

III.—ARCHBISHOP SAVAGE'S VISITATION OF THE
DIOCESE OF DURHAM, *SEDE VACANTE*, IN 1501.

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As our programme this afternoon is long and varied, I have time only to offer a few remarks upon the interesting series of documents in archbishop Savage's register at York which relate to the visitation of the diocese of Durham by his commissaries in 1501. These documents are probably not altogether new to some of our members, as they were summarised and the most valuable of them printed *in extenso* by Dr. Raine as long ago as 1849, in an appendix to his edition of the *Ecclesiastical Proceedings of Bishop Barnes*. That volume, however, is one of the rarest of the publications of the Surtees Society; and those who have studied it have probably felt the need of some explanatory notes, where they have not had the opportunity of making such notes for themselves. Dr. Raine's transcript also seems to have been somewhat hurried in places. The handwriting of the original, though clear, is full of traps for the transcriber, and my own study of the text has enabled me to supply a number of corrections and additions.

In 1501 the see of Durham was vacant by the translation of Richard Foxe to the see of Winchester, and remained vacant until the translation of William Senhouse or Sever from Carlisle in the following year. I need hardly explain that, while, during a vacancy, the temporalities of a bishopric were in the king's hands, its spiritualities lapsed to the archbishop of the province.

In the case of Durham, the right of the archbishop of York on such occasions to exercise his jurisdiction over the diocese as metropolitan was constantly a matter of dispute. The prior and convent of Durham resisted a claim which they regarded as prejudicial to their own rights, and the archbishops of the fourteenth and fifteenth centuries, warned by disastrous experience in the past, were usually content to let sleeping dogs lie. The impetuous and tactless Alexander Neville issued various orders for the visitation of the diocese after the death of bishop Hatfield in 1381, but there is no evidence that they took effect. Archbishop Kempe, after Langley's death in 1437, achieved a visitation by commission, which was unopposed, and the records of which have been printed under my own editorship in vol. cxxvii of the publications of the Surtees Society. On the present occasion, Savage, who had been recently translated from London to York, met with no difficulty, and the records of his commissaries' proceedings are singularly full. So far as I can gather, this visitation of 1501 was the last in which the archbishop's right was recognised. After the reformation the archbishop's formal mandates were met by formal protestations on behalf of the dean and chapter; and this solemn farce came to an end only last year, when, in the vacancy after the death of bishop Moule, the present archbishop of York relinquished the nominal claim of his predecessors. It was then apparently represented that no such visitation had ever been actually held and that there was therefore no precedent on record. I did not know this at the time, and have since had the melancholy satisfaction of pointing out, some months too late, that the precedents and a full guide for procedure existed in the archbishops' registry, and that much of the material, both legal and historical, was actually in print. If, therefore, in future the diocese of Durham, while destitute of a pastor, is deprived of a visitation by its

metropolitan in the spirit of consolation which should be his motive, it should be generally known that there were occasions on which the jealous custody of its liberties by the cathedral chapter was relaxed, and the legal claims of the higher authority were admitted. The practical exemption of Durham from the archbishop's jurisdiction rests on no legal ground, but is the result of a persistent obstinacy which was sanctioned by the unwillingness of successive primates to insist upon their lawful privileges.

Three days after Foxe's translation from Durham to Winchester had been completed by the restitution to him of the temporalities of his new see, Savage, on 20 Oct., 1501, appointed five vicars-general and guardians of spiritualities to exercise his authority in the diocese of Durham. The legality of the appointment is clearly noted in the preamble: it is made 'seeing that all and all manner of jurisdiction spiritual and ecclesiastical which belonged to the bishop of Durham when the see was occupied, now that the see is void by the translation of our venerable brother Richard to the see of Winchester, is recognised to belong to us in right of our metropolitan church of York, as of custom lawfully prescribed and from of old observed.' The first place in the commission was given out of courtesy to the prior of Durham, Thomas Castell. Three other members were clerks of the dioceses of York and Durham. Dr. Martin Colyns was precentor of the church of York. Roger Laibourne, archdeacon of Durham and rector of Sedgefield and Long Newton, who was also canon of York and prebendary of Grindale and had been diocesan chancellor under Foxe, was to succeed Senhouse in 1503 as bishop of Carlisle. Dr. William Rokeby, afterwards vicar of Halifax and archbishop of Dublin, has left two architectural memorials of himself, in his chantry-chapel in Halifax church, and the beautiful chapel, in which he lies buried, on the north side of the chancel at Little

Sandal, near Doncaster, the home of his family. The active business of the commission, however, was in the hands of the fourth clerk, Dr. John Carver, otherwise known as Aleyn, archdeacon of Middlesex, canon of St. Paul's and rector of Much Hadham in Hertfordshire. This capable official appears to have accompanied Savage from London to York, and, while continuing to hold his other preferments in the diocese of London, added to them the profitable burden of the archdeaconry of York in 1504.

On the same day the archbishop appointed master John Chapman, notary public, to be diocesan registrar during the vacancy, and associated him with William Rokeby in a commission to receive pensions and other sums of money which might fall due from churches in the diocese. Carver, on 7 November, having arrived in Durham, proceeded to make further appointments. Master John Walker, apparently the vicar of Merrington, was constituted official of the court of Durham, or, as we say nowadays, diocesan chancellor, and commissary for probate of wills in the archdeaconry of Durham. Probate in the archdeaconry of Northumberland was committed to master Thomas Tod, vicar of Bywell St. Peter's. Next day apparitors were appointed for the two archdeaconries, and a special apparitor, Henry Harper, for the town of Newcastle and the deaneries of Newcastle and Corbridge; and on 10 November master Thomas Farne, vicar of St. Oswald's, Durham, received the office of penitencer in the city and diocese.

As early as 14 October, Savage, who, after the manner of the more prominent prelates of the later middle ages, spent much of his time at Westminster on business of national importance, had commissioned Carver, Colyns and Rokeby, jointly or severally, to hold his visitation of the prior and convent of Durham. Carver, on 3 November, gave notice of the visitation, which the prior and convent duly acknowledged four days later, sending

him a list of the monks, forty-three in number, with their various offices in the priory. This list was first printed, with many inaccuracies, by Hutchinson in the second volume of his *History of Durham*, from a copy. It is interesting to notice that, as in the list submitted at the visitation of 1437, two of the monks appear under the title of 'deans of the order,' the survival of the title of an ancient monastic office which is the subject of a special chapter in the rule of St. Benedict, but which had fallen into general disuse in medieval monasteries. The visitation was held by Carver on 10 November, St. Martin's eve. The report of it, in the copy preserved in Savage's register, was not fully completed. It is unlikely, however, that the visitation involved a very strict inquiry into the condition of the monastery: it was enough that Carver should obtain the admission of himself as the archbishop's deputy and receive the oath of obedience from the members of the house. Carver entered the chapter-house, accompanied by the registrar: the prior proffered the required obedience, and the monks, thirty-nine of whom were present, were severally examined on certain articles concerning the discipline and observances of the priory. Their answers satisfied the vicar-general, and he appears to have dissolved the visitation without attempting the delicate and profitless task of a more than merely formal examination.

Mandates had been issued on 4 November for the visitation of the archdeaconries of Durham and Northumberland, answers to which were returned by master John Walker from Durham on 11 November, and by Christopher Paynell, the archdeacon of Northumberland's official, from Newcastle on 16 November. I need hardly point out that, during a visitation of this kind, the jurisdiction of the two archdeacons, Roger Laibourne, archdeacon of Durham, and Ralph Scrope, archdeacon of Northumberland, was suspended, though the formal inhibitions, which were

doubtless issued, are not on record. The programme of the first part of the visitation extended over eight days from 12 to 19 November inclusive, the clergy and four, five or six trustworthy laymen from each parish, together with proprietors of tithes and recipients of pensions or their representatives, being summoned to various central churches. The centre for the first two days was the church of St. Nicholas at Durham. On Monday, 15 November, Carver moved to Chester-le-Street, where he had arranged to conclude the visitation of the northern parishes of the county, including Gateshead; while the visitation of Newcastle and the southern parishes of Northumberland was to be held in Gateshead church on the following day. The representatives of Gateshead, however, appeared in their own church on the 16th, when a very heavy day's work was accomplished. The rest of Northumberland was reserved until the beginning of December, and on the 18th the vicar-general, accompanied by his associate Rokeby, was at St. Andrew's, Auckland, and on the 19th at Darlington, from which he probably returned to his normal duties at York, where we find him in December. The second part of the programme was carried out by his deputy, master Thomas Tod, whose centres were Corbridge on the 1st, Alnwick on the 9th, Berwick on the 11th, and Bamburgh on the 14th of December. This part of the visitation had originally been arranged with some optimism for three successive days; but master Thomas Tod, whose acquaintance with local geography and weather was probably superior to that of the archdeacon of Middlesex, performed it at his leisure and, as it would appear, with somewhat imperfect results as regards the north of the county.

The returns of the visitation exist in full, and are for the most part a very valuable list of the beneficed clergy, parochial chaplains, and chantry priests of the diocese, together with the



laymen from each parish who came to do obedience and to make presentation of defaults. This will be found in Dr. Raine's printed transcript, and has been used by some of the editors of the Northumberland County History for their lists of incumbents. The habitual report was that all was well; but the parishioners of Gateshead and Newcastle presented a detailed series of complaints which form interesting reading. These were chiefly concerned with the morals of their neighbours, the deficiencies of chantry priests, and the shortcomings of people who, like certain butchers in Gateshead and the millers of the chapelry of All Saints', Newcastle, carried on their business of their arts and misteries during divine service on Sundays and festivals. Several moral grievances existed in the neighbourhood of All Saints', and the behaviour of one of the chantry-priests of St. Nicholas's was cause for scandal. Dilapidations of churches were also noted. The font at Gateshead lacked a cover, and the churchyard was insufficiently fenced in. At Newburn and at St. Andrew's in Newcastle, the proprietor of the rectorial tithes, who was the bishop of Carlisle, had allowed the chancel to fall into disrepair: the roof was in a bad state, the windows were broken, and, at Newburn, there was no chancel-screen. The roof of the north aisle at Whalton was in decay. The windows of the parochial quire in the nave of Tynemouth priory church were cracked. At Ponteland, Simonburn and Mitford, the naves needed re-roofing. The quire-stalls at Stanington were old and crazy. At Bothal the churchyard was badly enclosed, and there was no canopy for the Blessed Sacrament. Further complaints about churchyards came from Warden and Slaley; while at Wooler the church—that is, the nave—was so ruinous that the parish could not afford to repair it without help from outside. There were many complaints of this kind from the archdeaconry of Durham, and one may remark the sad case of Bishopton, where

the chancel roof leaked, so that, during mass, the rain fell through holes upon the high altar and dripped upon the Sacrament ; while the windows were ' broken in some places, so that in windy weather the candles, which are lit during the celebration of masses and stand upon the high altar, are very often extinguished, and the wind blows them out.' Here the rectors, the master and brethren of Sherburn hospital, were obviously to blame, and one would like to know whether they and other similar culprits obeyed the orders to repair which were duly issued. As regards the clergy themselves, it may be noted that individual rectors were frequently pluralists and non-resident, and that, in the larger parishes, especially in towns, the cure of souls was deputed to a parish chaplain. Vicars were also, in defiance of canon law, occasionally non-resident. The vicar of St. Nicholas, for example, was at his studies at Cambridge : there was, however, a parish chaplain, and the altars of the church were served by five endowed chantry-priests, six stipendiary chaplains, and seven more priests, who were probably engaged for the time being to say masses on various temporary foundations. The chapel of All Saints was also well supplied with a parish chaplain, four chantry-priests, and five other chaplains. At St. Andrew's there was a parish chaplain and two chantry-priests, and at St. John's seven chaplains. The vicarages of a few churches were held by canons of the religious houses to which they were appropriated. Thus, the vicars of Stranton and Hart were canons of Guisbrough. In both places the cure was served by a parish chaplain ; and in this connexion I may note that in medieval language the term ' parish priest ' was exclusively applied to such hired deputies and was never used of a rector or parson or of a vicar, incumbents of free-hold benefices. The lists of Northumberland clergy were made rather carelessly, and we know from other sources that the vicars of certain churches in the county, appropriated to Alnwick

and Blanchland abbeys, were canons of those houses, by a privilege generally allowed to the Premonstratensian order. Among individual clergymen, the sad case of master John Balswell, dean of Chester-le-Street and rector of Middleton-in-Teesdale, calls for compassion, as he was reported to be out of his wits and in the enjoyment of no lucid intervals.

After the visitation, the active work of the archbishop's commissaries was confined, so far as the records in the register go, to instituting incumbents to vacant benefices and to the probate of wills. The text of a number of wills, principally of citizens of Newcastle, which were printed by Dr. Raine, adds considerable interest to the series of documents. The entries of institutions, though not many in number, are of some interest. The church of Bishop Wearmouth was void by the consecration of its rector, Richard Nykke, archdeacon of Wells, to the bishopric of Norwich, and in April 1502 he was succeeded by master Richard Wyat, afterwards precentor of York. In June, 1502, the death of master William Mawdesley left two churches, Boldon and Redmarshall, vacant. It is symptomatic of an infraction of canon law which, before the days of the Tudor sovereigns, was extremely rare and was seldom allowed by papal dispensation, that his successor at Redmarshall was a monk, John Flynt, prior of St. John's at Pontefract. On the day when this institution was carried out, pope Alexander VI issued the bull by which William Senhouse, bishop of Carlisle and abbot of St. Mary's York, was released from the bond by which he was bound to the church of Carlisle and was translated to Durham. On 25 October the new bishop made his oath of obedience to archbishop Savage at Cawood castle, and the archbishop ordered the vicars general to deliver to him the spiritualities which they had held in their keeping for a few days over a year. Senhouse resigned the abbacy of St. Mary's, which he had been allowed to keep with the not very valuable

see of Carlisle : it is to be hoped that, between the visitation and his translation, he had found means to repair the chancel of Newburn, or, if not, that he was able with a steadfast countenance, when his own visitation in Northumberland came round, to threaten his successor at Carlisle with the penalties which he had incurred himself. In the latter case, the fact that that successor had been one of the archbishop's vicars-general when Senhouse's deficiencies in his rectorial duties came to light would have added a further touch of comedy to the situation.



BOTHAL: Church from S.W.