



<http://kentarchaeology.org.uk/research/archaeologia-cantiana/>

Kent Archaeological Society is a registered charity number 223382

© 2017 Kent Archaeological Society

THE PRIORY AND PARISH OF FOLKESTONE IN THE FIFTEENTH CENTURY

C. HARPER-BILL

The Canterbury registers of the fifteenth century provide few details of the state of the religious houses of the diocese. There are no comprehensive visitation documents as there are for Lincoln, or later in the century, for Norwich. For the Benedictine priory of Folkestone, however, the survival of a variety of documents allows some amplification of the history of the monastery as recorded in the *Victoria County History*,¹ and casts some light on the problems of a small and impoverished house at the close of the Middle Ages.

The ancient community at Folkestone had been refounded in 1095 by Nigel de Munevilla and his wife as a priory cell of Lonlay. It was one of the few alien houses, which had acquired denizen status before 1399. It was always a small community, whose income at the Dissolution was only £41; a substantial proportion of this was derived from the parish church of St. Mary and St. Eanswith, which had been granted to Lonlay by the founder.²

There is evidence for tension between the monks and the townspeople at least from the time of Archbishop Chichele. At some time between March 1432 and October 1433 the prior complained to the Chancellor of England that the dissension between them came to a head when on New Year's Day he was seized from the altar while celebrating Mass and dragged through the streets from the church to the cliffs, from which his assailants threatened to hurl him into the sea. They relented, but he was cast into prison until delivered by the lieutenant of Dover.³ The dispute was temporarily settled by an accord made before Archbishop Chichele, and the townsfolk were bound to observance of the settlement under a recognisance of £100. But within

¹ *Victoria County History: Kent*, ii, 2368.

² D. Knowles and R. N. Hadcock, *Medieval Religious Houses, England and Wales*, 2nd ed., 1971, 66.

³ P.R.O. Early Chancery Proceedings, C1/12/226. John Stafford, Bishop of Bath and Wells, to whom the petition was addressed, became Chancellor on 4th March, 1432. William Clerk, Decr.B., mentioned therein, had ceased to be vicar of Folkestone by 15th October, 1433 (*Registrum Henrici Chichele*, ed. E. F. Jacob, Oxford, 1943, i, 278.)

a few years the inhabitants, encouraged by the mayor, were once more harassing the monks and refusing to pay their dues to the prior.⁴

It is probable that this trouble arose, at least partly, out of the position of the prior and convent as impropiator of the parish church. The prior accused the vicar, William Clerk, of inciting the laity against him. On 2nd June, 1448, Archbishop Stafford approved a composition reached between the community and the new vicar, William Larwood.⁵ Henceforth, the vicar was to receive from the monastic rector an annual stipend of ten marks, payable in four quarterly instalments; he was to have the chambers in the priory customarily assigned to the vicar, together with a garden, both to be maintained at the expense of the monks. The prior and convent were to receive all tithes, oblations and revenues of the church, including those hitherto taken by the vicar, who was to be allowed all sums left to him in their testaments by his parishioners, together with money given to him for visiting the sick and women in childbirth and for the obsequies of the deceased. The community were to discharge all the ordinary and extraordinary dues of the church, and if they failed to pay the vicar his quarterly salary, after twenty days the vicar might distrain upon the tithes and other revenues of the church, until he received his salary together with 6s. 8d. compensation. The vicar for his part bound himself and his successors to payment of ten marks if they should ever contravene the terms of the agreement.

A new crisis erupted in 1463 with an acrimonious dispute over the office of prior.⁶ The beginnings of the conflict are obscure, but by May the patron of the house, John Lord Clinton, was backing his brother-in-law, Henry Ferrers, brother of Lord Ferrers, against Thomas Banes, who was chaplain to Cecily, Duchess of York, the king's mother. Ferrers was in possession, and Clinton wrote to the town authorities ordering them to resist Banes, 'late pretended prior', should he attempt to resume his position. Two days later the mayor and jurats received a letter from the duchess ordering them to render Banes every assistance in obtaining rightful possession, in accordance with the instructions of the king and Archbishop Bourghier. The confusion of the leading citizens must have been increased by the receipt of a second letter from Clinton, telling them to ignore the commands of the duchess and even of Edward IV himself, for if they paid heed to them they would destroy

⁴ P.R.O., C1/17/333. The petition was addressed to Stafford as Chancellor and archbishop of Canterbury, and was therefore lodged between 1443 and 1450.

⁵ Lambeth Palace Library, Register of John Stafford, fo. 29v.

⁶ The documents relating to this dispute are preserved in the archives of the Corporation of Folkestone, whence they are printed in *H.M.C., Fifth Report* (1876), 590-2.

the liberty and franchise of the Cinque Ports for ever. He had discussed the matter with his counsel, and was sure that they would soon receive letters from court rescinding the previous orders; in the meantime, they should arrest Banes and any person who came with him to Folkestone, except the servants of the king or duchess.

Henry Ferrers had meanwhile lodged a tuitorial appeal to the Court of Arches, seeking protection and maintenance in office until the determination of his appeal against Banes at the court of Rome. On 1st June, 1463, the Official of the court of Canterbury wrote to all clergy of the province, and specifically to Morgan Ashley and William Barbour, rehearsing Ferrers' appeal. Although he was of blameless character and was in legitimate possession of the priory, he feared that an attempt to dispossess him would be made by Thomas Banes, 'pretending to be a monk but wandering about in the world as an apostate, notoriously excommunicated and accused of a crime too foul to be named for which almighty Providence has destroyed many cities and towns, which crime he has confessed'. The recipients of the Official's mandate were to prevent any action by Banes or his associates prejudicial to Ferrers' position, and were to cite Banes to appear in the Court of Arches on 30th June or the next day thereafter when the court was in session. This is an excellent example of the impartial administration of the law by the court of Canterbury, for ten days later Archbishop Bourghier wrote to the mayor and jurats thanking them for their help rendered to 'our right well-beloved *dominus* Thomas Banes, prior of Folkestone' and denying that the matter was any concern of Lord Clinton.

Clinton meanwhile on 5th June had written formally as one of the keepers of the peace in Kent to the mayor and his own bailiff in Folkestone ordering them, if they apprehended Banes, to keep him in custody to answer before the king or the Warden of the Cinque Ports for certain felonies and for his disturbance of the peace. He also wrote two more personal letters to the mayor and jurats, urging them to tell any messenger from the king that they could not act in this matter without consulting Clinton, and exhorting them not to submit to any pressure from the archbishop. He also informed them that Banes was a 'false sodomite', for which sin he had been excommunicated and his absolution reserved to the pope; all those who ate or drank with him were likewise accursed, although the king and duchess did not yet know of this.

The documentation here fails, but Banes emerged as the victor, backed by the Duchess of York and the Archbishop of Canterbury. In August 1464, he was instituted, as prior of Folkestone and by virtue of a papal dispensation, to the church of Hawkinge, in the gift of Bradsole Abbey, and the following month to the vicarage of Appledore, the

patron of which was St. Martin's, Dover.⁷ Banes' influence at court made his presentation to these churches a sound investment for small religious houses.

No more is known of Banes until 1491, when on 21st October Archbishop John Morton, who was engaged in a campaign to eliminate negligence and maladministration in the religious houses of his province, issued commissions to Mr. Thomas Cooke, his chancellor and auditor of causes, and to Mr. William Warham, advocate of the court of Canterbury, to investigate the alleged misconduct of the prior of Folkestone.⁸ Largely due to the prior's continual absence, the archbishop had heard, the observance of the Rule had declined, the monastic buildings were in ruins and the convent was encumbered with debt. The commissaries were ordered to conduct a full investigation and to compile a list of creditors, but the archbishop reserved to himself definitive sentence. Nothing apparently came of this investigation until 7th February, 1493, when the archbishop cited Banes to appear before him in the chapel of Lambeth.⁹ Although he answered the citation and appeared by proxy, he made no answer to the charges against him, and so on 8th March Morton ordered his commissary general, Mr. Henry Cooper, to go to Folkestone and to collect testimony against the prior, who should be summoned to challenge the witnesses, if he so wished.¹⁰

Banes was cited to appear once again at Lambeth on 19th March to answer the charges now fully formulated against him *ex officio*. It was stated that for close on thirty years he had administered the revenues of the priory and of the parish church of Folkestone, which was canonically annexed to it, but throughout the period he had used the receipts for his own purposes, and beyond this he had incurred personal debts under the conventual seal without consulting his brethren, so that the priory was now at least seven hundred marks in debt, yet despite all this borrowing the monastic buildings had been allowed to fall into ruin. For more than twenty years, he had not set foot in the house, but had lived at Westminster, and without supervision the monks used to wander at will around the streets and fields of Folkestone, with no regard for their rule of life. Banes appeared at Lambeth in the person of his proctor John Fownten, who again refused to make any response to the charges. The archbishop

⁷ *Registrum Thome Bourghier*, ed. F. R. H. Du Boulay, Canterbury and York Society, liv, 1956, 275. He had vacated Hawkinge by October 1465 and Appledore by January 1467, *ibid.*, 282, 286.

⁸ Lambeth Palace Library, Register of John Morton, fo. 30.

⁹ *Ibid.*, fo. 31.

¹⁰ *Ibid.*, fo. 30v.

therefore ordered the sequestration of the revenues of the house while he considered what should be done.¹¹

Finally, on 2nd June, Morton judicially deprived Thomas Banes of office.¹² Proceedings in the Court of Chancery, arising out of the attempts of a London scrivener to recover from the priory a debt which Banes had incurred under his personal seal, reveal that the archbishop installed as prior Thomas Sudbury, charging him to administer the house better than it had hitherto been governed, and authorising him to redeem all bonds legitimately sealed by his predecessor with the conventual seal for the profit and advantage of the house.¹³

At the last recorded archiepiscopal visitation of the house, conducted by Archbishop Warham in September 1511, the priory presents a strange picture.¹⁴ There was no prior, but an administrator, James Burton, who was ordered to render a full account. Of the monks, one had been professed as an Austin canon at St. Mary Overy, Southwark, and had then transferred to the Benedictine order and arrived at Folkestone *via* Westminster, the second had been professed at St. Saviour's, Bermondsey, and the third had been originally a Premonstratensian canon of Bradsole. It is not clear if new blood had been infused to revive the conventual life at Folkestone, or whether, which is perhaps more likely, it had become a well-known refuge for backsliders from better regulated establishments.

Once he had placed the priory in more responsible hands, Archbishop Morton had turned his attention to the parish. The vicar on his own could not cope with the needs of such a large congregation, and in order to remedy this lack of pastoral care Morton desired the dissolution of the annexation of the church to the priory. Pope Alexander VI, on 4th October, 1494, delegated examination of the case to two neighbouring Benedictine superiors, the abbot of Faversham and the prior of St. Martin's, Dover.¹⁵ If they found the archbishop's allegations to be true, they should dissolve the annexation *appellacione remota*, and should ordain that the church should in future be served by a perpetual vicar and by three other suitable secular priests, assigning to each of them a suitable portion from the revenues of the church, and inhibiting any harassment of the parochial clergy by the prior. These provisions were not apparently put into effect, and it is likely that the papal commissaries, because of their own status, were unsympathetic to any attempt to deprive a small Benedictine house of a

¹¹ *Ibid.*, fo. 32. The reference in this document to Westminster as a 'privileged place' may indicate that Banes had taken sanctuary as a debtor.

¹² *Ibid.*, fo. 32.

¹³ P.R.O., C1/262/22.

¹⁴ Lambeth Palace Library, Register of William Warham, fo. 39v.

¹⁵ Register of John Morton, fo. 220.

considerable proportion of its revenue. The archidiaconal visitation of 1502 reveals that the vicar was still unassisted by other clergy, and it was noted by Warham's commissaries in 1511 that the monks 'kept cure' on holy days and that the vicarage was not maintained in good repair.¹⁶

The significance of these proceedings is more than purely local. Thomas Banes was not necessarily an evil man; the charges of 1463 were obviously unfounded, the device of his enemies to discredit him, and found no echo in Morton's indictment. At this time he was closely involved with the court, and in essence his position was little different from that of greater prelates such as Thomas Myllyng, abbot of Westminster, or Henry Deane, prior of Llanthony, who devoted so much of their time to royal service. It was accepted that greater houses would support royal administrators, and that this would be to the long-term advantage of the community. Small priories such as Folkestone, however, could barely balance their books without supporting an absentee superior enjoying the expensive life of the capital. Most such priories derived the bulk of their revenue from the parish churches appropriated to them, and any attempt to remedy deficits in the monastic budget would naturally entail the maximum economy in the obligations of the impropiator to the vicar and to the parish.

¹⁶ C. E. Woodruff (ed.), 'An Archidiaconal Visitation of 1502', *Arch. Cant.*, xlvii (1935), 47; Register of William Warham, fo. 50.