

ART. III.—*Kendal Parish Church, c. 1450.* By ROBERT J. WHITWELL.

*Read at Carlisle, April 9th, 1908.*

THE student of English social and economic history cannot afford to neglect the mass of parchment, which at the Public Record Office is known by the uninviting title: "Early Chancery Proceedings." Three volumes of index to these "Proceedings" have been published, and others are to follow.

The documents are hardly ever dated exactly; and the petition on which proceedings were intended to be founded is in most cases the only thing that remains of the early suits, so that we lack (as indeed we do in the more important plea-rolls of the courts of common law) information as to their results.

Even with these limitations, we can add a good deal to our knowledge of the persons and things dealt with.

The petition, a copy of which is appended, is addressed to a bishop of Winchester, and is written in a hand apparently of the latter years of Henry VI. In this way it may, provisionally, be assigned to the chancellorship of William de Waynflète (the founder of Magdalen College, Oxford), which lasted from 1456 to 1460:—

A treshonuree et tresgracious seignur et tresreuerent pier en dieu leuesque de Wyncestre et Chaunceller Dengleterre.

Supplient tres humblement les poures parrochiens del esglise de Kirkby en Kendale en le Countee de Westmerlande, qe come nadgairs lour esglise fuist abatuz pur veillesse et autres feblesse ils fisrent graunt ouesque William Thornburghe Esquier vn des parrochiens qil duist faire lauaunddite esglise bien et couenablement estre fait reedifie et releuee honestement et reparaille pur sesze

vynzt marcz des queux lauauntdit William ad resceu quatorsze vynzt marcz et les ouesque luy retient, et ensy est ore tresgracious seigneur et pier en dieu qe lauauntdit William ne voet mye lauauntdit esglise faire estre fait ne reedifie, issint qe le Chauncelle de mesme lesglise est en point de chaier pur defaute de fisure et edificacion dicelle a graundz tort disease et pierde de toutz les parochiens auauntditz. et les queux parochiens tresgracious seigneur en cest matier par le comune ley ne poent mye estre eidez en ascune manere ne socourez Si plesse a voz tres-honuree et tresgracious seigneurie et tresreuerent paternite denuoier par brief nostre seigneur le Roy pur lauauntdit William de comparer deuaunt vous en la Chauncellarie nostre seigneur le Roy sur vn certain peine par vous a limiter, et ensi ordeigner qe ceste matier par vous tresgracious seigneur poet solonc vostre tressage et trespurueux discrecion estre socouree et [\*] Considerantz qe les parochiens auauntditz ne purrount mye auoir nul eide ne socouree a le comune ley pur dieu et en eu † de charitee.

Plegii de prosequendo { Thomas de Tunstalle chiualer }  
 { Robertus Belyngeham }

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To the most honoured and most gracious lord and most reverend father in God the bishop of Winchester and chancellor of England

Beseech most humbly the poor parishioners of the church of Kirkby in Kendal in the county of Westmorland, that inasmuch as recently their church was ruined through age and other decays, they made a contract with William Thornburgh esquire one of the parishioners, that he should cause the church well and meetly to be made and rebuilt and repaired honourably and refurnished for sixteen score marks, whereof William has received fourteen score marks and retains them with him. And so is it now, most gracious lord and father in God, that William will in no wise cause the said church to be made or rebuilt; so that the chancel of the same church is at the point of falling for lack of making and building thereof, to the great wrong, inconvenience and loss of all the parishioners. And the same parishioners, most gracious lord, can

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\* A few letters worn off.

† Sic.

in this matter in no wise or manner be aided or helped by the common law. May it please your most honoured and most gracious lordship and most reverend fatherhood to send, by writ of our lord the king, for William to appear before you in our lord the king's chancery, under a penalty certain, to be by you limited, and so to ordain that this matter may be helped and [?] by you, most gracious lord, according to your most wise and most prudent discretion. Considering that the parishioners can in no wise have aid or help at common law, for God's sake, and as a work of charity.

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