenty years the bishop had in this way taken revenues to the value of £1,000 from various tenants, to their great impoverishment;

[8] John Lombeley, knight, had died on the eve of Easter, 8 Henry V [6 April 1420], seised in his demesne as in fee of a messuage and 100 acres of land in Seaton Carew, in the wapentake of Sadberge, held of the bishop in chief by knight service; these lands and tenements being taken into the hands of the bishop by reason of the minority of Thomas, son and heir of the said John; and on Tuesday before St Gregory, 6 Henry VI [9 March 1428], by an inquisition held at Sadberge before Robert Eur', then the bishop's escheator in the wapentake of Sadberge, it had appeared that the said John Lombeley died seised in his demesne as in fee of the manor of Stranton, in the said wapentake, held of the lord of Clifford and worth 100 marks yearly beyond reprises; and this manor had been taken into the bishop's hands, the bishop having encroached upon the king's prerogative in this regard because the manor was held of another, and claimed custody because the said John's other properties in Seaton were in his keeping due to the minority of Thomas Lombeley; and this was manifestly contrary to the crown's rights, for the said reason and because Thomas was in the king's keeping since his father had held elsewhere in chief of the king by knight service; and during the present king's reign the bishop had been using the royal prerogatives in the said liberty and wapentake, to the detriment of the crown and the oppression and disinheriting of the king's people, by what authority they [the jurors] do not know;

[9] Thomas Grey, knight, had been seised in his demesne, as in fee tail, of the manor and vill of Consett, worth 10 marks yearly beyond reprises, in the liberty of Durham, and, having committed high treason on 1 August, 3 Henry V [1415], was convicted and sentenced to death on 5 August that same year; whereafter an inquisition was held before Robert Eur', the bishop's escheator in the liberty of Durham, on 1 November, 8 Henry V [1420], at Durham, by which it appeared that the said Thomas had been seised as aforesaid at the time of his treason; the escheator had taken the said lands and tenements into the bishop's hands as forfeit and the bishop had unjustly taken the revenues thereof until Friday next after Martinmas, 5 Henry VI [15 November 1426], when Ralph Grey, son and heir to Thomas, came before the bishop in the chancery of Durham and asked for livery of the said manor and vill by virtue of the entail given to Thomas Grey, knight, father of the said Thomas Grey; an inquisition held by the bishop's letters patent returned in favour of Ralph's title, and the bishop had delivered the said manor and vill to the said Ralph according to the said entail, though with the reservation that if Thomas die without bodily heirs, the manor and vill would revert to the bishop and his successors in perpetuity, as clearly shown in the bishop's chancery, and to the loss and disinheritance of the crown; and the bishop has likewise claimed the forfeiture of lands and goods of all tenants in the said liberty and wapentake convicted of treason, to the disinheritance of the king and his heirs;

[10] the bishop had forced those within the said liberty and wapentake holding of him by homage to do royal homage, with form of words partially recited (French), to him;

[11] the bishop encroached upon the rights of the present king and of Henry IV and Henry V by granting licences to the king's people to build castles (&c) in the said liberty and wapentake; and on Saturday 20 September, 9 Henry V [1421], at Auckland, granted a licence by letters patent to Robert Eur' to build and fortify a castle at Bradley in the liberty of Durham, to the detriment of the crown;

[12] William Stower' of Norton in the liberty of Durham, *laborer'*, was convicted on Wednesday after St Lucy, 6 Henry VI [17 December 1427], at Durham before the bishop's justices, of stealing an ox, price 10s, in Norton from John Osbern'; the said William claimed privilege of clergy, and because he read as a clerk before the said justices he was committed to safe keeping; and on 1 May, 7 Henry VI [1429] William escaped from the bishop's prison for want of good custody and has been at large;

[13] on 10 October, 3 Henry VI [1434], the bishop, assuming the king's prerogative without title, granted licence, for a fine of 40s paid to the bishop in his chancery, to John Bellacyse to found a chantry of one chaplain celebrating masses for the said John's soul in perpetuity at St Mary's altar in the church of Durham, St Mary, and to grant lands and tenements in the liberty of Durham to the value of £10 yearly to the chaplain and his successors, with licence to the chaplain to receive and hold this property, for himself and his successors, in perpetuity; and John founded the said chantry, appointed John Stilyngton' as chaplain, and by letters patent granted ten messuages and 100 acres of land in Durham, worth ten marks yearly, to the same chaplain and his successors; and John Stilyngton' was seised therein, and remains so; notwithstanding the statutes made by the king to the contrary, in contempt of the king and to the manifest injury of his crown;

[14] when William Eur', knight, lately procured a writ of *replevin* in the the bishop's chancery at Durham against Thomas Fery of Shadforth, concerning two oxen, wrongly taken at *Southmoorden'* in the vill of Shadforth, in the liberty of Durham, returnable before the bishop's justices on Thursday before Palm Sunday, 9 Henry VI [22 March 1431]; in presence of the justices Thomas acknowledged the taking of the said draught animals, saying that they had been taken on the ground and free tenement of the bishop, whose bailiff he was, and he had impounded them; William said that he was seised at the time of a messuage and ten acres of land in Shadforth in his demesne and as fee, and that he, and all others whose interest [?: *status*] he then had in the said tenement, had had common pasture for their draught beasts at all times of the year in the said place from time out of mind; and Thomas said that he was unable to answer further without the bishop, for whose assistance he asked; and the parties were given until the morrow of St Lawrence; and it was said to William that he might meanwhile proceed against the bishop if it seemed expedient to him; and so William was compelled by the bishop in his court to obtain the said bishop's writ *de procedendo*, directed to his justices, when none can have such a prerogative except the king; and the bishop had compelled various residents and tenants in the said liberty and wapentake to obtain writs *de proseguendo* and petitions as they should in the king's court (&c), in derogation of the king's right, in contempt of the king and damage to his people;

[15] at Durham on Thursday after St Lucy, 2 Henry V [20 December 1414] John Breyser' and Walter Whitewain' were indicted before the bishop's justices for certain felonies, and were tried by jury and convicted; and because they claimed privilege of clergy, and, examined by the ordinary, they read, they were committed by the justices to the bishop, as ordinary, for safe-keeping; and for want of good custody they escaped from the bishop's prison in Durham on 10 October, 4 Henry V [1416], and have been at large, in contempt of the king;

[16] because of an indenture made at Durham, 20 April, 2 Henry VI [1424], whereby the bishop leased his coal mines in Raby and the barony of Evenwood to William Eur', knight, for nine years, rendering £112 13s 4d yearly; and, for £365 9s 5d supposed arrears of the said farm, he sent the following writ close of *fieri facias*

Writ close of *fieri facias* (from [16]) by Thomas, bishop of Durham, to his sheriff of Durham instructing him to have £365 9s 5d from the goods and chattels of William Eur', knight, within his bailiwick; which sum is owed from the farm of the bishop's coal mines in Raby, Cold Hurst, *Hertekeld'*, Heatherycleugh otherwise called *Tollelawe*, and *Wollawes*, and in the barony of Evenwood; the mines being held (&c as above), as appears by inspection of the rolls of the bishop's chancery; and to have these moneys for payment at the exchequer of Durham on 20 December; and, if his goods and chattels be insufficient, to take William's lands and tenements within his bailiwick into the bishop's hands, keep them secure for the bishop's use, and answer for their revenues until the bishop be satisfied of the said debt; requiring him to make known to the said exchequer on the said date what he shall have done in the foregoing, and to have this writ there.

Witness: William Chaunceller', the bishop's chancellor.

Date: 8 December, Pont. 27. [1432]

without any proceedings being taken against the said William, to his injury and to the detriment of the king.

[17] Thomas Hatfeld', late bishop of Durham and predecessor of the present bishop, at the time of Edward III, king of England, had a great seal closed like [?: *magnum sigillum clausum ad similitudinem*] the king's seal used in his chancery; the present bishop has had and used such a seal, wherewith he has had his writs sealed; he has used the terms "against the bishop's peace" in writs for trespass, and the terms "against the bishop's crown and dignity" in writs *de recordis suis* for appeals prosecuted in his court, to the oppression of the king's people and the disinheriting of his crown; and these encroachments have been successively made by the present bishop and his predecessors since the time of the said Edward III, to the great oppression of the king's people within the said liberty and wapentake;

[18] when the bishop has given livery to his tenants, after the deaths of their forbears, of lands and tenements seised into his hands, by writs *de terris liberandis*, he has often pursued his tenants with writs of *scire facias* to show him, in his chancery, why the said lands ought not to be reseised into his hands, and why they [the tenants] ought not to answer for the issues thereof, owing to mistakes made by his own ministers in writs of livery and in inquisitions upon writs of *diem clausit extremum*; and he has had the said lands and tenements reseised, and taken the profits thereof from the time of the [first] livery until the tenants have sued for new livery; and the bishop has encroached upon the king's prerogative and has acquired over his tenants of the liberty and wapentake aforesaid a prerogative which no predecessor of his had ever had or claimed;

[19] when it appeared before the bishop's escheator in the said liberty and wapentake that any tenant had purchased any lands and tenements held of the bishop in chief, although the buyer might offer a reasonable fine to the bishop for so transgressing and ask for the bishop's letters of pardon, the bishop refused the pardon and compelled the buyers to answer to him for the issues of the purchased lands, to sue out the pardon, and pay a fine; further, Ralph Eur' had purchased for himself, his heirs and assigns, the manor and vill of Langley with sundry lands and tenements in Neweland with Ladley park, and Fawnlees in Wolsingham, held of the bishop in chief by knight service; whereafter the bishop had pardoned his transgression in this regard, and granted a suitable fine to him and to William Eur', his son and heir, after Ralph's death; and on 14 September, Pont. 17 [1422] the bishop had taken the homage and fealty of the said William Eur', knight, for all lands and tenements which Ralph had held of him on the date of his death, and the same day by his writ gave livery thereof to William; [and] a writ of *scire facias*, directed to the sheriff of Durham, dated 24 August, Pont. 27 [1432], and returnable before the bishop in his chancery on Thursday after the Nativity of St Mary next to come [11 September] was obtained against the said William, to forewarn him to show if he knew why the lands (&c, as above) ought not to be taken back into the bishop's hands by reason of purchase, and of non-payment of the said fine, and why William ought not to answer for the issues thereof taken in the meantime; by virtue whereof Robert Eur', then sheriff, returned that he had caused William to be informed by William Melote, John Spence, Hugh Forster' and William Mordon', that he was to be in the chancery (&c); thus was William Eur' unjustly compelled to plead in chancery with the bishop concerning this writ; the plea still remains undecided;

[20] encroaching on the crown prerogative, the bishop, on the Monday after Martinmas last [17 November 1432], through Robert Dalton', his coroner of the liberty of Durham, sent the following writ

Writ [of *corpus cum causa* according to R.L. Storey, *Thomas Langley and the Bishopric of Durham 1406-1437*, (1961), p.124, although these words do not actually appear in the writ] by Thomas, bishop of Durham, to John Hedworth', squire, having been given to understand that John has taken Robert Richardson', William Leman', George Scott', Henry de Ogle, John Forman' and William Correx, and unjustly detained them without reasonable cause enjoining him to appear before him in his chancery on Monday next to come bringing the abovenamed with him, and to do and receive that which the bishop's court determines; and to have this writ there.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Monday 6 December [! a Saturday], Pont. 27. [1432]

which writ was delivered to John Hedworth' in Chester-le-Street on that same Monday; and by such writs the bishop at will compels the king's lieges dwelling in the said liberty and wapentake to answer to him in his chancery for matters concerning him, even though these matters pertain to the common law, in contempt of the king's dignity (&c), and by what right the jurors know not;

[21] with the exception that the bishop did not hold parliament, he had, since being created bishop, within the said liberty and wapentake, during the reigns of the present king and of Henry V and Henry IV, encroached upon all royal prerogatives, written and unwritten, by pretext of his liberty of Durham; to the prejudice of the crown (&c);

[22] William Alwente and John de Morton' held the vill of Morton, for themselves and their heirs in perpetuity, apart from 46 acres of land which were the bishop's by right of his church of Durham, and were in decay in the bishop's hands and had been so for the last six years; and during this time he had forced William and John to pay 40s yearly to him, against their will, for the 46 acres, when the said 46 acres were not worth 20s yearly;

[23] the bishop had appointed William Chaunceller', William Malberthorp', and Robert Freend' on 10 November, 9 Henry V [1421] as auditors to hear the account of Thomas Ferrour' for his time as bailiff and receiver of the bishop's moneys at Darlington; Thomas's account had been found 100 marks in arrears, for which the auditors, according to statute, and by precept of the bishop, had committed Thomas to the gaol in the bishop's castle of Durham, and delivered him to Robert Eur', keeper of the gaol, to be kept as punishment until he had paid the debt in full; Thomas had died in gaol, and thereafter, on 10 April, 1 Henry VI [1423], the bishop had unjustly taken for the debt ten messuages and 200 acres of land in Coniscliffe and Darlington which belonged to Thomas at the time of his death, and had taken the revenues thereof until he had raised the said 100 marks, the sentence (*executio*) on Thomas' body for the debt notwithstanding.

[24] Isabel Claxton' had died on 6 December, 9 Henry V [1421], seised of 20 messuages, 50 acres of land, 100 acres of meadow and 1,000 acres of pasture in Lumley, Moorsley and Hetton, in the liberty of Durham, worth £20 yearly, and held of the bishop of Durham by knight service; whereafter Peter Tillioll', knight, and Elizabeth his wife, 40 years old and more, had entered the land in right of the said Elizabeth, daughter and heiress of Isabel; and on 10 March, 9 Henry V [1422] the bishop had taken the said lands into his own hands by reason of the said entry, and had received the issues thereof until 30 April, 10 Henry V [1422], on which day Peter paid a £25 fine to the bishop in his chancery for livery out of his hands; and subsequently the bishop, having studied his chancery rolls, had found Peter to be bound to him in a certain recognizance for the said £25 for the said reasons, and notwithstanding the said livery and payment had had the lands retaken into his hands on 4 May, 2 Henry VI [1424], without any proceedings against Peter; and the bishop had held the lands and taken the profits thereof until Peter was able to agree a fine anew, of £35 for the entry and recognizance, to have livery out of the bishop's hands; the sum being extortionately raised to the bishop's use by his ministers on 3 December, 4 Henry VI [1425], to Peter's great loss.

Date: Wednesday before Palm Sunday 11 Henry VI.

An edition of the original return in The National Archives, noting significant variations from this copy, is printed in R.L. Storey, *Thomas Langley and the Bishopric of Durham 1406-1437*, (1961), p.245-262, from which the numbering scheme used for the paragraphs of the foregoing has been taken.

f.164v-167r 6 April 1433

Notarial instrument recording that John Wessyngton', prior of Durham, with his own hand, with a key, opened a certain book, laid upon the high altar of Durham cathedral, fastened since ancient times to the back/reredos of the said altar with an iron chain, and closed by an iron chain with a lock; in which book, about the middle thereof, he showed sundry writings, appearing by the handwriting to be very ancient, seeming to be uncanceled, incorrupt and lacking suspicion, and concerning the estate of the said cathedral church; the prior asked the notary to transcribe certain sections of these writings, extracted from various parts of the book and touching the possessions and liberties of the cathedral church of Durham, and incorporate these in a public instrument; and the notary, considering this to be a just request, inserted these sections *verbatim* in this instrument:

three chronicle extracts relating to events in A.D. 875, 935 & 948, and 1073 and dealing with the origins of the rights and possessions of the church of Durham, whereafter the prior showed two charters, similarly of apparent authenticity, pertaining to the privileges, liberties and possessions of the church of Durham;

and extracts from alleged charters by William, bishop of Durham, dated London, 1082, and Thomas [I], archbishop of York, undated [1081 x 1085] [Original: DCD 1.1.Archiep.1]

Witnesses: John Bynchestr', John Fournesse, chaplains, John Tang', John Holme, James Newesham and Arsculf Killerby, *literati* and gentlemen of York and Durham dioc. Notaries: William Doncastr', clerk of York dioc., Thomas de Tang', clerk of Durham dioc., and John Runkhorn', clerk of Coventry and Lichfield dioc., N.P.s by apostolic authority (eschatocols recited).

Done: Durham cathedral, 6 April 1433.

{Note by [Thomas Swalwell, c.1500]: "see folio 247 and also more fully in Register IIII from folio 7 to folio 15"}.

(pointing hand drawn in margin [by John Manby monk of Durham])

Printed: *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839),

p.ccxxviii-ccxxxv; and the chronicle passages, H.H.E. Craster, "The Red Book of Durham", (*English Historical Review* 40, 1925), p.523-528.

f.167v

Writ by [Henry VI] king [of England] to Henry Percy, the earl of Northumberland, warden of the East March and of the king's lordship in Scotland, and his commissaries, informing him that Thomas, bishop of Durham, has petitioned that, because he is earl palatine, he and all his men and tenants dwelling within the liberty of Durham have not been obliged or accustomed in times past to plead in any court other than the bishop's within the liberty of Durham, or in any court outside the liberty, and forbidding him from compelling the bishop or his men and tenants dwelling within the liberty to appear before him or his commissaries in any court outside the said liberty; on pain of £1,000.

f.167v-172v 16 August [1433]

Inspeximus by Henry [VI], king of England, of an Enrolled memorandum that Thomas, bishop of Durham, showed to the king in the present parliament, a petition with the tenor of a commission of the king's attached thereto, stitched to the present roll, as following: Petition { "see in the paper register f.94" } by Thomas, bishop of Durham, to [Henry VI], king [of England], summarising the extent of the palatine authority which he and his predecessors have had since time out of mind between Tyne and Tees, and in Norham and Bedlington; referring to the justice eyre [see Reg. II, f.125v-127r] held before the justices Hugh de Cressingham and his associates at Newcastle upon Tyne, the morrow of Hilary, 21 Edward I [14 January 1293], when it was presented that Durham, Sadberge and Bedlington were within the area (*procinctum*) of the county of Northumberland south of the Coquet, and that the liberty of Norham was in the area beyond the Coquet, and that in these places the bishop had his chancery, by means of his writs and his own justices he held pleas of the crown as well as others, he had his coroner and mint at Durham, could place men in exigent, outlaw them and, at will, grant them his peace, and had many other franchises and liberties; and because neither the bishop nor his ministers claimed these franchises and liberties before the eyre, the justices took the said franchises and liberties into the hands of the king; and the record and process made thereon were, at the instance of Antony, then bishop of Durham, and by the king's writ directed to the said Hugh and his associates, brought before the parliament held in the quindene of Michaelmas 21 Edward I [13 October 1293] in London at the manor of the archbishop of York, where the king and his council determined that the places concerned lay outside the bailiwick of the sheriff of Northumberland, annulled the judgment of the said justice eyre and restored the said liberties to the bishop to be held as before; referring to the confirmation by letters patent of Richard II, king of England, dated 16 December, A.R. 7 [1383] given to John, then bishop of Durham, and his successors, of their county palatine, regalian powers and other lordships and liberties; and to the confirmation to Walter, then bishop of Durham, by parliament at Westminster on Friday the morrow of All Souls, 15 Richard II [3 November 1391], of these same letters and of others, given by Henry II and other kings of England; referring to the commission of 12 February, 11 Henry VI [1433] (as on f.159r), on pretext whereof, and at the instance of certain persons plotting to deprive the bishop (with his old age impending) of his rights, four of the commissioners (named) went to Hartlepool, within the bishop's liberty, supposing it to be within the county of Northumberland, on Wednesday before Palm Sunday, 11 Henry VI [1 April 1433] and took an inquisition (as on f.159r-164v); and referring to another inquisition, taken by pretext of the same commission in the king's castle of Newcastle upon Tyne in the county of Northumberland, on the Monday before the said Sunday [30 March 1433], before Ralph Gray and Lawrence Acton' and their associates; stating that various matters were presented [at the two inquisitions] concerning various places known to lie within the bishop's liberty between Tyne and Tees; and that these presentations were sent to the king in chancery by John Cartyngton' and John Horseley by virtue of the king's writ of *certiorari*, which, however, does not run in the county and liberty of Durham, the lordship of Norham or the manor of Bedlington, and neither ought any minister of the crown to interfere in these places *sede plena* ; and that the inquisitions and presentations were taken without lawful authority, to the weakening and perpetual destruction of the said liberties, privileges, franchises and immunities, unless the king provide suitable remedy to the said bishop and his church; asking that the said inquisitions and presentations be cancelled and withdrawn from the chancery, that the bishop and his successors be discharged of any disturbance which might follow thereon, saving to

the king and his successors their rights held on the said Monday or Wednesday before the inquisitions;

and reciting the following writ

Writ (a less heavily abbreviated version of that on f.159r)

Witness: the king.

Date: 12 February, 11 Henry VI [1433]

and that William Eur', knight, as much for the king as for himself, as he asserted, in the same parliament showed a petition against the said bishop, sewn on to the present roll, [as following]:

Petition by William Eure, knight, to the king with reference to the petition of the bishop of Durham, stating that Richard I, king of England, had been seised of the manor and wapentake of Sadberge, lying between Tyne and Tees, where the bishop claims his county palatine;

the said wapentake and manor lay in the county of Northumberland when the same were granted by Richard I, by letters patent [as 1.3.Reg.13] dated at Geddington 18 September, A.R.1 [1189], within legal memory, to Hugh, then bishop of Durham, and the church of Durham;

neither Hugh nor his predecessors held anything in Sadberge prior to the said date, wherefor neither the present bishop nor his predecessors had a liberty, county palatine or franchises before legal memory;

regarding the cancellation of the judgment of Hugh de Cressyngham's justice eyre of 1293, as cited by the bishop in his petition (details as on f.168r), it was presented in the same eyre that the bishop, through his bailiffs, used to meet the justices in eyre at their entry to Northumberland, at *Chilwell'* or Fourstones or *Quakenbrig'*, or by which of those parts the justices happened to come, and seek the crown's articles; and at the time of Henry III, king of England, it was done thus Nicholas Farneham, Walter de Kirkeham and Robert de Tichehill' [*recte* Stichill], sometime bishops of Durham, in the eyres of the abbot of Peterborough, Roger de Thurkilby and Gilbert de Preston' respectively, sending their bailiffs to seek the crown's articles; all predecessors of these bishops had done the same since time out of mind in all other eyres held in the county of Northumberland, as appears in record; all places between Tyne and Tees, as well and Bedlingtonshire and Norhamshire, were then in the county of Northumberland; and of these matters the said King Edward had not been informed, as the record of parliament shows, and so was deceived by Antony, late bishop, into the cancellation of the said judgment;

Louis, late bishop of Durham, had indicated by his petition shown before Edward III, king of England, and his council, in parliament held at Westminster 25 February, A.R. 1 [1327], that since he and his predecessors had possessed and exercised regalian right between Tyne and Tees, and in Norhamshire and Bedlingtonshire, in Northumberland, and done justice there, without interference from the said king or his predecessors, unless there were failure by the bishop or his predecessors to do justice, he ought by reason of his regalian liberties to have the forfeitures of war arising within the said liberty; Antony, sometime bishop, had taken the castle and manor of Barnard Castle and the manors of Hart and Hartness, within the said liberty, into his own hands, by the forfeitures of their sometime lords John de Balliol and Robert de Bruys, holding them until Edward [I], sometime king of England, claiming that such forfeitures ought to pertain to him, caused the bishop to be removed from the said castle and manors; even though Henry III had revoked his grant of the manor of Greatham, within the said liberty and forfeited by Peter de Monteforti, to Thomas de Clare, and had conceded by charter that the bishop should do his will over Greatham and other forfeited lands within his regality; the same bishop [Louis] had pursued and failed to obtain justice in this matter in parliaments of Edward [II], and for this reason asked Edward III to provide remedy; the said charter of Henry III was shown before Edward III and his council in parliament, and, with replies to the bishop's sundry petitions having been examined, likewise other memoranda in the king's treasury and chancery concerning this matter, it was agreed that the bishop should have his right to such forfeitures according to the said charter of Henry III, and that the king's hands be removed from any such forfeitures currently in his possession, and that it was not the intention of Edward III and his council that anyone granted lands or tenements from such forfeitures by his forbears be removed therefrom by virtue of the agreement;

Louis, late bishop aforesaid, had affirmed by this petition that the liberty of Durham and Sadberge, Bedlingtonshire and Norhamshire were in the county of Northumberland, and that, if there were a failure to do justice, the king's ministers might enter those liberties in order to do justice;

this petition and judgment thereon had been ratified, at the instance of Thomas, now bishop of Durham, by Henry [V], late king of England, by his letters patent dated at Westminster, 20 May A.R. 1 [1413], to the said Thomas and his successors, with the said Thomas accepting the same;

the present bishop claims forfeitures of war within the liberty of Durham and Sadberge, including Hartlepool, between Tyne and Tees, in Bedlingtonshire and Norhamshire by a petition according to which these liberties lie in Northumberland; and the bishop ought not to claim that the said liberties lie within the county of Durham and outside the county of Northumberland;

referring to sundry charters by John, sometime king of England, to Philip, then bishop of Durham, and his successors, granting various franchises, liberties and immunities in the counties of York and Lincoln, and confirmed by letters of the present king granted to Thomas, now bishop of Durham; and to letters patent [as Cart. Vet. f.63r] of the said John, late king, dated at (Kirkby) Kendal, 21 August, 10 John [1208], granting amongst other things to the knights and free tenants of County Durham (the *Halywerfolke*) that if the bishop take their draught beasts and hold them against the pledge of the sheriff of Northumberland, he is to have them replevied and led away, by which it is clear that the said liberties lie in the county of Northumberland;

referring to sundry inquisitions and presentments before the escheator and sheriff of Northumberland, taken after the date of the said letters by Richard I to Hugh, bishop of Durham (as at the opening of this petition) { "see Cart. 1, p.194" }, concerning lands and tenements within the manor and wapentake of Sadberge, and returned to the exchequer, as shown in the record thereof, namely in the years 10, 14, 22, 26, 27, & 32 Edward I, 1, 8 & 9 Edward II, 11, 15 & 16 Richard II, and 6 Henry V, and others; and shown in the accounts in the exchequer of the issues of such lands;

stating that all the liberties were taken into the hands of Edward II [*recte* Edward I], late king of England, for certain reasons by consideration of his court, and that they passed into the hands of Edward III [*recte* Edward II], who returned them to Antony, then bishop of Durham, in the first year of his reign, saving to himself and his heirs their regal dignity and power, and all rights of their crown;

saying that, as for the franchises granted and confirmed by charters of Richard II, late king of England, they were granted to the then bishop and his successors to be held as they were held then and had been held before;

and that neither the then bishop nor any predecessor of his used, enjoyed or was granted the liberties of a county palatine or royal prerogatives in the said places or any part thereof;

and hoping that it please the king to do right to his liege people in the foregoing;

and that the petitions and evidence were examined in parliament, and after deliberation by the serving justices of the king at law (*justic' servientibus domini regis ad legem*) and other jurists, it appeared to the king, the lords spiritual and temporal, the justices and jurists, just as the bishop claimed by his petition, that the vill of Hartlepool and all the other places specified in the inquisitions and presentments, and mentioned in the petition of the bishop (&c), were in the bishop's county and liberty of Durham between Tyne and Tees, and outside the county of Northumberland; that the said inquisitions and presentments were held without lawful authority, to the deprivation of the bishop and his church; that the king's writ does not run in the county of Durham, or in the castle, vill and lordship of Norham or the manor of Bedlington, nor has it ever run so *sede plena*, just as the bishop's petition claimed; and that all and sundry set out for the king and William in the said petition will be of no effect unless the bishop were forced to traverse the said inquisitions and presentments, which would entail no small expense for the bishop and danger to the liberty of his church;

in the light of the foregoing, and out of consideration for the bishop's old age, and seeing the bishop's magnificent and fruitful service to the king and the whole realm of England in the time of the present king and of his progenitors ceding to none in labours and expenses and not without bodily harm, and wishing him not to be troubled in his advanced age, with the assent of the lords spiritual and temporal and others of his council there in parliament, the king ordained that the said inquisitions and presentments held in the chancery be cancelled, and that the bishop and his successors be quit in perpetuity of all disturbance which might follow thereon; saving to the king and his lieges all rights (&c) which they had before the taking of the said inquisitions;

upon which, by mandate of the king, John Franke, clerk, keeper of the rolls of chancery, brought the inquisitions and presentments which were cancelled in the presence of the king and parliament, and which remain among the petitions of this parliament.

In the roll of the parliament at Westminster, A.R. 11 [1433] at the request of the said bishop, exemplifying this enrolled memorandum.

Witness: the king.

Date: Westminster, 16 August, 11 Henry VI . Prestewyk

f.172v 20 July 1434

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar general in distant parts, to institute William Browne, chaplain, in the vicarage of Ednam, vacant by the death of Mr Edward de Roule, last vicar thereof.
Date: Durham, 20 July 1434.

f.172v-173r 9 October 1434

Letters of attorney by John prior and the chapter of Durham appointing William Ebchestr', S.T.P., and John Mody, monks of Durham, as attorneys to appear and act for them before the king of England and his council, and also in whatsoever courts and before whatsoever justices (&c), in all actions and business which could concern them or be moved against them by whatsoever adversaries.
Date: Durham, 9 October 1434.

f.173r 31 October 1434

Grant by indenture by John, prior of Durham, to Mr John Burhgham, rector of Durham, St Mary in South Bailey, while he remain rector of the said church, of a yearly pension of 13s 4d in recompense for certain lesser tithes of various places and gardens once within the bounds of the said parish church and now within the enclosure of the monastery of Durham; for which tithes the rectors of the said church used to eat on certain days within the abbey of Durham; and of a clerk's garment to be received yearly at Christmas; for his service to be rendered to the prior and his successors and to whatsoever monks of Durham in their causes and business, as often and when required, both in and out of court, acting before or against any persons within or without the diocese of Durham, and providing counsel and advocacy according to the discretion given to him by God; with provision for the payment of Mr John's expenses when serving outside the city and diocese of Durham.

Sealed alternately.

Date: Durham, 31 October 1434.

{Post-medieval note: "vide plura fol. 234[v] " }

Also DCD Reg. Parv. II f.81r-v.

f.173r

Memorandum that the tenement of Robert de Hilton', knight, which is now called the hostiller's garden, the tenement of Robert son of Meldred, now called *Woddegathe*, and the tenement of Ralph de Aumundevile, now the cellarer's garden, once lay within the parish of Durham, St Mary in South Bailey, but are now within the walls of the monastery of Durham; in recompense for the lesser tithes of which tenements the rectors of the said church used to eat within the abbey of Durham on certain days each week, as is clear from charters in the chancery of the monastery of Durham.

f.173r-v 31 October 1434

Indenture of delivery by Hugh Forestar' and John Ireland', executors of the will of Richard Puddesay, to John, prior of Durham, of a bequest of jewels, described, left to the shrine of St Cuthbert at Durham by the said Richard in his said testament.

Under the seals of both parties.

Date: Durham, 31 October 1434.

Related material in other DUL collections: Cf. DCD Reg. Parv. II, f.81r, the prior's receipt for these jewels dated Bearpark 5 October 1434, which is printed in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccxxxvi-ccxxxvii.

f.173v 10 November 1434

Testimonial by John, prior of Durham, for John de Bayly of South Shields, bearer of the presents, who was captured at sea by the Scots, his enemies, around Easter last, and, along with twelve of his associates who were captured with him, was imprisoned in Scotland for thirty-six weeks, to the extent that he was brought to misery and poverty; and asking those to whom he should turn to view his penury and frail state with the eye of piety and give alms and other assistance to him; valid for one year and a half from the date of the presents.

Date: Durham, 10 November 1434.

Printed, from DCD Reg. Parv. II f.81v-82r, in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.107-108.

f.173v 12 December 1434

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Richard Kirkeby, priest, in the vicarage of Hesleden, vacant by the resignation of Thomas Preston', last vicar thereof.

Date: Durham, 12 December 1434.

f.173v-174v 28 January 1435

Notarized testimonial by John, prior of Durham, recording that Thomas Neesbitt, monk of Durham, having been accused of the crime of incontinence, committed with Sibyl, wife of John Adyngham, lately dwelling in the Bailey of Durham, and steadily denying when charged (*articulatus*) thereon in chapter by the prior, asked that he be admitted to canonical purgation upon this dishonour; that the prior appointed twelve of his fellow monks as compurgators and assigned 28 January as the date for the purgation; on which date, in the chapter house, in presence of the monks of Durham and a great number of trustworthy men, both ecclesiastics and laity, appeared the said Thomas and his compurgators Stephen Houden', subprior, William Poklyngton', S.T.B., William Drax, prior of Coldingham, William Barry, prior of Finchale, John Durham the elder, Richard Hessewell', almoner, John Gisburgh', William Durham, Roger Langchestr', John Swynesheued', Thomas Witton', and Henry Feryby, sacrist, drawn from the older members of the chapter; that, with none objecting or gainsaying after the public proclamation, the prior admitted Thomas to purgation, reciting the charge (*articulum*) proposing that he had incontinently and carnally known Sibyl, wife of John Adyngham; Thomas denied it as before and, while touching the gospels, denied that he was in any way culpable of this disgrace; the compurgators swore that they believed Thomas had sworn the truth and, moreover, the thirty-eight other monks there present did likewise; that the prior by decree restored Thomas to innocence and good repute; that Thomas asked for the prior's letters testimonial to be drawn up in a public instrument.

Under an impression of the prior's seal and the signs and subscriptions of the notaries. Witnesses: Thomas Percy, canon of Southwell collegiate church, William Chaunceller', chancellor of the bishop of Durham, Mr William Doncastr', official of the bishop of Durham, Mr John Burgham, LL.B. and rector of Durham, St Mary in South Bailey, Peter Kirkeby, William Holilob, John Bynchestr', John Perteryke, John Elstob, Ralph Skipton', John Corbrig' and Robert Heryngton', chaplains, William Overton', William Rakett, Richard Catlynson', John Holme, Richard Hemmyngburgh', James Neuesham, Robert Gryndisdale, Thomas Poumfrayte, Thomas Thorneburgh' of Elvet, Arsculf Killerby, gentlemen and *literati* of York, Durham and Carlisle dioc.

Notaries (eschatocols recited): Thomas de Tang', N.P. by apostolic authority; Robert de Beerhalgh', clerk of Durham dioc., writer of the court of Durham, N.P. by apostolic authority; John Runkehorn', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority; John Beerhalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority. Done: chapter house of Durham, 28 January 1434/5.

Printed, excepting the eschatocols, in *Historiae Dunelmensis Scriptores Tres* (Surtees Society 9, 1839), p.ccxxxix-ccxli.

f.174v-175v [10 March 1429]

Record of proceedings held before James Strangways and his associates, justices of the bishop, Wednesday in the fifth week of Lent, 6 Henry VI [24 March 1428], Richard Couhird' of Durham, yeoman, was arrested to answer to John Pollard', dyer, concerning John's plea that Richard had taken his draught beasts and unjustly detained them; John, through Thomas Wheldale, his attorney, pleaded that on 5 July, Pont. 21 [1427] in the Old Borough of Durham, in Bearpark moor, Richard took 25 of his cows, and detained them against security until &c, wherefor John had sustained 20 marks' damage; and therefor he brought suit;

Richard, in person, as bailiff of John, prior of Durham, acknowledged the detention of the said cows; protested that the said moor was part of the manor of Bearpark and not within the Old Borough of Durham; said that the cows were taken between *le Monkeherber'* and *le Aumner'cloce*, which place is free tenement and several ground of the prior as by right of his church of St Cuthbert, and was at the time of the said seizure, and that Richard found the cows there depasturing the prior's grass and causing damage, and as bailiff of the prior took and impounded them;

John protested that he and all the tenants of the Old Borough of Durham had and used to have common pasture in forty acres of the said moor, and that the place in which Richard acknowledged the said seizure was part of the forty acres; and said that he was seized of a messuage in the Old Borough and that common pasture in the said place for all manner of draught beasts had pertained to the messuage from time out of mind; wherefor he asked judgment and damages;

Richard declared that John Pollard' neither had nor used to have common in the moor or in any part thereof; that the place of the seizure was free tenement and several ground of the prior, such that neither John Pollard' nor anyone whose estate he had in the said messuage had or used to have common pasture in that place as alleged, and that this he is ready to verify; wherefor he asked judgment and the return of the cows;

John Pollard' said that he had common pasture as he alleged; and submitted himself to a jury, as did the said Richard; wherefor the sheriff was ordered to cause twelve to come on Thursday next after Matthew the apostle [23 September];

the process was continued to Thursday in the fourth week of Lent, Pont. 23, on which day John and Richard came in person, and the jury found in favour of Richard; and Richard should have return of the cows.

Jurors: Robert Conyers of Sockburn, Thomas Cuke of Fishburn, John Maulyverer, lord of Croxdale, John Haddam of Seaham, Thomas Marlay of Langton', William Forster' of Auckland, John Fossour' of Durham, John Scruttevile', William Maddyson', Thomas Robynson', Hugh Evenwod', William Dalton'.

Date [end of the process]: Thursday in the fourth week of Lent, Pont. 23.

Draft: DCD 2.6.Spec.53.

Related material in other DUL collections: Writs in the case in 1427 and 1428 are in DCD Loc.V:16 and 40 resepctively.

f.175v 23 September [1434]

Writ, by Thomas, bishop of Durham, to the sheriff of Durham informing him that Richard Cowehird' of Durham, yeoman, has been awarded return of twenty-five cows of John Pollard' taken on Bearparkmoor and impounded, as shown in the record and proceedings thereon before the bishop's justices at Durham [as f.174v-175v above]; and instructing him to have the cows delivered to Richard, and not to deliver them at the plaint of the said John without the bishop's writ making mention of the above judgment.

Witness: James Strangways.

Date: Durham, 23 September, Pont. 29.

f.175v-176r [4 February 1435]

Memorandum that on 4 February 1434/5 John Pollard', dyer of the Old Borough of Durham, offered a 1lb candle at the shrine of St Cuthbert in recompense for the return of twenty-five cows, taken on a moor called Bearpark moor, which is free tenement and several ground of the prior and chapter at all times of the year, between a part of the moor encircled with trees, commonly called *le Monkeherber'*, and a close belonging to the almoner of the monastery of Durham, called *le Almoigner cloos*, as expressed in the abovementioned session or plea [f.174v-175v]; John Pollard, in whose name there was a writ of *replegiari* [issued] because the cows were impounded by Richard Cowehird', the prior's bailiff, and in whose name the abovementioned suit was brought against the said Richard, acknowledged that he had done this under a false claim and had caused injury by unduly impleading the said Richard and by vexing the prior and convent, to whom the moor belonged of old; wherefor, by the assize taken before James Strangwayse <three or four words erased> (&c), Richard was awarded return of the cows said to be John's; and since John was unable to effect the return as he ought, he offered the aforesaid candle in recompense.

f.176r 6 March 1435

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

Date: Durham, 6 March 1434/5.

f.176r-v 6 March 1435

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Thomas Ryhale, chaplain, in the church of Kimblesworth, vacant by the death of Robert Foston', sometime bishop of Elphin, and last rector of Kimblesworth.

Date: Durham, 6 March 1434/5.

f.176v [15 August] 1433

Letters, in elaborate terms, by Thomas, minister of the [abbey] church of St Mary, Barlings, Lincoln dioc., Premonstratensian order, and the convent thereof, for John Cawod', bearer of the presents, as their mortuary-roll bearer; valid at their pleasure.

Date: [Barlings], Assumption of St Mary 1433.

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.105-106.

The register of brother William Dalton, chancellor of the priory of Durham, begins, A.D. 1431 - Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

f.176v-177r 6 August 1431

Letters, in elaborate terms by John, abbot of the church of St Mary and SS John the apostle and John the evangelist, Croxton, Lincoln dioc., Premonstratensian order, and the convent thereof, for John Cawod', bearer of the presents, as their mortuary-roll bearer; not valid after seven years.

Date: Croxton, 6 August 1431.

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.103-104.

f.177r-178r 9 August 1384

Inspeximus by John, bishop of Durham, confirming, in so far as it concerns him, the following agreement.

Agreement between the prior and convent of Durham, having the church of Durham, St Oswald, appropriated to their own use and John Leg', executor of the testament of Alice, his late wife, parishioner of the said church, concerning a mortuary horse, which the prior and convent contended as due by force of custom in the said parish, laudably observed, prescribed and often obtained in contested judgment; and between the said religious and the said John Legge, and John Lewyn', William de Shoroweton', William de Hull', Henry de Shirburn', John Barkear', Walter de Coken', Thomas Herte, John Ried', Richard Smyth', John Milner' of Elvet, Richard Webster', William de Neuburgh', John Raper', Thomas de Pittyngton', John Heryngear', Richard Glover', John Barkear', William Burne, William son of Cuthbert, Gilbert Wryghte', John Glover', John de Cawod', Edward Taillour', John Chaloner', John Sparowe, *wryghte*, Richard Monyour', William de Preston', *wryghte*, John Shorte, William de Chilton', John de Plompeton', Laurence Postell', John Propter', Peter Dryng', John de Bellacyes, Walter Barkear', and other inhabitants of the streets of *Novus* Elvet, Sidegate, Milburngate, Allergate, Framwelgate, South street and Crossgate, parishioners of the church of St Oswald, and the community of the same parishioners;

since, concerning the alleged right of the prior and convent to mortuary beasts, there had been an appeal on the part of the community of the parishioners to the court of York from certain definitive sentences carried against the parishioners by Mr William de Farneham, official of the bishop of Durham, in favour of the prior and convent, in name of their church of St Oswald, for their right to have mortuary beasts from inhabitants of the said streets (the sentences having been against: John de Sadbery, executor of the testament of Joan, his late wife; Agnes, widow and executrix of John Goldesmyth'; and William de Corbrig', executor of Joan, his late wife), and at length, with the mediation of certain common friends zealous for peace, the parties, wishing to avoid the misfortune of losses and expenses, have come to a composition:

that the prior and convent be able to claim an animal from the property of every man and every unmarried woman of the parish at the time of their death, with the best animal to be chosen by the proctor of the prior and convent if such a parishioner have more than one animal; and, at the death of a married woman, the second best animal remaining in a surviving husband's goods, or in the goods held in common; with the inhabitants of Framwelgate being exempted from payment of mortuary beasts from their animals in Framwelgate and the pasture thereof, unless they should bequeath a beast in their last will, or if they should have animals elsewhere in the said parish; and on the part of the community of the parish all legal actions, and particularly the appeals, against the prior and convent by reason of the foregoing matters are renounced;

and the prior and convent grant faculty to the inhabitants of South street, Crossgate, Allergate, Milburngate, Framwelgate and Sidegate to hear divine offices in St Margaret's chapel, which is a dependency of the parish church of St Oswald, and to receive all sacraments, have burials and solemnisations of marriage;

saving the right of the prior and convent and their parish church aforesaid in all and sundry other things; and with both parties renouncing all actions which they might take in future against the present agreement.

Remaining with the said parishioners, and sealed by the prior and convent.

Date: Durham, 11 July 1384.

Date: manor of Stockton, 9 August 1384.

The register of brother William Dalton, chancellor of the priory of Durham, begins, A.D. 1431 - Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

f.178r [20 March 1435]

Memorandum that a letter of breviatory by the prior and chapter of Durham for John de Cawod' [cf. f.176v-177r above] as their mortuary-roll bearer, dated Durham, 20 March 1434/5, with the words "the presents to endure at our pleasure", has been issued according to the form of the letter for John de Muston', lately their mortuary-roll bearer, as on folio 148 of this register, dated Durham, 1 February [14]32/3, excepting the clause "these letters are to be valid for two years after their making, and ye with the Lord in eternity" and the date.

f.178r-188r [1416 x 1437]

Supplication for the payment of halves of profits of the bishop's court obtained from tenants of the land or fee of the prior and chapter by John Wessyngton', prior of Durham, to Thomas Longeley, bishop of Durham, asking that he inspect the following and provide remedy thereon.

[1] informing the bishop that among the liberties which the prior's predecessors had before the *Convenit* agreement it should be noted that the prior had the court of the tenants of his land or fee (f.178r-v)

[2] citing a passage from a [spurious] charter by William the Conqueror, granting the right to hold courts; confirmed in his council at Westminster, A.R. 18 (f.178v)

[3] citing a passage from another [spurious] charter by William I, king of England, granting to the prior and monks all liberties which former kings of the English have granted to the ministers and servants of St Cuthbert; n.d. [1081 x 1087: reference to Bishop William (of Saint Calais)] (f.178v)

[4] citing a passage from a third [spurious] charter by William I, granting to the prior and monks that they might have courts wheresoever they have tenements within the kingdom, with all rights pertaining to courts; confirmed, with the sign of the cross in his own hand, in his council at Westminster A.R. 18 (f.178v)

[5] reciting [2.1.Reg.4b] a Charter [spurious ?] by Henry I, king of England, receiving Algar, prior of Durham, and his successors, and the monks of Durham into his peace and protection, on account of the injuries done to them by Ranulf, bishop of Durham; confirming the rights, specified, including their rights to hold courts and to have the things and customs pertaining thereto, which they had at the death of Bishop William, including those which Bishop Ranulf took away from them and subsequently returned by his ring and charter upon the altar of St Cuthbert [cf. 2.1.Pont.1]; confirming Blakiston, Staindrop, Staindropshire, and the wood of Heworth on the east side of Mareburn', and all their other possessions, as freely and quietly as their bishop holds his; granting that all land given to or bought by them be quit, with their other land, of all customs pertaining to the crown; and informing them that any injury done to them by the bishop or others would be a breach of his peace. No date [1128 x 1135: Bishop Ranulf's restitution x death of Henry I] and noting that the charter was confirmed [in 2.2.Reg.10] by Edward I, [king of England] with the addition of a clause stating that although they had not thitherto fully used the liberties contained in the charter, the prior and monks and their successors were to enjoy the said liberties thenceforward without impediment of the king, his heirs or their ministers; and that this clause was contained in confirmations of Edward III and Richard II, kings [of England] (f.178v-179r)

[6] quoting from a charter of Richard I, king [of England], confirming to them whatever had been granted to them by the kings of England or Scotland, the bishops of Durham, and by any donor whatsoever; taking the monks into his peace and protection; ordering that they should have their courts and other rights as in the charter of Henry I and in the charters of his ancestors; and noting that the said charters were confirmed by various kings of England, with the addition of a clause stating that, although the said liberties might not have been used to the full, the prior and monks were to enjoy the same fully and in peace thenceforward A.R 6 and 37 years before the time of the *Convenit* (f.179v)

[7] stating that the liberties pertaining to the courts have been ratified by various bishops of Durham; and quoting from a [spurious] charter [1.1.Pont.1a] made at Gloucester in the full council of the king of England by William, bishop of Durham, to the prior and convent, confirming the court granted to them by William, king of England, and the regalian customs pertaining thereto granted by the kings of England f.179v()

[8] quoting a clause contained in a charter by Hugh, bishop of Durham, in which he confirms their court to them, just as he has his own, along with all liberties and customs pertaining thereto (f.179v)

[9] quoting a clause from a charter by Richard of Marsh, bishop of Durham, the king's chancellor, immediate predecessor of Bishop Richard Poore, in whose time the *Convenit* agreement was issued, confirming the court granted to the prior and convent by William, king [of England], and the liberties and customs pertaining thereto, as in the charter of William, bishop of Durham (f.179v)

[10] stating that by virtue of these charters dating from before the *Convenit* the prior had *pretorium*, gaol and gallows &c in the Old Borough of Durham (f.179v-180r)

[11] observing that the *Convenit* had restricted rather than amplified the liberties of the prior, and pointing out that there are many other relevant statutes from before the *Convenit*, omitted to avoid tedium, for which there *attestationes* on an old roll [2.5.Pont.1] kept with the muniments relating to the *Convenit* (f.180r)

[12] reciting the five articles of the *Convenit* concerned with halving, which, along with the other articles in the agreement, were ratified by Thomas Hattefeld', bishop of Durham (f.180r)

[13] reciting a Writ by Thomas, bishop of Durham, to the sheriff of Durham and Sadberge referring to his inspeximus and exemplification of the *Convenit* agreement made by his predecessor Richard, bishop of Durham, and the prior and convent of Durham; and instructing him to have these letters of exemplification publicly read and proclaimed in full session of his court, before him, the coroners and other bailiffs of his county, and to have the articles contained in the letters firmly kept.

By the hand of William de Westle, dean of Auckland, the bishop's chancellor.

Date: Durham, 24 August, Pont. 9. [1353] (f.180r-v)

[14] stating that his predecessors had been in peaceful possession of the half, receiving it according to the said articles during the time of the said Thomas, bishop of Durham, until the sixth year of John Fordeham [bishop of Durham], as appears from the accounts of the constables, sheriffs and bursars of Durham; that it was then proposed by certain of the bishop's ministers that the articles were to be applied to tenants only and not to others, and that this was denied on the part of the prior, as being contrary to established use; that the matter remained undecided for several years, partly because of the negligence of the prior, who did not pursue the business with bishops John and Walter because they almost continuously resided in London (f.180v)

[15] stating that, at the instance of the prior and chapter, the following letter was issued Letter by Walter, bishop of Durham, to Richard de Norton' and John Conyers, his justices of Durham, asking them to receive the petitions and evidences of the prior and chapter of Durham concerning the halving of fines and other matters, and to consider the evidences for the bishop's side to be shown to them by Ralph Euer', Robert Wycliffe and Peter del Hay; and to write back to him with the result of their deliberations, so that he might be informed as to what he should do to discharge his conscience, since during his time [as bishop] he has not wished to do anything which might redound to the peril of his soul.

Written: manor of Auckland, 23 April &c. [?1405]

to which Richard Norton' and John Conyers replied, saying that the prior and convent will have [*habebunt*; ? for *habebant*] a half from tenants residing in the fee of the prior and convent; and that the bishop should have wardship of the body of all wards within the fee of the prior and convent and half of the land &c so long as the heir hold any parcel of land of the bishop by knight service; and that bishop Walter wrote to Robert Wycliffe, then his chancellor, that he should compose letters patent according to the form of the letters patent and writ of Thomas Hattefeeld'; which mandate the said Robert did not carry out; but that Robert Conyers, then sheriff, at the will of bishop Walter, paid halves from tenants residing within the fee of the prior and convent, and from the chattels of felons, as appears in the accounts of the bursar of Durham for A.D. 1405, the last year of bishop Walter (f.180v-181r)

[16] observing that there is uncertainty concerning three things contained in the said agreement:

(1) over delivery of a felon to the prior's court and the halves of chattels and waste of a felon

(2) over the halves of wreck and waif

(3) over the halves of fines imposed on the prior's tenants in the sheriff's tourn

(f.181r)

[17] noting, for clarification (f.181r-182r) that:

[a] in the pleas before Hugh de Cressyngham and his associates, justices in eyre, at Newcastle upon Tyne the morrow of Hilary, 21 Edward I [14 January 1293], it was presented for the prior that various magnates had various liberties within the liberties of the bishop, and that the prior had infangthief throughout his lands within the said liberties, took a half of the chattels of felons condemned in his court, took the fines for breach of the assize of bread and ale in Elvet, and took half of the wreck happening upon his land; [b] as shown in the rolls of free court for A.D. 1304, 1306, and 1307, when Antony was bishop of Durham (consecrated 7 Kal. January 1283 [26 December 1283, *recte* 9 (5 Id.) January 1284]), sundry felons or prisoners were delivered and judged in the prior's court; [c] as shown in the rolls of the prior's free court for A.D. 1312 [? *recte* 1317, i.e. 'xvii' misread as 'xii'], *sede vacante*, when the bishop's temporalities and the liberty of the bishopric [were] in the king's hands, the gaol delivery of the court of Durham [was held] before Adam de Bowghes, then sheriff, on Monday before Ambrose 10 Edward II [28 March 1317] [and] John son of Walter de Wyndegate, Ellis son of Walter de Wyndegate, Robert son of Laurence de Hesilden', Walter Sandy, Robert de Eden' and William his brother, Isabel wife of William dell' Hall', and Agnes her daughter, Thomas Bell' of Woodham and Margaret his wife, taken at Wingate, Hesleden, Wolviston and Woodham for sundry robberies, larcenies and burglaries, came and were charged by the sheriff; Robert Greetheued, the prior's steward, came and asked that his lord's court have prisoners taken in the fee and lordship of the prior, as hitherto; the sheriff dared not allow this liberty without the king's special *vertaranto*, and the prior produced the following [first] writ

Writ by Edward [II], king of England, to the sheriff of Durham informing him that the prior of Durham claims various liberties which he and his predecessors have enjoyed since time out of mind, and instructing him that, if this is so, he is to permit the prior to use and enjoy the said liberties in the sheriff's jurisdiction (*coram te*) in the said county, just as he and his predecessors have been accustomed to do.

By the hand of Adam Bron', the king's chancellor of Durham.

Date: Durham, 15 March, 10 Edward [II] [1317]

by reason of which writ the sheriff held an inquisition, in which the jurors said that the prior of Durham and his predecessors had enjoyed their court whether or not there were a vacancy, lawfully holding prisoners taken in his fee and lordship; and that these prisoners were to be imprisoned in the bishop's gaol, and to be hanged on the bishop's gallows if found guilty; and that the prior shall have half of the goods of those hanged; and that the prior thus held his court, and assigned the morrow as the day of delivery, on which date Robert de Eden', his brother William, and Robert son of Lawrence de Hesilden' were hanged, their goods were confiscated, and the rest of the prisoners were acquitted;

[d] as is shown in the rolls of the prior's free court for the years of Richard Kellowe, Louis, Richard Bery and Thomas Hatfeeld', the prior held felons or prisoners as aforesaid and had halves according to the articles of the *Convenit*, wherefor the following [second] writ was issued.

Writ by Richard, bishop of Durham, to the sheriff of Durham advising him of the agreement between his and the prior's predecessors, to the effect that if any free man of the prior's land or fee be convicted of felony or not wish to stand trial and thereby ought to lose the land, the bishop shall hold his land for a year and a day, having half of the profits thereof, with the prior receiving the other half at the hands of the bishop's bailiff; and that after the period of a year and a day has elapsed the prior or chapter are to have the felon's land as escheat; and that all fines and profits of the pleas of the crown, of assizes, and of all pleas settled by judgment, fine or agreement in the bishop's court concerning the land or fee of the prior are to be halved between the bishop and prior; ordering him, in conformity with the agreement, to pay to the prior of Durham a half of all court profits concerning the prior's land or fee which shall have arisen during his time as sheriff, likewise a half of such profits arising in future, so long as he remain sheriff; receiving letters of quittance therefor from the prior testifying to the sum paid, for which the bishop wishes due allowance to be made in the sheriff's account.

By the hand of Robert de Calne, bishop's clerk.

Date: Durham, 8 December Pont. 11. [1344]

[18] supplying evidence of payment of the half with: a summary of those parts of the accounts of the priory bursars for the years 1293 (Pont. Bek 10), 1313 (Pont. Kellaw 2), 1314 (Pont. Kellaw 4) and 1319-20 (Pont. Beaumont 2) showing payment of the half to the prior, and that part of an account of Simon de Essh', sheriff of Durham, for 1342 (Pont. Bury 9) recording an allowance for the half of fines of the prior's tenants for the whole period of office of John de Menyll' [former sheriff of Durham]; and the following writ sewn on to the last-mentioned account

Writ by Richard, bishop of Durham, to John de Menyll', sheriff of Durham, advising him of the agreement between Richard, then bishop of Durham, and the prior of Durham, that all fines and profits of the pleas of the crown, of assizes, and of all pleas settled by judgment, fine or agreement in the bishop's court concerning the land or fee of the prior are to be halved without delay between the bishop and prior, as more fully contained in charters made thereon; and that the present prior has complained that the sheriff has not divided such fines, but has reserved them wholly to the bishop; ordering him to pay to the prior half of such court issues arising during his time as sheriff, as much before Michaelmas as after, as has been customarily done hitherto; with this letter to serve as warrant on the sheriff's account as warrant.

Date: manor of Auckland, 10 February 1341/2.

a list of the priory bursars' accounts for the years 1344-5 to 1354[-5] (Pont. Hatfield 1-11) giving the sum received for the half from the sheriff of Durham where applicable (the first two accounts making no mention of the half and the third account could not be found), with an allowance against the account of sheriff Robert de Bowes cited for 1354, since the bursar's account makes no mention of the half in that year; and extracts from bursars' accounts, for accounting periods of varying lengths, covering the years 1355-6 to 1385-6 (Pont. 12 Hatfield - 5 Fordham), except for terms in 1369-70 and 1371, for which the accounts could not be found: dealing with the receipt or non-receipt from the sheriffs of Durham Robert Bowes, John de Byreland', William de Claxton', Thomas del Ryver', William de Menevill', Robert Umframvill', knight, John Heron', William de Elmeden' (also sheriff of Durham and Sadberge, and escheator thereof, f.185r), John Hyndeley (on whose behalf John de Elvet handed over receipts for the year Michaelmas 1378 to Michaelmas 1379), William de Boughes, Thomas de Claxton', and Robert de Laton', knight, of halves of fines (with some of the earlier fines defined in relation to the "New Statute") imposed on the prior's tenants in the county court, of the strays of John de Pylling', and Peter Smyth' [f.185v], of four wardships [f.186r], and of the forfeited goods of William Milner' [f.184r]; and from William de Westlee, John de Kyngeston' and Richard of Barnard Castle, receivers of the exchequer of Durham, and William de Elmeden' and Hugh de Westewyke, constables of Durham, of halves of fines imposed on the prior's tenants before the bishop's justices; with a similar extract from a bursar's account for the year 1405-6 (Pont. Skirlaw 17-18) (f.182r-186v)

[19] a statement that the priors have been in possession of half of the wreck occurring upon their lands, expressed above in the articles of the *Convenit*, since the time of the *Convenit*; a statement that so far as waif and the sheriff's tourn are concerned, they are defined by the articles of the *Convenit* except that the prior is to enjoy rights granted by kings and bishops before the said agreement; and that the priors were in possession of waif upon their lands by a charter of Richard I, dated thirty-seven years before the *Convenit*, and have remained so since that agreement (f.186v)

[20] stating that the liberties granted by King Richard have been enjoyed by the prior and his predecessors within the fee and lordship of the king, as shown in the process following [section 21, below], and that therefore he ought to enjoy these liberties within the liberty of Durham, since the prior had his court with all royal liberties and customs before the time of the *Convenit*, just as the bishop had, and in the same terms (*verbis*), as shown in charters granted by various kings and bishops of Durham, copies of which the prior has in his register; and attestations of witnesses examined upon the use of the court have been made, which are contained in a certain old roll [2.5.Pont.1] (f.187r)

[21] Record of *Quo Warranto* proceedings before W. de Herle and his colleagues, justices in eyre, Roll 20, to which the prior was summoned to answer the king on a plea as to the warrant whereby he had a claim to the view of frankpledge of all those residing in his fee, namely in Normanton, [Sutton] Bonnington, Kingston upon Soar, Barton [in Fabis], Gotham, Costock, Rempston; and a claim in his properties in the above places and Nottingham to sake, soke, toll, team, infangthief, wreck and waif, and freedom for himself and his tenants from all geld, scot, feudal aid, sheriffs' and reeves' aid, from all customary services and aids, and from shire, hundred, riding, wapentake and other customs pertaining to the king;

the prior appeared by his attorney, William de Normanton', and said: that he and his predecessors had had the view of frankpledge of all those dwelling in his fee in the said vills, as by right of his church of Durham, since time out of mind; that he had no claim at present to sake, soke, toll, team (&c); and that he was himself quit of geld, scot, feudal aid, sheriffs' and reeves' aid, from all customary services and aids, and he and his men were quit of shire, hundred, riding and wapentake; and that Richard, sometime king of England, had granted to the prior and monks all lands, tithes and churches pertaining to the priory of Durham with sake, soke, team, toll and waif, with freedom from geld and with all the other said freedoms; he produced the charter, the date of which was 4 February, 6 Richard [i: 1195], and by this warrant claimed the said liberties and immunities for himself, having no claim at present regarding immunity for his men from geld &c and from customs pertaining to the king;

William de Denum asked on the king's part that the inquisition find out how the prior and his predecessors had used the said liberties and immunities; and the jurors said that the prior and his predecessors had had the view of frankpledge of all those residing in his fee in the said places, and had made use of it by fining delinquents on the articles of the view as often as they had offended; that the prior did not have pillory or tumbrel; that the prior and his predecessors had had soke, sake, quittance (*quietanc'*), toll, team and, except in Nottingham, waif, as claimed, from the time of the said grant; and that the prior and his successors were, and had been accustomed to be, quit of all the above quittances, as claimed, since the time of the said grant (f.187r-v)

[22] asking the bishop to consider the foregoing, to amend (*reformare*) a warrant sent to his auditors for allowance of the half, since the warrant did not accord with the *Convenit*, failing to extend to fines and other income from tenants residing on the prior's lands and tenements, or from free tenants of the prior's fee; explaining that allowance of halves from all the prior's tenants, free or not, had not been opposed either in the time of bishop John, when uncertainty in these matters had first begun, or in the time of bishop Walter, but had often been offered and then refused by the prior and convent; pointing out that the expressions "tenants" and "tenements" are not contained in the *Convenit*, but rather the expressions "man" and "men", giving illustrations from the text; asking the bishop to understand firstly that the priors of Durham have often suffered interruptions, though unjust, to [the tenure of] their liberties and possessions, but that the [bishop's] predecessors, having been better informed of the right of the prior, have restored these liberties and possessions without trouble, to be held as before, with nothing appropriated by the bishop counting as an alienation; and secondly that to none of his predecessors had clear information in the aforesaid matter been shown, and the said matter would not have remained in doubt hitherto, as the prior maintains, if this had not been so; stating that he will hold himself ready to demonstrate the premisses at greater length, if and when his lord please to hear it; and that, if he please, the premisses be sufficient for the present (f.187v-188r)

Second writ [17]: also DCD 1.5.Pont.3 item 4.

Writ [18]: also DCD 1.5.Pont.6.

Other copies [21]: DCD Cart. III, f.105r-v; 2.3.Ebor.6.

f.188r-v 26 March 1435

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Storthwayte, rector of Harby, Lincoln dioc., in the church of Normanton-on-Soar, to effect an exchange of benefices with William Reynald', rector of Normanton-on-Soar; saving a yearly pension of one mark owed of old therefrom to the church of Durham.

Date: Durham, 26 March 1435.

f.188v 10 May 1435

Proxy by John prior and the chapter of Durham, patrons of the church of Ruddington, appropriated to their college at Oxford, appointing Mr Robert Ormesheued', advocate of the court of York, Mr William Driffeeld' and Mr Thomas Appelby, proctors of the court of York, as their proctors to treat and come to an agreement with John Bramcote, vicar of Ruddington, and whatsoever other persons appearing for him in the cause of the augmentation of his portion before whatsoever commissaries general or spiritual of John, archbishop of York; and if need be, to hear the decree upon the agreement and limitation of the portion of the said vicarage, lately made between the prior and convent and the said vicar, for the term of his life, and to obey the same decree in its delimited form.

Date: Durham, 10 May 1435.

f.188v-189r 12 May [1435]

Certification by John, prior of Durham, to John, abbot of Selby, having received on 6 April the following mandate

Mandate of John, abbot of Selby, deputed visitor of Benedictines in the province of York by the provincial chapter of the Black Monks in England, last held at Northampton, to the prior and convent of Durham informing them that he intends, himself or through his commissaries, one or more, to visit their house on 16 May next with continuation of days; instructing the prior to cite all his fellow monks who ought by law or custom to be present to appear with him in their chapter house on the said date and do, receive and admit everything which the office of visitation demands; and requiring certification, by letters patent incorporating the contents of the presents, of everything that he shall have done in the foregoing, along with the names of all monks, present or absent at the said date and place.

Date: the monastery of Selby, 1 April 1435

informing him that he will obey his letters, as he is bound, that he had had his fellow monks cited, their names being attached, that he has done all other things pertaining to his office in this respect, and that he has thus executed the mandate.

Date: Durham, 12 May.

f.189r-v 21 May 1435

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Robert Widger', chaplain, in the vicarage of Ruddington, vacant by the death of John Bramcote, last vicar thereof.

Date: Durham, 21 May 1435.

f.189v 31 May 1435

Letters of confraternity by John prior and the chapter of Durham to Thomas de Bethom', gentleman, having been informed by the prior and monks of Lytham of the zeal of his faith and the fervour of his devotion towards the monastery of Durham and in particular its cell of Lytham, and acceding to his petitions, granting him special participation in all masses, vigils (&c) in the monastery of Durham and its dependent cells, in perpetuity, admitting him to brotherhood, and prayers yearly after his death, just as for their other brethren and sisters.

Date: Durham, 31 May 1435.

f.189v-190r 1200

Agreement between Roald prior and the convent of Guisborough, and Walter Carowe, son of Peter, whereby

[1] the prior and canons have granted to Walter and his heirs a chantry in the chapel of Seaton [Carew], on condition that the canons find a chaplain who will honestly serve the chapel; and have also granted that the chaplain of Stranton bring chrism with him from the mother church to the chapel of Seton and there baptize the children of Walter and his heirs, begotten of lawful wives, and take the chrism back with him thereafter; with Walter and his heirs, with their wives and his household (*familia*) and the master (*dominus*), mistress and *familia* of every house, to come to the mother church of Stranton with customary offerings three times in the year: namely at Christmas and Easter, to take communion, and at All Saints, which is believed to be the day of dedication; excepting that at Christmas Walter Carou (&c) will have full service for the special observance (*pro solempnitate*) of the day in the chapel of Seaton, and their offering is to be brought by a nuncio of the mother church on that same day to the mother church, and the rest of their men from the same vill are to go to Stranton church as aforesaid; [2] Walter has granted to the canons those same 60 acres of land in pure alms, without exaction or custom, to be held by the same bounds whereby the chapel held them before the dispute between the canons and Walter was begun; along with the toft which Walter's grandmother Agnes held, with pasture for 100 sheep and, until weaning, their lambs in the common pasture of the same vill; moreover Walter and his heirs will discharge (*exsolvent*) the tithes of the mill and their salt-pan to the mother church, and all other tithes and dues which reasonably ought to be given; Walter and his heirs are to provide blessed bread from their house on Sundays for the people's communion; Walter and his men are to provide the chapel with sufficient lighting; when the parochial circuit comes the men of Seaton will provide blessed bread with a penny and a candle for the mother church, like others; and making it known that although 4d will be brought from the whole vill of Seaton to the mother church each year for making the paschal candle, with other pennies remaining in the chapel's use; with Walter swearing to keep to the terms of this agreement.

Witnesses: Gilbert de Laval, Jordan Escouland', Alan de Wilton', Roger de Aclum, Adam de Setona, Robert de Laval, Nicholas Bec, William de Kiltona.

Made in presence of Philip, bishop of Durham, and Aimery, archdeacon of Durham.

f.190r-v 26 June 1435

Proxy by John, prior of Durham, appointing Mr William Ebchestr', monk of Durham, S.T.P., as his proctor to attend the provincial chapter [of the Benedictine monks in England] to be held at Northampton, 4 July next to come, to treat with those present and to give his excuses since he is unable to be present in person because of his serious infirmity.

Date: Durham, 26 June 1435.

f.190v 30 June 1435

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Rotsee, chaplain, in the third vicarage of the collegiate church of Hemingbrough, vacant, as is said, by the resignation of John Preston', last vicar thereof.

Date: Durham, 30 June 1435.

f.190v 2 July 1435

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr John Lethom, LL.B., in the vicarage of Durham, St Oswald, vacant, as is said, by the resignation of Mr William Doncastr', last vicar thereof.

Date: Durham, 2 July 1435.

f.190v-191r 7 November 1434

Letters by John abbot and the convent of the exempt monastery of St Albans, for Robert Fryth', as their mortuary-roll bearer; valid for two years.

Date: St Albans, 7 November 1434.

Printed: *The Obituary Roll of William Ebchester and John Burnby*, ed. J. Raine, (Surtees Society 31, 1856), p.106 and *Receuil des Rouleaux des Morts vol.iii*, ed J. Dufour (Paris 2007), p.606-607.

f.191r-192r [3 July] 1434

{noting (at the foot of f.191r) that the original of this bull is not in the chancery of the monastery of Durham, but that there is a another bull agreeing with the following in all respects except that it bears a different date and was issued at the instance of John Wessyngton', prior of Durham [Cart. III f.192r-193r, was 4.2.Pap.13]}

Bull of transumpt by the general synod at Basle at the instance of the bishop of Durham of the following bull

Bull by Eugenius IV, pope, granting indulgences for attendance at mass, etc. on the feast of Corpus Christi, specified, and referring to the establishment of the feast by Pope Urban IV and indulgences previously granted by Pope Martin V; instructing all prelates to have these letters published, for this purpose, if necessary, having notariaily-attested copies produced, bearing the seal of any bishop or higher ecclesiastical court.

Date: Rome, St Peter's, 7 Kal. June [26 May] 1433.

decreeing that, wheresoever the tenor of these letters be shown, it should be kept and used just as the original letters; and giving notice that any attempt to infringe or oppose this, their written will and decree, will meet with the indignation of God and the universal Church. "Collated by me John Bodcker', notary, and it agrees with the original" (with a drawing of the lead seal of the council of Basle)

Date: Basle, 5 Non. July [3 July] 1434.

with a list of the totals of indulgences as granted by Urban IV at Corpus Christi and during its octave (1,300 days), by Martin V (4,700 days), and by Eugenius IV (4,700 days), giving a sum total of 10,700 days.

Printed (enclosed bull) in: John Mirk, *Festial*, (1498), appendix.

f.191v 20 September 1434

Mandate by Thomas, bishop of Durham, to the prior of Durham stating that Joan, countess of Westmorland, and Richard, earl of Salisbury, have, for themselves and their co-executors of the last will and testament of Ralph, late earl of Westmorland, (which had been lawfully proved before the bishop) shown him, by an indented schedule dated 8 August, 1 Henry IV [1400], that Gilbert de Elvet delivered to John [Hemingbrough], then prior of Durham, the then testament of the said Ralph, with a will enclosed, saving custody and delivery to the said late earl or his executors when required; that the said executors assert that the said will and testament have passed into the [present] prior's hands, and there remain; that although oftentimes asked to deliver up the said will and testament to the executors he has refused and still refuses so to do; and that the countess and the earl of Salisbury have asked the bishop for remedy in this respect; enjoining him, if the same will and testament are in his hands, to surrender them to the said countess, the earl of Salisbury, and their co-executors without delay, lest the bishop have cause to take action against him by reason of the foregoing.

Date: manor of Stockton, 20 September 1434.

Original: DCD 1.2.Ebor.8.

Printed, from a slightly different copy, in: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol. IV*, ed R.L. Storey (Surtees Society 170, 1961), p.132-133.

f.192v-193r 16 September 1435

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

Date: Durham, 16 September 1435.

f.193r 16 September 1435

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar general in distant parts, to institute Richard Roper', chaplain, in the vicarage of Frampton, vacant by the death of John Bayneton', last vicar thereof.

Date: Durham, 16 September 1435.

f.193r 23 September 1435

Quittance by Henry, earl of Northumberland and lord of the honour of Cockermouth, to John, prior of Durham, for delivery to him on request, at Durham, of a deed-box containing documents sealed with the earl's signet, the box having been handed over to the prior by the earl at Durham, to be kept by the prior until asked to deliver it to the earl or his attorney.

Date: Durham, 23 September 1435.

{ "This quittance lies with the charters of the vill of Warkworth" }

f.193r-195r 6 October 1435

Ordinance and mandate by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, since all the vicars in the collegiate church of Hemingbrough have agreed that they and their successors should dwell in a certain suitable house, commonly called a bedern, assigned by John Kempe, archbishop of York, with the prior's consent and advice; noting the plan, accepting the vicars' will, and endeavouring to lead the vicars, who in the past were dwelling here and there among the houses of the laity, to live together and put their commons together within the said bedern; issuing, with the vicars' consent, statutes, by which their cohabitation and behaviour ought to be controlled, and ordering that everything so ordained be observed by all and sundry vicars present and to come in perpetuity; reciting the [eighteen] statutes in full, dealing with appointment of officers, dining, behaviour, admission, penalties &c and reserving to himself and his successors full power to amend the statutes as seen fit.

At the instance of the said vicars.

Date: Durham, 6 October 1435.

DCD 2.3.Archiep.9, a version issued in the name of the vicars of Hemingbrough, is printed in full in Thomas Burton, *The history and antiquities of the parish of Hemingbrough in the county of York*, ed. J. Raine (York 1888) p.383-387, with a summary in English of most of the statutes, *ibid.* p.84-86.

f.195r 12 September 1435

Commission by John, prior of Durham, archdeacon of churches within Durham dioc. appropriated to the priory, appointing William Dalton', monk [of Durham], as official of his archidiaconal jurisdiction within the parishes of all the said churches, and giving him full power in his place, until revoked, in all causes and business pertaining to the said jurisdiction, and brought *ex officio* or at the instance of parties.

Date: Durham, 12 September 1435.

f.195r-v 16 September 1435

Commission by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, appointing William Dalton', monk [of Durham], and Mr William Doncastr', LL.B., dean of Auckland collegiate church, as keepers of the prior's spiritual jurisdiction of the said liberty, in all and sundry churches therein, giving them full power, until revoked, to proceed in the prior's name in all causes and business pertaining to the said jurisdiction, and brought *ex officio* or at the instance of parties.

Date: Durham, 16 September 1435.

Also DCD Reg. Parv. II f.87v-88r.

f.195v 13 November 1435

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Mr William Doncastr', LL.B., dean of Auckland collegiate church, in the prebend and canonry of Saltmarshe in the church of Howden, vacant by the death of Robert Frend', last canon and prebendary thereof.

Date: Durham, 13 November 1435.

Related material in other DUL collections: Related letter: DCD Loc.XXV:119.

f.195v-196r 12 November [?1435]

Letters by John, prior of Durham, to Robert Nevill', bishop of Salisbury, explaining that the business about which he has lately written concerns his fellow monks as well as himself; that he and they, considering that Mr William Doncastr' has served them for 22 years, during which time they have paid him a pension until he should be promoted to a benefice by them, hold Mr William recommended before others for the next vacant prebend in the collegiate churches of Howden or Hemingbrough; that they have excused themselves for this reason both to the king and to other magnates writing for the promotion of their clerks, and that they are unable to satisfy his wishes without the indignation of the king and divers lords, and the mark of excessive inconstancy; beseeching that the bishop be not provoked to displeasure because of this; stating that, saving their honesty and the troubles of their monastery, they will be inclined to his pleasure as far as possible; and that they have been informed that the net value of the former prebend of Robert Freend' does not exceed 100s yearly.

Written: Durham, 12 November.

Also DCD Reg. Parv. II f.89r-v.

Related material in other DUL collections: Related letter: DCD Loc.XXV:67.

f.196r 7 July 1435

Letters testimonial by John, prior of Durham, for John Heworth, monk of Durham and in the order of priesthood, stating that he has given him licence to visit the apostolic see, for certain unspecified reasons, at his friends' expense; providing that, barring legitimate obstruction, he return to the monastery of Durham within a year from the date of the presents, and sooner if possible.

Date: Durham, 7 July 1435.

Also DCD Reg. Parv. II f.86r-v.

f.196r-v 3 December 1435

Licence by letters patent by John, prior of Durham, to the prior and monks of the Carthusian house in Hull, for Richard Founne, monk of Durham, for many years in the order of priesthood, and who has often applied to the prior for permission to enter a stricter rule; the prior, conceiving that it is Richard's will to enter the Carthusian house in Hull and that the prior and monks thereof are ready to receive him, granting special licence to him to join their order.

Date: Durham, 3 December 1435.

Also DCD Reg. Parv. II f.90r-v.

f.196v 9 December 1435

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute John Skargill', chaplain, in the vicarage of Dalton-le-Dale vacant by the resignation of Roger Moreby, last vicar thereof.

Date: Durham, 9 December 1435.

{Memorandum that this presentation was ineffective and was not issued.}

Related material in other DUL collections: Related letter: DCD Loc.XXV:32.

f.196v [16 July] 1435

Letter by Eugenius [IV], pope, to Henry [VI], king of England, acknowledging delivery of Henry's letters by Adam Moleyns, the king's nuncio and ambassador, and of the exposition to him by the same Adam, assisted by the bishop of Amiens and Andrew Holeys, the papal referendary and chamberlain, of the matters entrusted to him by the king; informing him that, concerning the oaths made to the king and his father by some princes and nobles of the kingdom of France, he has not discharged any of them of their oaths nor has he been asked so to do; assuring him that he will remain so inclined in respect of matters concerning the king's honour and desire; and, knowing him to be inclined to the boon of peace, urging the king to become so disposed that such calamity might have an end in their time, and, with thoughts of war, which are displeasing to God, set aside, that his mind and his energies might be turned to the pious counsels of salvation.

Date: Florence, 17 Kal. August 1435.

f.197r [10 October] 1435

Commission by Eugenius [IV], pope, to the archbishop of York and the bishop of Lichfield informing them that John, prior of Durham, has notified him that, to his loss, some sons of iniquity of *Brownmosse*, *Lithkar*, *Balgrawekar'* and *Swynebrig'* in dioc. York, places of which the prior is entirely ignorant, have presumed, in peril of their souls, to detain revenues, lands, books, documents, relics, church ornaments, crops (&c) belonging to the priory of Lytham, which priory is canonically held by the said prior; and that the said John has asked the apostolic see for remedy; instructing them to warn the withholders of these goods in churches, in presence of the people, to restore these things within a suitable term to be set for them, and to make full satisfaction; and that, if they do not act upon this, after another fixed term the archbishop and bishop are to pronounce general sentence of excommunication upon them, the same to be published when and where they see fit until condign satisfaction; and that, if the pair of them be unable to be present to execute these things, the other one of them is to carry out the above nevertheless.

Date: Florence, 6 Id. October 1435.

"Ja. de Viterbio"

f.197r 18 December 1435

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Thomas Marche' chaplain, in the vicarage of Dalton-le-Dale vacant by the resignation of Roger Moreby, last vicar thereof.

Date: Durham, 18 December 1435.

Related material in other DUL collections: Related letters: DCD Loc.XXV.24 & 32.

Related mandate: DCD 1.2.Archid.Dunelm.29.

f.197v 13 April 1436

Notarized letter of resignation by Walter Baker', *literatus*, by public instrument lawfully appointed proctor of Mr John Castell', S.T.P., canon and prebendary of Skelton in the collegiate church of Howden, having power to resign Mr John's canonry and prebend in the hands of the ordinary or whomsoever his vicegerent, and saying that although Mr John had possessed the said canonry and prebend for no small period, he wished, for certain lawful reasons, to resign them in the hands of John, archbishop of York or his vicegerent; and resigning the same in name of Mr John in this writing.

Witnesses: Thomas Warner', chaplain, John Berehalgh', N.P., John Holme, James Newsom', Aimery Berehalgh', gentlemen and *literati*, advocates of York and Durham dioc.

Done: in the nave of Durham cathedral, 13 April 1436.

f.197v 14 April 1436

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Nicholas Dixon', chaplain, in the prebend and canonry of Skelton in the church of Howden, vacant by the resignation of Mr John Castell', S.T.P., last prebendary thereof.

Date: Durham, 14 April 1436.

Related material in other DUL collections: Related letter: DCD Loc.XXV:11.

f.198r-v 12 February 1436

Notarial instrument of proxy recording that Mr John Castell', canon of Lincoln cathedral and prebendary therein of Carlton Kyme, and canon and prebendary of Skelton in the collegiate church of Howden, as he asserted, appointed Thomas Houeden', squire, Robert Halton', clerk, John Esyngton', chaplain, and Walter Baker', *literatus*, as his proctors to resign the canonry and prebend of Carlton Kyme and the canonry and prebend of Skelton; and asked an instrument of the notary.

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

Witnesses: Mr Richard Tone, D.Dec., archdeacon of the East Riding, William Derby, canon of Lincoln cathedral.

Done: in St James's hospital, near Westminster, 12 February 1435/6.

f.198v 16 April 1436

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr John Selowe, residentiary of York minster, Mr William Doncastr', dean of Auckland collegiate church, Mr Robert Ormesheued', advocate of the court of York, William Dalton', monk of Durham, {Mr William Monketon', B.Dec.}, Richard Burton', and Thomas Appelby, since the provost of Hemingbrough, according to the statutes of Hemingbrough collegiate church, is bound to render yearly account on oath of his administration of revenues of the said church, to the prior or his deputy, within a set period, in the said provost's house, appointing the abovenamed to audit the said account, with full power in place of the prior to allow, appoint deputies, punish, reform, sequesterate (&c).

Date: Durham, 16 April 1436.

Also f.226v below, omitting the interlined name, but with a memorandum of the date of issue.

f.198v 20 April 1436

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute Mr William Doncastr', dean of Auckland collegiate church, in the church of Meldon, vacant by the death of Mr Thomas Hebden', last rector thereof; saving a yearly pension of 40s owed of old from the rectors thereof to the monastery and sacrist of Durham.

Date: Durham, 20 April 1436.

f.198v 22 April 1437

Memorandum that the preceding presentation was ineffective, and so another presentation was issued for Mr William Doncastr', as shown below [f.206v]; Durham, 22 April 1437.

f.199r 8 May 1436

Notarial instrument of resignation recording that John Wykelefe, monk, prior of the house or priory of Stamford, St Leonard, wishing, as he asserted, because of his failing powers and chronic bodily infirmity, and for other legitimate reasons, to leave the cure and rule of the priory, held in his hands a paper schedule by John Wykelefe, monk of Durham, prior of Stamford, whereby he resigns the priorate of Stamford in the hands of the bishop of Lincoln or, *sede vacante*, the keeper of the spirituality of the diocese, or any other having power to accept the resignation which he read out; and upon the aforesaid asked one or more public instruments of the notary.

Witnesses: William Cawns [or Cawus], chaplain, and William Bawtree, of Durham and York dioc.

Notary: Thomas Pleyndamour, priest of Lincoln dioc., N.P. by apostolic authority (eschatocol recited, including note of corrections to the instrument).

Done: in the high chancel of St Leonard's priory church, [Stamford], c. 9th hour, 8 May 1436.

f.199v 21 May 1436

Presentation by John prior and the chapter of Durham asking the keeper of the spirituality of Lincoln, *sede vacante*, to admit Thomas Ayer', monk of Durham, to the custody and rule of their cell or house of Stamford, St Leonard.

Date: Durham, 21 May 1436.

f.199v 6 June 1436

Proxy by the chapter of Durham appointing Mr William Doncastr', dean of Auckland collegiate church, Mr Robert Ormesheued', advocate of the court of York, Mr William Monketon', B.Dec., and Mr William Dryffeld', proctor of the court of York, as their proctors to appear and act in their name in presence of John {Kempe}, archbishop of York, or his deputed lieutenants or commissaries, at the convocation of the clergy of the province of York, to be held in York minster on 11 June next to come, with continuation of days. Date: Durham, 6 June 1436.

f.199v-200v 21 June 1436

Proxy by John prior and the chapter of Durham appointing Mr William Doncastr', dean of Auckland collegiate church, Mr Robert Ormesheued' and Mr William Monketon', advocates of the court of York, Mr [?] William Dalton, monk of Durham, Mr William Dryffeld' and Mr Thomas Appelby, proctors of the court of York, as their proctors, jointly and severally, short of revocation of proctors appointed in the first place, to act in their name in all causes and business (&c), begun or to be begun, concerning the chapter, or any of them, their church of Durham, their parish and collegiate churches and dependent chapels, and their jurisdictions, liberties and rights, before whatsoever judges (&c), *ex officio* or at the instance of parties, by whatsoever adversaries against the chapter and their churches and rights (&c), at whatsoever dates and places; and giving them special power and special and general mandate, described.

Date: Durham, 21 June 1436.

f.200v 24 June 1436

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Richard Whitelaff', chaplain, in the vicarage of Eastrington, vacant by the death of John Coune, last vicar thereof.

Date: Durham, 24 June 1436.

Related material in other DUL collections: Related letters: DCD Loc.XXV:28 and 52.

f.200v-201v 29 January [1436]

Writ by Henry [VI], king of England, to Thomas, bishop of Durham, because his last parliament granted him a subsidy for the defence of his kingdom, from persons seised in temporal possessions in England as of free tenement, to their own use or the use of any other person or persons, in the following manner:

those with property worth 100s net yearly paying 2s 6d, and 6d for every further 20s worth of property up to £100;

those with property worth 20s more than £100 paying 8d for the additional 20s and another 8d for every 20s worth of property up to £400;

those with property worth more than £400 paying 2s for every 20s worth of property in the £400 and 2s for every further 20s worth of property up to the top value; to be paid at the quindene of Easter next to come [22 April];

instructing him to assign trustworthy men of his liberty of Durham to enquire on oath of good and lawworthy men of the liberty, within liberties and without, and by other means, as to those persons within the said liberty who are seised of 100s worth of property in England; to make proclamation in sundry suitable places of the liberty that all persons residing within the liberty and seised of 100s worth of property in England, under the rank of baron or baroness, are to appear before them at a certain date and place for examination;

to provide certification, without delay, of the examinations (&c) and of the names of those residents of the said liberty failing to appear for examination; and by Annunciation of Virgin Mary next to come to provide certification in the exchequer of the process against those failing to appear; and also of the names of those having 100s of property who were in prison or overseas at the time of the examination and appearing for examination through attorneys or deputies; with the bishop's sheriff to raise the subsidy and to answer for it at the said quindene of Easter; providing that no person once examined be examined again, and that no spiritual person be charged for properties other than those acquired or granted in mortmain after 20 Edward I; and requiring certification in the exchequer by Lady Day of everything done by reason of the foregoing.

Witness: the king. Wymbyssh'

Date: Westminster, 29 January, 14 Henry [VI].

Another copy in DCD Loc.XIX:16.

Calendared: *Calendar of Fine Rolls 1430-1437*, p.258.

f.201v-202v 29 May [1436]

Commission by letters patent by Henry [VI], king of England, to Thomas Lumley, squire, William Eur', knight, William Lumley, knight, Robert Eure, Thomas Fulthorp' of Fulthorpe, Henry Tailboys, and the sheriff of Durham, informing them of the subsidy granted by parliament, as described in the preceding entry; appointing six, five, four, three and two of them to conduct enquiries and make proclamations, as described in the preceding entry, requiring certification from them of the examinations and of the non-attenders, as in the preceding entry, before the king in the exchequer on the feast of St Margaret [probably of Antioch, i.e. 20 July], of the process against non-attenders and of those in prison and overseas appearing by attorneys or deputies; instructing the sheriff to collect the subsidy and to answer for it at the feast of St Margaret; providing that nobody in the said parliament for any county, city or borough be impanelled on an inquisition for this purpose, that no person once examined be examined again, and that no spiritual person be charged for properties other than those acquired or granted in mortmain after 20 Edward I; requiring certification in the exchequer by the feast of St Margaret of everything done in respect of the foregoing; instructing the sheriff to cause good and lawworthy men of his bailiwick, both within and without liberties, to come before the commissioners for the inquisitions; requiring him to collect the subsidy from those liable to pay it; and to answer for it on the feast of St Margaret.

Witness: the king.

Date: Westminster, 29 May, 14 Henry [VI].

"Bekyngham. Examinatur per Bekyngham"

f.202v 12 July [1436]

Writ by Henry [VI], king of England, to Thomas, bishop of Durham, instructing him to distrain the sheriff of Durham, the collector of the lay subsidy granted in the last parliament, of his lands and goods within the bishop's jurisdiction, so that neither the sheriff nor another might lay a hand upon them until the king shall have ordered otherwise; to answer to the king for the revenues of the sheriff's lands; and to have the sheriff before the barons of the exchequer at Westminster on the morrow of Michaelmas to render account of the said subsidy; knowing that if the bishop shall have been negligent in the execution of this mandate, or if the collection of the subsidy be delayed because of the bishop, the king will punish him so severely for his contempt and as an obstructor of the speedy conclusion of the king's business that his punishment will yield to all others in terror; and instructing him to have the name of the sheriff and this writ with him then and there.

Witness: J. Fray.

Date: Westminster, 12 July, 14 Henry [VI].

"Per the Memoranda roll recorda of Hilary A.R. 14" Leuesham

With the answer of Thomas, bishop of Durham: William Bowes, knight, sheriff of the liberty of Durham was distrained of chattels to the value of 40s, and bailed by John Spence, John Sayer', Robert Jakson of Sunderland, and Robert Dalton'; certifying to the barons of the lord king that no other writ for distraining the sheriff has come to him nor been delivered in any way.

f.202v-203r

{ Articles agreed by the king and his council} against the receiving, by lords or others of any estate, of open or reputed wrongdoers into their households; and against the maintenance, by lords or others, of other men in their causes and quarrels, through written or verbal communication with officer, judge, jury or party, or by taking a party into their service; and requiring [lords] to ensure that others in their localities do the same.

{ "to which curbs the more noble and greater temporal men enfeoffed in England swore by the king's mandate" }

f.203r 4 November 1436

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Haryngton', chaplain, in the vicarage of Eastrington, vacant by the resignation of Richard Whitelafe, last vicar thereof.

Date: Durham, 4 November 1436.

Related material in other DUL collections: Related letter: DCD Loc.XXV:52.

f.203r-v 29 November 1436

Mandate by Thomas, bishop of Durham, to William chaunceller', chancellor of the bishop's temporality of Durham, informing him that he has accepted that Margaret Bryan' of the parish of Durham, St Oswald, before William Dalton', [monk of Durham and] official of the prior of Durham as archdeacon of churches appropriated to the prior and chapter of Durham, by the prior's ordinary authority, was excommunicated for her manifest and manifold contumacy, and that she has remained under sentence of excommunication for forty days and more since then, with a hard heart defying the power of the keys; and, since his regalian power ought not to fail the church in its quarrels and the Church is unable to do more in this matter, instructing him to extend his secular arm on the official's behalf by writing for her arrest, in accordance with the law of England and the custom of the liberty hitherto used in such matters, that one whom the fear of God does not call back from evil might at least be coerced by the punishment of the secular power.

Date: manor of Auckland, 29 November 1436.

f. 203v 14 November 1436

Supplication by William Dalton', [monk of Durham and] official of the prior of Durham as archdeacon in his churches, to Thomas, bishop of Durham, informing him of his excommunication of Margaret Bryane of the parish of Durham, St Oswald &c as in the preceding entry and asking the bishop to write for her arrest &c as in the preceding entry.

Date: Durham, 14 November 1436.

f.203v [14 x 29 November 1436]

Writ by Thomas [bishop of Durham] to the sheriff of Durham informing him that John, prior of Durham, having archidiaconal jurisdiction in churches appropriated to the chapter of Durham, has indicated to him that Margaret Bryan' of the parish of Durham, St Oswald, has been excommunicated by the prior's ordinary authority but will not be coerced by ecclesiastical censure; and ordering him to punish her in accordance with the custom of England and of the liberty of Durham, until the Church be satisfied of the contempt and injury caused by her.

Date: "&c".

f.203v-204r [20 October 1423]

Dispensation by Martin [V], pope, to the abbot and convent of St Albans, of the Benedictine order, in Lincoln dioc., upon their petition that although they are bound to continue to observe according to their rule, as they have done hitherto, the general fast before Easter, with abstention from the eating of meat between Septuagesima Sunday and Easter, they bear greater difficulty than usual through observing the fast and maintaining their claustral duties because an abundance of fish is not readily to be had in their district, and their monastery is a long way from a seaport; granting them and their successors the indulgence that henceforward from Septuagesima Sunday until Quinquagesima Sunday, on every day upon which the eating of meat is not otherwise forbidden by Church precept, they be able to eat meat and dairy products, and that the fast should begin at Quinquagesima and not before, and continue until Easter; decreeing that in place of the days when the fast will lapse between Septuagesima and Quinquagesima they are to fast each year on the vigil of St Alban, whose body or relics are kept in the monastery.

Date: Rome, S Maria Maggiore, 13 Kal. November, Pont. 6.

Copy in DCD Loc.III:47.

f.204r-v [7 January] 1273

Grant by Robert [Stichill], bishop of Durham, ratified by Hugh [of Darlington] prior and the convent of Durham (in a clause at the end of the charter) for the salvation of his soul and the souls of the kings of England, the archbishops of York, and the bishops, monks and diocesans of Durham, to God, St Mary and St Cuthbert, in whose name he has caused the hospital of Greatham to be founded, and to the master and brethren of the said hospital, for the maintenance of the poor and destitute gathering there, of his whole manor of Greatham, which the bishop has by gift of Peter de Monte Forti for the increase of the cult of the divine name, along with the advowson of the church thereof, with the said church to be turned to the use of the master and brethren after the resignation or death of Maurice, clerk, who now has the church; to be held in pure alms by the said master and brethren; willing that: the said hospital and manor, the advowson of the church, the master and brethren, and their men of Greatham be quit, throughout the bishopric and the bishop's area of authority, of all scot, toll (&c) and suit of court; no bailiff of the bishop or his successors to concern himself with the said manor, hospital, or masters of the hospital, except for the master of the hospital himself, or his bailiff; the master and brethren of the hospital be quit of all fines (&c) before the justices or other officers of the bishop and his successors, saving justice of life and limb to the bishops' justice; prohibiting the masters of the hospital from being impleaded for any tenement or possession of theirs, except before the bishop himself or his justices in eyre; rather should they have all liberties and free customs which his regalian power can grant to a house; granting participation in all benefits which might arise in the said hospital and the church of Durham, in perpetuity, to anyone who should increase or enlarge these, the bishop's alms, with goods, and releasing all who, contrite and confessed, should affectionately bestow goods upon the hospital, or piously come to the assistance of the hospital, master or brethren in their need, from forty days of penance imposed upon them.

Date: Durham, Saturday the morrow of Epiphany 1272/3.

Another copy: BL Cotton Vitellius A.ix, f.53r-v.

Printed: W. Dugdale, *Monasticon Anglicanum* VI ii, p.690; *Collectanea ad statum civilem et ecclesiasticum comitatus Dunelmensis spectantia*, ed. G. Allen (Darlington 1775) (unpaginated); W. Hutchinson, *The History and Antiquities of the County Palatine of Durham* iii, (1785-1794) p.111-112n; J. Brand, *History and Antiquities of Newcastle* i, (1789) p.466-467; R. Surtees, *History and Antiquities of the County Palatine of Durham* iii, p.389; *English Episcopal Acta 29: Durham 1241-1283*, ed P.M. Hoskin (Oxford 2005), p.129-131.

Inspeximus: (by Edward I, May 1281) TNA C53/69 m.8, calendared in *Calendar of Charter Rolls* ii, p.250.

f.205r

Grant by Peter, son and heir of the late Peter de Monte Forti, to Robert de Stychyll', of his whole manor of Greatham, Durham dioc., with the advowson of the church of that vill, with homages, wardships, reliefs, escheats, rents, services of freemen and villeins, and all other appurtenances; to be held in its entirety by Robert, his heirs and assigns, in perpetuity, of the chief lords of the fee; doing service used and wont therefor; with warranty.

Witnesses: Mr Roger de Seyton', then justice of the king, Mr Roger de Cava, then chancellor of the bishop of Durham, Geoffrey Russell', then steward of Durham, Thomas de Huck', William de Ryther', Roger de Bitterley, Richard Harpyn', William, his son, Thomas de Whitworth', Gilbert de Heworth', Robert de Brunnynghill', Alexander de Bydyck, Lawrence de Lynce.

Printed in W. Hutchinson, *The History and Antiquities of the County Palatine of Durham*, 3 vols. (1785-1794), vol. I, p.265-266n.

f.205r

Return of inquisition concerning the emoluments which the priest ministering at Muggleswick was accustomed to take of old from the prior of Durham: he ought to take two marks yearly, by equal portions at Whitsun and Martinmas, from the exchequer of the prior of Durham for the emoluments which he used to take from the demolished (*prostrata*) township of Muggleswick; he used to have four cows with their offspring of one year, namely two in the upper enclosure and two in the lower, and one horse in his stable, to be saddled for riding to his infirm parishioners; after the mowing of the meadows he used to mow one or two cart-loads, as needed by him, in places left behind by the reeve, as sustenance for the cows and his horse; he ought to have one quarter of wheat from the granary of Durham, for consecrated bread, as was said; the above being imparted by the trustworthy information of John Raper' of Benfieldside and Hugh Cutt, being older and more informed concerning the estate of the chaplain of Muggleswick.

f.205r-v [10 February 1437]

Quittance by Thomas Langton' of Wynyard, squire, having handed to William Dalton', monk and chancellor of the church of Durham, 200 marks in gold in a locked box, for safe-keeping by the said William and for delivery to Thomas or his attorney when duly asked; the said sum was, at Thomas's request, handed [back] to him at Wynyard in the said box by the said William on 10 February 1436/7; wherefor Thomas discharges William and the prior of Durham and his successors of the said keeping and handing over in perpetuity.

Date: Wynyard [n.d.].

with

Memorandum that at the delivery and counting of the said sum there were present Nicholas Hulme, rector of Redmarshall; the wife of Thomas Langton'; John Hayton', squire; John Drawelesse, vicar of Grindon; Thomas Traycy, priest of Thomas Langton'.

f.205v 27 January [1437]

Letter by John {Kempe}, archbishop of York, to {John Wessington}, prior of Durham, advising him that in the business of the provostship of Hemingbrough, concerning which Mr Richard Chestr' has conferred with the archbishop on the prior's behalf, his heart should not be disturbed or fearful, taking it as certain that the archbishop is going to become involved such that the matter will result in a conclusion pleasing likewise to God and the prior; and that he has had news in these parts [i.e. London] set down into a schedule (not recited) enclosed in the presents.

Written with a hasty pen: London, 27 January "&c" {A.D. 1436 (i.e. 1437) added, apparently by the copyist}.

f.205v-206r 6 March 1437

Letters by John prior and the chapter of Durham for John de Cawod', as their mortuary-roll bearer, to last at their pleasure.

Date: Durham, 6 March 1436/7.

f.206r 6 April 1437

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute William Smyth' alias Walron', chaplain, in the church of York, St Peter the Less, vacant by the resignation of Nicholas Warter', bishop of Dromore, last rector thereof.

Date: Durham, 6 April 1437.

f.206r 7 April 1437

Inspeximus by John prior and the chapter of Durham confirming the following commission Commission by Thomas, bishop of Durham, to Robert Ogle, knight, of the custody and office of constable of Norham castle, along with the offices of steward, sheriff and escheator in Norhamshire and Islandshire; to be held by Robert for the term of twenty years next after the date of the presents; receiving in the said offices just as is more fully contained in certain indentures made therefor between the bishop and Robert.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 24 August, Pont. 31. [1436]

saving in all things the rights of the church of Durham whatsoever.

Date: Durham, 7 April 1437.

f.206v 22 April [14]37

Memorandum that the presentation of Mr William Doncastr', dean of Auckland, to the church of Meldon [f.198v] did not have effect, and that another presentation was issued 22 April [14]37.

f.206v 5 May [1437]

Inspeximus by John prior and the chapter of Durham confirming the following grant Grant by Thomas, bishop of Durham, to Peter Drake, {barber} his familiar, for good service, of the office of parker of the park of Howden and doorkeeper of the manor of Howden; to be held for life, receiving the liveries, wages and fees used and wont to the office; with the power to appoint substitutes in his place and name.

Date: manor of Auckland, 5 May 1437.

saving the right and liberty of the church of Durham in all things.

Date: Durham, 5 May.

f.206v-207r 23 June 1437

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Thomas, bishop of Durham, to William Raket of the office of clerk of the chancery of Durham, along with the keeping of the rolls of the chancery; to be held for life, receiving 40s as his fee, in equal parts at Easter and Michaelmas, at the exchequer of Durham, from the constable of Durham castle, along with other fees, profits and emoluments pertaining to the office and keepership.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 20 June, Pont. 31. [1437]

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

Date: Durham, 23 June 1437.

f.207r-v 19 July 1437

Notarial instrument of resignation recording that Robert Crokelyn', chaplain, vicar of the fourth vicarage of the collegiate church of Hemingbrough, wishing, as he asserted, for certain legitimate reasons, to discharge himself of the cure of the said vicarage, held in his hands a paper schedule by Robert Crokelyn', chaplain, vicar of the fourth vicarage of Hemingbrough collegiate church, whereby he resigns the said vicarage in the hands of John, archbishop of York, or of any other having power to accept the resignation.

which he read out;

Witnesses: Mr John Marchall', LL.B., canon of Wells; Thomas Rawlynson', George Soulby, clerks of York dioc.

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

Done: in the chancery of John, archbishop of York , 19 July 1437.

f.207v 22 July 1437

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute Richard Amy, chaplain, in the fourth vicarage of Hemingbrough collegiate church, vacant by the resignation of Mr Robert Crokelyn', last vicar thereof.

Date: Durham, 22 July 1437.

f.207v

{Void} Presentation (incomplete) by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, in the church of Normanton-upon-Soar vacant, as is said, by the death of William Storthwayte, last rector thereof.

f.208r 10 August 1437

Indenture between [1] Thomas, bishop of Durham, and [2] John Wasshyngton' prior and the chapter of Durham witnessing that although the bishop has bequeathed to his church of Durham by his testament a dictionary in three volumes, a book called *Notyngham* on the gospels, and a large psalter *de larga littera*, which books he would have handed to the prior and chapter at the place and date of the making of the presents, to be possessed and used by the same church in perpetuity, the prior and chapter wish and grant that the bishop should have and keep the said books, or any which he deems necessary, as long as it should please him to keep them; reserving ownership of the said books to the prior and chapter and the said church.

Sealed alternately.

Date: Durham, 10 August 1437.

f.208r-v 11 August 1437

Notarial instrument of resignation recording that William Barker', rector of Holtby, for certain legitimate reasons, as he said, by means of a deed by William Barker', rector of Holtby, whereby he resigns the said church in the hands of John, archbishop of York, or of any other having power to accept the resignation, resigned his said church; upon which he asked the notary to draw up an instrument.

Witnesses: Mr John Carleton', LL.D., canon of Wells; Richard Clemetson', clerk of York dioc.

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

Done: in the chapter house of York minster, 11 August 1437.

f.208v 13 August 1437

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Holgate, chaplain, in the church of Holtby, vacant by the resignation of William Barker', last rector thereof; saving an annual pension of 25s owed of old therefrom to the monastery of Durham.

Date: Durham, 13 August 1437.

Related material in other DUL collections: Related letters: DCD Loc.XXV:15 & 42.

f.208v-209r 28 August 1437

Inspeximus by John prior and the chapter of Durham confirming the following quittance and commission

Quittance and commission by Thomas, bishop of Durham, to Richard Bukley, priest, master or warden of Kepier hospital, since he has found from the certification of his commissaries deputed to visit Kepier hospital that Richard's accounts show that he has well and faithfully administered the said hospital's goods, releasing Richard from rendering any further account of his administration of Kepier's goods for the period from the first day of his incumbency to the date of the presents; and appointing him master or warden of Kepier for life, providing that he render full and faithful account yearly of his administration of the hospital's goods; but without wishing by this appointment to alter the nature of the hospital, as ordained in its foundation, and raise the hospital to the status of an ecclesiastical benefice.

Date: manor of Auckland, 25 August 1437. [Printed: Reg. Langley V, 43-45]

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

Date: Durham, 28 August 1437.

Memorials of St Giles's, Durham, ed. J. Barmby (Surtees Society 95, 1896), p.226-227.

Printed (quittance and commission) in: *The Register of Thomas Langley Bishop of Durham 1406-1437 vol.V*, ed R.L. Storey (Surtees Society 177, 1966), p.43-45.

f.209r-v 28 August 1437

{Void} Proxy by John prior and the chapter of Durham appointing Thomas Ayer', monk of Durham, prior of Stamford, St Leonard, (space left for the names of other appointees) as their proctors and attorneys to appear and act in their name in whatsoever courts, before whatsoever judges temporal or spiritual, in all actions and business raised against them by reason of a yearly pension of five marks due of old from the rectors of Stamford, St Mary at the Bridge.

Date: Durham, 28 August 1437.

f.209v 4 September 1437

Memorandum that Nicholas Blakeston' of Blakiston did homage and fealty to John Wessyngton', prior of Durham, for his lands and tenements in the same vill, which are held of the prior in chief by homage, suit of court and other customary services; the witnesses being William Hoton', then steward of the prior, John Musgrawe, squires, and John Oll' and William Dalton', monks [of Durham];

in the prior's chapel, [Durham], 4 September 1437. [Printed: HDST, cclii]

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

f.209v 7 September 1437

Presentation by John prior and the chapter of Durham asking Thomas, bishop of Durham, or his vicar general in distant parts, to institute George Waplynton', vicar of Thornton in Spalding Moor [E. Yorks.], York dioc., in the church of Dinsdale, to effect an exchange of benefices with John Skargill', rector of Dinsdale; saving a yearly pension of 40s owed of old from the church of Dinsdale to the monastery and sacrist of Durham.

Date: Durham, 7 September 1437.

f.209v-210r 1 October 1437

Letters of confraternity by John prior and the chapter of Durham to Robert Bell', confessor-general of the house of Syon, favouring his petitions by admitting him into the spiritual brotherhood of the chapter of Durham, and granting him special participation in all masses, prayers, fasts, vigils (&c) in the monastery of Durham and its dependent cells, as much in life as after death.

Date: Durham, 1 October 1437.

f.210r 8 November 1437

Inspeximus by John prior and the chapter of Durham confirming the following collation
Collation by Thomas, bishop of Durham, to Mr John Heyworth', B.Dec., priest, of the keeping of the chapel of SS Edmund and Cuthbert in the vill of Gateshead, instituting him therein and ordering that he be inducted into bodily possession thereof; saving his episcopal rights and the dignity of the church of Durham; Mr John having taken an oath to conserve and put to their assigned uses the goods of the said chapel.

Date: manor of Auckland, 12 March 1435/6.

saving the rights of the church of Durham in all things.

Date: Durham, 8 November 1437.

Related material in other DUL collections: Related letter: DCD Loc.XXV:23.

f.210r 7 April 1438

Bond by John prior and the chapter of Durham to Roger Thornton', squire, for £40 to be paid to him or his undoubted attorney at Christmas and St Cuthbert in March next to come, by equal portions.

Date: [Durham] 7 April 1438.

f.210v 12 November 1437

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar general in distant parts, to institute John Thorneton', chaplain, in the vicarage of Northallerton vacant by the resignation of William Mydylton', last vicar thereof; saving to the prior and chapter and their successors an annual pension of £20 owed to them of old from the said vicarage.

Date: Durham, 12 November 1437.

f.210v-211r 19 November 1437

Inspeximus by John prior and the chapter of Durham confirming the following appointment
Appointment by letters patent by Thomas, bishop of Durham, of Thomas Lomley, knight, as head forester of the forest of Weardale and overseer of all parks, coalmines and iron forges within the bishopric of Durham, for as long as it please the bishop; receiving the wages and fees used and wont pertaining to the office, and other profits and emoluments whatsoever belonging thereto; giving Thomas full power to hold, hear and decide all pleas of attachments occurring within his office, according to forest custom; saving to the bishop and his successors fines and other things belonging to him; along with power to lease the said mines, forges and pastures of the said forest and parks, through the supervision of the bishop's head steward, as more fully contained in the bishop's letters patent made thereon; wishing Thomas to have the office (&c) on condition that he answer to the bishop at the exchequer of Durham, as the custom is, for the issues of his office. By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 18 November, Pont. 32. [1437]

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

Date: Durham, 19 November 1437.

f.211r-v

Jurisdiction spiritualis A treatise upon the history of spiritual jurisdiction in the diocese of Durham *sede vacante*

[1] recalling: the death of Robert de Stychyll', bishop of Durham, Prid. Non. August [4 August] 1274, the subsequent visitation, briefly described, of the priory by the archbishop of York on the day next before the vigil of All Saints [30 October 1274], and the bishop's withdrawal thereafter to the castle, where he was lodging, with Henry de Lancastria [*recte* of Horncastle, if the monastic sacrist], then sacrist of Durham, bearing his cross before him. [See Robert Brentano, *York metropolitan jurisdiction and papal judges delegate (1279-1296)* (Berkeley and Los Angeles 1959), p.113.]

[2] recalling: the vacancy of the church of Durham after the death of Robert de Insula, 7 Id. June [7 June] 1283; the assumption of the jurisdiction and the appointment of officers by the prior and chapter, their expulsion of the official appointed by the archbishop, and their objection that the archbishop was an excommunicate; the consequent suit, which remained undecided for a number of years; and the agreement, reached through the mediation of Antony Beke, that the archbishop was to have diocesan jurisdiction in the city and diocese of Durham when the church of Durham was vacant; and stating that the part of this indented agreement remaining with the prior and chapter of Durham was sealed with the seals of John, archbishop [of York]; Antony, bishop of Durham; Ralph, bishop of Carlisle; and the chapter of York.

[3] recalling: the death of Antony, bishop of Durham, 3 March 1310/11; the assumption of the jurisdiction by the prior and chapter, and their subsequent relinquishing of the same to the archbishop; the archbishop's visitation of the chapter of Durham, his revocation of the censures brought by him, and his releasing of the penal injunctions made by Antony.

[4] recalling: the death of Richard de Kellowe, bishop of Durham, on the feast of St Denis [9 October] 1316; the vacancy of the church of York by the death of William de Greenfeld'; and that Geoffrey Burdon' prior and the chapter of Durham had custody of the spirituality of Durham dioc., as shown by a certification of the archdeacon of Northumberland with many seals.

[5] recalling: the death of Louis, bishop of Durham, 8 Kal. October [24 September] 1333; the assumption of the diocesan administration by the archbishop of York, since no-one gainsaid him, and his peaceful conduct thereof through his commissaries during the whole vacancy; the visitation of the chapter and diocese and the exercise of everything pertaining to the jurisdiction; and that the prior had the archbishop's letters concerning the immunity, that no precedent was set, because he visited through his commissaries, nor was the *Debent* privilege, issued especially for Durham, detracted from thereby.

[6] recalling: the death of Thomas Hatfeld', bishop of Durham, 8 May 1381; the assumption of jurisdiction by Alexander Nevill', archbishop of York, by virtue of the aforesaid agreement, and his appointment of a resident vicar-general within the diocese, an ordaining suffragan, and other ministers; the use of the words *jure metropolitico* in the commission by the archbishop to his official, and not *jure diocesano*, as used for other officers; the clergy's consequent unwillingness to accept the official, and the ineffectiveness of the consistory during the vacancy because the archbishop did not want to change the form of words; the archbishop's visitation of the prior and chapter by commissaries, 17 July 1381, in the manner of the decree *Debent*, and that one of the commissaries was Uthred Bolton', monk of Durham.

Printed and analysed in: Robert Brentano, 'The *jurisdiction spiritualis* : an example of fifteenth-century English historiography', *Speculum* xxxii (1957), p.326-332.

f.212r 17 January [1438]

Writ of prohibition by Henry [VI], king of England, to the official of the prior of Durham and his commissary, *sede Durham vacante*, because: Thomas Neill' was impleaded before them in their court of Christianity by the prior and convent for a debt of 40s, which did not concern testament or matrimony, and the prior and convent recovered the debt in the said court; the official and commissary excommunicated Thomas for his refusal to pay the debt upon their warning; and pleas of this sort in the kingdom of England pertain to the crown; restraining them from attempting anything in respect of the foregoing whereby the crown's right and the king's dignity might be diminished.

Witness: the king.

Date: Durham, 17 January, 16 Henry [VI]. Rakett'.

f.212r 26 January 1438

Letters of consorority by John prior and the chapter of Durham to Matilda, prioress of North Berwick, favouring her petitions by admitting her into the spiritual sisterhood of the chapter of Durham, and granting her special participation in all masses, prayers, fasts, vigils (&c) in the monastery of Durham and its dependent cells, as much in life as after death.

Date: Durham, 26 January 1437/8.

f.212v 8 February 1438

Grant by John, prior of Durham, with the consent of his fellow monks, to John Rakett of the office of forester in their park of Bearpark, and the keeping of the moor thereof; to be held by John for as long as it please the prior or his successors, receiving the same allowance, specified, including a servant's robe yearly, received by Richard Cowehird', lately forester there, along with four ordinary (*spendabiles*) loaves for keeping the moor; and, for his shoes, 10s yearly to be taken from the bark of felled trees in the said park, so long as the bark extends to such a sum, with the remainder of the sum to be taken from the bursar should the bark not reach 10s in value; and should John fail in his office, the foregoing are to be withdrawn until he make suitable amends.

Date: Durham, 8 February 1437/8.

Also DCD Reg. Parv. II f.97r.

Related material in other DUL collections: Related letter DCD Loc.XXV:120.

f.212v 12 April 1438

Proxy by the chapter of Durham appointing Mr John Selowe, residentiary of York minster, William Ebchestre, S.T.P., monk of Durham, Robert Ormesheued', advocate of the court of York, as their proctors to appear and act for them, and in their name, at the convocation of the clergy of the province of York, to be held in York minster, 21 April next to come with continuation of days, before John, archbishop of York, or his lieutenants or commissaries.

Date: Durham, 12 April 1438.

f.213r-215r 27 & 28 January 1438

Notarial instrument recording that after the singing of the mass *de sancto spiritu* in the choir of Durham cathedral, at the half hour between the hours of eight and nine in the morning, 27 January 1437/8, John Wessyngton', prior of Durham; Stephen Houden', subprior; John Durham senior; William Drax, prior of Coldingham; William Barry, prior of Finchale; John Gisseburn'; William Ebchestr', D.Th. and sacrist of Durham; Hugh Werkeworth'; William Durham; Roger Langchestr', master of the infirmary; Thomas Moorby; Thomas Witton'; Henry Feryby; Henry Helay, prior of Holy Island; John Gonerton', *decanus ordinis* ; John Durham junior, master of Jarrow; Robert Moorby, B.Th.; Richard Barton', B.Th. and feretrar; Thomas Nesebitt, hostiller; John Durward', *decanus ordinis* ; George Syther', master of the Galilee; John Barlay, chamberlain; William Lyham', master of [Monk] Wearmouth; John Oll', the prior's steward; Thomas Laweson', bursar; Richard Kellowe, master of Farne Island; Thomas Hexham senior; John Gaytesheued', communar; John Harom; Thomas Ward', cellarer; Robert Ergehowe; Thomas Ford', refectorer; William Dalton', chancellor, almoner and official; William Eden'; William Clifton'; John Britley, granator; Robert Westmerland'; John Warner', precentor; Thomas Lewyn'; Richard Blakeburn', the prior's chaplain; John Qweldryke; Thomas Bradbery; Robert Skremerston', subsacrist; William Kyrkeby; John Midilham; Nicholas Bolton'; John Ripon', succentor; Richard Parke; William Kellowe; William Wilbreston'; Henry Rakett; John Bradbery; and William Fygee, making up the chapter of Durham, were gathered in their chapter house, along with the proctors of certain monks who were absent for legitimate reasons, for the election of their next bishop, on the date appointed therefor by the prior and chapter, the church being vacant by the death of Thomas Langley, last bishop thereof; Mr William Ebchestr', S.T.P., preached on the theme *Eligite meliorem de filiis domini*; the hymn *Veni creator spiritus* was sung; all having no business in the election were expelled, the doors giving entrance to the cloister closed, and the following licence was read through

Licence by Henry [VI], king of England, to the prior and chapter of Durham being favourably inclined to their supplication, granting them permission to elect a bishop to replace the late Thomas Langley.

Witness: the king.

Date: manor of Eltham, 28 December, 16 Henry [VI] [1437]

certifications of citations of all and sundry monks absent in the cells and in Durham college, Oxford, and having a voice in the election, to attend on the appointed date, were shown by the priors, masters and wardens of the cells and the said college, and it was evident that William Poklyngton', B.Th., Robert Emeldon' senior, John Swynesheued', Thomas Cotom', John Mody, warden of Durham college in Oxford, B.Th., William Perteryke, prior of Lytham, John Burneby, B.Th., John Pencher', John Both', Thomas Wheill', and John Hoton', monks of Durham, were in attendance through their lawfully appointed proctors; and that Thomas Ayer', John Moorby, Robert Emeldon' junior, Thomas Hexham junior, Richard Bell', William Seeton', Thomas Borowham, William Fysshburn', and William Hesilden', monks of Durham, duly cited, were in no wise in attendance, because of which they were pronounced contumacious by Prior John Wessyngton'; the prior and chapter gave special mandate to William Dalton', monk of Durham and chancellor, 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 written warning and declaration after the constitution of the general council
Quia propter had been read out by the said William Dalton'

Written warning and declaration by William Dalton', monk and chancellor of Durham, having special power therefor 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 from the said chapter-house and allow those to whom the election is known to pertain to make their free choice; 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 voices: rather would their voices if such were discovered subsequently offer support to no-one at all or bring harm to another, and be taken as not received and not accepted &c.

Also recited, in a longer version, on f.219r.

by mandate of prior John Wessyngton', the prior and chapter discussed the best way of proceeding with the election, and it was at length agreed, with all and sundry of the chapter having been asked one by one, that they should continue by means of compromissaries; having been asked one by one to whom they wanted to give power to choose, from the community or elsewhere, a suitable person as bishop, all and sundry, except for Prior John Wessyngton', appointed Prior John Wessyngton' as compromissary, with none gainsaying; all and sundry of the chapter promised to receive as bishop whomsoever the compromissary might see fit to choose, and to have the election read and published in the chapter, and thereafter to expound it, in the common tongue, in the church before the clergy and people; Prior John Wessyngton', after deliberation with certain of the senior and more prudent of the chapter, and with the advice of jurists, accepted his appointment as compromissary, and read out a paper schedule by John Wessyngton', prior of Durham and compromissary for election to the vacant cathedral church of Durham, postulating Mr Robert Nevyle, bishop of Salisbury, for translation to the church of Durham. which postulation was accepted by all and sundry of the chapter; Prior John Wessyngton began the *Te Deum laudamus*, and thus singing, and with the bells having been rung, they entered the church and went to the high altar; with the singing finished, Prior John published his postulation in the common tongue before the clergy and people gathered in a multitude in the said church, and preached on the theme *Idipsum invicem sentientes* ; with passage in the first person, to the effect that the prior and chapter instructed their notary to subscribe and publish the foregoing, and that they have appended their common seal to these, their present letters.

Witnesses: Mr John Bonour', D.Dec.; Mr William Doncastr', LL.B. (*in legibus*), dean of Auckland collegiate church; Mr John Lethom', LL.B. (*in utroque jure*); Mr William Monketon', LL.B., (*in utroque jure*); Mr John Borowham, LL.B. (*in legibus*); Mr John Ronkehorn, N.P.; John Bynchestr', priest; and Thomas Warner', priest; of York, Lichfield and Durham dioc.;

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

Done: Durham, in the places successively specified above, 27 and 28 January 1437/8.
See also below f.216r-221v.

Related material in other DUL collections: For further documents about the election, see DCD Loc.VI:8 and Loc.XVI:3.

f.215r-v 17 March 1438

Quittance by indenture by John Wessyngton' prior and the chapter of Durham to Thomas Holden', Nicholas Hulme and Richard Corston', executors of the testament of Thomas Langley, late bishop of Durham, for receipt from them, by the hands of Richard Blakeburn', monk of Durham, of the ornaments and vestments, listed and described, bequeathed and assigned to the church of Durham in the said testament.

With the seals of the prior and chapter and of the said executors alternately affixed.

Date: Auckland, 17 March 1437/8.

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

f.215v 27 March 1318

Grant of indulgence by Louis, bishop of Durham, to all his diocesans and others who would render the supports of mass or fast, prayers or alms, or other favours for the souls of Richard, late bishop of Durham, all his predecessors, bishops of Durham, and all the faithful dead, releasing them from forty days of penance imposed upon them; and ratifying all indulgences already granted and to be granted by whatsoever bishops for the souls of the said Richard and his predecessors. (Out of sequence)

Date: Tottenham, 27 March 1318.

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

f.216r-221v

[Notarial] instrument recalling the death of Thomas de Langley, bishop of Durham, at his manor of Auckland on 20 November 1437, and his body being brought to Durham on 21 November on a chariot (*vereda*) drawn by four horses, across Palace Green (*vulgariter placeam nuncupatam*) into the cathedral cemetery, received by the prior in pontificals and the monks in copes, taken into the nave of the cathedral on the chariot by the four horses, taken from the chariot into the Galilee, and buried in the place which he had chosen and with lavish outlay repaired, with William Ebchestr', monk and sacrist, taking the chariot and horses, with all their trappings and all the candles carried around the body, in accordance with the customs of the cathedral; recording that two monks were sent to the king for licence to elect their future bishop, bearing the following letters Letters by John prior and the chapter of Durham to Henry [VI], king of England, reporting the death of Thomas Langley, late bishop, on 20 November last; informing him that they have sent Mr William Ebchestr', S.T.P., and John Mody, S.T.B., monks of Durham, (about half a line is erased at this point) with the presents to ask for his licence to elect a suitable person to the bishopric; and asking that he might see fit to grant such a licence. Date: Durham, 6 December 1437

the king granted such a licence (as on f.213v).

Prior John Wessyngton' and the monks of Durham entered their chapter house, set 27 January 1437/8, with continuation, as the date for the election of the next bishop, and decreed that all monks of Durham then absent, who ought and wanted to be present for the said election, be cited to attend on the said date, the tenor of the mandates for citation being contained in a certain certification, below; on the appointed date, after the singing of the mass *de sancto spiritu* in the choir of Durham cathedral, at the half hour between the hours of eight and nine in the morning, Prior John Wessyngton' and the monks of Durham (as listed as on f.213r with minor variations in spelling, the addition of the name of John Wycliffe between those of Robert Moorby, B.Th. and Richard Barton', and some interlinear numbering of the monks in a later hand) entered their chapter house and, after the aforesaid licence from the king (not recited) was read, certifications like the following certification of the abovementioned citations of absent monks dwelling in the cells of the monastery of Durham, were shown by the priors, masters and keepers of other cells, namely Finchale, Holy Island, Lytham, Stamford, Oxford, Jarrow, Monkwearmouth and Farne Island, following the tenor, word for word, of the certification by the prior of Coldingham;

Certification by William Drax to John prior and the chapter of Durham having received the following mandate

Mandate by John prior and the chapter of Durham to William Drax, prior of Coldingham, informing him that they have appointed 27 January as the date for the election of the next bishop of Durham, following the death of Thomas Langley; citing him to attend, and ordering him to give notice to the monks of Durham dwelling with him to attend for the election; giving warning that they will proceed with the election whether or not he or the monks with him wish to attend, and notwithstanding his or their absence; and requiring certification on the said date, by letters patent incorporating the text of the presents, as to what he shall have determined to do in the foregoing.

Date: Durham, 15 December 1437.

stating that he gave notice, in terms as described, to John Pencher', his fellow monk dwelling with him in the said cell, and thus has executed the above letters.

Under the seal which he uses in the cell of Coldingham.

Date: [Coldingham] 20 January [1437/8].

and it was clear that William Poklyngton', B.Th., Robert Emeldon' senior, and nine other named monks, (as listed on f.213v), were sufficiently attending through their lawful proctors, by authentic proxies, which were publicly shown and had the tenor of the following proxy, etc. (in the manner of a notarial instrument) with which they agreed in sentence and effect

Proxy by John Mody, monk of Durham, appointing William Ebchestr', S.T.P., monk of Durham, as his proxy in all causes and business concerning the election or postulation of the next bishop of Durham; giving him general power: to attend on his behalf in the chapter house of Durham on 27 January 1437/8, with continuation if need be; to put forward his excuses that he is and will be at the time of the election justly impeded, namely because of continuing a formal act of study; to swear that at the time of the election he will be in a place where those having the right to be present at the said election are of right to be summoned; to swear any other lawful oath asked in this regard; to give consent to what proceeds by any canonical form in the election; on his behalf to nominate, elect and agree to a suitable person as bishop; &c in general and standard terms.

Under the seal of Durham college, Oxford.

Witnesses: John Elwyke and William Newton', priests of Durham dioc.

Done: in the hall of Durham College, [Oxford], 4 January 1437/8,

Thomas Ayer', John Moorby, Robert Emeldon' the younger, Thomas Hexham junior, Richard Bell', William Seton', Thomas Borowham, William Fisshburn' and William Hesilden', monks of Durham in the said cells, having been duly cited, were absent and in no manner attending, and were sentenced to the penalty of contumacy of absence by the prior;

whereafter William Ebchestr', S.T.P., sacrist, preached on the theme *Eligite meliorem de filiis domini* and the hymn *Veni creator spiritus* was sung; and, for the purpose of warning all who by right ought not to be present for the election to leave the chapter-house, the prior and chapter gave the following commission, and the same proctor carried out the commission in the form of a written warning and declaration by William Dalton', monk and chancellor of Durham priory, according to the terms of the above commission, (also recited, in a shorter form, on f.214r)

Commission by John prior and the chapter of Durham appointing William Dalton', monk of Durham and priory chancellor, and giving him special power in their name to warn and require all who might be present in the chapter-house on Monday next after the Conversion of St Paul 1437/8, with continuation, the term assigned for the election of a bishop, and who are suspended, excommunicate or under interdict, and any others who ought not or cannot lawfully be present, and do not have their own or another's voice in the election, that they should withdraw from the said chapter-house and allow those to whom the election is known to pertain to make their free choice; and to declare 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 voices: rather would their voices, if such were discovered, offer support subsequently to no-one at all or bring harm to another, and be taken as not received and not accepted &c.

Date: Durham, 27 January [1438]

after the constitution of the general council *Quia propter* had been read out by the said William Dalton', by mandate of Prior John Wessyngton', the prior and chapter discussed the best way of proceeding with the election, as on f.214r above, and, with none gainsaying, appointed Prior John Wessyngton' as compromissary, as in the following (second) commission.

Commission giving notice in the name of John, prior of Durham, Stephen Houeden', subprior, John Durham senior &c *ut supra* that they had chosen to proceed in the election or postulation of the bishop of Durham by means of compromissaries, one or more; and, in the name of Stephen Houeden', subprior, and the others aforesaid, appointing the said prior as compromissary, to take on by himself, if it please him, the business of the election or postulation of the bishop; or, if he think fit, take two of his fellow monks as associates according to his discretion; giving him full power, to endure until the completion of the election or postulation; and granting that he alone, or with two others, or one of them, be able to nominate, choose or postulate, from the community or elsewhere, a suitable person as bishop; and to have the said election or postulation published in the chapter-house, and thereafter in the said church, before the clergy and people, in the common tongue, as the custom is; and promising to accept whomever the prior, by himself or with others, should see fit to choose.

Date: Durham, 27 January 1437/8.

Prior John Wessyngton', after deliberation with certain of the older and more prudent of the chapter, and consultation with prudent men and jurists, accepted his appointment as compromissary, and read out a paper schedule by John Wessyngton', prior of Durham and compromissary for election to the vacant cathedral church of Durham, postulating Mr Robert Nevyle, bishop of Salisbury, for translation to the church of Durham, which postulation was accepted by all and sundry of the chapter; prior John Wessyngton began the *Te Deum laudamus*, and thus singing, and with the bells having been rung, they entered the church and passed to the high altar; with the singing finished, Prior John published his postulation in the common tongue before the clergy and people gathered in a multitude in the said church, and preached on the theme *Idipsum invicem sentientes*; on the morrow, namely 28 January, the prior and chapter entered their chapter-house and, making a chapter with the exception of William Ebchestr', S.T.P., and John Mody, S.T.B., appointed the said William Ebchestr' and John Mody, monks of Durham, as their proctors to present, in name of all of the chapter, to Mr Robert Nevyll', bishop of Salisbury, their postulation of him as bishop of Durham, and to ask his assent thereto; as by the following notarial instrument

Notarial instrument of proxy recording that John Wessyngton', prior of Durham; Stephen Houeden', subprior; William Drax, prior of Coldingham; John Gisseburn'; William Durham; Roger Langchestre, master of the infirmary; Henry Feryby; John Gonerton', *decanus ordinis*; Richard Barton', B.Th. and feretrar; Thomas Nesebitt, hostiller; John Barlay, chamberlain; Richard Kellowe, master of Farne Island; William Dalton', chancellor, almoner and official; John Birteley, granator; Robert Westmerland'; John Warner', precentor; Richard Blakeburn', the prior's chaplain; John Qweldryke; Robert Skremerton', subsacrist; William Kirkeby; John Midelham; Nicholas Bolton'; John Ripon', succentor; Henry Rakett; Richard Wrake; William Rodburn'; John Ryhall'; William Cuthberte; Richard Shirburn'; William Birden'; John Eden'; and Thomas Calee, monks of Durham, appointed William Ebchestr', S.T.P., and John Mody, S.T.B. and warden of Durham college, Oxford, monks of Durham, as their proctors to present, to Mr Robert de Nevyll', bishop of Salisbury, in the name of the chapter, their postulation of the said Mr Robert as bishop of Durham; and to ask him to accept the postulation.

Witnesses: John Bonour', D.Dec., William Doncastr', LL.B. (*in legibus*), dean of Auckland collegiate church; John Lethom', LL.B. (*in utroque jure*); John Ronkehorn', N.P.; John Bynchestr' and Thomas Warner', chaplains; of York, Durham and Lichfield dioc.

With the chapter seal.

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

Date: Durham, 28 January 1437/8.

the proctors went to Mr Robert Nevyll', presented the said postulation, and asked him to agree to the same, in the form of words of a petition by William Ebchestr' and John Mody, proctors of the prior and chapter of Durham, to Robert Nevyll', bishop of Salisbury, presenting the postulation and asking that he show his assent thereto. Mr Robert Nevyll' accepted the postulation and said that he wanted to deliberate upon it and upon the petition, and answer them as God directed him; the proctors repeatedly asked him to consent, and he consented in a written acceptance by Robert de Nevyll', bishop of Salisbury, not wanting to resist the divine will, to the honour of God, St Mary and St Cuthbert, and within the time-limit set by law, giving his consent to the postulation presented to him, the proctors then presented to the king the following supplication Supplication by John prior and the chapter of Durham to Henry VI, king of England, informing him that they convened for the election on the appointed date, and that they postulated Robert Nevyll', bishop of Salisbury; and asking him, through Mr William Ebchestr', S.T.P., and John Mody, S.T.B. and warden of Durham college, Oxford, the bearers of the presents, to give his consent to the postulation, and to direct his letters thereon to him to whom the confirmation of this postulation is known to pertain.

Date: Durham, 30 January 1437/8.

and the king approved the postulation of Mr Robert Nevyll' and agreed to the supplication contained in the letters of the prior and chapter.

(The instrument ends at this point, without witnesses or notarial eschatocol.)

See also above f.213r-215r

For the original certification of William Drax, cf. DCD Loc.XVI:3f.

For the original mandate, cf. DCD Loc.XVI:3d.

For similar proxies for this election, cf. DCD Loc.VI:8.

Related material in other DUL collections: For further documents about the election, see DCD Loc.VI:8 and Loc.XVI:3.

f.221v

Oath sworn by Robert, bishop of Durham, at his installation as bishop.

f.222r 30 July 1438

Notarial instrument of proxy recording that Nicholas Dixon', canon of Howden collegiate church, as he asserted, and prebendary of the prebend of Skelton therein, appointed Mr William Doncastr', dean of Auckland collegiate church, William Chaunceller' and Thomas Holden', squires (*domicelli*) of Durham dioc., and Thomas Blythe', squire (*domicellus*) of York dioc., as proctors with his power and mandate to resign his canonry and the prebend of Skelton in the hands of the prior of Durham, to whom the collation, provision and disposition of the prebends of Howden pertain; and to ask for and bring back authentic letters testimonial concerning the acceptance of this resignation if need be.

Witnesses: John Bug' and Thomas Thorp', clerks of York dioc.

Notary: Thomas Colstone, clerk of Lincoln dioc., N.P. by apostolic authority (eschatocol recited, with note of an interlineation).

Done: in the register/registrars house within the manor of William, bishop of Lincoln, at Liddington, Lincoln dioc., 30 July 1438.

f.222r 6 August 1438

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute John Bate, chaplain, in the prebend and canonry of Skelton in the collegiate church of Howden, vacant by the resignation of Nicholas Dixon', chaplain, last prebendary thereof.

Date: Durham, 6 August 1438.

f.222v 23 April 1438

{Void} Lease by indenture by John prior and the convent of Durham to Robert Rodes of the town of Newcastle upon Tyne, squire, of the manor of Wardley, excluding wardships, marriages, reliefs, escheats, coal mine and quarry, profits of courts and other commodities pertaining to lordship; to be held by the said Robert from Whitsun next to come for the term of forty years; rendering eleven marks sterling yearly therefor to the prior and convent and their successors during the first three years, and twelve marks yearly for the remaining years of the term; the first term of payment to begin at Martinmas next after the date of the presents; the prior and convent granting for themselves and their successors that, if Robert, with their advice, do any repair of buildings in the said manor or any new building there, they will pay two-thirds of the cost and Robert will pay one-third; and they have granted to him all the large timber within the site of the manor, in Hoterell or in the wood of Hayning necessary for new building in the said manor, by livery of the said prior and convent and their officers; and Robert is to be allowed to lop and prune all underwood [and] branches growing in the said manor which are injurious to the ditches and ponds there, or which can harm the fish in the same ditches and ponds, and to sell them as dearly as he can, on condition that the moneys so raised be spent upon building and repair on the said manor; and providing that once adequate repair shall have been done on the buildings of the said manor, and when any new building has been completed, Robert is to maintain the manor at his own expense during the said term, and to return it sufficiently repaired at the end of the said term; and if it happen that the farm of eleven or twelve marks be unpaid in whole or in part forty days after any term day when it ought to be paid, the prior and convent are to be allowed to distrain and remove goods from the said manor, and retain them until satisfied of the said farm and its arrears; and if the said farm happen to be unpaid in whole or in part for a year after any term day, or if Robert happen to die within the term of forty years, the prior and convent are to be able to re-enter the said manor and possess it in its original state, the presents notwithstanding. Sealed alternately.

Date: (no place of issue) 23 April 1438.

Replaced by the lease on f.225r-v.

f.223r 21 May 1438

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute John Neceham, chaplain, in the vicarage of Billingham, vacant by the death of Thomas Stare, last vicar thereof.

Date: Durham, 21 May 1438.

f.223r-v 1 and 10 April 1438

Lease by indenture by John prior and the chapter of Durham to William Syngalday of Stamford of a tenement, now waste, in Stamford, lying in a vennel called *Cornewensty* or *Chynelane*, between the tenement of the said William Syngalday and the garden of Alice Bassett' on the west, and the said vennel on the east, and between the tenement of the said Alice Bassett' on the south and the tenement of the said William on the north; fifteen yards long, three yards wide at the north and eight yards wide at the south; to be held by the said William, his heirs and assigns, from Easter next to come for the term of forty years; rendering yearly therefor to the prior and chapter and their successors, or to the prior of the cell of Stamford, St Leonard, 12d at Michaelmas and two suitable capons at Christmas; suit of court yearly at the two great leets of St Cuthbert in Stamford; and if it happen that any rent be unpaid in whole or in part for half a year after any term day when it ought to be paid, the prior and chapter and their successors, or their attorney, or the said prior of St Leonard's are to be allowed, when and as often as need be, to distrain and remove goods from the said tenement and retain them until satisfied of the said rent and its arrears; and if the said farm happen to be unpaid in whole or part for a year, the prior and convent and their successors, or their attorney, or the prior of the said cell are to be able to re-enter the said manor and possess it in its original state in perpetuity, the presents notwithstanding; and William Syngalday will build anew a house containing six couples of syles, with stone walls and stone roof, on the said waste, at his own expense, within two years of the said Easter, and he and his heirs are to maintain the house until the end of the term of forty years; and the said house is to have a door towards the highway, by which the lord of that fee or his ministers will freely be able to enter and distrain as and when necessary.

Sealed alternately.

Date: Durham, 1 April and Stamford, 10 April 1438.

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.297.

f.223v-224r 24 June 1438

Proxy by John, prior of Durham, since it will behove him to be occupied personally with the administration of the spiritualities of Robert, bishop of Durham, engaged outside his city and diocese, and because of well-known obstructions and dangers touching the cure of the cathedral church and its goods, legitimately preventing him from being personally present at the provincial chapter to be held by apostolic authority at Northampton on 7 July next to come, appointing Mr William Ebchestr', S.T.P., monk of Durham, as his excusator and proctor to attend and act on his behalf at the said chapter, and to swear to the said excuses.

Date: Durham, 24 June 1438.

f.224r 24 June 1438

Manumission by John prior and the chapter of Durham to John Gybson' of Newton [Bewley ?] near Billingham quitclaiming any right they might have over him by reason of servitude, neifty or bondage, setting him and all his bodily issue free, and [free] from the claim of [the prior and chapter or their successors] by reason of any servitude or bondage.

Date: Durham, 24 June 1438.

f.224r 28 June 1438

Quitclaim by William Franke the younger, squire, executor of the will of Thomas Starr', lately vicar of Billingham, to John prior and the convent of Durham for himself and his heirs, of any actions which he has or might have against the prior and convent by reason of the said will, or of any agreement, contract (&c), from the beginning of the world up to the date of the presents; excluding himself, his heirs and anyone in his name from any action or claim by reason of the premisses, in perpetuity.

Witnesses: William Hoton', prior's steward; Hugh Burnynghyll' and James Newessham, squires.

Date: Durham, 28 June 1438.

f.224r-v [14 January] 1438

Dispensation by Eugenius [IV], pope, to Thomas {Radcliffe}, bishop of Dromore {and suffragan in the diocese of Durham}, since, as shown in the bishop's petition, because of the disasters of wars, which have afflicted and currently afflict those parts, the resources of the church of Dromore have been diminished, so that the bishop is not able from those revenues to maintain himself in a manner appropriate to pontifical dignity and bear other expenses incumbent upon him, and lest the bishop be compelled to beg (&c) willing that the bishop, as a master in theology, be able to receive and retain in commendation whatever other benefice, with cure or without, along with the church of Dromore, and dispensing him as a member of the Dominican order [*] and from the constitutions of Otto and Ottobuono; with freedom to turn the revenues of the benefice to his own use, but being forbidden to alienate the goods of the benefice; and with the proviso that he should not neglect the cure of souls, if this is involved, but should assign an appropriate portion from the revenues of the benefice for the maintenance of a suitable vicar.

Date: Bologna, 19 Kal. February 1437/8.

[* In error for Augustinian friar, see below f.293r.]

Another copy in: DCD Loc.XXVII:10.

f.224v 11 July 1438

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Radcliffe, bishop of Dromore, in the vacant vicarage of Branxton.

Date: Durham, 11 July 1438.

f.225r-v 4 August 1438

Lease by indenture by John prior and the chapter of Durham to Robert Rodes of the town of Newcastle upon Tyne, squire, of the manor of Wardley, excluding wardships, marriages, reliefs, escheats, mines of coal and quarry, court profits; [adding, as against the void version f.223v above:] \with free entry and exit wherever any mines of coal or stone happen to be found in the said lands and whenever it might seem expedient to the prior and chapter and their successors or their officers, without gainsaying by Robert or his assigns {margin: and with satisfaction to the said Robert for damage, if any occur in this regard}/; to be held by the said Robert from Whitsun next to come for the term of forty years; rendering eleven marks sterling yearly therefor to the prior and chapter and their successors during the first three years, and twelve marks sterling yearly for the remaining years of the term; the first term of payment to begin at Martinmas next after the date of the presents; the prior and chapter granting for themselves and their successors that, if Robert, with their advice, do any repair of buildings in the said manor or any new building there, they will pay two-thirds of the cost and Robert will pay one-third; and they have granted to him all the large timber within the site of the manor, in Hoterell or in the wood of Hayning necessary for new building in the said manor, by livery of the said prior and chapter and their officers; and Robert is to be allowed to lop and prune all trees, underwood and branches growing in the said manor which are injurious to the ditches and ponds there, or which can harm the fish in the same ditches and ponds, and to sell them as dearly as he can, on condition that the moneys so raised be spent upon building and repair on the said manor; and Robert is to cause no waste or destruction in the said manor to houses and buildings belonging to the manor, either already built or to be newly constructed, during the said term; and if it happen that the farm of eleven or twelve marks be unpaid in whole or in part forty days after any term day when it ought to be paid, the prior and chapter are to be allowed to distrain and remove goods from the said manor, and retain them until satisfied of the said farm and its arrears; and if the said farm happen to be unpaid in whole or in part for a year after any term day, or if Robert happen to die within the term of forty years, the prior and chapter are to be able to re-enter the said manor and possess it in its original state, the presents notwithstanding.

Sealed alternately.

Date: (no place of issue) 4 August 1438.

Replacement for the lease on f.222v.

f.225v 25 August 1438

Bond by John prior and the chapter of Durham to Roger Thorneton', squire, for fifty pounds sterling, to be paid to Roger or his undoubted attorney at Easter next to come.

Date: [Durham] 25 August 1438.

{Memorandum that the sum was paid to Roger Thornton by William Dalton' [monk of Durham] on Good Friday 1439.}

f.225v 25 August 1438

Bond by John prior and the chapter of Durham to Roger Thorneton', squire, for fifty pounds sterling, to be paid to him or his undoubted attorney at Candlemas 1439.

Date: [Durham] 25 August 1438.

{[Memorandum] that the sum was paid to Roger Thornton' at Newcastle by John Oll' and John Gatesheued' [monks of Durham].}

f.225v 1 September 1438

{Void} Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute William Hakforth', priest, in the vicarage of Giggleswick, vacant by the death of John Wodhouse, last vicar thereof.

Date: Durham, 1 September 1438.

Cf. f.226v below for a replacement.

Related material in other DUL collections: related leter: DCD Loc.XXV:134.

f.226r-v 2 September 1438

Proxy by John prior and the chapter of Durham, patrons of the collegiate church of Hemingbrough, appointing Mr Richard Chestr', S.T.P., vicar of Lancaster, York dioc., as their proctor (without revocation [of the authority] of other proctors of theirs, appointed previously) in whatsoever causes, business, suits and complaints moved or to be moved, proceeding *ex officio* or at the instance of parties, touching the provostry of Hemingbrough or John Wyther', claiming to be provost of the said collegiate church, to be conducted before whatsoever judge ordinary or delegate, or their commissaries or subdelegates, at whatsoever date and place, concerning the prior and chapter, the rights, emoluments and possessions of the said collegiate church; and giving him special power and special and general mandate &c described.

Date: Durham, 2 September 1438.

f.226v 16 April 1436

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr John Selowe, residentiary of York minster, Mr John Marchall', canon of Wells cathedral, Mr William Doncastr', dean of Auckland collegiate church, Mr Robert Ormesheued', advocate of the court of York, William Dalton', monk of Durham, Richard Burton' and Thomas Appelby, since the provost of Hemingbrough, according to the statutes of Hemingbrough collegiate church, is bound to render a yearly account on oath of his administration of the revenues of the said church, to the prior or his deputy, within a set period, in the said provost's house, appointing the abovenamed to audit the said account, with full power in place of the prior to allow, appoint deputies, punish, reform, sequesterate (&c).

Date: Durham, 16 April 1436.

Memorandum that the said commission was issued on 11 September 1438, the date thereof notwithstanding.

As the commission on f.198v, omitting the interlined name of an auditor.

f.226v 4 September 1438

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute William Hakforth', priest, in the vicarage of Giggleswick, vacant by the death of John Wodhouse, last vicar thereof.

Date: Durham, 4 September 1438.

Replacement for the void presentation on f.225v.

f.227r 7 September 1438

Bond by John prior and the chapter of Durham to Robert Rodes, squire, for fifty pounds sterling, borrowed from him and turned to the use of their monastery, and to be paid to him or his undoubted attorney at All Saints 1439.

Date: [Durham] 7 September 1438.

{Memorandum that the sum was paid to the said Robert Rodes at Newcastle, by John Oll' and John Gatesheued' [monks of Durham], at the said term.}

f.227r 9 September 1438

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute Henry Hanslap', chaplain, in the canonry and prebend of Skipwith in the church of Howden, vacant by the death of Mr Thomas Leys, last canon and prebendary thereof; saving a yearly pension of 13s 4d due therefrom to the prior and chapter and their monastery of Durham.

Date: Durham, 9 September 1438.

Related material in other DUL collections: Related letters: DCD Loc.XXV:80 and Loc.XXVII:10.

f.227r-v 9 September 1438

Notarial instrument of resignation recording that in presence of Thomas Appilby, N.P., and the witnesses underwritten, Adam Walssh', vicar of the prebend of Howden, held in his hands a paper schedule by Adam Walssh', priest, vicar of the pebend of Howden', whereby, because of his persistent infirmity and for other legitimate reasons, he resigns the said vicarage in the hands of John, archbishop of York, or of another whomsoever having power to accept the resignation, which he read out publicly, and upon which he asked the notary to draw up one or more public instruments.

Witnesses: John Ellay, chaplain, Hugh Kay, clerk, William Balye, John Alese, *litterat'*, of York dioc.

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

Done: in the hall of the prebend of Howden , 9 September 1438.

f.227v-228r 12 September 1438

Notarial instrument of resignation recording that William Wylkynson', vicar of the prebend of Saltmarshe in the church of Howden, held in his hands a paper schedule by William Wylkynson', priest, vicar of the pebend of Saltmarshe, whereby, for certain legitimate reasons, he resigns the said vicarage in the hands of John, archbishop of York, or of another whomsoever having power to accept the resignation, which he read out publicly, and upon which he asked the notary to draw up one or more public instruments.

Witnesses: John Bynchestr', chaplain, John Holme and John Dale, *litterati*, of York and Durham dioc.

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

Done: in the register house of the prior and chapter of Durham, 12 September 1438.

f.228r 12 September 1438

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute William Wylkynson', chaplain, in the vicarage of the prebend of Howden in the church of Howden, vacant by the resignation of Adam Walssh', last vicar thereof.

Date: Durham, 12 September 1438.

f.228r 12 September 1438

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute John Ellay, chaplain, in the vicarage of the prebend of Saltmarshe in the church of Howden, vacant by the resignation of William Wylkynson', chaplain, last vicar thereof.

Date: Durham, 12 September 1438.

f.228v 16 September 1438

Licence by John, prior of Durham, for John Heworth', monk of Durham, and for several years in the priestly order, to enter a stricter rule in Ireland within a year from the date of the presents; John Heworth' having often applied for such a licence, in order to serve God more strictly for the welfare of his soul.

Date: Durham, 16 September 1438.

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

f.228v-229r 22 September 1438

Lease by indenture by John prior and the chapter of Durham to Richard Wryghte of Fishlake, co. York, yeoman, of a certain parcel of land including the ground of the garden pertaining to the rectory of Fishlake, with all the buildings and the fishpond in the said parcel; the parcel lying between the remainder of the rectory garden to the east and a place called *Cuthbertehaven'* to the west, and between the rectory meadow to the south and the churchyard to the north; to be held by the said Richard Wryghte', his heirs and assigns, for the term of thirty years from Michaelmas next to come; rendering therefor 5d yearly at Michaelmas to the prior and chapter and their successors, or their undoubted attorney, or the warden of Durham College Oxford, or his undoubted attorney; and if it happen that the said rent be in arrears in whole or in part for a year after the due date, or if the said Richard, his heirs and assigns, create waste in the said parcel, buildings or fishpond, or if he or they fail to make repairs as often as necessary, then the prior and chapter and their successors, or their undoubted attorney, or the warden of Durham College Oxford, or his undoubted attorney, are to be allowed to re-enter the parcel, buildings and fishpond, and to possess them in perpetuity in their original state, the presents notwithstanding.

Sealed alternately.

Date: Durham, 22 September 1438; Fishlake, 2 October 1438.

f.229r 6 October 1438

Bond by John prior and the chapter of Durham to Robert Rodes, squire, for fifty pounds sterling, borrowed from him and turned to the use of their monastery, and to be paid to him or his undoubted attorney at Whitsun 1440.

Date: [Durham] 6 October 1438.

{Memorandum that the sum was paid to Robert Rodez by John Oll' [monk of Durham].}

f.229r 6 October 1438

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

Date: Durham, 6 October 1438.

f.229r-v 12 November 1438

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to John Tomson' for his service rendered and to be rendered of the keeping of his manor or house in London, appointing John as receiver of the said manor, and granting him one of two chambers over the great gate of the manor, built alongside the highway; to be held by John or a sufficient deputy, for the term of John's life; further granting him a fee of £4 13s 4d yearly, to be taken by his own hands from the revenues of the said manor; and at Christmas each year a robe or 8s in name of the robe; also granting John the keeping of all gardens within the said manor, and of the bishop's garden opposite the manor gate; on condition that John will answer to the bishop and his successors every year for fifty gallons of verjuice made from the vines of the gardens; to be held with all fees, emoluments and profits pertaining to the said keeping and gardens.

Under the great seal of the chancery of Durham.

Date: London, 27 April, 16 Henry VI [1438]

saving the rights of the church of Durham in all things.

Date: Durham, 12 November 1438.

f.229v-230r 24 November 1438

Proxy by Thomas Hoton', vicar of the collegiate church of Norton, appointing William Hoton' of Hardwick, squire, and Arsculf Kyllerby, clerk, as his proctors in whatsoever causes and business moved or to be moved, before whatsoever judge ordinary or delegate, or their commissaries or subdelegates, at whatsoever dates and places, with Thomas absent or present, howsoever concerning Thomas or his vicarage; and specially in a certain cause of the assignment of a certain yearly pension or portion to Richard Kellowe, lately vicar of Norton, predecessor to Thomas, to be paid from the revenues of the vicarage by Thomas and his successors to Richard during the latter's life, if and insofar as the ordinary of the place, with all those concerned concurring, has decreed that anything should be assigned to him; and giving them general power and special mandate, &c described, to act on his behalf.

Under the seal of the official of the archdeaconry of the prior of Durham, with form of words in the official's name expressing as much.

Date: Durham, 24 November 1438.

Related material in other DUL collections: Related letter: DCD Loc.XXV:70.

f.230r [26 November] 1438

Memorandum of homage and fealty made by John Wakerfeld', younger son of the lately-deceased John Wakerfeld', to John Wessyngton', prior of Durham, for the land and tenement in Barmpton, called *Taylbusland'*, which are held of the prior in chief by knight service and by other customary service.

Witnesses: William Hoton' of Hardwick, squire, then the prior's steward; and Thomas Nesebitt, hostiller, John Gatesheued', bursar, Thomas Ward', cellarer, William Dalton, chancellor, monks of Durham.

Done: revestry of Durham cathedral, the morrow of St Katherine 1438.

f.230r-v [23 July] 1261

Chirograph exchange between [1] Roger Bertram of Bothal and [2] John Sylvestr', rector of Bothal wherein [1], for himself and his heirs, has granted to [2] that chief messuage in Bothal, with garden and croft pertaining thereto, which his mother held as dower, on either side of the Bothal burn; in exchange for that messuage (next to Roger's manor) with croft, which [2] held by reason of his parsonage of Bothal; and if either party, his heirs or successors, infringe the agreement, he is to pay £100 sterling to the other party, for labours and expenses, and their own properties held may be recovered; with clause of warranty by Roger and his heirs in favour of John and his successors.

Sealed alternately.

Witnesses: John de Plesseto, Roger Mauduit, knights; Richard and Fulk Bertram; Simon de Cressewell'; Simon de Discenton', clerk; Ralph de Essendene; William de Espele; Fulk de Tybenham; Richard de Hereford'.

Date: (no place of issue), Saturday after Mary Magdalen 1261.

Printed: J. Hodgson, *History of Northumberland*, pt.iii vol.ii, (Newcastle 1828), p.40.

f.230v 4 December 1438

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Richard Rassh', chaplain, in the vicarage of Dalton{-le-Dale}, vacant by the resignation of Thomas Marche, last vicar thereof.

Date: Durham, 4 December 1438.

f.230v 12 December 1438

Presentation by John prior and the chapter of Durham asking Henry, bishop of St Andrews, or his vicar-general in distant parts, to institute John Muskyllburgh', chaplain, in the vicarage of Ednam, vacant by the death of William Brown', last vicar thereof .

Date: Durham, 12 December 1438.

f.231r 9 September [14]38

Memorandum [of notarial instrument of proxy] recording that John Wessyngton', prior of Durham, and William Dalton', monk and chancellor of Durham and proctor of the chapter, appointed Mr Andrew Hulse and Mr Robert Sutton' as their proctors to appear in the Roman *curia* in whatsoever business before whatsoever judges, and particularly in causes instituted or to be instituted by John Wyther, pretended provost of Hemingbrough.

Witnesses: Thomas Radclyffe, bishop of Dromore, John Bynchestre, chaplain, Robert Stotfald and Peter Cooke, *literati*, of Durham and York dioc.

Notary: William Freman', N.P.

Done: chapel of St Nicholas, Durham cathedral, 9 September [14]38.

f.231r [18 September 1428]

Bond by John, prior of Durham, to William Bowes, knight, for 100 marks sterling, to be paid to William or his undoubted attorney at Christmas next to come.

Date: Durham, Saturday before Matthew the apostle, 7 Henry VI.

Also DCD Reg. Parv. II f.46v, giving the date as Saturday after Matthew.

f.231r [?1428]

Memorandum of defeazance that the above bond was handed over to the keeping of Christopher Boynton', and another bond was made by William Bowes, knight, to the prior of Durham, of similar tenor and for the same sum; and was handed over to Richard Bukley under the conditions following, namely that if the prior and William observed the judgment of Christopher Boynton', Richard Bukley and William Lamton', squire, concerning various suits (&c) pending between the prior and William Bowes, and the judgment be returned before Christmas next, then the bonds would be held invalid; and that the said arbiters never gave judgment, and so the bonds are of no force.

Also DCD Reg. Parv. II f.47r.

f.231r 1 February 1439

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute Thomas Fleete, chaplain, in the church of Biscathorpe, vacant by the death of John West, last rector thereof.

Date: Durham, 1 February 1438/9.

f.231v-233r 7 May [1437]

Inspeximus by letters patent by Henry [VI], king of England, confirming one part of a certain indenture following, and all things contained therein; saving his right and royal prerogative in all things.

Indenture by Robert Umfravile, knight, setting out his reasons for wanting to found a chantry, stating that from the following licence

Licence by letters patent by Thomas, bishop of Durham, to Robert Umfravile, knight, to found, according to Robert's ordinance, a chantry of one master chaplain and one other chaplain in the chapel of Farnacres, within the manor of Farnacres, to celebrate masses for the health of the bishop, the said Robert, and Isabel his wife, while they live; their souls after their deaths; the souls of the bishop's forbears, kin and benefactors; the souls of the late kings Henry IV and V of England, their forbears and heirs; and the souls of all princes, nobles and knights of the garter of St George's, Windsor, past and to come, within the kingdom of England; the souls of those from whom the manor of Farnaces was acquired; and the souls of all faithful departed; to assign to the chaplains the manor of Farnacres, which is held of the bishop in chief, to be held by the master and his associate chaplain and their successors for their maintenance, in perpetuity; and licence to the said chaplains that they be able to receive and hold the said manor; the Statute of Mortmain notwithstanding; and granting that the chantry be called the chantry of SS John the Baptist and John the Evangelist of Farnacres; that the chaplains be able to acquire whatsoever property to be held by them and their successors in perpetuity; and that they be able to be impleaded by others under the name the master and associate chaplain of the chantry of Farnacres; not wishing that Robert or his heirs or the chaplains be troubled by the bishop, his successors, or their ministers by reason of the said statute or any of the premisses; saving services used and wont to the bishop and his successors. By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 20 March, Pont. 23. [1429]

he has founded a chantry, as described in the above licence, at the altar of SS John the Baptist and John the Evangelist in the chapel of his manor of Farnacres; ordaining that John Lyster be the master chaplain and that John Barker' be the associate chaplain, now appointed by Robert without presentations and admission; with Robert and his heirs having the presentation of these chaplains' successors to the bishop or his successors as often as vacancies should arise; granting to the chaplains the manor of Farnacres, to be held by them and their successors of the chief lords of the fees, by service used and wont therefor, in perpetuity; requiring that all the articles of this foundation, above and belowwritten, be read out publicly in presence of the master and his associate and their successors, before their admission, so that they understand the ordinances and their charge, and the more willingly fulfil them; not permitting the chaplains or their successors to alienate the said manor or any part thereof, or to squander the goods pertaining to the chantry, without licence of the patron, on pain of removal from the chantry; also granting forty marks to the chaplains and their successors for [an endowment of] stock (*pro stauracione*) for the said chantry, with every master and associate causing this sum to be passed on to their successors at the manor for their use, in perpetuity; and setting out the statutes, twenty in number (including specification of Sarum Use for the *Placebo*, etc. and for the daily offices; the muniments pertaining to the chantry and the said manor to be put in a chest in the keeping of the prior and convent of Durham with two locks, one key being kept by the prior and the other by the chaplains), by which the chantry is to be governed.

Date: Farnacres, 26 August 1429.

Witness: the king.

Date: Westminster, 7 May, A.R. 15, "for ten marks paid in the hanaper Wymbissh' ".
English summary of the statutes: R. Surtees, *The History and Antiquities of the County Palatine of Durham* 4 vols. (1816-1840), vol. II, p.243-244.

f.233r-233v 17 February [14]39

Inspeximus by John prior and the chapter of Durham confirming the following licence
Licence by Thomas, bishop of Durham, to Robert Umfravile, knight, as in the preceding entry.

Date: Durham, 20 March, Pont. 23 [1429].

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

Date: Durham, 17 February [14]38/9.

f.233v-234r 17 February [14]39

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Henry Preston', squire, of the office of constable of Durham castle, to be held and occupied by him, or by a sufficient deputy, for whom he would answer to the bishop, for life; receiving twenty marks yearly, by the hands of the receiver-general of the bishopric, in equal portions at the terms of Easter and Michaelmas, along with the profits of two ditches lying together under the castle, the revenues [?: *custubus*] of two gardens situated outside the castle, and all other profits used and wont to the said office of old; with a gentleman's robe or 13s 4d in name of the robe at Christmas yearly; giving him full power to carry out everything pertaining to the office, and directing all his ministers and servants to be of assistance to Henry, as is fitting, in the exercise of his office.

Under the great seal of the bishop's chancery.

Date: London, 12 April, 10 Henry VI [*sic*. Robert Neville only became bishop of Durham in January 1438. The date reads *anno regni regis Henrici post conquestum sexto decimo*, and it seems likely that a second *sexto* has been omitted. 16 Henry VI would give the A.D. 1438]

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

Date: Durham, 17 February [14]38/9.

f.234r-v 18 February [14]39

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Robert Preston' of the office of parker of Gateshead, with the herbage within the park, along with the keeping of the tower there; to be held and occupied by him, or by a sufficient deputy, for whom he would answer, for the term of his life; receiving from the bishop and his successors, by the hands of the bishop's master forester there, for the said office, 1½d per day, at the feasts of Easter and Michaelmas yearly; and for the said keepership receiving 1d per day by the hands of the bailiffs, ministers or whatsoever other officers within the lordship of Gateshead, at the said terms yearly; along with all other profits (&c) pertaining to the same office and keepership; and also a servant's (*valettus*) robe or 8s in name thereof yearly at Christmas.

Under the great seal of the chancery of Durham.

Date: (no place of issue), 8 April 1438.

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

Date: Durham, 18 February [14]38/9.

f.234v 18 February [14]39

Inspeximus by John prior and the chapter of Durham confirming the following appointment
Appointment by letters patent by Robert, bishop of Durham, of William Askeby as clerk of all the bishop's lead, iron and coal mines in whatsoever places within the bishopric of Durham; the office to be held by William or by a sufficient deputy, for whom William would answer, for the term of his life, just as other clerks have been accustomed to hold the office before this time; receiving yearly in the office, from the bishop and his successors, ten marks for his fee, in equal portions at the terms of Easter and Michaelmas, from the bishop's exchequer; with all profits (&c) of the office, of old used and wont; with the bishop directing all his wardens, farmers and ministers of all his said mines to be of assistance to William, as is fitting, in the exercise of his office.

Under the great seal of the chancery of Durham.

Date: London, 20 April 1438.

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

Date: Durham, 18 February [14]38/9.

f.234v-235v 1 July 1388

(Interrupted by memoranda inserted at the foot of f.234v and 235r, see below)

Notification by John, bishop of Durham, having given his commission to Mr John de Cokyn', his commissary, and Mr John de Hagthorpp', his sequestrator, to conduct an inquisition into defects of the chancel, books and ornaments of the church of Durham, St Mary in the South Bailey, and of the manse, houses and other things pertaining thereto, at the instance of Robert de Herlesy, rector of the said church, reciting the following certification.

Certification by John de Hakthorpp', sequestrator and specially-deputed commissary for the underwritten matter, to John, bishop of Durham, reciting the following mandate
Mandate by John, bishop of Durham, to Mr John Cokyn', his commissary, and Mr John Hagthorpp', his sequestrator, wishing to be informed as to the defects of the chancel, books and other furnishings of the church of Durham, St Mary in the South Bailey, and of the manse, houses and other things pertaining thereto, instructing them to conduct an inquisition into the said defects:

[1] whether they were imminent from the time when Reginald de Coventree, sometime rector thereof, held the said church, and later during the time of vacancy thereof;

[2] how, in what ways and for how much the sundry defects might be repaired;

[3] whether the same Reginald received any of the goods of his predecessors in the said church for repairing defects from the time of his predecessors;

[4] what and how much he applied to repairing defects;

[5] about all customary circumstances;

[6] and also upon the true value of the revenues of the said church;

and requiring certification as to their execution of this mandate as soon as they are able, replying to the sundry articles in letters patent incorporating the presents and under an authentic seal.

Date: manor of Auckland, 13 December 1387.

and stating that: having passed personally to the said St Mary's church and conducted an inquisition into the said defects, [1, 2, 3 & 4] he was able to find no defects from Reginald's time or from the time of vacancy, except that defects of the houses pertaining to the church are assessed at 10s, and that, nevertheless, Reginald assigned goods from his own property to the repair of defects, and left other goods to the said church in his last will; [6] as to the true value of the church, it was established by further inquest that: a 40s annual rent to be paid by the lord de Nevill from the vill of Crook in the parish of Brancepeth, and 1lb wax from a piece of land called *Aldhemland'* in the same parish, five tenements in North Bailey, Durham, between the tenement of Robert de Whalton' to the south and the tenement of the prior of Durham to the north, another tenement in South Bailey, Durham, in which Maud Ravyne dwells, and a waste plot which Robert de Massham held, an annual rent of 2s of the tenement of John de Hakthorpp', in which William Kay, *maason'*, is accustomed to dwell, in South Bailey, lying between the said prior's tenement on the south and the tenement of Robert de Meryngton', chaplain, on the north, an annual rent of 12d from tenements lying in Kingsgate in North Bailey, next to *Catbrigg'*, which once belonged to John Blynde of Durham, and an annual rent of 2s from the tenement of the late Hugh Brandon' in the same Bailey, in Kingsgate, pertain to the said church and its rector of the time; [5] the rector, Robert de Herleseey, and other trustworthy men asserted that it pertained to the rector to dine with the prior of Durham within the abbey of Durham on three days of every week, and that Reginald de Coventr[ee] and other predecessors of his had been in possession of this right for some time, and that because, he said, the greater part of the parish lay within the walls and

precinct of the said abbey, from which he sees (*sentit*) no other emolument; and because he is unable to give assurance concerning other rights and possessions alleged by the rector without further and more painstaking inquisition, he has held an inquisition of these jurors: William de Cotingham, rector of Durham, St Mary in North Bailey; William de Essh', Thomas Gray, Thomas Tuxford', Robert de Meryngton', chaplains; Alexander Utly, Peter Dryng', Alexander de Bakhouse, William de Cowton', John Coell', William Clerke, John de Jesly [? or Jesby], laymen; who better know the truth in this matter and say that the right of dining at the abbey in the manner aforesaid was held and exercised by Reginald, late rector, and by William Gawnt, sometime rector; it has not been possible for him to establish fully the true value of the said church, because the rights and emoluments thereof were now in doubt due to the apathy and negligence of earlier rectors in pursuing their rights, but it is said that, unless suitable remedy be provided, the one chaplain who ought to have charge of the church and parishioners there can barely be maintained because of the impoverishment of the church.

Under the seal of the office of the dean of Christianity of Durham, because John's seal is unknown to many, with form of words in name of the dean, to the effect that the said sequestrator and commissary requested use of his seal.

Date: Durham, 25 January 1387/8.

Date: manor of Auckland, 1 July 1388.

Inserted in the lower margins of f.234v-235r

Memorandum that Robert Harlesey {was presented} to the church of Durham, St Mary in South Bailey, by John Nevyl', 27 August 1386, was instituted therein on 22 September following, and was inducted by the official of the archdeacon on 25 Septemeber; the date of the alleged commission of inquest into things pertaining to the church is 13 December 1387; the date of certification is 25 January [1388]; the date of the alleged affixing of the bishop's seal at Auckland is 1388; nothing is found of the alleged commission, inquest, certification and sealing in the register of bishop John, wherefor it is probably more false or fabricated than true.

Inserted in the lower margin of 235r

Memorandum that Mr John Brogham, rector of Durham, St Mary in South Bailey, because Thomas Thornburgh' occupied the rectory house thereof, delivered his jewels to Richard Barton', feretrar of Durham, with this sealed deed; from which deed this copy was extracted; of which matter mention is not found in the memoranda of the monastery of Durham.

f.235v-236r 20 March [14]39

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Robert Sadiler' of the office of parker of Frankland, along with the office of forester of Middlewood, to be held by himself or by a sufficient deputy, for whom he would answer, for the term of his life; receiving yearly at the terms of Easter and Michaelmas from the bishop and his successors for the office of Frankland 30s 4d, and 6s 8d for the office of forester by the hands of the master forester; along with all profits (&c) of old used and wont to the said offices; and receiving a servant's robe (*valettus*) or 8s yearly at Christmas.

Date: London, 16 April, 16 Henry VI. [1438]

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

Date: Durham, 20 March [14]38/9.

f.236r 25 March 1439

Grant by indenture by John, prior of Durham, to Thomas Forster' of Long Newton, since Thomas has taken various tenures of buildings and lands in the vill of Aycliffe, being in the hands of the prior by the death of their tenants in the prevailing pestilence, on lease from the prior for the term of nine years, rendering 106s yearly to the prior and his successors at the two terms of the year, beginning at Whitsun 1440, of the office and keepership of the park of Aycliffe, to be held so long as he conduct himself well in the office, and his service be pleasing to the prior and his successors; receiving for the office the garment of a servant (*valettus*) of the prior, every year when the general livery is made, and a three-weekly allowance of two strikes of wheat or, should the price of wheat generally exceed 6d. a bushel, two strikes of barley or rye, and all trees brought down by the wind or age in which timber cannot be found, and the branches of all trees given to outsiders by the prior in which timber cannot be found; with the branches and timber of all trees taken for the use of the prior or his tenants reserved to the prior and his successors; Thomas being required to repair the enclosure of the said park as often as need be, so long as it does not exceed one perch in one place.

Sealed alternately.

Date: Durham, 25 March 1439.

f.236v 8 April 1439

Notarial instrument of resignation recording that John Gresmere, vicar of Pitlington, holding in his hands a paper schedule by John Gresmere, vicar of Pitlington, whereby, for certain legitimate reasons, he resigns the said vicarage in the hands of the bishop of Durham or, in his absence, of his vicar-general in spiritualities or of another whomsoever having power in this regard, publicly read the same out and asked the notary to draw up a public instrument thereon.

Witnesses: John Lytstere, John Colynson', priests, John Clerk, *litteratus*, of York and Durham dioc.

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

Done: in the chapel of Mary Magdalen, Sherburn hospital, 8 April 1439.

f.236v 9 April [14]39

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

Date: Durham, 9 April [14]39.

f.236v-237r 9 April [14]39

Letters by John prior and the chapter of Durham to Robert, bishop of Durham, since John Gresmere, believing himself incapable of the cure of the vicarage of Pitlington because of old age and ill-health, with the agreement of the prior and chapter submitted himself and the said vicarage to the ordinance of the bishop, as the bishop should see fit with regard to the cure of souls and the state of the said John, accepting John's submission as it appears in his letters of submission and giving their consent that the bishop should ordain a suitable portion for the said John from the vicarage revenues.

Date: Durham, 9 April [14]39.

f.237r-v 11 April 1439

Decree by John Norton', D.Dec., vicar-general in spiritualities to Robert, bishop of Durham, referring to the resignation of the vicarage of Pitlington by John Gresmere and the causes thereof, (as in the preceding entry and the instrument of resignation on f.236v), lest, to the opprobrium of the priestly order and disparagement of the ministry, John see fit to obtain his sustenance as a beggar, by mandate of the bishop, and with the consent of the prior and chapter of Durham, patrons of the vicarage, and of others concerned in this regard, assigning John a pension of eight marks yearly for life, to be paid to him or his undoubted attorney by Robert Batez, the incumbent thereof, and his successors, in equal portions at the terms of Peter ad vincula, All Saints, Candlemas and St Helen, beginning at Peter ad vincula next to come; and if it happen that the pension be unpaid in whole or in part for a month after any term date, then all and sundry the revenues of the vicarage are to be and remain sequestered, the vicar-general committing custody thereof to the official of the cons[istory court] of Durham, or his commissary-general, until John Gresmer' be satisfied thereof and of damages and expenses; coming to this ordinance with the consent of Robert Batez, presented to the vicarage of Pitlington by the said patrons and instituted therein by the vicar-general; which ordinance the said Robert Batez has sworn to observe; and decreeing that during the lifetime of John Gresmere the successors of the said Robert are to swear likewise. Under the bishop's seal *ad causas*, "being in our hands".

Date: (no place of issue), 11 April 1439 "and of our translation the second year" [i.e. of Bishop Nevill]

f.237v 16 April 1439

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Robert Dale, chaplain, in the vicarage of Heighington, vacant by the death of John Corbrigg', last vicar thereof; saving a pension of 53s 4d yearly, due of old therefrom to the prior and chapter and their sacrist.

Date: Durham, 16 April 1439.

f.237v 16 April 1439

Inspeximus by John prior and the chapter of Durham confirming the following grant, because Christopher is and has for a long time been of their council.

Grant by Robert, bishop of Durham, to Christopher Boynton' for his good counsel, rendered and to be rendered, of the rent and service of Ed[mund *] Wadesley, squire, which he is bound to render to the bishop and his successors for his lands and tenements in Thornton le Street [Allertonshire], with homage, wardships, marriages and reliefs excepted; to be held and received for life.

Date: (no place of issue), 20 October, 17 Henry VI. [1438]

Date: [Durham] 16 April 1439.

[* See *The Victoria history of the county of York. North Riding*, 2 vols., ed. W. Page, (1914-1925), vol.I, p.455.]

f.237v-238r 13 April 1439

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

Date: Durham, 13 April 1439.

Related material in other DUL collections: Related letter: DCD Loc.XXV:155.

f.238r 16 July [14]39

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute John Semare, chaplain, in the vacant sixth vicarage of the collegiate church of Hemingbrough.

Date: Durham, 16 July [14]39.

f.238r 29 May [14]39

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute Mr John Marchall', LL.B., in the prebend and canonry of Saltmarshe in the collegiate church of Howden, vacant by the death of Mr William Doncastre, last canon and prebendary thereof.

Date: Durham, 29 May [14]39.

Related material in other DUL collections: Related letter: DCD Loc.XXV:127.

f.238r-v 29 May [14]39

Commission by John prior and the chapter of Durham, ordinaries of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, appointing Mr Robert Ormesheued', B.Dec., advocate of the court of York, as their official or keeper of the jurisdiction of the spirituality of the said liberty, giving him power &c, described; to endure at their pleasure.

Date: Durham, 29 May [14]39.

f. 238v 18 June [14]39

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Robert Morley of the keeping of the bishop's manor or house of Wheel Hall, along with the keeping of the garden adjacent thereto with the fruits and herbages therefrom, but with the fruits and herbages reserved to the bishop and his successors for necessary expenses of their hospice when they happen to be there; to be held by Robert for life, by himself or by a sufficient deputy, for whom he would answer to the bishop and his successors; receiving yearly from the bishop and his successors, at the two terms of the year by equal portions, 2d per day for the keepership, to be paid by the hands of the bishop's bailiffs, ministers or other officers within the lordship of Wheel Hall; and also receiving a servant's (*valettus*) robe, or eight shillings in name thereof, at Christmas yearly.

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

Date: Durham, 20 April Pont. 2. [1439]

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

Date: Durham, 18 June [14]39.

{Memorandum that this confirmation was not issued in this form, but according to the form written on the twentieth folio following [248r-v].}

f.238v-239r 24 June 1439

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to John Brone, of the office or keeping of half the parkership (*parcariatus*) of the park of Crayke, with all profits belonging to the office; to be held for the term of his life, receiving from the bishop and his successors £3 0s 8d yearly in equal portions at Easter and Michaelmas, to be paid by the hands of the bailiffs, farmers, ministers or other officers of the manor of Crayke; and receiving yearly at Christmas a robe, or eight shillings in name thereof; allowing John to exercise and occupy the office by himself or, when absent, through a sufficient deputy, for whom he would answer, and to raise and retain for his own use all fees pertaining to the office.

Under the great seal of the chancery of Durham.

Date: Durham, 16 April 1438.

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

Date: Durham, 24 June 1439.

f.239r-v 11 July 1439

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Robert Ingelerd' of the office or keeping of half the parkership (*parcariatus*) of the park of Crayke, with all profits belonging to the office; to be held for the term of his life, receiving from the bishop and his successors £3 0s 8d yearly in equal portions at Easter and Michaelmas, to be paid by the hands of the bailiffs, farmers, ministers or other officers of the manor of Crayke; and receiving yearly at Christmas a robe, or eight shillings in name thereof; allowing John to exercise and occupy the office by himself or, when absent, through a sufficient deputy, for [whom] he would answer, and to raise, receive and retain for his own use all fees pertaining to the office.
Under the great seal of the chancery of Durham.

Date: Durham, 16 April [14]38.

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

Date: Durham, 11 July 1439.

f.239v 16 July 1439

Inspeximus by John prior and the chapter of Durham confirming the following notification
Notification by letters patent by Robert, bishop of Durham, to Ralph Babthorpp', squire, for his felicity, care and diligence, appointing him steward and bailiff of the manor, lordship and liberty of Howden and Howdenshire; to be held for the term of his life; receiving for the office of steward £10 yearly from the bishop and his successors from the revenues of the said manor and lordship, to be paid by the hands of his and his successors' receiver there, at Easter and Michaelmas by equal portions; receiving for the office of bailiff the wages and fees pertaining of old to the office; giving him full power to appoint suitable deputies, for whom he would answer to the bishop and his successors; and instructing all and sundry officers and ministers, men and tenants of the said manor and lordship, and others concerned, to submit to and obey Ralph in the exercise of his office.

Under the seal of the bishop's arms (*armorum nostrorum*) [? i.e. one of his signets, see Greenwell & Blair, *Durham Seals*, nos 3154-56].

Date: (no place of issue), 14 July, 16 Henry VI. [1438]

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

Date: Durham, 16 July 1439.

f.239v-240r 25 July 1439

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Mr Alexander Surtas, in the church of Meldon, vacant by the death of Mr William Doncastre, last rector thereof; saving a pension of 40s yearly, due of old from the rectors thereof to the prior and chapter and their sacrist. Date: Durham, 25 July 1439.

f.240r 26 August 1439

Inspeximus by John prior and the chapter of Durham confirming the following grant Grant by Richard Bukley, clerk, master of Kepier hospital, at the request and mandate of Robert, bishop of Durham, to Robert Strothere, squire, of a corrody in the said hospital, in bread, beer (&c) as received at present yearly by the priests serving there, excepting their priestly stipend; to be held for life.

Date: Kepier hospital, 20 April 1439.

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

Date: Durham, 26 August 1439.

Confirmation [by Robert, bishop of Durham,]

Under his seal *ad causas*.

Date: (no place of issue), 17 May [1439]

The register of the time of Robert Westmerland, chancellor, who entered the said office on 5 October 1439

f.240r-241r 12 September 1439

Annexation by Robert, bishop of Durham, upon a petition on the part of the master and his associate, chaplains of the chantry of Farnacres, to the effect that although the chantry had been endowed with certain revenues from the manor of Farnacres, they will not be able now or in the future to maintain, without remedy of some assistance, the expenses with which they are charged, because the revenues of the said manor are being diminished by flooding and other misfortunes; and upon their supplication that the bishop unite the vacant Friarside hospital to the chantry; wishing to proceed according to the rules of canon law, and thus having had an inquest conducted, from which it clearly appeared that the contents of the petition were supported by truth (&c), and with the consent of the prior and chapter of Durham, and of all and sundry others having an interest, and with the advice of jurists, annexing, uniting (&c) Friarside hospital to the chantry of Farnacres, and decreeing that there be one chantry henceforward; decreeing also that the current chaplains and their successors receive the revenues of Friarside hospital, with its rights, and freely dispose of them; and that the charges which pertained to the warden or master of Friarside hospital, along with others according to the bishop's discretion and that of his council, belong now and henceforward to the master and his associate, and their successors, chaplains, along with the charges which had already been subject to the chantry of Farnacres; ordaining, with consent of the master and his associate, in recompense for the emoluments which the bishop and his successors, and the prior and chapter of Durham during simultaneous vacancies of the sees of Durham and York, could receive from Friarside hospital if the said annexation were not made, that the chaplains and their successors in the chantry be bound to pay a pension of 40d to the bishop and his successors in Durham cathedral at Nativity of John the Baptist each year; and wishing a share *pro rata* of the pension to remain with the prior and chapter of Durham for times when the keeping of the spiritualities of the diocese should be in their hands.

Under the bishop's seal *ad causas* and the common seal of the prior and chapter of Durham.

Date: (no place of issue), 12 September 1439.

f.241r 17 October [1439]

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by Robert, bishop of Durham, to the chancellor of the university of Oxford and the congregation of regents and non-regents there, of the right of nomination to the church of Gateshead, which is in the bishop's patronage and collation, once only, when the church should next happen to be vacant; the nomination to be made to the bishop or his successor within three months of the vacancy arising.

Date: (no place of issue), 9 October 1439.

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

Date: Durham, 17 October.

f.241r 17 October [14]39

Grant by John prior and the chapter of Durham to the chancellor of the university of Oxford and the congregation of regents and non-regents there, of the right of nomination to the church of Appleby, co. Leics, to which the prior of Lytham presents on the recommendation of the prior and chapter, once only, when the church should next happen to be vacant; the nomination to be made to the prior and chapter within three months of the vacancy, for recommendation to the prior of Lytham for presentation to the ordinary. Date: Durham, 17 October [14]39.

f.241r-v 19 October [1439]

Inspeximus by John prior and chapter of Durham confirming the following collation
Collation by Robert, bishop of Durham, to Mr John Lounde, B.Cn. & C.L. of the hospital of Kepier, vacant by the resignation of Richard Bukley, last master or warden thereof, appointing him master or warden of Kepier and ordering that he or his proctor be inducted into corporal possession thereof; not intending that by this collation Mr John be invested with the hospital as with an ecclesiastical benefice.

Date: (no place of issue), 16 October 1439.

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

Date: Durham, 19 October.

Printed in part in: *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896), p.229.

f.241v-242r 23 October [1439]

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Richard Bukley, priest, lately master or warden of Kepier hospital, following Richard's resignation of the wardenship of Kepier hospital, due to his old age and bodily enfeeblement; in consideration of Richard's great labours (&c), and lest, to the opprobrium of the priestly order and disparagement of the ministry, Richard see fit to obtain his sustenance as a beggar; assigning Richard a pension of forty marks yearly for his maintenance during his life, to be paid from the revenues of the said hospital, by the master or warden of Kepier at the time, at the terms of Easter and Michaelmas by equal portions, beginning at Easter next to come; and if it happen that the pension be unpaid in whole or in part for a month after any term date, then the revenues of the hospital are to be and remain sequestered, committing custody thereof to the official of the consistory [court] of Durham, until Richard Bukley be satisfied thereof and of damages and expenses; this ordinance being made with the consent of Mr John Lounde, B.Cn. & C.L., who has been appointed as warden of Kepier by the bishop; which ordinance the said Mr John Lounde has sworn to observe; with the bishop decreeing that during the lifetime of Richard Bukley the successors of the said Mr John are to swear likewise.

Under the bishop's seal *ad causas*.

Date: (no place of issue), 16 October 1439.

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

Date: Durham, 23 October [1439].

Printed in: *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896), p.229-231.

f.242r-v 23 October [1439]

Inspeximus by John prior and the chapter of Durham confirming the following quittance
 Quittance by Robert, bishop of Durham, to Richard Bukley, lately master or warden of
 Kepier hospital, since his account of the keeping and rule, and of the administration of
 the goods of Kepier has been audited in the bishop's exchequer in the presence of Mr
 John Norton', D. Dec., William Chauncelere and William Rakett, and having found that
 Richard has governed laudably and administered the hospital's goods faithfully and well,
 discharging Richard from rendering any further account in this regard.

Under the bishop's seal *ad causas*.

Date: (no place of issue), 16 October 1439.

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

Date: Durham, 23 October [1439].

Printed in: *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896),
 p.228.

f.242v-243r 3 October 1439

Proxy by John prior and the chapter of Durham, having ordinary jurisdiction, described,
 over the clergy and people of the church of Welton, York dioc., and having the right to
 a pension of 40s yearly from the rectors of Welton, appointing Mr Richard Arnald',
 subdean of York minster, Mr John Marchall', canon of York minster, Mr William Ebchestre,
 S.T.P., monk of Durham, and Mr Robert Ormesheued', advocate of the court of York
 and keeper of their jurisdiction of Howdenshire, as their proctors, to attend and act
 (instructions given) in their name and in name of their monastery, before ordinaries,
 delegates, commissaries or whatsoever other judges, in the business or cause of the
 appropriation of the church of Welton, done or to be done for the chaplains of a chantry
 founded or to be founded in Lincoln cathedral for the soul of Katherine, lately duchess
 of Lancaster.

Date: Durham, 3 October 1439.

f.243r 4 November 1439

Bond by John, prior of Durham, to Robert Rodes, squire, for £20 sterling, lent by him
 and turned by the prior to his monastery's use; to be paid to Robert or his undoubted
 attorney at Newcastle upon Tyne, at Martinmas 1440.

Date: Durham, 4 November 1439.

Also DCD Reg. Parv. II f.108v.

f.243r-244r 6 June 1435

Grant (tripartite) by William Hoton' of Hardwick, son of Gilbert de Hoton' of the same, to the honour of God, SS Mary, Katherine, Cecilia, Margaret and all saints, by licence of Thomas Langley, bishop of Durham, and with the consent and assent of all others having an interest in this regard, to Thomas Hoton', chaplain and warden of the chantry of St Katherine in the church of Sedgefield,

of six messuages, two cottages and 170 acres of land in Sedgefield, namely: four messuages and 100 acres of land, called *Grayland*, which lately belonged to Henry Pilloke of Sedgefield; one messuage, two cottages and 40 acres of land which lately belonged to the said Gilbert de Hoton'; one messuage and 30 acres of land, called *Halland*, which lately belonged to John Hode;

to be held by Thomas Hoton' and his successors, chaplain-wardens of the said chantry, to assist their maintenance, in perpetuity, of the chief lords of the fee, by service used and wont; rendering eight marks yearly to William Hoton' for the term of the latter's life, and eight marks yearly (usual term-dates) to his executors for the first ten years after his death; and if the said rent should happen to be in arrears in whole or in part for 40 days after any term-date, it is to be permitted to William or, after his death, his executors to distrain upon the said lands and retain goods removed until satisfied of the rent and arrears; on condition that Thomas and his successors assiduously celebrate masses in perpetuity for the souls of Joan, William's wife, Gilbert de Hoton' and Agnes, his father and mother, Roger de Maynsforth', sometime monk of Durham, John Killynghale, sometime husband of the said Agnes, the souls of his benefactors (&c), and the soul of Thomas Rapere, lately of Durham; William further requiring, for his soul and the souls aforesaid, that Thomas Hoton' and his successors pay 20s each year to the more needy men of Sedgefield parish, namely: 10s on the morrow of St Katherine, on which day he and they are to say a requiem mass *cum nota*, *Placebo* and *Dirige*, and to distribute 4s of the 10s thus, namely 8d each to the parish chaplain, the chaplain of Fishburn, the chaplain of Embleton, and the chaplain of Bradbury, and the remaining 16d among the clerks at the *Dirige* and mass, with the remaining 6s to be distributed on the same day to eighteen paupers, namely 4d to each pauper; 5s on St Cuthbert in March, to be distributed among 15 paupers of the parish; 5s on St Margaret, to be distributed among 15 paupers, namely 4d per pauper; ordering: that payment be overseen by the rector of Sedgefield, if present, and by the parish chaplain if not, and by four churchwardens; that if Thomas or his successors be negligent in payment of the 20s, then the defaulting chaplain is to pay 20s for the fabric of the church of Sedgefield, to be raised from the aforesaid lands by the said churchwardens, likewise on every occasion that he fail; and that every chaplain of the said chantry, before he be admitted thereto, swear faithfully to observe the said ordinances during his lifetime;

and requiring that this charter be read out openly in Sedgefield church, by the parochial chaplain or the chantry chaplain, three times in the year, namely on the Sundays following SS Margaret, Katherine and Cuthbert in March, that the alms be in no wise forgotten. The three parts, all under the seal of William Hoton', to be kept by the chaplain, the rector of Sedgefield, and the churchwardens of Sedgefield.

Date: Sedgefield, 6 June 1435.

f.244r 8 November 1439

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by Robert, bishop of Durham, to Thomas Wytham for his good counsel, rendered
 and to be rendered to the bishop and his successors, of an annual rent of seven marks,
 for life, from the manor and lordship of Crayke, by the hands of the receiver, reeve or
 farmer thereof (usual term-dates); and of the office of steward of the said manor and
 lordship, to be occupied by him or by a sufficient deputy, and to be held for life, receiving
 the customary wages and fees yearly from the bishop and his successors; and if it
 happen that the annual rent or the fees or wages be in arrears, in whole or in part, for
 a quarter of a year after any term-date, then Thomas and his assignees may distrain
 upon the said manor and lordship, and impound goods distrained until satisfied of the
 rent, fees, wages and arrears, and of costs and damages incurred by reason of the
 arrears; and instructing his ministers and tenants there to submit to and assist Thomas
 as steward.

Date: (no place of issue), 20 April, Pont. 1. [1438]

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

Date: Durham, 8 November 1439.

f.244r-v 7 November 1439

Memorandum of homage and fealty made by John Thorpp', son and heir of Robert
 Thorpp' of Wolviston, to John, prior of Durham, for his lands and tenements in Wolviston
 which are held of the said prior by knight service, suit of court and other customary
 service.

Witnesses: Robert Eure, steward of the bishop of Durham; William Hoton', steward of
 the prior of Durham; Mr William Ebchestre, S.T.P.; William Rakett; William Marley; John
 Chestre; William Dicon'; John Oll'; Robert Westmerland; Richard Parke.

Done: in the prior's chamber, [Durham] 7 November 1439.

f.244v-246r 16 November [1439]

Inspeximus by John prior and the chapter of Durham confirming the following augmentation

Augmentation by Robert, bishop of Durham, of the collegiate church of Darlington finding the prebends to be rich in resources, and having learnt that none of the prebendaries is resident and none has put a deputy (*servitor*) in his place although expediency and honesty demand it and their resources would support it; moreover that the the vicar thereof has to bear the burden of parochial cure at his own expense; and that thus Mr Richard Wytton', M.A. and student of theology, the current vicar, although he has hitherto borne the cure with great loss in so far as he has been able, is unable to serve the said church further in the manner formerly used (as he has often brought by plaint before the bishop through lawsuits) unless swiftly provided with a more plentiful living, because of his diminished livelihood, owing to the pestilence and other misfortunes; and that neither Mr Richard nor his successors will be able to bear the burden of the cure there; as found by an inquisition held upon this matter; and that by reason of the foregoing the name of the vicar is disparaged among the populace, nor is due reverence shown to him; seeing fit to conduct an inquisition before proceeding to the desired augmentation, and finding from the certificatory return of the inquisition: that there are four prebends in the church of Darlington, called, in order, Darlington, Cockerton, Newton and Blackwell; the prebendary of Darlington has ten tenements in the vill of Darlington annexed to his prebend, sometime leased for 117s, and also two bovates of arable with the meadow pertaining to them, worth 26s 8d; as to variable income, he receives the tithes of hay and corn of Darlington, which he will have for three years if he live, and in each year of the three years he will pay £8 pension to the other prebends or their prebendaries (40s each to the prebends of Cockerton and Newton, and £4 to the prebend of Blackwell); and, after the three years have elapsed the prebendary of Darlington, for tithes of hay and corn, is to transfer to the prebend of Blackwell for three years receiving those from the vill of Blackwell, then to the prebend of Newton for three years, whereafter to the prebend of Cockerton for three years, and then again to receiving the tithes of Darlington, with similar circuits being followed by the other prebendaries, and the cycle beginning again after the prebendaries had returned to receiving the tithes of their original prebends; that two barns, sometime leased for 26s 8d, and two bovates of arable leased for 26s 8d belong to the prebend of Cockerton's endowment (corpus), and that it also has tithes of hay and corn, in sequence as above, and the pension of 40s yearly to be paid by the prebendary occupying the prebend of Darlington;

that the prebendary of Newton has one new barn annexed to his prebend and three tenements, sometime leased for 35s 6d, and two bovates of arable, leased for 26s 8d yearly, as the prebend's endowment, and also has the tithes and 40s pension, as above; that the prebendary of Blackwell has one barn annexed to his prebend, and two tenements and one waste, sometime leased for 24s, and two bovates of arable leased for 26s 8d, as the prebend's endowment, and also has the tithes and £4 pension, as above;

that the prebend of Darlington with its appurtenances is worth £18 yearly, the prebend of Cockerton is worth £16 yearly, the prebend of Newton is worth £12 yearly, and the prebend of Blackwell is worth £20 yearly; that the four prebendaries are only charged with repair of the chancel and with the royal tenth, namely the sum of 18s on each prebend, when it should arise; fearing therefore that the church will be pitifully abandoned with the withdrawal of worship (&c) and having deliberated the premisses with the advice of jurists and the consent of the chapter of Durham, proceeding in this fashion to his

Ordinance thinking to bestow a name of honour upon the principal servant ministering therein, decreeing that the name vicar which has hitherto obtained there will be changed henceforward to the name dean; erecting a prebend at the high altar of the collegiate church, to be called the altar prebend and to be assigned to the dean and his successors; wishing the prebend to have a portion made up of the oblations (&c) which the sometime vicar, now dean, used to receive, along with the manse anciently reserved to him and his successors; noting that the original prebends were instituted that divine service be performed, "and that it be fair to pay something for labouring in the Lord's vineyard ... the mouth of a threshing ox ought not to be bound", withdrawing the tithe revenues of the prebendary of Darlington, which he was accustomed to receive and bear little or nothing of the cure or ministry, and assigning them to the dean and his altar prebend, as follows:

that when the prebend of Darlington should become vacant, the tithes of hay and corn which the prebendary would receive, along with the pension of 40s or £4, according to the the sequence laid down in the ordinances of the church of Darlington, ought to belong to the dean and his altar prebend; providing that he whom the bishop or his successors should assign to the prebend of Darlington be excluded from receiving the tithe revenues and be content with the two bovates of arable pertaining of old to the prebend and the pension of 40s to be paid by the dean; decreeing also that, when the dean has received the tithes of the vill of Darlington and the pension for three years, he is to transfer himself to another prebend according to sequence as aforesaid to receive the tithe revenues there; adding that the dean is to pay a 40s pension to each of the prebendaries of the four prebends during the three years when he possesses the tithes of Darlington; ordaining that the four prebendaries defer to the dean in the choir of the church and in processions, without other superiority whatsoever; reserving the right to amend this ordinance as and when he or his successors should think fit.

Under the bishop's seal *ad causas*.

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

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

Date: Durham, 16 November.

f.246r-v 29 November [14]39

Proxy by William Barry, prior of Finchale, appointing Mr Robert Ormesheued', advocate of the court of York, John Harum, monk of Durham, and William Driffeld' and Thomas Appelby, proctors of the court of York, as his proctors, to appear and act on his behalf, powers described, before John, archbishop of York, or his vicar-general in spiritualities, and whatsoever judges-delegate and their commissaries in the cause of citation by Mr Richard Arnall' [vicar-general] of John, archbishop of York, to appear in the archbishop's chancery on Wednesday next after St Andrew next to come, to show cause why he ought not to be removed from occupation of the church of Giggleswick and the unjust receiving of the revenues thereof, and compelled to restore these revenues, unduly taken by him, as is believed, as an intruder and unjust occupier thereof.

Under the seal of the prior of Durham.

Date: Durham, 29 November [14]39.

Also DCD Reg. Parv. II f.109r, giving Richard Arnall's office, omitted here.

f.246v-247r 5 December [14]39

Letters of confraternity by John prior and the chapter of Durham to Henry, bishop of St Andrews, upon his supplication, and considering the kindness of his giving and zeal of his sincerity in the business of their cell of Coldingham (&c), granting him special participation in all masses, prayers, fasts (&c) in the monastery of Durham and its dependent cells, as much in life as after death.

Date: Durham, 5 December [14]39.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.111.

f.247r-v 6 January 1440

Notarial instrument { "concerning the right of the bishop of Durham in the castle and lordship of Barnard Castle"} recording that John Wessyngton', prior of Durham, showed the notary a book, which, he claimed, concerned the beginnings and progress of the episcopal see and church of Lindisfarne, and also of the church and see of Durham; and that the book appeared to the notary and the witnesses underwritten *prima facie* to be in a very old hand, and to be complete, uncanceled, and neither falsified nor corrupt, but free of suspicion; and that from this book the notary was asked to transcribe and copy, and reduce into public form, certain passages touching the possessions and liberties of the churches of Lindisfarne and Durham; and that, the notary, considering this request to be fair, extracted clauses and writings from various parts of the said book, giving biographical details of Bishops Ecgred, A.D. 830, [from Symeon of Durham, *Libellus de historia ecclesie Dunelmensis*, ed. J. Stevenson (Lampeter c.1988), II, p.5], and Aldhun, A.D. 990, [from *ibid.* II, p.20 and III, p.4], and their part in establishing the liberties of the church of Durham.

Witnesses: John Bynchestre, chaplain, Hugh Burnynghill' and Thomas Thornburgh', *literati* and gentlemen of Durham dioc.

Notary: John Paynell', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, including note of erasure).

Done: chapel of St Nicholas in the monastery of Durham, 6 January 1439/40.

{ "vide supra fo.164"} [f.247r] {"v. X Script. p.29. l. 62"} [f.247v; in a later hand].

f.247v-248r 18 January [14]40

Testimonial by John prior and the chapter of Durham setting out their possession of the priory of Coldingham in Scotland and the diocese of St Andrews by the gift of King Edgar son of St Margaret and his heirs as kings of Scotland, with the right to appoint the prior thereof, to present him to the bishop of St Andrews, and to place and remove both the prior and the monks in the cell of Coldingham; and that from the time of the foundation of the cell there was never a benefice of the sacristy, or a sacrist deemed to be a beneficed clerk therein, although, "on account of the remarkable number of monks dwelling there, for whose sustenance the resources of the priory sufficed more than in more modern times, the predecessors of the prior and chapter have, of their own will, deputed one of the monks of Coldingham to the keeping of the said church and its ornaments, under the prior thereof", that this sacrist was accountable each year to the prior of Coldingham, and was removable at the command of the prior of Durham, as shown in their registers and other writings; and that the foregoing will be ready as proof before competent judges.

Date: Durham, 18 January [14]39/40.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.112-113; original is DCD Misc Ch 1273.

f.248r-v 11 January 1440

Notarial instrument recording that John Wessyngton', prior of Durham, showed a certain instrument fortified, entrenched and fenced round, as by an impregnable wall, by the subscription of three notaries, with their signs, namely William Doncastre, Thomas de Tang' and John de Runkhorn', of York, Durham, and Coventry and Lichfield diocc., and asked the notary to inspect the instrument and copy it as a public transumpt for the indemnity of the estate, rights and liberties of the current bishop of Durham and his church, to be directed to distant parts; and that the notary, deeming the request to be just, inspected the instrument and inserted it word for word into this public transumpt, thus:

Notarial instrument "&c ut supra fo. 153 a principio usque in finem"

Witnesses: John Bynchestre, chaplain, Adam Haymond, ordained deacon, and John Holme and Hugh Burnynghill', gentlemen and *literati*.

Notary: John Paynell', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, including note of interlineation).

Done: the chapel of St Nicholas in the monastery of Durham, 11 January 1439/40.

f.248v-249r 15 January 1440

Notarial instrument recording that John Wessyngton', prior of Durham, showed a certain ordinance and regulation of the collegiate church of Hemingbrough, under the seal of John, archbishop of York, and read certain clauses touching the provost of the said collegiate church, and asked the notary to extract these clauses from the ordinance and to copy them word for word into a public transumpt; which clauses the notary found to be dispersed through the ordinance, incorrupt and lacking all flaws and sinister suspicion; and, at the request of the prior, inserted them into the following public transumpt, thus [Extracts from notarial instrument] giving opening and closing words of four clauses from the ordinance on f.121r-123v.

Witnesses: Mr John Lethom, B.Cn. & C.L., John Bynchestre, chaplain, John Holme and William Kyllynghall', gentlemen, of York and Durham dioc.

Notary: John Paynell', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, including note of interlineation).

Date: chapel of St Nicholas, in the monastery of Durham, 15 January 1439/40.

f.249r-v 24 October [14]39

Proxy by John prior and the chapter of Durham appointing Mr William Ebchestre, S.T.P. [monk of Durham], Mr Robert Ormesheued', advocate of the court of York, and William Dalton' and Robert Westmerland', monks of Durham, Mr John Paynell', LL.B., and William Driffeld', proctor of the court of York, as their proctors, responsibilities described; to act for the prior and chapter and their monastery (&c) in all legal actions and business raised or to be raised by whatsoever adversaries concerning their monastery, their college in the university of Oxford, their cells, their parish churches and the dependent chapels thereof, their jurisdictions, liberties, tithes, pensions, portions and rights, before whatsoever judges (&c), at whatsoever dates and places.

Date: Durham, 24 October [14]39.

{ "That proxy is in the keeping of Mr Robert Ormesheued". }

Related material in other DUL collections: Related letter: DCD Loc.XXV:45.

The register of the time of Robert Westmerland, chancellor, who entered the said office on 5 October 1439 - Acta Ricardi Houton
Prioris contra Antonium Episcopus in visitacione sua

f.249v-250r 9 February 1440

Memorandum that a letter was made on the part of the prior and chapter of Durham for Robert Bourdale as their mortuary-roll bearer, to endure at their pleasure, dated at Durham, 9 February 1439/40; with words following the date to the effect that it was issued according to the form of a letter to John Cawod, lately their mortuary-roll bearer, on f.205 of this register.

f.250r-251r 5 and 19 February 1440

Notarial instrument recording that Richard Blackburn', monk of Durham, appeared before John, prior of Durham, concerning the crime of fornication and incontinence committed between himself and a certain Margaret Soulby, as was said, begging the prior that he see fit to admit and receive his canonical purgation, with the oath of fourteen of his fellow monks, his compurgators; and with a certain Robert Whyte having been called and appearing in person with certain others of his affinity, the prior made a public statement: as to how Robert and a certain Robert Trotter personally came into his presence in the chapel of St Nicholas, Durham priory, on the preceding Friday 29 January (with Mr William Ebchestre, sacrist of Durham, S.T.P., Mr John Lounde, B.Cn. & C.L., Mr John Lethom', B.Cn. & C.L., and Mr John Paynell, B.Cn. & C.L., there present) asking the prior to hear their assertions; and, when the prior had granted audience, Robert Whyte asserted that the prior intended to pronounce excommunication upon him, as he had heard, because of statements published by him defaming the said Richard Blackburn', which appeared absurd to him because he had offered no words of disgrace or slander of the said Richard and Margaret, except that he had often seen them spending the night together in bed, and that it had appeared to him that they were acting in a carnal and incontinent fashion; and the prior replied that he intended canonical purgation for Richard for the alleged crime according to the statutes of the rule, wherefor he assigned the 9th hour before mid-day, 5 February to Robert if he should have or want to propose anything canonical against the purgation;

with this done and recited, Robert was asked if he wanted to confirm his statement or withdraw it, and Robert answered that he did not revoke the words said to the prior elsewhere, but that he confirmed them; and then said that he had seen them many times in a bed, alone with each other, lying naked and exerting (*laborantes*) together, as it appeared to him, and he would prove this; he was, however, unable to say or indict whether Richard knew her carnally or not;

when this had been done and the names of the compurgators had been recited, the prior, with advice of the jurists assisting him, prorogued the day of purgation until Friday, the quindene following, at the same place and hour; and on this day, namely 19 February [1439/40], Richard Blackburn' appeared before the prior, in presence of the notary, asking to be admitted to purgation, and he denied the charge by John, prior of Durham, against Richard Blackburn' that he incontinently and carnally knew Margaret, widow of Robert Soulby, tanner, lately dwelling in Durham, and again asked the prior to admit him to purgation;

and after public proclamation had been made that if anyone wanted or was by right able lawfully to object to the purgation, he should appear and propose the same in due form of law, and with no gainsayer appearing, the prior admitted Richard to his canonical purgation, by reason of the said crime, with the twelve monks of Durham following, namely Stephen Houeden', subprior, John Gissburn', Roger Langchestre, John Swynesheued', Thomas Wytton', John Gonerton', Robert Moorby, Thomas Lauson', Richard Kellowe, William Dalton', Robert Westmerland, and Robert Emyldon'; and the said compurgators individually and in order swore that they believed the oath made by the said Richard by reason of the crime to be true, and that Richard was innocent; at Richard's request the prior accepted his purgation and published it as lawful, with Richard being restored to his original good fame and asking the notary to produce a public instrument on the foregoing.

The register of the time of Robert Westmerland, chancellor, who entered the said office on 5 October 1439 - Acta Ricardi Houton
Prioris contra Antonium Episcopus in visitacione sua

Witnesses: Mr John Lounde, B.Cn. & C.L., Mr John Lethom', B.Cn. & C.L., Mr John Paynell', B.Cn. & C.L., William Rakett and William Hoton' (first day of sitting); Mr John Norton, D.Dec., the aforesaid Mr John Lounde, Mr John Lethom', and Mr John Paynell', Mr William Monkton', B.Cn. & C.L., John Beaumares and Robert Sotheron', chaplains (second day of sitting).

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

Done: the chapter house, Durham, 5 and 19 February 1439/40.

Also DCD Reg. Parv. II f.118v-120v.

f.251r 1 March [14]40

Letters of manumission by John prior and the chapter of Durham to John May, their neif, on testimony as to his manner of living, notifying him that he may take any holy orders, major or minor, notwithstanding the servitude by which he is bound to them; and abolishing any claim which they have or might have upon his person by reason of servitude, neifty or bondage.

Date: Durham, 1 March [14]39/40.

f.251v-252r 5 September 1440

Notarial instrument recording that John Wessyngton', prior of Durham, read and interposed an appeal by John, prior of Durham, stating that although: he is of good repute, being under no sentence &c; he has, as prior of Durham, the rights and dignity of an abbot, a stall on the left of the choir, the appointment and removal of officers, the right of a dean to first place and voice after the bishop and in the election of a bishop, whatsoever dignities and honours the deans of York possess under the archbishops thereof and over the archdeacons, the same dignities granted to his predecessors and successors, and primacy, as principal archdeacon, over the archdeacons of Durham; he possesses the right as prior, peacefully exercised by his predecessors from time out of mind, to install, enthrone and put bishops of Durham into their episcopal seat (*sedes*) of Durham, under the form of words of John, prior of Durham, wherewith he puts a bishop of Durham into the episcopal cathedra and assigns him his episcopal seat and the right to say certain prayers at the enthronement, and other canonically obtained instalment rights (&c);

and he and they were and are considered thus in the church, city and diocese of Durham; and, the foregoing are a matter of public knowledge, with successive archbishops of York and the deans and archdeacons thereof and others having an interest in this regard knowing, tolerating and approving, both tacitly and expressly; and fearing, for certain plausible reasons, that serious prejudice may be engendered in future concerning the foregoing matters, or any of them, and lest anyone by any authority or mandate, whether archiepiscopal, episcopal, decanal or archidiaconal, attempt anything against the prior and his privilege asserted above (&c), the prior appeals to the apostolic see and to the court of York, subjecting himself and his right, his adherents and those wishing to adhere to him, to the protection of the said courts; declaring that, if need be, he wishes to alter the present appeal and put it in proper form.

Witnesses: Mr William Newton', LL.B., N.P., John Bynchestre and Robert Heryngton', chaplains, and Robert Stotfald', clerk, of York and Durham dioc.

Notary: John Paynell', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: the chapel of St Nicholas, commonly called the prior's chapel, in the monastery of Durham, 5 September 1439/40.

{ "to be noted that this appeal did not take effect in this form but in a better form written below under the date 3 March [14]41[2]" }

This appeal also, in a modified form, on f.263r-v, in an instrument dated 3 April 1441.

f.252v 3 April 1440

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute John Leeke, rector of Broxholme, Lincoln dioc., in the church of Blyborough, to effect an exchange of benefices with Mr Robert Burton', rector of Blyborough.

Date: Durham, 3 April 1440.

Related material in other DUL collections: Related letters: DCD Loc.XXV:22 & 23.

f.252v 5 April 1440

Inspeximus by John prior and the chapter of Durham confirming the following commission
Commission by letters patent by Robert, bishop of Durham, to Robert Ogle, knight, his kinsman, of the keeping of Norham castle, along with the offices of steward, sheriff, and escheator of Norhamshire and Islandshire; to be held and occupied for the term of his life; receiving for these offices as more fully contained in certain indentures made therefor between the bishop and Robert.

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

Date: Durham, 1 February, Pont. 2 [1440 by temporalities dating]

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

Date: Durham, 5 April 1440.

f.252v-253r 10 April 1440

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute Mr Thomas Caudell', LL.B., as provost of the collegiate church of Hemingbrough; saving to the prior and chapter and their successors the rights and liberties granted to them in the said church and the parish, clergy and people thereof; saving also a yearly pension of five marks due of old to the prior and chapter from the rectors of the said church; saving also a yearly pension of four marks assigned to the prior and chapter and their successors as indemnity, according to ordinance.

Date: Durham, 10 April 1440.

f.253r-v 19 April 1440

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Mr Robert Tatman', of the Dominican order, S.T.P., familiar of the bishop, having been sufficiently licensed, of the keeping of the hospital of Greatham; wishing Mr Robert to have the disposal and administration of the hospital's goods, in so far as pertains to the office of master or warden thereof, for life; on condition that he supply the chaplains and monks there according to the ordinance and custom of the hospital, maintain the buildings, and bear all other burdens of the said hospital; giving notice that by the power of modifying the statutes of the hospital reserved to the bishop and his successors, by Robert, the bishop's predecessor and founder of the hospital, exempting Mr Robert from continuous bodily residence in the hospital for reasonable causes, and declaring that this dispensation applies to all future times; providing that a suitable man specially deputed by Mr Robert should keep the condition of the hospital in so far as the goods thereof suffice in his time unharmed; not wishing that an ecclesiastical benefice be assumed by reason of this grant to Mr Robert, but, following the form of the first institution ordained by Walter, the bishop's predecessor, and the chapter of Durham, as found in Walter's register, that it be considered an office. Under the bishop's seal of arms [? one of the signets], because, in the absence of his chancellor, he does not have the great seal of his chancery to hand.

Date: Winchester, 22 March 1439/40.

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

Date: Durham, 19 April 1440.

f.253v 24 April 1440

Presentation by John prior and the chapter of Durham asking John, archbishop of York, or his vicar-general in distant parts, to institute John Goodyere, rector of Busshe, Lincoln dioc., in the church of [West] Rounton, to effect an exchange of benefices with John Regill', rector of [West] Rounton; saving a yearly pension of 40s due of old therefrom to the prior and chapter.

Date: Durham, 24 April 1440.

f.253v-254r 7 May 1440

Notarial instrument of resignation recording that Thomas Ayer, monk of Durham, prior of the house or priory of Stamford, St Leonard, held in his hands a paper schedule by Thomas Ayer, prior of Stamford, whereby, for certain legitimate reasons, he resigns the said vicarage in the hands of William, bishop of Lincoln, or of another whomsoever having power to accept the resignation. which he read and interposed.

Witnesses: Thomas Croke, priest of Lincoln dioc., and Robert Stotfald', *bene litteratus* of York dioc.

Notary: John Paynell', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: chapel of St Nicholas, monastery of Durham , 7 May 1440.

f.254r 10 May 1440

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to admit Richard Barton', monk of Durham, S.T.B., to the keeping and rule of the cell or house of Stamford, St Leonard.

Date: Durham, 10 May 1440.

f.254r-255v [1 September] 1439

Letters of grace and mandate by Eugenius [IV], pope, considering whether the day would dawn when he would see the peoples of the east return to the apostolic see and the Roman church, describing his efforts to bring about reunification, including reference to his dealings with John Palaeologus, emperor of Constantinople, Joseph, patriarch of Constantinople, &c; intimating that the work of reunification is necessary and involves great expense; granting to all who contribute, according to their abilities, to the support of his work, the faculty of choosing a confessor who is to be able, once and for all in a lifetime, to give absolution, and a confessor to give full remission for sins confessed at the point of death; and granting that the confessors so chosen be able to lift sentences of excommunication (&c); and also be able to commute vows of abstinence or of pilgrimage, including those to the Holy Land, Rome and Compostella, to other good works, provided that the estimated cost of the journey and of the oblations were paid to the subsidy. The confessors could also absolve usurers, if they delivered to the cause the profits which for one reason or another could not be restored to the individuals from whom they had been taken, and could likewise absolve those who had sold arms to infidels or to heretics contrary to the prohibitions of canon law, if they surrendered the gains which they had made. He ordered prelates, convents, chapters and other ecclesiastics to make the indulgences known to the people through suitable preachers. To those who listened to the preachers he granted relaxation of 2 years and 2 quarantines of enjoined penance. The money was to be kept by 2 good men of each place selected by the ordinary or by the executive agent appointed by the pope. It was to be consigned by them to those designated as receivers by the pope.

Date: Florence, Kal. September 1439.

with

Original: DCD Loc.I:21.

Copy: DCD Loc.I:22.

Discussed in W.E. Lunt, *Financial Relations of the Papacy with England* (Cambridge, Mass. 1939-1962) vo.II, p.570-572.

f.255v-256r

Form of publication of the indulgences stating that Eugenius IV has granted indulgences by his letters, which, by mandate of the king and archbishop of Canterbury, and of the clergy assembled on the last occasion here in London, were to be published throughout the realm; explaining

{1} that God, by the labours of Eugenius IV, pope, has led the church of the Greeks, the Armenians and other eastern peoples back to unity, faith and obedience of the Roman church, the Greeks having deviated from the catholic faith for five hundred years and the Armenians for nine hundred; and noting the serious expense involved herein;

{2} that the pope has promised assistance to the Greeks against the Turks;

{3} that the pope wishes to turn the infidels back from troubling Christian people, and, if possible, to convert them;

{4} that the pope is asking for the support of the faithful, whom he is inviting, with the great rewards of spiritual gifts, to make a contribution to the expenses involved in this work, and rehearsing the indulgences offered in the letters preceding.

f.256r-v 27 April 1440

Letters testimonial by John Marchall', clerk, B.Cn. & C.L., subcollector in the province of York of Mr Peter de Monte, apostolic prothonotary, collector general in the kingdom of England, for Bartholomew and Urban, monks of Rome, Order of the Holy Ghost, informing the prelates, clergy and laity of the city, diocese and province of York, and especially those of the city and diocese of Durham that, although he has been deputed to collect the offerings of the faithful within the province of York, according to the tenor of the letters of Pope Eugenius IV, (as on f.254r-255v), he is unable to attend to the arduous business of collection in person, and has deputed Bartholomew and Urban to the collection, receipt and delivery of these offerings; and asking them to receive Bartholomew and Urban favourably when they should come to them for the said reason.
 Date: York, 27 April 1440.

with

Subscriptions by Bartholomew and Urban, testifying to their commission.

[Apparently entered in the register in their own hands.]

See also DCD Reg. Parv. II f.124r-v.

f.256v [6 June 1440]

Letter testimonial by Bartholomew and Urban, monks of Rome, Order of the Holy Ghost, deputed subcollectors in Durham dioc. of offerings in support of the burdens, as described in the copy of the papal letters on f.254r-255v, lying heavily upon Pope Eugenius IV, acknowledging that on 6 June 1440, in Durham cathedral, seen and witnessed by John, prior of Durham, Mr John Norton', D.Dec., William Rakett, clerk of the rolls of chancery of the bishop of Durham, Mr John Paynell', B.Cn. & C.L., N.P., John Bewmarres, rector of Durham St Mary in the North Bailey, they accepted the sum of £29 12s 6d.

Under the seal "which we use in this arduous cause".

Date: the Durham*curia*, [6 June 1440].

with

[Memorandum] that in addition to the above sum they have received 72s 11d, with a silver belt and two small necklaces valued together and assessed at 3s 4d. [n.d.]

Original: DCD Loc.XIX:75.

f.256v-257v 11 June 1440

Notarial instrument recording that Robert Westmerland', monk of Durham, proctor of the prior and chapter of Durham, read and interposed the following Written appeal by him, Robert Westmerland', as lawfully constituted proctor of the prior and chapter of Durham, stating that, although the prior and chapter are of good reputation and under no sentences (&c), and the prior has possessed the priory with its rights and appurtenances for a long time, and possesses the same at present; fearing, from plausible reasons, that prejudice may be engendered in future concerning the position of the prior and chapter, their right and property in the church of Durham, their appropriated churches and chapels, dependent cells, their jurisdictions, privileges and customs; and lest anyone by whatsoever authority or mandate, even if episcopal, be able to gain anything against the position of the prior and chapter in the foregoing (&c) and attempt anything prejudicial to the prior and chapter (&c); he appeals to the apostolic see and to the court of York, subjecting the prior and chapter, their men and adherents and those wishing to adhere to him, their rights, privileges, goods (&c) to the protection of the said see and court; declaring that, if need be, he wishes to alter the present appeal and put it into a more proper form, and to notify those concerned of a suitable time and place therefor.

Witnesses: John Bynchestre and John Partrike, chaplains, John Broune and William Batmanson', *literati*, of York and Durham dioc.

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

Done: the nave of Durham cathedral, 11 June 1440.

f.257v-258r [1 December] 1438

Bull by Eugenius IV, pope, to Robert, bishop of Durham, describing the efforts to bring the peoples of the east back to the Roman church and the apostolic see, including reference to his dealings with John Paleologus, emperor of the Romans, and the eastern patriarchs, the synod at Florence, and specifically the efforts to reunite the peoples of Armenia; urging him to take care to have solemn processions held throughout his diocese, and granting relaxation of seven years and as many *quadragenas* to those present at a procession or who would have been present had they not been lawfully detained.

Date: Florence, Kal. December 1438 [Pont. 9, = 1 December 1439]

"the bull appears above, fol. 254"

f.258r-v 30 June 1440

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Robert Morley of the keeping of the bishop's manor or house of Wheel Hall, along with the keeping of the garden adjacent thereto with the fruits and herbage therefrom, but with the fruits and herbage reserved to the bishop and his successors for necessary expenses of their hospice when they happen to be there; the keepership to be held for the term of Robert Morley's life, by himself or by a sufficient deputy, for whom Robert will answer to the bishop and his successors; with Robert receiving 2d per day, to be paid at the two terms of the year by the hands of the bishop's receiver-general of Howden and Howdenshire, and receiving from the bishop and his successors a servant's (*valettus*) robe yearly at Christmas, or 8s in name of the robe.

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

Date: Durham, 22 April, Pont. 2. [1439]

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

Date: Durham, 30 June 1440.

f.258v 26 July 1440

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute Alan Bukyngham, vicar of Ivinghoe, Lincoln dioc., in the church of Stamford, St Mary at the Bridge, to effect an exchange of benefices with Thomas Crosse, rector of St Mary at the Bridge; saving a yearly pension of 5 marks due of old from the rectors thereof to the prior and chapter.

Date: Durham, 26 July 1440.

Related material in other DUL collections: Related letter: DCD Loc.XXV:154.

f. 258v-259r 5 August 1440

Presentation by John prior and the chapter of Durham asking John, archbishop of York, cardinal priest of S. Balbina (&c), or his vicar-general in distant parts, to institute John Alott', vicar of Alne, York dioc., in the church [*recte* vicarage] of Bossall, to effect an exchange of benefices with Thomas Burne of Wheldrake, vicar of Bossall.

Date: Durham, 5 August 1440.

f.259r 6 August [14]40

Letters of confraternity and consorority by John prior and the chapter of Durham to William Edmundeston', knight, of Collodyn', and Mary, countess of Angus, his spouse, noting the affection of the devotion and sincerity which they have for their monastery of Durham, its cell of Coldingham and the prior and monks dwelling there, as they are informed by the same monks' report, prompting the prior and chapter to give back to them spiritually the reward of goodwill, granting them special participation in all masses, vigils, fasts (&c) and good works in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 6 August [14]40.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.115.

f.259r 7 August [14]40

Letters of confraternity and consorority by John prior and the chapter of Durham to Hugh Spence and Maud, his wife, with preamble, following the recent supplication on their part, granting them special participation in all masses, prayers, fasts, vigils, abstinences, penances, preaching, and other beneficial works in the monastery of Durham and its dependent cells, as much in life as after death.

Date: Durham, 7 August [14]40.

f.259v 10 August [14]40

Proxy by the chapter of Durham appointing Mr Robert Ormesheued', advocate of the court of York, Mr John Lethom, LL.B., and Mr William Driffeld', proctor of the court of York, as their proxies to appear and act in their name at the convocation of clergy of the province of York, to be held before John, cardinal priest (&c), archbishop of York, or his lieutenants or commissaries, in York minster on 17 August next to come, with continuation.

Date: Durham, 10 August [14]40.

Related material in other DUL collections: For the prior's proxy, see DCD Reg. Parv. II

f.127r-v.

f.259v 9 September [14]40

Consent by John prior and the chapter of Durham addressed to John, cardinal priest (&c), archbishop of York, accepting the submission by William Hakforth, vicar of Giggleswick, feeling himself unequal to the cure of the said church because of ill-health, of himself and his vicarage to the archbishop's ordinance, and agreeing that the archbishop should ordain a suitable portion of the vicarage revenues to William, lest, to the opprobrium of the clerical order, he be forced into poverty.

Date: Durham, 9 September [14]40.

{ "it did not take effect". }

f.259v-260r 9 September [14]40

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 Christopher Altam, priest, in the vicarage of Giggleswick, vacant by the resignation of William Hakforth', last vicar thereof, as is said.

Date: Durham, 9 September [14]40.

{ "it did not take effect". }

f.260r 24 October 1439

Memorandum that a proxy was issued by the prior and chapter of Durham to Mr William Ebchestre, S.T.P. [monk of Durham], Mr Robert Ormesheued', advocate of the court of York, William Dalton' and Robert Westmerland', monks of Durham, Mr John Paynell', B.Cn. & C.L., and William Driffeld', proctor of the court of York, according to the form expressed on the eleventh folio preceding [249r-v].

Dated Durham, 24 October 1439.

f.260r-v 26 September [14]40

Proxy by John prior and the chapter of Durham, patrons of the church of Frampton, Lincoln dioc., appropriated to their college in Oxford, appointing Richard Barton', prior of Stamford, St Leonard, and John Mody, warden of Durham College Oxford, S.T.B., as their proctors to appear and act in their name and on their behalf, powers listed, in all causes and business initiated or to be initiated touching the said church of Frampton, or Richard Ropere, vicar thereof, before whatsoever judges ordinary or delegate or their commissaries (&c), held at whatsoever dates and places, concerning the prior and chapter and their right in the said church, brought *ex officio* or at the instance of parties.

Date: Durham, 26 September [14]40.

{ "above, folios 27 and 28" }

f.260v 15 November 1440

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 John Whelpyngton', chaplain, in the church of York, St Peter the Less, vacant by the resignation of William Smyth' alias Walron', last rector thereof, as is said.

Date: Durham, 15 November 1440.

f.260v 12 November 1440

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

Date: Durham, 12 November 1440.

f.260v [9 December 1440]

Memorandum that Mr Robert Beumond delivered a certain letter under the bishop's privy seal, dated (space left for day and month) [1440], to Robert Conestable, chancellor, concerning the discharging of the said Robert Conestable and the delivery of the great round seal of the bishop's chancery; before John Wessyngton', prior of Durham, Mr John Norton', vicar-general, and Robert Eur', the bishop's steward; in the revestry of Durham cathedral, about the 10th hour before noon, 6 December 1440 and that the said Robert Conestable delivered the said seal of the chancery of Durham to the said Mr Robert Beumond; before the said Prior John, William Chauncelere, and William Rakett, clerk of rolls to the bishop; in the same revestry, the morrow of the conception of St Mary, in the said place, about the 9th hour before mid-day, the morrow of the conception of St Mary.

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

f.260v-261r 24 December [14]40

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 William Lefeday, vicar of Helmsley, York dioc., in the vicarage of Giggleswick, to effect an exchange of benefices with William Hakforth', vicar of Giggleswick.

Date: Durham, 24 December [14]40.

f.261r 2 January 1441

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 William Maason', chaplain, in the third vicarage of Hemingbrough collegiate church, vacant, as is said, by the deprivation thereof of John Herte, chaplain, who lately held the same.

Date: Durham, 2 January 1440/1.

Related material in other DUL collections: Related letters: DCD Loc.XXV:130 and 130*.

f.261r 15 February 1441

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Richard Rakett, bishop's servant (*serviens*), of the office of crown clerk (*clericus {corone}*) and [clerk] of the bishop's justices of the peace within the county of Durham and the wapentake of Sadberge; to be held by Richard, or by his sufficient deputy, for the term of Richard's life, receiving 40s yearly in the said office, in equal portions at Easter and Michaelmas from the bishop and his successors, at the exchequer of Durham, by the hands of the bishop's receiver; with all other profits and emoluments pertaining to the office.

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

Date: Durham, 14 December, Pont. 3. [1440]

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

Date: Durham, 15 February 1440/1.

f.261v 15 February 1441

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Thomas Rogerle of the keeping of half of the park of Wolsingham; to be held for the term of Thomas's life, occupying the keepership himself; receiving 2d per day for the keepership from the bishop and his successors, in equal portions at the two terms of the year, by the hands of the head forester; along with all other profits pertaining to the keepership.

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

Date: Durham, 21 December, Pont. 3 [1440]

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

Date: Durham, 15 February [14]40/1.

f.261v 15 February [14]41

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to Peter Barwike, of the keeping of half of the park of Wolsingham; to be held for the term of Peter's life, occupying the keepership himself; receiving 2d per day for the keepership from the bishop and his successors, in equal portions at the two terms of the year, by the hands of the head forester; along with all other profits pertaining to the keepership.

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

Date: Durham, 21 December, Pont. 3. [1440]

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

Date: Durham, 15 February [14]40/1.

f.261v 7 March 1441

Memorandum of homage and fealty done by Richard Kenntt, son and heir of (blank) Kennt of Wolviston, to John, prior of Durham, for his lands and tenements in Wolviston, which he held of the prior by knight service and suit of the prior's free court fortnight by fortnight; before these witnesses:

William Hoton' of Hardwick, the prior's steward; John Oll', [monk of Durham and] terrar; Robert Westmerland, [monk of Durham and] chancellor; Richard Parke, [monk of Durham and] prior's chaplain; Richard Dighton' and John Hoghird' of Wolviston;

on 7 March 1440/1.

f.262r 13 February [1441]

Collation by letters patent by Henry [VI], king of England, to Richard Bell', monk of Durham, of the priorate of Holy Trinity, York, vacant and in the king's gift, with its rights and appurtenances whatsoever.

Witness: the king.

Date: Westminster, 13 February, A.R. 19.

"By the king himself and of the said date, by authority of parliament. Sturgeon".

Also DCD Reg. Parv. II f.135r.

f.262r 13 February [1441]

Mandate by letters patent by Henry [VI], king of England, to the prior of Tickford, Mr Robert Dobbys, D.Dec., Mr William Freston', LL.B., Mr Robert Fenton', B.Dec., Robert Ughtred, knight, James Pikeryng, knight, the mayor and sheriffs of the city of York, John Salwayn', Christopher Boynton', Guy Roucliffe, Robert Danby, instructing them, or between six and twelve of them, that, with a certain John Green', who has subtly intruded himself into the priorate of York, Holy Trinity, and still unjustly occupies the same, having been removed from the said priorate: they are to put Richard Bell', monk of Durham, in corporal possession of the said priorate, which the king has given to Richard by his letters patent [the preceding entry]; and nonetheless they are to attach the same John Green' wherever he may be found, to be before the king and his council in the quindene of Easter next to come to answer concerning these matters which will be put to him, and do and receive what should be decided by the king and his council in this regard.

Witness: the king.

Date: Westminster, 13 February, A.R. 19.

"By the king himself and of the said date, by authority of parliament. Sturgeon".

f.262r 9 March 1441

Licence by John, prior of Durham, to Richard Bell', monk of Durham and lawfully ordained priest, and at Richard's request, to accept the priorate of York, Holy Trinity, of the Benedictine order, conferred upon him by the king, as shown in the king's letters thereon [the entry at the head of this folio].

Date: Durham, 9 March 1440/1.

f.262r-v 12 March 1441

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Essby, chaplain, in the vacant church of Meldon; saving a yearly pension of 40s due of old from the rectors thereof to the prior and chapter and their monastery.

Date: Durham, 12 March 1440/1.

f.262v 23 March 1441

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, to Roger Morley, since Robert Morley, to whom he granted the keeping of the manor of Wheel Hall [f.258r-v, above], had surrendered this office to him in the chancery of Durham, cancelling his letters patent, of the keeping of the bishop's manor or house of Wheel Hall, along with the keeping of the garden adjacent thereto with the fruits and herbages therefrom, but with the fruits and herbages reserved to the bishop and his successors for necessary expenses of their hospice when they happen to be there; the keepership to be held for the term of Roger Morley's life, by himself or by a sufficient deputy, for whom Roger will answer to the bishop and his successors; with Roger receiving 2d per day, to be paid at the two terms of the year by the hands of the bishop's receiver-general of Howden and Howdenshire, and receiving from the bishop and his successors a robe yearly at Christmas, or 6s 8d in name of the robe.

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

Date: Durham, 9 March, Pont. 3 [1441 by temporalities dating].

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

Date: Durham, 23 March 1440/1.

f.262v-263r 20 September 1431

Quittance by indenture by Richard Catlyngson' of Durham, squire, to John prior and the chapter of Durham on receipt of 66s 8d from the prior and chapter on the date of the presents, in satisfaction of 6s 8d [*sic*] rent claimed by Richard against the prior and chapter from four acres of meadow in Haswell Grange, which the prior and chapter have in exchange for a messuage and thirty acres of land in the territories of the villis of Great Haswell and Little Haswell.

Sealed alternately.

Date: Durham, 20 September 1431.

"and the aforesaid indenture or quittance is enrolled in the chancery of Durham in the close roll there, Pont. 3 Robert Nevyl', bishop of Durham".

f.263r-v 3 April 1441

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

Appeal by John, prior of Durham, stating that although: he is of good repute, being under no sentence &c; he has, as prior of Durham, the rights and dignity of an abbot, a stall on the left of the choir, the bishop's right hand, the right of a dean to first place in the bishopric after the bishop, the authority, with the chapter's counsel, the administration of their house and its possessions and the appointment and removal of officers, all rights and powers as possessed by the deans of York under the archbishops thereof, the same powers as granted to and canonically obtained by his predecessors and successors, archidiaconal rights in the priory's churches in the bishopric, and primacy, as principal archdeacon, over the archdeacons of Durham; he has the right as prior, peacefully exercised by his predecessors from time out of mind, canonically obtained, and now possessed by him, to install, enthrone and put bishops of Durham in the episcopal seat (*sedem*) of Durham, the topmost stall on the right-hand side of the choir, and the chief place in the chapter house; and he and they were and are considered thus in the church, city and diocese of Durham; and the foregoing are a matter of public knowledge, with successive archbishops of York and the deans and archdeacons thereof and others having an interest in this regard knowing, tolerating and approving, both tacitly and expressly; fearing, for certain plausible reasons, that serious prejudice may be engendered in future concerning the foregoing matters, or any of them, and lest anyone by any authority or mandate, whether archiepiscopal, episcopal, decanal or archidiaconal, attempt anything against the prior and his privilege asserted above (&c), the prior appeals to the apostolic see and to the court of York, subjecting himself and his right, his adherents and those wishing to adhere to him, to the protection of the said courts; declaring that, if need be, he wishes to alter the present appeal and put it in more proper form.

Witnesses: Mr John Norton', vicar-general of the bishop of Durham, D.Dec.; Mr Robert Beaumont, chancellor to the bishop of Durham in temporalities; Mr John Lound', warden of Kepier hospital, LL.B.; Mr John Lethom, commissary of the official of Durham, LL.B.; John Beumarrez, rector of Durham, St Mary in North Bailey; John Bynchestre, chaplain; Robert Bartram, N.P. [see below], scribe of the court of Durham; John Holme; William Killynghall'; Robert Stottfald'; gentlemen and *litterati* of York, Lincoln, Durham, and Carlisle dioc.

Notaries: John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited); Robert Bartram [also a witness], clerk of Coventry and Lichfield dioc., scribe of the consistory court of Durham, N.P. by apostolic authority (eschatocol recited).

Done: the nave of Durham cathedral, 3 April 1441.

Apparently a replacement for the instrument of appeal on f.251v-252r.

f.264r 4 March [14]42

Commission by John, prior of Durham, to Mr John Norton', D. Dec., and Mr Robert Beaumont, LL.B., to carry out in his place the installation and enthronement of Robert, bishop of Durham, on 11 March next to come, to set the bishop in the topmost place in the right side of the choir, and do all that is necessary in the foregoing which is known to pertain to the prior by right and custom; since he fears that, being ill or otherwise impeded, he may be unable to undertake the enthronement (&c) in person.

Date: Durham, 4 March [14]41/2

{ "Noa [for Non] the present commission was executed" }

Related material in other DUL collections: See DCD Reg. Parv. II f.137v for a similar commission, dated 4 April 1441 for 11 April, with the same added note; on 11 April 1441 the prior himself conducted the ceremonies.

f.264r 23 April 1441

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to John Emereson', whose wife is the daughter of Roger Baynbrig', of the office of one of the four foresters of the high forest of Weardale which John Accloume [?] lately had; to be held and occupied by himself for the term of his life; receiving the customary fees and wages, and all other profits and emoluments pertaining to the office; along with a certain house, which the said John Accloume lately had, to be held by John Emereson' for the term of his life by the bishop's special grace and not by reason of the said office; on condition that if he shall not duly and faithfully have occupied and kept the office, then the office and house be forfeit to the bishop at his will.

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

Date: Durham, 22 April, Pont. 4. [1441]

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

Date: Durham, 23 April 1441.

f. 264r-v 24 April 1[4]41

Proxy by John prior and the chapter of Durham, having the church of Giggleswick appropriated to them and to their cell of Finchale, and having the churches of Fishlake, Bossall and Ruddington appropriated to them and to their college in the university of Oxford, appointing John Mody, warden of Durham college, Oxford, Mr Robert Ormesheued, advocate of the court of York, William Driffeld, proctor of the court of York, and John Glovere, chaplain, dean and registrar of Howden and Howdenshire, as their proctors to appear and act, powers listed, for them and for the said churches, before John, cardinal priest of S. Balbina and archbishop of York, and his vicar-general in spiritualities and commissaries, one or more, or any judge whomsoever competent in that regard, in whatsoever synods, at whatsoever dates and places, to be held by whatsoever authority.

Date: Durham, 24 April 1[4]41.

DCD Loc.XXI:50(6).

f.264v-265r 29 April 1441

Memorandum that William Hoton' of Hardwick, on behalf of Ralph, earl of Westmorland, and in presence of Mr William Ebchestre [monk of Durham], Robert Rodez, squire, Thomas Nessbytt, John Oll', William Dalton', and Robert Westmerland, [monks of Durham], showed John Wessyngton', prior of Durham, the following letter on 29 April 1441.

Letter by Ralph, earl of Westmorland, to the prior of Durham asking him to have certain deeds, which he sends with his servant, the bearer of the presents, recorded in his chancery, and afterwards to return the deeds with the said servant; and asking him to let five or six of his fellow monks have knowledge of this matter, so that it may be remembered (in English)

Written: Brancepeth, 24 April [1441]

Language: English; Latin

f.265r 20 January [1441]

Grant by indenture by Ralph, earl of Westmorland, to Thomas Neville, knight, Robert Cayvell' of Kirkbymoorside, clerk, Richard Drax of Brancepeth, clerk, and John Gare of Slingsby, clerk, of the castle and manor of Raby and Brancepeth, and all other lands, tenements, rents and services which he has in Co. Durham and Sadberge; to be held by Thomas, Robert, Richard, John, their heirs and assigns, in perpetuity; and also of: an annual rent of £50 to be taken from the men of the vill of Grimsby, co. Lincoln; a rent of £30 to be taken yearly in the county of Kent, by the hands of the sheriff thereof; a rent of £26 to be taken yearly from the men of the vill of Basingstoke, Hampshire; and a rent of £16 to be taken yearly from the men of the vill of Andover (*Anderver*), Hampshire; to be held by Thomas, Robert, Richard, John, their heirs and assigns, of the chief lords of those fees, by service used and wont therefor, in perpetuity.

Date: (no place of issue), 20 January, 19 Henry VI.

Notification [added ?] by Ralph earl that by virtue of the present charter he has given seisin of the manor and castle of Brancepeth to Thomas, Robert, Richard, John, their heirs and assigns, in name of seisin of all other castles, manors, lands, tenements and rents in the said county.

f.265r-v 2 May 1441

Proxy by John prior and the chapter of Durham appointing Mr William Ebchestre, S.T.P., and John Gatesheued', monks of Durham; Mr Robert Ormesheued', advocate of the court of York; Robert Kereby, vicar of Fishlake; William Driffeld', proctor of the court of York; Henry Moone, vicar of York, St Helen in Stonegate; John Glover', chaplain and dean of Howden and Howdenshire; and John Semere, vicar in Hemingbrough collegiate church; as their proctors to appear and act, powers summarized, for them and their undernoted churches (&c) in all causes and suits instituted or to be instituted in the visitation of John, cardinal (&c), archbishop of York, lately begun and now adjourned, and to appear and act for them in the said visitation as often as need be, before the said archbishop or his commissaries deputed thereto, concerning the prior and chapter or their appropriated churches of Northallerton, Eastington and Giggleswick, or the churches of Bossall, Fishlake and Ruddington appropriated to their college in the university of Oxford, saving the vicarage portions assigned therein; [or concerning] their portions, tithes, pensions and jurisdictions of Howden and Howdenshire, Allerton and Allertonshire.

Date: Durham, 2 May 1441.

f.265v-266r 20 May [1441]

Certification by John, prior of Durham, to John, abbot of St Mary's, York, visitor of other Benedictine monasteries and houses of religious within the province of York, deputed by authority of the last provincial chapter held at Northampton, or to his commissaries in that regard, one or more, having received the following citation on 8 May, informing him that he has obeyed the mandate

Citation and mandate by John, abbot of St Mary's York, visitor, as above, to John prior and the convent of Durham, informing him that on Monday after Ascension Day, namely 29 May, with adjournment, he intends to visit him and his convent in their chapter house; citing him to appear at the said date and place, before him or his commissaries, one or more, and ordering him to cite all and sundry his fellow monks, who by right or custom ought to be present, similarly to appear, and undergo visitation; requiring him to certify him or his commissary, at the said date and place as to what he shall have done in the premisses, by letters patent incorporating the contents of the presents, with the names of those cited copied on to a schedule attached thereto.

Date: manor of Deighton, 4 May 1441.

having caused all his fellow monks who ought to be present at the visitation to be cited, their names being attached to the presents, and done all and sundry which pertains to his office in this regard.

Date: Durham, 20 May [1441].

Also DCD Reg. Parv. II, f.139v-140v.

f.266r 26 May 1441

Testimonial by John, prior of Durham, whereas certain persons doubt whether Richard Barton', prior of Stamford, St Leonard, is a monk of Durham, because he has been instituted as prior of Stamford, St Leonard, by the bishop of Lincoln, on the presentation of the prior [and chapter]; wishing it to be known that: all priors of Stamford, being from the monastery of Durham, have been subject to the priors of Durham and have been removed by them, and four of them are living at present; the priors of this cell are accustomed and ought to be cited to and be present at elections of bishops and priors of Durham, and thus John Hemmyngburgh', on the day of his election as prior of Durham, was prior of St Leonard's; and all priors of the said cell have attended the chapters annual or general in the monastery of Durham, in person or by their proctors, and rendered account and reckoning of their administration, in common with all heads of cells subject to the monastery of Durham; stating that from this it is manifest that Richard Barton', though instituted prior, is to be deemed from the community of the chapter of Durham, and asking that he be received and considered as such.

Date: Durham, 26 May 1441.

Also DCD Reg. Parv. II, f.138r-v, dated 27 May.

f.266r-v 20 May 1441

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, since William of Hall', to whom John, lately bishop of Durham, granted the keeping of the park of Auckland for the term of his life, has surrendered his office to the bishop in the chancery of Durham, cancelling his letters patent, to Robert Palton' of the keeping of the said park along with pasturage for two horses, six cows and as many of their offspring, and with all other profits (&c) belonging to the keepership; moreover, of the keeping of the manor or manse of Auckland, along with the tower close to the said park and all commodities (&c) belonging to the keeping of the said manor; the offices to be held by Robert for the term of his life, in person or by his sufficient deputy, for whom Robert is to answer to the bishop and his successors; receiving from the bishop and his successors 3d daily for keeping the said park, to be paid yearly in equal portions at Michaelmas and Easter by the hands of the head forester of Weardale, and 40s yearly for keeping the said manor, to be paid at the exchequer of Durham by the hands of the receiver-general in equal portions at Michaelmas and Easter; and further, a servant's (*valettus*) robe, or 8s in name of the robe, to be paid yearly at Christmas.

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

Date: Durham, 28 April, Pont. 4. [1441]

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

Date: Durham, 20 May 1441.

f.266v 10 June 1441

Proxy by John, prior of Durham, appointing Mr William Ebchestre, S.T.P., monk of Durham, to appear and act on his behalf at the provincial chapter to be held by apostolic authority at Northampton on 3 July next to come, and to swear to the truth of his excuses, since he is unable to be present in person due to certain reasonable causes and well-known obstructions and perils concerning the care of the cathedral church and its goods.

Date: Durham, 10 June 1441.

Also DCD Reg. Parv. II f.139r-v.

f.267r 8 June [?1441]

Letter {by John, p[rrior] of D[urham] to John, bishop of Bath and Wells, chancellor of England}, stating that, since Richard Bell', promoted to the priorate of York, Holy Trinity, by the king and given licence to accept it by the prior, recently explained to him that certain rivals of Richard are alleging in the bishop's presence that, when under the prior's rule, he was accused of divers pleasures [of the flesh] and reprobate actions, especially an error of the flesh, and that he secretly removed divers goods belonging to the monastery of Durham. To bear witness to the truth and put an end to malicious defamations, he notifies the bishop and protests that he knew Richard from the time of his profession, that he was of good repute, lived virtuously according to the constitutions of the order, both in the monastery and when pursuing his study at Oxford, and had never secretly taken away with him any of the monastery's goods, although the prior did for a time allow him to have certain clothes and a few books belonging to the monastery. Wherefore it should be deemed that Richard Bell is reputed and declared an honest and faithful man.

Written: Durham, 8 June.

Also DCD Reg. Parv. II f.140v-141r.

f. 267r-268v 11 April 1441

Notarial instrument recording that John Wessyington, prior of Durham, in procession with his fellow-monks, with the cross upright before him, met Robert Neville, bishop of Durham, proceeding to his installation, in the gates of the cathedral cemetery; the bishop, sprinkled with water, kissed the cross; they processed to the high altar, with the bishop following barefoot; after genuflecting before the altar, and with their devotions completed, the prior said certain prayers concerning the bishop, which are customary at such an installation; and thereafter the bishop blessed the people there present in the accustomed manner;

having washed his feet in the sacrist's exchequer, the bishop went to the revestry and, having been dressed there in his pontifical clothes, along with the prior he ascended to the episcopal seat prepared for him; there, with the accustomed prayer by the prior, and before the people, with none gainsaying, the bishop was solemnly and publicly installed, enthroned and inducted into real and personal possession of the episcopal dignity of the said cathedral church, with its rights (&c);

thus inducted the bishop dismissed the people in peace; certain customary prayers were said by the prior, who then began the *Te Deum laudamus*, which psalm was completed by the choir; after which, and with certain prayers having been said by the prior concerning the installed bishop, they withdrew from the throne, walking in procession through the centre of the choir, and the prior assigned the bishop his stall in the right side of the choir, and installed him therein;

next they went to and entered the chapter house, and the prior assigned the bishop his place there and set him in his seat, following the aforesaid form of enthronement; the cathedral precentor began the hymn *Veni creator*, and, after this had been sung and a prayer had been completed, the bishop swore an oath to keep, defend and protect the rights, privileges, liberties, immunities, lawful customs and reasonable statutes of the church of Durham, in so far as he can and ought, saving the rank, right, and dignity of his pontifical position and, to the said bishop, seated in the chapter house, the prior made his due and customary obeisance in an oath to be faithful and obedient to the bishop in his lawful and canonical mandates;

with this done, all and sundry monks, in order of rank and age, humbly kissed the bishop, whereafter they withdrew from the chapter house and the bishop, clad in his pontificals, celebrated at the high altar the mass of the Blessed Virgin which begins *Rorate celi desuper*; and after the offertory thereof certain offerings were made at the hands of the bishop or at the high altar by some persons, and were received publicly by the sacrist by reason of his office, with the bishop being aware of this and in no wise gainsaying. Witnesses: John Runkhorn' and John Berehalgh', subscribing notaries; Thomas, bishop of Dromore and suffragan of the said bishop; William, abbot of Rievaulx; John, abbot of Jervaulx; William, abbot of Byland; William, abbot of Newminster; William, abbot of Alnwick; and (name omitted), abbot of Blanchland; John, prior of Newburgh; John, prior of Brinkburn; Mr John Norton', D.Dec.; Robert Beaumont, the bishop's chancellor in temporalities; John Lounde, warden of Kepier hospital; Robert Thwaytez, dean of Auckland; Richard Wytton', dean of Darlington; Robert Tadman', warden of Greatham hospital; William Neuton', vicar of Bywell [St Peter]; Richard, earl of Salisbury, George, lord Latimer, and Edward, lord Abergavenny, natural and lawful brothers of the bishop; Ralph, baron of Greystoke; William, lord Fitzhugh; William Scrope, lord of Bolton; Robert, baron of Hylton; Ralph Gray, William Eure, Thomas Metham, William Bowed, Robert Herbotill', William Lomley, knights; Thomas Fulthorpp', king's justice; Christopher Boynton', bishop's justice; Robert Eure; Roger Thornton'; Robert Claxton'; William Hilton', son and

The register of the time of Robert Westmerland, chancellor, who entered the said office on 5 October 1439 - Acta Ricardi Houton Prioris contra Antonium Episcopus in visitacione sua

heir of the said baron of Hylton; John Heron' of Ford; Stephen Hattfeld'; William Chauncelere; Robert Conestable; William Pudsay, sheriff of Durham; William Hoton' of Hardwick; Robert Rodez; John Stafford; Nicholas Blaxton'; Thomas Claxton'; Robert Lampton'; John Bynchestr', chaplain; John Holme; William Killynghall'; and Robert Stottfald.

Notaries: Robert Bartram, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, with note of corrections); John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited); John Runkhorn', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited).

Done: Durham cathedral, 11 April 1441.

f.268v-269v 10 April 1441

Notarial instrument recording that John Wessyngton', prior of Durham, read out a declaration that he did not intend to propose, say or allege anything in the act of installation of the present bishop of Durham, except according to the customs, liberties and indulgences conceded to the prior and church of Durham by the generosity of popes, kings, archbishops of Canterbury and York, and bishops of Durham, and exercised peacefully and without disturbance during a time whose beginning is beyond the memory of man; and to observe and keep all the above-recited according to their form and effect, and according to his oath to observe the same;

and, having (*sub*) the benefit of his appeal interposed in this regard, effectually to expect and, if necessary, duly to adhere to it; and to obey whatsoever judges in the premisses, as the holy canons and above-asserted indults demand and require in this regard; and that after a short interval Mr Robert Dobbez, D. Dec., and John Sendale, N.P., came to the said prior, and Mr Robert orally notified the prior of an appeal on the part of Mr Thomas Kempp', asserted archdeacon of York, without showing sufficient authority or mandate; and then John Sendale, on the part of the court of York, orally inhibited the prior from attempting anything in prejudice of Mr Thomas Kempp' over the installation of the bishop of Durham, with no term assigned by him to the prior or his proctor to proceed in the matter of tuition, and no citation expressed or read and understood there in the letters inhibitory;

with this done, the prior repeated his written declaration in the presence of Mr Robert and John Sendall', and then read it out to them with the words "of which provocation or appeal interposed by us in this regard we effectually give notice to you" added; next the said Mr Robert Dobbez, without showing any mandate, asked the prior if he would permit him, in name of the archdeacon of York, to install the bishop of Durham in his customary places in the cathedral and chapter-house, or if he would impede him in carrying out the foregoing; the prior said publicly that he intended to install the bishop as his predecessors had done, and thus said nothing that was not according to the aforesaid form, and neither in any way said he would allow him to install nor denied that he would install if the liberties and customs of the church of Durham permitted this; and that, with this concluded, the said Mr Robert and John suddenly withdrew from the said prior.

Witnesses: John Runkhorn', priest, and John Berehalgh', subscribing notaries; Mr John Norton', D.Dec.; Mr Robert Ormesheued', advocate of the court of York; John Beaumarez, rector of Durham, St Mary in the North Bailey; Thomas Croke, chaplain; John Holme; William Killynghall'; John Stele; William Harpare; Robert Stotfald'; and John Hagirston'; of York, Lincoln, Durham, and Carlisle dioc.

Notaries: Robert Bartram, clerk of Coventry and Lichfield dioc., N.P. by apostolic authority (eschatocol recited, with note of corrections); John Berehalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited); John Runkhorn', clerk of Coventry and Lichfield dioc., N.P. by apostolic authority.

Done: chapel of St Nicholas, commonly called the prior's chapel, in the monastery of Durham, 10 April 1441.

f.269v 19 June 1441

Letters testimonial by John prior and the chapter of Durham stating that, since Richard Bell', ordained priest and lately promoted to the priorate of York, Holy Trinity, by the King Henry VI and given licence to accept it by the prior, recently explained to him that certain rivals of Richard are alleging that, when under the prior's rule, he was accused of divers pleasures [of the flesh] and reprobate actions, especially an error of the flesh, and that he secretly removed divers goods belonging to the monastery of Durham. To bear witness to the truth and put an end to malicious defamations, he notifies the bishop and protests that he knew Richard from the time of his profession, that he was of good repute, lived virtuously according to the constitutions of the order, both in the monastery and when pursuing his study at Oxford, and had never secretly taken away with him any of the monastery's goods, although the prior did for a time allow him to have certain clothes and a few books belonging to the monastery. Wherefore it should be deemed that Richard Bell is reputed and declared an honest and faithful man.

Date: Durham, 19 June 1441.

f. 270r-v 21 June [1441]

Inspeximus by John prior and the chapter of Durham confirming the following collation Collation by Robert, bishop of Durham, to Mr John Lathom, clerk, of Greatham hospital, vacant by the resignation of Mr Robert Tadman', appointing him master and warden of the hospital for life, and granting that he be able to hold the hospital, receive and administer its revenues and goods, maintain divine offices and other functions thereof, as the custom is there, and as seems to him most acceptable to the Most High, without account to be rendered therefor, or claim, exaction, obstruction or demand of the bishop, his successors or ministers; ordaining that he cause the necessities of life to be administered to the chaplains and poor in the hospital according to the ordinances of the hospital, by subministers or others deputed *ad hoc* by him; and although it was once ordained by his predecessor Robert, sometime bishop of Durham and founder of the hospital, that the master or warden thereof ought to be a priest, personally to undertake the cure of that place, modifying this ordinance, after certain deliberation, by the power reserved by the bishop's said predecessor to his successors: ordaining that, although he might not yet have attained the priesthood, but had at least reached the subdiaconal order, he be able nonetheless to obtain and retain the hospital according to the form of the premisses, and be not bound to attend to the cure of the said hospital in person, notwithstanding the foresaid ordinance and whatsoever others; providing that within three years of the date of the presents he cause himself to be promoted to the priestly order, and that for the period of his absence he hand over to a suitable deputy.

Under the bishop's seal *ad causas*.

Date: manor of Auckland, 20 April 1441.

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

Date: Durham, 21 June.

f.270v 28 June [14]41

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 Robert Smyth', rector of Full Sutton, York dioc., in the church of [West] Rounton, to effect an exchange of benefices with John Regill', rector of [West] Rounton; saving a yearly pension of 40s due of old therefrom to the prior and chapter.

Date: Durham, 28 June [14]41.

f.270v 20 December 1441

Presentation by John prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to admit John Oll', as prior of Coldingham; saving to the prior and chapter discipline of religion and regular observance of the said John.

Date: Durham, 20 {December} [over an erasure] 1441.

f.271r 7 September 1441

Inspeximus by John prior and the convent of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, to Robert Preston' of the office of coroner of the ward of Easington; to be held by him or by a sufficient deputy, for whom he would answer, for life; receiving the fees and all other profits pertaining to the office, just as other coroners have been accustomed to take in that office; and of, by further grace, a robe or 10s in name of the robe, to be paid yearly at Christmas so long as he hold the office.

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

Date: Durham, 10 August, Pont. 4. [1441]

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

Date: Durham, 7 September 1441.

f.271r-v 7 September 1441

Inspeximus by John prior and the convent of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, to Robert Preston' of the office of parker of Gateshead, with the pasturages within the park, and along with the keeping of the tower there; the office with pasturages and the keepership to be held by him or a sufficient deputy, for whom he would answer, for the term of his life; receiving from the bishop and his successors, by the hands of the head forester, 1½d per day for keeping the park, to be paid equally at the terms of Easter and Michaelmas yearly; and 1d per day for keeping the said tower, to be paid at the said terms yearly, by the hands of the head forester; along with all other profits, costs and fees belonging to the same office and keepership; and of a servant's (*valettus*) robe or 8s in name of the robe to be paid each year at Christmas.

By the hand of William Chaunceller', the bishop's chancellor.

Date: Durham, 8 April, Pont. 1. [1438]

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

Date: Durham, 7 September 1441.

f.271v 17 September 1441

Letters of confraternity and consorority by John prior and the chapter of Durham to David Home, squire, and Elizabeth, his wife, noting the affection of their devotion and of the sincerity which they have had and have towards their monastery of Durham, their cell of Coldingham and the prior and monks dwelling there, granting them special participation in all masses, vigils, fasts, prayers (&c) in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 17 September 1441.

f.271v 16 July [1441]

{ Commission} by letters patent by Henry [VI], king of England, giving notice that he has appointed Robert Rodes as keeper of the counter-roll both of the great and lesser customs, and of the subsidy of wool, hides and wool-fells, and the subsidy of 3s on the tun and 12d in the pound in the port of Newcastle upon Tyne and the sundry ports adjacent thereto; the office to be held at the king's pleasure; receiving for the office the accustomed fees and wages; on condition that Robert write the rolls in his own hand and remain there and without delay carry out in person, and not through his substitute, all other things touching the office according to the form of statutes issued in that regard; wishing that the other part of his seal called Coket remain in the said port in Robert's keeping so long as he should have the office.

Witness: the king.

Date: Westminster, 16 July, A.R. 19.

"By treasury bill" "Bate"

f.271v-272r 16 July [1441]

Writ by Henry [VI], king of England, to the prior of Durham empowering him to receive the oath of Robert Rodes in the office of keeper of the counter-roll, as in the preceding entry, doing so according to the form of a certain schedule [the following entry] enclosed with the presents; instructing him, once he has received the oath, to deliver to Robert the letters patent of the office [the preceding entry] sent to the prior by means of the bearer of the presents; and, under his own seal, to inform the king in his chancery of the receiving of the oath, and remit this writ to the king.

Witness: the king.

Date: Westminster, 16 July, [Henry VI] 19.

f.272r 19 September [1441]

Schedule of oath to be administered by the prior of Durham to Robert Rodes as comptroller of Newcastle upon Tyne.

with

Certification by John Wessyngton, prior of Durham, that he received the oath of Robert Rodes for the good and faithful performance of his office, according to the form of the schedule then included with this writ, 19 September.

Language: French

f.272r-v 3 September [1441]

Letter {by John Kemp', archbishop of York}, {to the prior of Durham} regretting his inability to visit the tomb of St Cuthbert and renew acquaintance with the prior, and thanking him for the transcripts of writings which the prior has caused to be sent to him.

Written: Cawood, 3 September.

f.272v 20 July 1441

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr Robert Ormesheued, advocate of the court of York, Mr John Gatesheued, monk of Durham, Mr Richard Burton', and John Glover', chaplain, appointing them in his place, powers described, to audit the account of the revenues of Hemingbrough collegiate church, which the provost thereof is bound to render on oath each year to the prior or his deputy in the provost's manse.

Date: Durham, 20 July 1441.

f.272v 22 October [14]41

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute John Bewmarys, chaplain, in the church of Blyborough, vacant by the resignation of Mr Robert Burton', S.T.P.

Date: Durham, 22 October [14]41.

f.272v-273r 6 November [14]41

Inspeximus by John prior and the chapter of Durham confirming the following appointment
Appointment by letters patent by Robert, bishop of Durham, of Thomas, bishop of Dromore, as his suffragan within the city and dioc. Durham, for the term of his life; receiving from the bishop of Durham and his successors 25 marks yearly for this engagement, to be received at the exchequer of Durham, by the hands of the receiver-general, by equal portions at the terms of Christmas, Easter, Midsummer and Michaelmas.

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

Date: Durham, 10 September, Pont. 4. [1441]

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

Date: Durham, 6 November [14]41.

f.273r 6 December 1441

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 Mr William Sprevere, LL.D., in the prebend and canonry of Skelton in the collegiate church of Howden, vacant by the resignation of John Bate, chaplain, last prebendary thereof.

Date: Durham, 6 December 1441.

f.273r-v 5 December 1441

Notarial instrument of resignation recording that John Chamberleyn', clerk of Carlisle dioc., proctor of John Bate, chaplain, prebendary of the prebend and canonry of Skelton in the church of Howden, whose power and mandate [as proctor] were made sufficiently clear to the notary by a public instrument made for the resignation of the prebend, resigned the prebend by a document of John Chaumberleyn', clerk of Carlisle dioc., &c, as above, whereby, having special power and mandate from his lord, John Bate, to resign the prebend and canonry of Skelton in the hands of John, cardinal priest (&c), archbishop of York, or of another whomsoever having power to accept the resignation, he publicly resigns and renounces the said prebend in the name of his said lord, and asked the notary to draw up a public instrument for him.

Witnesses: Robert Lancastre, John Holme, and Thomas Coken', *litterati* of London, York and Durham dioc.

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

Done: registry of Durham priory, 5 December 1441.

f.273v 1 January [1442]

Letter by John prior and the chapter of Durham to James [II], king of Scotland, stating that his predecessors, kings of Scotland, having given them their cell of Coldingham, had founded it, endowed it with rights and confirmed the same, and had protected it; and had received into their protection those appointed by the prior and chapter as priors of Coldingham; and that he, following in the footsteps of his predecessors, has maintained William Drax, the last prior of Coldingham, with most gracious protection; informing him that they have appointed John Oll' as prior of the cell, and sent him to the king with the presents; and asking him that he see fit to admit him to the rule and governance of the said cell and protect him.

Written: Durham, 1 January.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.127-128. Also DCD Reg. Parv. II, f.151r.

f.273*r [i.e. 274r] 19 January 1442

Letters of attorney by John prior and the chapter of Durham appointing Robert Rodes and Robert Lampton', squires, as their attorneys to appear and attend on their behalf before the king of England in the next parliament to be held on 25 January at Westminster.

Date: Durham, 19 January 1441/2.

f.273*r-v [i.e. 274r-v] 16 September 1441

Grant by indenture by John prior and the convent of Durham, and William, prior of Coldingham, to David Home' of Wedderburn, knight, of the bailiary of the cell and barony of Coldingham, responsibilities and powers described, for the term of 40 years following the date of this indenture; receiving the accustomed £10 Scots for the office, so long as he occupy the office in person, with a further £10 Scots as reward for his long and notable service; this indenture to be void and the term of 40 years to expire if David should die within the said term; and David swearing, in presence of the prior and his counsel, to fulfil the foregoing.

Sealed interchangeably.

Date: Durham, 16 September 1441.

Language: English

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.120-121. Original DCD Misc. Ch. 656.

f.273*v-275r (there is no folio 274) 18 January 1442

Collation and mandate to induct by James, bishop of St Andrews, informing Richard de Knoll', dean of the Merse, that by the presents he collates the priorate of Coldingham, vacant by the death of William Drax, last prior thereof, to John Oll', on the presentation of the prior and convent of Durham, having invested the said John therewith in person, by placing his ring on his finger; instructing him, when he has seen and read the presents, and has been asked by the said John, to institute him in the said priorate and induct him into bodily possession thereof, causing him to be answerable for the revenues and rights of the said priory; and instructing him to append the seal of his office to the on the second tag after the bishop's, with the presents to remain with the said John.

Date: St Andrews, 18 January 1441/2.

Witnesses: John de Shevesse, official of St Andrews, Hugh Kennedy, provost of St Andrews, Mr John Legate, canon of Glasgow, Henry de Wardlawe of Wilton, knight, William Boys and Mr Thomas de Carmychale. Notary: David Kay, priest of St Andrews dioc., N.P. by imperial authority (eschatacol recited).

with

f.275r 22 January [1442]

Notification of induction by Richard de Knollez, dean of the Merse of John Oll' as prior of Coldingham, investing him with the keys of the church, chalice, stole and corporal. Witnesses: Alexander de Houme and David de Houme, knights; Robert Erghowe, John Penchere, and Richard Wrake, monks; Hugh de Spens, Gilbert de Lummysden', David de Lummysden', Alexander de Nessbytt; William Bene, Thomas Thohoric, and John Lowry, chaplains.

Under the seal of his office.

Done: [Coldingham] 22 January.

f.275r 16 April 1442

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, appointing Mr John Marchall', canon of York, Mr William Ebchestre, S.T.P. [and monk of Durham], Mr Robert Ormesheued', advocate of the court of York, John Gatesheued, monk of Durham, and Richard Burton' appointing them, powers described, to audit, in place of him, the account of the revenues of Hemingbrough collegiate church, which the provost thereof is bound to render on oath each year to the prior or his deputy in the provost's manse.

Date: Durham, 16 April 1442.

f.275v 20 & 28 May 1442

Appointment by indenture by John prior and the chapter of Durham on account of the reverence and goodwill of James, king of Scotland, James, bishop of St Andrews, the earls of Angus, Mar and Crawford, and other lords and nobles, writing for the promotion of Alexander Home', knight, to the office of bailie of Coldingham, of the said Alexander Home, knight, as special protector, defender and supervisor of whatsoever rights and liberties, privileges, lands, tenements, possessions and tenants of the prior and chapter, pertaining to the cell of Coldingham within the sherifffdom of Berwick; and governor and ruler of the men, officers, servants and tenants of the priory in all and sundry things which do not wholly (*mere*) belong to the office of bailie; on condition that he do the foregoing with the advice and consent of the prior of Coldingham; and instructing all and sundry whom it might concern to obey Alexander in all and sundry matters concerning him as protector (&c), on pain of law; to endure at the pleasure of the prior and chapter. Sealed alternately.

Dates: [Durham] 20 May 1442; Coldingham, 28 May 1442.

f.275v 24 May 1442

Memorandum that a letter was sent to James, king of Scotland, for the admission of John Oll', prior of Coldingham, to the temporalities thereof, according to the form written on the third folio preceding [273v]; Durham, 24 May 1442.

f.275v 4 April 1442

Memorandum that a general proxy was issued, short of revoking other proxies, for Mr William Ebchestre [monk of Durham], Robert Ormesheued', advocate of the court of York, William Dalton' [monk of Durham], Robert Westmerland' [monk of Durham], and William Bisspham, proctor of the court of York, in whatsoever business before whatsoever judges, according to the form of the proxy on f.249; 4 April 1442.

f.275v 4 April 1442

Memorandum that a proxy was issued for Mr Robert Ormesheued', advocate of the court of York, William Bisspham, proctor of the court of York, and John Glovere, chaplain, dean and registrar of Howden and Howdenshire, to appear before John, cardinal priest (&c), archbishop of York, or his vicar-general and his commissaries or another competent judge, in whatsoever synods, for the churches of Giggleswick, [appropriated] to them and to their cell of Finchale, and of Fishlake, Bossall and Ruddington [appropriated to them and] to their college in the university of Oxford, according to the form written on f.264; 4 April 1442.

f.276r 23 May [?1442]

Letter [by John, prior of Durham] {to the bishop of St Andrews} thanking him for his oft-rendered favours to John Oll', prior, and the cell of Coldingham; acknowledging that the bishop may be informed clearly of events at the said cell, nevertheless setting before him what he took from a trustworthy account: that certain sons of iniquity, from the household and accomplices of, as is said, David Home', knight, entered the cell of Coldingham and held it for no small time, and consumed and devastated its goods at will, and that David Home' upbraided the prior with menacing words (&c), against the constitution of Ottobuono which begins *Ad tutelam* and in which it is warned that those who remove the goods of churchmen and churches, and enter, exhaust and occupy their properties against their will are to be bound by excommunication; and asking him to have sentence of excommunication pronounced upon the said malefactors, until they earn absolution from the bishop or his commissaries by condign amends.

Date: Durham, 23 May [1442 ?].

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.139-140.

f.276r-v 24 December [?1442]

Letter [by the prior of Durham] {to the bishop of St Andrews} informing him that he has received his letter for the promotion of his kinsman, Alex[ander] Home, knight, in which matter the bishop may see fit to understand in this matter that the prior and his fellow monks, having been informed that Alexander and David Home, knights, were of one mind, granted to the said David the office of bailie of Coldingham for forty years under certain conditions specified in certain indentures. Saving their honour and fealty, they cannot repudiate this grant, since until then they did not know of any agreement or pact between Alexander and David; but, if David could be persuaded willingly to surrender to him the letters made to him concerning this office, the prior and his fellow monks, out of consideration for the bishop's requests, wish to grant the office to Alexander for the term of sixty years by indentures and under certain conditions specified therein; the church of Durham has had free disposal of the cell of Coldingham for three hundred years and more, in peace and war and during schism, and the kings of Scotland and the bishops of St Andrews have received into their protection those put in charge of Coldingham priory and presented to the bishop of St Andrews by the prior and chapter; asking him to admit and protect John Oll', appointed by them to the said priorate and presented to the bishop, considering him with favour; and if it happen that St Cuthbert and his church of Durham be robbed of their ancient right and possession, God forbid that it be by reason of the outbreak of war between the kingdoms.

Date: Durham, 24 December [1442 ?].

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.126.

Also DCD Reg. Parv. II, f.147v-148r.

f.276v-277r 24 May 1442

Inspeximus by John prior and the convent of Durham confirming the following lease. Lease by indenture by John Oll', prior of Coldingham, to Alexander Home of that ilk, knight, of the lands of Old Cambus for the term of fifteen years from the Whitsun next after the date of the presents; Alexander paying £13 6s 8d Scots yearly to the prior and his successors at the [usual] terms of the year; Alexander agreeing not to hew or destroy the prior's woods nor his tenants' during the said term without the prior's licence or deliverance of the prior's forester; and to ask leave of the prior or his forester before taking timber from the woods for building on the said land or making *tilgh'* thereon; and if Alexander die within the term, the prior or his successors shall have his heriot (*herield*), these indentures are to expire and the prior is to enter the lands; with allowance [of the rent] to Alexander for disturbance by Englishmen in war [?] *as neghbur' and other' on fourhalfe aboute* (in English).

Sealed interchangeably.

Date: Coldingham, 21 April 1442.

Date: Durham, 24 May 1442.

Language: English; Latin

f.277r 16 June 1442

Letters of confraternity and consorority by John prior and the chapter of Durham to William, lord de la Souche, and Alice his consort, noting the affection of their devotion and the sincerity which they have had and have towards their cell of Stamford, St Leonard, and the prior thereof, as they are fully informed by the prior thereof, granting them special participation in all masses, vigils, fasts, prayers (&c) in the monastery of Durham and its dependent cells, in perpetuity; and each year in perpetuity after their death, when this has been with certainty made known to them, performing the intercessions customary for other deceased brothers.

Date: Durham, 16 June 1442.

f.277r-v 11 June 1442

Notarial instrument recording that John Oll', prior of Coldingham, coming into the presence of James [II], king of Scots, declared in what manner he had been presented to the priory church of Coldingham by the prior and chapter of Durham, and admitted to his spirituality by James, bishop of St Andrews, as ordinary, and produced certain letters of recommendation from the English lords Henry [Beaufort], cardinal of England, maternal uncle of the said king, the earl of Northumberland, Richard, earl of Salisbury, kinsmen, it is said, of the said king, along with a letter from the prior and chapter of Durham, asking that the said king admit him to the temporalities of the priory of Coldingham; wherefore the said king, advised by his council, at the instance of the said English lords, and when other circumstances had been considered by him and his council, admitted the prior of Coldingham to the temporalities of the said priory by the act of giving a wand (*baculum*) which he was carrying in his hand; and the prior asked for an instrument to be made on the foregoing by the undernamed notaries.

Witnesses: James, bishop of St Andrews; Alexander de Levyingston', lord of Callendar, John Sibalde, lord of Balgownie, Alexander de Home, lord of that ilk [knights]; James de Levyingston', captain of Stirling castle; Mr William Turnbule, keeper of the privy seal; Henry de Levyingston', comptroller; Edmund de Haya; Alexander de Cokburn'.

Notaries (eschatacols recited): Henry Malville, priest of St Andrews dioc., M.A., N.P. by imperial authority, writer of the instrument; John Arows, priest of St Andrews dioc., N.P. by imperial authority; James de Parkle, clerk of St Andrews dioc., N.P. by imperial authority.

Done: Stirling castle, in the king's chamber, 4th hour or thereabouts after mid-day, 11 June 1442.

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.142-144. Original DCD Misc.Ch.1021.

f.278r 8 July 1442

Manumission by John prior and the chapter of Durham of John May {canon of Hexham} referring to their letters of 1 March 1439/40 in which they removed all mark of servitude from him, with a clause (quoted) reserving to themselves all that by right of patronage could be applicable to him as manumitted with his manumission safe spiritually [?]; considering that by his entry into religion he desires the virtue of a servant of the Lord, revoking the clause and releasing him from any right or title which they might have over his person by reason of servitude, neifty, bondage or manumission.

Date: Durham, 8 July 1442.

f.278r 23 July 1442

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 Mr William Nessyngwike, prebendary of the collegiate church of St Chad, Shrewsbury, in the church of York, All Saints Pavement, to effect an exchange of benefices with John Wendesley, rector of All Saints Pavement.

Date: Durham, 23 July 1442.

Related material in other DUL collections: Related letter: DCD Loc.XXV:14.

f.278r-v 31 July 1442

Commission by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howden and Howdenshire, to Mr John Marchall', canon of York, Mr Robert Ormesheued, advocate of the court of York, Mr John Gatesheued, monk of Durham, and Mr Richard Burton', appointing them in his place, powers described, to audit the account of the revenues of Hemingbrough collegiate church, which the provost thereof is bound to render on oath each year to the prior or his deputy in the provost's manse.

Date: Durham, 31 July 1442.

f.278v-279r 2 August 1442

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by Robert, bishop of Durham, to Henry Preston', squire, of the office of constable of Durham castle; to be held in person or by his sufficient deputy, for whom he would answer to the bishop, during Henry's life; receiving twenty marks yearly in the office from the bishop and his successors, to be paid to him at the exchequer through the hands of the receiver-general in equal portions at Easter and Michaelmas; along with the profits of the two ditches lying together under the castle [walls], and the ?revenues [*custubus*] of two gardens situated outside the castle, and all the revenues, charges and profits customary to the office of old; and a gentleman's robe or 13s 4d in name of the robe, to be paid every Christmas during his life; with full power to carry out everything pertaining to the office; and instructing all his ministers and servants whom this concerns to be submissive to, counsel and assist Henry as constable.

Under the great seal of the chancery of Durham.

Date: London, 12 April, 16 Henry VI. [1438]

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

Date: Durham, 2 August 1442.

f.279r 14 August 1442

Appointment by John, prior of Durham, to Mr John Burnby, S.T.P., creating him prior or warden of Durham College Oxford, powers summarized; since they have seen fit to discharge Mr John Mody, S.T.P., of the cure and rule of the said college, for certain reasons, at Michaelmas next to come; on condition that he take up the office at the said Michaelmas; and instructing the monks and scholars there to obey Mr John as prior.

Date: Durham, 14 August 1442.

f.279r-280r 7 December 1441

Decree by William Feltere, D.Dec., dean of York, recently commissary of John, cardinal priest (&c), archbishop of York, specially deputed to continue, along with other colleagues, the visitation begun by the archbishop according to the form and effect of the papal indult lately sent concerning this matter; relating that he had heard by trustworthy account that the prior and convent and chapter of Durham had held and occupied the parish churches of Northallerton, Eastrington, Bossall, Fishlake, Ruddington, and Giggleswick, and annual pensions from the churches of Hemingbrough, Brantingham, Welton, Walkington, Skipwith, Holtby, Allerton, [Kirkby] Sigston, [West] Rounton, and Normanton on Soar, York dioc., contrary to common law, and had turned the revenues of these churches to their own use and that of their college at Oxford during no small period of time; and that they, in person and through their keepers and ministers, had presumed to exercise the spiritual jurisdiction and visitation of Howden and Howdenshire, and Allerton and Allertonshire, and had usurped other things there, against common law and prejudicial to the archbishop and his dignity;

and that, wishing to be informed about the foregoing, he had had the said prior and convent and chapter, and all others having an interest in this regard, summoned to be present before him at a certain date and place; and appearing before him by their lawful proctors they had shown evidences upon their right and possession to and of the said churches, pensions and jurisdictions; and, following examination of which pronouncing that the churches of Northallerton, Eastrington, and Giggleswick are rightly appropriated to the prior and convent and chapter of Durham, and the churches of Bossall, Fishlake, and Ruddington are rightly appropriated to the college of the said prior and convent in Oxford; and that the pensions from the churches of Hemingbrough (five marks), Brantingham (ten marks), Welton (three marks), Walkington (100s), Skipwith (one mark), Holtby (25s), the vicarage of Allerton (£20 sterling), the churches of [Kirkby] Sigston (ten marks), [West] Rounton (40s), Normanton [on Soar] (one mark), and the spiritual jurisdiction and visitation in Howden and Howdenshire, Allerton and Allertonshire and the rest of the rights according to the form of the agreement made between William, sometime archbishop of York, and the said prior and convent of Durham [originals: 4.1.Archiep.2a, 2b, 2c] concerning their jurisdiction in Howden and Howdenshire, and Allerton and Allertonshire, have pertained, pertain and ought to pertain to the said prior and convent and chapter; and they have sufficient right and title thereto (&c); and freeing them by decree from further interference of his office in this regard; saving the right, jurisdiction, privilege and liberty of the said archbishop and his successors in all things. Under the seal of his deanery, which he uses for this purpose.

Date: York, 7 December 1441.

Original: DCD 2.3.Archiep.3.

f.280r-281r 1 August [1442]

Mandate by Robert, bishop of Durham, to the prior of Durham having on 30 July last past received the following commission/mandate

Commission/mandate by John, cardinal priest (&c), archbishop of York, to Robert, bishop of Durham, referring to the foundation of the college of St Mary at Eton, near the royal castle and town of Windsor, by King Henry VI, instructing him to publish in his cathedral and diocese, on solemn days and festivals when the greater number of people are present, indulgence and remission of sins to those who visit the college of St Mary at Eton between first and second vespers on the feast of the Assumption; Pope Eugenius [IV] having granted to those who so visit, in a bull which the archbishop has read and inspected, as many indulgences each year as are available at the church of St Peter's, Rome, and in a subsequent bull full remission of sins each year.

Date: Scrooby, 22 July 1442.

instructing him to have the aforesaid remissions and indulgences published, forthwith after receipt of the presents, in Durham cathedral on the said Sundays and festivals during masses, to the multitude of the people; and requiring certification, by letters patent incorporating the contents of the presents, at a suitable time and place, as to what he shall have done in the foregoing.

Date: (no place of issue), 1 August.

Original: DCD Loc.I:54.

f.281r 28 September 1442

Proxy by the chapter of Durham appointing Mr Robert Ormesheued', advocate of the court of York, John Gatesheued', monk of Durham, and Mr William Bisspeham, proctor of the court of York, as their proctors to appear and act for them in the convocation of the clergy of the province of York to be held in York minster before John, cardinal (&c), archbishop of York, or his deputed lieutenants, commissaries or commissary, on 4 October next to come, with continuation of days and places.

Date: Durham, 28 September 1442.

f. 281r-282r 20 September 1442

Agreement by indenture between John prior and the chapter of Durham and Robert Danby, William Heggfield, Thomas Claxton', William Bedforde, Thomas Aspoure, John Lethom', clerk, Thomas Thornburgh', Richard Prentyce, chaplain of St Mary's chantry in St Oswald's church, Thomas Todd, chaplain of St John's chantry in the same church, John Berhalgh', John Tangg', William Snayth', William Bentlay, Robert Preston', William Baxtere, William Maynsforth', John Bernarde, William Smyth', *litstere*, Thomas Robynson', Thomas Cornwayle, John Shotton', Robert Fabyan', Thomas Bichburn', Richard Lomley, Thomas Hyndley, and John Thomson', *tailloure*, free tenants of the prior and chapter in Old Elvet and New Elvet,

the cause of dissent being the common pasture in the manor of the prior and chapter in Old Elvet and New Elvet, which the tenants say they should have by right by reason of their messuages in the villis of New Elvet and Old Elvet, with the prior and chapter saying that the said manor is their severalty, on terms that the tenants ought not to have common pasture in the said manor; this matter being finally settled, with many friends mediating and negotiating, in the manner following:

that the said free tenants and whatsoever their heirs and assigns will have common pasture every year at all times of the year for their livestock in the moor of Elvet, *couchant* and *levant* [i.e. (semi-)permanently], not overburdening the pasture in the moor, and in the lands and closes called *Fournescloce* or *Wellesheued'*, *Charlay*, *Montjoy*, *Dedrich'*, *Dedrichbankez*, *Swallowhopp'*, *Ferthyngcloce* or *Ferthyngflate*, *Allers* and *le Peth*, as far as *Langmerdike* and not beyond, without gainsaying by the prior and chapter or their successors, from St Cuthbert in September, after the corn and hay growing there have been taken away, until St Cuthbert in March next following, excepting the lands reseeded before St Cuthbert in March, and that the prior and chapter will have their closes called *Horscloce*, *Bernrofte*, *Smythalgh'*, *Kirkecroft* and all the lands lying between the ditch called *Langmerdike* and the field of Houghall, and two woods called *Estwodd'* or *Seyntcuthbertplace* and *Westwodd'* as at present enclosed, in their severalty at all times of the year without gainsaying or claim of the said tenants, their heirs or assigns, in perpetuity; and if it happen that the livestock of the said tenants, their heirs, assigns or farmers, enter or graze in these closes or woods for want of adequate enclosure, the said tenants, burgesses, their heirs, farmers or assigns will not be fined or impleaded for this entry or depasturing, nor will their beasts be impounded, but they will be driven amicably thence; and the said free tenants quitclaim any right they might have in the said closes called *Horscloce* (&c) and the two woods (&c), for themselves, their heirs and assigns, to the prior and chapter and their successors in perpetuity.

Sealed alternately.

Date: Durham, 20 September 1442.

f.282r-v 30 June 1442

Proxy by John prior and the chapter of Durham, having the churches of Jarrow, Monk Wearmouth, Holy Island, [Bishop] Middleham, Bywell St Peter, [Durham] St Oswald, Aycliffe, Heighington, Merrington, Dalton-le-Dale, [Monk] Hesleden, Billingham, Pitlington, Norham, Branxton, Ellingham, Edlingham, and Bedlington, along with their dependent chapels, [appropriated] to their own use, appointing Mr William Ebchestre, S.T.P. [monk of Durham], Mr Robert Ormesheued', advocate of the court of York, William Dalton and Robert Westmerland, monks of Durham, and Mr William Bysspeham, proctor of the court of York, as their proctors, powers described, in all causes and business, suits and actions instituted or to be instituted, concerning their monastery and cells, and their churches and chapels aforesaid, before whatsoever judges ordinary or delegate, or their commissaries one or more, against whatsoever adversaries at whatsoever dates and places, as often as the prior and chapter happen to be absent or present; and to appear and act for them in synods and visitations of Robert, bishop of Durham, conducted within the diocese of Durham, by himself or his commissaries, one or more, on his authority, on account of the premises; and also in consistories, chapters and other convocations of clergy whatsoever, within the diocese of Durham.

Date: Durham, 30 June 1442.

f.282v-283v 28 May 1442

Notarial instrument recording that Robert Westmerland, monk of Durham, proctor of the prior and chapter of Durham and the sundry persons and monks thereof, as he made sufficiently known to the notary, read and interposed an appeal by Robert Westmerland, monk of Durham, proctor (&c), that although the prior and chapter of Durham and all and sundry monks thereof, having the churches of Jarrow, Monk Wearmouth, Holy Island, Bywell St Peter, [Durham] St Oswald, Aycliffe, Heighington, Merrington, Dalton-le-Dale, [Monk] Hesleden, Billingham, [Bishop] Middleham, Pitlington, Norham, Branxton, Ellingham, Bedlington, and Edlingham, along with their dependent chapels, rights and appurtenances, appropriated to their own use, possess the said churches (&c) and have possessed them peacefully for no little time, taking their revenues; fearing, from certain plausible reasons, likely conjectures and threats newly made against the prior and chapter, their cathedral church, other churches, chapels and places, by some rivals of theirs, that prejudice may be engendered in future concerning the state of the prior and chapter, their right and property in their churches and chapels and interests; and lest anyone by whatsoever authority or mandate, even if episcopal, attempt anything prejudicial to the prior and chapter (&c), he appeals to the apostolic see and to the court of York, subjecting the prior and chapter, the sundry persons aforesaid, their churches, chapels, rights, interests and possessions, and those adhering and wishing to adhere in this regard to the prior and chapter and to him in their name, to the protection 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 having done so he asked the notary to draw up a public instrument of the foregoing. Witnesses: John Holme, John Stele and Thomas Coken', *litterati* of York and Durham dioc.

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

Done: chapter house of Durham, 28 May 1442.

f.283v-284v 8 June 1442

Notarial instrument recording that Robert Westmerland, monk of Durham, proctor of the prior and chapter thereof, whose power of proxy was made sufficiently known to the notary by his mandate of proxy under the chapter seal, read and interposed an appeal by Robert Westmerland, monk of Durham, proctor (&c) that although it was agreed between the then bishop of Durham and the prior and chapter aforesaid, and confirmed by the apostolic see, that as often as the bishop came in person, as ordinary and not as abbot, to the visitation, purpose briefly described, of the church of Durham, once in the year, or twice if need be, as bishops visit non-cathedral churches in which the monks are abbots, nevertheless, because the bishop's dwelling is near the said church, he will not exact or have procuration, but will return home after visitation; and as often as he came to carry out visitation he should have with him two or three clerks, of whom at least one should be a Benedictine monk and another a notary, as in the agreements made thereon, confirmed by the apostolic see and observed by the bishops of Durham; stating that the foregoing is public knowledge, and everything aforesaid has been carried out with successive bishops of Durham tacitly and expressly knowing and approving; but fearing, from certain plausible reasons and likely conjectures, that prejudice may be engendered in future concerning the foregoing, and lest anyone by whatsoever authority or mandate, even if episcopal, attempt anything prejudicial to the prior and chapter (&c), he appeals to the apostolic see and to the court of York, subjecting the prior and chapter, their rights and possessions, himself in their name, and those adhering and wishing to adhere in this regard to the prior and chapter and to him in their name, to the protection of the said see and court; declaring that, if need be, he will alter the present appeal and put it into better form, and notify those concerned of a suitable time and place therefor. Witnesses: Mr Robert Ormesheued', advocate of the court of York, John Holme', squire *litteratus*, Thomas Coken' and Edmund Tillett, clerks; of Carlisle, Durham and Lincoln dioc.

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

Done: chapel of St Nicholas within [Durham] monastery, commonly called the prior's chapel, 8 June 1442.

f.284v 26 June [1]442

Certification by John, prior of Durham, to Robert, bishop of Durham, reciting the following mandate, received on 2 June

Mandate by Robert, bishop of Durham, to John, prior of Durham, informing the prior that on 9 July next to come he intends to come to him and the chapter of Durham and carry out a visitation in the chapter house; instructing him to have all the priors, masters, wardens and monks of the cells of the church of Durham, who ought to be summoned in such a case, cited to appear before him at the said date and place, and undergo visitation; instructing him to cause the letters which have been directed to him and the chapter concerning the visitation to be delivered to the subprior and chapter under public witness without delay after receiving them; and requiring certification by eight days before the said date, in letters patent incorporating the contents of the presents, as to what he shall have done in respect of the foregoing.

Date: manor of Stockton, 27 May 1442

stating that he has cited the priors, masters (&c) to appear on 9 July next to come in the chapter house to undergo visitation; providing that the cells be not left totally empty of monks, but that in the sundry cells as many monks remain as should be sufficient to perform divine offices and carry out other necessary tasks; stating that he has had the letters directed to him and the convent publicly delivered to the subprior and convent; and has obeyed and will obey the bishop's mandate in all things, saving the rights, privileges, liberties and immunities of the monastery of Durham in all things; with the names of those cited being contained in a schedule attached to the presents.

Date: Durham, 26 June [1]442.

Another copy in: DCD Loc.XXVII:18f.

f.285r 26 June 1442

Certification by John prior and the chapter of Durham to Robert, bishop of Durham, reciting the following mandate

Mandate by Robert, bishop of Durham, to the prior and chapter of Durham explaining that he intends to visit them and the priory of the church of Durham in the chapter house thereof on 9 July next to come, with prorogation of days as needs be; citing them to appear in person before him at the said date and place and undergo visitation; and charging them to intimate to him everything in need of reform or correction which may be opportunely remedied in his visitation; warning them that they attempt anything to impede or prejudice the visitation on pain of excommunication; with absolution of those who incur the sentence reserved to the bishop; and ordering them to write back to him by eight days before the said date, in letters patent incorporating the contents of the presents, as to the date of receipt of the presents, and what they shall have seen fit to do in the foregoing.

Date: manor of Stockton, 27 May 1442.

received on 2 June; intimating to him that, saving their rights, customs, and privileges, and all remedy of right, they will be ready to do what is incumbent upon them in the foregoing.

Date: Durham, 26 June 1442.

Another copy in: DCD Loc.XXVII:18f.

f.285v 2 December 1442

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Driffeld, monk of the monastery of Selby, York dioc., having capacity and with a dispensation in this regard from the apostolic see, in the church of Dinsdale; saving a yearly pension of 40s due of old therefrom to the prior and chapter and their office of sacrist.

Date: Durham, 2 December 1442.

f.285v 8 October 1442

Proxy by John prior and the chapter of Durham appointing Robert Westmerland, monk of Durham, as their proxy to show and demonstrate, to transcribe, make known and exemplify whatsoever their writings or muniments, before whatsoever judge competent in this regard; and to ask from such a judge that such writings and muniments be copied and transcribed; and to do all and sundry other things required (&c).

Date: Durham, 8 October 1442.

f.285v-286r 8 November 1442

Letters of confraternity by John prior and the chapter of Durham to Mr Robert Beaumont', the bishop of Durham's chancellor and receiver-general in temporalities in the bishopric of Durham, following recent supplication on his behalf that they grant that he be able to participate in their prayers and other meritorious acts, granting him special participation in all masses, prayers, fasts, (&c) in the monastery of Durham and its dependent cells, both in life and death.

Date: Durham, 8 November 1442.

f.286r 8 November 1442

Letters of confraternity by John prior and the chapter of Durham to Nicholas Dixon', clerk, noting the affection of his devotion and the sincerity which he has had and has towards their monastery of Durham, granting him special participation in all masses, vigils, fasts, prayers (&c) in the monastery of Durham and its dependent cells, in perpetuity.

Date: Durham, 8 November 1442.

f.286r-v 22 December 1442

Inspeximus by John prior and the chapter of Durham having had their register examined at the instance of Robert Eure, squire, finding that the following inspeximus had been registered.

Inspeximus by Richard prior and the convent of Durham confirming the following grant. Grant by Robert, bishop of Durham, to William de Garmundesway, Alice de Barneby his wife, and their heirs, issue of them, of 5½ acres in the old field of Bradley, along with *le Dene* and the stream called *Bradleyburn'* on the east side of their field, in length as their field runs, so that he can enclose the stream, with *le Dene*; to be held by William and Alice, their heirs or assigns, of the bishop and his successors in fee and heredity, in perpetuity, with all revenues (&c) and rights of common pasture as had by the free men of that district; rendering therefor yearly, to the bishop and his successors at their exchequer of Durham, 1d at Cuthbert in September, for all other demands.

Witnesses: Guichard de Charron then steward of Durham, Thomas of Herrington, Odo de Pinchardon, John of Farnacres, knights; Masters Alan of Easingwold, Robert Avenel, Robert of Driffild, Gilbert of Thorney and William de Fennum, clerk.

[n.d. 1274 x 1277: Guichard steward to Bishop Robert of Holy Island].

Date: Durham, Kal. December [1 December] 1277.

Date: Durham, 22 December 1442.

Another copy: DCD Reg.I, f.ii.21r.

f.286v-287r 22 December 1442

Inspeximus by John prior and the chapter of Durham having had their register examined at the instance of Robert Eure, squire, finding that the following inspeximus had been registered. [Reg. I.ii, f.20v-21r, from Misc. Ch. 5434].

Inspeximus by Richard prior and the convent of Durham confirming the following grant. Grant by Robert, bishop of Durham, to Richard, sometime lord of Brafferton, for his homage and service of his demesne lands in Rogerley, three acres of his wood in Shittlehope, and 45 acres of his arable on the other side of the Wear to the east, in the place called Dryburnside; in exchange for his vill, lands and tenements of Brafferton; to be held heritably by him, his heirs or assigns, of the bishop, his successors and his church of Durham, with all liberties (&c) pertaining to as much land, with common pasture where knights and the rest of the free tenants of that district have common pasture, with free entry and exit; granting also that Richard and his heirs or assigns be able to enclose the three acres of wood and hold them as their severalty, that they be quit of pannage for their pigs nurtured from the demesne there, and that they mill their corn wherever they will; doing service of a fortieth part of a knight's fee to the bishop and his successors when scutage is imposed in the bishopric of Durham, and three suits yearly at the county court of Durham, for all other services and demands.

Witnesses: Guichard de Charron, then steward of Durham, Thomas de Heryngton' and John son of Marmaduke [knights?]; Mr Alan de Esyngwald, Mr John de Hocke, Mr Robert Avenell' and Mr Nicholas de Appelby; and Peter de Thoresby, Thomas de le Nesham and Gilbert de Thorney and William de Fennum, clerks.

[n.d. 1274 x 1280: Guichard steward to Bishop Robert of Holy Island].

Date: Durham, 12 Kal. August [21 July] 1280.

Date: Durham, 22 December 1442.

f.287r-v 4 January 1443

Appointment [by indenture] by John prior and the chapter of Durham, with the consent of John, prior of Coldingham, of Alexander Houme of that ilk, knight, as bailiff and governor of the lordship and lands of the house and barony of Coldingham, for the term of sixty years following the date of the presents; with Alexander, son and heir of Alexander, to have the said office to the end of the said sixty years if his father should die within the said term; giving to Alexander or his son full power to act in the name of the prior and chapter and their successors, responsibilities listed, with the counsel and assent of the prior of Coldingham of the time; and granting that Alexander or his son receive yearly five marks English from the house of Coldingham, for the whole term of sixty years, as the fee of the said office, and another five marks English for their good service and reward.

Sealed interchangeably.

Date: Durham, 4 January 1442/3.

Language: Scots/Northern English

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.145-146.
Original DCD Misc.Ch.655.

f.287v 4 January 1443

Bond by Alexander Houme of that ilk, knight, and Alexander, his son, obliging themselves: to maintain, help, support and defend John Oll' and his successors, priors of Coldingham, their men, servants, lands, possessions (&c), at the said prior's expense, for the term of sixty years following the date of the presents; to set none of the priory's lands and make no new tenants without the prior's consent, with the prior being able to revoke their authority if they do anything to the contrary of this condition; not to claim the office [of bailiff] after the end of the said term except at the will of the priors of Durham and Coldingham, but to allow the prior to dispose of the priory's goods and charge and discharge the priory's servants without hindrance; and not to oppress the priory by repairing to it unreasonably often with men and horse.

Under the seals of Sir Alexander and Alexander.

Date: (no place of issue), 4 January 1442/3.

Language: Scots

Printed in: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.146-147.
Original DCD Misc.Ch.654.

f.287v-288r 13 June 1442

Admission by letters patent by James [II], king of Scots, of John Oll', monk of Durham, to the temporality of the priory of Coldingham; with mandate requiring all his ministers and subjects whom it concerns or might concern, to answer to and obey the said John as prior and his ministers in all and sundry things which concern the said temporality, under the penalty appropriate in that regard; these letters to endure for the lifetime of the said John.

Under the great seal.

Date: Stirling, 13 June 1442.

f.288r 19 February 1444

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by Robert, bishop of Durham, to Thomas Wytham of a yearly fee of seven marks to be held for the term of his life and received from the manor and lordship of Crayke, by the hands of the receiver, reeve or farmer thereof, at the usual terms in equal portions; and of the office of the stewardship of the said manor and lordship; to be held and occupied in person, or by his sufficient deputy, for the term of his life, receiving from the bishop and his successors yearly, during his life, the wages and fees customary to the office; and if it happen that the said seven marks, or the wages and fees customary to the office, be in arrears in whole or in part for a quarter of a year after any feast on which it ought to be paid, Thomas or his assigns are to be able to distrain upon the said manor and lordship, and remove goods so taken until satisfied of the arrears of the fee or the wages and fees, with damages and expenses caused thereby; with mandate requiring all tenants and ministers of the said manor and lordship to be helpful and obedient to the said Thomas as steward of the said manor and lordship.

By the hand of William Chauncellere, the bishop's chancellor.

Date: Durham 20 April, Pont. 1. [1438]

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

Date: Durham, 19 February 1443/4 [?].

f.288r-v 19 December [1442]

Concord by indenture made between [1] John prior and the chapter of Durham and [2] William Elmeden', knight, lord of Tursdale, although a suit had been begun between them concerning the watercourse between the vill of Hett and Tursdale, claimed by the prior to belong to his mill of Hett from time out of mind; concerning the common way or highway, which the prior claims is upon the ground of Tursdale, for himself and his successors, and their men and tenants of Shincliffe, and other tenants and servants of his, as far as the vill and ground of Ferryhill and elsewhere, and from Ferryhill as far as Shincliffe, to come and go at will as often as need be; and concerning the second crop of a certain plot of meadow called *Hilcrokez* in Tursdale and *Chamberleyrmedowe* in Hett in the open pasturing season after the hay has been removed each year; agreeing through the mediation of their friends that the prior and his successors will have the said way and the said watercourse, without interruption or impediment of William Elmeden', his heirs or assigns, in perpetuity, in the way in which they now have or used to have, unless William, his heirs or assigns, offer sufficient evidence to the prior, his successor, or to John Portyngton', serjeant-at-law, before 1 May next to come, to exclude the prior and his successors from having the said watercourse as claimed; and, if such material shall have been shown, he and the prior and their successors will abide by the ordinance and judgment of John Portington' in this regard; and, if the said burn on the said William's ground should change course, it will be permitted to the prior and his successors to dam the burn and return it to its right course as far as the said mill, without obstruction by William, his heirs or assigns, in perpetuity, without digging in William's, his heirs' or assigns' ground, or removing their earth and soil; and the prior and his successors will have the said second crop of the said meadow without interruption by William, his heirs or assigns, in perpetuity; saving common pasture to William, his heirs and assigns, in the whole area of the said meadow in Tursdale at the open pasturing season each year, and saving free rent of or for the meadow to William, his heirs and assigns, if it be due. Sealed alternately.

Date: (no place of issue), 19 December, 21 Henry VI.

f.288v-289r 13 April 1443

Lease by indenture by John prior and the chapter of Durham to William Topclyffe, burgess of Hartlepool, of two messuages lying together now (*modo*) built upon, in which Robert Mundevile lately lived; to be held by William, his heirs and assigns, from Martinmas last past for the term of 21 years; rendering yearly to the prior and chapter and their successors during the said term 13s 4d sterling at their exchequer at Durham, in equal portions at Whitsun and Martinmas, the first term of payment beginning at Whitsun next after the date of the presents; and if this rent be in arrears in part or in whole forty days after any term on which it ought to be paid, with insufficient having been found in the said messuages to distrain for the arrears, it is to be allowed to the prior and chapter and their successors to re-enter the messuages and possess them as before, the present indentures notwithstanding; and William, his heirs and assigns, are, during the whole of the said term, to maintain and repair the messuages and all houses and buildings constructed in the messuages and their appurtenances, and return them sufficiently repaired and built in all respects at the end of the term, according to the view of the prior and chapter and their successors and officers. With William giving his bond, recited, for £20 to be paid by him, his heirs and executors, to the prior and chapter, their successors or their attorney, if and when he should happen to fail in any of the foregoing things.

Sealed alternately.

Date: (no place of issue), 13 April 1443.

f.289r 17 July 1443

Manumission by John prior and the chapter of Durham to Robert Watson' of Fulwell quitclaiming all right, title and claim which they have or might have in future in his person by reason of servitude, neifty or bondage, and freeing him from proceedings in pursuit of a claim by them or their successors.

Date: Durham, 17 July 1443.

f.289r-v 17 July 1443

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, to Robert Preston', his coroner of Easington ward; since John [Fordham: 1381-88], sometime bishop of Durham, granted a messuage in Sunderland next to the sea called *Yolwatesland'* to John Hobson' and his heirs, rendering yearly therefor 3s 4d to the bishop and his successors, as more fully contained in the charter made thereon, without assent of the prior and chapter of Durham, and for this reason it was taken into the bishop's hands, as shown by an inquisition taken before Geoffrey Midelton', the bishop's escheator of Durham, and returned to the bishop's chancery; and because of the love which he bears towards Robert, and Robert's service rendered and to be rendered, of the said messuage, to be held by him and his bodily heirs male; rendering therefor to the bishop and his successors 3s 4d yearly at the four terms of the year appointed in the bishopric, as rendered by the said John.

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

Date: Durham, 8 June, Pont. 6. [1443]

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

Date: Durham, 17 July 1443.

f.289v-290v 4 August 1442

Notarized inspeximus by John, prior of Durham, deputed by the apostolic see as sole executor of the underwritten [letters], having received on 23 July 1442, under public witness, on behalf of Mr Richard Witton', dean of Darlington collegiate church, the following authentic mandate

Mandate by Eugenius IV, pope, to the prior of Durham having been shown a petition on behalf of Mr Richard Witton', dean of the church of Darlington, asking that the pope see fit to apply the strength of papal confirmation to the ordinance by Robert, bishop of Durham, [registered above, f.244v-246r] whereby the deanery of the church of Darlington was created and revenues were assigned thereto, terms summarized; not having had certain notice of the foregoing ordinance, and being inclined to favour the petition, instructing the prior, if and when, so far as he is concerned, the ordinance should be lawfully constituted, to approve and confirm the same, making good any defects therein. Date: Florence, 6 Id. January [8 January] 1441/2.

having been asked on behalf of Mr Richard Witton' to proceed to the fulfilment of the papal letters and their contents, and after inspecting them with mature deliberation and causing an inquisition to be conducted concerning their contents, and having found thereby, and especially by the showing of the letters made in this regard by Robert, bishop of Durham, and ratified by the prior and chapter, finding the ordinances specified in the papal letters to be true and confirming the same and making good any defects there might be therein; and causing the present letters or public instrument to be subscribed by Robert Bartram, scribe of the bishop's acts, N.P., as well as fortified with the prior's seal.

Witnesses: Mr John Norton', D.Dec., vicar-general in spiritualities, acting in distant parts, to the bishop of Durham; Mr William Ebchestre, monk [of Durham], S.T.P.; Adam Haymound' and John Bellingham, priests of Durham dioc.

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

Date: the little chapel situated next to the prior's great chamber on the southern side [Durham], 4 August 1442.

f.290v-291v 17 July 1443

Inspeximus by John prior and the chapter of Durham confirming the following letters
 Letters by Robert, bishop of Durham, knowing the collegiate church of Darlington to
 have been augmented in the number of prebendaries and in resources, and that none
 of the prebendaries thereof is found to reside there, or cares to appoint a servant in his
 place, though expediency and honesty demand it and the resources of the prebends
 would suffice therefor; he therefore, to augment the divine cult there, which has hitherto
 been lukewarm and neglected, to the offence of the divine majesty, he fears, caused all
 the prebendaries to be summoned to render advice and consent in this matter at a certain
 date and place, and they appeared except for Henry Hanselapp', prebendary of Blackwell,
 who was contumaciously absent; and, with the consent of those appearing and the
 advice of jurists, he saw fit to proceed to the following Ordinance by Robert, bishop of
 Durham, decreeing that when the current prebendaries of the prebends of Cockerton,
 Newton and Blackwell, or any of the three, have resigned, died or been removed, that
 each of their successors as prebendaries, unless resident in his prebend, be bound
 henceforward in perpetuity to render four marks each year to the dean of Darlington to
 support a clerk to maintain divine service in their place, and 6s 8d for a habit for the
 clerk, or at least a suitable robe; thus: any absent prebendary be bound to find such a
 clerk each year, should the place of clerk be unfilled, and to present him to the dean
 within fifteen days after he shall have been installed, or else the dean is to provide [such
 a clerk] for the prebendary, to be maintained at the prebendary's expense as aforesaid;
 with right of presentation of such a clerk allowed to the dean to make good a prebendary's
 negligence, but not otherwise; with the proviso that the dean is not to remove such a
 clerk admitted by him on presentation by a prebendary unless he publicly summon the
 prebendary or his proctor to his stall for consultation and wait for him for eight days;
 granting the dean the faculty of removing the clerk should the prebendary neglect to
 come within eight days in person or by his proctor; but that if such a clerk sin, and the
 quality or enormity of his crime should demand that the dean suspend him from
 conducting divine service, with payments withdrawn from him *pro rata* during his
 suspension, the pennies thus withdrawn are, along with proceeds from a time of vacancy
 when a clerk has not been found, to be applied to the use of the other clerks, who are
 present and not failing; not wanting the dean or his successors to be excused from their
 customary responsibilities in providing for the ministers of the church and their rights,
 but to adhere to the bishop's ordinance made in this regard; with the bishop, his
 successors and their officials having power to enforce the implementation of the foregoing
 by the dean, prebendaries and their successors.

Under the bishop's seal *ad causas*.

Date: (no place of issue), 21 May 1443.

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

Date: Durham, 17 July 1443.

f.291v-292v 5 & 6 June 1443

Decree by Robert, bishop of Durham, having lately had expressed to him on behalf of Mr John Lound', LL.B., master or warden of Kepier hospital, that although the hospital of Kepier had been sufficiently established at its foundation and had for some time remained sufficiently endowed to maintain the master or warden and the rest dwelling there, the resources thereof are now meagre, and do not support the maintenance of the master and the rest, the repair and construction of houses pertaining to the hospital, the hospitality for which it was chiefly founded, or other charges incumbent upon it, unless it be aided with the remedy of a subvention; especially since it is near the city of Durham and the public road, and is daily burdened with the reception of an influx of guests, the poor and the destitute; and that, on account of the foregoing reasons and others put forward on behalf of the said master or warden before the bishop, and particularly because of the withdrawal and detention of the thrave of corn which ought to be taken by custom from every single carrucate of the bishop's demesne in the bishopric and diocese from the tenants thereof, the annexation of the parish church of St Nicholas Durham, in the bishop's collation, to the hospital of St Giles, Kepier, and to the master and brethren thereof, should be assessed; because of this supplication that the bishop should deign to unite the church of St Nicholas to Kepier hospital and, by his ordinary authority, pronounce and ordain thereon, and declare that it would be consonant with piety, he, prompted by the master's prayers and petitions so far as he could by right, has inquired diligently and had an inquisition held upon the matter of the said annexation and appropriation, and treated with the prior and chapter of Durham thereon; and by the depositions of witnesses in the said inquisition, and the things alleged and proved before him and the prior and chapter, it is manifestly clear to him that the appopriation is rightly to be brought about; that, with the advice and consent of the said prior and chapter and of jurists, that the church of St Nicholas Durham be appropriated to the said hospital, the master or warden and brethren thereof, and their successors, to be possessed to their use forever, saving whosoever right; on condition that with the cession, death, resignation or removal of the present rector of the church of St Nicholas, or whatsoever vacancy there, it be permitted to the master or warden of the time to take possession of the church and keep it forever without need of the authority of the bishop or his successors; and lest the appropriation be unduly delayed or the bishop's intention be frustrated, forbidding the present rector from exchanging [the benefice]; and, not wishing that divine service should be diminished or the cure of the parishioners' souls neglected, decreeing that the cure of the church be maintained by suitable ministers, for which the master or warden of Kepier is to be responsible; saving his episcopal rights, the liberties, privileges and dignity of his church of Durham, and the rights and privileges of whatsoever other.

Date: manor of Auckland, 5 June 1443.

with Consent by the prior and chapter of Durham to the said appropriation.

Date: [Durham] 6 June [1443].

Printed (from another copy, with variations noted): *Memorials of St Giles's, Durham*, ed. J. Barmby (Surtees Society 95, 1896), p.208-212.

f.292v-293r 30 April 1443

Notarial instrument of resignation recording that Thomas de Flete, rector of Biscathorpe, as he asserted, read and interposed a writing by Thomas de Flete, rector of Biscathorpe, Lincoln dioc., whereby, for certain reasons, he resigns the said church in the hands of William, bishop of Lincoln, or of his commissary having power in this regard.

Witnesses: William Dereham, vicar of Wigtoft, Henry Sparowe, *litteratus*, John Benwike, *illitteratus*.

Notary: Robert Benet, clerk of Lincoln dioc., N.P. by apostolic authority (eschatocol recited, with note of an erasure).

Done: the church of the Carmelite friary, Boston, 30 April 1443.

f.293r 16 May 1443

Presentation by John prior and the chapter of Durham asking William, bishop of Lincoln, or his vicar-general in distant parts, to institute Thomas Frye, chaplain, in the church of Biscathorpe, vacant by the resignation of Thomas Fleete, last rector thereof.

Date: Durham, 16 May 1443.

f.293r

Letter {by the prior [of Durham]} {to Mr John Norton', vicar-general of the bishop of Durham} stating that in 1437, Pont. 7 Eugenius IV, two capacities were obtained by various persons on behalf of Thomas, bishop of Dromore {later vicar of Aycliffe}, of which one, concerning which there is no uncertainty due to error, remains in London in the hands of merchants, and a copy of it is held by the said bishop of Dromore, having been transmitted to him by Mr Thomas Chepman'; and the other [see f.224r-v above], concerning which there is doubt as to an error of the writer over the word *predicatorum* where the other capacity has the word *Augustinen'*, remains in the hands of the bishop of Dromore; and because the pope was then ill, so that his death was feared, the bishop of Dromore pursued the prior of Durham for execution of the said capacity, and he, as vicar-general of the bishop of Durham, admitted him to the vicarage of Branxton one year and four months from the time of obtaining the capacity, having been informed that Mr John Bonour and others said that the word *predicatorum* was the fault of the writer and the bull was not so corrupt that he should not be admitted.

f.293r

Reply {by Mr John Norton'} [to the prior of Durham] stating that the other part of the schedule attests that two capacities were obtained, of which the first in the prior's letter is of later date and fuller grace, counting the years from the Lord's birth according to the manner of the Roman *curia*; hence he dares to stand by the force of an episcopal oath (*fidei*) and the handwriting of Mr Thomas Chapman, scribe *curtisanus*, and the prior may do the same; and so, once an episcopal oath to the truth of the bull has been made, the prior need not fear presenting him [the bishop of Dromore] to a vacant vicarage; and, as to institution, the said presented lord will forbear in this regard until the next Saturday, when Mr John will have a personal conversation with the prior.

f.293r [1443]

[Memorandum] that following the advice of Mr John Norton', vicar-general of the bishop of Durham, the bishop of Dromore swore an oath in the registry of the chapter of Durham, before John, prior of Durham, Robert Westmerland, chancellor, and other monks of Durham, that the original, true bull, as written below [the following entry], was obtained six years ago and, for want of money, is in London in the hands of merchants; and once the oath had been obtained, presentation to the church of Aycliffe in the form underwritten [was made] by the prior and chapter.

f.293r-v [29 August] 1437

Bull by Eugenius [IV], pope, to Thomas Radcliffe, bishop of Dromore, and also M.Th., being inclined towards the bishop's supplications, and because he accepts that men of wars [*sic*], and storms and crises of wars have for a long time afflicted and at present afflict the bishop's region, and that the resources of the episcopal *mensa* are diminished so that the bishop is unable to maintain his episcopal dignity and bear the charges incumbent upon him granting him the indulgence of freely and lawfully receiving and retaining in commendation whatsoever benefice, one only, with or without cure, parish church or vicarage thereof, of whatsoever value, should be collated to him, or to which he be taken up, elected, chosen, nominated or presented, along with the church of Dromore, so long as he remain head thereof, in commendation, and to receive and retain [the benefice] until the said *mensa* shall have been returned in its resources to its original condition; and this may be done simply or by means of exchange, for a similar or dissimilar benefice, as often as it please the bishop; notwithstanding that he be of the order of Augustinian friars, notwithstanding the statutes of Otto and Ottobuono (&c); and of freely taking and having the revenues of the benefice, and turning them to his use, without alienating any immovable goods or precious movable goods of the benefice; providing that the benefice be not defrauded or neglected in divine services or cure of souls.

Date: Rome, 4 Kal. September 1437.

{The present bull, registered here, was transcribed from a certain very defective paper schedule, wherefore seek a true copy of the said bull, examined against the original and agreed by all, on the folio next following.}

f.293v 16 April [?1443].

Letter {by Thomas Chapman', *curtisanus*, to Thomas Radcliffe, bishop of Dromore, suffragen to the bishop of Durham} informing him that George de Luca has the original bull, word for word according to the form abovewritten, for the dispatch of which by his friends in the *curia* he [Thomas Chapman'] has received moneys to the value of 20 marks, for repayment of which he is bound to them in *penis cameralibus* ; asking the bishop to deliver him from their hands as soon as he can, writing back via Mr John Marchall', his most special lord, as to what he proposes to do in this matter; informing him that he will be in York at the beginning of the convocation and will stay for four days; he will then travel to London, intending to be there at the start of May, staying there for a fortnight and he proposes then to return to the *curia*.

From York, 16 April.

f.294r 12 June 1443

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute Thomas Radcliffe, bishop of Dromore, having capacity to accept a benefice with or without cure by dispensation from the apostolic see, in the vicarage of Aycliffe vacant by the death of John Fayte, last vicar thereof.

Date: Durham, 12 June 1443.

f.294r-v 10 June 1443

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to John Blenkarne' of the offices of gaoler and door-keeper of the castle of Durham; having the offices for the term of his life, in person or by his sufficient deputy, for whom he would answer to the bishop and his successors; taking yearly for the offices from the bishop and his successors five marks, to be paid to him at the exchequer of Durham by the hands of the receiver there, at the terms of Easter and Michaelmas by equal portions; on condition that he take nothing from the bishop's tenants when they happen to be imprisoned for debts and rents, or from the tenants' beasts when impounded for debts and rents; receiving, however, all fees used and wont to the bishop's gaoler for/from whatsoever other cattle committed to the bishop's gaol; and John and his deputy are to be submissive to the bishop, his ministers and successors in all things pertaining to the office of gaoler as need be, and are well and faithfully to keep the gaol and those, clerks and others, committed thereto by the bishop, his ministers and successors, and the equipment (*instrumenta*) made for the safe-keeping of the said persons, and to answer to the bishop and his successors therefor; and John is to indemnify the bishop and his successors against escapes of prisoners, if any there be, and when they have been adjudicated upon by the justices of the bishop or his successors; further granting to John a servant's (*valettus*) robe whenever [robes are] granted to the bishop's other servants.

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

Date: Durham, 8 May, Pont. 6. [1443]

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

Date: Durham, 10 June 1443.

f.294v 14 June 1443

Bond by John prior and the chapter of Durham to Roger Thornton', squire, for £20 sterling borrowed from him and converted to the use of their monastery; to be paid to Roger or his undoubted attorney at Purification next to come.

Date: [Durham] 14 June 1443.

{ "Paid by John Gatesheued', bursar [and monk of Durham], and the seal broken" }

f.294v 14 June 1443

Bond by John prior and the chapter of Durham to Robert Thornton', squire, for £20 sterling borrowed from him and converted to the use of their monastery; to be paid to Roger or his undoubted attorney at Purification 1444.

Date: [Durham] 14 June 1443.

f.294v-295r [29 August] 1437

Bull by Eugenius [IV], pope, to Thomas Radcliff, bishop of Dromore, (i.e. the "true copy" of the bull on f.293r-v, showing a number of differences, including *diris guerrarum* (terrors/misfortunes of wars) for *viris guerrarum* (men of wars), and *ordinis fratrum heremitarum Sancti Augustini professor* for *ordinis fratrum Augustinensium professor*).

Date: Bologna, 4 Kal. September 1437.

f.295r-v 26 August 1443

Inspeximus by John prior and the chapter of Durham confirming the following grant
 Grant by letters patent by Robert, bishop of Durham, to his beloved servant Richard Burton' of the office of receiver of the issues and the payments of the bishop's lordship of Howden and Howdenshire; to be held for the whole of his life, in person or through his deputy; rendering yearly therefor to the bishop, his deputies or ministers, regular account of all payments and receipts coming into his hands, or received by him or his deputy from the issues, perquisites or profits of the said lordship; with the concession that Richard or his deputies be not charged with revenues [other] than those coming into his or his deputies' hands, but that he and his deputies be quit by delivery of the names of the bishop's debtors, without claim by the bishop or his executors; taking yearly from the bishop and his successors £10 from the revenues of the lordship, in equal portions at Michaelmas and Easter, by their own or their deputies' hands, and all other profits formerly pertaining to the office; with the bishop granting full power to carry out everything pertaining to the office, and ordering all his bailiffs, officers, and tenants of the lordship, and calling upon all his well-wishers there, to be of assistance to Richard and his deputies in executing their duties.

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

Date: Durham, 20 August, Pont. 6. [1443]

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

Date: Durham, 26 August 1443.

f.295v 29 November 1443

Presentation by John prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute Henry Brison', chaplain, in the vicarage of Earlston, vacant by the death of William Stychill', last vicar thereof; saving a yearly pension of 10 marks from the glebe thereof, due of old to the prior and chapter.

Date: Durham, 29 November 1443.

f.296r 19 February 1443

Inspeximus by John prior and the chapter of Durham confirming the following appointment
 Appointment by letters patent by Robert, bishop of Durham, of William Rakett as one of his auditors to hear and determine all accounts and reckonings of all and sundry receivers, sheriffs, escheators, bailiffs, reeves and his other ministers whomsoever, and all and sundry improvers, of the bishop's manors, boroughs, vills and mills accountable within his regality of Durham, Norham and Norhamshire, and his lordships of Allerton, Crayke and Howden; this office to be held for the term of his life; taking from the bishop and his successors, by the hands of the receiver of the exchequer of Durham, 100s in equal portions at Easter and Michaelmas as his fee in the office; and with expenses of 2s per day when he should happen to ride in the service of the bishop or his successors; with the bishop granting full power to carry out everything pertaining to the office, and ordering all his ministers and officers to be obedient to William in carrying out the foregoing.

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

Date: Durham, 22 September, Pont. 5. [1442]

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

Date: Durham, 19 February 1442/3.

f.296r 4 November [14]43

Presentation by John prior and the chapter of Durham asking James, bishop of St Andrews, or his vicar-general in distant parts, to institute John Loury, chaplain, in the vicarage of Edrom, vacant, as is said, by the death of Mr Henry Broune', last vicar thereof.
Date: Durham, 4 November [14]43.

f.296v 19 November 1443

Proxy by Richard Bell', sometime monk of Durham, to whom Henry VI, king of England, collated the priorate of York, Holy Trinity, and whom Robert Blythe', prior of Tickford, St Mary, vicar and proctor general and special of Peter, abbot of Marmoutier near Tours, instituted in the same priorate, appointing Mr John Marchall', canon of York, Mr Robert Ormesheued', advocate of the court of York, Mr John Gatesheued, monk of Durham, and Mr William Bysspham, proctor of the court of York, as his proctors to resign on his behalf the priorate of Holy Trinity.

Under the seal of the prior of Durham, because his own is unknown; with a statement by the prior recording that he affixed his seal at the request of Richard Bell.

Date: Durham, 19 November 1443.

Also DCD Reg. Parv. II, f.177v-178r.

f.296v 11 March 1441

Institution by Robert Blythe', prior of Tickford, St Mary, vicar, steward and proctor general and special of Peter, abbot of Marmoutier near Tours, of Richard Bell', monk of Durham, in the priorate of York, Holy Trinity, having been shown by letters patent of Henry VI, king of England, that the king has collated the said priorate, which is vacant and in his patronage, to Richard; approving the letters issued by the king for Richard's induction and instructing the monks of the said priory to vow obedience to him, admitting him as their prior.

Under his seal *ad causas*.

Date: York, 11 March 1440/1.

f.296v-297r 12 December [1442]

Quitclaim by Richard Bell', lately monk of Durham, and now released from his profession there, in favour of John Grene prior and the convent of the house or priory of York, Holy Trinity, and their successors, of all right and claim which he once had or might have in future to the said house or priory by reason of the gift of King Henry VI, made therefor by his letters patent, and of all actions, real or personal (&c) begun between them from the beginning of the world until the date of the presents, so that neither he nor anyone in his name might in future make any claim upon the priory or any part thereof by reason of the king's said gift.

Under the seal of John Wessyngton', prior of Durham, because his own is unknown; with a statement by the prior recording that has affixed his seal at the request of Richard Bell.

Date: [Durham ?] 12 December, 21 Henry VI.

Also DCD Reg. Parv. II, f.178v, dated 10 December 1443.

f.297r 13 December 1443

Memorandum that Richard Bell', in presence of the prior and convent congregated in the chapter house, read out and offered the prior in his own hand, a schedule by Richard Bell', sometime professed monk of Durham, subsequently licensed by the prior to accept the priorate of York, Holy Trinity, and by reason thereof being released from the prior's obedience, addressing John, prior of Durham, since he has lately renounced the said priorate, asking to be admitted to his former profession and original rank, and, since he was not released from his monk's profession by admission to the said priorate, repeating anew and promising his obedience in accordance with the rule of St Benedict in this monastery built in honour of the Virgin Mary and St Cuthbert.

Date: [Durham] 13 December 1443.

f.297r 13 December 1443

Testimonial by John, prior of Durham, for Richard Bell', recounting the collation of, licence to accept, institution in, and resignation of the priorate of Holy Trinity, to, for, of and by Richard Bell' [as on f.296v-297r], following his supplication for readmission to the monastery of Durham [as in the preceding memorandum] receiving and restoring him to his profession and to the original status in which he was before the prior granted him his licence.

Under the seals of the prior and the chapter, with a statement by the chapter recording that they have affixed their seal.

Date: Durham, 13 December 1443.

f.297v 17 November 1443

Licence by John, prior of Durham, ordinary of the spirituality of the liberty of St Cuthbert in Allerton and Allertonshire, to Robert, bishop of Durham, since, as he has learnt, certain of the bishop's commissaries have, by the bishop's authority, taken cognizance of a matrimonial case between Henry Preston', squire, plaintiff, and Margaret, daughter of Thomas de la More, defendant, brought and pending before the said commissaries, and have lawfully proceeded to some judicial acts therein; granting that the bishop or his deputed commissaries be able further to take cognizance of and bring to an end the said case, in the church of Allerton and whatsoever other places within the prior's jurisdiction, according to the form of actions already taken in the said case.

Date: (no place of issue), 17 November 1443.

Also DCD Reg. Parv. II, f.180r.

f.297v-298r 15 July & 22 November 1443

Notarial instrument of proxy and resignation recording that

Mr William Spreuer, LL.D., canon and prebendary of the collegiate church of Howden, appointed Mr John Lathum, clerk, N.P., as his proctor to resign in his name, in the hands of the archbishop of York, the canonry and prebend {of Skelton} which he then held in the said collegiate church, by reason of exchange for another benefice, with or without cure;

Witnesses: John Porter and William Aspur', clerks of Lincoln and York dioc.

Done: great hall of the lodging of John, cardinal priest (&c), archbishop of York, near Westminster, 15 July 1443,

and that subsequently Mr John Lathum, proctor aforesaid, assuming the burden of proxy, in a writing by John Lathum, clerk, proctor of William Spreuer', LL.D., canon and prebendary of Howden, whereby, for certain legitimate reasons, he resigns in William's name all charge and rule of the canonry and prebend which he holds in the collegiate church of Howden, and all title and possession therein, in the hands of John, cardinal priest (&c), archbishop of York. resigned the canonry and prebend in the hands of the archbishop.

Witnesses: Thomas Proctour, chaplain, and Robert Yarome, *literatus*, of York dioc.

Notary: William Saundir, clerk of St David's dioc., N.P. by apostolic authority (eschatocol recited).

Done: [great hall of the lodging of the archbishop of York, Westminster] 22 November [1443].

f.298r 25 December 1443

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 William Fallan', in the prebend and canonry of Skelton in the collegiate church of Howden, vacant by the resignation of Mr William Spreuer', LL.D., last prebendary thereof.

Date: Durham, 25 December 1443.

Related material in other DUL collections: Related letter: DCD Loc.XXV:53.

f.298r 10 December 1443

Quitclaim by John Grene prior and the convent of the house or priory of York, Holy Trinity, to Richard Bell', once professed as a monk of Durham and now released from his profession there, and the prior and convent of Durham, of all manner of personal actions, transgressions, suits, accusations and demands which they have or might have against Richard and the same prior and convent, by reason of injuries caused to them and their priory by the said Richard and expenses paid out by reason of a certain claim or title to their priorate, which Richard pretended to have by virtue of a certain gift of the king, from the beginning of the world until the date of the presents.

Sealed in their chapter house at York, 10 December 1443.

Original: DCD 1.2.Ebor.1.

Other copies: DCD Reg.Parv.II, f.179v-180r; Cart.III, f.i.47v.

f.298r-v 29 October 1443

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Antony, sometime bishop of Durham, to Walter de Robery for his homage and service of thirty-four acres of waste in the moor of Quarrington, extending on the west to the field of Croxdale and on the east to the high road leading from Tursdale towards Durham, and on the north to the moor of Shincliffe, and on the south to the moor of Tursdale at *Brademerebeche*, as enclosed by ditches [but see below]; to be held of the bishop and his successors by Walter, his heirs and assigns, in perpetuity; rendering therefor yearly to the bishop and his successors 8s 6d at the exchequer of Durham at the four appointed terms, for all service, suit of court and mill, customs, exactions and demands; granting also that Walter, his heirs and assigns may hold enclosed [?: *includant*] the said thirty-four acres and have them in their severalty at all times of the year.

Witnesses: Ranulf de Nevill', Robert de Hilton', John Marmeduk', Robert de Lomeley, Guichard de Charron', Walter de Wessyngton', Philip de la Ley, knights; Peter de Herdewyk', Richard de Hacte, Walter de Lutryngton', Peter de Tuddehow.

Date: Durham, 6 Id. January [8 January] 1299/1300.

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

Date: Durham, 29 October 1443.

Printed *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.56-57, giving references to other copies, but not DCD 3.3.Pont.2 and 1.14.Spec.27 paragraph 5.]

f.298v-299r 8 February 1434

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, to William Clerk, his faithful servant, of warden and gate-keeper of the manor of Allerton, and bailiff errant of the manor, lordship and liberty of Allerton and Allertonshire; to be held by William in person or by his sufficient deputy, for whom he would respond, for the term of his life; receiving 4s and 4 qtrs 4½ bushels of wheat yearly for the office of warden and gate-keeper from the bishop and his successors at the anciently appointed terms, by the hands of the receiver of the said manor, lordship and liberty, just as others having the said office have been accustomed to receive; and for the office of bailiff errant receiving the wages and fees pertaining to the said office; along with all other profits belonging and used to the said offices; and also each year at Christmas, for the term of William's life, a servant's (*valettus*) robe, or 8s in name of the robe, to be paid by the hands of the said receiver. By the hand of Robert Beamont [*sic*], clerk, the bishop's chancellor.

Date: Durham, 5 February, Pont. 6 [1444 by temporalities dating].

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

Date: Durham, 8 February 1443/4.

f.299r-300r 20 January 1444

Grant by indenture by Robert Nevill', bishop of Durham, and Nicholas Hulme', clerk, master of the manor of Lazenby and of St Mary's chapel there, with consent of the cathedral church of Durham and the chapter thereof, and by royal licence, to John abbot and the convent of Jervaulx since John Lythgraynes and Alice his wife granted their whole manor of Lazenby for the construction and foundation of a chapel there, and to Walter de Preston', then master of the said manor and chapel, and his successors, for the maintenance of six chaplains there [see charter copied in a notarial instrument entered in Reg. II, f.322r-v; calendared in *Records of Antony Bek*, ed C.M. Fraser (Surtees Society 162, 1953), p.28-29]; and Robert, bishop of Durham, had the said charter presented to him, from which, and from the clamour (*applausus*) of the neighbourhood, he learnt that the chapel had not been served with the chaplains thus far, nor could be served in accordance with the form of its ordinances, for the reason that John and Alice, the founders, intended while they lived to seek further support, above and beyond the said manor of Lazenby, through which, along with the revenues of the manor, the chaplains and the burdens specified in the charter ought to have been supported; but, with death intervening, they were unable to carry out what they intended, leaving their ordinance unfulfilled;

and the bishop also found out, by the same testimony, that the manor of Lazenby was worth 26 marks in common years, and so was unable to support the chaplains and burdens aforesaid; that because of this inadequacy the chapel had been served by a single chaplain since its foundation, or by a substitute in his absence, and had often been left unserved; and the bishop and Nicholas, considering this state of affairs, having taken advice, and wanting to satisfy the wish of the founders so far as they could, by licence of Henry VI, king of England, ordained a chantry, to be called the chantry of Lazenby, of two secular chaplains to celebrate for the health of the said king, for his soul after his death, for the souls of the said John and Alice, of the late king Edward I and his heirs, and of Antony, late bishop of Durham, in perpetuity; with the bishop and his successors appointing the chaplains and, if need be, removing them for their failings and replacing them; and with the chaplains, on the day of their entry, swearing to to their personal residence there, fealty to the chantry in all things, and to keep the chalices, books, vestments and other ornaments and goods safely and faithfully; of the said manor, to be held by the abbot and convent and their successors, of the said bishop and his successors, in pure alms, for the provision, maintenance and support of the said two chaplains, the chantry, and the other burdens and good works defined by the bishop and Nicholas in the manner following: the abbot and convent and their successors are to celebrate the anniversary or obit of John Lythgraynes and Alice every year on 10 March, in perpetuity; they are to pray in their masses, vigils and other intercessions for the king's health and the souls recommended in the said charter; they are to pay fourteen marks to the two chaplains annually for their maintenance, namely seven marks each, in equal portions at the two terms; if a chaplain absent himself from the manor for more than a month, with another chaplain having not been put in his place, during the absence money is to be deducted *pro rata* from the salary after the said month has passed and paid to the poor religious men of Allerton by the hands of the chaplain who is present in the chapel, by mandate of the bishop of Durham; the abbot and convent are to provide in the chapel and elsewhere in the said manor all necessities for the celebration of divine service by the chaplains, maintaining and repairing the chapel at their own expense and suitably fitting it out and adorning it, in perpetuity;

and if it happen that the abbot and convent or any of their successors fail in their prayers for the obit aforesaid in their masses, or the salary of either chaplain be unpaid or in arrears at an appointed term, or the chapel stand ruined or defective for a fortnight for want of [the attention] of the abbot and convent, or any other burden be not performed by the abbot and convent, it shall be allowed to the bishop and Nicholas to distrain for things not carried out, and to retain goods seized until satisfied over the causes for seizure, and better attention to the presents be agreed with them; providing that if the manor be taken from the abbot and convent or their successors by lawful entry or recovery, without fraud or deceit, the abbot and convent and their successors are to be discharged of all the burdens contained in the presents, in perpetuity; founding the said chantry by the presents, by virtue of the king's said licence;

with the bishop ordaining that the abbot and convent, in person or through their servants or the said chaplains, in no wise attack the jurisdiction in Lazenby of the bishop or of the prior and chapter of Durham, by reason of the said grant; and if they should infringe the foregoing jurisdiction, the bishop and the prior and chapter are to be able to punish the delinquents with ecclesiastical censures and canonical coercion; saving the rights, privileges, customs, tithes (&c) of the bishops of Durham, their cathedral church and the prior and chapter thereof, and of the parish church of Northallerton in all things; with the abbot and convent, for themselves and their successors, by this present writing, renouncing everthing which might tend or yield in prejudice of the bishops of Durham and the prior and chapter thereof and their successors and to the injury of the premises. One part bearing the seals of the bishop and Nicholas, and the other part the common seal of the abbot and convent of Jervaulx.

Witnesses: Richard Nevill', earl of Salisbury'; George Nevill', William Fytzhew, barons; Thomas Lumley, Alexander Nevill', knights; William Askew, James Strangways', Christopher Conyers, John Conyers, Ralph Phitzrandolf, William Routh', Robert Danby, squires.

Date: (no place of issue), 20 January 1443/4.

f.300r 14 February 1444

Confirmation by John prior and the chapter of Durham confirming the foregoing grant saving the indemnity of their church of Allerton in rights, liberties, tithes, offerings (&c), and their jurisdiction in Lazenby and its precincts, in all things.

Date: Durham, 14 February 1443/4.

f.300v 17-18 February 1444

Agreement between the prior and chapter of Durham, having the parish church of Northallerton to their own use, and the abbot and convent of Jervaulx, having the manor and chantry of Lazenby, within the bounds of the said parish church and its tithe area, thereof, that the prior and chapter and their successors, and the current vicar [of Northallerton] and his successors will take and have 40s yearly from the abbot and convent of Jervaulx and their successors, in name of the tithes, mortuary dues and other church revenues of the domain of Lazenby or elsewhere within the area of the manor of Lazenby, from whatsoever persons living and dead, accustomed to be paid to the prior and chapter or the vicar, in manner following:

the abbot and convent aforesaid are bound to pay the said sum to the vicar of Northallerton, in name of the prior and chapter, at the terms of St Mark and Michaelmas in equal portions, beginning at Michaelmas next after the date of the presents; and the prior and chapter will consider themselves quit of making the payment to the vicar; and if the abbot and convent happen to be behind with the payment for forty days following any term, the prior and chapter are to be allowed to sequester all and sundry fruits, offerings and emoluments of the said place, from which the sum owing and its arrears might be raised, with the remainder exempt from sequestration, and to commit them to safe-keeping until there be satisfaction of the said sum and its arrears;

with this modification observed, that if the abbot and convent do not make satisfaction of the sum and arrears within eight days thereafter, the prior and chapter are to be allowed to have the revenues held in safe-keeping valued by the judgement of two good men, sworn for this purpose, and to sell the fruits, obventions and emoluments thus valued and retain the sum owed, with any surplus to be refunded to the abbot and convent; and, in the event that the sale should proceed as recited above, the abbot and convent are to pay the prior and chapter a penalty of 3s 4d in addition to the sum owed, for all damages and expenses, which they are bound to pay as often as a case such as this should occur.

Sealed alternately, with the common seal of the abbot and convent on the part remaining with the prior and chapter, and the common seal of the prior and chapter and the seal of John Thornton', vicar of Northallerton on the part remaining with the abbot and convent.

Date: Jervaulx, 17 February 1443/4; Durham, 18 February 1443/4.

Related material in other DUL collections: Related letter: DCD Loc.XXV:41.

f.300v-301r 25 February 1444

Presentation by John prior and the chapter of Durham asking Robert, bishop of Durham, or his vicar-general in distant parts, to institute William Hunter in the vicarage of Branxton vacant by the resignation of Thomas, bishop of Dromore, last vicar thereof.

Date: Durham, 25 February 1443/4.

f.301r 5 March 1444

{ Memorandum } that at the 3rd hour after mid-day {in the registry of the prior and chapter of Durham} Robert Westmerland, [monk of Durham and] proctor of the prior and chapter, in presence of John Berhalgh', N.P., John Dale, page (*domicellus*) to the prior of Durham, Thomas Coken', and William Undirwode, delivered the mandate underwritten to Thomas Clough', agent and nuncio of the prior and chapter, specially sworn before the said notary and witnesses to execute the same mandate and to certify the prior and chapter of the execution and delivery thereof as soon as he should be able to return; 5 March 1443/4.

f.301r 5 March 1444

Citation by John prior and the chapter of Durham to William Partrike, prior of the cell of Lytham, instructing him to come in person to be with them in Durham on 3 April next to come, to treat with them on certain difficult and pressing business touching them and their monastery; informing him that they intend to place full trust in the bearer of the presents concerning the delivery thereof to him, and that they will proceed against him for disobedience and contempt of this mandate, according to common law and the statutes of the rule, should he care not to appear at the said date and place.

Under the other part of the common seal.

Date: Durham, 5 March 1443/4.

Draft: DCD Loc.IX: 20.

Another copy in: DCD Loc.IX: 20*.

Discussed in R.B. Dobson, *Durham Priory: 1400-1450*, (Cambridge 1973), p.332.

f.301r 5 March 1444

Citation by John, prior of Durham, to William Partrike, prior of the cell of Lytham, instructing him, once he has seen the presents, to come in person to be with him in Durham on 3 April next to come, to treat with him and other fellow monks of the chapter on certain difficult and pressing business touching them and their monastery; informing him that he intends to place full trust in the bearer of the presents concerning the delivery thereof to him, and that he will proceed against him for disobedience and contempt of this mandate, according to common law and the statutes of the rule, should he care not to appear at the said date and place.

Date: Durham, 5 March 1443/4.

Also DCD Reg. Parv. II, f.182r-v.

f.301r-v 6 April 1443

Proxy by John prior and the chapter of Durham to Robert Westmerland [monk of Durham] without revoking the power of their other proctors, appointing him as their proctor to show whatsoever their writings or muniments, to copy, make known (*insinuand'*) and exemplify them before whatsoever competent judge in this regard, and to ask of such a judge that such writings and muniments be transcribed and copied (&c).

Date: Durham, 6 April 1443.

f.301v 17 July 1443

Commission by John, prior of Durham, archdeacon of the churches in Northumberland appropriated to him and the chapter of Durham, to Thomas Ayre, [monk of Durham and] prior of the cell of Holy Island, and Mr William Neuton', LL.B., vicar of Bywell St Peter, creating them keepers of his archidiaconal jurisdiction in the said appropriated churches, namely Holy Island, Norham, Ellingham, Edlingham, Branxton, Bedlington and Bywell St Peter, and their dependent chapels, to proceed with (&c) all business, suits and matrimonial cases arising in and concerning his jurisdiction; giving them full power to carry out all and sundry things pertaining to his jurisdiction until he should see fit to revoke the same; providing that Thomas determine and decide matrimonial and divorce cases, and other serious and difficult cases, with the advice of his colleague or another jurist; revoking all other commissions previously made by him concerning the foregoing.

Date: Durham, 17 July 1443.

Also DCD Reg. Parv. II, f.172r-v.

f.301v-302r 9 March 1444

Notarial instrument recording that Robert Westmerland, monk of Durham and proctor of the prior and chapter of Durham, as sufficiently demonstrated to the notary, in name of the said prior and chapter made, read and interposed a written appeal by him, Robert Westmerland, as lawfully constituted proctor of the prior and chapter of Durham, stating that, although the prior and chapter are of good reputation and under no sentences (&c), and the prior has possessed the priory with its rights and appurtenances for a long time, and possesses the same at present; fearing, from plausible reasons, that prejudice may be engendered in future concerning the position of the prior and chapter, their right and property in the church of Durham, their appropriated churches and chapels, their dependent cells, in particular their cell or priory of Lytham, and all their jurisdictions, privileges and customs; and lest anyone by whatsoever authority or mandate, even if episcopal, or by any dignity, jurisdiction or power be able to gain anything against the position of the prior and chapter in the foregoing (&c) and attempt anything prejudicial to the prior and chapter (&c); he appeals to the apostolic see and for the protection of the court of York, subjecting the prior and chapter, himself in their name, his and their adherents and those wishing to adhere to him and them, their rights, privileges, goods (&c) to the protection of the said see and court; declaring that, if need be, he wishes to alter the present appeal and put it into more proper form, and to notify those concerned of a suitable time and place therefor.

Witnesses: William Killynghall, gentleman, Thomas Coken', William Shirburn', and John Dale, *literatus*, of Durham dioc.

Done: nave of Durham chathedral, 9 March 1443/4.

{ "the appeal was not in this form, but in the better [form] on the second folio below" }

f.302r 1 April 1444

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 Mr Robert Beaumont, canon of Salisbury, in the church of Brantingham, vacant by the resignation of Mr Robert del Hay, last rector thereof; saving a yearly pension of ten marks owed of old therefrom to the prior and chapter and their monastery.

Date: Durham, 1 April 1444.

Related material in other DUL collections: Related letter: DCD Loc.XXV:68 and 75.

f.302r-v 2 April 1444

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by Robert, bishop of Durham, to Robert del Hay, LL.B., for his merits, and as a reward after his labour, of a yearly pension of twenty-five marks from the fruits, revenues and emoluments of the church of Egglescliffe, to be paid in York minster by equal portions at the terms of Michaelmas and Easter, beginning at Michaelmas next after the date of the presents, for as long as he should continue living; making the grant as patron and ordinary of the church, by his ordinary authority and with the consent of the prior and chapter of Durham and of Thomas Bellyngham, current rector of Egglescliffe, submitting himself and his church to the bishop's ordinary authority; ordaining that the same church, with consent as before, be tributary (*censualem*) to Mr Robert del Hay with regard to payment of the pension, so long as he live; imposing the burden of payment of the pension upon Thomas Bellyngham, rector, and his successors, to be made at their expense; decreeing that Thomas Bellyngham, for the time that he should be rector of the said church, and his successors as rector give their personal bodily oath, at their admission, to make the foresaid payment faithfully, at the place, in the manner, and at the terms aforesaid.

Fortified with the seals of the bishop and of the prior and chapter.

Witnesses: William Hyndirskelfe and John Kennt, chaplains, Henry Preston' and Hugh Legh', squires.

Given under the bishop's seal *ad causas* [a second sealing clause].

Date: (no place of issue), 31 March 1444.

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

Date: Durham, 2 April 1444.

f.303r 2 March [?1444]

Letter [by Henry VI, king of England] [to the prior of Durham] informing them that he knows certain persons have annuities out of the livelihood of the cathedral church and the monastery of Durham, by written grant of the bishop of Durham; and that these persons have asked [the prior] for confirmation of these written grants under the common seal; advising him that to meet the desires of these persons would not be in their interests, and for other unspecified reasons besides instructing him not to give confirmation of any such *newe invencions*, either for favour or dread of any person of whatever estate, since this would be a preparative means of subverting him and all the religious of their monastery, a perilous example, most likely, to others hereafter, and would incur the king's great displeasure.

Date: manor of Sheen, 2 March.

Language: English

Also DCD Reg. Parv. II, f.187v-188r, with recipient identified.

f.303r 3 April 1444

Quittance by John prior and the convent of Durham to Elizabeth, widow and executrix of Thomas Holden', squire, for receipt of all goods left and assigned to them and their monastery of Durham in the testament of the same Thomas, wherefore they discharge her and her executors in perpetuity; releasing her and her executors from all legal actions which they have raised or might raise against them by reason of the testament, or of any agreement, contract, rendering of account, debt or otherwise, from the beginning of the world until the date of the presents.

Under the other part of their common seal.

Date: Durham, 3 April 1444.

f.303r-v 9 March 1444

Notarial instrument recording that Robert Westmerland, monk of Durham and proctor of the prior and chapter of Durham, as sufficiently demonstrated to the notary, in name of the said prior and chapter made, read and interposed a written appeal by him, Robert Westmerland, as lawfully constituted proctor of the prior and chapter of Durham, stating that, although the prior and chapter are of good reputation and under no sentences (&c), and the prior has possessed the priory with its rights and appurtenances for a long time, and possesses the same at present; fearing, from plausible reasons, that prejudice may be engendered in future concerning the position of the prior and chapter, their right and property in the church of Durham, their appropriated churches and chapels, their dependent cells, in particular their cell or priory of Lytham, and all their jurisdictions, privileges and customs; and lest anyone by whatsoever authority or mandate, even if episcopal, or any dignity or power be able to gain anything against the position of the prior and chapter in the foregoing (&c) and attempt anything prejudicial to the prior and chapter (&c); he appeals to the apostolic see and for the protection of the court of York, subjecting the prior and chapter, himself in their name, his and their adherents and those wishing to adhere to him and them, their rights, privileges, goods (&c) to the protection of the said see and court; declaring that, if need be, he wishes to alter the present appeal and put it into more proper form, and to notify those concerned of a suitable time and place therefor.

Witnesses: William Killynghall, gentleman, Thomas Coken', William Shirburn', and John Dale, *literatus*, of Durham dioc.

Notary: Richard Prentys, priest of York dioc., N.P. by apostolic and imperial authority (eschatocol recited).

Done: nave of Durham chathedral, 9 March 1443/4.

Slightly modified form of the precautionary appeal on f.301v-302r, differing mainly in its longer list of prejudicial actions which might be taken against the prior and chapter and their rights, and in the identification of the notary.

Original: DCD Loc.XXI:32.

f.304r-v 7 May 1444

Notarial instrument recording that Robert Westmerland, monk of Durham and proctor of the prior and chapter of Durham, as sufficiently demonstrated to the notary by their mandate of proxy, in name of the said prior and chapter made, read and interposed a written appeal by him, Robert Westmerland, as proctor of the prior and chapter of Durham, stating that, although the prior and chapter and their predecessors have for ten, twenty, thirty, forty, fifty, sixty years and more, and time out of mind, been in possession and are in possession of the right of presenting suitable persons to the bishop of St Andrews for institution in the vicarages of the churches of Berwick, Fishwick, Ednam, Edrom, Old Cambus, Lamberton, Earlstoun, Swinton, and Stichill, appropriated to them and their church of Durham, as shown by grants, indults, privileges, confirmations and compositions concerning the foregoing, which grants (&c) the proctor wishes to be held as invoked and entered in the present appeal; James, bishop of St Andrews, has daily refused to admit, just as he now resists (*renitet*) admitting, suitable persons presented to him by the prior and chapter for institution in the said vicarages, but unjustly intrudes others into these vicarages; and in particular he has refused and refuses now to admit John Loury, priest, to the vicarage of Edrom on presentation by the prior and chapter, and has intruded another therein; manifoldly attacking the title of the prior and chapter to these vicarages, to no little prejudice and damage to their right; he appeals to the apostolic see, subjecting the prior and chapter, himself in their name, his adherents and those wishing to adhere to him in this regard; declaring that, if need be, he wishes to alter the present appeal and put it into better and more proper form; and swearing that thus far ten days have not elapsed since the foregoing injuries, or any of them, were first made known to him. and asked the notary to draw up a public instrument upon the foregoing. Witnesses: John Holme, gentleman, Thomas Balkoke, William Undirwode, and John Dale, *litteratus*, of York and Durham dioc.

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

Done: nave of Durham cathedral, 7 May 1444.

?Draft: DCD Misc.Ch. 429.

f.304v 10 May 1444

Commission by John prior and the chapter of Durham, ordinaries of the spirituality of the liberty of St Cuthbert in Howden and Howdenshire, appointing Mr John Marchall', LL.B., canon of York, as their official or keeper of the spiritual jurisdiction of the said liberty, giving him power to act in their name in all legal proceedings brought by him *ex officio* or at the instance of parties, and in matrimonial cases and all others pertaining to the prior and chapter by reason of their jurisdiction there; to inquire into, punish, correct and reform failings of things and persons there; to carry out all things belonging to their jurisdiction; and giving him power of canonical coercion therefor; to endure at their pleasure.

Date: Durham, 10 May 1444.

f.304v-305r 7 May 1444

Proxy by John prior and the chapter of Durham appointing Alexander Home, knight, John Pencher, monk of Durham and John Loury, chaplain, as their proctors with general power and special mandate to give notice to those whom it might concern of whatsoever appeals interposed by the prior and chapter, as often as need be to ask for letters of authorization upon their appeals interposed at the apostolic see or Roman *curia*, and to treat with whatsoever adversaries upon the grievances contained therein.

Date: Durham, 7 May 1444.

{ "proxy of the prior and chapter for giving notice to the bishop of St Andrews of the appeal interposed concerning the right of patronage of churches within the kingdom of Scotland" }

Cf. f.304r-v above.

f.305r 11 May 1444

Monition by the commissary-general of the official of the con[sistory court] of Durham, giving notice that, on a petition by Robert Westmerland, monk of Durham and proctor of the prior and chapter of Durham, he has judicially decreed that certain evidences concerning the priories of Lytham and Coldingham are to be transcribed by him, warning all who consider they have an interest in this matter that they should appear before him in the Galilee of Durham cathedral on Saturday next before St Dunstan and propose reasonable cause why he should not proceed with the said transcription; and intimating that he will proceed with the said business whether or not they appear at the said date and place.

Under the seal of the said officiality.

Date: (no place of issue), 11 May 1444.

{ "schedule affixed to the doors of Durham cathedral..." }

f.305r 21 May 1444

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

Date: Durham, 21 May 1444.

Related material in other DUL collections: Related letter: DCD Loc.XXV:154.

f.305r-v 1 June 1444

Proxy by John, prior of Durham, appointing Mr John Burnby, monk of Durham, S.T.P., as his proctor and excusator to attend and act for him at the provincial chapter, to be held by apostolic authority at Northampton, on (blank) July next to come, and to swear to the truth of his excuses; since he is unable personally to be present, being prevented by the infirmity of age and illness, which afflict him daily.

Date: Durham, 1 June 1444.

Also DCD Reg. Parv. II, f.186r-v.

f.305v-306r 6 June 1444

Proxy by John prior and the chapter of Durham appointing John Gatesheued', monk of Durham, as their proctor in all causes and business concerning them or their church of Durham, and the priory of Lytham, against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often as and when necessary; giving him general power (described, including authority to obtain apostolic letters of grace at the Roman *curia*, and to gainsay letters obtained against them) to act in their name and in name of their church and the said priory, and general and special power to arrange loans, with whatsoever persons, up to the sum of £40, to be turned to the use of the prior and chapter and their church, and to bind the prior and chapter and their successors to the repayment thereof.

Date: Durham, 6 June 1444.

f.306r 16 June 1444

Inspeximus by John prior and the chapter of Durham confirming the following grant
Grant by letters patent by Robert, bishop of Durham, since Adam Emereson', to whom Walter, late bishop of Durham, had granted the keeping of half the park of Stanhope for life, surrendered his letters patent for cancellation and his title (*status*) for his office to the bishop in his chancery, to John Emereson', son of Adam Emereson', of the keeping of half the park of Stanhope, to be held for the term of his life, in person; taking 2d per day from the bishop and his successors for the keepership, to be paid by the hands of the master forester at the usual terms; and moreover that John be able to have ten beasts and two horses grazing and depasturing in the said park, excepting the meadows reserved separately to the bishop's use; and that during his life he should take five wagon-loads of hay yearly in the park, at his own cost, by assignment of the master 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, 2 August, Pont 5. [1442]

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

Date: Durham, 16 June 1444.

f.306r-v 11 August 1444

Letters of confraternity by John prior and the chapter of Durham to John Portyngton', justice of the king of England, noting the affection of his devotion and the sincerity which he has had and has towards their monastery of Durham, as they know from experience in their business, admitting him to the spiritual confraternity of the chapter of Durham, and granting him special participation in all masses, prayers, vigils, fasts, (&c) in the monastery of Durham and its dependent cells, in perpetuity; and in perpetuity after his death, when this has been with certainty made known to them, performing the intercessions customary for other deceased brothers.

Date: Durham, 11 August 1444.

f.306v 11 August 1444

Letters of confraternity by John prior and the chapter of Durham to Robert Rodes, squire, wishing to repay the completeness of his sincere affection towards their monastery of Durham, which has not perished over time but flourished (&c), admitting him to the spiritual confraternity of the chapter of Durham, and granting him special participation in all masses, prayers, vigils, fasts, (&c) in their monastery and its dependent cells, in perpetuity; and in perpetuity after his death, when this has been with certainty made known to them, performing the intercessions customary for other deceased brothers.

Date: Durham, 11 August 1444.

f.306v September 1444

Licence by John prior of Durham with consent of his fellow monks for John Pencher, monk of Durham, in the priestly order, to go to the apostolic see for the difficult business to be pursued concerning the monastery of Durham and its cells of Coldingham and Lytham, and to remain there as long as required, unless he should receive other instruction from them; providing that he return to them as swiftly as possible [“celebritate”*recte*“celeritate”], and charging his conscience therewith; and begging that those to whom the presents come, led by charity, show favour to John, both at the *curia* and on his journey.

Date: Durham, (blank) September 1444.

Also DCD Reg. Parv. II, f.188v, and printed from there in *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.152-153.

f.306v-307r 5 March [1444]

Mandate [by John prior and the chapter of Durham] {to Th[omas] Qwele and John Rihall' [monks of Durham]} informing them that they are sending the following citation
Citation by John prior and the chapter of Durham to William Partrike, prior of Lytham, as f.301r above.

Date: Durham, 5 March 1443/4.

ordering them to give assistance to the bearer of the presents in the delivery of the said mandate, and to send letters of certification concerning the delivery, according to the nature of the business and the truth of the matter, with the advice of John Berhalgh'.

Written: Durham, 5 March.

Also DCD Reg. Parv. II, f.182r.

f.307r 15 March 1444

Appointment by John, prior of Durham, ordinary of the spirituality of St Cuthbert in Howdenshire, to Robert Shireff Barbour, deputing him to the office of apparitor of the spirituality of the collegiate church of Hemingbrough, to cite, warn, certify and call all and sundry the prior's subjects there when and as often, by report of public opinion, they be suspected of a crime, to appear before the warden of the spirituality or his commissary, at certain dates and places assigned by Robert, to receive what justice will recommend; and to carry out all things which pertain to the office according to the mandate of the warden or his commissary; to endure at the prior's will only.

Date: Durham, 15 March 1443/4.

Also DCD Reg. Parv. II, f.182v.

f.307r-v 7 May 1444

Lease by indenture by John, prior of Durham, with the consent and assent of John, prior of Coldingham, to Alexander Home of Dunglass, knight, and his son and heir Alexander Home, and to the longer lived of them, of the vill of Old Cambus with its demesne lands, with free ingress and egress thereto, excepting woods, warrens, wardships, marriages, reliefs, escheats, mines, rents, services of free tenants, and all other profits pertaining to the superior lordship there; to be held by Alexander and Alexander from Whitsun next to come for the term of forty years, so long as they happen to live; rendering therefor £13 6s 8d Scots yearly to the prior of Coldingham and his successors at the two terms of the year by equal portions, at Coldingham, with the first term of payment beginning at Whitsun next after the date of the presents; and if the said farm of £13 6s 8d be in arrears in whole or in part for a half year after any term on which it be due, or if Alexander and Alexander, or either of them, their tenants or farmers there cut down the wood or underwood growing within the said lands and lordship without assignment of the prior of Coldingham or his deputy, unless they make reasonable amends within forty days, the prior and his successors and the prior of Coldingham are to be allowed to re-enter the said vill and demesne lands and possess them as originally; and if Alexander and Alexander make repairs to the houses or tenements there, they are to have the necessary timber by delivery of the prior of Coldingham or his deputy, so long as timber can be found in the lordship of Old Cambus; and, if Alexander and Alexander die within the term of forty years, the prior of Coldingham is to have his heriot (*heriell*) from either of them and the term of forty years is to cease from that time; and Alexander and Alexander are not to build a castle, fortalice, tower or fensible house within the vill and lordship of Old Cambus by which any harm might be brought to the king of England, his town of Berwick, or his lieges or subjects whomsoever; and, if war should arise between the kingdoms of England and Scotland during the said term, Alexander and Alexander are to have reasonable allowance for damage by reason thereof, according to the custom of the country.

Sealed alternately.

Date: Durham, 7 May 1444.

Printed: *The Priory of Coldingham*, [ed J. Raine] (Surtees Society 12, 1841), p.150-151, from another copy in DCD Reg. Parv. II f.184.

f.307v-308r 20 May [1444]

Certification by John, prior of Durham, to Hugh, abbot of Whitby, visitor &c, as below, or his commissaries in that respect, one or more, reciting the following citation, received on 20 April last past

Citation by Hugh, abbot of Whitby, visitor of Benedictine houses in the province of York, specially deputed by authority of the provincial chapter of the black monks in England, last held at Northampton, to the prior and convent of Durham informing them that he intends to visit them in their chapter house on 25 May next to come, with continuation and prorogation of days following, requiring them to be present in person before him or his commissaries at the said date and place, enjoining the prior to cite or cause to be cited all his fellow monks, who ought by right or custom to be present at the visitation, to appear in person at the said date and place to do, receive and accept all and sundry things which the office of visitation demands; and instructing the prior to send certification, by his letters patent incorporating the contents of the presents, as to what he shall have done or determined to do in the foregoing, along with the names of his fellow monks, present and absent, as aforementioned, at the said date and place.

Date: Whitby, 2 April 1444.

and stating that he has obeyed and will obey the said letters, and has had all his fellow monks cited to be present at the visitation, the names of whom are affixed to the presents.

Date: Durham, 20 May.

Also DCD Reg. Parv. II, f.184r-v.

Original (citation): Canterbury Cathedral Archives, DCc/Ch Ant W202A.

f.308r 30 November 1444

Release by indenture by John abbot and the convent of Blanchland, to John prior and the convent of Durham although John prior and the convent of Durham have paid to the abbot and convent and their successors an annual rent of 15s from a burgage of theirs in the borough of Elvet, lately belonging to Simon Alman', at certain terms, the abbot and convent have granted the said rent to the prior and convent for repair and improvement of the said burgage from Martinmas last for the six years following, without any render therefor except a penny given to the abbot and convent at Christmas each year for continuation of seisin; with the 15s being paid to the abbot and convent as accustomed to be paid, in perpetuity, after the completion of the six years; with the abbot and convent remitting to the prior [and convent] all arrears from the said burgage, so that they may by no means be claimed by the abbot and convent in perpetuity.

Sealed alternately.

Date: (no place of issue), 30 November 1444.

Also DCD Reg. Parv. II, f.187r-v, dated 1443; 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.636.

f.308r-v 2 September 1444

Inspeximus by John prior and the chapter of Durham confirming the following confirmation
 Confirmation by Robert, bishop of Durham, of the following letters.

Letters by Richard Corston', warden of the hospital of St James, near Northallerton, and the brethren and sisters thereof, with the will and assent of Thomas, bishop of Durham, for William Bedford', for his service to the bishop and the hospital, admitting him as a brother of the hospital, and granting him suitable quarters and food and drink in the hospital, and 13s 4d yearly to be taken from the hospital revenues for his clothing, as the other brothers and sisters receive and have been accustomed to have; to be held for the term of his life, providing that he bear the burdens incumbent upon him according to the ordinances of the hospital.

Date: hospital of St James near Northallerton, 3 October 1437.

Under the bishop's seal *ad causas*.

Date: manor of Auckland, 14 July 1444.

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

Date: Durham, 2 September 1444.

f.308v-309r 6 September 1444

Notarized proxy by John prior and the chapter of Durham appointing Andrew Holes, D. Dec., whether absent or present, and John Pencher, monk of Durham, present and expressly agreeing, as their proctors (short of revoking their other proxies), in all causes moved or to be moved concerning the prior and chapter, their church, and its dependent priories of Coldingham and Lytham, and especially in the cause of the appeal interposed at the Roman *curia* by the prior and chapter against the bishop of St Andrews, and for their right and interest in the said priories against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often as and when need be; authorizing the proctors to obtain papal letters of grace or justice for them in the papal *curia* and to pursue the revocation of papal letters obtained against them, and giving the proctors general power, described, to act in their name.

Under the common seal and with the notary's subscription.

Notary: John Berhalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited, including note of a correction).

Witnesses: John Holme', Thomas Broxfeld', Thomas Coken', and William Shirburn', of York and Durham dioc.

Date: Durham, 6 September 1444.

f.309r-v 6 September 1444

Notarized proxy by John prior and the chapter of Durham appointing Andrew Holes, D. Dec., whether absent or present, and John Pencher, monk of Durham, present and expressly agreeing, as their proctors (short of revoking their other proxies), in all causes moved or to be moved concerning the prior and chapter, their church, and its dependent priories of Coldingham and Lytham, and especially in the cause of the appeal interposed at the Roman *curia* by the prior and chapter against the bishop of St Andrews, and for their right and interest in the said priories against whatsoever persons secular or regular, before whatsoever judges ordinary or delegate, at whatsoever dates and places, as often as and when need be; giving the proctors general power, described, to act in their name.

Under the common seal and with the notary's subscription.

Notary: John Berhalgh', clerk of Durham dioc., N.P. by apostolic and imperial authority (eschatocol recited, including note of an interliniation).

Witnesses: John Holme', Thomas Broxfeld', Thomas Coken', and William Shirburn', of York and Durham dioc.

Date: Durham, 6 September 1444.

(Virtually identical to the preceding entry apart from the omission of the power to seek and gainsay papal letters of grace.)

Original: DCD Loc.XXI:50(8).

f.309v 6 September 1444

Quitclaim by John prior and the chapter of Durham to the mayor and community of citizens of the city of York, and their successors, of the whole of their right of lodging (*hostilagium*) which they have or might have in the whole of their messuage in Coney Street, York, in which the court-house or guildhall of the city is situated; namely that neither they nor their successors, nor their monks, servants or anyone of their or their successors' household, will be able to claim any lodging in the same messuage or any part thereof henceforward, being excluded therefrom in perpetuity by the presents; saving a certain annual rent of one stone of wax derived from the said messuage, which the mayor and community were accustomed to pay yearly to the prior and chapter and their predecessors at St Cuthbert in September.

Date: Durham, 6 September 1444.

f.309v-310r 17 & 8 September 1444

Grant by indenture by the mayor and community of the citizens of York to the prior and convent of Durham confirming to them a certain annual rent of a stone of wax or 4s at St Cuthbert in September, which they have had of old from the mayor and community's messuage in Coney Street in which the court-house or guildhall of the city is situated; to be taken from the mayor and community and their successors or from the said messuage, in perpetuity; and if the annual rent be in arrears in whole or in part twenty days after the said feast of St Cuthbert in any coming year, the prior and convent and their successors are to be allowed to distrain upon the whole of the said messuage and retain goods removed until satisfied of the annual rent and any arrears thereof.

Sealed alternately.

Date: York, 17 September 1444; Durham, 8 September 1444.

Original: DCD 4.1.Sacr.12.

f.310r-v 1 June 1438

Lease by indenture by John prior and the chapter of Durham to William Ledys of Stamford, tailor, of two cottages lying together in Stamford, in the parish of St Mary at the bridge, in the street called *Brigstrette*, upon *Westrawe* between the tenement lately of Thomas Bassett on the north and the tenement belonging to the guild of Corpus Christi on the south, and between the high street on the east and the enclosing wall of Thomas Bassett's said tenement on the west; whereof one cottage is 26 yds royal (*virgas regias*) x 6¼ yds and the other is 23 yds x 6 and one eighth yds; to be held by William, his heirs and assigns from Midsummer next to come to the end of a term of eighty years; rendering yearly therefor to the prior and chapter and their successors, or the prior of Stamford, St Leonard, 6s 8d during the first twenty years of the term at Christmas and Nativity of John the Baptist by equal portions; and William and his heirs and assigns will increase their rent by 4d a year at the end of every twenty years during the whole term of eighty years, for renewal of this indenture, at their own expense; with William, his heirs and assigns doing suit at the two great leets of St Cuthbert in Stamford and paying 2½d a year to lord de la Ware; and William Ledys is to build anew the two cottages, suitably and well at his own expense, within twelve years of the date of the presents, in this manner: upon the cottage next to the tenement of the said Thomas, a hall and a chamber with solar, and upon the other cottage a parlour (*perlocutorium*) and a kitchen; and William and his heirs are to hand back the two cottages sufficiently repaired at the end of the term of eighty years; and if it happen that the rent or farm, or any part thereof, be unpaid for forty days after any term at which it should be paid, then it shall be allowed to the prior and chapter and their successors or their attorney, or the prior of St Leonard's, to distrain upon the two cottages as often as need be, and to retain goods distrained until satisfied of the rent and of any arrears thereof; and if the rent should be in arrears in part or in whole for half a year, or if William, his heirs or assigns, give, sell or alienate their estate in the two cottages after the term of eighty years, or if the two cottages be not built in the manner aforesaid, the prior and chapter, their successors, their attorney, or the prior of St Leonard's, are to be allowed to re-enter the said two cottages and possess them as originally, in perpetuity.

Sealed alternately.

Date: the feast of Whitsun, 1438.

Calendared in: A. Rogers, *People and Property in Medieval Stamford* (2012), p.297.

f.310v 5 October 1444

Memorandum that, by the present indented bill, John prior and the convent of Durham have granted that the said prior and his successors will not grant or lease the manor or demesne lands of Muggleswick to anyone during the life of Thomas Lomley, knight, except to the said Thomas; providing that Thomas shall have been willing to give as much as any other to the prior and convent. 5 October 1444.

Also DCD Reg. Parv. II, f.189r.

f.310v 11 November [1444 ??]

Letter {by the prior and chapter [of Durham]} {to Henry Percy, warden of the East March} having received his letters requesting the next presentation of the church of Normanton [on Soar] for Thomas Staunton', squire, usher of the king's chamber, in the form of a schedule included with the letters, informing him that they have never used this type of grant before, having learned that it is contrary to spiritual law; but, in recognition of [Henry's] good lordship, agreeing to grant to Thomas, for his services rendered and to come, the nomination of a suitable person to them for presentation by them to the church of Normanton at its next vacancy.

Written: Durham, 11 November.

Language: English

f.311r-v 21 May 1432

Notarized mandate to induct by Peter, abbot of Marmoutier, since it has lately come to his notice that, with the priorate of York, Holy Trinity, (a dependency of his monastery of which the collation, provision, institution &c are known to pertain to him, his commissary or deputy) having been vacant from August 1440 by the death of John Eschallart, *alias* de Castello, last prior thereof, Robert Blithe', prior of Tickford, Lincoln dioc., his vicar- and commissary-general in England, and having sufficient power from Peter for this purpose, proceeded rightly and justly in collating the priorate to Richard Bell', scholar in theology, and provided him with the same in form of law, lest the priory long mourn the misfortune of its widowhood or vacancy; confirming the collation of the priorate by Richard Blithe to Richard Bell' and providing Richard Bell' anew, so far as need be, with the same priorate of Holy Trinity; instructing all subject to him to induct the said Richard Bell' or his proctor into corporal possession of the priorate, with any unlawful withholder having been removed thence, and instructing all of his monks, tenants, servants and subjects to obey Richard as prior, and to answer to him and no other for the revenues and rights of the priory.

Under his seal, and subscribed and made public by the notary.

Notary: John Jarnier [?], clerk, born in Vannes dioc., N.P. by imperial authority and of the court of Tours (eschatocol recited, including note of an alteration).

Witnesses: Andrew Jehumet, claustral prior; John Dugast, chamberlain; and James Coanon, prior *de Bereyo*.

Date: monastery of Marmoutier, 21 May 1442.

f.311v

Note: "Alexander VI was elected pope 3 Id. August [11 August] [14]92"