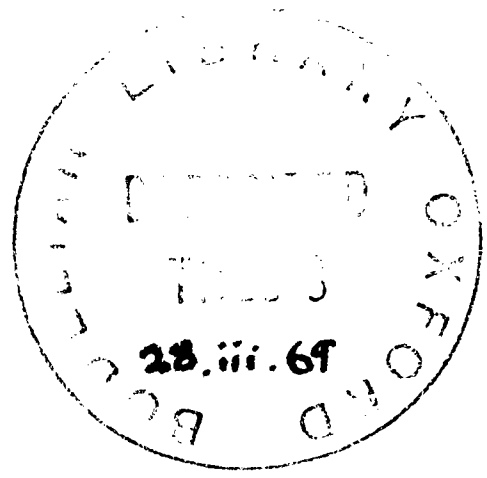
THE ORGANISATION OF THE ENGLISH SECULAR CHURCH IN THE REIGN OF HENRY I

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ERRATA

P.4 l. 11 Tinchebrai p.7 l.6 institution p.9 l.18 for 'many' read 'several'. p.12 l. 1 for 'principal' read 'principle'. p.15 l.14 for 'sources' read 'Saga'. l.26 for 'he' read 'Thomas'. p.16 l. 7 'at'. p.17 l.15 for 'both to' read 'at both'.p.22 l.5 Glasgow, l.28 for ' to the next Lent ' read 'to next Lent', l. 29 for ' sent, and' read 'sent and,'. p.23 n.4 for HCY ii no.43 read HCY iii no.43. p.24 l.16 'Glasgow', l.23 for ' that principle church acquired ' read ' the principal church there acquired'. p.25 n.4 l.3 insert in blank space a reference back to p.23 n.3. p.26 n.3 l.3 'unlikely'. p.27 l.7 'Henry', n.2 l.11 'urging'. p.29 l. 11 ' The Welshmen Urban and', n.1 read CD i pp.97-101.p.42 l. 30 'celibacy'. p.43 l.21 for ' Henry ' read 'William'.p.47 l.28 for ' desmense ' read 'demesne'. p.49 l.17 'dioceses'. p.50 l.2 'hierarchy'. n.2 l.1 read ' on p.49 in a rubric it attributes...' p.52 l.4 'prevailed'. n.1 l.6 'diocese'. p.58 l.6 read ' for their liberty before the king' p.59 l.19 'tab es'. p.62 col. 1 l.7, add at end a '1' referring to the note below. n.2 l. 5 'having' p.63 s.a. 1110 read '(above p.49)', above read '1109[1]'. p.64 s.a. 1119 col.1 last line read ' above p.50 and n.1).' p.65 s.a. 1120 col.3 l.3 for 'Jaan' read 'Jan.' l.8 for 11th read '11'. n.2 line 1 Read 'to the last that ...' p.66 s.a. 1125 col. 1 l.5 'Sherborne', l.6 'Glasgow'. p.67 s.a. 1126, col.2 l.2 for ' Wilkins ' read 'W.' col.3 l.5 for 'Jan. L(' read'Jan.19', s.a. 1128 col.3 l.4 read ' (Whitby) Dec.9[8] ' p.69 at the top add 9. Recueil des Historiens de France et des Gaules T. p.86 l.21 for 'sua quisue cause' read 'sua quisque causa'. p.88 n.4 l.3 delete 'he'. p.98 l.19 read ' examples from the rule..', l.24 'Abingdon'.

p.101 l. 'apologetic'. p.113 n.1 l.8 for 'its' read 'ita'.

p.122 n.1 l.7 read ' v. below pp. 158-9.'

p.124 l.26 for 'custodio' read 'custodi'.

p.128 l.7 for 'depracare' read'deprecare'.

p.129 n.5 l.1 for (16) read (ib.)

l.2 for '(W.i p.36)' read '(W.i p.363)'

p.132 l. 11 for 'im' read 'in'.

p.135 l. 1 for 'There' read 'These'.

p.139 l. 1 delete 'the'.

p.145 n.2 ll.5-6 delete ', and they can scarcely have been summoned as of right.' read '; cf. Cheney: English Synodalia Ch.I '.

p.149 l.6 for 'the' read 'their'.

p.150 l.14 'abbeys'.

p. 155 n.3 l.1 read ' EYC ii 925;'

p.157 n.1 l.6 read ' Appendix I Lincoln nos.3-4.'

p.159 l.13 for 'been' read 'be'.

p.161 n.2 l.1 for ' p.367' read ' W.i p.367'

ll.3-4 read ' D.J.A.Matthew:

n.3 l.1 read 'ed. Walter no.1, (a text which may perhaps be dated after 1107 if the 'bishop William' of the text is William Warelwast of Exeter, whose wide chaplaincy of Bosham lay in West Sussex), Cartularium ...'

p.168 n.3 l.5 read 'text, perhaps from an English bishop,'.

p.170 n.2 l.3 for ' VCDF ' read ' v. CDF '.

p.172 l.6 for ' the third part ' read ' a proportion '.

p.180 l.27 for 'retained' read 'retain'.

p.183 l.3 delete 'much'.

p.191 n.5 l.4 read 'fire at Worcester, perhaps that of 1113 (FoW s.a.).'

p.198 n.2 read 'in these years, although the figure for Canterbury is of very doubtful authority.'

p.200 n.3 for 'And cf. n.1 above' read ' And cf. above p.199 n.2 .'

p.210 n.1 for ' EYC i 44; for Ely..' read ' EYC i 44 and Abstracts of the Charters...of Bridlington, ed. Lancaster p.431 for another example of similar date; for Ely...'.

p.221 l.1 for 'John' read 'Jordan'.

p.234 Insert a note'4.e.g. RG 1431 (EYC ix 458).

p.236 l.1 for 'cannot' read 'may not'.

p.238 l.15 for 'reconstruction' read 'construction'.

p.239 l.5 'anoint'.

p.240 l.6 ' Sometimes'

p.242 n.1 l.12 'primitiarum'.

~~p.242 l.13 delete 'or 'minutae decimae' '~~

p.244 l.14 ' parishioner '.

p.245 l.23 delete 'allowed', read 'owed'.

p.246 at foot n.4 (cont. from p.245) l.4 read ' Appendix I Worcester no.7'.

p.248 n.2 l.1 'Augustinians'.

l.12 'Augustinian'.

p.250 l.15 'iura'.

N.B. p.105 n.1 Add: It seems very likely that it was the Chapter of St.Pauls (v. additional n. below to Appendix I Canterbury no.10).

p.261 l.1 read 'nostrum[a]', and place a corresponding note at the foot of the charter: ' a. Or, as probably from the MS and more so from the sense, vestrum '.

p.263 l.~~xxxxxx~~ 14 for ' Da tunam' read 'Dannitunam[a]', and add note 'a. The reading is obscure in both MSS.'

l.31 for 'Gundulfi)' read 'Gund(ulfi)'.

p.268 l.12 read ' Hereford no.7 below.'

p.269 l.29 read 'arch(idiaconus)'

p.274 l.17 read ' Rogacionibus, in..'

p.275 l.17 read ' ecclesie '.

p.276 l.12 read 'fuisse'.

l.25 read 'Sutton'.

p.280 l.3 read ' confirmare[a]', and add note

a. Sic, written either side of a damaged piece of vellum.

p.281 l.19 for 'prioru' read 'pri-'.

p.284 l.3 read ' Godefrido ' for 'Godefrodo'.

l.17 read 'quicunque' for 'qyicunque'.

p.287 l.23 for 'moacho' read 'monaco'.

p.289 ll. 4-5 read ' Lincoln nos.3 and 4.'

l.9 'version'

p.293 l.20 for ' per manum Henr(ici)' read ' per manus Henr(ici)'

p.295 l.5 read ' Lincoln Misc. no.2.'

l.17 ' occurrences'.

p.302 l.19 for 'decimus' read 'fecimus'.

p.349 ~~l~~ at foot add: l. v. above p.50 n.2.

p.353 l.9 for 'Muniments' read 'Charta Antiqua'.

p.363 ll. 19-20 read ' Abhandlung der Gesellschaft der Wissenschaften'

SUMMARY

This is a study of the structures within which the English church was governed and administered under Henry I, although it has sometimes been necessary to draw upon the evidence for a rather longer period.

Although the Anglo-Norman church was recruited from a single body of men governed by a single powerful king there was still an important sense of separate identity in the English church, particularly expressed in the celebration of 'national' councils. By 1135 it was also very rare for the Normans appointed to high office in the English church to have spent any substantial period in a Norman benefice; the English church was at least as distinct from its Norman counterpart as English society. By the end of the reign it was easier to define the limits of this church; although York retained important claims north of the Scottish border the creation of the diocese of Carlisle had done much to make the ecclesiastical frontier coincide with political realities; in Ireland the primatial claims of Canterbury had received a decisive check, but the absorption of the Irish hierarchy into her province was almost completed, at least at the higher levels.

Papal action in the period was principally reflected in the despatch of legates, the hearing of appeals and the grant of privileges. Opposition to the legates was widespread, but that of the archbishops of Canterbury was the most consistent. There was a steady trickle of appellants going to Rome in these years, of whom Urban of Llandaff was the most tireless, and by the end of the reign appeal to the pope was a recognised, if still a rare expedient. The number of houses seeking papal privileges rose steadily in these years; both litigation and the grant of 'tuitelo' were closely connected with the prosecution of a few great causes, the primacy debates, the investiture quarrel and the Llandaff case. There is very little evidence of royal hostility to this increasing respect for Roman judgement; ignorance and distance

were far more potent barriers than royal policy.

Apart from his prestige little distinguished the archbishop of York from his fellow bishops. The position of the archbishop of Canterbury was notably different; alone among the bishops he was appointed after an election, increasingly directed by the secular bishops; his wealth and prestige were alike unparalleled. His authority was expressed particularly in the primatial councils held by Anselm and the legatine ones of William of Corbeil, but there is evidence that the archbishop granted privileges, heard appeals and issued mandates for the whole province. Under Henry I however king and archbishop continued to co-operate in the government of the church according to the traditional pattern.

The bishops of Henry's reign were at first recruited from his chaplains and servants, a very close-knit group; later in the reign however they were chosen for more various reasons, with important consequences. Their pastoral duties are very imperfectly known, but there is some evidence that they were more widely performed than one might suppose. Similarly, in spite of sometimes bitter quarrels between regulars and seculars, and in spite of a few exemption disputes, the bishops were often benefactors and friends to the monks, and even more to the Augustinian canons. The bishops' formal authority in the diocese, in the presentation of clergy, dedication of churches and transfer of churches and ecclesiastical rights, shows a steady advance; their intervention became more and more widely sought as the machinery of their justice and administration became more formidable. There is increasing evidence for the holding of their courts and the delivery of judgements, occasionally in chapter and elsewhere, more often in synod. The revenues which they derived from their office in chrism fees, synodals and aids can be discerned, but the best evidence comes from the collection of Peter's pence, revealing ecclesiastical revenues as vastly collected as their secular counterparts, and on similar principles. The households of the bishops reveal considerable continuity; the secular element was recruited from the increasingly hereditary group of the bishop's

knights and contained the full range of officers; the clerks were recruited more widely, but included 'magistri' with the new academic training. Already a bishop's household was a stepping stone to high office in the more professional church.

The bishop's chapter was already much more than a group of his familiar clergy, for they had interests and sources of recruitment which owed very little to his authority. The reign of Henry had a very large number of issues dividing both secular and monastic chapters from their bishops. Many chapters had already vindicated a considerable formal independence; in practice however the bishop retained a substantial measure of control. The archdeacons who appeared suddenly under Lanfranc were also beginning to acquire their own independent competence, particularly in financial matters, but their courts are also being mentioned in the last years of the period. Similarly, although more obscurely, rural deans begin to appear in the evidence, themselves too presiding over their chapters.

The parish clergy were of the most various social standing; supported by many sources of patronage there was a substantial body of pluralists, but even the active parish clergy might be of humbly birth and of most rudimental education. Because of the distinction between the 'parochiae' of the ancient minsters and the most variable degree of control the parish churches enjoyed an equally variable liberty, defined by the destination of their revenues and their liability to episcopal customs. In the consolidation of parish churches by their 'owners' and patrons the reign of Henry was a transitional period between the forms of the old proprietary church and those of the later canonists.

Appendix I contains a collection of illustrative documents, for the most part episcopal charters.

Appendix II is a survey of the manuscript tradition for the canons of the councils of 1102, 1108, 1125 and 1127, with a simplified edition of that of 1102.

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ABBREVIATIONS

(For fuller details of the works identified below see the Bibliography.)

AS	Anglia Sacra ed. H. Wharton
ASC	The Peterborough Chronicle 1070-1154 ed.C.Clark.
BM	London, British Museum.
CD	Episcopal Acts .... relating to Welsh Dioceses, ed. J. Conway Davies.
D	G.R.C.Davis: Medieval Cartularies of Great Britain, London 1958.
EA	Epistolae Anselmi in Sancti Anselmi...Opera Omnia, ed. F.S.Schmitt, Vils. IV and V.
EHR	English Historical Review.
FoW	Florenti Wigorniensis...Chronicon ..B.Thorpe.
GP	Willelmi Malmesbiriensis ... de Gestis Pontificum...ed. N.E.S.A.Hamilton.
H	Decretales Pseudo-Isidorianae,ed. P.Hinschius.
H&S	Councils and Ecclesiastical Documents..ed. A.Haddan and W.Stubbs.
HC	Hugh the Chantor: The History of the Church of York, ed. C.Johnson.
HCY	Historians of the Church of York and its Archbishops, ed. J.Raine.
HH	Henrici Archidiaconi Huntendunensis Historia Anglorum, ed. T.Arnold.
HN	Historia Novorum in Anglia by Eadmer, ed. M.Rule.
JoW	John of Worcester, the Chronicle of, ed. J.R.H.Weaver.
LL	The Book of Llan-Dav, ed. J.G.Evans.
MO	D.Knowles: The Monastic Order in England.
Mon.	Monasticon Anglicanum, new edition 1817-46.
OV	Orderici Vitalis Historiae Ecclesiasticae ed. A. Le Prevost and L.Pelisle.
PL	Patrologiae Cursus Completus..Patrum Latinorum, ed. J-P. Migne.
PRO	London, Public Record Office.
SU	[illegible]

Reg. Ant.	Registrum Antiquissimum of Lincoln ... ed. C. Foster
[illegible]	[illegible] ed. [illegible] etc.. [illegible] without a volume number (for the reference is to Vol.II, the year of Henry I).
[illegible]	[illegible] ed. [illegible].
[illegible]	[illegible] Transactions of the Royal Historical Society.
[illegible]	[illegible] Irish Archaeological Society and Celtic Miscellany.
[illegible]	[illegible] Publications of the Irish Archaeological Society, Collections for a History of [illegible].

INTRODUCTION

Scope. My object throughout this study has been to remain as faithful as possible to an exact interpretation of the title. It is concerned with the modes of action of the ecclesiastical hierarchy of pope, archbishop, bishop, episcopal agents and parish clergy, with the manner rather than the content of their operations. Because the church was not then, even in the partial sense of the next century, an autonomous corporation directed entirely by its own needs according to its own principles, but was itself shaped and altered by currents of social, legal and political change in which the whole kingdom, and sometimes all Europe, was involved, the account which I have given is often more nearly the description of a state than an explanation of change. Without a very much larger enquiry this limitation was inevitable.

It is clear that the forms of organisation and custom which prevailed in England at this time varied very widely; the regional differences in eleventh century society are fully reflected in the various practice of each diocese and bishop. Since the evidence is so unevenly distributed it is very easy to mistake a well-attested practice in one diocese for the established norm. This hazard is one which any attempt to present a coherent account of an imperfectly known institution is bound to encounter; it could only be avoided by confining oneself to a mere catalogue of the evidence. There is in effect a tension between the need to form hypotheses on the general practice in such matters as the appointment of cathedral dignitaries and the need to remember the waste of silence in which the surviving evidence acquires a disproportionate significance. Such a tension issues in compromise, which cannot be supposed more successful here than elsewhere.

I have made no effort to deal with the qualities peculiar to the religious orders, with forms of monastic or canonical discipline (or with the private devotions of the laity), except where these impinge directly upon diocesan organisation. Since the overwhelming bulk of the evidence comes from the archives of

these orders, and concerns the management of their estates to their own distinctive ends this has not been an easy frontier to observe.

The Use of Evidence. Since the limits of this study are defined in time as well as subject two problems have emerged. Much of the evidence comes from the charters of bishops and laymen whose careers did not coincide with the limits of Henry's reign, and it is often impossible to tell whether their acts reflect conditions in his reign or not. Usually the margin of error is not large, but in some cases, such as the charters of Nigel of Ely or Henry of Winchester, it may amount to as much as a generation, enough, as I hope to show, to invalidate the conclusions drawn from them for an earlier period. I have treated this difficulty by thus sparingly, using such evidence as sparingly as possible and noting the wide limits of date.

The second problem concerns evidence which certainly refers to a period earlier or later than Henry's reign. Some of the earlier material, notably in the Vita Wulfstani, illumines key important issues in the period on which there is little contemporary evidence. I have used this with little hesitation. The evidence from the reign of Stephen presents more complex problems. Often it is far more abundant and explicit than that for the reign of his uncle, and a rigid interpretation of the chronological limits would deprive one of a great deal of illumination on an obscure period. However there is general agreement that the period of the 'anarchy' was one of rapid change and significant development in the assertion of canonical discipline, not only in the use of the machinery of papal jurisdiction but also in recourse to the authority of the archbishop and in the study of canon law. To these changes the comparative abundance of evidence is itself a witness. Since the nature of these changes is still imperfectly known the danger of using such evidence is very considerable, for it is already far too easy to project backwards on the reign of Henry the anachronous rigidity of later forms of organization. Yet in the only solution that seemed to be to deal with the former and proceed with circumspection, although I have tried not to

use such evidence for any development which cannot be discerned, however faintly, before the death of Henry I.

Since this is intended as a study of forms of ecclesiastical action the charters which are a principal source have been used in idiosyncratic fashion. Often what is conveyed is of much less interest than the manner of its conveying, and so one asks questions of the evidence which its authors were not concerned to answer and of which they may well have been unaware. This makes for a certain artificiality inevitable in a study with such formal limits. This is particularly obvious, yet still likely to mislead, when one considers the careers of many of the clergy. For instance two of the most individual of the bishops, Flambard and Henry of Winchester, if viewed in a wider context, present qualities which not those most emphasised here. Considered solely as members of the hierarchy it is just as important that Henry had been a Cluniac monk as that he was the king's nephew, just as important that Flambard was only one of a large group of royal servants in bishoprics as that he was considered one of the principal architects of the iniquitous government of Rufus.

Although these are very obvious examples they are far from unique; in one sense they typify an imbalance inherent in such a study of institutions. A very rapid reading of Henry's Pipe Roll will make it clear that the royal service was filled, in its lower ranks as in its higher, by members of the clergy, and there is abundant evidence outside the roll to confirm this. Those whose status depended at least as much upon their secular employment as upon their ordination figure largely in the surviving evidence, yet it is solely under their clerical aspect that they are considered here. I hope this does not invalidate what is said of them as clergy, but it distorts their qualities unless the narrow focus of the enquiry is kept firmly in mind.

CHAPTER I

The English Church as a Unit of Study

1. England and Normandy.

It may well be maintained that the English church under Henry I is not a particularly meaningful object of study, and that one should choose a larger subject, the Anglo-Norman church, which spanned the Channel, and included the three archbishoprics of Canterbury, Rouen and York. There are two arguments which weigh heavily in favour of such a view.

Firstly, much that happened in the church in these years is incomprehensible without reference to the policies of the king-duke, but he spent more than half his reign after Tenchebrai in Normandy, and devoted the bulk of his military and diplomatic effort to the defence and consolidation of Normandy rather than England.[1] Three examples may serve to illustrate the point. Debateable though many of the details remain, it is clear that the resolution of the English investiture dispute in 1105-7 depended very largely on Henry's determination to gain control of all Normandy without papal interference.[2] Again, during the complex negotiations between king and pope in 1116-9, the king was acting in defence of the rights he claimed over all his dominions, and not with distinct English and Norman interests.[3] Lastly the choice of Henry of Blois as abbot of Glastonbury and bishop of Winchester must have been determined much more by the king's concern with the maintenance of the Blois alliance, central to the defence of Normandy, than by concern for the management of the English church.

This argument has an institutional as well as a political aspect. Throughout the reign English ecclesiastical business of the first importance was debated and effectively settled in the king's court. This however was often in Normandy, and either side of the Channel it contained men whose influence

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1. Henry's itinerary cannot be established with any certainty, but that in RG pp.xxix-xxxi suggests that Henry spent some 16 of the 29 years between September 1106 and December 1135 in Normandy.
2. Following here R.W.Southern: St.Anselm and his Biographer, Cambridge 1963, pp.163-80 against W.F.Cantor: Church, Kingship and Lay Investiture in England 1089-1135, Princeton 1958, pp. 234-73.
3. HN pp.231-59; GP pp.128-9; D.Nicholl: Thurstan, Archbishop of York, York 1964, pp.57-68.

depended largely upon their position in Normandy. Of these count Robert of Meulan is the outstanding example, although only the most prominent.[1]

A second line of argument for the unity of the Anglo-Norman church can be developed from the recruitment of the higher clergy. It is clear that the overwhelming bulk of the bishops and abbots appointed by Henry in England were of Norman birth, as had been true since the Conquest. It might then be supposed that their ideas on church government were formed by Norman example, not English experience. Indeed I shall argue that most of the institutional reforms which came to fruition in the reign were in line with changes which were taking place in Normandy even before the Conquest, although specific to neither England nor Normandy.

Both these arguments are themselves aspects of the more general contention that England and Normandy were for the most of Henry's reign a unit in a sense which transcends the fortuitous and dynastic association, a realm in which at least the magnates and higher clergy moved easily from one part to another, and in which the demands of one part element were soon reflected in the affairs of the other. Many of the Anglo-Norman aristocracy seem to have held such a view in 1088, and again in 1101 and 1135. Although they did not always agree who that one should be, they believed that there should be one ruler of both parts of the Conqueror's legacy.

These arguments can scarcely be set aside, but it is still possible to argue that the case for dealing with the English church alone outweighs its disadvantages. This case can be argued at several levels; one may base it upon historiographic grounds as well as contemporary attitudes.

The interest of a study of the growth of ecclesiastical organisation in the reign of Henry I is in part intrinsic, but it is also crucial to an understanding both of the last years of the Anglo-Saxon church and of the background to the quarrel of Becket and Henry II. Of these the first is a specifically English problem and the second turns quite largely upon the king's interpretation of the ancient customs of England.

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1. RA 353; HN pp. 163, 207, 235; OV iii pp. 426-8; for another example of Robert's intervention in ecclesiastical affairs in England v. below pp. 107-8. To a degree Stephen of Blois and his family may have inherited some of Robert's influence, for similarly 'Norman' reasons, after his death in 1118.

A demonstration that the English church was in Henry's reign distinct from that of Normandy, and was thought to be so, would obviously be more satisfactory than such arguments drawn from the convenience of historians. Materials to suggest that there was such a difference, and such a consciousness, are readily available.

The English church before the conquest had taken a course quite distinct from that of Normandy, and presented many idiosyncratic features. Of these the two most evident were the great importance of the monastic church, since the days of Edgar, and the absence of any clear evidence for a structure of ecclesiastical justice similar to that of post-Carolingian Gaul. In spite of some recent speculation there is still no trace of the operation of synods, archdeacons and so on in England before 1066, although these were certainly known over most of France, including Normandy.[1] A further point of difference between England and Normandy lay in the recruitment of bishops. While many of the Norman episcopate were recruited from a small group of magnate houses, including the duke's own, as was commonly true of much of Western Christendom, the Confessor's bishops were chosen almost wholly either from his circle of domestic chaplains, themselves apparently drawn from a less exalted sphere than their Norman fellows, or from monasteries. Correspondingly the English episcopate displayed far less political independence than their Norman bishops.[2]

With several of these points I shall be concerned more fully later, but all of them are aspects, again, of a general point. Although it is not always easy to define the differences between England and Normandy, it is still fairly clear that these existed, and were significant and substantial. Shaped as the structures of the church were by the patterns of secular life and settlement they shared in these differences to the full. Nothing did more

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1. For the arguments over the nature of ecclesiastical discipline in England before the conquest v. below pp. 160-1. For France in general v. J-F. Lemarignier, in Histoire des Institutions Francaises au Moyen Age, ed. F. Lot and R. Fawtier, Vol. III, Paris 1962, pp. 12-25 and the references there cited.
2. D.C. Douglas: Les eveques de Normandie 1035-1066, in Annales de Normandie VII, (1958) pp. 87-102, and The Norman episcopate before the Norman Conquest in Cambridge Historical Journal XIII (1957) pp. 101-16, esp. pp. 102-5; compare F. Barlow: The English Church 1000-1066, London 1963, pp. 75-84.

to reduce these contrasts than the conquest of course, but its existence in turn established a division between alien aristocracy and native populace in England which again distinguished it from Normandy in a way which is now largely obscure, but could hardly have been unimportant.[1]

In short, the history of the English church under Henry I is in general that of an essentially Anglo-Saxon institution moving slowly towards a later Latin norm. Although this change took place under a largely Norman and exclusively alien episcopate, under the watchful eye of a Norman king, the materials with which these bishops worked, and many of the means which they employed were necessarily Anglo-Saxon.

When one turns to the question of the origins of the higher clergy and considers the importance of their Norman birth, it becomes plain that the reign of Henry saw the working out of a process which much diminished the colonial quality of the episcopate. It is clear that the Conqueror was determined to appoint only men of assured loyalty to English sees. In effect this meant that he appointed no Anglo-Saxons, and, with one or two qualified exceptions, all were Normans.[2] Naturally enough his first appointments normally had no more experience of English conditions than that which they may have acquired at the king's court. The monks, such as Remigius of Dorchester, William of Durham and Lanfranc himself, came directly from their Norman monasteries. A second group, so far as can be known, were simply royal or ducal chaplains, although no doubt they had enjoyed the fruits of patronage in Normandy as their successors under Henry did in England.[3] Of these men Herfast at Elmham or Osmund of Salisbury may stand as examples. Of a third group we know a little more; they combined royal service with Norman benefices which can still be identified. Of these Thomas of York, the former chaplain and treasurer of Bayeux, or Gerard his successor, formerly chancellor and precentor of Rouen, are typical.[4] Sometimes the

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1. In the church this racial division seems to have divided the bishops from some of their archdeacons, many of their chapter, and almost all the parish clergy.
2. John of Bath came from Tours and Robert I of Hereford from Lorraine, but no doubt both had spent some time in Normandy. Osbern of Exeter had been one of the Confessor's favoured Norman clerks before 1066.
3. v. the remarkable narrative printed by P. le Cacheux. Une charte de Jumièges..
4. HC p.2; V.H. Galbraith: Girard the Chancellor in EHR XLVI(1931) pp.77-9.

'colonial' flavour of this episcopate was very marked;the disastrous career of Walcher at Durham offers a parallel with that of bishop Harvey at Bangor a few years later,while Robert de Limesi,at Coventry,and John of Tours,at both Wells and Bath,displayed a ruthless indifference to the feelings of their cathedral communities.[1] Such conduct lived long in corporate memory,but it may well be only one side of the case.Such an episcopate, united by a common predicament,and confident of the king's support,but little involved in the history and customs of their dioceses,might enjoy a freedom to innovate which neither their Saxon predecessors nor their successors in the twelfth century could hope to achieve.

Already however,before Rufus died, a natural but important change was taking place.Herbert of Norwich,a Norman monk of Fecamp,had been abbot of Ramsey briefly before his promotion to the see of Thetford,and Ranulf Flambard had considerable experience of English church government before becoming bishop of Durham in 1099.It is said that he entered public life as the protege of bishop Maurice of London,and it is very likely that he had been dean of St.Pauls for some years.If he was for the most part an absentee dean he can scarcely have avoided learning much about the affairs of his chapter,and the evidence from Christchurch,Twineham,shows that he was much more than a mere rentier there.[2]

In 1100 these are the only two bishops of whom we can be sure that they enjoyed English benefices before becoming bishop,while at York,Canterbury, London,Hereford and Winchester were men who are known to have held Norman office earlier.Through the reign of Henry this second group declined steadily against the first.By 1135 it is only of Seffrid of Chichester that one can assert with confidence that he had spent some time in the Norman

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1.For Walcher v. SD i 113-8;for Harvey below p .28 ;for Robert de Limesi Lanfranci Opera i Ep 32;for John of Tours Ecclesiastical Documents,ed. J.Hunter as Camden Society,Old Series,Vol.VIII(1840)pp.21-4 and GP pp.194-5.

2 .C.N.L.Brooke:The Composition of the Chapter of St.Pauls 1086-1163, in Cambridge Historical Journal,Vol,X(1951)pp111-32; Mon. VI (i) p.303. For Herbert v. B.Dodwell:The Foundation of Norwich Cathedral in TRHS Fifth Series Vol.VII(1957) pp.1-18, and the references there cited.

church,as a monk of Seez.There were several men who had been chosen from outside Henry's dominions altogether; successive chancellors to queen Adeliza,Godfrey at Bath and Simon of Worcester, were Lotharingians who had been prompted within a very short time of their mistress' marriage, and Henry of Blois had been a monk of Cluny,but these were the exception,not the rule,and both Seffrid and Henry had been abbot of Glastonbury before their promotion.[1] There were former archdeacons of English dioceses at Rochester, Exeter,Ely,Lincoln,Norwich and Chester,a former canon of St.Pauls at York, and former priors of English Augustinian houses at Canterbury,Hereford and Carlisle.[2] I discuss later the evidence for the activity of the seculars as both royal servants and active ecclesiastics; While this does not prove that all of them spent a great deal of their time about their dioceses it does suggest that such benefices were still more than a mere financial device. That the regulars had been active is beyond dispute.

It is in fact much easier to argue that Normandy was being colonised by England than vice versa at the end of the reign. Hugh, who became archbishop of Rouen in 1129, was a native of Amiens, but he had spent many years at Lewes before becoming abbot of Reading at its foundation.[3] Audoen of Evreux had succeeded to his father's prebend at St.Pauls; Richard of Avranches had been for years an active archdeacon at Norwich; Algar of Coutances had been first 'procurator' of the ancient minster at Bodmin and then a canon in the house of regular canons he had founded there.[4]

1.For Seffrid,half-brother to archbishop Ralph,v.GP.p.265, HN p.256, JoW p.18 , HH p.245, SD ii p.269 Annales Monastici ed. in 4 vols. with index vol. by H.R.Luard as Rolls Series no.36, London 1864-9, ii p.46. There is a similar notice of him in Adami de Domerham Historia de Rebus Gestis Glastoniensibus ed. T.Hearne in 2 vols., Oxford 1727, i p.120.

2.For these men v. below pp. 114-9.

3. Historia Novella p.12 OV iv p.500.

4.For Audoen v. Nicholl: Thurstan pp.7-8, for Richard below pp. for Algar Hermannus: De Miraculis S.Mariae Laudunensis Bk. ii in PL CLVI coll. 974-988,col. 983, and the more detailed information on his career at Bodmin in the Life of Master Guy of Merton in London, BM Royal MS 8 E. ix ff 95^{v}-6

A rather similar movement seems to have taken place among the abbots appointed by Henry. Rarely, all the abbots chosen during the reign came from among the monks of that house, as happened with the three successors of Serlo at Gloucester. Only one abbot was chosen in these years for the houses of Westminster, St. Albans and Winchcombe, but each was a monk of the house.[1]

As the careful tables of Professor Knowles have shown, the Norman abbeys, particularly Bec, Caen and St. Evroult, continued to provide a number of English abbots. Even here however it seems that the influence of Normandy was declining, for I have only found one example of an abbot appointed directly from a Norman house to an English one between 1121 and 1135.[2] At the same time the cathedral priories of Canterbury and Winchester, and the abbey of St. Albans were beginning to provide abbots for other houses much as Jumieges, Caen and Bec had done in the previous generation.[3]

Among the abbots then the same tendency may be seen evolving as among the bishops; by 1135 it was unusual to find a man who had spent his whole career in Normandy, or even much of it, appointed to high office in England. There is nothing surprising about this; England's patronage was more extensive than that of Normandy, so that the king's servants were more widely rewarded out of it, and the whole process is little more than the consolidation of the conquest. Nevertheless it does a great deal to diminish the force of the argument that the clergy either side of the channel must be treated as a single and indivisible community. If the higher clergy in England in 1135 were mostly Norman by birth they seem to have spent much the greater part of their apprenticeship in England, rather than Normandy.

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1. Historia...de Gloucestria; pp 13-15; Abbot Herbert was formerly almoner of Westminster, and may have been appointed after a disputed election, v. The Letters of Osbert de Clare, ed. E.W. Williamson, Oxford 1929, pp. 3-4; for Abbot Geoffrey of St. Albans v. Chronica Monasterii S. Albani ed. H.T. Riley as Rolls Series no. 28, Gesta Abbatum, 3 vols. 1867-9, i pp. 72-3; Winchcombe Annals 1049-1181 ed. R.R. Darlington in Early Medieval Miscellany for Doris Stenton, Pipe Roll Society New Series Vol. 36 for 1960, pp. 111-37 s.a. 1122.

2. William Basset, monk of St. Evroult, who became abbot of St. Benet of Hulme in 1127, OV III pp. 382-3; Martin of Peterborough, (appointed in 1132), had been a monk of Bec, OV V p. 16, but was prior of the English priory of St. Neot at his election, GC p. 54; in general v. MO Appendix VII

3. MO p. 177 n. 1; p. 178 n. 4; p. 187 n. 3.

2.Integritas Christianitatis in Anglia.

There were other and more compelling reasons for treating the English church separately than those provided by the practical distinctions between the practice of England and Normandy.Contemporaries almost always assumed the existence of such a unit.

Orderic Vitalis,the English historian of his Norman abbey, is the only chronicler of whom it can be said that he viewed the affairs of the Anglo-Norman dominions as anything approaching a whole,and even here it is clear that his focus was essentially on Normandy.His fellows confined themselves much more completely to the history of either duchy or kingdom; Eadmer's work is an Historia Novorum in Anglia,Henry of Huntingdon's an Historia Anglorum.The ecclesiastical consequences are shown in William of Malmesbury's two companion works, De Gestis Regum Anglorum, completed by De Gestis Pontificum Anglorum. They are also expressed with great frequency more widely; Eadmer speaks constantly of'Christianitas in Anglia', of 'tota ecclesia per Angliam constituta', of the 'integritas Christianitatis in Anglia'.[1] Many others spoke in the same sense; Gundulf of Rochester, Hugh of Lyons and the Pope himself, to cite almost random examples.[2]

A papal consciousness of the contrast between the two churches is also reflected in some of the legatine commissions of the reign,several of which were for England, sometimes with Scotland and the islands, while Normandy was usually committed to an active legate with powers extending over much of the rest of France. This might well expose the Norman bishops to a much more aggressive brand of papal reforming zeal than that which affected England.[3]

The basis of this sense of identity was twofold. In part it depended upon the recognition of a practical coincidence of an unusually close-knit political unit with the provinces of York and Canterbury. Under Henry it was as easy to speak of his church as his kingdom.Sometimes this

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1.HN pp. 31,33,41,69,93,205; he spoke of course even more frequently of the 'archiepiscopus Anglorum' for which v. below.
2.EA 150, 390, 423; cf. Anselm in EA 156.
3.Below, Chapter II pp.32-47,and the general reference collected in H.Tillman; Die Papstlichen Legaten in England bis zu Beendigung der Legation Gualas 1218, Bonn 192 6 , and T.Schieffer; Die papstlichen Legaten in Frankreich , Berlin 1935.

identity was admitted as something like a principal of canon law. When the Scots tried to establish their independence of York before the papal curia in 1126 Thurstan based his counterclaim in part on Scotland's being 'de regno', and is said to have been heard with respect.[1]

The other basis for the asserted unity of the English church lay in the primatial claims of Canterbury. The origins of this claim have much discussed, but two outstanding examples of its expression deserve notice here. Anselm insisted upon a profession from Thomas II of York

> ' ne integritas Christianitatis in duo divisa scinderetur in Anglia',

and when Thurstan offered to consecrate William of Corbéil as archbishop in 1123, according to the ancient custom, it was replied:

> 'Aliter modo res est quam solebat: ecclesie divise sunt'.[2]

In an institutional sense this view was well founded, for Anselm was the last archbishop of Canterbury to be consecrated by his fellow of York. With the failure of archbishop William to enforce a profession from Thurstan, the inherent legal rights of Canterbury's primacy may be said to have lapsed. It was on a very different principle that the same realities were reflected in the grant of a legateship to William personally in January 1126.[3]

The most striking expression of the unity of the English church was the celebration of councils. All those held during the reign, and for many years before and after, were councils of the whole English church, at least in name. In November 1100 Matilda subjected herself to the judgement ' totius Anglorum ecclesie'; in 1102 Anselm held a

> 'generale concilium episcoporum et abbatum totius regni ';

in 1108 it was he, Thomas elect of York and all the other bishops of England who legislated against a married clergy; in 1127 William of Corbéil held a

> 'generale concilium cunctum episcoporum et abbatum et quarumque religiosarum personarum totius Anglie...'.[4]

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1. HC p. 126
2. HN p.205, HC p.110; cf. Southern: St. Anselm pp.127-30
3. Below pp 73-4
4. HN pp.122, 141, 193-4, JoW p.24.

The last case, like the first, is remarkable, since on neither occasion was there a bishop from the province of York present. In 1100 Thomas I was dying and Flambard in gaol; in 1127 Thurstan refused to attend and Flambard said he was too ill, but no-one then, or for many years to come spoke of a council of the province of Canterbury.[1]

In general it is also noticeable that the Norman bishops attended these councils neither by right nor courtesy, with two exceptions. In 1132 the archbishops of York, Rouen and Canterbury presided jointly over a council summoned at the order of Innocent II to hear the case of Urban of Glamorgan, but this was an unusual occasion for such a council.[2] The other exception, from the reign of William I has its own interest too. In 1075 Geoffrey of Coutances sat among the English prelates at Lanfranc's council but this was obviously thought to require explanation. In the prologue to the formal record his presence was noticed with the phrase

> ' qui cum transmarinus esset episcopus, in Anglia multas possessiones habens cum ceteris in concilio residebat ',

while his subscription to the council's acts is followed by

> ' unus de Anglice terre primatibus'.[3]

There are good reasons therefore to believe that the English church was both in fact directed by idiosyncratic traditions and was conscious of its separate existence. The Channel, if far from a fence, was more than a road.

3. The frontier with Scotland.

The claims made for Canterbury as the mother church of an 'alter orbis ' separated England from Normandy, but they also involved rights over

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1. The Handbook of British Chronology, 2nd. ed., Royal Historical Society Guides and Handbooks no. 2, 1961, suggests that the first certain example of a Canterbury provincial council belongs to 1173; the claims made for 1114 and 1123 are unsatisfactory.
2. Below pp. 92-3.
3. D. Wilkins: Concilia Magnae Brittanie et Hiberniae, 4 vols, London 1737, i pp. 363-4. For the high authority of this text v. C.N.L. Brooke: Archbishop Lanfranc, The English Bishops, and the Council of London of 1075 in Studia Gratiana Vol. XII (1967) pp. 39-60.

much more than modern England. She claimed the primacy over all Britain, which included Scotland, Ireland, Wales and the Islands.

Although these claims were very widely if ether ignored or contested, none of them were formally abandoned during the reign. The effective limits of the authority of the English church were determined by events, and not by judgement. To understand these limits it is therefore necessary to traverse, though briefly, the history of the efforts made by Canterbury and York to enforce their claims .

At the council of Windsor in 1072 the archbishop of York was in part recompensed for his profession with a cession of all the rights which Canterbury might claim from the Humber to the furthest limits of Scotland.[1] There is no reason to believe that either archbishop then exercised any effective power north of the English border, and possibly it may not have extended that far. While it is possible that the council was simply trading in paper rights it is worth remark that the king was at that moment preparing to invade Scotland at the head of a force at least as imposing as that with which he had conquered England. Were it to achieve a comparable success such a concession would acquire immediate importance.

In the event William was content with very much less than total conquest, and the treaty of Abernethy brought no tangible advantages to the see of York. Archbishop Thomas was still bound to pursue an active policy towards Scotla nd however. As a metropolitan his position was almost absurd, as his struggle against the profession must have made him realise. The lever which Lanfranc, and Anselm and Ralph after him, could use most successfully in demanding a profession was that without the consent of

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1. Facsimiles of English Royal Writs to A.D. 1100, ed. T.A.M.Bishop and P.Chaplais, Oxford 1957, n. to pl. XXIX. For William's preparations against Scotland in this year v. most recently D.C.Douglas: William the Conqueror, London 1964, pp.225-8.

Canterbury it was virtually impossible to consecrate an archbishop of York, in whose province there were not three bishops to perform the office. In 1072 there was only the bishop af Durham precariously established in his turbulent diocese.

In the year after the council Thomas began his campaign to assert his authorit in the north. With the aid of two bishops borrowed from Canterbury he consecrated one Ralph to the see of Orkney, at the request, it is said, of earl Paul. Nothing further is known of this bishop; when he died he was replaced by Roger, a monk of Whitby, and he by Ralph Nowell.[1] It is clear that Ralph at least could not enter his diocese, for Thurstan obtained papal bulls on his behalf in the 1120's ordering his parishioners to receive him, but he was still without a diocese at the battle of the Standard.[2] The Orkney sources, the life of St. Magnus and the Orkneyinga sources know nothing of this line of York bishops; indeed they deny its existence by describing one William as first bishop in the Islands, a reckoning which can be confirmed by some other evidence, for the inscription on his tomb at Kirkwall also described him as first bishop.[3] there is no reason to believe that York knew anything of his appointment; he lived long enough to see the creation of the Norwegian province of Nidaros, in which his diocese was incorporated,[4] and it is likely that he always looked to Norway for such ecclesiastical allegiance as he would recognise.

If any of these bishops consecrated at York ever reached Orkney, which is doubtful, it is clear that they could establish no secure foothold there. In the end they were probably no more than assistants to their archbishops and the bishop of Durham.[5]

On the mainland of Scotland he is however said to have achieved a truly remarkable success. The Scottish church was still organised on principles much nearer those of the earlier Celtic church than of England and the rest of Roman Christendom, with very little, if any, diocesan structure, and presumably even less centralised control.[6] There seems

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1. ECY ii pp. 363, 367, 372; EC p 32.
2. ECY iii nos. 21, 34, Nicholl: Thurstan pp.224-6; for bishop Ralph's family v.G.V.Scammell: Hugh de Puiset...Cambridge 1956, pp.264-5
3. J.Dowden: The Bishops of Scotland, Glasgow 1912, p. 253
4. Councils and Ecclesiastical Documents... ed.A.W.Haddan and W.Stubbs, 3 vols. London 1869, 1873, 1871, ii pt.1 pp.229-30
5. JoW p.26
6. v.G.Donaldson: Scottish Bishops' Sees before the Reign of David I, in Proceedings of the Society of Antiquaries of Scotland vol.LXXVII for 1952-3 pp.106-117 for another view, against which G.W.S.Barrow: From Queen Margaret to David I... in Innes Review Vol.XI (1960) pp.22-38.

however to have been general agreement that the bishops of St, Andrews enjoyed a rather vague pre-eminence; in the time of archbishop Thomas this office was held by one Fothadh, whom an Irish source calls ' Ardepscob Albain ', who died in 1093.[1] According to Hugh the Chantor this Fothadh came to York in the days of Thomas 'satisfecere et reconciliari' because he had been consecrated by the 'Scoti', made a profession of obedience to York, and consecrated churches in the diocese at Thomas' command.[2] This was plainly an event which would acquire a very great significance in the context of subsequent disputes on the rights of York over St.Andrews, yet there seems to be no evidence that it was cited against Turgot, Eadmer or Robert. It is easy to believe that Fothadh did visit York, but it seems very doubtful whether he considered his actions there as implying all that Hugh the Chantor wished a generation later.

With this dubious achievement the efforts of the archbishop Thomas I seem to be complete. The bulk of the pontificate of his successor, Gerard, was occupied by the English investiture dispute, and it was this that afforded an opportunity for him to adopt a quite new measure against the Scottish bishops, for it seems that on his journey to Rome for his pallium he persuaded Paschal to issue a bull commanding them to obey him as metropolitan.[3] Gerard's very presence in Rome was perhaps his strongest argument for obtaining it, for it seems virtually certain that no bishop of St.Andrews or 'chief bishop of the Scots' had sought papal recognition of his claims for centuries, while Gerard was a familiar figure at Rome, who had not yet fallen under the cloud of his later years .Promising a course though this was, Gerard is not known to have pursued it further by attempting to use the bull, possibly for lack of opportunity.[4]

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1. Annals of Ulster ed. W.H. Hennessy, Dublin 1887-1901, ii p50
2. HC p.31; also HCY ii p.363.
3. HCY iii p.22. It is undated, but fits most naturally with the other York bulls obtained by Gerard with his pall. cf. Ib. pp.26-8, and the very corrupt dating clause of ib. pp.28-9, of which the indiction gives 1102 , though the other elements do not harmonise. For these points v. below Ch.II Appendix.p. 61 nn. 5 & 6.
4. The bull was generally addressed, and it is not clear how many, if indeed any Scottish bishops there then were to whom Gerard might have applied it. Outside Orkney and Man, whose status was exceptional, the editors of the Handbook of British Chronology record no well-attested Scottish bishops from 1100 to 1108 except a very dubious succession of 'electi ' at St.Andrews.

At the end of his life however there was a development which lent new urgency to the issue of Scottish obedience. In 1106 Alexander, the new King of Scotland, persuaded prior Turgot of Durham to accept the long vacant see of St.Andrews. So long as the Scottish church retained its old loose Celtic organisation York had everything to hope for there,and little to fear.If however the Scottish church were to be re-organised along conventional lines under bishops perfectly familiar with the norms of Latin Christianity, then York was in serious danger of being squeezed between Canterbury and St.Andrews into its existing frontiers; so long as it maintained its pretensions to the north the new bishop must make a profession of obedience. The men of York by now were well acquainted with the necessary tactics, and Gerard refused to consecrate Turgot without a profession until his death.

His successor, Thomas II, was less happy in the matter of professions, both to Canterbury and St.Andrews, and the parallel between the two cases is almost exact. The two kings compelled Thomas to consecrate Turgot without a profession, though allowing him to reserve any rights he claimed in precisely the terms he had attached to his own profession.[1]

In the event this did not prove as serious a set-back for the claims of York as might have been feared; Turgot and Alexander found it impossible to work together in harmony, and the new bishop seems to have achieved very little before illness and discouragement brought him home to Durham to die in 1115.[2] Elsewhere Thomas made some progress . Although Man and the Isles had had their own bishop since about 1080, it is not clear by whom he was consecrated;of bishop Wimund however the Digby chronicle, which seems to have had access to records at York now lost, asserts that he was consecrated by Thomas and made him a written profession[3], and this is likely enough. There were also important changes taking place nearer home.

Until 1018 the modern frontier between England and Scotland at the western end had been straddled by the ancient kingdom of Strathclyde, and

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1.SD ii p.204; HC p.31 is consistent with this although the Digby chronicle (HCY ii p.369)contains a profession, which deserves no credit.

2.SD ii p.204-5.When Turgot met Thurstan shortly before his death he promised that he would make him a profession, should he recover. Ib. and HC p.35. v Nicholl: Thurstan pp.49-50

3.The reference to Thomas' consecration of Wimund is found in HCY ii p.372; unusually this does not appear to be an amplification of anything in Hugh the Chantor. The incipit of Wimund's profession calls him a priest of Skye,which looks probable.For his predecessors v. Chronica Regum Manniae et Insularum ed.P.A.Munch as Manx Soc.Vols.XXII-III(1874) i pp.28-9.

although in that year it was annexed to the Scottish crown it yet retained its separate identity.The expedition of Rufus in 1092, which extended English domination as far north as Carlisle, so including much of the former kingdom, further confused its dependence.It also complicated the ecclesiastical relations of the later Cumberland and Westmoreland, once no doubt dependent upon the church of St.Kentigern at Glasgow.'Owing to the attacks of enemies and the desolation and barbarism of the land' this had probably been vacant since the middle of the eleventh century, and it was therefore easy for Rufus to grant Durham spiritual jurisdiction over his new lands; in the last year of his life archbishop ThomasI confirmed to Ralph Flambard

'curam et archidiaconatum de Caerlon et provinciae eius'.[1]

With Flambard's fall in 1100 these rights were lost, and York may have undertaken some of the spiritual duties of the area .[2] A very general confusion appears to have followed.Soon after the accession of Alexander, his brother David was entrusted with Cumbria; the new earl was familiar with the patterns of the English church no doubt through his sister, Henry's queen, and his own mother had also been prominent in the movement towards reform in Scotland. It is not surprising therefore that he was anxious to restore the church of Glasgow,for which he chose one Michael as bishop, sending him to Thomas for ordination.This at least is York's account of the affair, but his recorded activities refer to the area of 'English' Cumbria, and it was in the church of Moreland that he was buried.[3]

At about the same time archbishop Thomas died, and was replaced by Thurstan, whose resolute maintenance of the rights of his see against Canterbury prevented his consecration for five years. This presented difficulties for John, the new bishop of Glascow, whom there were not enough bishops in the province to consecrate.

1.Archaeologia Aeliana IV Series Vol.VII (1930):H.H.E.Craster: A Contemporary Record of the Pontificate of Ranulf Flambard pp.33-56, p. 38 no.4. This charter might be of Thomas II, since Durham's claims may not have been set aside as lightly as their chronicler supposed.v.n.2 below

2.SD i p 139, ii p.285. Durham's claims to at least part of this area were still however recognised by Thomas II ; v. the often printed EYC iii 1424 (Craster ut sup. p.39 No.6.).

3HC p.32 ; HCY ii pp.371-2.

For the events that followed there are two accounts.One is found in the bull of Calixtus to John of 1122, and in Hugh the Chantor.[1] The other, presumably the Scottish version, is found with the Inquisitio Davidis, which seems to have taken its present form in the mid-century.[2] According to this bishop John was so discouraged by the ferocity of his flock and the multitude of their abominable vices that he did not wait for consecration, but fled towards Jerusalem. Intercepted by the pope however he was consecrated and sent back to his diocese.

York's version is significantly different; when John left for Rome he had undergone the formalities of election in the chapter there and he was consecrated on the strength of letters sent by Thurstan. These letters, which Calixtus' bull mentions too, are critical to the argument, for if John had them he could not have left the country to avoid consecration, but in order to obtain it. Since both parties must have been aware that what happened at Rome was essential to any argument on John's subsequent status both account must be treated with suspicion, but the authority of Calixtus' bull is strong for York, and it is easy enough to see how the author of the Scottish account could confuse this first journey of bishop John with his second in 1122-3.[3]

Thurstan was shortly afterwards himself receiving consecration from the pope under circumstances which assured him the most favourable hearing at the curia. He took the opportunity with vigour, obtaining bulls of protection for some new foundations in the diocese and renewing the plan of Gerard in 1102 by obtaining a papal mandate enjoining obedience on the Scottish bishops. It was now a much more significant matter, for a number of new bishops were now beginning to appear in the north, and so Thurstan would not lack for opponents.[4]

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1. HCY iii p.44; HC pp. 126-7
2. Last and best edited by A.O.Lawrie: Early Scottish Charters, Edinburgh 1905 No.50. On p.299 Lawrie remarks that the historical preamble may well be quite distinct from the Inquisitio,and so the work of the compiler of the cartulary (D.1150) in the e. xiii c.
3. v. below p.21.
4. Two bishops, Cormac and Gregory, whose subsequent texts attribute to Dunkeld and Moray attest the foundation charter of the Scone, of 1115 (Liber de Scon ed.W.Smythe for the Maitland and Bannantyne Clubs 1843 No.1).The most various views have been taken of this text, but most recently Professor Barrow: Regesta Regum Anglo-Scottorum I p.37 has observed that it is very possibly genuine.

Almost immediately afterwards king Alexander tried to fill the see of St. Andrews, vacant since the retirement of Turgot, by appointing Eadmer, Anselm's former companion and biographer. If the object was to secure a bishop with the least possible sympathy with York it succeeded admirably; unfortunately for Alexander Eadmer was almost equally unsympathetic to his own aspirations for a 'national'church. He insisted upon the king's surrender of his claims to invest and showed alarming signs of wishing to exchange a dependence upon Canterbury for one on York.Amid mutual recriminations Eadmer and Alexander parted with very little achieved.[1] In some ways the most interesting result was a polemic letter written to Eadmer by his old friend, prior Nicholas of Worcester.[2] It appears to have been written in response to Eadmer's request for his view on the claims of York to the Scottish primacy, and falls into two parts. First Nicholas demolishes almost every argument which might be advanced by York; with the single exception of Turgot the Scots had provided the consecration of the archbishops of York rather than vice versa; although the barbarous Scots knew nothing of the pallium yet St.Andrews was recognised as the 'summus Pontifex Scottorum ', and this was clearly a de facto archbishopric;

> 'De Eboracensis Ecclesiae suffraganeis, quid ad vos?
> Alius sibi quaerat, non de vobis. Quod si tot invenire
> quot se aestimat habere debuisse non valet? Sibi imputet,
> non aliena invadere attemptet.'

York's remedy lay in the restoration of all those sees which by her own cupidity and negligence had been allowed to disappear, at Ripon, Beverley, Hexhs Hexham and Whithorn, besides the second see outside York. Nicholas does not however dispute York's title to the obedience of Glasgow.

He then turns to the proposals for Eadmers immediate predicament. Let him abandon the fruitless controversy over the rights of Canterbury and York in the north,base his case entirely upon the independence of the Scottish church and seek consecration from the pope. Although Eadmer was not the man to adopt such a policy Nicholas showed great judgement,and his

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1.For the affair of Eadmer's election v. HN pp. 279-88,298-302, Southern: St.Anselm and his Biographer p.236, Nicholl: Thurstan p. 74.

2.The letter was copied by Eadmer into his personal manuscript, Cambridge CCC 371 pp.7-9 (for which v. Southern: St.Anselm and his Biographer, Appendix III pp.367-74) and was printed from it in H.Wharton: Anglia Sacra, 2 volumes, London 1691 II pp.234-6, and so in PL CLIX coll. 809-12 and HBS II 1 pp.202-4.

letter foreshadows the courses adopted both by York and Scotland in the succeeding years.

When Thurstan eventually entered his diocese in 1121 he came armed with a new confidence in the efficacy of papal intervention and three papal bulls; one ordered the bishops of Durham, Orkney and Glasgow by name and the bishops of Scotland generally to obey him as archbishop, the second was addressed especially to the Scottish bishops commanding them to receive consecration from no-one but Thurstan their Metropolitan and to obey him as Paschal II had ordered them to obey Gerard, the third was directed to the kings of Norway on behalf of Ralph Nowell the would-be bishop of Orkney.[1]

Neither John nor the Scottish bishops seem to have been much moved by these threats, for in January 1122 Calixtus was repeating them with increasing force in bulls directed to them and king Alexander.[2] Even these did not take effect, and by the end of the year Thurstan had suspended John from office, compelling him to go to Rome to plead his case in person. Frustrated here by Calixtus' maintenance of Thurstan, John went off to Jerusalem to avoid his dilemma of excommunication or submission.[3] With the utmost difficulty he was persuaded to return to his diocese though not to make a profession.

In 1124, just before his death, king Alexander made yet another effort to fill the see of St.Andrews; his choice fell on Robert prior of Scone, one of his own subjects and a former canon of Nostell, a house with which Thurstan had the friendliest of relations.[4] No former acquaintance would deter the archbishop in his determination to exact a profession however, and it must have been at his insistence that the commission of the legate John of Crema included instructions to hear the arguments upon the dependence of the Scottish bishops, although a final decision on this, as on the issue of Canterbury's primacy was reserved to the pope in person.

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1. The York bulls which are included in the Magnum Registrum Album have been printed very often; I have cited HCY for those printed by Raine; many of these are also found in Mon VI(iii) pp.1178-88 but in inferior texts. Those cited are HCY iii nos.21-2, HC p.76.
2. HCY iii nos. 24-6 all dated 15 January.
3. SD ii 246, HCY iii no. 27
4. SD ii p.275; for Thurstan as a benefactor of Nostell v. below chapter III Appendix s.a. 1120 and note, and EYC iii No.1439 (RG 1625). For Robert v. also W.F.Skene: Chronicles of the Picts and Scots, Edinburgh 1867 pp.191-2, from the Legend of St.Andrew, written during the reign of David I.

Presumably this was among the matters raised by the legate when he met the new king of the Scots David, at Roxburgh in 1125.[1]

Nothing is known of the substance of these discussions, but the sequel suggests that they were not favourable to the Scots. Shortly afterwards John of Glasgow set off for Rome, where Thurstan found him when he arrived with the legate to defend his see from the claims of Canterbury yet again around Christmas 1125. Thurstan seized the opportunity of their conjunction to raise again the matter of John's profession, but John replied to him much as Thurstan had replied to William of Canterbury in 1123, that he had not yet been summoned on such an issue; he was there to seek a pall for the bishop of St. Andrews, the first clear indication that the Scots were following the policy prior Nicholas had recommended to Eadmer. Some preliminary discussion of which York thought it had had much the best, was followed by agreement to set a day in Lent 1127 for the appearance of Thurstan, John and the Scottish bishops at the curia for a full debate on all their claims .[2]

When Thurstan made his way home he must have felt well satisfied; the claims of Canterbury had been withstood to the last and his slippery opponents in the north had agreed to abide by a papal judgement which he had every reason to hope favourable. At Christmas 1126 he came south to attend the king's court before setting out for Rome; it was not a happy visit. William of Canterbury refused to allow him to have his cross carried before him and they quarrelled bitterly over their dignities. Further, king David was also at court and he concerted with Henry a policy of compromise which would keep the issue of the Scottish bishops out of the curia. This they persuaded Thurstan to accept for the moment, prevailing on him to send to Rome

> 'to request on the king's and his own behalf that the case be adjourned to the next Lent, with leave to settle the case in the meantime. This being agreed, the archbishop sent, and with difficulty, obtained an adjournment.'[3]

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1. 3D ii pp.276-7. Since the papal policy of the Scottish kings was in general to avoid raising such issues at Rome, for their ends were best served by dealing with them in Scotland , it seems reasonable to attribute this papal initiative to Thurstan's pressure.
2. HC pp.126-7. Lent 1127 ran from February 16 to April 5.
3. HC pp.128-30 cf JoW pp.22-3

At this point Hugh of Chantor's account ceases, and there is no direct evidence on the nature of the settlement which the kings proposed. The events of the next few years however allow one to see a marked change in the relations of York and Scotland, so marked that it is not unreasonable to see in it the operation of the royal compromise.

Early in 1127 Thurstan at last consecrated Robert, bishop elect of St.Andrews since 1124 to his see, and that without a profession. This very considerable concession was accompanied by two charters from king David and the archbishop in which the 'querela' of York and the 'iustitia' of St.Andrews are both saved, and in which it is provided that king David will hear Thurstan's claims whenever he wishes to raise them.[1] That Thurstan consecrated Robert at all, and the complete absence of any reference in either charter to the authority of Rome, both mark a retreat from Thurstan's strong position at Christmas 1126.

It seems fairly clear that Thurstan did not prosecute his claims against the Scottish bishops, for there is no evidence that he was in Rome or sent representatives in Lent 1128, to which their quarrel had been adjourned at the beginning of 1127.Either he or his agents were certainly there however at the end of the year , when six bulls on behalf of his province were issued on December 9.[2] These cast a great deal of light on the policies which he was then pursuing.There is firstly the negative aspect; none of them touches on the obedience of the Scottish bishops. On the other hand there is yet another bull ordering John of Glasgow to submit to Thurstan;[3] another is even more important to the argument.It is directed to Gilla Aidan, bishop-elect of Whithorn, ordering him to make his profession to Thurstan, an order which was carried out,although when it is not known.[4] This is the first mention of

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1.JoW p.26; HCY iii pp.51-2. v.the excellent discussion of all this in Nicholl: Thurstan pp.102-3.

2.PU ii No.12 provides the year date for Mon.VI(iii)p.1178(xii) which is dated Dec.9.Holtzmann therefore redated the other bulls for York dated on the same day to 1128:J-L7224(HCY iii pp.50-1),J-L7225(HCY iii pp.48-9 -9), J-L7226(HCY iii no.34),J-L7228(HCY iii no.32). PU ii p.105. The privilege for Whitby,J-L7230, Cartularium Abbathiae de Whiteby ed. J.C.Atkinson for the Surtees Society as vols LXIX and LXXII, 1879 and 1881, i p. 116 also dated Dec.9 must belong to the same group.The date 1125 of earlier editors, and thence in Jaffé is no more than a guess; there is no reason to believe that Thurstan had reached Rome as early as Dec. 9 1125. He was the last English bishop to arrive(HC p.124),and the earliest bull granted to any of the English delegates at that time is dated Jan.1 1126 (PU 11 no.7)

3.HCY iii no. 32 v. note 2 on the previous page.

4.Ib.no.30For its date v.PU II p.105;HCY ii no.43;HCY ii p.385.

this diocese, the ancient see of Candida Casa mentioned in prior Nicholas' letter, since the last years of the eighthcentury, and it seems clear that it had just been revived. Ecclesiastically Galloway, for which Whithorn was the bishopric, had presumably formed part of the diocese of Glasgow since the end of its own line of bishops although there is no proof of this; politically it enjoyed a large measure of independence under its prince, Fergus, which no doubt simplified the creation of a new bishopric there. The move was one which was certainly to Thurstan's advantage, probably at the expense of bishop John, and it is difficult to believe that it could have taken pla ce without king David's consent.[1]

In summary, then after 1126 Thurstan relaxed, if not virtually abandoned, his efforts to establish metropolitan control over the bishops of most of Scotland; in return he was allowed to enjoy the obedience of a new bishopric founded in Cumbria. If this was in terms of a formal compact made at the Christmas court in 1126 it seems quite likely that king David had agreed not to protect bishop John of Glascow from whatever pressures Thurstan and the pope might be able to bring to bear upon him, although the only evidence for this is that Thurstan did not in fact relax his efforts to secure his submission.

It is at least possible that Thurstan's most notable achievement in seeking for himself other suffragans is also connected with the terms of a compact at Christmas 1126. About the time that Henry I took direct charge of the city of Carlisle the principal church acquired a new importance as a house of regular canons closely connected with Nostell, with which it may have shared its prior.[2] About 1133 pope Innocent II granted Thurstan the

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1. Transactions of the Dumfriesshire and Galloway Nat.Hist. and Antiq. Soc. Vol.XXVII (1950) pp.99-102.
2. For Carlisle as priory and bishopric v.Nicholl: Thurstan pp.140-50, J.C.Dickinson: The Origins of Carlisle Cathedral in Transactions of the Cumberland a nd Westmoreland Antiquarian and Archaeological Society Vol. XLV pp.134-43, and the same author's Origins of the Austin Canons in England (London)1950 pp.248 et seq.. Also the excellent article in VCH Cumberland ii pp.131 et seq..The foundation history of Nostell, for which v.JWilson: Foundations of the Austin Priories of Nostell and Scone in Scottish Historical Review VII(1910) pp.141-159, asserts that Calixtus II allowed Adelold of Nostell to hold the priorate of Nostell with the bishopric of Carlisle; This improbable, since there is no evidence that the bishopric was in existence as early as 1124; ~~on the other hand it is unusual for anyone to seek papal approval for holding two priories at once at this date, which is Mr.Dickinson's suggestion.~~ On the whole it is unwise to place any great reliance upon the foundation history which shows signs of acute chronological confusion.

papal right to divide dioceses and constitute new bishoprics, and in that year he consecrated Adelwold prior of Nostell first bishop of Carlisle, with a diocese that included all 'English' Cumbria, again at the expense of the bishopric of Glasgow.[1] It has been credibly asserted that the plans for this change had been maturing for several years before this, and that a principal motive was that both king and archbishop resented the exercise in England of spiritual authority by a bishop who owed no allegiance to either.[2] The effect of this measure was to create a second bishopric subject to York and served by Augustinian canons carved out of the sprawling province of Cumbria, and to make the political and ecclesiastical boundaries of England coincide.

It is unfortunately impossible to tell how long the negotiations before the foundation of this, the last English diocese to be created before the Reformation, took to complete. The point is relevant because the whole atmosphere of ecclesiastical affairs along the border was altered by the schism of 1130. Again it is necessary to argue backwards on the effects of this; in 1136 Innocent wrote to both the English archbishops on the conduct of John of Glasgow, denouncing him as a pseudo-bishop who had dared to raise his heel against his holy mother church

> ' et quoscunque potuit in errorem schismatis
> inducere minime formidavit '.

He was to be brought back to obedience to both Innocent and Thurstan within three months or be excommunicated.[3] It has been argued that the entire Scottish episcopate and their king were favourers of Anaclete, and may have been so from the outset, although only John had a compelling motive for adhering to the anti-pope before 1136.[4] If so it may be this that lies behind a bull

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1. HCY iii no.40, HCY ii p.385, SD ii p.285.
2. Dickinson: Origins of Carlisle Cathedral p.84; the principal authority is however the hopelessy confused reference in Johannis de Fordun Scotichronicon ed. W. Goodall (Edinburgh 1759); p.449, where it is asserted that Henry was enragedby the sight of John of Glascow exercising his authority in 1122 during the king's visit to the north. Henry was there c. October 1122, by which time John had probably already been suspended from office and may already have left for Rome. v. above p.21.
3. HCY iii pp.66-7.
4. Nicholl: Thurstan pp.103-6; G.W.S. Barrow: Scottish Rulers and the Religious Orders in TRHS, Ser. V Vol. III (1953) pp.77-101 esp. p.88 and references there cited. John had been ordered to submit to Thurstan in 1128 (p.23 n.3), and again, by Innocent in 1131 (HCY iii pp.61-2); for his time was running out. It seems that David's most cogent reason for following Anaclete may have been Innocent's support for Stephen against Matilda.

of Innocent of 1131 ordering the Scottish bishops to obey Thurstan, the first of its kind since 1122, and in sharp contrast to the papal silence of 1125-31.[1] It is clear from the bulls of 1136 that the pope saw obedience to Thurstan as a guarantee of orthodoxy in John and he may have been thinking in the same way in 1131. Whatever ~~the~~ general argument in this one adopts it is quite clear that by 1133 bishop John was thoroughly discredited at Rome, and any proposal which extended the area of English and so orthodox influence at his expense was likely to be well received. It may be that it was very recent events therefore that precipitated the erection of the new see; if however the consecration of Adelold in 1133 was only the last stage of a long process which king David's assent would have made much easier it is quite likely that both Carlisle and Whithorn were part of the price which David was willing to pay in 1126 for a suspension of Thurstan's manoeuvres at Rome against the rest of his bishops, notably the bishop of St.Andrews.

In the last years of Henry's reign Thurstan made progress elsewhere too. At least one bishop of Man and the Isles had already been consecrated at York before Thurstan became archbishop,[2] but recent developments there showed how tenuous his influence there had been, while strengthening it in an important way. About 1131 Olaf king of Man wrote to the archbishop describing an agreement which he had made with the Savigniac monks of Furness. It had been determined that all subsequent bishops of the Isles should be provided from the monks, and the King asked Thurstan to consecrate the first bishop so chosen,not because it was his right,or by reference to the consecration of Wimund, but because of his great reputation, and because the abbot of Furness would have no other.The whole letter is a salutary warning against treating York's occasional triumphs as if they settled points of law.[3]

1.HCY iii no.46.

2.v.above p.17 and note

3.HCY iii pp.58-9; Nicholl: Thurstan pp.139-40. Mr.Nicholl's comment on the dating of the other letter from a King Olaf Ib.p.140 n.121 discussing HCY iii pp.59-60 does not seem wholly just.The letter is inlikely to have been written during a vacancy at York,since it asks the dean and chapter to send back the bishop elect 'Archiepiscopi vestri per manum impositionem consecratum', From the list of bishops of the Isles in the Handbook of British Chronology 2 nd ed. it appears that no bishop Nicholas could have been sent to York for consecration by a king Olaf except c.1134-52; on the other hand the reference to the 'clamor sive iniusta querimonia' of the monks of Furness in the second letter can scarcely be reconciled with the cooperation of king and monks expressed in the first.

By 1135 it may be said that the influence of York upon Scotland and its Scandinavian outskirts was at its height. The kingdom of Man recognised the archbishop's pre-eminence, his claims over Orkney and Scotland were very much alive, and those over Orkney were receiving continued papal support, if to little effect, while at Carlisle and Whithorn were installed two bishops who had professed obedience to him. These achievements were however based on flimsy foundations, the excellent relations between king Henry and king David and the slow advance of the latin ideas of provincial organisation among the Norse islanders . The rest of the century saw the growth of ecclesiastical organisation in Norway and the pursuit of a more aggressive policy by the Scottish kings which came near to annihilating all Thurstan's achievements. Orkney passed definitively into the province of Nidaros; at Man the influence of York became only one of a number of competing claims, and by no means the most influential; Whithorn passed into the sphere of the independent church of Scotland, and Glasgow with it.[1] The very existence of Carlisle became a doubtful issue, for Adelold was expelled by king David and although he was apparently restored in 1138 there is very little reason to suppose him greatly active as a bishop, or much missed if he were not.[2] His successors seems to have been in more than nominal occupation of the see from his death until the early years of the next century.

Notable though Thurstan's achievements were then, they did not endure, and even at the height of his power it is doubtful whether his authority was more than nominal beyond Durham and Carlisle.

Wales and Ireland

The remaining frontiers can be discussed much more briefly, because neither was particularly uncertain. The same council that assigned Scotland to York reserved Wales and Ireland to Canterbury, although again this was a partition of spheres of possible expansion rather than effective control. When Norman conquerors reached ~~the island~~ Ireland late in the century they found there

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1. The materials for tracing the slow and fluctuating progress of Whithorn, Glasgow and the rest of the Scottish bishops towards independence of York are conveniently collected, though not always in satisfactory editions in EHS II pp.31-50 and pp.231-74. The definitive separation of Whithorn from York was not effected however before the mid-fourteenth century.
2. In 1136 Innocent wrote to king Stephen urging the completion of the establishment of the see (HCY iii no.44); for Adelold's restoration, at the request of the legate Alberic of Ostia SD ii p.298.

an independent hierarchy under its own four archbishops in no way dependent upon Canterbury.

Wales.[1]

Before the Norman conquest of England the Welsh church presented many aspects similar to those of the Scottish, 'Celtic' pattern, although perhaps the large number of independent princes, each with his own bishop, made it more 'diocesan' in appearance. The evidence for contact with Canterbury, particularly in the ordination of bishops, is slight and untrustworthy[2]; and this contact was certainly far short of that subjection supposed by the council of 1072. However,as the tide of Norman conquest reached steadily westwards the Welsh episcopate was either staffed with Norman nominees or compelled to recognise the authority of Canterbury. Under earl Hugh of Chester the marchers in the north pushed as far as the ancient monastery of Bangor, where they installed Herwey the Breton as bishop. Further south archbishop Anselm, for reasons now obscure, suspended the two bishops of Glamorgan and St.Davids from their functions. What, if any, effect this had on the bishop of Glamorgan is unknown, but the bishop of St.Davids soon came to terms, andanother letter of Anselm's urges the Norman magnates now pressing forward into the diocese to obey Wilfrid as their bishop.[3]

Herwey's career at Bangor was short and unhappy; the invaders who had placed him in his cathedral were soon driven back, and after a short period of struggle the bishop too retired to England;[4] The vacancy so created

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1.The chief authorities for the history of the Welsh church in these years are: Sir J.C.Lloyd: A History of Wales..3rd ed.,London,1939; and J.Conway Davies: Episcopal Acts and Cognate Documents Relating to Welsh Dioceses, Vol.1(St.Davids), and Vol.2(Llandaff),published as Publications of the Historical Society of the Church in Wales No.1(1946) and Nos.3 and 4(1948), a calender of much of the surviving evidence with extensive introductory matter; the most important source is The Book of Llan-Dav, ed.J.G.Evans as Vol.IV of Old Welsh Texts, Oxford 1893.On this text there is now an extensive literature; v.esp.C.N.L.Brooke: The Archbishops of St. Davids, Llandaff and Coerleon-on-Usk in Studies in the Early British Church ed. Chadwick, pp. 201-42 and E.D Jones: The Book of Llandaff, in National Library of Wales Journal IV (1946) pp.123-57.

2.Against CD 1 pp.63-5 v.Jones, op.cit. ,and M.Richter:Professions of Obedience and the Metropolitan Claim of St.Davids in National Library of Wales Journal XV(1967-8)pp.197-214.

3.E. 175, HN p.72, EA 270.

4.CD 1 pp.91-6; Liber Eliensis, ed. E.Blake for the Camden Society as Third Series Vol.92(1962), pp.245-6; GP pp.325-6.

lasted for twenty years. In 1120 prince Griffin and 'all the clergy and people of Wales' wrote to archbishop Ralph, asking him to consecrate one David to the long-vacant see. How loosely the relation to Canterbury was conceived by the prince may be judged by his threat to seek a bishop from Ireland if Ralph did not agree.[1]

In the south too a new generation of bishops had appeared. Herewald of Glamorgan died in 1104; he was succeeded by Urban, his archdeacon, but a man who may have had experience of conditions in England.[2] Further west bishop Wilfrid, who had come to terms with many of his new neighbours,[3] died in 1115. He was replaced by the Norman Bernard, formerly the queen's chancellor.[4] The Welshmaen urban and David and the Norman Bernard all behaved for the rest of the reign as loyal, and sometimes diligent, subjects of Canterbury, assisting in the consecration of bishops and attending councils like their fellow suffragans.[5] There may have been an isolated murmur of protest from the canons of St. Davids, who are said to have written a letter to Honorius II traversing the former metropolitan glories of their see,[6] and no doubt few Welshmen had any cause to welcome the new dispensation, but there are no substantial grounds for doubting that the Welsh frontier had ceased to distinguish two hierarchies, or types of diocesan organisation.

At the highest level then Wales could be regarded as part of the province of Canterbury, and I have referred to documents dealing with Welsh affairs occasionally in this study. Nevertheless at the parochial and even diocesan level it still had its own difficulties, its own traditions and its own peculiarly difficult historiography. I have therefore not attempted to treat it here with the attention and separate care which it demands.

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1. HN pp.259-60, CD pp.97-101.
2. LL p.280; the petition for his election in BM Harleian Roll A.3 calls him a priest of the diocese of Worcester, However this document may have no more than formal significance; for another view and the text v. Richter: Professions of Obedience pp.200-1.
3. CD i nos. D 26-8, and pp.128-33.
4. CD i nos. D 29-39.
5. CD i nos. D 41-2, 44-8, 52-7, 61, 66, 79, ii nos. L 41-3,
6. CD i, D 80; for this text v. C.N.L. Brooke: The Archbishops of St. Davids pp. 207-8, 233. and Richter op.cit. It is Mr. Richter's contention that the metropolitan claims of Bernard were more reasonable than his previous career would suggest. His discussion however reads oddly in the context of similar struggles over professions at York, Glasgow and St. Andrews in the same period and the arguments must be treated with much caution.

Ireland.

The sources for the history of the Irish church around 1100 again suggest a church formerly dominated by the greater monasteries slowly moving towards a more diocesan organisation.[1] Here too the influence of Canterbury was very slight, effectively confined to the two enclaves of Norse Irish foreigners at Dublin and Waterford, who looked to England as a bulwark against the ecclesiastical pretensions of their neighbours.

Well before the Norman Conquest the archbishop had consecrated a bishop of Dublin as his suffragan, and Lanfranc consecrated Samuel O h-Aingli to Dublin after scrutiny and instruction. Samuel had been a monk of St. Albans, as well as being the nephew of his predecessor, but once out of reach of the archbishop he began to adopt his own policies, and Anselm rebuked him with severity for daring to arrogate some of the rights of an archbishop.[2] Only months later Muirchertach, claiming the High Kingship, and the clergy and people of Waterford, wrote to Anselm, asking him to consecrate Malchus, an Irish monk from Winchester, to a newly created see at Waterford. According to Eadmer they did this out of respect for the primatial authority which he exercised over them, but the letter from Ireland contains no such outright admission of authority.[3]

There are a number of letters to and from the archbishop which illuminate his relations with Ireland. Of one written by Anselm Professor Southern has observed:

> 'This is the gentlest of expressions of authority, but authority it undoubtedly supposes.'[4]

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1. There are substantial discussions of the Irish church in these years in J.F.Kenney: Sources for the Early History of Ireland.. New York 1929, pp. 745 et seq. and St.Bernard of Clairvaux's Life of St.Malachy.. ed. H.J.Lawlor, London 1920. These were treated rather roughly by A.Gwynn: Ireland and the Continent in the Eleventh Century, Irish Historical Studies Vol.VIII (1952/3) pp.193-216, and have been largely superseded by Fr.Gwynn's own studies, some of which are cited below.
2. EA 278; cf. A.Gwynn: Lanfranc and the Irish Church in Irish Ecclesiastical Record Vol.LVII (1941) pp.1-15, 481-500, and The Origins of the See of Dublin in ib. pp.40-55, and St.Anselm and the Irish Church in Irish Ecclesiastical Record Vol.LIX (1942) pp.1-14.
3. HN pp.76-7, A.Gwynn: The Origins of the Diocese of Waterford, in Irish Ecclesiastical Record Vol.LIX (1942) pp.289-96.
4. Southern: St.Anselm p.134 on EA 198; cf EA 277-8 and 427.

This is perfectly just, but there is much less reason to suppose that his Irish correspondents saw him in such a light; their letters are addressed to the ' archiepiscopus Anglorum', and while they are respectful, this seems much nearer regard for the man than the hierarch.[1] Among those who seem to have displayed the closest interest in his affairs was bishop Gilbert of Limerick, presumably consecrated in Ireland, but a man with a wide view of ecclesiastical affairs.

Shortly after Anselm's death Gilbert acquired a legatine commission from Pope Paschal, and armed with this he celebrated the synod of Rath Breasail which marked effectively the end of Canterbury's Irish pretensions. It was there determined to divide Ireland into two provinces each containing twelve bishoprics, although only twenty-three are listed in the surviving record. It seems that the synod was providing for the future incorporation of the see of Dublin, still holding aloof from these changes.[2] As a consequence of these events the death of bishop Samuel was marked by a disputed election, one party favouring the archbishop of Armagh and the other Gregory, who was sent to archbishop Ralph for consecration in 1121. For the moment the archbishop's party however remained in occupation, and it was not for many months that bishop Gregory could enter his diocese. He lived long enough there to participate in the synod of Kells in 1152, where the final partition of dioceses in Ireland was achieved, and to become the first archbishop of Dublin, as well as the last suffragan bishop of Canterbury.[3]

Although the synod of Rath Breasail did not mark the final stage in drawing the provincial map of Ireland then, it did mark the end of any real hope for Canterbury that her primacy could be made effective. Henceforward Ireland had an independent structure in the conventional Latin form, as well as a practical independence.

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1. EA 201, 207, 426, 428.
2. J. MacErlean: The Synod of Rath Breasail, in Archivium Hibernicum, Vol. III (1914), pp. 1-33. In the drawing of diocesan boundaries in the text all the diocese of Dublin beyond the town was incorporated in the diocese of Gleann da Loch.
3. HN pp. 297-8; cf. the very reasonable comments of Mac Earlean. In one curious respect the Irish church may have owed a debt to her contact with Canterbury. The brief didactic work of Gilbert of Limerick, De Statu Ecclesiae, written at the request of his fellow bishops, clearly owed a good deal to Gilbert's observation of English conditions; first edited by archbishop Usher from a MS at Corpus Christi Cambridge, it was reprinted in PL CLIX coll. 995-1004.

CHAPTER II

The exercise of Papal juridiction in England

i. Introduction.

It is not the purpose of this chapter to traverse once more the issues at stake in the English investiture dispute; these have now an extensive if not exhaustive literature.[1] So far as it is possible to distinguish the two my concern is with the nature and extent of papal influence on the government of the English church rather than the principles which its exercise was sometimes thought to challenge or enshrine.

To invoke the authority of Rome in 1100 in England was no easy matter. The pope was a very long way off, and distracted by pressing difficulties nearer home, constantly threatened with an imperial invasion or yet another schism. Further, although there were several precedents for seeking the judgement or approval of Rome these were, in recent history, few, and not always convincing. In short, the invocation of papal authority was neither convenient nor customary except for some formal occasions, such as the consecration of a new archbishop.

In spite of these difficulties however he did intervene with increasing frequency in the reign, and this for two principal reasons. There was more than before a body of men prepared to seek his help and support, and anxious to secure Roman sanction for their reforms and achievements. These the reformed papacy found it very difficult to refuse a hearing. Secondly the papacy itself sought to extend its influence on a few occasions.

ii Papal Legates.

For this second purpose much the most convenient instrument lay in the despatch of legates, to exercise the 'vices Sancti Petri' and to collect information on English conditions, which seems to have been notably

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1. The fundamental studies are those of H. Böhmer: Kirche und Staat in England und in der Normandie im XI und XII Jahrhundert, Leipzig 1899, and Z.N. Brooke: The English Church and the Papacy, Cambridge 1931. More recently N.F. Cantor: Church Kingship and Lay Investiture in England 1089-1135, Princeton 1958, re-opened many of the issues. His general interpretation was effectively revised by Professor R.W. Southern in St. Anselm and his Biographer in 1963. For the years after Anselm's death Nicholl: Thurstan Chapters III and IV and the recent literature connected with Wales and the Book of Llandaff have contributed considerable further light.

looking at Rome.Legates of one kind or another were sent to England with great frequency during the reign, but the powers with which they were entrusted varied enormously.[1] In the first rank were those who resembled the later 'legati a latere' whose chief duty was the celebration of councils and the enforcement of discipline. It is not always easy to discover just what the terms of a legate's commission were, but it seems that there were five legates in this fullest sense commissioned for England in the reign, of whom only three ever succeeded in reaching the country.

The first was Guy, archbishop of Vienne, the future Calixtus II, perhaps in the earliest months of the reign. We know of his commission from three sources.Malmesbury mentions it only briefly.[2] Eadmer, after describing the king's marriage in November 1100, continued:

> 'eodem anno venit in Angliam Guido.....funotus ut dicebat legatione totius Brittanie'.

His arrival, he says, caused general astonishment, since none but the archbishop of Canterbury had ever born the 'vices apostolicas' in England.He achieved nothing however since:

> 'sicut venit ita reversus est, a nemine pro legato susceptus, nec in aliquo legati officio funotus.'[3]

Anselm, writing to the pope after the beginning of February 1101 speaks of Guy's commission as granted during his exile, that is before September 1100, but it seems clear that Anselm is describing heursay reports, and had not met Guy. The legate had either therefore left before Anselm's return in 1100 or arrived after February 1101;[4] but this second possibility is remote. If then Guy arrived in England and left again before September 1100 he had very probably come under the impression that Rufus was still alive; the sudden coup of August had changed so much that it is no wonder that he left without

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1.H.Tillmann: Die Papstlichen Legaten in England,Bonn 1926, has lost very little of its value as a catalogue; a few additions which I would make to it appear in the appendix to this chapter, but it would be absurd to duplicate all her references when she missed so little.
2.GP p.128
3.HN p.126
4.EA 214; in this letter Anselm also mentions the escape of Flambard from the Tower, which a Durham chronicler said took place on 3 February, SD 1 p.138, and this provides the terminus post quem.

achieving anything.

Anselm's letter is of very great interest, for it is in part a defence of the privileges of Canterbury against the encroachments of legates. He claimed that Urban II had already agreed that none but the archbishop should ever be legate in England, besides remarking, very reasonably, that there was so much land and water between Vienne and England that the appointment of Guy raised appalling physical difficulties.His remonstrance had some effect for the next year Paschal agreed to subject Canterbury to no legate

> 'quamdiu regno illi religionem tuam divina
> misericordia conservaverit '

a cautious concession similar to that of the primacy which Paschal made in the next year.[1]

The striking point about this correspondence is that it is the archbishop, the notably well-affected Anselm, who led the opposition to the sending of legates on behalf of the rights of Canterbury; if the king had the same objections they do not appear in his letters to the pope.

The second legate with full powers seems to have been Anselm of St. Saba, nephew of the former archbishop, in 1116.In the previous year he had come to England bearing the pall for archbishop Ralph and also a long letter from the pope which was addressed to the king and all the bishops.It contained a ferocious indictment of the persistent neglect of Rome and her privileges by Henry and his church:

> 'Quomodo...vel agnos vel oves pascere possumus quos neque
> novimus nec videmus? Quos neque audimus, neque ab ipsis audimur?'

They had settled even 'episcoporum negotia ' without reference to him, suppressed appeals to Rome, celebrated councils 'praeter conscientiam nostram', and translated bishops. The pope ended on a note of grave warning:

> 'Si vero adhuc in vestra decernitis obstinacia permanere
> nos evangelicum dictum et apostolicum exemplum pedum in
> vos pulverem excutiemus, et tanquam ab ecclesia catholica
> resilientes Divino iudicio trademus '.[2]

1.EA 222; of the primacy bulls EA 238 and 307. For both issues v. Southern St.Anselm pp.130-42.
2.HN pp.232-3 J-L 6453

This is a very remarkable letter. Much of it seems to reflect the pope's anger at the translation of Ralph from Rochester to Canterbury without his consent,[1] but it is concerned with many other issues; indeed since he had already agreed to Ralph's promotion, however reluctantly, it was presumably these other issues that he wished to insist upon. It is a curious collection of charges that he makes; what the 'episcoporum negotia' he mentions were seems likely to remain obscure; the synodal councils which were being celebrated without his connivance were presumably the councils of 1102 and 1108 held by Anselm, although if this is so it seems strange that the pope waited seven years to protest against the acts of a dead archbishop so devoted to his service; there is more support for the charge that appeals were not going to Rome, for there are no known genuine bulls directed to England between 1108 and the bulls concerned with Anselm's legation, although it can scarcely now be determined whether this was a consequence of deliberate suppression or a mere native disinclination to undertake the hasardous journey.

Whatever the grounds of the pope's indignation its intensity comes through in his bull very clearly, for even at the height of the dispute over investitures Paschal delivered no more sternly worded protest or deployed a more formidable battery of authorities in support of his claims.

At the same time his threats were being given added point by events in Normandy, where the legate Cono of Palestrina had suspended the entire body of bishops for failing to attend his council, an unprecedented act which king Henry regarded as a flagrant breach of the rights enjoyed by his family. He therefore summoned the blind bishop of Exeter, William Warelwast, to take once more the road to Rome to seek an accomodation, a task which must have become almost second nature to him after his vast experience before his promotion.[2]

His mission appears to have been largely unsuccessful, for in the next year Anselm of St. Saba returned armed with bulls

' quae sibi vices apostolicas in Anglia administrare concedebant'

The king detained him in Normandy while the news was sent to England and

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1. For the peculiar circumstances of Ralph's election v. below Chapter III pp. 81-2 .The previous translations in England to which Paschal might look back were those of Gerard from Hereford to York, similarly retrospectively approved, and Harvey from Bangor to Ely, in which, formally, Paschal's consent preceded the act. There is a notable contrast between his compliance in 1101/2 and intransigeance in 1114/5.
2. EH p.234. For Cono's legation v. the references collected in T. Schieffer : Die papstliche Legaten in Frankreich, Berlin, 1935; and especially CP p.129 and the letters of Ivo of Chartres, 273 and 283

discussed by a council of prelates and magnates in the presence of queen Matilda, the regent, where

> 'Placuit omnes archiepiscopum Cantuariensem, quem res maxime respiciebat, regem adire, et exposita ei antiqua regni consuetudine simul ac libertate, si consuleret Romam iret et haec nova annihilaret.'

Ralph accordingly crossed the channel, consulted the king at Rouen and then continued towards Italy, accompanied by Herbert bishop of Norwich, the noted doctor Hugh, abbot of Chertsey, and William of Corbeil, himself the future archbishop.[1] Meanwhile the king,

> 'antiquis Angliae consuetudinibus praeiudicium inferri non sustinens, illum(sc, the legate) ab ingressu Angliae detinebat, et ei, utpote nuncio Beati Petri, largiter et officiose ministrari faciebat'.[2]

The English mission had an atrocious journey; archbishop Ralph nearly died of an ulcer on the face before they left France, and bishop Herbert fell so ill at Piacenza that he had to be left there, to die as most supposed. The rest struggled on to Rome, only to find that the pope had been compelled to leave the city before a Roman revolt, that there was an imperial army outside the walls, complete with anti-pope, and that the whole country was over-run with robbers. Ralph succeeded in getting a message through to Benevento and the pope sent Henry a friendly if largely uncommittal letter in which he declared that he had no intention of diminishing the privileges possessed by Canterbury as Anselm had enjoyed them, and as their authentic privileges and the sanctions of the canons allowed.[3]

The question is, what were the privileges that the wise and strenuous advocates of Canterbury were trying to vindicate before the pope. It is usually supposed that essentially what was at stake was the primacy issue; this is certainly the impression given by Hugh the Chantor, but there is some reason

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1. The difficulty in interpreting these events is that each observer saw his own interest as central; I am here following HN p 239 but compare against this HC pp.49-50 which lists the travellers.
3. HN pp.239-43, HC pp.50-2, GP pp.129-31;

2 HN p239.

to doubt whether this was the sole, or even the principal point with which they were concerned. Eadmer says that the mission set off to annihilate the innovation of a legate not the archbishop, and Malmesbury says that Ralph and Herbert were sent to clear up 'so great a confusion of legates' and inserts his account of the journey in a discussion of this. It is difficult to see why it was in the interests of Canterbury to raise the issue of the primacy with the pope; there had been plenty of time and reason to reflect on previous manoeuvres around the point, and it should have been plain that the best hope of maintaining the primacy was by allowing it to remain a domestic issue settled by the pressure of the king and the numerical weight of Canterbury's supporters.[1] It would only be necessary to go to Rome to plead the case of Canterbury if intolerable pressures was being brought to bear by the pope on behalf of York; when the mission set out this was so far from being so that Thurstan had actually resigned his see.[2] It is quite likely then that it was supposed by the archbishop and his friends that they had secured themselves a substantial respite; if so they were wrong, for within a fortnight of the issue of the rather colourless bull for Canterbury, messengers from York had obtained two uncompromising mandates ordering the restoration of the archbishop-elect and his consecration without a profession.[3]

Although then the two missions from Canterbury and York were very close in time, it does not necessarily follow that they both had a common priority of interest; Eadmer certainly speaks of them as quite unconnected, however prejudiced his account of the events of these years.

In one sense this distinction is not of great importance; if in 1117 it was possible for Canterbury to see the two issues of the sending of legates and the York profession as separate it is clear that they were always likely to converge, for a legate was always capable of compelling attention to the

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1. It is not clear how much weight should be put on the Chantor's insistence upon the sympathy for the cause of York at Rome during Thomas' II's efforts to cast off his subjection, but it is by no means improbable; the papacy after Gregory VII had a notorious dislike of the claims of primates, which were so deeply entrenched in the canonical collections of Pseudo-Isidore and Burchard.
2. HC p.41 says that Thurstan resigned his see at the royal court at Salisbury held on the 19 March 1116, cf HN pp.237-8, SD ii 250; the ambassadors left Rouen sometime after August, HN p.239
3. HC pp.54-6; Nicholl: Thurstan p.56 seems to me to overstate the case against Eadmer's account, for he does include one of the York bulls, if not the more extreme.

Roman view of the primacy issue, and Ralph's hostility to legates was always likely to weaken his case with the pope as primate. Yet, whether Eadmer's account of these events is distorted or not it is still true that he could present the problem of legates as one which principally concerned the archbishop of Canterbury, and write as if Ralph needed to remind the king of the dangers of their admission. As in 1101 it is the archbishop who appears as the principal advocate of the barriers so often said to have been raised by the king.

Either because Paschal had allowed himself to be persuaded by the English mission on the question or because his desperate position in Italy prevented much attention to affairs elsewhere nothing further was heard of Anselm's legatine commission in England, although he lingered on in Normandy until some months after Paschal's death, apparently in the hope of taking back with him the current instalment of Peter's pence.[1]

It was certainly the king who next raised the issue of legates in England, when he met Calixtus II at Gisors late in 1119, the first conjunction of its kind since Canute's visit to Rome a century earlier.(Archbishop Ralph's relations with the pope had been so strained by Thurstan's consecration that he seems to have thought it prudent to keep away from the meeting.) Eadmer had by then returned to England, but according to him, among other business

> 'rex a papa impetravit ut omnes consuetudines quas pater suus in Anglia habuerat et in Normannia sibi concederet, et maxime ut neminem aliquando legati officio in Anglia fungi permitteret, si non ipse, aliqua precipua querela exigente, et quae ab archiepiscopo Cantuariorum caeterisque episcopis regni terminari non posset, hoc fieri postularet a papa'.[2]

'impetravit' is an ambiguous word, but it seems most unlikely that Calixtus did make any formal concession, for the next year the king returned to the matter, sending the bishop of Exeter to the pope once more, this time to seek the legateship for Ralph. The mission was a resounding failure, for

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1.HN pp.245,259
2.HN p. 258 HC pp.76-80

Calixtus immediately asked Thurstan, who was still not allowed to return to England, if he would accept it. Prudently he declined this warlike offer but it was accepted by Cono of Palestrina.[1]

There is no evidence that Cono ever seriously meditated trying to force his way into England; indeed Thurstan succeeded in dissuading him from making an issue of his rights in Normandy,[2] and by the summer of 1121 his commission was superseded by that granted to a new legate, Peter Pierleoni. His commission was one of many granted by the pope at this time, in part apparently to celebrate his return to Rome and capture of the anti-pope, and it caused something of a sensation. Peter was a member of one of the most influential Roman families, and he announced his coming with the utmost ceremony.[3] Henry was quite ready for him however; he sent Bernard of St. Davids and his nephew and chaplain, John of Bayeux, to conduct him to the king's presence,[4] but with special instructions. The legate was to be entertained entirely from the royal demesne, claiming no procurations from churches and monasteries; it was already clear that Henry was not ready to accept the legate's claims. When Peter reached the court the King gave him a polite but firm reception; he was, he explained, so busy with his Welsh expedition that

> ' operam tunc...dare non posse, cum legationis illius stabilem auctoritatem nonnisi per conniventiam episcoporum, abbatum, procerum, ac totius regni conventum roborari posse constaret.'

This was a fair example of the king's idiosyncratic views, even if he had not continued by saying that the sending of him a legate was contrary to the privileges granted to him by the apostolic see

> ' in quibus haec et de maximis una erat, quae regnum Angliae liberum ab omni legati ditione constituerat donec ipse vitae praesenti superesset.'

Peter hurriedly disclaimed any intention of infringing the customs of the kingdom, and after a stay at Canterbury during which he was apparently shown the most recent work of the Canterbury forgers, he returned home.

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2. HC pp.88-9

2. HN pp. 97-8 v. Nicholl: Thurstan p.73.
3. HN pp 294-5; cf. OV IV pp.384-5 & n.
4. For the career of John of Bayeux, son of bishop Odo v. OV III 263-4, IV, 483 & n against RG p.x.

The only enduring monuments of his visit, and those of doubtful authenticity, were an indulgence and a privilege fo the abbey of Westminster.[1]

At this point four legates in the full sense had been commissioned for England, and of these Anselm and Cono had never reached England, and Guy and Peter had achieved nothing.Although it is clear that the king had taken nothing a leading part in frustrating their efforts, the opposition they encountered was largely stirred up on behalf of Canterbury, a situation which Malmesbury summed up with admirable judgement; reviewing the careers of Guy, Anselm and Peter he observed that there was a

'crebra...legatio Romanorum insidiantium imbecillitati
Radulfi, set effugabantur omnes cautela Henrici.'[2]

Three years later Calixtus tried again, sending Cardinal John of Crema with legatine authority over England and Scotland;he arrived in Normandy sometime before Whitsun 1124, and was kept there by the king for the rest of the year.[3] In December Calixtus died, and the new pope, Honorius II, did not draw up a further commission for him until 12/13 April the next year, when he was granted legatine authority over England and Scotland, with special authority to hear, but not to determine, the two issues of Canterbury's claim to a profession from York, and York's claim to the obedience of the Scottish bi bishops.[4] Before these new letters had been drawn up however,and long before the legate can have received them he had crossed to England. On April 12 he att attended the consecration of Seffrid as bishop of Chichester in Canterbury cathedral,[5] and thereafter there are occassional glimpses of him as he travelled about the country; at Glastonbury he admired the abbey plate,[5] at Llandaff he visited the cathedral which was nearing completion,and offered

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1.HN pp.295-7; v.R.W.Southern: The Canterbury Forgeries EHR LXXIII (1958) pp.193-226; Peter's supposed grants are PU i Nos.12&13.
2.GP p.128
3.Tillmann: Die papstlichen Legaten p.27;cf.EHR LXXII(1957) p.693& n.1.
4.SD ii pp.276-8; there seems now to be no trace of his original commission from Calixtus.
5.HC pp.120-1;JoW p.18;ASC p.47(which has the legate at Canterbury to sing the Easter mass on March 29.) There can be little doubt that John entered England knowing that Calixtus had been dead for nearly three months.It may be that he also knew that Honorius was about to renew his commission formally and that there was no need to wait;however Professor Brooke has pointed out to me that it is by no means certain that the later doctrine by which a legate's commission lapsed with its grantor was then clearly established.

a fourteen day indulgence to those who contributed to the work,[1] he went to Durham and threatened to depose Flambard for the notoriety of his private life,[2] and at Roxburgh on the Tweed he met king David of Scotland.[3]

By September 8 he was back in London for the council to which the bishops, abbots, priors and archdeacons of the Welsh and English dioceses had been summoned by the archbishop of Canterbury,[4] It does not seem that anything that he had done so far had made a substantial impression upon the English church, except by the singularity of his presence. The council which he held was certainly the most spectacular of his achievements, apart from being allowed to exercise his authority at all.It has been said however that the canons he promulgated there were more'English' than Roman, and owed more to Anselm's council in 1102 than to the legislation of recent papal councils;[5] if this were true the coming of the legate would have to be considered an empty achievement indeed.Although the point will be made with much greater authority when the new text of the council is published it does seem quite evident even now that this judgement is not well founded.[6] The legate's insistence on the condemnation of the minor forms of entrenched and customary simony such as the payments demanded for the issue of chrism,or the gifts customarily offered by bishops-elect at their consecration,[7] and on the central importance of episcopal authority in the conveying of ecclesiastical property all reflect the most recent concerns of papal legislation, and the Lateran council of 1123 is very accurately represented in several canons.[8]

1.LL p.48

2 .Annales Monastici ed. as no.36 of the Rolls Series by H.R.Luard,London 1864-9,Vol.ii pp.47-8; there is something very odd about this tale however (v.below).There may well be some sub-stratum of fact behind it,for the Winchester annalists were well informed about Flambard perhaps through his connection with Christchurch,Twineham.

3.Above Ch.1 p.22.

4.I have supposed LL p.49,the only surviving summons,and much the earliest of its type, to represent the common form.

5.Tillmann: Die päpstliche Legaten p.29 n.94

6.Councils and Synods Part I(forthcoming);for the sketch of the manuscript tradition of the canons, which is more extensive for this than for any other council of the period 1070-1132 v.below Appendix II

7.In JoW pp.20-2(a very good witness to the text)cc.1-3;for the importance of c.4(on the transference of ecclesiastical rights)v.below Chapter IV pp.149-53

8.Compare Westminster's c.1 with Lateran 1123 c.1, c.13 with Lateran c.2, particularly,but parallels of substance are found much more widely. Westminster c.2 is a very close parallel to Rheims 1119 c.4,whose canons John of Crema had proclaimed(OV IV.391).The papal canons have been cited in the edition of Mansi, which is itself far from satisfactory.

It is probably true to say then that the council of 1125 saw the promulgation of canonical principles which though no doubt familiar in substance to many of those present, had not before received in England so wide a publication or so precise a formulation. To this degree the council represented a notable achievement. Yet if one considers the effect of these canons a less impressive picture emerges; it is difficult to assess the extent of most of the abuses attacked by the council, but one, the exaction of dues for chrism, was certainly all but universal, and here the council seems to have been devoid of all but the most remote effects.[1] The only bishop whom we know to have abolished them is Thurstan of York, and he did so before the council was held, no doubt because he had attended the council of Rheims, upon whose condemnation that of Westminster c.2 seems to have been modelled.[2]

If the legate's stay seems to have changed little it certainly did not fail to provoke a powerful reaction; in the surviving evidence two sources of resentment are discernible. At the end of the century Gervase of Canterbury recaptured the authentic note of Eadmer at the beginning, when he described the legate's celebration of the Easter Mass at Christchurch

> 'loco summi pontificis in matrice ecclesia...
> eminenti cathedrae praesidens et insigniis
> pontificibus utens, licet non episcopus sed
> simpliciter...presbyter cardinalis...Quae res
> quam gravi multorum mentes scandalo vulneravit
> et inusitata negotii novitas et antiqui regni
> Anglorum detrita libertas satis indicat,'[3]

phrases which would have fallen with equal conviction from the lips of Henry himself, however disparate the sources of custom and right to which monk and king would have referred. The same reaction of conservative custom against reforming 'ius' lay behind the circulation of a disgraceful tale about the legate whom Henry of Huntingdon believed to have been found with a whore in the course of the council which stressed the demand for clerical celebacy; The same essentials are found in a similar story in the Winchester Annals

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1. For the prevalence of chrism dues v. below Chapter IV pp.174-6
2. v. note 8 on the previous page, also HCY ii pp.xii-xiii, HC p.101 and Nicholl: Thurstan pp.75-6
3. The Historical Works of Gervase of Canterbury ed. in 2 vols as no. 73 of the Rolls series by W.Stubbs, London 1879-80 ii pp.381-2.

where it is set in Durham, with Flambard as the principal actor.[1] The two stories are incompatible but they reflect the readiness with which clergy of the old school accepted scandal about so spectacular an advocate of the new ways.

Both Gervase and Henry reveal some of the elements which made hostility to the activities of legates widespread in England; put very crudely the Roman reformers abraded the consciences of some while they infringed the customary prerogatives of others, prerogatives which both the king and the monks of Christchurch based upon coherent and quasi-legal foundations.

Since both Henry and Canterbury had displayed so consistent an hostility to the entry of legates it is worth considering the motives which lay behind their temporary relaxation of this opposition. Since so much weight has usually been attributed to the king's objections it is not surprising that much importance ahs been attached to the part played by Calixtus, and notably John of Crema, in dissolving the marriage between William Clito and the daughter of the count of Anjou in 1124.[2] There is no doubt that this was a favour as considerable as valuable; such an alliance between the natural focus of opposition to Henry and his most formidable French enemy threatened the stability of the entire duchy of Normandy. Further the degree of consanguineity which was the pretext for the annulment was precisely that which existed between Henry, the young king, and the daughter of the count of Anjou at their marriage in 1119 or between Matilda the king's daughter and Geoffrey Plantagenet at theirs in 1128.[3] The conduct of the legates in 1124 had exposed them to highly critical comment even from churchmen far from hostile to Henry.

There is however another factor which may have operated on the decision to admit the legate which has the merit, as an explanation, of

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1. HH p.245, Annales Monastici ii pp.47-8.
2. Tillmann: Legaten p.28.
3. Count Fulk of Anjou and William the Conqueror were both descended from duke Richard I of Normandy; The count's children and the Conqueror's grandchildren all therefore stood in the same degree of affinity. v. OV IV pp 294-5

involving both the king and the archbishop of Canterbury. When William of Corbeil went to Rome for his pall in 1123 he took the opportunity of Thurstan's presence to reopen the matter of the profession, and it is said that Calixtus then deferred the cause to a hearing by a papal legate in an English council.[1] If so, this was a major triumph of diplomacy for the Canterbury party, for it was clear that York's partisans would be heavily outnumbered at such an assembly. it had been at just such a council that Lanfranc had extracted the original profession from Thomas I in 1072. If Calixtus indeed gave such an undertaking in 1123 it offered Henry and Canterbury a better chance of making good the deep-sworn oaths of 1119 than they had had for years, or were likely to have again so long as Thurstan lived. A legate with such a commission could be sure of a welcome in England. The obvious objection to such a view is that John's commission from Honorius II in April 1125 instructed him merely to hear the primacy case, remitting it to Rome for judgement. This reservation, as events were to prove and as any shrewd observer could then predict, restored all the advantages to York. However, as has already been noticed, John crossed over to England long before Honorius' letters could have reached him; it seems quite possible that Calixtus' original commission did not include the reservation of judgement to Rome, and that John was admitted in the belief that it would not be made.

In the event the whole issue was killed for a while in the winter of1125/6, after the failure of a compromise worked out by the king and legate together whereby Canterbury would surrender the three dioceses of Chester, Bangor and the later St.Asaph to York in exchange for a profession;[2] for a high price this would have freed York from its fear of encirclement by Canterbury and Scotland. Since Thurstan had never liked the plan and William, once he reached

1. SD ii, 273; for Durham's special knowledge of affairs at Rome in 1123 v. K.Leyser,'England and the Empire in the early twelfth century' in TRHS V Ser. X(1960) pp. 80-82 and PU ii.3; HC p.120. The repeated assurances of Calixtus in 1119 that his consecration of Thurstan did not prejudge the issue of York's obedience (HN pp.256-7)suggest that such conduct would not be inconsistent. The chief aim of the Requisitio Radulfi of 1119 x 1122 was to secure just such an English legatine decision.
2. HC pp.121-3; on this,'the first historical reference to the bisho of St.Asaph'(though not eo nomine) v.GD i pp.87-4 and C.N.J. Rye 'The Church and the Welsh Border in the X and XI Centuries' in Journal of the Flintshire Historical Society vol.XXI (1963-4) pp. The details of the problem remain [illegible]

Rome denied that he had agreed to surrender St.Asaph this scheme collapsed; since further the King had prohibited any further pleading at Rome, or apparently anywhere else, if his compromise failed,this marked the end of William's efforts to extract a profession from Thurstan. He was compensated with the legateship, so preserving the pre-eminence of his see but establishing it upon a papal grant, not upon the insular, and at times, under Ralph, semi-independent, claims of his predecessors. It is worth remark however firstly that the grant to William was clearly considered a particular act, not the deliberate creation of a precedent, and also that Honorius was far from resolute in maintaining the authority of his new legate; when Thurstan refused to attend the first of William's legatine councils in 1127 because of their quarrel at the previous Christmas court it was not the recalcitrant archbishop but the uncharitable legate who suffered the pope's reproof.[1]

There was no reason why the grant of this commission to William should have prevented the pope sending other messengers to England on particular business, as he clearly did, but it was the end of the pope's efforts to persuade the king to accept a legate whose principal qualification for the office was his association with the curia and its programme of reform. With the solitary exception of John of Crema these had been resisted with notable success.

The other legates whom we know to have visited England in the reign seem to have been sent for special purposes, rather than the exercise of the plenitude of papal power.

Most of those whose activities can still be traced seem to have been concerned with the collection of Peter's pence;[2] this was certainly the concern of Tiberius the chamberlain in 1103, as it probably had been in 1101; it is the most likely reason for the visit of Peter the chamberlain in 1108 and it was certainly the reason for the visit of Henry of St.Angely in 1123. It was also involved in the remarkable events in which abbot Hugh of Reading found himself playing a leading part in 1128-9.[3]

1.HC pp.129-30; compare the very much more hostile account of Thurstan's conduct in Jo[illegible] p.2.Honorius' bull of reproof to William J-L 7226 HCY iii no. 33 was redated in PU ii p. 105.

2.For the methods of raising and transmitting Peter's pence at this time v. below Chapter IV pp.178-83.Tillmann:Die papstlichen Legaten has collected the references to the activities of Tiberius and Henry of St.Angely; for Peter v. the appendix to this chapter.

3.Our knowledge of these events derives entirely from the collection of letters discovered by Professor Holtzmann and printed in PU iii nos.15-23.

In April 1128 Pope Honorius summoned the abbot to Rome; his motive is not quite clear, but it seems likely that he wished to recruit him to the curia. The proposal raised a storm in England; the monks of Reading wrote a letter of desperate appeal to the pope begging him not to deprive them of their abbot, the king threatened to dismantle the whole foundation if its first abbot was removed, and even Hugh does not seem to have been as honoured as the pope might have expected, for he offered various excuses for delay, including the interesting one that his relation, Matthew of Albano, legate in France, had ordered him to prepare a reception for him against his coming visit, of which nothing else is known. If the pope had originally intended to keep Hugh for good, these protests had their effect; although Hugh did go to Rome, by the end of 1129 he was back in England bearing letters which urged the king to treat with him 'tanquam cum speciali beati Petri et nostro filio'.The principal matter on which they were to negotiate was apparently the rate at which Peter's pence were to be paid, and it is at least possible that the rate upon which Henry, his bishops and abbot Hugh agreed was that which was to endure until the Reformation.[1]

There remain three other legatine missions; one was that of Cardinal Ulrich in 1109. He brought with him the pall for archbishop Thomas II of York, and was also, it is said, empowered to hear argument on the issue of the profession.[2] This might have made his mission much more similar to that of John of Crema had he cared to exercise his powers, but when he saw how the king's mind was working and how strongly the cause of Canterbury was being urged he seems to have chosen a prudent silence.The two remaining cases to be considered are much more obscure.

In 1101 Cardinal John of Tusculum accompanied by Tiberius the chamberlain attended the king's court at Windsor. According to Hugh of Flavigny John was sent to collect Peter's pence,[3] with which pope Paschal was certainly then much concerned, but the best evidence of his functions comes from a letter of the pope to Anselm. It is however by no means unambiguous evidence. Paschal begins by urging the archbishop to prosecute the reform of the

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1. v. below pp. 178-9.
2. v. esp.HC pp.23-8 and, for a very different view HN pp.207-11
3. RG 544 references there cited; also RG 548-9; for Hugh of Flavigny v. Monumenta Germaniae Historica, Scriptores VIII p. 494

English church, persuade the king to adopt a more reasonable attitude towards investitures and hasten the sending of Peter's pence. He then turns to the complaint made to him by duke Robert, that his brother had usurped the kingdom; in view of the duke's notable services on the first crusade he hopes that Anselm will co-operate with the papal intermediaries in composing the dispute; 'pro his omnibus' he was sending cardinal John and Tiberius, who were to be guided and assisted by the archbishop.[1] Whether it was originally intended that the cardinal was to concern himself principally with the family quarrel or that he should engage in the wider task of general reform there is no evidence that he or his colleague played a major part in either. In the royal writs which they attest they appear after the archbishops and bishops, in this contrasting with John of Crema who took precedence over them in the two royal charters which he is said to have attested.[2] Apart from their attestation of the three royal charters already cited the only piece of evidence that may reflect cardinal John's activities is an indulgence to Bury St.Edmunds granted by a Cardinal John and confirmed by Anselm.[3]

The obscurity which surrounds the last legatine mission to be discussed stems from a simple lack of evidence.The royal charter of September 1131 by which the king 'restored' Malmesbury to the bishopric of Salisbury as a demesne abbey was granted in the presence of Peter Ruffus the cardinal priest; he is not styled legate, but presumably his visit had a purpose, and easy though it is to guess what it might have been there is no evidence to establish the point.[4]

Although these legates with lesser or ill-defined powers help to illustrate the extent of papal communication with England they cannot be said to reveal a significant increase in the exercise of effective papal control over the church. In the short term all of them laboured long and hard to little purpose.

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1. EA 213 J-L 5883, dated 24 February 1101.
2. Compare against RG 544 and 547-8 RG 1426-7; RG 1427 is probably interpolated, but the witness list appears to be genuine.
3. Feudal documents from the Abbey of Bury St. Edmunds, ed. D.C.Douglas, as British Academy Records of Social and Economic History Vol.VIII, London 1932 no. 171 p.153. On pp. xliv-v the editor attributed this indulgence to cardinal John de Minuto in 1070, but this would be very early indeed for such a grant; if genuine it is much more likely to be of 1101,and it is easier to see why Anselm should then confirm it, rather than grant one of his own.
4. RG 1715

iii Appeals to Rome

Much more important both in number and significance were the appeals of English litigants to Rome. Four of the great causes which agitated the church in the reign, and upon which I have already touched, had taken the form, in part, of prolonged appeals to the pope. In the course of the primacy dispute the dean of York, the bishops of Exeter and St. Davids, the archdeacon of Canterbury, the abbots of Peterborough and Chertsey, several monks of Christchurch and others, as well as the two archbishops, had appeared in the pope's presence.[1] The dispute between York and the Scottish bishops as well as the Llandaff case and the quarrel over investitures had all involved further extensive travelling by those involved.

Besides the great causes however there are substantial traces of another, humbler but perhaps therefore more significant, trickle of supplicants going to the fount of ecclesiastical justice, forerunners of the great flood during the pontificate of Alexander III and later.

There were a number of such supplicants on the road after the retur of Anselm from his exile: the monks of Battle at Exeter appealed against their bishop,[2] William bishop-elect of Winchester and the abbots of Ely and Ramsey appealed against their deposition in 1103, Herbert of Norwich appealed against a judgement of Alexander II, some anonymous petitioners sought the annulment of the marriage of Matilda de Aquila to Robert de Mowbray sometime earl of Northumbria and then a prisoner of the king, and lastly, but very strikingly, an unnamed clerk appealed 'ad pedes domini papae' against Engelram, a simoniac clerk of the bishop of Lincoln who had evicted him from his benefice.

This is a very mixed bag indeed; there are appeals to reinforce Anselm's metropolitan authority, against previous papal judgements, against the arbitrary action of king and archbishop and against the protege of a powerful bishop, as well as a demand for the papal annulment of a marriage.

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1. With the double object of simplifying the apparatus of this section and presenting the general argument in a visible form the evidence for travellers to Rome, and the issue of mandates, letters and tutelae is collected in the appendix to this chapter.
2. For the details of this case v. below Chapter III p. 103

All but two however have this in common; they were all prosecuted in the course of the embassies whose original purpose was connected with the investiture issue. The others do not fit into this pattern. Indeed the Mowbray marriage case as described by Orderic fits into no pattern at all being 'enucleata a curiosis' to the pope, who then instructed Anselm to investigate the matter.[1] The case of the ejected clerk is noteworthy in that it seems to have been prosecuted entirely independently. It can scarcely have been done with Anselm's encouragement since we know of it from a letter of archbishop Gerard commending the plaintiff to him after his return from Rome; unfortunately this is all we know of so remarkable a pioneer.

Soon after Anselm's death a similar case occurred, although the parties involved were rather more distinguished. The erection of the new see of Ely raised several difficult problems; the bishop of Lincoln was compensated by a handsome grant of land, but the monks of Ely, who continued to claim the exercise of archidiaconal justice in the isle, and archdeacon Nicholas of Huntingdon and Cambridge, whose jurisdiction now lay in two dioceses, proved more intractable. Only a year after the installation of the first bishop of Ely the archdeacon set off for Rome to demand justice against his new master, but established a precedent often to be followed, by dying on the road.

For nearly a decade these signs of a developing traffic in appeals seem to have ceased entirely. Again it was a great cause which prompted their re-appearance. We have already seen that the quarrel between Thurstan and Canterbury over the primacy provided the occasion for the revival of York's claims against the Scottish bishops, dormant since Gerard's visit to Rome in 1102. The turning point in the primacy dispute came with the council of Rheims in October 1119, to which the king despatched those Welsh and English bishops then with him in Normandy, William of Winchester, Ranulf of Durham, Bernard of St.David's and Urban of Glamorgan.[2]

1.OV iii pp. 406-10,EA 423.Since Matilda did subsequently remarry, Anselm or someone else must have acted. It might well be considered that this curious affair deserves notice in any discussion of the origin of the jurisdiction of papal judges-delegate.

2.The presence of Urban in Normandy is odd; although fully involved in the formal duties of a suffragan of Canterbury there is no reason to suppose that he had special interests in Normandy or enjoyed a large measure of the king's confidence or distrust. In view of what followed it is tempting to suppose that he and Bernard had come to argue their boundary dispute before the king.

The occasion was worthy of special attention, for it saw before the pope a greater number of the English heirarchy than had ever before appeared there;besides the four bishops just mentioned Thurstan elect of York with some of his familia, including his suffragan, the titular bishop of Orkney, John archdeacon of Canterbury and subsequently bishop of Rochester, and Seffrid, later abbot of Glastonbury and bishop of Chichester, were also present.Urban of Glamorgan seized the opportunity to appeal against the encroachments of his neighbours, St.Davids in the west and Hereford (then vacant) in the east, securing a tutela for his church and a mandate to Ralph the archbishop ordering him to support Urban in his claims.[1] For several reasons this bold move had no immediate consequences, but it proved to be the opening shot in one of the most protracted and elaborately documented appeals to Rome known for the first half of the century.

It was not until 1127 that Urban renewed his campaign, appealing against his neighbours again before the legatine council of William of Corbeil;[2] his opponents had both been long known as diligent royal servants, and his claims met with little sympathy from the council, the less so perhaps since the basis of his case was an elaborate tissue of forgeries only recently completed;[3] again Urban appealed, this time to the pope, and he set off for Rome shortly afterwards.

So began the long, complex, and finally almost tragic litigation which was to continue until 1134.In the course of it terms were set for hearings, postponed and set again, elderly Welsh witnesses were conducted to Rome, papal judges-delegate were appointed, met, delivered judgement, and were immediately appealed against. There seemed no reason to hope that the process would ever end until at last Urban, worn out with his exertions and almost penniless, died in the course of one more appeal in 1134.

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1. Urban's bulls are both dated 16th October; since Eadmer says that the English bishops did not arrive until the 19th(HN pp.255-7) either he is wrong or Urban slipped on ahead to present his contentious case without being embarrassed by Bernard's presence.
2. LL is contradictory on this; on p.49 it attributes the appeal to the council of 1125, on pp.34-5 to the council of 1127; the second version derives from a papal bull and squares with JoW p 28 as well as LL p. 52; I have therefore followed it here.
3. v. above pp 28-9.

The details of this dispute are complex, have been much discussed, and cannot be summarised briefly here.[1] There is a general aspect of the case which does however demand some attention. In one sense the whole affair is a test-case for the theory that king Henry sought to maintain barriers against the exercise of papal jurisdiction in his kingdom as something bad in itself, for Urban's campaign involved an extraordinary number of journeys to and from Rome, but no essential royal interests. If Henry objected on principle to all papal interference he should surely have halted the case at birth, or at least tried to do so; it is not as if Urban needed delicate handling as a man of formidable resources or powerful connexions, for he had none that would in any sense be likely to disturb the king. Yet one looks in vain for any sign of royal intervention, except for the evidence of John of Worcester, who says that Henry in 1128 ordered the papal mandates in Urban's favour to be observed. It seems unlikely that the king had any great sympathy for this prototype of Gerard of Wales, but he seems to have preserved an almost complete detachment throughout the whole affair.[2] He was briefly involved in 1131, when Urban refused to release Robert prior of Llantony, whom two of the leading border magnates had recommended for the vacant diocese of Hereford, and then his reaction was wholly orthodox; on the advice of archbishop William he referred the matter to the pope who ordered Urban to let Robert go.[3]

The Llandaff case is instructive in other ways too, for it reveals many of the acute difficulties in the way of securing an acceptable and definitive papal judgement. One of these was enduring, the great distance between Rome and England, with its attendant hazards of expense and physical hardship for those who made the journey. Urban is not an entirely reliable witness, but when he says that he was worn out and his resources exhausted in three years of litigation there is no reason to doubt his word; not only he but Gilbert I of London, archdeacon Nicholas, canon Seno of Aldgate and Gilbert of Twyneham all died on the road, which nearly killed

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*2. JoW pp. 28-9; Henry's attitude here in fact is very much that of his grandson to similar issues as portrayed in H.G.Richardson and G.O.Sayles: The Governance of Mediaeval England, Edinburgh 1963, Chapter XVI

*1. v. refs. collected above in Chapter I p. 28 nn. 1 and 2.

3. LL pp. 57-8, 63-5; compare with this the quite different but not irreconcilable passage from the Vita of Robert in AS ii pp. 304-5.

Anselm, archbishop Ralph and Herbert of Norwich too.[1]

Another difficulty was not quite so inevitable. Urban made considerable progress, and the papacy was seriously hampered, by the ignorance of local conditions which prevaled at Rome. It is for instance remarkable that for two years it was apparently not known that the see of Hereford had been vacant since 1127. Since this would prevent Urban prosecuting his claims against the see, he had good reason to conceal the fact, and there was nobody else there to point it out. The whole case was constantly being thrown open by the presentation of new evidence which was a more orderly procedure according to the maxims of the later canon law would have provided from the outset. The papacy had much of the legal equipment to deal with such cases but very little information, the litigants had the information but little inclination to deploy more than they considered prudent, and many opportunities for evasion. This gap would later be narrowed by the spread of the materials and study of the canon law, the development of the machinery of judges-delegate and the increasing frequency with which recruits to the higher clergy visited the papal curia. At the end of the reign of Henry however it was the physical and intellectual distance between England and Rome far more than any conscious policy pursued by the king which probably created the barriers against the progress of papal jurisdiction.

There are two further appeals which remain to be discussed. The first concerned Gilbert of London and the monks of Westminster; according to the far from reliable traditions of that house the bishop had celebrated mass in the church and taken the offerings of the altar, a direct challenge to the immunity which the monks supposed themselves to enjoy. Accordingly a monk of the house was sent to Rome in 1133, and secured a bull commanding the bishop to observe the liberties of the abbey. It cannot be proved that this is what provoked Gilbert to set off for Rome himself in 1134 but it seems eminently likely; since he died on the way nothing came of it.[2]

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1. HH pp 151, 239-42; LL p. 276; Glasgow University Library Hunterian MS U.2.6 f 3, for which v. below, p.63a; Mon. VI(1) p.303. For the deaths of Urban and Gilbert in 1134 v. HH p.253, and B. Smalley: Gilbert the Universal in Recherches de Theologie Ancienne et Moderne VII (1935) p.240 n.29. For Urban's complaints v. LL pp.60 et seq.. In 1108 Thomas II of York told Anselm that Gerard had so impoverished the doicese that he had the greatest difficulty in raising the money to go to Rome for the pallium (EA 444)

2. v. Smalley: Gilbert the Universal ut sup., and PU i 17.

The second case concerned Robert of Hereford; he was certainly with the pope in November 1131, probably because of the Llandaff dispute, for Bernard of St.Davids seems to have been there too, but it is a second visit which is of particular interest.It is not certain that it took place before Henry's death, but it is very likely.According to his bofigrapher Robert was very early engaged in a quarrel with his dean, and secured his deposition by appeal to Rome.[1] Professor Brooke has suggested that the origin of the dispute was political, which lends the incident a particular interest as a shadow of the divisions that were to rend the marches in the next reign,[2] but it is also apparently another example to add to those of the anonymous clerk of Lincoln in the days of Anselm and perhaps Urban of Glamorgan at Rheims where an appeal seems to have been taken directly to Rome without recourse to the authority of the archbishop-legate.

It is now possible to review the evidence for appeals to Rome over the whole reign. One point emerges very clearly; The great bulk of those of which we now have evidence were prosecuted in the course of three great causes, those of the investiture dispute, the primacy, and Llandaff. Themselves usually prosecuted in the form of appeals they afforded opportunity for raising others, or suggested to the participants the advantages of such conduct.It is this that gives them their importance for the future, for throughout the reign, in spite of extreme difficulties, appeals continued to go to Rome.. By no means all reached the curia, not all that did were successful, the methods for enforcing a judgement once obtained were slow and sometimes ineffective, but the precedents were being established. Once the great causes had shown the way the advantages, particularly for those without ready access to the remedies offered by the king or his greater churchmen, were becoming increasingly obvious.

In a paradoxical way the Italian misadventures of the papacy may well have increased its influence further west; it was through his German

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1.A3 ii p.312 places this incident very early in Robert's episcopate; PU ii no.15 shows Robert with the pope probably in December 1135, a likely occasion for the appeal.

2.C.N. and C.N.L.Brooke: Hereford Cathedral Dignitaries in the 12th Century in Cambridge Historical Journal VIII for 1944 pp.1-21, p.7; the letters, there cited,(Letters and Charters of Gilbert Foliot ed.C.N.L. Brooke, Cambridge 1967), deal with a further set of problems.
nos 1 and 2

entanglements that Paschal met Philip of France and Louis his heir in 1108, as exiles that Calixtus II and Innocent II met Henry of England and many of his bishops and celebrated councils in France. So, by meeting their more distant flock they may have helped to establish the custom of recourse to the papacy.[1]

The origins of this expansion of the scale of papal jurisdiction necessarily lie outside the scope of any study of its local effects, but it is possible to mark the stages of its progress and discern the causes which contributed to its acceptance. I do not think it is too much to say that by 1135 appeal to Rome was recognised as an established process in England, necessary under some circumstances and not infrequently employed.

4. The grant of papal privileges.

Lastly we have to deal with papal confirmations, distinguished from legatine and appellate activity by the largely passive part played by the pope. A very high proportion of the surviving bulls for England fall into this category,[2] which may itself be subdivided; there are those which confirm changes in the structure of the English church and there are those which, where they were not in effect the issue of judgement in an appeal, confirm the community involved in the possession of their rights while conferring little or nothing further.

The major changes which were confirmed by papal authority in the reign were the transference of the sees of Chester to Coventry and Thetford to Norwich, the creation of the sees of Ely and Carlisle, and of course the appointment of each new archbishop. Although none of these was the consequence of a papal initiative yet their confirmation was by no means automatic. Neither archbishop Ralph, nor William of Corbeil, received his pallium without careful and indeed hostile scrutiny, William being obliged to face formal charges at the curia from which he is only said to have been rescued by the intervention of Thurstan and the emperor himself.[3]

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1. In a very different field Professor C.Vogel: Introduction aux Sources de l'Histoire du Culte Chretien au Moyen Age, Spoleto 1966 p.63. saw such exiles as playing a major part in the 'Romanisation' of the Gallican liturgy in the eighth and again in the twelfth century.
2. For reasons which have little relation to the original distribution of privileges against mandates, no doubt.
3. HC p.112, JD ii pp.272-3, HN pp.227-9.

The creation of the new sees was clearly a complex affair; at both Ely and Carlisle the original idea seems to have preceded the event by some years. At Ely abbot Richard had agents at the curia negotiating for the conversion of his abbey at the time of his death; during the vacancy that followed the expelled bishop Hervey of Bangor persuaded the monks to support a revival of the project which was then discussed at the king's court and agreed upon there. Anselm insisted that papal support was necessary, and it was at a very late stage of the negotiations that Hervey was sent to Rome to obtain the consent of Paschal.[1] There is no comparable bull confirming the creation of the diocese of Carlisle, but there is one directed to Thurstan which delegates to him the power to unite and divide dioceses, and this was presumably obtained to allow its establishment.[2]

It does not seem that the transfer of the seats of bishoprics under William I and Rufus had been carried out on any authority greater than that of the king and archbishop in council;[3] but three of them, those from Dorchester to Lincoln, from Chester to Coventry and from Thetford to Norwich, were all confirmed by Paschal in 1102. It can scarcely be a coincidence that three of the four bishops involved were sent in that year as the king's ambassadors in the investiture issue, although one may doubt whether any of them would have made the journey simply to obtain their privileges.[4]

There remain the privileges for the communities. In a minority of cases these are grants as well as confirmations, for there were two sorts of advantage which the pope might offer besides such protection as a papal privilege might confer.[5] The first was an indulgence for pious

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1. The principal sources for the foundation of Ely are Liber Eliensis pp.235-6, 245 et seq.; HN pp.195-6, 211; EA 441, 457-60.
2. Above pp.24-5.
3. For the general issue of the transfer of bishoprics under Lanfranc v. esp. Brooke: Archbishop Lanfranc, the English Bishops and the Council of London pp.45-55, and the references there collected.
4. HN pp. 132-4; Gerard of York presumably obtained HCY iii no.12, the bull confirming the move to Lincoln, while it also confirms York's recompense. Robert of Chester's bull is J-L 5912, Herbert's J-L 6594, dated in PU ii no.3 .
5. For some other examples of the citation of the authority of a papal privilege v. Appendix 1 nos. Canterbury 7 and Hereford 14 .

visitors to the house; there is only one known example of such a grant by the pope himself in the reign, that of Calixtus for the abbey of Bury, whose abbot was the former cardinal-legate Anselm of St.Saba.[1]

The second form of advantage he had to offer was a measure of independence from the authority of the diocesan, a privilege as widely sought as resisted throughout the western church. Alexander II had granted a complete immunity to Bury in 1070, and the two efforts of Herbert of Norwich to overturn this grant, at Rome and before the council held at the end of the same year by Anselm were both unsuccessful.[2] At the time this was the only example of a monastic immunity confirmed by an authentic papal privilege; it was not of course the only case in which a monastery claimed or even enjoyed such immunity, but elsewhere it was normally defended on grounds of ancient custom or royal grant.

In three cases during the reign it is however asserted that the pope conferred a measure of exemption on an English monastery. One of these is patently a false claim; the total exemption and other privileges said to have been granted by Paschal II to St.Botolph of Colchester appear in a bull which is certainly interpolated if it is not indeed a total fabrication.[3] The other two cases are of considerable complexity, for they concern Westminster and St.Augustine of Canterbury; none of the narrative sources for the history of these monasteries appears to be earlier than the mid-thirteenth century or later, and both their chronicles and their muniments deserve the most rigorous scrutiny. If the charters of Westminster are marginally the more unreliable the historians of St. Augustine, whose very names are confused and obscure, deserve some recognition as the most consistently inaccurate in the country.[4]

1.PU iii 8

2.For the case of Bury's exemption v. Memorials of St.Edmund's Abbey ed. in 3 vols. for the Rolls Series as no. 96 by T.Arnold, London 1890-6 i pp.60-7, 87, 340-55;V.H.Galbraith: The east Anglian See and the Abbey of Bury St.Edmunds in EHR XL (1925) pp.222-8; D.C.Douglas: Feudal Documents from the Abbey of Bury St.Edmunds, Introduction; B.Dodwell: The Foundation of Norwich Cathedral and the general references cited below in Chapter IV pp.141-5.

3.Mon. VI(i) pp.106-7(v); for a charitable assessment of this bull v. J.C.Dickinson: The Origins of the Austin Canons, London 1950, pp.98-9.

4. The Principal narrative source for Westminster in these years is Flete's History of Westminster Abbey, ed. as Notes and Documents relating to Westminster Abbey No. 2, Cambridge 1909 by J.Armitage Robinson, who traces his sources in a valuable introduction.

(cont.overleaf)

Westminster's claims to immunity by papal grant rest on two bulls, one attributed to PaschalII and the other to Innocent II. That of Paschal has been identified as the work of Osbert de Clare, and may safely be disregarded, but the second is generally treated as authentic, and has already been touched on.[1] If it does represent a genuine grant it is of considerable interest and importance. The Bury grant is something of a freak, and it does not appear that it played any decisive part in freeing the abbey from the claims of the bishop of East Anglia, so that this Westminster grant is the first clear evidence that the terms on which such exemption disputes were to be fought out were changing.

The second grant is not so comprehensive; St.Augustine of Canterbury was bound to its neighbouring cathedral by more than usually close links; it was not merely obliged to accept the general obedience owed by any abbey to its diocesan but also to render a very large due in cash and kind with its chrism dues. In March 1120 however Calixtus II

NOTE 4 cont.. The same author's Gilbert Crispin, Abbot of Westminster, Cambridge 1961 deals with much of the abbey's early twelfth century history; for its muniments and their unreliability v. esp. F.E.Harmer: Anglo-Saxon Writs, Manchester 1952, pp.286-329, T.Bishop and P.Chaplais: Facsimiles of English Royal Writs to AD 1100 pp.xx-xxi, and particularly P.Chaplais: The Original Charters of Herbert and Gervase, Abbots of Westminster (1121-1157) in Early Medieval Miscellany for Doris Mary Stenton, Pipe Roll Society New Series Vol. 36 for 1960 pp.89-110. The earliest printed chronicle of St.Augustine is William Thorne's Chronicon S.Augustini Cantuariensis ed. R.Twysden in his Scriptores X, London 1652 coll.1757-2202, rehandled by Thomas de Elham in his Historia Monasterii S.Augustini Cantuariensis ed. for the Rolls Series as no. 8 by C. Hardwick, London 1858. However Thorne appears to cite an earlier source now lost, a chronicle of Thomas Sprott of the thirteenth century, a suggestion which is treated in the discussion of the historiography of St.Augustine in The Black Book of St.Augustine's Abbey Canterbury ed. in 2 vols as Vols 2 and 3 of the British Academy Records of the Social and Economic History of England and Wales, London 1916-24 by G.J.Turner and H.S.Salter esp. Vol.I p.xiv. Whatever the work of Sprott was, there are longish sections which Thorne subsequently used in the cartularies of the house which appear to have been compiled before he began his work, notably the 'White Book', London P.R.O.Exchequer KR Misc.Bks. 1(E 164) 27, and London BM Cott. Tiberius A IX, the Vitae Abbatum. For some extensive late eleventh century forgery at St.Augustine v. W.Levison: England and the Continent in the Eighth Century, Oxford 1964, Appendix I.

1. For the bull of Paschal, PU I no.9 v. Chaplais: The Original Charters, p. 92 ; for that of Innocent (PU I no. 17) notably Smalley: Gilbert the Universal. However it may have been doctored too; B.Harvey: Abbot Gervase of Blois and the Feefarms of Westminster Abbey in Bulletin of the Institute of Historical Research (L) 1967 pp.127-42, pp.128-9 suggests that Osbert 'improved' PU i 24, which has presented numerous problems recently.

granted the abbey two bulls by which he freed it from this obligation and from the inhibition on ringing their bells imposed by the cathedral church, a concession which Gervase of Canterbury attributed to the pope's inveterate hostility to archbishop Ralph.[1] This was only one more stage of a long and very bitter dispute, but again it shows the old problem being treated in a new way; the monks would still fight for their liberty the king but they had now tasted the advantages of recourse to Rome.

The remaining papal privileges offer no new benefit, and only with those of York and Llandaff is there any reason to suppose that they were the result of legal action at the curia. One however does offer guarentees against the future. In 1123 abbot Anselm of Bury obtained a privilege which provided inter alia that should the abbey ever become the seat of a bishopric it should be served only by monk bishops. Although the project for raising Bury to episcopal status had been very much alive under the Conqueror this is the only evidence that the possibility was still under consideration; the provision on monastic bishops appears to have been inspired by the election of William of Corbeil the canon to Canterbury earlier in the same year.[2]

The remaining privileges, which conferred nothing new and merely confirmed what had already been granted by others, are distributed as follows. Apart from the bulls for the ambassadors of 1102 and Anselm Paschal is said to have granted two such tutelae, the patent forgery for Westminster and the only slightly less dubious bull for Colchester; Gelasius offered none, Calixtus twelve as well as the Bury bull, Honorius eleven as well as the two Llandaff tutelae, and Innocent six. A reference to the tables appended to this chapter will show that these grants are very unevenly distributed in time, being almost wholly concentrated on occasions when there was an English mission before the curia on other business. The inference may then be reasonably be drawn that such privileges, although widely sought when a convenient occasion arose, were not sought by those who did not have other business to pursue there. However it is noticeable that

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1. For this obligation v. esp. The Domesday Monachorum of Christ Church Canterbury ed. for the Royal Historical Society 1944 London, p.78, and Thorne's Chronicon coll. 1797-8: PU I 10-1, Gervase of Canterbury: Historical Works i p.72.
2. PU III. 8; v. the refs above p.56 n 2.

some of the embassies sent to the curia in the reign were very large, notably those of 1123 and 1125, and it may well be that these men went w with the idea of obtaining papal protections clearly in their minds, as I have suggested was already true in 1102. At any rate more of the higher clergy were visiting the pope at the end of the reign than had at its beginning, and most of these were now seeking such tutelae.

Conclusion.

The impression one derives from considering any one example of papal intervention in English affairs in the reign must I think be rather unfavourable. Even when the pope seemed to secure a triumph of principle, as in the matter of investitures or the primacy, it was at the cost of concessions which came near to nullifying the effects of their success. Yet, taken as a whole, a very different picture emerges; if these efforts are individually unimpressive they are remarkably numerous. Although no issue as dramatic as the investiture quarrel occurred after 1107 instances of recourse to Roman jurisdiction multiply throughtout the reign. I have suggested that in 1100 ignorance of papal practice was all but universal in England; by the end of the reign this can have been far less true. There is a list of known visitors to the curia in the tavles below, but they can be summarised here. At the beginning of the reign only the two archbishops(once each), and the bishops of Hereford and Norwich(again once each), and William Warelwast the future bishop of Exeter among the higher clergy are known to have visited the pope. At the end of the reign William of Canterbury had certainly been three times and Thurstan of York four, once for a very long stay; bishops of every see but Salisbury and Worcester are known to have been there, some, such as Bernard of St. Davids, often; abbots of the monasteries of Bury, Chertsey, St. Albans, Ramsey, G Glastonbury, Peterborough, Battle, Sherbourne, and Reading had all visited the curia. Of these and a host of lesser figures, royal chaplains, canons, and unspecified 'legati', 'Cantuarienses' and so on the evidence tells us. How much it does not reveal is shown clearly enough by a casuaal phrase of Eadmer's on Geffrid d'Escures in 1119,

'papae familiaritatis nexu copulatus',[1]

for there is no other evidence of this surviving. If the careers of other

1. HN p. 256

members of the English hierachy, particularly before their promotion, were fully known, the list I have suggested might need extensive amplification. If it is still true that Henry's clergy in 1135 placed more trust in a royal charter than a papal privilege, and preferred the king's court to the pope's curia, by then they certainly recognised the alternative, and were incomparably better informed on papal affairs than their predecessors in the days of Lanfranc.

CHAPTER II, APPENDIX : ANGLO-PAPAL CONTACT 1100-1135

At Rufus' death Anselm had been in Rome in 1098/9, during his first exile, (HN pp.95-114), Thomas I of York to obtain his pallium in 1070, (HN p.10) Herbert of Norwich to resign and receive his see again in 1094, (FOW ii p.37n, GP p.151), Gerard of Hereford as chaplain, and William Warelwast in 1094/5(HN p.68), and William again in 1098(HN p.110).

English visitors to the curia.	*Papal mandates to England concerning: A.Investitures B.The primacy C.Llandaff D.York and Scotland E.Other matters		*Tutelae
		1100	
Nuncii, returning c.Pentecost 1101. (HNpp.120-1, 128)			
		1101	
	EA 213 Apr.24.	A	
	EA 216.	A	
		1102	
April.Baldwin m of	EA 222 Apr.15	A	J-L 5912 Apr.18[1] (Chester)
Bec,Alexander m. of	EA 223	A	
ChCh,Robert bp. of	EA 224	A	Mon.IV p.16(iv)Apr.28[2]
Chester, Herbert bp.of	EA225[3]	E	(Norwich)
Norwich, Gerard archbp.	EA226[4]	E	HCY iii.12 Apr.19(York)
of York.(HN pp.132-7)	HCY iii.11.Apr.10.	E[5]	
	HCY iii.8	D	
c.December.Anselm's			
messengers.(HN pp 140,	EA 281 Dec.12	A	
146-7)	EA 282 Ib.	A	
	EA 283 Ib.	B	

1.Mon's source was apparently Dugdale's transcript from a lost roll once at Lichfield,Oxf. Bodl.MS Dugdale 12 p.438. The text in S.Baluz: Miscellaneorum Tomus VII(Paris 1715) p.132 may be from another unidentified source.

2.For the dating clause v.PU II.3.Both this bull and the last are dated 1104; for other examples of bulls of 1102 so dated v.PU II p.137n.

3.The order for Flambard to answer the charges against him before Anselm.

4.Order to the bishop and canons of Exeter to cease to molest the monks of Battle.

5.Grant of the pall to Gerard; all the elements of the date except the year 1103 agree with 1102; 1103 is therefore either an error or according to the 'calculus Pisanus'. The point misled Cantor: Church,Kingship and Lay Investiture pp.160-1 and 166; there is no reason to doubt HC p.13 when he says Gerard received the pall.

6.The dating clause of this bull is corrupt; the year is given as 1106, the year of Paschal's pontificate 1103/4, the indiction 1102. The text is only known in xiv c. transcripts, the indiction is the only elemennt given in words, and I take it to be right.

		1103	
November. Anselm, Eadmer m. of ChCh.,(HNpp.151-4), Eustace, Alexander and Baldwin mm.,(HN p.cxxii), William,bishop-elect of Winchester,Richard,ex-abbot of Ely,Aldwin,ex-abbot of Ramsey (HN p.152)	EA 305	Nov. 23.	A
	EA 303	Nov. 16	B
	EA 304		B
	(but it approximates to a privilege for ChCh.)		
		1104	
Royal mancii,(HN p.162).	EA 348	Dec.23	A
? Baldwin the m.,(EA 338)			
Warelwast		**1105**	
	EA 351		A
	EA 352		A
	EA 354	c.March	A
	EA 361	Summer	A
c.December. ?Robert clerk of the king's chancellor.[2]			
		1106	
c.March. Baldwin m. of Bec, William Warelwast ,(HN p. 171).	(EA 397	March 23	A)[3]
		1107	
May. Baldwin of Bec and Warelwast at the Council of Troyes,(HN pp.184-5).	EA 422	May 30	A
	EA 423		E[4]
c.June. Messengers from Richard abbot of Ely,(LE p.236)			
		1108	
Hervey, bishop of Bangor, and the bearer of EA 451, (EA 457-60)	EA 452	Oct.12	B[5]
	EA 457	Nov.21	E[5]
	EA 458	Nov.21	E[5]
	EA 459	Nov.21	E[5]
	EA 460		E[5,6]

1. FoW ii p.52 says that William of Winchester, Richard of Ely and Aldwin of Ramsey all crossed the sea with Anselm.We know from EA 397 that Richard reached Rome,(cf.LE p.413,Appendix D); according to Clarius of Sens, ed. L.Duru in Bibliotheque Historique de l'Yonne Vol.II (Auxerre, 1863)pp.514-5, abbot Arnal of Sens in late 1103 met William 'episcopum...Vincestrensem' with the archbishop of Canterbury at Rome; since two of the three whom Florence mentions are known from other sources to have reached Rome it is likely that Aldwin went there too.
2. Henry in Ea 377 told Anselm that Robert 'clericus cancellarii mei ' had told him that there were now two popes in Rome, presumably a reference to the election of Silvester the anti-pope in November 1105; it does not follow that Robert had been there, but this seems likely, for he is spoken of as havinf special knowledge. Dr.Cantor,(Church, Kingship and Lay Investiture p.258 n.143) wished to identify this Robert with Robert Malet, but there is no evidence for this, and it seems quite fantastic that Henry should describe one of the greatest of his tenants in chief as a clerk of his chancellor.
3. This is the only letter from the pope to Anselm in exile that I have

continued over.

(Note 43 continued)...included. It is central to the resolution of the investiture conflict but it also dates the arrival of Baldwin and William in Rome.

45. The mandate to Anselm to enquire into the Mowbray marriage, (v. above p.49)

56. These are all the bulls concerning the erection of the see of Ely; for this v. also LE pp.245-7.

67. It appears from the pope's reference in EA 460 that the request for a new bishopric had been transmitted by the bishop Hervey and Peter the chamberlain, which makes it very probable that Peter had just come from England; this is further suggested by EA 451, in which Anselm mentions some apparently lost letters which he has sent the pope by Bernard, sergeant of Peter the chamberlain, at Pentecost. The characteristic tasks of the papal chamberlains being financial it is likely that Peter had gone to England to collect the Romescot, a due whose payment may well have been made easier by the recent settlement of the chief differences between king and pope.

1109

Hugh, dean of York,
(HC pp.22-3)

1110

Nicholas, archdeacon of Ely,
dies on the road to Rome, (above
p.)

1111

1112

1113

1114

PU I.9 June 28[2]
(Westminster)

1115

c.January. John, abbot of Peterborough, John archdeacon of Canterbury, Warner m. of ChCh, (subs.ab.Battle), (HN p.226)[5] — HN p.231 Feb.18 E[3]; HN pp.228-9 Mar.30 E[4]; HN pp.232-3 Apr.1 E[4]

c.December. William, bp. of Exeter, (HN p 234).

Messengers from Thurstan of York, who obtained the bulls on his behalf (HCpp.40-1, ?HN p.238)

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1. Before Anselm's death other visitors to Rome should perhaps be mentioned; EA 463 is a letter recommending an unknown messenger, who may be one already mentioned or another; EA 440 is the letter from Gerard recommending to Anselm the clerk who had appealed 'ad pedes domini papae'; according to the late xv c. addition to the cartulary of Holy Trinity Aldgate, (Glasgow U.L., Hunterian MS U.2.6.f3) prior Arnulph of Colchester and Norman (who became proir of Aldgate in 1108) sent canon Geno to Paschal to obtain privileges; he had two but died on the way back, and only one reached England. But v. below s.a.1116
2. Osbert de Clare's forgery, dated by Holtzmann 1101/14. (v. above p.57)
3. To the m. of ChCh on Ralph's translation.
4. On Anselm's commission
5. Later archdeacon, then merely a clerk.

	1116		
	H pp.241-1, ar.6		
	HC p (lost)		
			n. 1(1) pp10-7(v)
			ur. olchester.
	1117		
lph, rchbp.of Canterbury, erbert bp. of orwich, ugh ab Thorney, illiam canon of Dover,(HC p.50,H pp.239-45).[2] essengers from the hapter of York,(HC p.54, H pp.243-4).[4]	H pp.242-3, ar.24 HC pp.54-5, pr.5 lb. pp.55-6, pr.5		
	1118		
essengers from archbp. lph,(H pp.248-9)[5]	HC pp.58-9 HCp.58, o.18 p.59		
	1119		
n under ersant of rchbp. lph,(HC p.62)	HC p.62 (lost) HC p.64-5, HC p.66 (lost) lb. (lost)		
illiam bp.of ester (H pp.68-9)	HC p.66 HCp.67-8 ay 17 HC p.67		
22 September. hurstan elect of York, two of his archdeacons and his 'scholasticus' are at Tours with the pope,(HC pp.69-70).			
c.16th October. effrid,a.of eez,(subs.ch. lastonbury, bp.of Chichester, rban bp. of Llandaff are at Rheims,(H p.256,above p.)	pp.92-3 ct 16 pp.93-4 Oct 16 p. 94 Oct 16		pp.89-91 Oct.16 (Llandaff)

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1. Anselm's commission of his second visit, as legate with full powers.
2. v. above p.56, and the note on Colchester s.a. 1109; it may be that this was the bull obtained by canon Gene.
3. HC calls illiam a canon 'Dorovernensis', which might suggest that he was a canon of St.Gregory, but it is not clear that the priests of that house were then spoken of as canons; this is not the usual form Hugh uses for Canterbury, (this would be the only example). Dr Bethell argued on these grounds that illiam was a canon of the royal college of Dover, and I follow him here.
4. I suppose that Luther and Hugh are here speaking of the same mission, but their accounts vary even more than is usual over this issue. It appears from the history of Christchurch, Wynehan in Can.Vi,i,pp.303 et seq. that Gilbert de Sousgunels, Flambard's successor as dean went to Rome to seek approval for his scheme to convert it into a regular house of canons, and died on the way home, earlier rather than later in the reign, perhaps therefore in the pontificate of Paschal.
5. The York bulls were obtained by 'quidam benevolus noster'(HC p.57)
6. Calixtus' letter of reproof to which HC pp.62-3 is the archbishop's reply.
7. The summons for the archbishops to the council of Rheims.

October 19.Ralph bp.of Orkney by then at Rheims, (HC p.71), John,archdeacon of Canterbury, (HN p.257), and Serfrid of Seez 'cum Cantuaritis sociis suis', (HN p.256).
c.October 20.William bp. of Exeter,Ranulph bp.of Durham, Bernard bp. of St.Davids. (HN pp.255,257)where it is said that the English bishops had not arrived for Thurstan's consecration.The Council of Rheims opened on 20th October.

LL p.92 Oct.22 C

HCYiii.no.22.Nov20D
HC p.76 Nov20D
HCY iii.no.21 D

23 November. Henry and the pope meet at Gisors,(HN p.258, OV iv,p.373,HC pp.76-80)

1120

c.February 20.William of Exeter(HC pp.85-8)

PU I.10 Mar.3 E
PU i.11 Mar.3 E[3]
Mon.VI(iii)pp.1185-86[4],c. Mar.6 [4]

SHR I pp.154-5[1]
Jan.3-14(Hostell)[2]
PU III.11?Jaan.
(Bridlington)[5]
PU I.10?Jan.[5]
(Guisborough).

May.Bernard of St.Davids (HC p.90).

HC pp.93-4 B
HC pp.102-3,May 11 B
HC pp.101-2, B
HC pp.103-4, May 11 B

HCY III no. 23 Mar.11th (See of York)

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*4.This a bull directed to the archbishop of Tours which includes the text of a bull to Henry suspending archbishop Ralph and placing England under an interdict until Thurstan was restored to his diocese; it was probably never delivered. For the date v.HC p.82; for all this v.Nicholl: Thurstan pp.69-74.

*1. Dated at Tournus in the first year of Calixtus' pontificate at Thurstan's request; considerations of itinerary give this date.

2. Dated by Holtzmann 1119/24 this bull is so close in phrasing to the last either one is a forgery or both were drawn up together.

3. Grants of freedom to St.Augustine,Canterbury; v.above pp 57-8.

4. See above; cf H.C. pp 88-9.

5. Guisborough is generally said to have been founded in 1129; Farrer in ECY II in a note to no.671 supposed this to be a forgery, presumably rightly.v. also notes to RG 1582. Were it genuine it would fit with these other Yorkshire Augustinian bulls.

1121
1122

HCY iii.24 Jan.15 D
HCY iii.25 Jan.15 D
HCY iii.26 Jan.15 D

HC p.108(lost)c.Oct. E
HC p.108(lost)c.Oct. E[1]

PU III.5,Nov.25(St.Albans)
PU III.6,Nov.25(St.Albans)

1123

William,abp.Canterbury, John,archdeacon of Canterbury,Thurstan archbp. of York,Bernard bp.of St,Davids,Robert m.of Durham,Anselm ab. Bury,Giffard the chaplain, (A-SCpp.43-4,PU II.5).

HCY iii.27 May 16 D[2] PU II.5 May 15(Durham)
HC pp.118, May 21 B Mon.I.p.29,May15[3]
HC pp.118-9,May24 B (Glastonbury)
PU II.6 May 24 B H&S I pp.315-6,May 25 (St,Davids)
PU III.8,May 25 (Bury St.Edmund)

Seffrid, ab. of Glastonbury

HCY iii,28 Aug.26 D[2] PU III.7,May 25 (St,John, Colchester)
HC p.120 Sept. B
PU III.9,June ?(Reading)
SHR IX,p.155 ?[4](Nostell)
PU III.10[5](Kirkham)

1124
(lost) E[6]

?Messengers from William archbp. of Canterbury, (HC p.120)

HONORIUS II

HCY iii.31 April5

1125

HC p.121 Apr.13 B[7]
SD ii.p.276,Apr.12 E
SD ii.pp.276-7,Apr.13 E
SD ii.pp.277-8,Apr.13 E PU III.12 Apr.13(Reading)

c.December.William abp. of Canterbury,Thurstan abp.York,Alexander bp. of Lincoln,Geoffrey ab.St.Albans, Thurstan ab. Sherbourne,John bp.of Glascow,(ASCp.47); Gilbert the Universal,subs.bp. of London,was then in Rome, (HCp.127)

1.Summons for the two archbishops to the Lateran council of 1123.
2.In theory 1121/4,but clearly after HCY iii.24-6 above.
3.A better text is in The Great Chartulary of Glastonbury ed.in three volumes for the Somerset Record Society by A.Watkin as vols.LIX,LXIII and LXIV for 1947-56,Vol.I no. 169.
4.1120/4,but it fits well here. 5.1119 x24,but Kirkham is supposed to have been founded c.1122.
6.Presumably John of Crema had letters from Calixtus appointing him legate, but since they would have 'expired' before he reached England,they do not seem to be known;the second set of bulls granting him a commission from Honorius seems to be known now only from the copies inserted into the Durham chronicle,so again the loss of the first set is the less remarkable. commission.
7.This and the succeeding two bulls are those containing John of Crema's

	1126		
	HCY iii.29 Jan.5	E[1]	PU II.7 Jan.1 (Salisbury)
	Wilkins 1.409 Jan25	E[2]	PU II.11 Jan.18 (Durham)
	HC p.128 Jan.	B	PU II.8 Jan.[illegible] (Norwich)
			PU III.24 Jan.25[3] (Beverley)
			PU II.9 Jan.30 (Canterbury ChCh.)
			PU III.13 Jan.30 (Sherborne)
	PU II.10 Jan.30	E[4]	Reg.Ant.i.248 Jan.30 (Lincoln)
			PU III.14 Feb.25 (Kenilworth)
	1127		
Messengers from Thurstan of York,(HC p.129)	HC p.130 March 15	B	
	1128		
c.April, Urban bp.of Llandaff (LL p.52).[5]	LL p.38 Apr.18	C	LL pp.30-3,Apr.19 (Llandaff)
	LLpp.34-5 Apr.19	C	
	LLpp.33-6 Apr.19	C	
	LLpp.36-7 Apr.19	C	
	LLpp.37-8 Apr.19	C[6]	
	CHSPGii p.47 Apr20	E[7]	
	PU III.15 Apr.30	E[7]	
	LLpp.38-9 Oct.7	C	
	LL p.39 Oct.7	C[7]	
	PU III.20 Oct.15	E[8]	Cart.Whitby 1.p.116 (Whitby)Dec.9.[9]
	HCY III 30 Dec.5	D[8]	
	HCY III.32 Dec.5	D[8]	
	HCY III.33 Dec,5	D[8]	
	HCY III.34 Dec.5	B[8]	
	Mon.VI(iii)p.1178 (xii) Dec 5	B[9]	

1.The bull enjoining residence on the dean of York etc. dated in PU IIp.105.
2.The grant of the legateship to William of Canterbury; Jaffe dates,without authority or probability 1127; HC p.127 asserts clearly that William received the grant in 1126.
3.Holtzmann dates 1125/30, but no other bulls for York archdiocese in these years were dated in January,which established a powerful presumption in favour of this year.
4.An exhortation to the men of Lincoln diocese on behalf of the Cathedral.
5.PU III.16-9 are letters from England to Honorius over Hugh of Reading's summons to Rome; I do not think it is known who carried them.
6.Dated1128/9,but it fits as well here as anywhere.
7.A further summons for Hugh Abbot of Reading.
8.All these bulls were either re-dated to 1128 in PU II p.105,or should have been by analogy with Mon.VI(iii)p.1178(xii),for which PU II.12 provides the date and attestation v. above p.23n.2for these dates and texts
9.v.PU II.12.

		1129		
c.March.Urban of Llandaff with six witnesses on his behalf,(LL pp.39-41,52-3).	LL pp.39-41	Apr.4	C	
	LL pp.45-6	Apr.4	C	
	LL pp.46-7	Apr.4	C	
	LL pp.46	Apr.4	C	LL pp.41-5 Apr.15 (Llandaff)
April.Bernard bp. of St. Davids, and his archdeacon, William,(LL pp.30,53-4).	LL p.30	Apr.27	E[1]	
	LL p.30	Apr.28	E[1]	
	LL pp.53-4	Apr.29	C	
c.May/June.Hugh abbot of Reading,(PU III.21-2).	PU III.21	May 10	E[2]	
	PU III.22	June 16	E[2]	
		1130		
		INNOCENT II		
	LLpp.55-6	Feb.25	C[3]	
	LLpp.56,61-2,	Feb.25	C[4]	
	PU III.25	Mar.3	E[5]	
	LL pp.54-5	Mar.3	E[6]	
c.August.Agents of Urban bp. of of Llandaff find the pope at Genoa,(LL pp.56-60).	LL p.57	Aug.12	C	
	LL pp.56-7	Aug.12	C	
		1131		
Henry and the pope meet at Chartres on Jan.13, OV v.p.25,HCY p.252.	LL pp.63-4	Jan.17	E[7]	
March. Urban bp, of Llandaff with the pope at St.Quentin, (LL p.60).	LL pp.60,64-5	Mar.14	C	
May 9-10. The king and pope meet again at Rouen,Among those present is probably the future bishop of Carlisle, Adelold of Nostell,(v.note to RG 1691)[8]	LLpp.58-9	May 11	C	PU I.15 May 10 (Monkton Farleigh)
	LL p.59	May 26	C	
	LL pp.65-6	Aug. 12	C	
18-29 October,the Council of Rheims attended by an unknown number of English bishops.[9]				PU I.16 Nov.18 (Llantony)
	LL pp.66-7	Nov.21	C	
	PU II.13	Nov.28	B	PU II.14 Nov.19 (Hereford Cathedral)
	HCY III.45	Nov.29	D	
	HCY III.46	Nov.29	D	

1.These two mandates, one ordering Urban to allow the monks of Montacute to enjoy the gifts of Winebald de Ballon,the other ordering him to do right to the archdeacon of St.Davids on the complaint he had made to the pope,emerged as side-issues from the Llandaff dispute.

2.The first of these letters is addressed to the monks of Reading and records the arrival of abbot Hugh in Rome;the second tells king Henry that the pope is sending him back,with a special responsibility for Peters Pence.

3.The date of this bull in the LL is quite distinct;it seems extraordinaary that the pope should have sent this letter to the bishop of a remote diocese six days before those recording his election and the schism, PU III.25 and LL p.54.

4.This date is Jaffe's,by analogy presumably with LL pp.55-6 above;there is no direct authority for it.

5.Letter to Hugh of Reading announcing his election and the schism,

cont.over.

cont. 5. urging him to diligence in collecting Peter's pence.
6. Letter to all the clergy and people of England announcing his election and the schism.
7. Mandate to Urban to release Robert prior of Llantony as bishop-elect of Hereford, another by-product of the Llandaff case.
8. Historia Novella ed. Potter pp.8-9.

They included Bernard bp. of St.Davids 'clericorum et laicorum caterva stipatus'; there were also three 'sacramantales' sent by Urban of Llandaff, (LL pp.66-7)
By 18 Nov Robert bp.of Hereford (PU I.16, II.14).

		1132
	LL p.62	Feb.13 C
	LL p.65	Mar.7 C_1
	J-L 7585	July 15 E^1
		1133
September.Godfrey m.of Westminster, appealing against	PU III.27	May 1 E^2_3
bp.Gilbert of London, (PU I.17)	J-L 8313	June 8 E^3
	PU I.17	Sept.30 E^4_5
	HCY III.40	D
		1134
	HCY III.47	May 2 D
Gilbert bp.of London died on the road to Rome on 10th August, (v.above p.)Urban bp. of Llandaff died at Rome before 9Oct.(HHp.253)	EHR IX p.531, Oct 9	C
		1135
? December 20.Robert bp. of Hereford at the Council of Pisa, (PU II.15)		PU II.15 Dec.20[6] (Hereford)
	PU III.29	E^7 PU III.28[8] (Reading)
		J-L 7736 (Dover)[9]

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1. Printed in G.Bessin: Concilia Rotomagensid Provinciae, 2nd. ed., Rouen 1717, App.p.25 this letter concerns the king's petition on behalf of the Norman abbots at loggerheads with Hugh of Rouen.
2. A letter thanking the king for his aid, and recording the pope's arrival in Rome.
3. Printed in F.Liebermann: Ein Brief Innocenz II an Heinrich I von England, Neues Archiv Vol.XIV(1889)p.616; another letter of thanks with an urgent request for further aid.
4. Bull on behalf of Westminster in response to Godfrey's appeal.
5. This is the bull empowering Thurstan to divide and unite dioceses, generally associated with the creation of the diocese of Carlisle; theoretically 1130/40, but v. above p.25.
6. Tentatively dated so by Holtzmann on grounds of itinerary.
7. A bull for Reading and abbot Ansger allowing them to receive any cleric as a monk without awaiting the permission of an archbp. or bishop; it can be dated 1130x1136 from the occurrence of abbot Ansger, but not more closely.
8. For its date v.n.7 above.
9. Confirmation to Canterbury and archbishop William at the king's request of his gift of the church of Dover(which was made in 1130); therefore 1130x1135.

CHAPTER III. THE ARCHBISHOPS

Introduction.

1. The authority of the canons.

Since the classic survey by Professor Z.N.Brooke it has been clear that an English bishop in 1100 who wished to consult a point of canon law would be much more likely to have access to Lanfranc's abbreviation of the False Decretals than to any other source.[1] Because of the particular interests of the compilers of that collection such a bishop would find very little there on the authority of archbishops; they appear invested with comparatively slight powers, and these are quite overshadowed by those attributed to the primates.[2] A decretal attributed to Anacletus makes the point clearly:

> 'suos metropolitanos iudices habere debeant episcopos'

but it is the primates

> 'ad quos post sedem apostolicam summa negotia
> conveniant, ut ibidem quibus necesse fuerit
> releventur, et iuste restituantur et hi qui
> iniuste opprimuntur iuste reformentur atque
> fulciantur, episcoporumque causae et summorum
> negotiorum iudicia ...iustissime terminentur.'[3]

Again a decretal of Stephen says:

> 'accusationes episcoporum ad ... primates debent
> ab accusatoribus deferri.'[4]

The functions attributed to the primate by the Decretals are extensive; besides the general duties in the text I have

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1. Z.N.Brooke: The English Church and the Papacy, esp the Appendix. Although English MSS of Burchard's Decretum are rare, the fact that copies of early twelfth century councils were copied into two of the survivors suggests that these were in current use.
2. v. P.Fournier and G.Le Bras: Les Grands Collections Canoniques en Occident, 2 vols, Paris 1931-2 .
3. H. pp 79-80
4. H. p 185, cix.

just cited it is elsewhere provided that no bishop is to undertake anything with effects beyond his own diocese without consulting him, and the injured bishop, or his wronged subject, are both to appeal to him in the first instance.[1]

Neither archbishop nor primate however can act as an autocrat. Indeed authority is everywhere seen as a last resort for use only where the errant will not listen to private and charitable remonstrance; where it is invoked the most elaborate safe-guards against its abuse are constantly provided. Again and again the texts of the compilers insist that the archbishop or primate cannot act without the concurrence of all the bishops of his province, except in his own diocese. It is this insistence upon common action that lends an institutional importance to the duty of both archbishop and primate to hold frequent councils, annually in some texts.[2] It seems fairly clear that these gatherings are not conceived as having that particular concern with the promulgation of legislation which was certainly a quality of many of those held in the twelfth century and later, for they are the necessary setting for almost every act of authority of which the compilers thought an archbishop or primate capable.

Widespread although the manuscripts of the Decretals were however it is clear that they could not be applied to early twelfth century England without considerable modification.

It is of course true that the collection was originally made with the purpose as much of changing as defining the conditions of ninth century ecclesiastical government, but the aims there proposed were by the end of the eleventh century being attacked by a new generation of canonists in the service of the papacy, in whose collections the authority of the primate and metropolitan were ever more strictly subordinated to that of the pope. In the practice too of the reforming

1. H p.29 c.xxxv; p.121; p.168 c.vi; p.480 cw; p.483 c.x; p.625.
2. e.g. H pp 96–8, 121, 139, 176, 185, 194, 201, 468, 480, 485.

popes the resident legate was beginning to assume much of the authority previously inherent in the superior ranks of the local hierarchy. In England the failure of William of Corbeil to assert the substance of his primatial claims over Thurstan of York, and their replacement by a legatine commission, are only local instances of a very general change.[1]

A longer-established and more important difference between the conditions supposed by the compilers and those that had prevailed in England since the tenth century was that royal influence on the government of the church had been at once more prevalent and less malign than the lay intervention which so exercised the Carolingian reformers and their successors. The tenth century revival had been achieved by a potent combination of kingly and archiepiscopal power which was revived again under the Conqueror and Lanfranc. It was in part as a consequence of this that the central direction of the affairs of the English church had taken place formally in assemblies and informally in associations of interest in which the elements of royal and ecclesiastical authority can only be separated by distinctions which would have seemed artificial to the participants, and often therefore do violence to the evidence. In my next chapter I discuss the extent to which this blurring of the frontiers of jurisdiction affected the whole fabric of ecclesiastical justice, but at this level of national and provincial direction it was clearly very extensive.

While however the career of Lanfranc under one aspect saw something of a revival of the tradition expressed in the co-operation of Dunstan and Edgar, in another it represented an important departure from it. With the celebration of his numerous councils Lanfranc introduced into England something much nearer to the organs of primatial authority than had

1. For the direct confrontation of the principles of primatial and legatine authority in England v. above pp.34-40, Southern: St.Anselm and his Biographer p. 127 et seq., For the European scale of these changes Fournier and Le Bras and A.Fliche: La Reforme Gregorienne, Louvain 1924-7, 3 vols., ii pp. 113-7, 203-34.

long been known there, as well as a wider knowledge of the authorities upon which its exercise was elsewhere based. The record of his council in 1076 which contains both canons and an account of the final settlement of the difficulties raised by the deposition of bishop Aetheiric of Selsey, clearly illustrates the judicial as well as the declarative functions of a primatial council as the False Decretals had conceived them.[1]

This achievement was however both partial and short-lived. Lanfranc's councils did not in his own life-time absorb all or even perhaps much of the powers previously exercised by councils of the whole kingdom; ecclesiastical matters of the greatest importance continued to be settled in gatherings of the old mixed kind then and indeed as long as the church in England continued to represent a formidable factor in political calculation. It was short-lived for two reasons: firstly the period of harmonious co-operation between king and primate upon which these councils depended was first suspended and later interrupted; Anselm was not permitted to hold a council at all by Rufus, and although Henry was far less hostile to such occasions the archbishop's exile interrupted what might otherwise have been a similarly fruitful period; archbishop Ralph and the king were both too pre-occupied by the affair of York and the Norman frontier to hold any councils. Secondly the change in the climate of papal opinion already mentioned caught up with England in the last decade of Henry's reign, so that the later councils held by William of Corbeil were legatine and not primatial.

If then the archbishops of the period were only rarely able to act as the canonical authorities expected that they should, it is also, though rarely, true that they might act in other ways which the peculiar ecclesiastical fabric of England allowed but

1. The text was printed in D.Wilkins: Concilia Magnae Brittaniae et Hiberniae, (London 1737, 4 vols.) vol. 1 p.367; the surviving MS of authority is Oxford Bodleian Library MS Junius 121, which was probably written for bishop Wulfstan.

which the Decretals had no reason to expect, or at least to provide for. The rough identity of the province of England under either primate or legate with the kingdom, and the close association of king and archbishop meant that on occasion the archbishop of Canterbury might confirm changes or grants by what appears to be analogy with the royal authority. Before examining these modes of action however it is as well to consider the resources and appointment of archbishops.

ii. Archiepiscopal revenues.

The entire field of ecclesiastical revenues in this period is very obscure, since the texts are usually imprecise, and there are only a very few fragments of anything at all like the estate surveys of the period.[1] Since there is no reason to doubt that there were quite profitable revenues, it hardly follows from the absence of good evidence that the archbishops did not have sources of profit which derived from their office. However their nature, if they did exist, does remain in much doubt. Two possible sources come to mind. As archbishops both York and Canterbury could expect to consecrate the bishops of their province, and there is some evidence that such consecrations were attended by some offering from the bishop-elect.[2] At Canterbury at least, and very possibly at York, this gift, if made, seems to have gone to the church and its community, rather than the officiating archbishop, so that it could scarcely be reckoned among archiepiscopal revenues. At best it could only be a very slight and irregular income anyway.

A second source of profit was potentially more extensive and regular. Towards the end of the century it is clear that the archbishop might make a visitation of his diocese levying procurations as he went.[3] Even if the archbishop of York in

1. For these v. below p[illegible].195 .
2. HN p.198, where Richard of London is said to have made an 'honestum munus' to the church, according to precedent. Westminster 1125 c.3 prohibits the extortion of such gifts, here following the text of the earlier papal council at Rome of 1099.
3. C.R.Cheney: From Becket to Langton, Manchester 1956, pp 139-40.

this earlier period did make such visitations, and there is no trace of evidence that he did, it is very doubtful whether he would have found enough wealthy churches in the dioceses of Durham and Carlisle to make such a journey return any material profit. The same obviously could not be said of Canterbury; if Anselm, Ralph or William made such visitations they could be sure of generous entertainment potentially available. There is however no clear evidence that any of them did attempt the enterprise. There is some suggestion of it in the diocese of Norwich; a letter of Herbert of Norwich to archbishop Ralph rebukes him with mock severity for his usual negligence in promising to visit the diocese and then not coming; all Herbert needs is eight days warning to be ready to meet him.[1] It is possible that William of Corbeil took the invitation up several years later, for there is a charter of his for the abbey of St.Benet at Hulme recording that when he and bishop Everard visited the church he had granted a seven day indulgence to penitent pilgrims there.[2] There is no evidence to prove that this was a visit made in the course of a formal visitation, and no further evidence of any kind, so far as I know, which suggests that such visitations took place.

The archbishop of Canterbury enjoyed an unusual privilege in his relations with the neighbouring bishopric of Rochester; alone among his suffragans the bishop held the greater part of his estates not directly from the king but from the archbishop, largely because of the enormous debt which the see owed to Lanfranc, by whose efforts it had been recalled from near extinction. As a consequence the bishopric was throughout the

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1. Epistolae Herberti de Losinga, Osberti de Clara, et Elmeri, ed. for the Caxton Society by F.Anstruther, London and Brussels 1846, pp.XXXVIII.
2. Below Appendix I, Canterbury no.11 ; to this visit another charter of William's, St.Benet of Holme 1020 - 1210 ed. for the Norfolk Record Society as vols II and III(1932) by J.R.West i no.76, should also perhaps be referred; it confirms the gift of a church in Norwich by its priest and his son.

period the uncontested patronage of the archbishop, to whom the bishop acted as deputy during his exile or a vacancy.[1]

To some extent York enjoyed a similar advantage; part of archbishop Thomas I's price for consenting to the move from Dorchester to Lincoln was a royal grant of the abbey of Selby, a recent foundation,

> 'sicut archiepiscopus Cantuariensis habet episcopatum Rofensem'.[2]

Clearly an abbot was a less distinguished subject than a bishop, and was incapable of performing those duties of order that made the bishop of Rochester so valuable a servant of Canterbury. Further, if one ignores the peculiar phrasing of Rufus' charter it does not appear that it does more than make Selby a demesne abbey standing in the same relation to the archbishop as Eynsham did to Lincoln or Malling to Rochester. Indeed according to a history of the house which purports to have been written towards the end of the century the archbishop did not enjoy even that measure of control, for the King continued to take an active part in matters as fundamental as the appointment of abbots.[3] Neither Rochester nor Selby can be shown to have rendered to their archbishop services in money or kind, although both might no doubt have been called on to contribute to an aid.

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1. DB I 56b ; for Gundulf as Anselm's deputy in 1103-6 v. EA 287, 299, 300, 331, 359 and below p.175n.1 ; for Ralph of Rochester during the vacancy of 1109-14 v. HN pp.221-2; Gervase of Canterbury (I 132-3) sums up the standing of the bishop well, but also v. Textus Roffensis f 220 c.212.
2. Registrum Antiquissimum of Lincoln I no.4.
3. v. the statement of Malling's obligations in Textus Roffensis, ed. in facsimile as vols. VII & XI of Early English Manuscripts in Facsimile by P. Sawyer, Copenhagen 1957, 1962, ff.196 - v c.181; the Historia Selebeiensis Monasterii...auctore Anonymo.. was prefaced to the edition of The Coucher Book of Selby by J.T.Fowler as vols. X and XIII of the Record Series of the Yorkshire Archaeological Society for 1890-2, vol.1 pp.(1-54). The manuscript appears to be lost, and the whole work has a disturbingly 'literary' quality. v. esp. p.(22), p.(24) and p.(26).

The evidence for peculiarly archiepiscopal revenues is then extremely feeble; it seems clear that they did not supply either the basis or the expression of archiepiscopal authority for either archbishop.

iii. Privileges and prestige.

Canterbury at least however did have a solid economic basis for its pre-eminence, for Domesday presents the archbishop as a tenant-in-chief on the largest scale. The precise figures involved are not easy to calculate, but his estates were reckoned at something between £1,000 and £1,500, a total which made him the greatest landowner in the country after William himself. In 1086, and probably for some years afterwards, the wealth of the archbishop far outstripped that of his wealthiest suffragans at London and Winchester.[1]

Even more important than the material wealth of Canterbury was the rich variety of her traditions. Canterbury had been almost literally the mother church of all England since the days of St.Augustine, and the cathedral contained the bones of St.Dunstan and St.Alphege the martyr with many others to attest the continuing vitality of her eminence; at Christchurch the community, fusing the imperial traditions of the Anglo-Saxon kings of the tenth century with the grand designs of Lanfranc nourished an ideal of primacy throughout the British Isles which coloured the approach of every archbishop of the reign to the affairs of Scotland, Wales and Ireland.[2]

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1. Corbett's famous calculations in the Cambridge Medieval History gave him a sum of £1,750; my own figure would be nearer £1,150, a discrepancy probably to be explained by the rigour with which I sought to exclude the estates of the monks from the sum. It is worth notice that Domesday Monachorum attributes to the priory many of the manors which the Exchequer Domesday treated as the archbishop's.
2. Above pp.14,27, Southern: St.Anselm and his Biographer pp. 127-130; for a very full statement of the claim v. the long letter of archbishop Ralph to Calixtus II in Wilkins: Concilia i pp 396-404.

This dignity was reflected in the secular authority of the archbishop. His right to perform the coronation was well-established; although the need for haste in August 1100 had compelled Henry to accept consecration from bishop Maurice of London in the absence of both archbishops, he apologised to Anselm with some care when he did arrive in England.[1] In the later years of archbishop Ralph, when disappointment and ill-health had eroded much of his celebrated affability, this privilege was the occasion for an embarassing scene. During the ceremonies around the king's marriage to Adeliza in 1121 the archbishop noticed that the king was already wearing his crown; he broke off the service and insisted upon its being removed, and was only with difficulty persuaded to replace it himself. The same occasion saw the vindication of another right of Canterbury. Since the wedding took place at Windsor Roger of Salisbury, in whose diocese the castle lay, claimed the right to perform the marriage, further alleging that the archbishop's impediment of speech incapacitated him. To this Ralph's supporters replied that the king and queen were the archbishop's

> 'speciales ac domestici parochiani.... nec diocesem cuiusve episcopi ei posse praeripere quod sui iuris dinoscitur esse; cum tota terra lege primatus Cantuariae parochia sua sit, et omnes episcopi totius insulae parochias quas habent nonnisi per ipsum et ab ipso habeant'.

Whatever some of those present may have thought of this most extreme of claims it sufficed for the occasion, and Ralph nominated William of Winchester to deputise for him in performing the service.[2]

A further crisis was provoked by the king's first crown-wearing after Thurstan had established his freedom from a

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1. HN pp.119-20; the contemporary evidence that Maurice performed the consecration is virtually unanimous, though Thomas of York may have crowned him later.
2. HN pp.292-3, Q p.132 n.

profession, at Christmas 1126. When he claimed to participate in the ceremony archbishop William threatened to withdraw himself, a measure which soon persuaded the king to step in on his behalf.[1] These disorders were however unusual; that the archbishop of Canterbury should and would take the first place in such ceremonies was generally agreed. Where the succession was in doubt, the archbishop's prerogative of crowning the new king necessarily gave him a position of great importance in deciding between candidates. This had been true of Lanfranc in 1067, and it was to be so again in 1135, when archbishop William needed some persuasion to crown Stephen. In 1100 however Anselm was out of the country; it may well be that Henry made such haste to summon him out of exile in order to establish his claims on his allegiance as soon as possible.

If this was his motive, it was well repaid; Anselm had served Rufus well in 1095, remaining in charge of the South when Rufus marched on Scotland, but in 1101 he seems to be the most important and consistent supporter of Henry in the anxious days of duke Robert's invasion. It even appears that the duke singled him out among his brother's partisans for his special resentment.[2]

In general however Anselm's unhappy relations with Rufus and his later quarrel with Henry over investitures saw the end of that close alliance of king and archbishop which had distinguished the reign of the Conqueror. A private distaste for the minutiae of administration no doubt contributed to Anselm's comparative lack of influence on the conduct of government, but the diminution of the secular importance of his see seems to have continued under his successors. Congenial a figure though Henry may have found archbishop Ralph there is very little

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1. HC p.129, Jo' p.22; when John speaks of Thurstan's action as provoking general indignation he seems very likely to be right; it seems that for once Thurstan had come too close to gloating over his triumph.
2. HN pp.127-8, 131.

evidence that he relied upon his judgement in secular matters,[1] and William of Corbeil does not seem to have occupied a much more significant place in the king's counsels. That he continued to enjoy the king's trust however is certainly suggested by the grant of the custody of Rochester to him and his successors in 1127, for this was a fortress of the greatest strategic importance.[2]

Yet, although the archbishop was always too important a figure to be ignored, he seems to have shared with such great houses as Giffard and Warenne a common diminution of influence against the king's 'new men', the professional administrators, the peers among the clergy and the Clintons and Veres for instance among the laity. None of the archbishops of Canterbury seems to have been chosen for his qualities as an administrator, indeed none showed any outstanding success as one, and so while they might influence affairs of state they had little part in directing them.

It has already been seen that the archbishopric of York enjoyed very few of the advantages of Canterbury. Since the Domesday survey of the North is so incomplete it is impossible to assess her resources accurately; it is unlikely however that they amounted to those of a southern see of the second rank, such as Salisbury.[3] Thomas II claimed that archbishop Gerard had so mortgaged the revenues of the see that he could scarcely find the money to send a messenger to Rome, and while he had reasons for delay, this seems likely enough.[4] The North, throughout the period wilder and less densely exploited than the province of Canterbury was recovering only slowly from a long series of devastations, culminating in that of the Conqueror, so that

1. Except perhaps the poem printed in HCY ii p.201.
2. EG 1475, Appendix no. CLXXXVIII.
3. My calculations give the archbishop some £235 in L/B; Corbett's figure of £370 appears to include some of the lands of the minsters of Beverley, Ripon and Southwell. Salisbury's lands were assessed at just under £600.
4. EA 444.

the great extent of the diocese in no way compensated for its modest endowments. However hard Thurstan might struggle he can never have controlled more than three suffragans in dioceses, and so, if he no longer made profession to Canterbury, his state remained overshadowed by hers.

Nothing more clearly reveals the special nature of the archbishopric of Canterbury, and her contrast with York, than the manner in which her archbishops were appointed. Gerard, Thomas II and Thurstan were all appointed by the king's word; the chapter in 1108 said that they would have elected Thomas themselves in 1100, if they had had the opportunity,[1] but there is no evidence that these appointments were made after any more discussion than was required by that of the bishop of a conventional see. Similarly the men who were chosen were drawn from the usual sources; Gerard had been chancellor before his promotion to Hereford, Thomas II had been a royal chaplain as had Thurstan, and only Thomas is known to have had any previous connexion with York.[2]

The appointment of an archbishop of Canterbury was quite another matter. When Henry at last proceeded to fill the see in 1114 after a long vacancy he had his own candidate in Faricius, the abbot of Abingdon, who had risen high in his favour largely through his eminence as a physician. When the monks of Canterbury heard of the choice they seem to have been well pleased, but not so the secular bishops headed by Roger of Salisbury. These claimed a voice in the election, and were joined by some of the magnates in demanding either a secular from their own ranks or a royal chaplain. Their opposition disposed of Faricius at least; his monks claimed that they feared his 'inflexible norm of justice', but they seem to have been against any monk. Another party appealed however to custom, for there had only been one archbishop who was a secular, by whom

1. HC p.15
2. v. Galbraith; Girard the Chancellor. For Thomas II HC p.15 and below p.118 , for Thurstan v. Nicholl pp.1-14.

they meant Stigand, an unhappy precedent. Eventually the bishops offered a compromise cadidate, Ralph of Rochester, a monk but also a colleague of 'mira affabilitas'. The mechanics of the election as Eadmer describes it are remarkable; the sententia of the bishops was diverted to Ralph, the king agreed, provided that he was acceptable to the

> 'monachi naturque maiores et Cantuarienses',

and when they consented

> 'Refertur in turbam negotii summa, et in laudem
> Dei laxantur pro hoc omnium ora.'[1]

In 1123 the part played by the bishops was even greater. There is no evidence that the king had any candidate in mind, and the council seems to have been told to choose their own. Again Roger of Salisbury and the bishops confronted the community of Christchurch headed by their prior, but this time there was no compromise; after two days of resistance the king and bishops forced the monks to accept a short-list of four names, from whom they chose William of Corbeil, presumably as the nearest they could have to a monk. If we can believe Hugh the Chantor the council had ended with the choice of a man who was a complete stranger to the King, for he is said to have asked Thurstan of York and Adelold of Nostell what sort of man the archbishop-elect was.[2]

These extraordinary elections were in part manifestations of a much wider conflict between the monks and the regular clergy which was felt on a European scale, but there are two points which are worth particular attention. Firstly Canterbury was recognised as being quite unlike any other honour in the king's gift; something like a consensus was required for its grant, a consensus to which the king was prepared to defer in both 1114

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1. HN pp.222-3, Chronicon Monasterii de Abingdon, ed. by J.Stevenson in 2 volumes as Rolls Series no.2, London 1858, ii p. 287. GP pp.125-6
2. HC pp.108-10, SD pp.208-9, JoW p.17, ASC p.43. By then the only monk in the episcopate was Ernulph of Rochester, who was too ill to attend the council.

and 1123. The Anglo-Saxon chronicle has a taste for large simplicities, but its description of the king's conduct in 1123 is very striking:

> '...þa bed se kyng from þeet hi scolden cesen hem aercebiscop to Cantwarasbyrig swa hwom swa hi woldon 7 he hem hit wolde tyþian.'[1]

If no other chronicler is so blunt, there is nothing to suggest that this is not a fair account of what happened.

Secondly the bishops appear to exercise an increasingly decisive voice in the direction of this consensus; in 1123 it seems quite clear that the short list of candidates was drawn up by them, and William's election was said by the chronicle again to have been pushed through in the teeth of the opposition of both the monks and the majority of the Augustes. It was subsequently objected at Rome that William's election was invalid in part because of the resistance of the monks,[2] but if the bishops' claim to participate in the election, and its result, were contrary to custom, they were certainly supported by canonical authority.[3]

In summary then a survey of the resources and appointment of the archbishops of York and Canterbury suggests these conclusions. The archbishopric of York was not particularly rich, was filled much like any other bishopric, and could look back to a past which offered few examples of an effective authority exercised outside its own diocese. Canterbury on the other hand was rich, was filled by methods which are quite distinct from those used in any other see, and expressed a tradition of central guidance which was not necessarily diminished by its close association with royal initiatives.

iv. Councils.

As will shortly be seen all the legislating councils of the reign were either primatial or legatine; there is then no

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1. ASC p.43.
2. HD ii p.272.
3. cf. H p.120.

evidence that an archbishop of York celebrat d a provincial council of his own at all. It could never have been a very impressive occasion, since even after 1133 he could only summon the bishops of Durham, Carlisle, Whithorn and Orkney in any hope of their attending. This has curious consequences however. Since the bishop of Orkney acted solely as an assistant bishop constantly about the arc bishop, before 1133 every occasion upon which he met the bishop of Durham was potentially a provincial council.[1]

Canterbury presents a different picture. Anselm held three, and perhaps four primatial councils, two or three of which were attended by the archbishop of York.

The first was held very shortly after his return to England in 1100, and dealt with a single point, so far as we know. When Henry proposed to marry Matilda, who had been brought up in the nunnery at Wilton, it was widely rumoured that she had taken the veil there. If this was the case Anselm was certainly not going to marry her to anyone, and so she agreed to submit herself to the judgement of the English church. Accordingly Anselm summoned a council to the manor of Lambeth; Matilda presented her evidence and the two archdeacons whom Anselm had sent to Wilton were cross-examined on their findings. Anselm then reminded the council of the gravity of the issue before retiring to allow the council to reach a verdict. Since he was in some sense responsible for the council being called upon to debate the issue at all he may have felt it more proper not to preside over their discussion.[2]

1. SD II pp.200-2 describes the hearing of Durham's claims on Tynemouth before Thurston and Flambard, which might seem an example of metropolitan jurisdiction, but the whole occasion sounds too informal to be considered much more than a social event. It is and no doubtful whether such an assembly was competent to judge the case, contrary evidence was produced. Cf. Historia Selebiensis p.(24)

2. HN pp.11-5; the account ~~is~~ given by Herman of Tournai in MGH SS XIV pp.276-81 conflicts in several details and is probably untrustworthy at that level. However there is no reason to doubt the assertion of both authors that Anselm had the gravest reservations about the match. v. Southern: St. Anselm pp.183-90 against Cantor op. cit. pp.147-9.

The next council held by Anselm was a solemn council in the fullest sense; it was attended by both archbishops, every English bishop except Osbern of Exeter, bishop Herfey of Bangor and a number of lay magnates whom Anselm invited to attend

'quatinus quicquid eiusdem concilii auctoritate decerneretur, utriusque ordinis concordi cura et sollicitudine ratum servaretur.'

It met at Westminster at Michaelmas 1102 and proceeded to act on a scale which not even the most impressive of Lanfranc's councils had achieved. Ansel.'s own draft of the canons to be promulgated there contained thirty headings, a volume of publication and enactment to which the Norman council of Lillebonne provided the only recent and well-known parallel. Indeed it seems that their number was more than the fathers could well digest, for Anselm afterwards considered that another meeting would be necessary before an authoritative text would be ready for publication.[1]

There were not merely a large number of canons; they dealt with a wonderful variety of business. When the idea of such a council was first mooted in the reign of Rufus Anselm urged the need to condemn unnatural vice as the most pressing, with marriage within the prohibited degrees as the next,[2] and both these were denounced, as well as the fashion for long hair which exercised so many saints and bishops of the time.[3] The other canons dealt with simony,[4] the drawing of a clear distinction between clergy and laity in dress, conduct and employment,[5] the protection of the parish clergy against the manoeuvres of miserly patrons, grasping monastic proprietors,

1. For all this v. Appendix II below.
2. HN pp. 46-9.
3. c.24; cf. OV iv pp.207-9, the Vita Wulfstani ed. by R.R. Darlington for the Camden Society as Third Series Vol.40 (1928) p.23, St. Bernard: De Laude Novae Militiae
4. cc.1,15; cf.c.5.
5. cc.2,9,10,11,13.

and would-be eroders of their parish,[1] and restricting the participation of monks in the life of the world about them.[2]

If, for the most part, these canons followed along the lines laid down by Lanfranc there was one point at which they represented a notable advance. In a celebrated canon in 1076 it had been provided that no priest or deacon should henceforward be ordained without a profession of chastity, and that no priest should be allowed to marry after the council, although those already married might keep their wives. It seems very probable that this canon had been ignored on the widest scale,[3] but Anselm now went much further; wives were absolutely forbidden to the clergy, who were to abandon the wives they already had. Further, even sub-deacons were now to make a vow of chastity at their ordination. It was this canon which seems to have been the most widely remarked, just as its execution was to be attended by the most serious obstacles.[4]

None of the canons however attracted so much attention as the council's judicial action. In pursuance of the decree against simony the council deposed six abbots or abbots-elect. Three more, the abbots of Ely, Bury and Muchelney were deposed 'pro sua quisue cause'. The nature of their offences is not always clear; the most detailed evidence for one deposed for simony comes from Peterborough, where the monks had paid Henry three hundred marks for a free election and then chosen Godric, in spite of his protests.[5] On the assumption that monks, bound to personal poverty, were capable only of such institutional simony Professor Knowles has argued that it was similar transactions

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1. cc.14,16,17,22,26; cf.c.19.
2. cc.18-22.
3. Wilkins i p.367 cc 2-5; v. below chapter VI.
4. HH p.234 and Anselm's letters cited in Appendix II.
5. The Peterborough Chronicle of Hugo Candidus, ed. .T.Mellows, Oxford 1949, pp.63-8; on p.66 Hugo explains that the monks were so anxious for a free election because of the disasters they had suffered at the hands of their last abbot, Thorold, appointed by the Conqueror.

that lay behind all these depositions.[1]

Of the remaining three two, Robert of Bury and Richard of Ely, had been appointed at the very beginning of the reign, during Henry's first distribution of the profits of the ~~abbeys~~ by which he had reached the throne.[2] The case against Robert of Bury was clearly very strong; little more than a boy, and the illegitimate son of the earl of Chester, he had been forced upon the abbey in the teeth of bitter and continuing resistance from the monks. Well before the council Anselm was already supporting them, and seeking Robert's removal.[3] Richard of Ely, ~~was nat~~ son to Richard fitz Gilbert of Clare, presents a much more difficult problem; according to his own monks he was deposed because the King was enraged against his family, and there are some slight indications that Anselm did not display any animosity towards abbot Richard until after the council.[4] At least in the eyes of the monks of Ely there was no shadow of canonical guilt on their abbot. Very little is known about the abbey of Muchelney in these years; even the name of the deposed abbot is lost, but Dom Schmitt very reasonably connected with this council a letter of Anselm's in which he speaks of the appeal made to him by a monk of the house and warns the King

'ne praeponendo ecclesiis Dei personas quales non debetis, et aliter quam debetis et consilio

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1. D.Knowles: The Monastic Order in England, Cambridge 1950, p.397; the argument behind the view is implicit, but I take this to be fairly stated.
2. Southern: St.Anselm p.106 and esp. n.2.
3. EA 251-2; Arnold: Memorials of Bury i pp.353-5; R.H.C. Davis: The Monks of St.Edmund, 1021-1114 in History Vol.XL (1955) pp.227-39. The political motive of his appointment may well have been removed by his father's death in July 1101,(OV iv p.111), leaving a minor as heir. Robert is nowhere in Henry's Regesta recognised as abbot.
4. Liber Eliensis pp.224-7; abbot Richard attested several royal writs before the council, as well as one charter of Anselm's: RG 549; for evidence that Anselm may have reckoned Richard among his supporters against the King at Rome in 1103 v. Liber Eliensis, Appx.D p.415.

secundum quorum consilio hoc facere non debetis, attranitis - quod absit! - iram Dei super vos.'[1]

As with Robert of Bury then the abbot's offence may well have been his uncanonical election.

The council was also called upon to act in two other matters. Earlier in the year Herbert of Norwich had been in Rome, in part in effort to persuade the pope to reverse the decision of Alexander II, by which Bury had been freed of all subjection to the see of East Anglia. He had however been set upon by brigands on the road, and relieved of the forty marks of silver with which he hoped to achieve his end.[2] By an unusual reversal he tried again, but before the primatial council. He failed, but it is not clear that this was on the merits of the case; once the abbot of Bury had been deposed such an action would normally be suspended until a new abbot was installed, and abbot Robert II was not consecrated until 1107.[3]

The last act of the council recorded recalls a now forgotten scandal; according to the Quadripartitus:

'exordinati (sunt) duo monachi propter homicidium in ecclesia.'[4]

The next council for which there is clear authority is that held by Anselm at Whitsun,1108. Eadmer is the only chronicler to sketch the background to its celebration; in his account the king first raised the question of repressing the incontinence of the clergy at his court, and authorised Anselm to celebrate a council to provide against it. It is

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1. EA 226.
2. HN p.133.
3. Arnold: Memorials i pp.355-6; v. the references cited above p. 56 n. 2.
4. Quadripartitus, ed. F.Liebermann, Halle 1892, p.154. Although the compiler of this work had access to materials closely connected with Gerard of York he is not always accurate; he he says that only two abbots were deposed for simony; (although the MS Lambeth 59 has only two 'abbates secreti' deposed too.

not clear why the king should have shown this concern, for he was by no means consistently hostile to a married clergy. During Anselm's exile he had tried to use Anselm's provisions against it as a source of revenue, levying heavy fines on those who retained their wives, but the primate's instant protest had persuaded him to abandon this campaign, and it was not until the end of the reign that the king seems to have drawn his own profit from the exercise of canonical discipline again, at least in this point.[1]

The concern for this council's canons was exclusively with the enforcement of the stark provisions of the council of 1102 on clerical marriage, and it shows clear signs of being informed by the experience of attempting to enforce these over the intervening years. The conduct of the clergy who had left their wives towards them, the machinery for prosecuting offenders, the exceptions to the general prohibitions against women sharing the priest's house ~~house~~, the responsibility of the bishop's officers in enforcing the decrees are all carefully regulated. In this respect indeed the council has no earlier English parallel, for it deals much less with the principles of ecclesiastical justice than with their enforcement, and it is a precious piece of evidence on ecclesiastical administration at this early stage.

It is at least possible that these provisions were however originally conceived at another council unnoticed by the chroniclers held before the death of Archbishop Gerard, at Winchester. If this is so it must have been held either between September 1102 and April 1103 or between August 1107 and May 1108.[2]

At the time of the council of 1108 another ecclesiastical

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1. EA 365,391,394, nN pp.175-7.
2. The Quadripartitus text of '1108' says that it was held at Winchester by Anselm and Gerard (who died just before the council); since the compiler was well-informed about Gerard, and transcribed a more 'primitive' form of the canons than either of the other two versions he is quite likely to be right; v. below Appendix II. Quadripartitus p.103-5.

issue was receiving active consideration, the project to create a new bishopric of Ely, carved out of the vast diocese of Lincoln. It is by no means certain whether this was formally discussed at the council held by Anselm or at the royal court of which that council was in a sense a 'special committee'; both the new bishopric and the council depended upon the King's concurrence, and the distinction is not perhaps very meaningful. Eadmer was at no pains to make it.[1]

No further councils are known to have been held in England until that of the legate John of Crema in 1125, which has already been discussed. It is sometimes suggested that some of the great occasions of the intervening years deserve the title, but the case is very weak. When Henry wished to appoint a new archbishop of Canterbury he summoned the bishops and 'principes' of England to Windsor, wishing to have their counsel in the appointment of a new archbishop of Canterbury; when the monks of Christchurch and Ralph set out they did not know what was the business for which they had been summoned, and there seems to be no good reason for distinguishing this from other solemn royal councils.[2]

Similarly Anselm of St.Saba read out his letters from the pope in September 1115 to an assembly of bishops and magnates summoned by the King for this purpose. There had been widespread rumours that Anselm and the archbishop planned to hold a general council, and would promulgate new measures appropriate to such an assembly for the correction of the Christian religion, but when they were all gathered in the King's palace of Westminster

> 'quod de concilii celebratione et christianitatis emendatione rumor disperserat nihil fuisse quae confluxerat multitudo tandem advertit.'[3]

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1. Eadmer says that the matter was discussed 'his diebus'. V. also the Liber Eliensis pp.245-7 and LA 441,457-60.
2. HN pp.222-3; the council was listed in the Handbook of British Chronology as an ecclesiastical one, though with reservations.
3. HN p.231; Handbook ut sup.

The election of William of Corbeil at Gloucester seems to have taken place in a similar gathering, for it was subsequently objected that he had been chosen in the king's court where judgements of blood were pronounced. The objection was made in Rome, but its substance, presumably supplied by the monks of Canterbury, does not seem to have been contested.[1]

The remaining three councils of the reign were held after William had become legate. In 1127 he celebrated the last which the legislative work has survived; although reasonably described as an English council it was not attended by either Thurstan or Flambard. The canons there published are for the most part unremarkable. Their principal concern is still with the enforcement of clerical continence, but c.10 dealt with a topic which was demanding increasing attention, the obligation to grant both tithes and churches through the bishop. Less emphatic than the provision of Matthew of Albano at Rouen the next year, but more general in its application, it reflected a change which can already be discerned in the forms of grant then in use.[2]

This council too had its judicial aspect, for Urban of Llandaff appealed in it against the encroachment of his neighbours at Hereford and St. Davids. The management of the council seems to have been defective in several respects; it was apparently so hot and crowded that much of its business was inaudible, and Urban's appeal was met by vigorous counter-charges but no proper defence. It was this that provoked his appeal to Rome, and a sharp rebuke to William from the pope.[3]

William's second legatine council was held in the autumn of 1129; contemporaries had a low opinion of it, when they mentioned it at all. The Anglo-Saxon Chronicle dismissed it as concerned solely with the wives of archdeacons and priests, and

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1. v.refs. collected above p.82 n.2 ; Handbook ut sup.
2. For the text the best version in print is that of Joh pp.23-5, the best MS Camb.CCC 19 f.33$4^{v}$.
3. v.LL pp.34-5,52, and above p.50 n.2 .

quite ineffective at that, since the married clergy continued by the king's leave as they had before. Henry of Huntingdon saw here change rather than continuity, though still little to the legate's credit. According to him the bishops agreed to let the king act against the married clergy, which Henry interpreted as allowing him to levy a fine for his licence to remain as the had done.[1] According to one MS of the chronicle of John of Worcester the council also formally approved the celebration of the feast of the Immaculate Conception of the Virgin Mary, an issue which was then much debated.[2]

The last council of the reign was an oddity; after Urban of Llandaff had been unable to attend the council of Rheims in 1131 the pope had ordered him to appear before the three archbishops of Canterbury, York and Rouen in a council to be held on the 24 April 1132. In a charter not surprisingly omitted from the book of Llandaff archbishop William recorded that the matter had been heard there, and the disputed territories had been adjudged to Hereford; the prisoners named in the address were therefore to answer to bishop Robert.[3]

At the same council the canons of Calke came to an agreement with the abbot of Shrewsbury by which he agreed to restore to them all that he and his men had removed, to allow them to hold the church of Calke in peace, and return the charter of the earl of Chester which they had lost. This is a rather remarkable case to come before a council, for it contained matters which the king's court was quite accustomed to handle. Too much should not be made of this however, for the king's court was at

1. ASC p.51; HH pp.250-1.
2. Jow p.30; the literature on this feast is extensive. v.esp. E.Bishop: Liturgica Historica, Oxford 1918, pp.238-59, E. Williamson: The Letters of Osbert de Clare, London 1929, pp.11-16, Southern: St.Anselm pp.290-6.
3. Innocent II mentions its summons in LL p.93-4; William's charter recording the judgement is best edited in M.Cheney: The Compromise of Avranches of 1172 and the spread of Canon Law in England in EHR LVI (1941), pp.177-97, p.179,n.1.

hand at the time, and no doubt the two assemblies could barely be distinguished.[1]

v. Extra-diocesan authority.

a. Mandates.

The archbishop of Canterbury at least acted with authority outside his diocese on a number of occasions when there is no reason to suppose that he was surrounded by a council. Such action might be of three kinds. There are a few examples of an archbishop simply sending instructions to a diocesan or his subjects; there are a number of charters of confirmation for houses outside the diocese of Canterbury; and there are a small group of cases where the archbishop, (or primate, or legate) acts in his judicial capacity in response to an appeal by or from one of his bishops.

In some respects the mandates are the most striking expression of authority. In the reign of Rufus Anselm despatched two to Osmund of Salisbury. In one he orders prayers to be said throughout the diocese for the king's safety while he is on his expedition to Scotland; in another he instructs the bishop

'ex parte regis, ipso iubente, et nostra'

to investigate the case of the abbot of Cerne, who was said to be preparing to go to Jerusalem, to forbid any monk in his diocese to attempt it, since the pope had forbidden such journeys, and to convey similar orders to the bishops of Exeter, Bath and Worcester.[2]

Far more characteristic of Anselm's correspondence however were the letters he sent to the nuns of Shaftesbury encouraging them, by virtue of his office, to further striving towards the religious life.[3] Such letters, far more appropriately despatched by a regular than a secular archbishop, are typical

1. v. William's charter recording this in C.J.Cheney: English Bishops' Chanceries 1100-1250 p.150; the priory of Wilmington was founded before 1120, v. Miscellany for Christopher Dalton p.37 n.
2. EA 190,195.
3. EA 163-5.

of Anselm's relations with a number of persons and houses, many of which lay outside his jurisdiction altogether.[1]

The most frequent occasion for such mandates however seems to have been a vacancy. During that at Winchester between 1098 and 1102 Anselm wrote to the nuns at Romsey, who had previously sought and then ignored his advice, ordering them to cease paying the toll of earl Waltheof the honours due to a saint, and to expel his son from their precincts. During that at Salisbury between 1099 and 1107 queen Matilda had great difficulty in persuading the archbishop to accept the monk Edulf, from Winchester, as abbot of Malmesbury; most ill-advisedly Edulf had sent Anselm a present of a goblet to gain his favour, and achieved the opposite.[2]

A vacancy again probably explains the existence of two mandates of archbishop William for Reading's dependence at Leominster. In one he orders the archdeacon Peter to compel the priory's parishoners to pay their tithes, and in the other to cease inducting clergy to the two chapels in the abbot's gift

> 'quod si non feceritis et clamorem inde audiam, quod ad me pertinuerit faciam sicut de negligentibus et obedire refugientibus.'[4]

That the archbishop did not retain a general oversight of the affairs of the diocese during the long vacancy from 1127 to 1131 is also suggested by the complaint of Urban of Llandaff that the archbishop had reconciled to the church of Hereford those whom he had excommunicated as recalcitrant parishoners of his own diocese.[5]

A few archiepiscopal charters provide authoritative testi-

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1. EA 186, 196.
2. EA 236; the letter is addressed to the archdeacon of Winchester, who is to threaten the nuns with an interdict 'ex nostra parte et ex parte episcopi Wintoniensis et vestra'. EA 237 is addressed to the abbess and nuns in the same sense.
3. EA 304-5
4. Below Appendix I Canterbury no. 47.
5. LL pp.57-8.

mony on events which had taken place in his presence or of which he had convincing evidence. Anselm provided such a charter for the monks of St.Neot recording his presence at the examination of the relics of the saint.[1] There are several more such certificates from the pontificate of Archbishop William. I have already cited two which record proceedings in the council of 1132, but there are others which are of a less readily comprehensible nature. In one he testifies that he heard the king say at a council that Arnulf of Pembroke gave all his Welsh churches and their tithes, with other rights to the church of St.Martin of Sees, that the king has confirmed this to the priory of Pembroke, and that he too confirmed it.[2] Two others concern the tenures of bishop Richard of London on the estates of Shrewsbury. One records that Fulk prior of St. Neyth had attended the bishop on his deathbed, where he confessed that he held the manor of Betton on a life tenure only; the monks needed this evidence, but the archbishop's was third hand.[3] The other is very odd; it records that William had been present at the king's court at Woodstock when Philip de Belmeis, the bishop of London's nephew, had failed to make good his claim to the manor. Unless a royal writ was too expensive for Shrewsbury it is difficult to see why they wanted the archbishop's evidence instead of a royal writ.[4]

b. Indulgences.

The archbishops of Canterbury occasionally granted indulgences. Anselm confirmed the grant by a legate John to Bury of a seven day one, probably because, being an exempt house, the abbey often sought the archbishop's services.[5] Archbishop Ralph and William see to have granted indulgences to those who

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1. EA 473
2. RG 1484,Appendix no.CXC, (CDF no.670, EYC III no.1301)
3. E.P.Eyton: The Antiquities of Shropshire, 12 volumes, London 1854-60, vol.VI p.183. This type of record is of course common enough, but the other I have encountered record the personal knowledge of someone who was himself present.
4. Eyton ut sup. p.183; for Philip's career v. Antiquities II p. 200-6.
5. V. above p.47n3, and HH p.165.

assisted in the building of the new cathedral at Rochester, which Ralph is said to have advised.[1] Ralph is also supposed to have granted a fifteen day indulgence to Glastonbury, although his charter had already been lost by the fourteenth century.[2] Archbishop William granted an indulgence to St.Benet of Hulme, and is reputed to have granted one of forty days to Barnwell Priory, though this is very improbable.[3]

Lastly in this group there is a charter of extraordinary interest. Directed to bishop Hervey of Ely it expresses his pleasure in the news that the bishop proposes to dedicate the abbey church of Thorney, and confirms in advance any indulgence which Hervey and his assistant bishops might see fit to grant at the dedication and its anniversary. Since Thorney was in the diocese of Ely this comes very close to licensing the bishop to perform a duty which would normally be considered his undoubted right. It would obviously however be dangerous to see in this an expression of authority where the participants may have seen only a charitable concurrence.[4]

c. Confirmations.

A third class of documents which express the archbishop's authority are the confirmations addressed to houses outside the dioceses of Canterbury and York. At least if there were any such charters for the province of York they could be used as evidence, but in fact the charter for Durham attributed to Thomas I is a forgery, the charter of Egbert for Durham, which

1. Ralph's indulgence is EE p.87; for his part in the construction of the new cathedral v. Ib. p.64-6. In 1125 John of Crema confirmed the indulgences granted by the archbishops of Canterbury, so William presumably granted one too, Ib.p.48.
2. Johannis Glastonienesis Cronica sive Historia de rebus Glastoniensibus, ed. T.Hearne, 2 vols. Oxford 1726, ii p.378.
3. Above p.75 and n.; Liber memorandorum ecclesiae de Bernewelle ed. J.Clark, Cambridge 1907, pp.44-5. This charter like the other early texts in this compilation is suspect, and the scale of the indulgence is odd.
4. Appendix I Canterbury no.8; the language bore on that of authority.

may be authentic concerns rights in the diocese of York, and three other charters dealing with affairs outside the diocese refer to the personal property of the archbishop involved.[1]

There are some examples from Canterbury however. One group, those for Rochester, should probably be excluded from consideration here. The peculiar relationship between the two sees makes it difficult to determine the capacity in which an archbishop confirms the rights of a bishop at once his suffragan and his vassal.[2]

Three of Anselm's charters do fit into the category of general confirmations, although uneasily. The charter in which, as 'vicar of pope Paschal', he confirms the foundation of the cathedral priory of Norwich forms one of a group of three, from king, archbishop and bishop, which were all apparently drawn up at Henry's Windsor court in September 1101. All three have very similar witness lists, and reflect bishop Herbert's determination to secure for his new foundation every conceivable safeguard. Although there is a rather similar tripartite confirmation for Rochester this text stands quite apart from others I shall discuss in this section.[3]

An elm's charter confirming the endowments of the abbey

1. For Thomas I's forged charter for Durham v. EYC ii no.926, of which there are two pseudo-originals. Thurstan's charter for Durham, similarly duplicated, is EYC ii no.930, for which v. below p.178 and n. . For two charters of Thomas II, concerning the estates in Worcester he inherited from his father v. S.Shaw: The History and Antiquities of Staffordshire, London 2 vols. 1798, 1801, ii p.152 and C.Clay: A Worcester charter of Thomas II, Archbishop of York, in Yorks.Arch. JournalXXXVI (1945),pp.132-6 . For a similarly private charter of Thurstan v. below, Appendix I York 3.
2. The archiepiscopal charters for Rochester 1000-1136 are catalogued below in Appendix I Rochester; they include several forgeries.
3. The First Register of Norwich Cathedral Priory, ed. H.W. Saunders as Vol.XI of the Norfolk Record Society' publications, for 1939, pp.40-2, also Mon.IV pp.19-20 (xii), EC 549. Compare Saunders pp.32-40, EC 547-8, and Textus Roffensis, facsimile edition ff 219-20, (EC 630).

of St. Werburgh at Chester, described by its editor as the earliest known archiepiscopal confirmation, is anmore problematic document. Its authenticity is not certain, and to a degree it approximates to the certificates described earlier, since one of Anselm's last public engagements before his appointment as archbishop was to attend the dedication of the new abbey, to which he had been invited by the earl of Chester.[1]

The third confirmation attributed to him is much more suspect that the Chester charter. It confirms to the abbey of St.Valery its English estates in the counties of Essex and Cambridgeshire, but its palaeography is not convincing, and it belongs to a group of charters which certainly does contain some forgeries.[2] However the case against it remains non-proven, so that the Chester charter may well, and this might, provide evidence that the idea of seeking the archbishop's sanction, much as one might also seek that of a pope a little later, had already taken root during Anselm's pontificate.

It cannot be said that it had an immediate success, for there are only three surviving examples of the rule of archbishop Ralph. The first is that famous document, the 'Great Privilege' for Lewes, which was clearly modelled upon a papal tutela, and confirms a similarly mixed collection of grants from every rank of benefactor, from the king downwards.[3] The second is for the dependency of Abdingdon at Colne, in whose fortunes the archbishop seems to have taken a paternal interest, for he wrote

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1. The Chartulary or Register of the Abbey of St.Werburgh,Chester, ed. for the Chetham Society as New Series Vols. LXXIX and LXXXII 1920 and 1923 by J.Tait, i pp. 37-9; the best text of it is preserved in that notoriously difficult charter of earl Ranulf, 'Sanctorum Prisca'. v. HN pp.27-29.
2. Facsimiles of Early Charters in Oxford Muniment Rooms, ed. H.E.Salter, Oxford 1929, no.27. cf. Ib. nos.28 and 29 (RG 797 and 1480, where both are considered forgeries).
3. Ancient Charters, Royal and Private, prior to A.D.1200, ed. as Pipe Roll Society Vol.10 for 1888 by J.H.Round, no.8, Cheney: English Bishops' Chanceries p.45.

to Herbert of Norwich on their behalf too.[1] When bishop Richard of London founded the priory of St.Osyth he received much assistance from the archbishop, who made the canons a gift of his church at Petham, and also provided them with a general confirmation of their endowments, the third and last of his surviving confirmations outside the diocese.[2]

For archbishop William there survive four such general charters, and another which stands rather outside the sequence. The first is another charter for Colne priory, very similar to that of Ralph.[3] The second is for Thorney abbey, and is one of a very long series of charters recording or confirming the grant by bishop Hervey of Ely at the dedication of the new abbey church in 1128 of all the customs claimed by his church over the men of Thorney at Wittlesey. This grant seem to be have been regarded as peculiarly vulnerable, and the archbishop, whom Hervey had consulted before undertaking the dedication at all, was only one of the very large number of authorities called upon to confirm the gift.[4] The third is a confirmation to St. Benet at Hulme of the gift of a church in Norwich, probably granted during the archbishop's visit to the abbey,[5] and the fourth again concerned an event which was recorded with peculiar solemnity, the foundation of the royal abbey of Reading

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1. Cartularium Prioratus de Colne, ed. J.L.Fisher as Essex Archaeological Society, Occasional Publication no.1, 1946; no.9, collated with the original at the Essex C.R.O., Chelmsford; cf. Historia de Abingdon ii p.63.
2. Mr.Bethell's thesis,cited above, Appendix IV no.VIII from Bishop Clifford's Register, at the Guildhall, London, f.173; Ralph's two Petham charters are Bethell ib. nos. IX and X from Lambeth Palace, Archbishop Warham's Register, Vol. I, pp158
3. Fisher: Cartularium, no.13, pp.7-8.
4. Cambridge University Library, Add.MS 3020 ff.100-8, containing charters of Bishop Hervey, John of Rochester, Gilbert of London, Henry I, Henry prior of Ely, Alexander of Lincoln, and Nigel of Ely. Those of Hervey and John are E.Miller: The Abbey and Bishopric of Ely, Cambridge 1951, Appendix nos. VI and XIV, the king's is RG 1798, Appendix no.CCLXXVII.
5. Above p.75 and n.2 .

out of the endowments of three deceased ministers.[1]

The eccentric case is a confirmation to Ralph Brasset, of the desmesne churches of his father; Ralph was one of the archbishop's clerks, but the grant was of churches in four dioceses, none of them in Kent apparently.[2]

This completes the catalogue, and it is a very short one. When one compares it with the monstrous bulk of Theobald's confirmations in the next reign the contrast is very striking.[3] In part it is one example of a general phenomenon; a similar contrast, though perhaps not quite as marked, could be found between the numbers of charters surviving for bishops of the early and mid-century in any diocese, but in part also it must reflect the different standing of an archbishop and legate in a period of strong and stable royal control and his successor in a period of divided rule and doubtful succession. When similar lists to that of Theobald's acta are drawn up for archbishop Richard and Hubert Walter it is likely that these will prove shorter than his, even when allowance is made for the length of his pontificate.[4]

Appellate jurisdiction.

An archbishop might well be called upon not merely to ratify the actions of his suffragans, but to review and even

1. A.Saltman:Theobald, Archbishop of Canterbury London,1956, pp.438-9; although some early charters of Reading are interpolated (cf.RG 1427,1471), and it is odd that the archbishop calls abbot Hugh 'first abbot' long before his departure to Rouen, the text appears substantially genuine.
2. The Osney Cartulary ed. H.E.Salter as Oxford Historical Society Vols.LXXXVIII,LXXXIX,XC,XCVII,XCVIII,CI, (1929-1936) vi no. 1046; the churches can be identified from ib.no.1047.
3. v. Saltman ut sup, Appendix.
4. Compare the sequences collected by Dr.Mayr-Harting for Chichester and Professor Offler for Durham. Dom A.Morey collected some 32 charters of Bartholomew of Exeter; I have noticed some dozen for bishop William Warelwast. Miss K.Major could find only 143 for Stephen Langton's long pontificate, although she observed that his charters were noticeably rarer than those of his predecessor - Acta Stephani Langton, Cantuariensis Archiepiscopi, ed.K.Major as Canterbury and York Society Vol.L (1950), esp. pp.xvii-xviii.

reverse them on appeal. Several charters recall the duty of Canterbury in this respect. Pascal II threatened bishop Osbern of Exeter with archiepiscopal vengeance if he failed to do justice to the monks of Battle at Exeter, and Calixtus II ordered Ralph to support Urban of Glamorgan against the incursions of his neighbours.[1] Royal writs assert the same principle; when Arnald the falconer appealed to the king against the failure of the chapter at Salisbury to observe the terms of an agreement with them, an agreement made before the king, the royal writ ordered the canons to conform

'quod si nolueritis, archiepiscopus faciat fieri'.[2]

The extent to which the archbishop actually fulfilled these functions is less clear.

When Anselm suspended the two Welsh bishops of Glamorgan and St.Davids in the reign of Rufus he was acting with greater authority than either of his two successors were to assume in the reign of Henry, although its very outset saw another case concerning the deposition of a bishop. When Anselm returned from exile he found that among the king's first acts had been the imprisonment of Flambard; the bishop immediately appealed to the archbishop to preserve the liberties of the church. When he failed to convince a deputation of bishops sent to interview him in the Tower that his promotion was in all respects regular Anselm refused to act. The letter to the pope in which he described these events is apologetic, as well it might be, for, however embarrassing the situation and discreditable the bishop, Anselm's conduct had been a good deal less than correct. There can be no doubt that Flambard had an excellent case; as long as he was deprived of liberty and property it was quite improper to investigate any charge against him,

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1. EA 220, LL pp.92-3.
2. The Register of St. Osmund, ed. in 2 vols. for the Rolls Series by W.H.Rich Jones as no. 78, London 1883-4, 1 p.383; not in the Regesta.

even those that touched his status.[1]

In the event the problem largely solved itself, for Flambard escaped to duke Robert in Normandy, with whom he was reconciled to the king in 1101, presumably under the terms of the treaty of Alton, although the Pope thought it had been done according to his precept.[2] In 1102 Paschal set out the terms for a canonical trial of the charges against Flambard: unless he could purge himself of them by the oaths of seven of his order before Anselm and the bishops he should be sent to Rome. If he refused to go he was to be deposed and replaced.[3]

It seems that this trial never took place, for shortly afterwards Anselm and Gerard both absolved him, and in Gerard's letter to the monksof Durham Flambard is said

> 'domino nostro Henrico, Deo annuente, per omnia bene reconsiliatum omnique querela ab eo absolutum esse, meque eum de manu ipsius regis #edi# sue restituendum suscepisse cum eius gratia et coepiscoporum nostrorum assensu',

so suggesting that the king had decided to gloss over the whole affair.[4]

The process had involved a wonderful confusion of royal, papal, primatial and archiepiscopal jurisdictions; if one considers the probable course of events had the case arisen at the end of the century instead of at its beginning one can see how far the machinery of canon law developed in these years.

The arrest of Flambard was the product of the exceptional tensions of Henry's first years, and had no parallels in the reign. Henceforward the archbishops were to be involved in less

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1. EA 24; cf SD i.p.138. Eadmer preserves a discreet silence over the affair. For the abundant canonical authorities cf. H pp.108-9,133,165,184,192,201,215,227,237-8,468,480,485, 503,694-5,751.
2. R.W.Southern: Ranulf Flambard and early Anglo-Norman Administration in TRHS IV Series, Vol.16 (1933) pp.98-128. and H.H.E.Craster: Contemporary Record pp.33-56
3. EA 223
4. Craster: Contemporary Record... nos. xvi-xix pp.47-50.

dramatic events.

A prolonged dispute between the monks of Battle and the bishop of Exeter had already involved Anselm during the reign of Rufus. The monks had been given the city church of St.Olave, which became the focus for such a stream of benefactions that it was decided to establish there a conventual settlement under the patronage of St.Nicholas. The cathedral chapter however raised every kind of difficulty, denying the monks' right to a cemetery for their benefactors or to ring their bells, this on the grounds that it was the sole privilege of the mother church. The monks presumably appealed to Anselm, who wrote to bishop and chapter denouncing the claim to a monopoly of bell ringing, which only applied, he claimed, when the mother church was itself conventual. In this intervention he seemed to have succeeded for the bishop and the abbot of Battle came to an agreement which safeguarded most of the monks' rights at about this time.[1] The question of burial rights, with all its economic overtones was more intractable; the monks obtained a bull from Urban II, which proved ineffective, and another from Paschal II, presumably with Anselm's active support since it was his messengers to Rome in 1101/2 who brought it back.[2]

Two other letters of Anselm show him acting with metropolitican or primatial authority of this kind. In one, to archbishop Gerard, he says that the case of a man who had married a veiled nun had been adjourned by the bishop of London 'ad quem causa pertinet', at Gerard's request and with his own consent; so great

1. Chronicon Monasterii de Bello, ed. for the Anglia Christiana Society by J.S.Brewer, London 1846, pp.25-6; EA 172. (The canons claim over bell ringing was just that made by Christchurch against St.Augustine in Canterbury; v. Thorne:Chronicon col.1792). For the settlement during the abbacy of Henry (1095 x 1102), v. an Anglo-Saxon version in The Exeter Book, ed.in facsimile by R.W.Chambers, , f.5; a Latin version is found in London, BM MS Cott.Vit.D IX f.29 and London, Lincoln's Inn Hale MS 87 f.33.
2. EA 226, HN pp.136-7; a general confirmation of Battle's rights is found in another dubious charter of bishop Osbern; v.MSS ut sup.

a scandal had been provoked that a hearing before the two archbishops, or their deputies, could no longer be delayed.[1] The other case was that of the clerk of Lincoln who had appealed to the pope, cited in an earlier chapter.[2]

Similar evidence for the rule of Archbishop Ralph seems to be confined to a single charter, although that is of the first interest; addressed to Theulf bishop of Worcester, it records that his representatives had appeared before the archbishop

'...termino a nobis secundum iudicium vobis constituto.. parati...ad reddendas rationes si forte opus esset de iis unde causa vestra apud nos tractari debebat.'

We do not know what this case was about; Ralph merely records that he had ~~it~~ adjourned it indef//initely, reserving the right to reopen the issue should the occasion arise.[3]

Apart from his activities in council, and as guardian of the vacant see of Hereford, only one example of similar intervention seems to survive for the pontificate of archbishop William. Later in the century the canons of Aldgate produced as evidence of the extent of their parish of St. Botolph two charters: one, from Gilbert I of London, confirmed all that part of the parish which had long been detained by the priest of St. Peter le Bailey although excommunicate and

'sepius dulci adhortatione commonitus'.

The second was a charter from the archbishop recording a similar judgement delivered by his chapter in his presence; this is framed in terms which the king was accustomed to use

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1. EA 238
2. EA 440
3. below, Appendix I Canterbury no.2; it seems possible that what was involved was a disagreement between the bishop and his chapter, for there is a good deal of evidence that all was not well at Worcester in these years. v. esp. GP p.290 n., the hostile epitaph in a Worcester MS noticed in J.K.Floyer's Catalogue of MSS ..in..Worcester Cathedral, ed. as Vol.20 of the Worcestershire Hist. Soc. by S.G.Hamilton for 1906, p.143 and as AS 11 p.238; v.BM MS ~~Vit.~~ Claud, A 1 ff.30-v for this and other related letters. Cott.

in his most uncompromising mandates. When one finds such a conjunction of texts it seems very probable that the archbishop had been called in to compel obedience to a suffragan; what the chapter was in which William pronounced his judgement is very obscure. It seems most unlikely that it was his cathedral chapter, whose competence in such a matter is most doubtful, but no alternative suggestion seems to be more probeble.[1]

The evidence is then very slight for the ~~existence~~ exercise of judicial authority by the archbishops; again indeed for York it is non-existent, except in the case of Gerard's absolution of Flambard. There are three reasons which may go some way to explain this; firstly there is more evidence for the rule of Anselm not, one imagines, because he was more active ine such matters than his successors but because somebody at Canterbury made an effort to collect his correspondance as archbishop, while there was no similar compiler at work for Ralph or William.[2] Secondly the authority of the archbishop of Canterbury was more often expressed in different ways, as a moral rather than a legal power. Thirdly the king's court was frequently engaged in determining matters which one might suppose more properly the province of the archbishop.

The promotion of the religious life.

Some examples of the archbishops intervention on behalf of religious communities have already been cited, Anselm's letters of exhortation, Ralph's encouragement of the building of Llandaff, and some grants of indulgences. The archbishop's assent to the foundation of religious houses is mentioned too in a few foundation charters. For instance, the foundation of the later priory of Barnwell is said to have been undertaken by the

1. Compare below Appendix 1, London,no.3 with Canterbury no.7.
2. Although a fair number of Anselm's letters as archbishop are known from other sources, incomparably the most important MS is London, Lambeth 59, for which v. A.Wilmart: La tradition des lettres de S.Anselme et de ses correspondants in Revue Benedictine, 1931 pp.38-54. and Southern: St.Anselm, esp. pp.67-8 n.2, 199 n.1.

advice of Anselm and Remigius, Gilbert de Gant confirmed his father's benefactions to Bardney by the advice of archbishop Ralph, and Missenden Abbey was founded by the advice of archbishop William.[1]

It is difficult to know what weight to place upon such formal pronouncements, but there is one better documented case in which the intervention of an archbishop was plainly of great importance. The history, and indeed, the very nature, of the diffusion of the rule of the Augustinian canons is far from clear, but several of the principal sources ~~sources~~ agree that Anselm played a leading part in encouraging its pioneers to adopt some of the usages of their fellows across the Channel, and to aim for a certain uniformity of practice; one of his surviving letters recommends two such men to the abbot of an important French house.[2]

(Later on of course archbishop Thurstan was to play a vital part in the growth of the Cistercian order in his diocese, but since this concerned matters which concerned that, and not his suffragans, it is impossible to tell whether it was of importance that he was more than the bishop of an ordinary diocese.)

Two further examples of the intervention of an archbishop in a way which depended more on his prestige than his judicial competence also illustrate this point. When the canons of Hereford cathedral and the monks of St. Peter at last came to an agreement over their disputes in 1134, the concord is said to have been made at the instance of the pope and the archbishop of Canterbury.[3]

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1. Liber Memorandorum. pp.38-9; Mon. I pp.628-9 (ii); The Cartulary of Missenden Abbey ed. in 2 vols. by J.G.Jenkins for the Buckinghamshire Record Society as Vols. 2 and 10 (1939 for 1938, 1955) i,p.18.
2. EA 234 ;

   and the references collected in Dickinson: The Origins of the Austin Canons pp.98-104 .
3. CHBPG i pp.86-7; there is a better text in Oxford, Balliol College MS 271 f.97^{v}.

The second example comes from the life of Christina of Markyate; at the height of her difficulties a friend went to archbishop Ralph for advice. Ralph told him that she was perfectly right to stick to her resolution to enter the religious life, notwithstanding any form of marriage she had been compelled to undergo, or the venal judgement of the archbishop of Lincoln. This was no formal appeal, and it did not free her from the pursuit of her enemies, but it did suffice to quieten the consciences of those who might otherwise have feared to help her.[1]

The king's court. The importance of royal initiative in the foundation of the two new sees of Ely and Carlisle has already been stressed, but these were only particular cases of a royal intervention in the affairs of the church which was close and continuous, supplementing if not replacing the authority of the archbishop. The best demonstration of the point is made by reading the calendar of the king's acts, but some examples are worth a special notice.

While the dispute between the monks of Battle and the canons of Exeter had been handled in turn by archbishop and pope there were two very similar cases which were heard in the king's court. The first was a macabre affair; Ralph fitz Anskettill, apparently a benefactor of the dependency of Gloucester abbey in Hereford, died, and the abbot of Gloucester carried the body off to his church for burial. Rheinhelm, the new bishop of Hereford, immediately followed, into the diocese of Worcester, dug up the body and carried it back to his cathedral, on the ground that Ralph was his parishoner. The action that followed was heard at the Whitsun court in 1108, and although Anselm was among the judges it was Robert of Meulan who pronounced the judgement; henceforward all men might be buried where they wished. Ralph's body stayed where it was, since Rheinhelm persuaded Gloucester to this in exchange for a remission

1. The Life of Christina of Markyate, ed. C. H. Talbot, Oxford 1959, pp.80-6.

of all his claims over St. Peter at Hereford except in the matter of bell-ringing.[1]

Herbert of Norwich and the monks of Thetford had a very similar dispute over the body of Roger Bigod. Here Herbert won the case before the king's court by proving that Roger had already given himself to the cathedral before founding Thetford, in other words a prior grant, which would usually decide a case over land, but was the precise opposite of the canonical doctrine on testaments.[2]

Similarly, although Anselm deposed nine abbots or abbots-elect in 1102, the king seems to have removed two more without reference to ecclesiatical justice. Gerald of Tewkesbury was not strictly deposed, rather he resigned to avoid answering formal charges in the king's court, but in the case of Henry of St.Angely, the king's own nominee at Peterborough, there seems to be no doubt that the king simply ordered him to go.[3]

The last example I cite reveals a wonderful jumble of jurisdictions recorded in a royal writ still preserved at Lincoln. The abbot of Peterborough had denied that the local parish church was the bishop's 'ecclesia consuetudinaria' in which he might hold pleas, synods or chapters. The king's court had persuaded him to withdraw however, and the writ orders the bishop to give the abbot a day in his chapter where he may come and do the bishop right

> '...per iudicium capituli sancti Marie et parium suorum abbatum desicut res inter eos hucusque tractata est.'[4]

Here then there is first a settlement of the point of substance

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1. ~~Chron i,13~~; RG 880, Historia de Gloucestria i p.13
2. RG 886, ib. Appendix no.LX. There is an incomplete record of Thetford's version of these events in Mon.V pp.151-3 from the xv c.MS Cambridge, Corpus Christi College 329. cf. M.Sheehan: The Will in Medieval England, Toronto 1963. Another example of royal intervention in the disputes between Thetford and Norwich, again over cemeteries, is referred to in Epistolae Herberti..., no.ii.
3. OV iii 15-16; cf.Ann.Mon.ii p.43 . For Henry v. ASC p.54.
4. Reg.Ant. i no.52, RG 1911 dated 1135-5.

before the King's court, his bishops and barons; this is then referred to the bishop's court for formal confirmation. When the King prescribes for the abbot the judgement of his peers, the other abbots, he is treating the bishop's court as if it were a conventional feudal court, and introducing a principle which was unknown to the canons. He recognises distinct courts then, but not distinct procedures.[1]

Conclusion. In the last two chapters I have considered the two theoretically superior jurisdictions of pope and archbishop or primate. The evidence does not suggest that either was choked with business. What it does reveal is a marked absence of the clear distinctions which would be made in later generations; one can see the origins of several processes later peculiar to papal, archiepiscopal and royal justice but they are still inextricably interdependent. Hindsight allows us to discern the seeds of a future conflict of jurisdictions, but there can have been very few in Henry's England who felt an urgent need to draw the frontiers.

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1. Miss Bodwell: Some Charters relating to the Honour of Bacton, pp.147-65 no.1, p.158 in PRS New Series Vol.XXXVI (1960) printed a charter (which refers to the peers of his court) of Herbert of Norwich, but these are the secular peers of his honour court. For a parallel case v. CHSPG i pp.265-6 for which v. below p .170. A precisely opposite principle is asserted in W.Stubbs: The Foundation of Waltham Abbey, Oxford 1861, p.51, EG 525, where the laymen and the canons of Waltham are both justiciable in the Queen's court, but the canons are to answer 'regulariter'; this may however be a reference only to the appropriate forms of proof.

CHAPTER IV

The Bishop

1. The Diocese.

It is not until the end of the thirteenth century that it is possible to draw a complete map of the dioceses of England. However these boundaries do not seem to be significantly distinct from those in use at the beginning of the twelfth century, once one has made allowances for the creation of the two sees of Ely and Carlisle.[1] Not only do they square with the areas of jurisdiction claimed in episcopal acts of the reign of Henry; they reflect political conditions at least as old as Domesday Book.

In general diocesan coincide with shire boundaries, although only at Bath and Chichester did this provide the equation one shire, one diocese.[2] Hereford contained one and a half, Exeter, Winchester, Norwich and Durham contained two, London and Worcester two and a half, Salisbury three, Chester three and parts of three others, York four and parts of two others, and Lincoln, the largest, seven and part of an eighth. At the opposite end of the scale Kent was divided between Rochester and Canterbury. In the south east the fractions must preserve the frontiers established in the early days of the apostolate of St. Augustine, while in the west Worcester and Hereford were drawn apparently along the frontiers of the ancient territories of the Hwicce and Magonsaetan rather than the later shires. Elsewhere Chester extended northwards as far as the Ribble, including that area which was not shired until after the Domesday inquest, and the remaining area of doubt lay along the Scottish border.

It was only there and along the Welsh border that there seems to have been any room for doubt on diocesan frontiers, which nowhere else provoked dispute during the reign.[3] A number of factors had

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1. v. Taxatio ecclesiastica Angliae et Walliae auctoritate Nicholai IV circa A.D.1291 ed. for the Record Commissioners, London 1802; for five dioceses v. also The Valuation of Norwich, ed. W.E.Lunt, Oxford 1926.
2. Subsequently Ely was created by detaching Cambridgeshire from the diocese of Lincoln, and then made a third. For what follows v. also Barlow: The English Church pp. 162-5, 208-31.
3. For the border disputes with Scotland v. Chapter I above; the final boundary with Wales was probably not drawn until the bishopric of St. Asaph became a working diocese under Stephen. It seems likely that Chester then ceded some of its territory.

combined to produce these agglomerations of shires over the previous centuries, and the results were very uneven. However none of them was probably without coherence; diverse though the elements of dioceses such as Lincoln or Chester, and numerous though the immunities with which they were scattered, there were several factors which helped to give them a sense of identity.

Each shire by the twelfth century must have been accustomed to co-operation in justice and administration, and several other frontiers reflected social divisions too; the boundary between Chester and Hereford in Shropshire largely followed the course of the Severn, and where it did not it separated the northern plain from the southern highlands. Equally the division of Kent between East and West had a more than administrative significance into modern times.

The bishop's estates contributed to a sense of unity too. If only Norwich, Chichester, Bath and Worcester held no land outside the diocese, only Winchester and Canterbury held very much.[1] This meant that the bishop's honour courts, or the feasts for his tenants in his hall gathered men from much of his diocese.[2] Equally economic need as much as pastoral duty drove the bishop to travel widely about his diocese.

However, just as there were wide divergences of size among the bishoprics, so there were wide divergences of wealth. These did not coincide; Canterbury, the richest, was also the smallest, and Chester, the poorest, was among the largest. This was a serious problem, for almost all were too large for an effective exercise by the bishop of all those duties of order, instruction, justice and charity enjoined upon him by the canon law, unless the bishop could use his resources to maintain a very large body of servants.[3]

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1. According to my reckoning, of Canterbury's estates, reckoned in all in D/B at £1,170, £380 lay outside Kent, and of Winchester's £920 c. £430 lay outside Hampshire or Surrey. Exeter's liberty of Bosham was also large, though not quite of comparable importance.
2. For examples of either case v. Dodwell: Some Charters relating to the Honour of Bacton p. 158, and Two Cartularies of the Priory of St. Peter at Bath, ed. W. Hunt as Somerset Record Society Vol. VII, (1893) pp. 49–51.
3. Taking the DB valets as calculations of possible profit, and always remembering that DB may well omit important judicial revenues, and certainly omits most ecclesiastical ones, I calculate that the bishops, as opposed to their chapters, disposed of the following revenues: Canterbury £1100, Winchester £920, Lincoln £660, Salisbury £580, Exeter £460, London £440, Worcester £390, Norwich £360, Wells £285, Rochester £220, Chichester £142, Chester £96, York, Durham and Hereford do not lend themselves to such calculations in the Survey.

One further point about the endowments of the dioceses may also be noticed in the Domesday survey. In one sense the bishop's obligations in his diocese were more onerous than those of the king in his kingdom, for he alone was qualified by his order to perform a host of essential duties, in ordinations, dedications, consecrations and the granting of absolution for graver offences. In all these he could be replaced only by another bishop. Accordingly no ecclesiastical immunity could normally exist in the same comprehensive sense as the later secular palatinates of Durham and Chester. Yet the bishops, unlike the king, did not have an even scatter of estates upon which to support themselves. For the most part their demesne estates were concentrated in small groups. There is the simple case of Chichester; the great bulk of the bishop's manors lay around Selsey and Chichester in the far west of the diocese, while in the east he had practically nothing, being quite eclipsed by the splendid wealth of Battle Abbey. Lincoln is a more complex example. There were there two concentrations of demesne land, one around Dorchester at its western limit, and the other around Lincoln equally far to the East, with a smaller group of estates around the bishop's residence at Buckden in Huntingdonshire.[1] He held no land at all in the south-east, in Hertfordshire, which was dominated by the abbey of St. Albans, and very little between Huntingdon and Sleaford, similarly overshadowed by Peterborough and Ely.

These examples have a particular relevance to some exemption disputes of the reign, but they are not untypical. In some respects the bishops' landed wealth was disposed more like that of the Capetians than of their own king.

2. The Choice of Bishops.

Before examining the bishop's functions within these dioceses it will be convenient to consider the recruitment and background of the men called upon to perform them. The archbishopric of Canterbury, to which appointment followed the eccentric course described in the previous chapter, and the bishopric of Rochester, over which the archbishop seems to have exercised an unchallenged control, stand aside from the rest, and are not included in the general discussion.[2]

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1. The Life of Christina of Markyate p. 64.
2. Ralph of Seez was a confidant of Anselm, and latterly a dependent, (GP pp. 127-8, HN p. 196), Ernulf was a former prior of Christchurch, (GP pp. 137-8, HN p. 225), John of Seez archdeacon of Canterbury (JoW p. 19). For the form of appointment v. HN pp. 196, 225.

The remaining fifteen sees form an extraordinarily coherent body of patronage. To each the appointment took the form of a royal grant, and to each the chroniclers assumed with more or less brutality of language that the king supplied candidates at will. Writs announcing such grants survive for several dioceses, and in all the same assumption is made, without any reference to election.[1] Towards the end of the reign there is some suggestion that more stress was being laid upon the canonical proprieties being observed, but none that any chapter could hold a free election.[2]

Behind this facade of autocracy there may however lie a more complex reality. There are some indications that the king did not act without some regard to local feeling, or without consulting those with knowledge of local conditions. In 1130 he consulted the constable of Hereford and the viceroy of the marches, and accepted their candidate, Robert prior of Llantony, for the long vacant see of Hereford. In 1108 he chose Thomas II for archbishop of York, and the chapter said he would have been their choice even earlier. According to the Liber Eliensis both Hervey of Ely, the king's confessor, and Nigel, his treasurer, had been appointed at their request.[3] It was the king's practice to make such appointments at great councils, and these must have provided the opportunity for much private discussion of the kind described at Hereford.

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1. The writs areRG 881, 885, 1091, 1101, 1424 and 1724. Although all but 881 survive only in xiv c. copies or later, they are very similar in form. RG 881, Early Charters of the Cathedral Church of St. Paul, London, ed. M. Gibbs as Camden Society, Third Series Vol. LVIII (1939) no. 3[illegible] is found in two xiii c. [illegible], and may stand for all: Sciatis me concessisse R. de Belmeis episcopatum Lund' et omnes illas terras et homines que ad illum pertinent et castellum de Storteford' its plenarie in omnibus sicut aliquis antecessorum meorum alicui episcopo melius concessit.' ℘f such secular grants as c/ RG 1256 App. No. CX[illegible]II.
2. The last of the sequence above, RG 1724, Charters and Records of Hereford Cathedral, ed. W.W.Capes as Cantilupe Society Vol.I (1908), no. 5, inserts the word 'canonice' into the grant. Two Cartularies of ... Bath ed. Hunt no. 57 is a grant by bishop Godfrey (1123x1135) to Bath for, inter alia, the safety of the soul of king Henry 'qui mihi gratuita munificentia sua post canonicam electionem episcopatum dedit'. The form of canonical election which Henry employed may well be illustrated by the celebrated passage, Chron. Mon. de Bello p. 60, in which he is said to have summoned small committees from each vacant church to receive a new pastor; cf. [illegible] p.222.
3. Anglia Sacra ii pp.304-5; HC p.15; Liber Eliensis pp. 245-8, p.283, although in the second case all they asked for was a bishop, not Nigel

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Allegations of simony are rare under king Henry, in spite of this near monopoly of royal appointments. Theulf of Worcester is said to have confessed to it on his deathbed, and Symeon of Durham said that Roger de Clinton paid 3000 marks of silver to be more worthy of the bishopric of Chester. However Theulf seems to have been an unpopular bishop of whom such stories would readily be believed, true or not, and Symeon's story sounds incredible. The sum he mentions is more than twenty times the Domesday value of the bishopric.[1]

In other respects royal control did involve serious inconveniences. In spite of his promise in his coronation charter, repeated to Anselm in 1106, Henry continued to retain vacant churches in his hands for long periods, and took the profits. The long vacancy at Canterbury from 1109 to 1114 was the most notorious, but there were many others, Durham from 1128 to 1133, Hereford from 1127 to 1131, Chester from 1117 to 1121 and again from 1126 to 1129, with two year vacancies at Norwich, Ely and Worcester.[2] No doubt these must be attributed in part to the king's avarice, but there are two points which deserve attention. Canterbury was the only see of the first rank to suffer in this way, and Chester, which suffered most, was the poorest.[3] Secondly Henry only made appointments to English sees while in Normandy once, in 1125; on every other occasion he waited to return to England.[4] Thus during his long absence from 1116 to 1120 the three sees of Chester, Norwich and Hereford all fell vacant, but were filled within six months of the king's return. Again there were four long vacancies in the years between 1126 and 1133, for much of which the king was either abroad or preoccupied with the politics of succession.

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1. For Worcester GP p. 290 n. and above p.104 n 3; for Chester SD ii p. 283
2. M. Howell: Regalian Right in Medieval England, London 1962, pp.20-29 offers the fullest discussion of these points. For Henry's promise to Anselm v. EN p.183. Since Henry never made the slightest effort to abstain from taking the profits of vacant churches it is possible that his promises have been misunderstood, and referred not to the still quite respectable taking of the profits of vacancies but to the iniquities practised by Rufus, the taking of reliefs from the bishopric's tenants, granting his own men its lands or levying aids. I have omitted the long vacancies from 1100 to 1107, for which, directly, Henry was only very partially to blame; he had appointed bishops to each see by Michaelmas 1102.
3. It has been suggested to me that the long vacancies at impoverished Chester may be attributable to the difficulty of finding someone ready to take on so difficult a charge.
4. Henry left England on 26 Aug. 1117; Gilbert was consecrated bishop of London 22 Jan. 118, to [illegible] be another [illegible] 7. [illegible] 6.

The king certainly used bishoprics as a means of rewarding faithful royal servants, and this was the largest single factor in determining the composition of the episcopate. Some of his officers could look forward to a mitre with all but absolute confidence, and this was pre-eminently true of his chancellors. In 1100 there were former ones at London, Lincoln and Hereford. By 1107 William Gifford had Winchester, Roger his successor Salisbury, and Waldric, his successor, had been provided for elsewhere at Laon. Ranulf, the next chancellor, died in office in 1123; so long a service without a bishopric is surprising. However he was apparently unsuitable for a bishopric, and may not even have wanted one, to judge from Henry of Huntingdon's character sketch. His successor, Geoffrey Rufus, became bishop of Durham in 1133.[1]

More surprisingly the Queen's chancellors were in a similarly promising position. Matilda's first chancellor seems to have been Rheinhelm, appointed to Hereford in 1102, her second Bernard, Bishop of St. Davids in 1115; Adelisa's first chancellor was Godfrey, bishop of Bath in 1123, and her second Simon, bishop of Worcester in 1125.[2]

The remaining appointments show a marked break in 1125. Until that year every bishop was chosen from among the king's servants in one way or another. Hervey of Ely was his confessor; Richard de Belmeis of London, the later viceroy of the Welsh marches, had continued as steward of many of the Montgomery estates for the king after the exile of his former master.[3] Roger, bishop-elect of Hereford had been his larderer, Robert Pecche of Chester

> 'domino regi in cura panum ac potus strenue ministrare solebat'.[4]

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1. For the succession of chancellors v. H.W.C. Davis: Waldric, the Chancellor of Henry I in EHR Vol. XXVI (1911) pp. 84-9, V.H. Galbraith: Girard the chancellor, and RG pp. ix-x; for Ranulf v. HH pp. 244, 308.
2. For Rheinhelm v. HN p. 144, GP p. 303; for Bernard SD ii p.249; for both v. RC p.xi. For Godfrey v. HH p.245, JoW p.17, for Simon JoW p. 18. It is noticeable that their bishoprics were less wealthy than those of the king's chancellors, as one would expect.
3. For Richard of London v. in general Eyton: Antiquities of Shropshire ii pp. 193-201, Mon. III pp. 517-20, and RG pp. xviii-xix.
4. HN p. 141; JoW p. 16.

Six of the remaining seven bishops appointed between 1100 and 1125 were described simply as chaplains - William of Exeter, Thomas II of York, Theulf of Worcester, Thurstan of York, Geoffrey of Hereford and Everard of Norwich.[1] Since so many were drawn from this group it is worth considering the meaning one should attach to the term 'chaplain'.

If it has a precise sense, defining a particular function in the king's household, one may expect certain conditions to be fulfilled; it will not be readily interchangeable with other equally specific terms, and it will be identifiable in the Constitutio Domus Regis. Neither condition is in fact fulfilled. John of Worcester, who described the duties of Robert Peche as clerk of the spence and Richard as custos sigilli refers to both in the same passage as chaplains.[2] The Constitutio describes a single chaplain in the household, presumably there to celebrate mass for the king, and the chaplains we have to discuss ag in do not conform. There were many more than one at a time; as many as eight attest a single royal charter, at a time when others, equally described as chaplains, did not.[3] Further Thurstan of York, who was certainly called a chaplain at his nomination, was then only a subdeacon, and could not have celebrated mass.[4] Chaplain is then probably to be taken as a word of elastic sense to describe a clerk active in the king's service; it does not define that service and it need not involve permanent residence in the household.

This point can be approached another way, for most of these chaplains are known to have had ecclesiastical preferment of one kind or another, and in many cases one can show that this was more than a

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1. William was the king's ambassador to Rome in the critical years 1094-1107 (EH p.68, Chapter II Appendix); for Thomas II HC p.15 for Geoffroy FoW ii p.68; for Everard JoW p.16; for Theulf FoW ii p.66 and GF p.290n (where he is called a canon of Bayeux); for the seventh, Alexander of Lincoln, nephew of bishop Roger and archdeacon of Salisbury, whom no-one called a chaplain, however likely it is that he was, ASC p.44, JoW p. 17.
2. JoW p. 16; Liber Eliensis p. 276 calls archdeacon William Brito the king's dispensator, RG 1502 'capellanus meus'.
3. RG 548, p.x and n.6; for three other chaplains of the same period Arnulf, Walter and another Roger v. RG 544 and pp. x-xi.
4. HC pp. 34-5.

mere financial device.

William Warelwast was among the most active of the king's servants, but he was also archdeacon of Exeter, and at least once he found time to perform his office, for there is a charter of his recording his presence at the grant of a Devon church to Bath priory.[1] Everard of Calne, archdeacon of Salisbury, does not attest any Salisbury charters, but he benefited by a miracle at Malmesbury.[2] The best evidence of such a combination of royal favour and ecclesiastical activity is however provided by Richard de Belfou, archdeacon of Norwich, royal chaplain and eventually bishop of Avranches. There is abundant evidence of his activity as archdeacon; he attests numerous Norwich episcopal charters, established himself as a substantial military tenant of his bishop, and played a leading part in the foundation of a Norwich hospital.[3] Only slightly less full information can be found in the Liber Eliensis on the career of archdeacon William of Ely, nephew of bishop Hervey and also a royal chaplain.[4]

These men clearly combined their chaplaincies with active performance of their ecclesiastical duties. They also provide some striking examples of the close pattern of interlocking royal and family patronage within which so many of these men lived. It is clear that such chaplains did obtain substantial benefits from their connexion with the court. Richard d'Orval, another royal chaplain,

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1. Two Chartularies of...Bath ed. Hunt no. 36, a charter of William as bishop recording events 'tempore archidiaconatus nostri'; this adds point to the anecdote recorded of him in GP p.202 n.2.
2. GP p.429. For no very obvious reason Everard, archdeacon of Salisbury and bishop of Norwich, has been frequently identified with Everard de Montgomery; both Everard de Montgomery and Everard de Calne were royal chaplains, (each attests several royal writs), but the case for believing that it was Everard de Calne who became bishop is overwhelming. The bishop's charters are attested by innumerable other de Calnes, he held the prebend of Mora at St. Pauls, in which he was succeeded by William de Calne, his nephew, (R. Newcourt: Repertorium ecclesiasticum Parochiale Londiniense, London, 1708, 2 Vols. i p 176, for which v. Brooke: The Composition of the Chapter of St. Pauls) and Calne is obviously a probable place to recruit an archdeacon of Salisbury. Henry I granted the church there to Salisbury cathedral, as a prebend for Nigel de Calne, whom there is some reason to believe the bishop's brother. v. also L. Landon: Everard Bishop of Norwich in Proceedings of the Suffolk institute of Archaeology Vol. XX (1930) pp. 186-98.
3. Dodwell: Some charters relating to...Lacton pp.158-9, Lon.VI (ii) p.699 (ii), below App .I Norwich nos.4-8, and below p.[illegible]
4. Liber Eliensis pp.276-7 and Appendix C; [illegible]

held the churches of Warkworth, Corbridge, Whittingham and Rothbury of the king's gift;[1] Thurstan of York held those of Tickhill castle, Stoneleigh, Shorne and Cobham;[2] Richard de Belfou the churches of Ormesby,[3] and the list could be extended to tedious length.

These examples have been chosen for a particular purpose however. Richard d'Orval was presumably a relation of Hugh d'Orval, bishop of London from 1075 to 1085, through whom it is easiest to explain his prebend at St. Pauls.[4] Similarly both Thurstan of York and Audoen of Evreux, who were brothers, held prebends there, and again family influence must have been at work; Audoen indeed inherited his father's stall.[5] Richard de Belfou's position in Norfolk too can most easily be understood as an aspect of family influence; William de Belfou had been bishop of Thetford from 1086 to 1091, and there was a Belfou barony at Hockering.[6] William the royal chaplain was archdeacon of Ely no doubt chiefly because his uncle was bishop, just as Alexander of Lincoln and Nigel of Ely had been archdeacons in their uncle's diocese of Salisbury.[7] Again Thomas II of York, another royal chaplain, was provost of Beverley because his uncle was archbishop, and dean of Wolverhampton because his father, Sampson of Worcester, had handed down this piece of royal patronage.[8]

We have here a very coherent group. The men with a near stranglehold on royal patronage, the group loosely described as chaplains, gain bishoprics, the patronage of which they distribute to their relations, whom they also no doubt recommend to the king's service and favour. If they were not an aristocracy of birth, they were very near an oligarchy.

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1. EYC i 457 (RG 572); cf. EYC i 458 (RG 1431).
2. EYC iii 1428, iii 1439 (RG 1626); Mon.V.p.100 (v), (RG 1022); below Appx.I York no.3.
3. RG 1855 (Appx. No. CCXCVI); cf Mon. VI (ii) p.699 (ii). All these examples are derived from benefices held by royal chaplains which were granted to religious houses; they can only represent a tiny fraction of the endowments held in this way.
4. Newcourt: Repertorium i p.119.
5. Ib. pp.141, 169; cf. Nicholl: Thurstan pp. 7-9.
6. I.J. Sanders: English Baronies, A Study of their Origins etc, Oxford 1960, p.53.
7. Liber Eliensis p. 276; JoW p. 16 , Cartularium Monasterii de Rameseia, ed. W.H. Hart and P.A. Lyons in 3 vols. as Rolls Series no. 79, 1884-93, i p.23. Both Nigel and Alexander were educated by Roger of Salisbury at Laon, Hermann: De Miraculis col. 963.
8. HC p. 15; Drew: Antiquities of St [illegible], ii p.151. (These charters will very shortly be re-edited by [illegible])

Outside Kent this group enjoyed a monopoly of all the bishoprics that were filled between the early years of Rufus and 1125. The effect of this was to eliminate almost every monk from the ranks of the episcopate, and so, incidentally, to intensify the mutual suspicions of secular and regular. Equally it created a group of marked social and intellectual coherence; such men were singularly impervious to the more provocative claims of the reformers, and had little interest in the distinctive processes of the canon law, for they usually continued to operate within the framework of royal justice which they had served as chaplains and often directed as bishops.[1]

This apparently self-perpetuating oligarchy however began to break up after 1125, for thenceforward the king looked for his bishops more widely. In that year he appointed Geffrid d'Escures, abbot of Glastonbury to Chichester. Although Geffrid was half-brother to the late archbishop Ralph of Canterbury this was a striking choice; he was the first monk-bishop to be given any see outside Kent since Herbert de Losinga bought Thetford in 1091.[2] In 1127 Henry chose Gilbert the Universal, a scholar and lawyer of European reputation, but no royal servant, as bishop of London;[3] in 1129 Henry de Blois, the king's nephew, and also a former monk of Cluny, then abbot of Glastonbury, became bishop of Winchester; in 1131 Robert de Bethune, prior of Llanthony, became bishop of Hereford;[4] in 1133 Adelold prior of Kostell became first bishop of Carlisle. Although the king continued to appoint some bishops according to the old pattern, Nigel the treasurer to Ely, Geoffrey the chancellor to Durham, and perhaps Roger de Clinton to Chester,[5] this was a momentous change.

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1. There are the obvious examples of Roger of Salisbury and Richard of London; several other bishops however may well have acted as shire justiciars. For Robert of Lincoln and Alexander v. RG§ iii 490; for Ralph of Chichester, who cannot be proved to have been a royal servant before his promotion, though Orderic classed him among Rufus''court' appointments (OV iv p.12), v. RG 1060, 1404 and in general H.A.Cronne: The Office of Local Justiciar under the Norman Kings in University of Birmingham Historical Journal Vol. VI (1957), pp. 18-38.
2. [illegible] The last monk before Herbert had been William of Durham in 1080.
3. Smalley: Gilbert the Universal, and HC p. 127.
4. Voss: Heinrich von Blois pp.3-6; v. WM p. 282 n. for an unlikely addition to his biography. As ii pp.304-5.
5. For Nigel as treasurer v. esp. Liber Eliensis p.283; Roger de Clinton, nephew of Geoffrey, was archdeacon of Buckingham, and canon of St. Pauls, (JoW p.29, Newcourt: Repertorium i p.183), but it has not yet been shown that he was a royal servant, however likely

It introduced into the hierarchy men with wider and more specifically ecclesiastical horizons, and, in the cases of Henry of Winchester and Robert of Hereford, men who conceived of the liberty of the church in a new and more urgent sense. Both were to play a central part in the diffusion of papal jurisdiction in England under Stephen, and Henry's birth combined with his European experience to give him the leadership of the first movement since the Conquest which attributed to the English church an independent political role.

The causes of this change are obscure; special circumstances were obviously at work in the choice of Henry and Adelold, but the other appointments are more difficult to explain. Affection for the memory of archbishop Ralph may have brought Geoffrid his bishopric, but there remain the promotion of Robert of Hereford and Gilbert the Universal, as well as the abortive effort to persuade Robert Pullen to accept a bishopric.[1] When the king accepted the suggestion that Robert de Bethune be given Hereford he is said to have wished to leave at least one godly bishop behind him,[2] and it may be that this change is another aspect of that spiritual panic which seems to have beset Henry in his later years.[3]

Whatever its origin, the changing recruitment of bishops in these years gave the episcopate a more various quality, and made it more responsive to ecclesiastical change, than had been true for many years before the king's accession.

3. Episcopal functions.

a. Introduction.

Upon the bishop law and custom imposed a variety of burdens. As the possessor of the highest order of the church he had a general responsibility for the conduct of ecclesiastical affairs throughout his diocese. This was partly expressed in his unique capacity to confer orders, dedicate churches and so on, but just as significantly

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1. SD ii p. 319.
2. AS ii pp. 304-5 'una radix bona post dies nostros in ecclesia'.
3. R.W. Southern: The Place of Henry I in English History, in Proceedings of the British Academy Vol. XXVIII (1962), pp. 127-69, pp. 155 and 163, esp.n.3 identifies two periods of what seems to be personal crisis for the king, one about 1120, (after the White Ship disaster) marked by the foundation of Reading, although the other evidence is unconvincing, and the other beginning about 1129, for which the evidence is much better.

also in his obligation to maintain hospitality, particularly for the poor, and to inspire as well as direct the entire spiritual life of the diocese.

He was however by no means free to devote all his energies to this exhausting task. By an enduring irony of the medieval hierarchy those lands and rights provided to support his pastoral office required, or at least invited, an effort of administrative attention which always threatened to submerge it. Further, the bishops' lands involved them in external responsibilities, towards their neighbours in general and the king in particular. In some ways their duty to the king was more pressing than that of their secular fellows. Almost every bishop held his see as a reward for faithful royal service, and only Henry of Blois was certainly of so exalted a birth that he could maintain a measure of political independence.[1] Further the lands of the church were peculiarly vulnerable to the encroachments of the laity, and particularly of the cohorts of 'regii satellites', against whom only the king's active favour offered an effective guarantee. In a general way this vulnerability gave the bishops a more than usually close interest in strong central government.[2]

The secular duties of the bishops are not here my concern; because of the survival of evidence the majority of studies of the duties of a tenant-in-chief and problems of a landowner are already largely based upon ecclesiastical baronies, and it can scarcely be determined how these differed, if at all, from their secular counterparts.[3] It is principally their ecclesiastical duties that are here

1. The only other man of whom this may be true is William Gifford, his predecessor, although it does not seem to be known in what relation he stood to the earls of Buckingham.
2. The best illustration of these points is found in the account of the rule of Abbot Faricius in Historia Monasterii de Abingdon ii pp. 40-160, or the sequence of sixty four writs of Henry for Ramsey, or the only slightly shorter sequence for the bishopric of Lincoln. The overwhelming majority of these protect the beneficiary from loss, rather than granting new rights. The argument is put very precisely in Southern: The Place of the Reign of Henry I pp. 146-7 and 154-5.
3. The restraints on the bishop's freedom to alienate his demesne are difficult to determine. RG 1101 and 1417 treat the alienations of the last bishop and of the last two vacancies as without legal security, in much the same way as those of abbots were attacked, but the whole subject is in need of its own study.

at issue. This distinction is however largely artificial; the office, with its prerogatives, duties, profits and patronage was conceived as a whole, as royal writs often recognised. A typical example runs:

> 'Scitis quod ego concedo Mauricio Londoniensi episcopo episcopatum suum et omnes consuetudines suas episcopales et laicales, sicut antecessores sui melius eas habuerunt'.[1]

To the end of the reign the form of the grant and the reality it conveyed remained the same. Although the grant of temporalities and consecration were distinct events conveying distinct powers, endowment and function were still largely conceived as one.

It is not therefore possible to distinguish the various elements of the bishop's activity, as if secular and clerical life were sharply divided, without a good deal if distortion, and in what follows these boundaries will necessarily be blurred, though not perhaps as much as they should be.

b. Pastoral Responsibility for the whole Christian People.

All the powers and duties of the bishop in effect were aspects of his position as the figure of Christ for his flock.[2] Anselm's letters lay much stress upon his function as an example:

> 'Ad hoc enim episcopus constituitur ut populum Dei et verbo doceat et vita informet et ad verum pastorem Domini commissarum sibi animarum lucra reportet.'

or again:

> 'Episcopi debent esse forma et exemplum aliis omnibus religionis'.[3]

Herbert of Norwich touched on another aspect when he reminded his diocese of

> 'the labours of my office in which day by day

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1. Early Charters of St. Paul's no. 22 (RG 943); cf ib. no.23 (RG 506), where the customs are listed as ' ...sca...mid soca and..tol..7 teame 7...infangene þeofe 7 gri þbrice binnan burc 7 buten big strande 7 big lande on tide 7 of tide 7 calle þa griebbe þe into þam cristendome gebyred on minon lande, 7 on aelces odres mannes lande ofer eall biscoperice on wuda 7 on mersc 7 on unrichthaened 7 on unrichtwoerc 7 on calle þingum..', for which v. below p.
2. H p.35 c.xv; p.41 c.xxxvii; p.43 c.xxix; p. 186 c.xii: These are of course only a very few of the texts on this fundamental point which Henry's bishops would have had before them.
3. EA 457 and 427.

> I do you service, offering for you the body and blood of Christ.'[1]

Beside the things that he ought to do were a number which only he could do.

It was as the fount of grace for his whole flock that he had the sole responsibility for admitting all the faithful into the full Christian community in the sacrament of confirmation. Here more than anywhere the universal responsibility of the bishop encountered severe limitations of time and space, and it is the more unfortunate that evidence of the way in which he tried to overcome them is almost wholly lacking, except in the Vita Wulfstani.

Although it was precisely in those passages which dealt with the routine administration of the sacraments that William of Malmesbury says that he edited Coleman's lost original there remain several glimpses of the bishop encountering large crowds, sometimes at least explicitly waiting for confirmation. Trustworthy witnesses had seen him confirm two or three thousand boys in a single day, astonishing those present by exhausting eight or more of his clerks who carried the chrism; when he arrived at Wycombe:

> 'dedicationi ecclesie, sermoni ad populum, confirmationi puerorum, sollicitam impendit operam'.

It is however surprising that the bulk of these references are to baptism, for which the bishop's presence was not necessary, and that the crowds who gathered for it contained many adolescents, if not adults.[2] It can scarcely be true that the English had continued the obsolete practice of performing both sacraments together, for there is abundant evidence that infant baptism was then the norm.[3]

Towards the laity as a whole the bishop had also a duty of instruction in the faith, of which the preaching of sermons is the most obvious expression. There were plenty of opportunities for it;

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1. Epistolae...ed. Anstruther no. xxxv, translated in E.M. Goulburn and H. Symonds: The Life, Letters and Sermons of Bishop Herbert de Losinga, 2 vols. London 1878 Vol. i p.170; characteristically this is the splendid preface to the excommunication of those who had broken into his deer park and killed one of his beasts.
2. Vita Wulfstani pp 32-3, 36-7.
3. For example Wulfstan himself as prior regularly conducted such baptisms, Vita pp 12-13.

the great crowds awaiting baptism and confirmation heard Wulfstan preach the gospel of peace often enough; at the consecration of churches at the greater feasts of the mother church, at the translation of relics, at a bishop's visit to an outlying church, or on other great public occasions, great numbers of the laity might gather before their bishop. Yet although we know of sermons preached on all these occasions,[1] the evidence that the practice was frequent is still weak; most of the recorded sermons were given on exceptional occasions or to restricted audiences.[2]

There remains the remarkable body of sermons of bishop Herbert de Losinga, preserved in a unique manuscript, apparently written at his own cathedral.[3] This contains a cycle of fourteen sermons for the liturgical year, evidently intended for reading in refectory. It does not however follow that they were originally intended for a monastic audience, and this seems to be unlikely for two reasons. Firstly, nowhere does the bishop refer to the special obligations of his hearers, a curious omission in one sermon if he was in fact addressing monks, and almost inconceivable in a whole series. Secondly there are a number of passages which are extremely difficult to apply to the monastic chapter of the cathedral.

In his Christmas sermon the bishop says:

> 'Convenistis, dilectissimi filii, ad aecclesiam sanctam, ad matrem vestram'.[4]

At the feast of the Purification the reference to the laity is quite explicit; indeed the audience appears to contain women:

> 'Virgo es; custodio integritatem tuam, et tuo virgini famulari imperatori. Continens es; Conserva tu sanctimoniam

1. Arnold: Memorials of Bury i p.90, Liber Eliensis pp 229-30; SD i p. 260 HCY i pp. 299-300; Southern: St. Anselm pp. 364-6; Liber Monasterii de Hyda, ed. E.Edwards as Rolls Series no. 45, London 1866, p.312.
2. Apart from Anselm's sermons, for which v.Southern: St. Anselm Appx.II, and a solitary sermon of archbishop Ralph originally delivered to the monks of Christchurch (for which v.N.Ker: A Catalogue of Manuscripts containing Anglo-Saxon, Oxford 1951, p.275), G. Morin: Un Ecrivain Belge Ignore du XII^e Siecle in Revue Benedictine Vol.X (1893) pp.28-36 sought to identify some sermons in a Florentine MS as the work of bishop Godfroy of Bath. The argument is very slight and the original sermons appear to have been intended for a monastic audience.
3. Edited in Goulburn and Symonds, The Life..of Herbert, Vol. ii.
4. Sermon no. 1.

et tuus efficietur Christus sponsus. Conjugatus es; non capiaris adulterii visco, quoniam Deus sancti matrimonii actor est.'[1]

Frequently again he rebukes his audience for their avarice and involvement in secular affairs. On Ash Wednesday:

'Honeratis argento et auro et gemmis et pilliis membra vestra'[2],

On Maunday Thursday:

'Sanctam frequentare ecclesiam, ecclasticis interesse obsequiis, porrigere cibum pauperi... vestrum proculdubio saginant abstinentiam. Vacare iurgiis, interesse negotiis forensibus, circumvenire fratrem, defrudare depositum, accusare innocentem, falsum proferre iudicium, obsequium sunt Sathanae'.[3]

On the feast of St. Paul he returned to the theme:

'Timete igitur fratres; timete accusare fratres, iudicare fratres, expoliare fratres; implere domos vestras alienas exuviis, vestra accumulare scrinia commerciis fraudulentiae. Non inferatis persecutionem pauperibus Christi, quoniam Christus iudex est, et afflictorum pauperum misertus vestras condemnabit cupiditates.'[4]

And again at All Saints:

'Fugite itaque gulam, ebrietatem, fornicationem, luxuriam et nullus vestrum polluatur adulterio coniugis alienae; non impleatis domos vestras exuviis meretrium neque vestra scrinia latrociniis et rapacitate.....Cras fulget turres, et vos impleatis eas diviciis; unde Dominus cuidam opulento et avaro convenienter dicit: Stulte...'

Were his audience to take this to heart:

'Certe vobis vilesceret mundus, et vestra flagitia condemnaretis, et cessantes ab opprimendis innocentibus Christianae misericordiae viscera pauperibus exhiberetis.'[5]

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1. Sermon no. III p.84.
2. Sermon no. IV p.104.
3. Sermon no. VI p. 144.
4. Sermon no. XI pp.302-4.
5. Sermon no. XIV pp. 422-6, v. also ib. p. 424 n.(k), which mentions the formidable linguistic problems raised by such passages.

It would seem then that Herbert of Norwich did preach quite frequently to the laity of his diocese as they gathered at the cathedral church. His are the only surviving examples of such sermons, but it would be unwise to assume that this has always been true. Herbert's existence in history as a comparatively well-rounded figure depends on the existence of only two manuscripts, one each of his letters and sermons. Either might as easily have vanished or not yet been found, and although both are now unique examples of their kind, there is no good reason to believe that this has always been so.

Where the bishop did not himself preach he retained the duty of supervising those who did. A single and eccentric example of a licence granted by a bishop survives from the reign, that of Wilfrid of St. Davids for the monks of Gloucester in his diocese, but it can scarcely be typical of many other similar lost texts.[1]

To the duty of instruction the bishop added the powers of absolution in cases of grave sin. His competence in such matters of penance is most easily traced in his jurisdiction, where it was the sanction of his courts,[2] but it was also exercised outside the framework of justice. The subjects of the cathedral church might gather at Lent for absolution from minor sins at its opening and greater ones at its end, but the bishop's pre-eminent power to absolve those in grave sin at all times was generally unchallenged, although the council of April 1070 thought it necessary to insist upon it.[3]

The evidence for the bishop's exercise of this power is sparse in these years, for the reign of king Henry is in this matter something of a no-mans land between the age of the Anglo-Saxon ponitentials, which were no longer being compiled, and the age of the Decretists,

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1. Historia et Cartularium...Gloucestriae i pp. 265-6.
2. His jurisdiction over penance was explicitly reserved in some grants of immunity, e.g. Acts of the Bishops of Chichester 1075-1207 ed. H. Mayr-Harting as Canterbury and York Society [illegible] X (1962), no. 6, and below Appendix I, Exeter no. 3.
3. cf. Register of St. Osmund ed. W.H. Rich Jones as Rolls Series no. 78 in 2 vols., London 1883-4, i p. 128, 130; i p. 365 c.11.

whose doctrines were scarcely yet current in England. There are glimpses of its exercise however; at St. Albans a fratricide applied to the visiting Alexander of Lincoln for absolution, a story which the monks recorded because the bishop allowed that this was the right of their own archdeacon, so confirming an important element in their immunity.[1] There are a few charters too which touch on the point. There are the two charters, of Anselm and archbishop Gerard, recording the absolution of Flambard from the crimes imputed to him,[2] and others which imply the bishop's presence at his parishioner's death-bed. A charter probably of Herbert of Norwich records that Peter de Valognes restored to the canons of St. Pauls a hide of land, and

'egit inde penitenciam et quesivit absolucionem.'[3]

Since Herbert recorded this, and Peter's principal estates lay in his diocese, it seems very likely that it was the bishop who administered this absolution. A rather similar act of contrition was made on a larger scale by Nigel d'Albini when he supposed himself dying, and one of his charters of restitution to Whitby, which seems to be connected with it, was attested by the archbishop of York, who may have performed the same office for him.[4]

This power to bind and loose was mobilised throughout the country early in the reign against the 'sodomiticum flagitium', condemned by the council of 1102, where absolution was reserved to the bishop, and Herbert of Norwich was widely accused of excessive severity in the penances which he imposed for this offence.[5] There is no parallel evidence for the prosecution of the contemporary assault upon the criniti.

This is very unsatisfactory evidence, but these general relations are necessarily poorly attested. Only occasionally can

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1. Gesta Abbatum i. p.149; for the monastic archdeacon at St. Albans later in the century v. MO pp.605-6.
2. Above pp.101-2.
3. Early Charters of St. Pauls no. 56:
4. Feodarium Prioratus Dunelmensis... ed. W. Greenwell as Surtees Society Vol. 58 for 1872 pp.151-2 nn; v. also Southern: The Place of the Reign of Henry pp. 142-3.
5. Westminster 1102 c.29; Epistolae Herberti...ed. Anstruther no. VI.

one see the father in God behind the hierarch, yet that he was there one may scarcely doubt. It was not of the administrator that Anso[1]de Hayles spoke to his son on his deathbed:

> 'Pontificem tuum et regem ut patronos tuos time, venerare; eorumque preceptis prout poteris ne obliviscaris obedire. In eorum prosperitate quotidie Deum deprecare, ut meritis et tuitio e boni presulis perpes salus detur animae tuae..'.[1]

Hunting, or caught between the millstones of God and man they did not always dignify their office, yet on occasions that dignified them. Orderic lamented the ignorance of many of those whom birth or noble patronage raised to the episcopate, yet continued:

> 'Quibus ita promotis clemens Deus perceit ac miseretur, eisque postmodum supernae uberta gratiae infunditur, et coelestis sophiae per eos luce Dei domus illuminatur et utilibus studiis plures salvantur.'[2]

c. The Bishop's functions of Order for the Clergy and their Churches.

The nature of the surviving evidence ensures that we can see the bishop's relations with the clergy more clearly. Through his ordinations the ranks of the clergy were filled, by his consecrations wood and stone became churches, through his benedictions abbots and priors assumed their office and liturgical vessels their sacred character.

The bishop's task in the ordination of clergy was twofold. He had first to recruit suitable candidates; Robert II of Hereford and Ralph of Chichester were both praised for their diligence in the seeking out of such men.[3] It was however not merely a question of persuading good men, but also of coercing the worse; the council of 1125 found it necessary to condemn those who avoided taking the order appropriate to their office 'quo liberius vivant'.[4] The repeated injunctions that all archdeacons be deacons and rural deans priests

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1. OV ii p. 458
2. OV iv p. 13
3. AS ii p. 312; GP p. 206. The more seriously a man took the obligations of priesthood of course, the more reluctant he might be to assume them; cf. Vita Wulfstani p.8 and Hon. VI (ii), after p.945 pp. vi-viii, the Life of Gilbert of Sempringham.
4. Westminster 1125 c.6, . cf. EA 255.

suggest that these disciplinary and presumably profitable offices were particularly liable to occupation by such slippery characters.[1]

The process of ordination is very rarely mentioned in the evidence, except when candidates for a bishopric were passing rapidly through the intervening grades. No safe generalisations obviously can be drawn from such exceptional cases; they seem to have taken place on Ember Days, and usually at an episcopal manor. So William of Winchester priested Bernard elect of St. Davids at Southwark, Anselm ordained at Mortlake and Roger of Salisbury at Devizes.[2] Another set of exceptional cases concerned the liberty claimed by St.Albans; the monks listed the ordinations performed by archbishop Ralph and Hervey of Ely at the abbey, and Herbert of Norwich at their manor of Langley as evidence of their independence of the bishop of Lincoln. The same preoccupations are responsible for the survival of a single piece of precious evidence on more routine exercises of this power. Once bishop Robert of Lincoln arrived at the abbey

> 'cum trium provinciarum clericis, scilicet Hertfordshire, Bokinghamshire, Bedefordshire'

to perform his ordinations, but the monks refused to admit them, and the whole party had to move on to the royal manor of Dunstable for the ceremony.[3] This suggests that at Lincoln at least the bishop performed his ordinations not at the cathedral church for the whole diocese, but shire by shire at a convenient outlying church.[4]

The process of ordination was one which much exercised the archbishops and bishops in council. It provided an obvious opportunity for simony, regularly denounced from 1070 to 1127; it was apparently so irregularly conducted in the early years of the Conqueror that it was thought necessary to insist that it take place at fixed times.[5] The true importance of ordination however for the councils was that

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1. Westminster 1102, c.4, Westminster 1125 c.7, Westminster 1127 c.4, which empowers the bishop to deprive those who refuse to accept the appropriate order.
2. FoW ii p.68; HN pp.196, where Richard elect of London is said to have been ordained with many others, and 298, JoW p.16.
3. Gesta Abbatum i pp. 147-9.
4. For other evidence that the bishop established his right to perform such ordinations in Peterborough parish church v. above p.108 . Shire by shire at Lincoln was as much as to say archdeaconry by archdeaconry.
5. Simony: Winchester 1070 c.2 (W. i p.365); Windsor 1070 c.2 (16); London 1075 c.7 (W.i p.36); Westminster 1102 c.1; Westminster 1125 c.1; Westminster 1127 c.2. Ordination at fixed times: Winchester

it was here, before the prospective clergy entered their order, that disciplinary reform and control could most easily be applied. The bishop was in theory expected to enquire into the suitability of each candidate before ordaining him, although one must I think doubt the rigour with which such enquiries were conducted.[1] It was by exacting a vow of chastity from each sub-deacon, deacon and priest before ordination that the reformers hoped eventually to eradicate a married clergy. It was by insisting that no-one be ordained from outside the diocese without commendatory letters from his own bishop, and that all ordinations be to a fixed charge that it was hoped to abolish that large and vagrant body of the clerical semi-employed that was to endanger ecclesiastical discipline and even the social order until the Reformation.[2]

It is fairly clear that this programme, which should have produced within a generation or two a celibate clergy closely bound to particular duties in a well-defined diocesan framework enjoyed only very slight success. That even the most conventional show of celibacy was far from the norm I hope to show in a later chapter. That the bishops very rarely did examine candidates for ordination with any attention is powerfully suggested by William of Wycombe's praise for bishop Robert of Hereford, whose diligence in this matter he clearly regarded as exceptional.[3] Wulfric of Haselbury was one of those who slipped through this wide-meshed net, for he was ordained while well short of the canonical age, and wholly devoted to field sports.[4]

A number of factors contributed to this failure, For the examination of candidates much time was necessary on the part of the bishop, his archdeacon or perhaps his magister scholarum. The bishop can never have had this time, and the archdeacon very rarely. Further

1. H pp. 524-5 cc.i-iii; p.651 c.iv ; pp. 652-3 c.xviii; p.69[illegible] c.i.
2. For the vow of chastity: Westminster 1102 cc.5 and 7, London 1108 passim. For the need for commendatory letters v. Winchester 1070 c.3, London 1075 c.4, Winchester 1076 c.2. For ordination to a fixed charge v. Westminster 1125 c.8.
3. AS ii 310.
4. Wulfric of Haselbury, by John, abbot of Ford, ed. M. Bell as Somerset Record Society Vol. XLVII (1933), p. 13.

the men charged with the duty of supervision were by no means always well qualified to exercise it. Many bishops and archdeacons had children themselves, and often no doubt wives, and not all were themselves learned. To judge by the provisions of the council of 1108 archdeacons were not always diligent in seeking out a married clergy in office, and when they were it was sometimes in order to sell their silence. In any case the rejection of insufficient candidates, if widely practised, was likely to involve awkward problems for the bishop. Those who presented themselves for ordination must often have done so in order to take possession of benefices which they or their patrons supposed to be theirs by right, and the bishop's claim to intervene, even formally, in the transfer of ecclesiastical property was still far from established. The point is a difficult one to which I shall return later.

Dedications.

The dedication of churches presented few problems in itself, but it was a nucleus around which other activities of the first interest tended to gather. It was a very frequent event in Henry's England, for there was scarcely a great church which was not in the process of reconstruction, quite apart from the large number of new monasteries being founded and new parish churches being constructed.

Here too simony was not unknown, for the council of 1125 prohibited the exaction of gifts of vestments for such ceremonies.[1] That the bishop expected a return for his presence is clearly shown in two texts; the foundation charter of St. Osmund for his chapter provides that a canon who attended a consecration should have his 'partem oblationis sicut capellanus', while Hervey of Ely gave his monks

> 'dedicationes totius episcopatus excepta rectitudine archidiaconi et capellanorum episcopi'.[2]

Almost everyone present in fact might expect to profit, for the dedication was the conventional occasion for the grant of new benefits as well as the confirmation of old ones. Anselm, for instance, gave the canons of St. Gregory the produce of eight acres of arable 'in

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1. Westminster 1125 c.3
2. The Register of St. Osmund i p.200; E. Miller: The Abbey and Bishopric of Ely, Cambridge 1951, Appendix no. IV.

illius consecratione', Thurstan of York gave Ripon the tenement one of her canons, and archbishop William gave Christchurch an annual rent of ten pounds of silver, as the king gave Rochester the church of Boxley in the same year on a similar occasion, or Hervey of Ely had given Thorney some rights of jurisdiction.[1]

By the opening years of the century however the officiating bishop had gifts which cost him less, without being less useful to the house. In 1095 it is said that the bishops who dedicated Battle gave those then present or visiting the church on the anniversary an indulgence of thirty days, while Walkelin of Winchester, dedicating Bury the same year, gave one in similar though more general terms which produced a gratifying effect, for

> 'e regionibus Anglie a plurimis inibi indulgentia episcopalis ... requiritur'.[2]

A remarkable example of a similar event at Leominster much later was Robert II of Hereford's dedication of some altars in the priory church of Leominster, at which he granted a small indulgence to pious visitors to each one.[3] According to archbishop William the desire for such benefits was a principal motive to attend such ceremonies:

> ' .. huiusmodi conventus fiunt pr animarum salute et redemptione peccatorum, ubi etiam homines penitentiarum relaxacionem magis exquetunt..'.[4]

Those responsible for arranging the dedication however provided as largely for the bodies as the souls of their guests, and issued their invitations and made their preparations with all the care appropriate to a great public occasion. At the dedication of St. Albans the celebrations lasted from December 28 to Epiphany, and

> 'tam in palatio in conviviis quam in ecclesia in solemniis in curia Sancti Albani prandentes et gaudentes ... honorifice continuarunt. Quibus, et

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1. Cartulary of the Priory of St. Gregory, Canterbury, ed. A. Woodcock as Camden Society, 3rd. Series Vol. LXXXVIII (1956), p.3 no.3; EYC i 116; Gervase of Canterbury: Opera ii p.98; J.Thorpe: Registrum Roffense, London 1769, p.177 (RG 1728). For the Thorney gift v. above p. 99 and n.4.
2. Chronicon Monasterii de Bello p.40; Arnold: Memorials of Bury i p. 91
3. Mon. IV p.56 (iii).
4. Appendix I Canterbury no.3.

cunctis in posterum adventantibus ea die ad tantum solemnitatem concessa est indulgentia (multarum) dierum.'[1]

There was of course not always time for the elaborate preparations which were made at St. Albans or Ely. The monks of Bury, though well satisfied by the conduct of the dedication of their new church could not forbear some regret that they could only give three days notice to their friends. A very remarkable survival, a letter of Herbert of Norwich to the monks of Thetford announcing his intention to consecrate their chapel and cemetery, explains that pressure of business has compelled him to bring forward the date to the following Sunday

'et hoc facite proclamari in vestrae vicinitatis circumiacentibus emporiis hoc praecedenti quadriduo.'[2]

These gatherings were suitable for a great variety of business; the example of Bury illustrates the point vividly. At one point under the shadow of the high altar 'fit sermo de sancta fide'; in the choir

'sedens...intendebat pars quedam populi ante sacrosancta pignora sancti'

while the bishop preached to a large congregation outside in the churchyard. Later the body of St. Edmund was carried out into the open where all gathered to implore his help in ending the drought, with inconveniently immediate success.[3]

Where the church to be dedicated was that of an old foundation the problems of right and custom involved were not usually very difficult; houses claiming independence from their bishop might have to take care whom they invited to perform the ceremony, and occasionally a shift of site might involve some adjustment of rights, but there were usually few changes to be recognised or adjusted.[4]

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1. Gesta Abbatum i p.71; cf. the dedication of Ely late in 1106 in Liber Eliensis pp. 228-9, a passage probably derived from an earlier work (ib. p.228 n.1), and the translation of St. Cuthbert at Durham in 1104 in SD i pp.247-61.
2. Epistolae Herberti ...ed. Anstruther no.VII corrected in Goulburn and Symonds, Life, Letters and Sermons .. Appendix H p.419.
3. Arnold: Memorials of Bury i pp.89-91.
4. cf. Arnold: Memorials of Bury i pp.86-7, Liber Eliensis pp.225,229, for the question of the diocesan's rights. For the problems raised by a change of site Epistolae Herberti...ed. Anstruther no.II for the bishop's refusal to consecrate a new cemetery until the outstanding issues had been resolved; RG 1079 and the editions there cited illustrate a settlement consequent on the moving of Hyde.

With a new foundation the position was rather different. The dedication of the church was the most appropriate occasion for completing the endowment. Although several new communities must have depended in their earliest days quite largely upon the daily charity of their founder - as Gilbert the sheriff used to send his canons of Merton gifts of wheat, wine, meat, fish and cheese[1] - most must have enjoyed many of their subsequent endowments before the long and costly business of building the conventual church was completed. The definitive gift of the endowment was however most appropriately laid upon the high altar of the new church.

There is for example the rather unusual case of St. Giles' Hospital at Durham, which was both founded and dedicated by Ranulf Flambard; its foundation charter records the endowments granted by the bishop at its dedication.[2] More typical is a charter of Walter of Gloucester for the canons of St. Audoen, recording the gifts he made on a similar occasion:

'Hanc donacionem de predictis elemosinis feci canonicis ....die et hora qua ipsa ecclesia dedicabatur.'[3]

Two much smaller occasions present the same features, the dedication of the nunnery of Fairwell by Roger of Chester and of the hermitage of Trokenholt by Nigel of Ely.[4] When therefore a charter of William of Warenne describes the three bishops who dedicated Lewes summoning him to the high altar to lay there the endowments of the priory one is inclined to take this part of the charter seriously, however improbable much of its substance.[5]

There were also more contentious and difficult points for

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1. London, College of Arms, MS Arundel 28 f.3^{v}.
2. Durham Episcopal Charters 1071-1152, ed. H.S. Offler as Surtees Society Vol. CLXXIX, 1968 for 1964 no. 9.
3. Charters of the Earldom of Hereford 1095-1201 ed. D.Walker in Camden Society, IV Series, Miscellany no. XXII Vol. 1 for 1964, no. 60.
4. Mon. IV p.111 (i); Appendix I Ely no. 2.
5. Translated in The Chartulary of the Priory of St. Pancras of Lewes, ed. L.F. Salzmann as Sussex Record Society Vols. XXXVIII and XL for 1933 and 1935, i pp. 10-20; ed. in part with useful comment in EYC VIII no. 6 citing other texts. This process accounts, in part, for the apparent 'lateness' of some foundation charters; V.H. Galbraith: Monastic Foundation Charters of the Eleventh and Twelfth Centuries in Cambridge Historical Journal Vol.IV (1934) pp.205-22.

resolution. There were in general of two kinds; the relations of the new community with the bishop and his agents had to be defined, and the bishop's presence with his household at the dedication afforded an excellent opportunity for this, and sometimes the new community was established in what had previously been a chapel of some other church.[1]

As cases of the first type of settlement two examples from the first years of king Stephen provide the best illustration. In 1137 Simon of Worcester dedicated the church of Flantony Secunda; he took the opportunity to confirm to them the gift of the college of St. Audoen, and also to define the obligations of the house and its prior toward him, in a charter of the first interest.[2] Two years later King Stephen and his court attended the dedication of the nunnery church of Godstow by bishop Alexander of Lincoln, who granted two charters. The first confirmed the nuns in possession of all the estates they then hold, the second confirmed the large grant of immunities made by his archdeacon Walter.[3]

As a case of the second type of settlement there is the dedication of Nostell priory church by archbishop Thomas II of York, where he resolved the difficulties raised on behalf of the mother church of Featherstone by the monks of La Charite at Pontefract.[4] A charter of William Meschin for the priory of St. Bees deals with a slightly different aspect of the same class of problems. It confirms to the church:

> 'parochiam suam sicut testimonio proborum virorum in dedicatione eiusdem ecclesie probata est....et nominatim capellam de Egremund quae est sita inter predictos terminos.'

It even includes a boundary clause, presumably the verdict.[5]

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1. For a fuller explanation of this rather crude term v.Chapter VI.
2. Below, Appendix I Worcester no. 5.
3. For the confirmation of estates Mon. IV pp.369-70; for the grant of immunities below Appendix I Lincoln no. 2 and Lincoln Misc.no.2.
4. EYC iii 1465; cf. ib. 1429 and The Chartulary of St. John of Pontefract ed. in 2 vols by R.Holmes as Yorkshire Arch.Soc. Record Series Vols. XV (1899) and XX (1902) i p.20. The literature on the origins of Nostell is now extensive; v. most recently D.Nicholl: Thurstan pp. 127-37. There are still many problems however.
5. Mon. III p.577(iii); for another grant of a parish church with an Anglo-Saxon boundary clause v. Adam of Domerham ed. Hearne ii p.304-

The consecration of parish churches presented many of the same characteristics as that of the conventual churches which I have been discussing so far. Chronicle references to such events are however very rare and unhelpful, so that one has to rely almost wholly on charter evidence.[1] Apart from the obvious differences of scale between these and the dedication of a great church such as Bury the charters suggest that both endowment and status might present more serious difficulties than customarily beset a new community. There were three reasons for this.

Firstly the construction of a new parish church might not be entirely an act of disinterested piety. It certainly provided a more convenient focus for the church-going obligations of manor or vill; also however it might make possible the diversion of tithes and offerings from a church in the lordship of another to that of a priest who dined in one's own hall and was ill-placed to insist upon a scrupulous render of dues.[2] There is perhaps reason to view the construction of some parish churches as a form of ecclesiastical tax evasion, if not actually an investment for profit. It must always have been a temptation under such circumstances to skimp the foundation, and Anselm had thought it necessary in 1102 to prohibit a bishop from consecrating a new church:

> 'donec provideantur necessaria et presbytero et ecclesie.'[3]

Under these conditions the confirmation of endowments was as much a matter of duty as convenience.

Secondly the construction of a new church or chapel might imply the creation of a new parish, and certainly involved some

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1. JoW pp.13-4 describes the notable disaster that overwhelmed a party that was returning from the dedication of Norville; Historia .. de Abingdon ii pp.111-2 describes a grant to the abbot made by bishop William of Winchester at the dedication of the church of Clares in the presence of four archdeacons.
2. cf. Gulfric of Maseibury p.14.
3. Westminster 1102 c. 17.

diversion of parochial obligation from a former centre to the new one. Here too the bishop's duties were emphasised in a canon of 1102:

'Ne novae capellae fiunt sine consensu episcopi'.[1]

Thirdly the establishment of a new church involved another set of relationships very rarely found among monasteries, for the priest there might be liable to services and renders to the patron of the church, and when this patron was a religious house the bishop might well be called upon to regulate the relation. This point too was touched on, though less directly, when it was provided in 1102:

'Ne monachi ecclesias .... sibi datas ita expolient suis redditibus ut presbyteri ibi servientes in iis quae sibi et ecclesiis necessaria sunt penuriam patiantur.'[2]

Although it deals with the opposite aspect of the problem to that which is illustrated in the charter evidence, which is chiefly concerned with ensuring that the priests did render their dues, rather than protecting them from rapacious owners, it does show that the endowment, parochial status and services incumbent upon a church were already regarded in 1102 as properly the care of the bishop.

There is a comparatively substantial body of episcopal charters to show how he exercised this care. There are firstly those that are concerned solely with the church's endowment. An eccentric example from early in the period in the record which describes the foundation of the parish church of Little Dunmow by Juga Bainard in 1104:

'Cui ecclesie predicta mulier illo die dedicacionis in eadem villa dimidiam hidam terre liberam ab omni seculari servitio cum decima de propriis carucis ac tocius villae dedit. Facta est autem haec donacio coram

1. c. 16.
2. c. 22; this canon is also concerned with the monks' obligation to receive any grant of churches through the bishop, for which v. below pp.149-53, and the forms of exploitation applied to parish churches, for which v. Chapter VI pp. 246-51.

... episcopo Wuricis et clericis eius, omnibusque qui dedicationi illi aderant...' [1]

Several charters similarly concerned solely with the church's endowments rather later are however secular;[2] the bishop's were usually as much or more concerned with the place of the new church in the pattern of parochial obligation.

Some indeed are solely concerned with it. One of the most remarkable of such texts to survive is a charter of Theulf of Worcester of 1122, drawn up at the dedication of the church of Middleton. It concerns the claims made on behalf of the mother church of Ettingdon, which were to be met by an annual payment of eight shillings; this settlement was confirmed by the lords of either vill, and their own lords, the earl of Leicester and Robert de Ferrers. There is an enormous witness list, which provides a wonderful glimpse of the nature of such occasions. It is headed by the bishop's two archdeacons and six of his clerks; then follow a dean, the sheriff, seven priests from neighbouring vills and a

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1. Appendix I London no.1.
2. Collectanea Topographica et Genealogica Vol. V p.176, Appendix I Worcester Misc. no. 1 and Lincoln Misc. 2, an archdeacon's grant but it could as easily have been a lay one.
3. Appendix I Worcester no. 3; there is a very early example in Historia de Abingdon ii p.120 (also on p.30).
4. Appendix I Exeter no. 2. Since Brampton was a proprietary church of the bishop of Exeter it is unlikely that the presence of the bishop of Lincoln had any particular ecclesiastical importance.

the church lay was also present and he too appended his seal to the settlement as justiciar, presumably of the shire. So the dedication of this small chapel brought together three of the king's most devoted servants among the bishops.

The Middleton and Brompton charters are notable for the clumsy and experimental forms they use; the third example is remarkable for the opposite reason. Rather later than these it is a letter addressed to the archdeacons and deans of Worcestershire and Warwickshire by bishop Simon recording the dedication of the church and cemetery of Combrook saving the rights of the mother church and the established dues it owed to the bishop.[1] The simplicity of the form, the address and the content all suppose, as the earlier examples do not, that the bishop's draftsmen and agents were now quite familiar with the issues raised by such consecrations, and had developed the administrative techniques with which to handle them.

Other charters similarly concerned with the dedication of new parish churches combine a confirmation of the endowment with a decision on their parochial status. Perhaps the most interesting of these are two charters again of Simon of Worcester for the church of Exhall. The first records in some detail the endowments given to the church by a group of probi homines in the vill in lands and tithes 'in die qua eam dedicavi', showing the way in which they juggled with their tenements to produce a modest glebe; it also confirms that the church was anciently a chapel of the mother church of Kington, and was to render the appropriate dues to the bishop. The second amplifies the account of the endowments while freeing the church of all episcopal dues.[2] Another example of such a charter is that of William of Winchester recording that he dedicated the church of Ashstead as a dependent chapel in which no priest was to celebrate without the consent of the mother church, and that it was endowed with a virgate of land and all the tithes of the vill.[3]

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1. Appendix I Worcester no. 10 . cf. Hon VI (ii) p.1094 (xii)&(xiv).
2. Appendix I Worcester nos. 8-9.
3. Cartularium Monasterii Sancti Johannis Baptiste de Colecestria, ed. in 2 vols. by S.A.Moore for the Roxburghe Club, London 1897, i. p.78; Ib. ii p.512 is a grant of the mother church by the abbot in which he retains this chapel, an illustration the way in which the patron's management of his estates might break up the pattern of simple hierarchies of rank.

Of charters concerning the obligations of the priest of a newly dedicated church towards his patron perhaps the most interesting is one of archbishop Thurstan for the monks of Pontefract. It confirms the terms upon which they allowed Robert the priest to hold the church of Barnburgh, previously held by his father. He was to hold the church for three years at an annual rent of twenty-one shillings, and if he supported himself well the monks would confirm the agreement to him; Robert answered through them for 'episcopalibus'.[1] A second example is rather more elaborate; a charter of Richard fitzGilbert, it records the decision he, the bishop of St. Davids and other 'probi homines' had reached at the dedication of Llanbadan Fawr on the obligations of John the chaplain of 'Leeche' to the mother church; in effect it preserved John a measure of independence while providing that this would lapse with his death.[2]

The last charter of this group apparently drawn up at the dedication of a parish church brings together all three elements at once; it comes from the long sequence of Shrewsbury documents connected with the multiplication of chapels in the 'parochia' of the collegiate church of Morville. In it bishop Robert of Hereford records that he dedicated a church and chapel at Astley for the safety of the people and the necessity of peace; the abbot of Shrewsbury gave the chapel on that day half a virgate, an assart and a house, and in return retained all the tithes of some land in the manor and all the tithes of the assarts. The chapel was to remain subordinate to the church of Morville, and render to it 'consuetudines que ad capellam pertinent'.[3]

These functions at which the bishop was indispensible then allowed him to intervene with some effect in the processes by which the whole structure of the medieval diocese was being changed, and to define the rights of many of his flock by counsel, and sometimes

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1. EYC iii 1470.
2. Historia ... de Gloucestria ii p. 75, misleadingly calendared in CD i D 101; the date there given depends upon that attributed to D 98, which is an error, for the second charter is either a forgery or a charter of Henry II in which 'Bernard' has been substituted for the name of a later bishop.
3. Appendix I Hereford no. 4. The status of the churches of Morville's parochia has been well discussed in Eyton: Antiquities of Shropshire i pp.32-9.

by judgement. So far as the survival of the evidence allows one to judge this was a comparatively recent development;[1] it shows very clearly the way in which the thickening texture of episcopal administration was giving acts of order a sharper legal focus.

The Bishop's Orders and the Religious.

To some degree the bishop's services to the religious houses illustrate the same point. They were principally required for two purposes. The first was the provision of a constant supply of consecrated places, already discussed, and consecrated vessels, necessary for the continuance of the liturgical life of the house. The second was the qualification of men to perform their duties in the monastic hierarchy. Novices made their monastic profession before him, some at least of the monks received the priesthood from him, and the head of each house received benediction from him before taking up the fullness of his office.[2]

This benediction was the critical point, for it was usual for it to be accompanied by a profession of obedience at all points comparable with that made by a bishop to his metropolitan.[3] Where this was not made, as at Bury, the house was generally free to invite any bishop to perform the other rites.

The evidence which would allow one to understand what the obedience and subjection promised by a new abbot involved is far from satisfactory. That it involved the internal government of the house as well as its external relations with the diocese outside is forcibly suggested by a passage in the Gesta Abbatum of St. Albans, where it was said that abbot Richard extracted his church from its obedience to Canterbury, whose ministers had treated the house harshly, and subjected it to the bishop of Lincoln by his profession:

'ut monachos suos .... rigidius gubernaret'.

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1. Some evidence of the retrospective settlement of such disputes, eg. Historia ....de Abingdon ii pp.18-19 and below p.167 n.4 , seems to imply that there had been no earlier and binding settlement, although this is dubious ground.
2. e.g. HN pp.188-91; Gervase: Opera i 72-3; JoW p.19; Historia ...de Abingdon ii pp.44,162.
3. W.E. Woodruff: Some Early Professions of Canonical Obedience to the See of Canterbury by Heads of Religious Houses, in Archaeologia Cantiana Vol. XXXVII (1925) pp.53-72; A Catalogue of the Manuscripts of Corpus Christi College, Cambridge, by M.R. James, Cambridge 1912, no. 146.

The only indications in that source of the nature of the bishop's intervention are however the promise by bishop Alexander that he would make his protege, Ralph Gubiun, abbot, and an injunction on the monks that they feed thirty of the poor at the feast of the translation of St. Alban, and recite further masses and psalms. These instructions, given with the abbot's counsel and assent, were intended to encourage the faithful to seek the indulgence granted by bishop Robert and Alexander for that festival.[1]

There is some scattered evidence elsewhere; that from Selby and Abingdon is clearly exceptional, but the bishop's invervention was of vital importance at St. Mary's York before and during the exodus to Fountains, when the abbot was compelled to seek his assistance.[2]

In some ways however the best illustration of the obligation of most monasteries to their bishop, and its dependence upon their profession, comes from a small number of exemption suits fought out during the reign, notably at Battle, Westminster and St. Augustine at Canterbury. Treacherous though the materials from which an account of these can be constructed, they allow one to see what burdens these houses sought to cast off, and so by implication which bore most heavily upon their fellows.[3]

The Westminster evidence is principally contained in two documents, Innocent II's bull of 1133 and the charter of archbishop Dunstan forged by Osbert de Clare about 1139.[4] The bull is concerned with the conduct of bishop Gilbert of London, who had arrived to celebrate the patronal feast, invited 'gratis, non more', but had insisted upon taking the offerings of the high altar, as if by right.

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1. Gesta Abbatum i pp. 106, 92.
2. For Selby v. the Historia Selebiensis Monasterii pp. (22) - (29), and the notes above p.76; at Abingdon the later MS only of the Historia describes a quarrel between abbot Faricius and the monks over the money to be spent in their refectory which was eventually settled by a commission comprising archbishop Ralph, bishop Roger and Hugh the sheriff, sent down by the king, Historia...de Abingdon, ii pp.146-9. The topic was one on which the monks were quite prepared to forge evidence however, (HO Appendix XIX), and is suspicious. For Thurston and Fountains v. most recently Nicholls: Thurston pp. 151-91 and D. Bethell: The Foundation of Fountains Abbey and the State of St. Mary's, York in 1132 in Journal of Ecclesiastical History Vol. XVII (1966) pp.11-27.
3. For the complexities of the evidence at Westminster and St. Augustine v. above pp.56-7.
4. PU i.17, above p.57; Cartularium Saxonicum ed. W. de G. Birch in 3 vols. London 1885-93 iii no. 1050.

The charter of 'Dunstan' is made to concede freedom from 'circadae', synodals and chrism fees, the right to the bishop's penalty from those who attacked the abbey's clergy, and also to obtain the apparatus of the ordeal from any bishop the monks chose, freedom to bury whom they wished in their cemetery and free dom from the levy of Romescot in the vill; the provisions concerning burial, the ordeal and Romescot were Osbert de Clare's own additions to his St. Denis exemplar.[1]

The Battle evidence comes from the chronicle and its charters; these raise the most acute difficulties, since it is scarcely possible to distinguish those earlier elements in the chronicle which derive from or intend to explain the long sequence of forged charters from those which offer an independent historical tradition which may be used to test them. However the chronicle describes two principal issues at stake between the bishop and the abbey in Henry's reign, the bishop's right to hospitality and the abbot's liability to summons to the bishop's synod. The first does not raise any serious difficulties, but the second does. According to the chronicle bishop Ralph was eventually persuaded to concede the freedom claimed by the abbot, and bishop Seffrid confirmed it after the abbot had appeared to justify his claim. The freedom is included in a supposed charter of bishop Ralph. The objection raised against these two pieces of interdependent evidence is that when the issue was raised again under bishop Hilary it does not seem that Ralph's concession and Seffrid's confirmation were used by the monks, an argument which falls short of complete conviction, and certainly insufficient to deny that the issue was contested earlier, which seems very probable.[2]

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1. The relation between the texts is clearly set out in B.Scholz: Two Forged Charters from the Abbey of Westminster EHR Vol.LXXVI (1961) pp. 466-78, p.477.
2. E. Searle: Battle Abbey and Exemption; the Forged Charters, in EHR Vol. LXXXIII (1968) pp. 449-80 discusses the problem and edits again the relevant charters. The critical document is Acta of ... Chichester no.6, the charter of bishop Ralph, which Miss Searle discusses on pp.461-2; she interpreted the Chronicon..de Bello pp.56-7 to mean there were once two texts, but this does not seem to follow. The arguments against this charter being wholly authentic remain insecure, although cumulatively quite probable.

Although the evidence then is most dubious the urgent issues for houses seeking exemption appear to be the liability of the house to support the bishop and his household, whose excesses had burdened Coventry earlier,[1] the use of the abbey church for the celebration of episcopal orders or courts, and the abbot's liability to summons to the bishop's synod. It was still far from clear upon what grounds such claims would rest, custom, royal grant or papal privilege, but similar demands are made on any of these authorities. It also appears that such claims were likely to produce a crisis at the benediction of the new abbot; at Ely and St. Augustine's the abbot elect long preferred to defer his benediction rather than admit the bishop's demands.[2]

If churches of the first rank were struggling to establish these freedoms it is reasonable to believe that their fellows were in fact subject to such obligations. The evidence is far from substantial however. That for the bishop's celebration of his ordinations at St. Albans, a unique case, has already been mentioned, and that for the bishop's exaction of procurations without protest is non-existent. In the matter of synods one is on rather firmer ground; the charter of bishop Simon of Worcester at the dedication of Llanthony Secunda expressly reserves the bishop's right to summon the prior

> 'ad sinodum eius vel ad magnum aliquam causam eius, si in villa Gloec' vel foris propius tractabitur'.[3]

The definition of the relations between Hyde and St. Swithun of Winchester also provides that the abbot shall attend the bishop's synod if summoned

> 'ad danda consilia episcopo, et iudicia facienda ecclesiastica, et audienda precepta episcopi'.[4]

A third, later, charter which may reflect earlier conditions

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1. Above p. 8 n. 1.
2. Liber Eliensis pp.225-6; HN pp.138-91; Gervase: Opera i pp.72-3.
3. Appendix I Worcester no. 5.
4. Mon. II pp.444-5 (xii), RG 1070, where a fuller set of references is given. The charter also provides that the abbot and some of his monks shall serve the bishop three times a year at his mass, and dine with him on those days.

prescribed in mid-century that the prior of Hexham should attend the synods of the bishop of Durham.[1] A charter apparently drawn up at a synod of bishop William of Exeter has the prior of Taunton among the witnesses, but in general such men are more remarkable for their absence in comparable texts.[2]

It is easy, on the basis of exemption suits, to see the secular bishops and the monks locked in a permanent hostility. There is of course other evidence of such tensions; there is a small but vigorous pamphlet literature on the subject in England, as well as the constant asides made by the protagonists of the primacy debate.[3] The debates preceding the election of a new archbishop of Canterbury in 1114 and 1123 give equally clear signs of it, and Roger of Salisbury, the leading spokesman of the bishops there, was sometimes ruthless in his treatment of the monks of his own diocese. Malmesbury, which he succeeded in appropriating to his see as a demesne seat of the bishopric in which he took the place of the abbot, perhaps suffered the most severely at his hands, but other houses were treated little better.[4]

Yet it would be a seriously distorted picture which presented monks and secular bishops as engaged in a permanent and general warfare. Apart from the relations of some of the seculars with their monastic chapters there is plenty of evidence to show that relations of much cordiality might exist, and very often did.

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1. HCY iii no. LXII, for which v. also EYC ii pp.275-6, and F.Barlow: Durham Jurisdictional Peculiars, London 1950, pp.64-7.
2. F.M. Stenton: Acta Episcoporum in Cambridge Historical Journal, Vol. III (1929) pp.1-15 p.10 n.. Below Appendix I Hereford no. 8 shows the abbots of Gloucester, Winchcombe and Shrewsbury at a synod of bishop Robert II of Hereford, but none of these houses lay in the diocese, and they can scarcely have been summoned as of right.
3. v. Nicholl: Thirteen pp. 187-91 for references to one example. There is another example, though brief, in Lambeth MS 1212 p.334, also known in two Worcester chronicles MSS of the xiv c. (for which v. below Appendix II)
4. GP p. 176, Charters and Documents illustrating the History of ... Salisbury ed. W. Rich Jones and W.D. Macray as Rolls Series no.97 (1891) no.6, RS 1715. cf The Red Book of the Exchequer, ed. in 3 Vols. by H. Hall as Rolls Series no. 99, (1896) i p.111 for Abbotsbury, and p.210 for Milton

4. The Bishop as Monastic & Religious Benefactor.

The special responsibility of the bishop to protect the possessions of the religious stressed in the False Decretals was reflected in the harangues of numerous episcopal confirmations of the period.[1] The very existence of these confirmations is sometimes evidence of the bishop's care for the monasteries, for not all of them were as painless for the bishop to issue as might appear. The ~~very~~ act of seeking one at this early date can sometimes indicate that the rights involved were being challenged, and some long sequences of charters are evidently related to the appearance of formidable counterclaims.[2] The bishop might then find himself torn between his duty to the religious and his ties of kindred and affection among the laity. The saddest illustration of this point is the account in the chronicle of St. Barbe-en-Auge of the dispute between the canons and William de Beauchamp, a close friend of bishop Simon of Worcester. The bishop tried every device to avoid condemning William's incursions on the canons' rights, and wept as his excommunication was at last read out.[3]

There is more direct evidence than this however. The Battle exemption suit so largely cited earlier was conducted between men usually on the friendliest of terms. The bishops of Lincoln were benefactors of St. Albans, as well as a threat.[4] Many of the bishops were similarly benefactors of houses in their dioceses; Thurstan of York, founder of St. Clements nunnery and Fountains abbey as well as the grantor of numerous gifts to other houses, and a Cluniac monk at Pontefract in his last hours was perhaps the most notable among the seculars, but he was far from unique.[5] Both Robert of Lincoln and Roger of Salisbury, the leaders of the anti-monastic movements of 1114 and

1. H pp.144 (c.iii), p.369 (c.xxxvii) for example. Compare the harangues of Remigius, Eynsham Cartulary ed. in 2 vols by H.E.Salter as Oxford Historical Society Vols.XLIV (1907) and LI (1908) i no.5, Everard in Cartularium..de Colne no.16 and Alexander of Lincoln in A Digest of the Charters...of Dunstable ed. G.H.Fowler as Bedfordshire Record Society Vol.X (1926) no.142, and below Appendix I Norwich no.2. There are of course many other examples.
2. The Thorney dedication charters appear to be such a group with an eye to the monks of Ely; Llantony's Henlow charters, for which v. below pp. 156-7 are another.
3. La Chronique de St. Barbe-en-Auge ed. R.N.Sauvage in Memoires de l'Acad. Nat. des Sciences, Arts et Belles Lettres de Caen, 1906, pp. 41-3.
4. Gesta Abbatum i pp.82,92 and 149.
5. Nicholl: Thurstan Chapters V & VII & Appendix I pp.248-9.

1123, left behind them at least one Benedictine house which owed a great deal to their generosity, at Eynsham and Sherbourne.[1] Few other houses had quite as much for which to thank their bishops, but the English Cistercians' first patron and founder was bishop William of Winchester, while the foundations of Thurstan at Fountains and Alexander of Lincoln at Louth Park were soon to follow.[2] These were splendid benefactions, but other secular bishops were moved to make some gifts to Benedictine houses.[3]

There can be no doubt however that the order which benefited most from their generosity was the emergent order of Augustinian canons. Richard of London founded St. Osyth, William of Canterbury re-modelled St. Gregory at Canterbury, William of Winchester founded Southwark and Taunton, William of Exeter founded Plympton and Launceston, Thomas II of York founded Hexham, and Roger of Salisbury seems to have played an obscure but important part in the founding of St. Frideswide at Oxford.[4] Where they did not actually found a house they often gave valuable help and support; Anselm had been largely responsible for the more exact observances diffused among the early houses from St. Botolph at Colchester, Roger of Salisbury intervened at a vital moment in the fortunes of Merton priory, and archbishop Thurstan was a notable supporter of the order inside and outside his diocese.[5]

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1. For Eynsham v. the Eynsham Cartulary ed. Salter i pp.ix-xii for Sherborne esp. RG 1042, 1324-5 and Annales Monastici i p.10. The dating of RG 1324, an important text for establishing the fasti of Salisbury is quite insecure; it is based on the unfounded belief that the church was dedicated in the year it became an abbey. The limits are at present 1122 x 1139.
2. Annales Monastici ii p.221, Mon. V p.241 (i); above p.142n. and EYC i 62; The Chronicle of Louth Park ed. E.Venables for the Lincolnshire Record Society, Lincoln 1891 pp. xxii-xxvii.
3. e.g. Ralph of Chichester and Richard of London to Lewes, Ancient Charters..ed.Round no.8.
4. Dickinson: Origins of the Austin Canons pp.113 for St. Osyth, 105 and 118 n.5 for St. Gregory, p.118 n.7 for Taunton, p.120 n.1 for Southwark, p.113 for Plympton, p.116 for Launceston, SD ii p.247 for Hexham, Dickinson p.114 n.1 for St. Frideswide. For William of Corbeil's efforts to found another house at Dover v. esp. C.R. Haines: Dover Priory, Cambridge 1930, pp.59-76. Fuller references to some of these foundations appear below.
5. Dickinson pp.98-104 for what I take to be an exaggerated account of the importance of the Colchester interlude; College of Arms, MS Arundel 28 f.7, an account of the drafting and granting of RG 1301 to Merton; Nicholl: Thurstan p.128-9. Appendix I York no.3.

The reasons for this stream of foundations and good offices must be diverse. There was perhaps first the modesty of the Augustinian life and so of the scale of their endowments, which was later to appeal to Gerald of Wales;[1] the economy with which such houses could be established was important to men whose wealth was so largely that of the office. Further it might be held that the Augustinians were a distinctive order in that they were expected to serve in the parish churches outside their walls; such foundations could then be conceived as ensuring the better performance of duties which the bishop was anyway bound to encourage. It was on just these grounds that cardinal Hildebrand had delivered his celebrated address in 1059.[2] The functions of such a community would be very close to those of the minster churches of the Anglo-Saxon past. Although most of these had for the most part long lost any active sense of their pastoral mission, and had become closed and often hereditary communities[3] they retained substantial endowments. Very similar conditions probably obtained in other churches which had reached a similar state by different roads, decayed monasteries like Leominster or Taunton, or the new foundations of the first generation after the conquest such as St. Audoen at Gloucester or St. Peter at Hereford.

The fate of these communities was very various; some of course survived in a slightly more reputable guise throughout the period, as Crediton did, some, such as Stoke by Clare, became the focus of a new monastic foundation, others, such as Wolverhampton and St. Audoen, were handed over entire to another house.[4] Those in the patronage of a bishop were however very likely to be converted into Augustinian houses, which offered a convenient means of reform without

1. Quoted in Southern: The Place of the Reign of Henry I p.139.
2. V. Dickinson: Origins pp. 30-1 . However v. below chapter VI pp. The largest foundation of the reign of Henry I was at Cirencester, basically established out of the fixteen churches once held by Regenbald the chancellor.
3. cf. for Plympton below Appendix I Exeter no.3; for Hartland Vie, Invention et Miracles de S.Hectan, ed. P. Grosjean in Analecta Bollandiana Vol. LXXI (1953) pp. 376-414 esp. pp. 408-11.
4. For Crediton v. Monasticon Dioceseis Exoniensis ed. G. Oliver, Exeter 1846 pp. 75 et seq., and The Crawford Collection of early Charters and Documents.... ed. A.S.Napier and W.H. Stevenson in Anecdota Oxoniensia, Mediaval and Modern Series, Vol. VII (1895) no.xiii; for Stoke [illegible] for Wolverhampton [illegible]:

revolution. The process was sometimes difficult, and might be gradual, but it can be illustrated very widely. So St. Osyth was a house of secular canons founded by bishop Maurice and 'regularised' by bishop Richard of London;[1] William Warelwast, the reformer of Plympton and Launceston, and one of those behind the changes at Bodmin, William of Corbeil at both St. Gregory and Dover, Thomas II at Hexham, William of Winchester at Taunton and Alexander of Lincoln at Dorchester were all similarly reorganising previously collegiate churches.[2]

Three nunneries were founded by bishops of the reign; that of St. Clement of York, founded by Thurstan, the nunnery of Malling founded by Gundulf of Rochester, and that of Ivingho founded by William of Winchester.[3] William indeed was the prince of monastic founders of his generation, with a truly catholic taste, for, not content with his nuns, Cistercian Waverley and Augustinian Southwark and Taunton, he is also reckoned the founder of the little Tironian house of Hamble.[4]

None of these houses was conceived on the grandest scale, for obvious reasons; not even the bishopric of Winchester could support the benefactions of a Walter Espec without an impoverishment which would have been quite irresponsible. Nevertheless the career of this former chancellor in particular, and of most of his fellows, reveals that an episcopate recruited very largely from the secular clergy and jealous of the 'encroachments' of the monastic order was yet neither unsympathetic nor ungenerous to the religious ideal.

5. Ownership and Patronage.

The bishop, as the guardian of the property of the church,

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1. There is a very full account of the founding of St. Osyth in Chapter II of Mr. Bethell's thesis.
2. For Launceston Monasticon...Exoniensis p. 21 n. and J. Leland: Itinerary in England and Wales ed. L. Toulmin Smith, London 1909 in 5 vols. i p.175; the case made by A. Woodcock in the Cartulary of St. Gregory .pp. ix-x is unconvincing; for Hexham v. The Priory of Hexham ed. J. Raine as Surtees Society Vols. XLIV (1864) and XLVI (1865), esp. i pp.53-8; for Dorchester v. VCH Oxfordshire ii p.87.
3. For St. Clement v. EYC 357, also Christina of Markyate p.126; for Malling v. Textus Roffensis ii f. 181 no. 181
for Ivingho Mon. IV p.269 (i)
4. T.F.Kirby: The Alien Priory of St. Andrew, Hamble.... in Archaeologia Vol.L pp.251-62 p.259, and A Chartulary of Winchester Cathedral, ed.(in abstract) A.W.Goodman, Winchester 1927, p.34. cf Voss: Heinrich von Blois pp. 78-9.

was attributed by the reformers of the Gregorian tradition a place in all transfers of ecclesiastical rights which involved him very closely in the affairs of religious houses.

Before the Norman conquest it seems virtually certain that the laity in general had felt themselves free to grant churches to anyone they wished, whether they granted it in perpetuity to a monastery, which would so acquire all the rights of an owner, or for a life or term of years to a priest, in much the same way as land could be alienated, leased or farmed. There is no evidence to suggest that the bishop was a necessary intermediary in either type of transaction.[1] The demand of the reformers, that no layman should presume to grant spiritual office, which has usually been treated as essentially a matter of high politics concerned with the control of kings and princes over abbies and bishoprics, was equally applicable however to the much larger class of lay 'owners' of parish churches.

As soon as Anselm began to reflect on the application of the papal decrees after his return to England in 1100 this problem exercised him. In 1102, Pope Paschal replied to some questions put to him by Anselm; one was

> 'Si de manu laici liceat episcopo vel abbati accipere ecclesias quas in suo dominio habent, cum eas non nisi a sed episcopatui vel abbatiae donent'.

To which he replied that it was quite proper for the bishop to receive churches from the hand of a layman, since all churches ought to be in the power of the bishop, (and so presumably such grants were in the nature of restorations), but that abbots should receive them from the hand of the bishop.[2]

This decision was incorporated in Anselm's council later in the year, when it was provided:

> 'Ne monachi ecclesias nisi per episcopos accipiant..'.[3]

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1. Barlow: The English Church .. p.244 and n.1. For what appears to be a characteristic grant of a church for life by an owner, who happened to be an abbot, v. Feudal Documents..from...Bury, ed. Douglas no. 103; cf Chapter VI below p.
2. PL 223
3. Westminster 1102 c.22.

The implication of this canon was clearly that what the laity might conceive as ownership was in fact something less, a right and duty of protection, an advocacy or 'ius patronatus'.[1]

There is a steadily increasing volume of evidence to illustrate the diffusion of this doctrine. A charter of Hugh de Lacy speaks of a grant of several churches to St. Peter of Hereford as by the hand of bishop Reinhelm, and another of William of Exeter describes a grant of churches to Barnstable by Joel of Totnes as made by his hand and consent, although Joel is still said to act 'iure proprietatis'.[2] Such grants by the bishop's hand continue through the reign.[3] At the same time the lay grant is more often defined as a right of presentation, and increasingly the bishops' charters speak of their making a grant at the request or presentation of the former lay 'owner'.[4] One rather remarkable text, the confirmation by Everard of Norwich to his cook of his hereditary estates, shows that men might be quite conscious of these changes, for it confirms to him his father's tenures:

'ita quod de ipsis ecclesiis habeat advocationem

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1. In general v. H.Bohmer: Das Eigenkirchentum in England, in Texte und Forschungen zur Englischen Kulturgeschichte; Festgabe fur Felix Liebermann, Halle 1921, pp 301-53, and 30 pp.561-600. A charter of Picot the sheriff in Liber Luciandorum de Bernewelle p. 40 appears to grant the canons 'ecclesiarum...advocacionem' in a charter which, if genuine, belongs to a period before 1092. It is however exceedingly suspicious, as are most of Barnwell's early texts.
2. Appendix I Hereford Misc no.1; William of Exeter's charter has been often printed, in facsimile from the earliest MS in C.Johnson and H. Jenkinson: English Court Hand 1066-1500, Oxford 1915 2 vols. ii pl.VI. A charter of archbishop Theobald, Saltman Appendix no.116 recalls a grant made to Gloucester by the hand of Herewald of 'Llandaff' (who died in 1104), but this may be an anachronism of the scribe's.
3. e.g. EYC ii 1012, Walker: Charters of ...Hereford no.60 . Mon. IV p.597 (vi), The Chartulary of Pontefract ed. W.C. Ransome in Yorkshire Archaeological Soc. Record Series Vol. LXXX (1931) no. 64, (RG 1241). Quite often the archdeacon might be instructed to make the actual grant; when Henry I gave the church of Sawbridgeworth to Westminster the charter of bishop Richard ran '..ego per Rogerum archidiaconum meum feci illos inde saysiari'. (Appendix I London no. 2); compare with this Appendix I Worcester no. 6 , and the more complex example of Lincoln no. 1 and Lincoln Misc. no. 1
4. Registrum Roffense p.212; EYC ii 687, 1367, vii 8; Appendix I Hereford no. 2 ; Newington Longeville Charters ed. H.E.Salter in Oxfordshire Record Society Vol. III (1921) no. 87, a charter of Nigel of Ely which may be quite late.

et omnes alias res habeat et teneat ita bene et honorifice sicut unquam melius tenuit pater suus.'[1]

Elsewhere too one can see how earlier grants were 'regularised' by a later canonical act; a charter of bishop Simon of Worcester confirmed to Gloucester abbey the church of Jersey and its appurtenances

'quas ex dono Walterii de Gloucestria multis iam annis quiete et inconcusse possederant, quas etiam ... filio eius et heredem per manum meam ...concessit et confirmavit salvo iure et dignitate episcopali.'[2]

It does not however seem that a literal surrender into the bishop's hand was necessarily required. Anselm himself attested a charter in which Gilbert fitz Richard spoke of his granting a church to Rochester, though by the archbishop's will and consent, and there are several similar examples.[3] Perhaps the most notable is the charter of William de Warenne granting the church of Weston Colville to Lewes, addressed to bishop Hervey of Ely, which continues:

'Ideoque mando vobis et precor ut nichili molo ex parte vestra hoc concedatis et litteris vestris confirmetis...'.[4]

A canon of the council of 1125 at once enlarged the provision of 1102 and diluted it in accordance with this practice, when it required both clerks and monks to receive no church or tithe without

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1. Appendix I Norwich no. 5 .
2. Historia ...de Gloucestria i p.247, (1125 x 1141).
3. Appendix I Canterbury Misc. no. 2 ; cf. the history of the churches of Langley and Wraysbury in Historia ...de Gloucestria ii p.166, (the grant by the layman Robert Corbon in 1112 by his knife on the high altar), pp.165-6,(the charters of Robert and Alexander of Lincoln describing the grant as by their consent), and pp. 164-9, (the documents concerning a later dispute which ended with the archdeacon of Buckingham reseizing the monks of the churches with their keys); also EEC i 36), iii 1367, 1486 (probably a confirmation rather than an original grant), the complex example Appendix I Lincoln no. 1 (which confirms three churches to St. Neots, one said simply to be granted by the owner, one granted with the bishop's consent, and the last granted by the hand of the archdeacon), and the case of Westfield cited below.
4. EYC VIII no. 18 (1121 x 1131); cf. Cartularium ...de Colne no. 71, a grant of one third of a church addressed to bishop Everard of Norwich which speaks of the grant as being done 'in quantum ad laicam pertinet personam'.

the consent and authority of the bishop, denouncing all other grants as invalid.[1]

This must have been one of the factors contributing to the increase in the number of bishop's charters which survive, but the extent to which the canons of either 1102 or 1125 were in fact observed cannot be determined from the surviving evidence. What are apparently old-fashioned grants by laymen without reference to the authority of the bishop are still found quite frequently after this date, but it is doubtful whether this evidence can be taken very literally. An example of its potential hazards, as well as a good illustration of the complex rights which the grant of a church might involve can be found in the records of Battle. The church of Westfield was given to the monks by Wening of Hastings, and they obtained confirmations from William fitz Alberic, Wening's overlord, the king and bishop Ralph of Chichester. Yet although Ralph's charter is unusually full there is nothing in the secular charters to show that it existed.[2]

7. Presentation to the Bishop.

Anselm's letter to Paschal on the grant of churches simply assumed that no layman could now grant a church to the priest who was to serve in it, and so presumably implied that this act would be performed by presentation to the bishop. This is the first clear reference to such a process in the English evidence, but examples of its actually taking place do not appear until the middle of the reign. By 1135 however there is enough evidence to prove that it was widespread, and may have been universal.[3] Many of these referenc

1. Westminster 1125 c.4; the similar canon of Westminster 1127, c.10, is more clearly concerned with temporary as well as permanent grants. Compare with these the narrower provision of Matthew of Albano at Rouen in 1128 in G.Bessin: Concilia Rotomagensis Provinciae, 2nd. ed., Rouen 1717, p. 81 . For a very odd example of a tithe grant by the bishop's hand v. Appendix I Worcester no. 4
2. Chronicon Monasterii de Bello p.53, BM Add Ch. 20161. RG 1805, Acta of...Chichester no. 5. It is of course possible that it did not, and is a forgery.
3. Appendix I Hereford no. 1 ; Life of Gilbert of Sempringham p.vi, where presentation was said to be 'ex more patriae'; H.M.C. Wells i p. 141; Letters and Charters of Gilbert Foliot no. 421; Appendix I Hereford ; Appendix I Chester no. 4 Appendix I Exeter no. 3 (a)

establish no more than the mere fact, but some of the evidence is more illuminating. The charter of bishop Alfwold confirming Westfield church to Battle provided that should the priest there die or be deposed for any reason

> '...abbas et monachi sancti Martini de Bello presbyterum in capitulari eorum quidam eis placuerit assensu totius capituli vicariam huic ecclesiae constituent et scriptis sui testimonio episcopo aut archidiacono vel decano presentetur et sic ecclesiae de Westfeld per monachorum sancti Martini de Bello/concessum hoc scriptum officio sacerdotali deserviat.'[1]

Two surviving charters may very well be such letters written for their candidate by monastic patrons, one by the abbey of St. Mary York for 'suic Vincentio', the other by the abbey of Colchester, addressed to archdeacon Stephen of Surrey and Alwin the dean for Osbern the priest.[2]

Two other charters are examples of the letters issued on behalf of such a candidate by the bishop. One, from Alexander of Lincoln to the archdeacon of Buckingham, is very full and precise:

> 'Vias ad nos litteris suis abbas et monachi Gloucestrie presentaverunt nobis Willelmum filium Theoderici clericum suum, postulantes ut ipsum in ecclesiis suis de Birecesburia et Longeleia personam institueremus. Nos autem petitionibus eorum acquiescentes predictum Willelmum suscipimus et eum in prenominatis ecclesiis personam instituimus, vobis mandantes quatinus et vos ipsum suscipiatis et personam a nobis in predictis ecclesiis institutam capitulo ad denuncietis, sic tamen ut ille Willelmus prefatis monachis de annuo censu quem de eisdem ecclesiis ecclesie Gloucestrie reddere debet sufficientem in presentia vestra securitatem prestet...'[3]

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1. Acta of...Chichester no. 5. [illegible] charter attributed to bishop Osbern, 1087 x 1104, below Appendix I Letter no. [illegible] follows the phrasing of this text almost word for word. It seems very unlikely however to be authentic.
2. EYC iv no. 139 (from the mid-century), and Chartularium de Colecestria ii p.512. The latter is a chirograph, hence presumably the abbey's copy, and cannot be much after 1130, since it is addressed to archdeacon Stephen.
3. Historia ....de Gloucestria ii p.170.

It seems very likely that the last clause of this letter explains the detail into which both the letters from patrons to the bishop enter on the services they expected from the priest they sent to him for institution. The second example of such a letter is less detailed; in it bishop Everard of Norwich told his archdeacons and deans that he had given 'huic Rogero sacerdoti' a church with all its revenues at the presentation of the prior, convent of Castle Acre, and the parishioners of the church.[1]

These indications of the way in which the bishop had secured himself a place in the transfer of rights over parish churches do not of course establish that he had an effective control over the quality of the clergy. It was one thing to insist that all clergy must be presented to him; it was quite another to reject such candidates as insufficient. If the laity were prepared to conceive that their rights might have to be exercised through the bishop it was far from certain that they would acquiesce in the overthrow of their exercise of patronage;[2] nor were many of the bishops so learned or so dutiful that they could conduct such a campaign with any confidence. Nevertheless this change does represent a very significant extension of episcopal authority, and the causes of such a change deserve attention.

Nothing in the history of English conciliar pronouncements in the period encourages one to believe that merely declaring a principle secured it rapid or general support, and causes beyond the authority of the canon law were presumably at work.

Much that has already been said on the consecration of churches is relevant here; occasionally even the dedication might be the occasion for granting a church to another corporation.[3] The episcopal charters connected with such events however have shown the increasing elaboration of the bishop's administrative machinery,

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1. Appendix I Norwich no. 8 (1121 x 45). The reference to presentation by the parishioners is particularly striking.
2. When so many of the owners had actually built their churches their claims to consideration were always very strong. The priests chosen by Luga Bainard at Little Dunmow or the 'probi homines' of Exhall (above pp. 137-9) had a powerful claim on the bishop's indulgence.
3. For a pre-Conquest example Fig. 925; for another of c.1090 x 1101 Hom. III p. 521 (vii).

a point to which I will return often, and it was this that seems to have played the greatest part in establishing the necessity for his consent to the transfer of churches. He was given a place because it was too inconvenient to ignore him.

Two examples from the last years of the reign of King Henry illustrate the point very well. About 1130 Ranulf, priest of All Saints on the Wall, London, determined to become a monk of Reading, but gave his church to the canons of Holy Trinity, Aldgate. However he seems to have omitted to obtain the consent of the bishop of London, who seized the church into his own hand on the complaint of Osbern, the late rector's brother. Only after the abbot of Reading had sent the bishop an account of Ranulf's evidence and the king had been persuaded to issue a writ ordering the bishop to restore the church to the canons:

> 'sicut potuerint disracionare per suos legales
> testes quod eis res illa in elemosina data fuerit'

did they recover possession.[1]

A very much fuller example of a case which continued into the reign of Stephen comes from Llantony. Nigel fitz Arfast, tenant of William d'Albini in the soke of Henlow in Bedfordshire, gave the canons of Llantony land and the church there:

> 'scilicet eam advocationem et iurisdicionem quam in
> ea habebat sicut advocatus eius et feodi in quo sita
> erat.'

The gift was confirmed by William d'Albini and the king, and by Robert, the former prior of Llantony who became bishop of Hereford in 1131, after Nigel had repented of an attempt to revoke his grant. Later Nigel became a canon of Llantony, but the 'ministri' of bishop Alexander of Lincoln, the diocesan, refused to recognise the gift, claiming that they had heard that Nigel had subsequently endowed his daughters and son with the church. At Gloucester the two bishops had met, and Alexander had been persuaded to issue a confirmation of Nigel's gift. However neither this nor the privilege of Innocent II which included

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1. Below Appendix I London Misc. no. / ; the royal writ does not appear to be catalogued in ms.

the grant sufficed to repress the hostility of the bishop's agents, and Robert wrote again to bishop Alexander with some passion, very possibly securing a second mandate from him.

So, neither Nigel's second grant, nor the lay confirmations, nor the pope's privilege, nor the testimony of the bishop of Hereford was enough to satisfy the agents of the bishop of Lincoln, for

> 'qui in officiis agunt episcopalibus dissimulare se scire quid iuris habeant canonici in ecclesia Heneslawe cuius donacionem nec viderint, ut dicunt, nec audierint.'

For these their own bishop's confirmation was essential, even if that too needed repeating.[1]

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1. This account is derived from a long series of charters in the Llantony cartularies in the P.R.O. The relevant texts are: Nigel fitz Ertest's grants, Appendix I Hereford Misc. nos.2, 3 , Robert of Hereford's account of Nigel's agreement, Appendix I Hereford nos 11-12, his two letters to bishop Alexander ib. nos. 13 - 14 , Alexander's two mandates Appendix I Lincoln nos. 3, 4 , the royal writ is RS 1730, Appendix no. CLXV, the papal privilege PU I. 16 of 1131, William d'Ubini's confirmation is P.R.O. C.115 A 9 f. 142 , also C. 115 A 1 Sign. X no.iii.

8. Episcopal Justice.

As the bishop's responsibilities were increasing, and the number of his agents was rising, so there is an increasing volume of evidence for his exercise of judicial as well as pastoral and sacramental authority.

a. Extent of Jurisdiction.

This jurisdiction was both real, over rights and property, and personal. His personal authority again extended over both clergy and laity. In 1070 it was provided that

'episcopi liberam facultatem habeant per diocesin tam de clericis quam de laicis'[1]

and succeeding councils legislated for both orders. In practice however there was a distinction; over the laity, with few exceptions, the councils claimed little more than jurisdiction over faith and sexual morals,[2] over the clergy their authority was far wider. In the matter of faith there is very little evidence either of heresy or measures against anything except superstition.[3] Sexual morality however was a constant preoccupation of the councils, and especially the institutions of Christian marriage; Anselm also launched a major assault on the apparently widespread practice of unnatural vice.[4]

Evidence of such a personal jurisdiction over the laity being exercised, not merely claimed, is however very scarce. During Anselm's pontificate there were a few cases concerned with the right to marry, already touched on, and in 1136 the first stage of the interminable Anstey case began before the archdeacon of Colchester;[5] it would however be unwise to assume that this lack of evidence reflects a lack of activity, for a canon of 1125 on procedure in such cases clearly assumes that they are likely to occur.[6] A writ of Henry I

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1. Wilkins i p.365 c.6 of the Windsor council.
2. In 1102 Anselm prohibited the selling of men into slavery, in England a dying practice, and also attacked the 'criniti', whose conduct seems to have been treated almost like a sexual aberration cf. Westminster 1102 c. 24.
3. London 1075 c 8 in W. i p.363, Westminster 1102 c.27. Westminster 1125 c.15.
4. On marriage v. London 1075 c.6, Winchester 1076 c.6, Westminster 1102 cc.23,25, Westminster 1125 cc.16-7; on the sodomites Westminster 1102 c.29, EA 257 and 365, and p. 127 above.
5. Above pp 49 ,103 and The Letters of John of Salisbury Vol. i ed. W.J. Millor and H.E. Butler, Edinburgh 1955, no.229. cf too Christina of Markyate pp.61-71, Eadmer c 21.
6. Leges Henrici 1125 c.14

for bishop Maurice of London lists some further areas of jurisdiction when it confirms to him as well as some secular rights power over 'morðspecce', 'unrichthæmed' and 'unrichtweorc'.[1] 'Morðspecce' seems to be an otherwise unknown word; the apparent translation 'deathspeck' is meaningless and the more probable 'deathspeech', i.e. blasphemy, is apparently linguistically improbable.[2] 'Unrichthæmed', adultery, was however apparently a sin over which the bishops did exercise their jurisdiction, for one version of the council of 1108 includes the provision that the concubines of the clergy were to be handed over to the bishop with their possessions 'velut adultere', which seems to imply that this was a familiar process.[3] 'Unrichtweorc', secular work on Sundays and feastdays can also been seen as a crime punished by the bishop, for one of Anselm's letters complains that the archdeacon of Chichester

> 'accepit homines meos quasi pro forisfactura fractae festivitatis, et de iis plegios accepit, nec ante eos voluit dimittere quam plegios haberet.'[4]

His complaint was that this was an infringement of his rights, not that the act was itself improper or unprecedented.

Over the persons of the clergy the councils both claim and illustrate a much wider jurisdiction. At one time or another the marriages, clothing, usury and public drinking of the clergy all came under attack, as well as the way in which they performed their priestly functions.[5] The eradication of a married clergy, the most constant preoccupation of these councils, produced some canons which illustrate the mechanics of such jurisdiction more

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1. Early Charters of..St. Pauls no. 23.
2. These are largely the comments of Professor F.S.Scott of Auckland University, who was kind enough to examine the problem for me.
3. London 1108 c. 7 ; compare with this the statement in the Domesday Monachorum p.98 that in cases of adultery in Kent the king had the man and the archbishop of Canterbury the woman, and also the provision that the concubines of the clergy when arrested 'servituti episcopali ...mancipentur' in Westminster 1127 c.6.
4. EA 469; in the Miracles of St. Erconwald in CCC Cambridge MS 161 ff. 31-45 two such sinners are mentioned working on the saint's day; one was reproved by his friends with the words: 'Episcopo civitatis immo Deo patrie celestis inobediens existis cum indictum negligas festum' (f.42v).
5. Esp. Westminster 1102 cc7-13. Westminster 1125 cc.2,6,14, are the canons most directly concerned with the clergy on these

clearly. After the council of 1102 had prohibited a married clergy entirely it appears that the archdeacon of Canterbury had summoned gatherings of the clergy in which he had excommunicated all those who resisted the change,[1] but much fuller information comes from the council of 1108. It provided that those of the clergy whom two or three witnesses or 'publica parochianorum fama' accused of incontinence should either clear themselves by the oaths of an appropriate number of their order or be ejected; the archdeacons and deans should swear not to conceal any such offenders, and any who were detected were to do a forty day penance; should any subsequently lapse their possessions and their concubines should be handed over to the bishop. In 1127 it was further provided that any former clerical concubine who repeated her offence should be tracked down by the bishop's minister, in whatever lordship she might be, and handed over 'iudicio' to either ecclesiastical discipline or episcopal servitude.[2]

The overwhelming majority of the surviving evidence for episcopal jurisdiction concerns however the rights and property of churches, not the faults of men, as is to be expected. Both the charters which reveal this jurisdiction and the provisions of the councils just cited suppose the existence of episcopal courts in which it was exercised, and it is these that now demand discussion.

b. Origins of Episcopal Courts.

The nature of the administration of episcopal justice in the period immediately before the Conquest, and the significance of the reforms introduced under the Conqueror have long been matters of difficulty and contention. For lack of evidence the difficulties are likely to endure, but briefly the position appears to be this. There is a great deal of pre-conquest evidence that ecclesiastical cases and secular ones indifferently were heard in the courts of shire and hundred; there is a certain amount of evidence that the bishop had a particular duty to seek out certain types of offence and a right to the penalties exacted for certain offences or from

1. EA 374.
2. Westminster 1127 c.6.

some classes of offender; there is a very little evidence that 'synods' with some judicial competence were envisaged, and even less that one or two may actually have met.[1] After the Conquest appear two closely related texts, canon 9 of the council of 1076 and the celebrated writ of William I, which has often been taken to represent a policy of separating lay and ecclesiastical courts, probably issued about 1080, but of doubtful purpose.[2] Whatever view one takes of these texts there is enough evidence to show that courts apparently more lay than ecclesiastical long continued to hear causes which would subsequently be regarded as the prerogative of the church.[3] However, after 1080 there is an increasing body of evidence to reveal the working of distinctively ecclesiastical courts too, although it does not become abundant until the later years of Henry's reign.[4] In 1100 then, although the later sharp distinctions had not been drawn, there is evidence of a separate ecclesiastical jurisdiction. Whether one regards this as the result of an evolutionary process or as a slow and diffuse response to an act of will by the Norman conquerors is, for my purposes, irrelevant.

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1. A rather sceptical paraphrase of Barlow: The English Church pp. 245–6.
2. p. 367; F. Liebermann: Die Gesetze der Angelsachsen, 3 vols. Halle 1903–16, i p.485; the later date for the writ here given comes from D.J.A. Matthew: , an all too contracted but valuable study. Unfortunately it was not discussed in C. Morris: William I and the Church Courts in EHR Vol. LXXII (1967) pp.449–63.
3. e.g. Facsimiles of Charters in Oxford...ed. Salter no.1, Cartularium.. de Colecestria i p.78 (1125 x 1129 from the occurrence of Fulk the sheriff) Historia ... de Gloucestria ii p.75, EYC ii 873 (1130 x 1139). All these cases suggest a 'mixed' jurisdiction of the earlier type.
4. Similarly exemption charters supposing the existence of a distinctively ecclesiastical jurisdiction also begin to appear: there do not however seem to be any genuine pre-Conquest parallels to the Norman examples so largely discussed in J.F. Lemarignier: Etude sur les Privileges d'Exemption et de Jurisdiction Ecclesiastiques des Abbayes Normandes, Archives de la France Monastique Vol. XIV (1937). This contrast is scarcely made by Morris, whose arguments depend in part on the forged charters CDF 1130 and EYC IV no. 1; if these were forged on the basis of some Norman exemplar, as is perfectly probable, they are more likely to reflect in part earlier practice in Normandy, not England.

c. The Bishop's Courts.

In examining the evidence for episcopal courts great care is necessary, for a bishop might preside over a bewildering variety of assemblies, all of which might be described as 'his', but only some of which were strictly ecclesiastical. As shire justiciars many no doubt continued to preside over courts very like the shire courts of their predecessors; as the lords of great baronies they held theirown honour courts, and several examples of proceedings there s urvive. However the witness lists of three documents apparently drawn up there show that lay and ecclesiastical witnesses appeared together, and although the business which we know to have been conducted there was secular the same assembly might have discussed ecclesiastical affairs with equal propriety, and may well have done so.[1]

Apart from such examples however three broad classes of court seem to appear in the evidence. The first group comprises those assemblies which might act as courts because the bishop delivered a public judgement there, but which had no formal composition or regular session. The second contains the judgements delivered by the bishop in chapter, fixed in place, and relatively so in composition. The third contains his judgements in synod, as fixed in composition and more so in time, but held in a variety of places. The first group contains some judgements which may well belong in either of the other two, but of which we do not know enough to decide, and the other two present difficult problems of category, so that these groups are by no means rigid or secure; they are convenient, but can only be used cautiously.

In discussing the consecration of churches it has already been seen that such occasions often had a judicial aspect, with juries

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1. Dodwell: Charters relating to...Bacton p.158; J.H.Round: Bernard the Scribe, in EHR XIV (1899) pp.417-30, p.421; Two Chartularies of...Bath pp.49-51. M. Sheehan: The Will in Medieval England p.168 saw in the Bath document evidence of ecclesiastical jurisdiction over testaments, but this is I think wrong. The prior gave witness that a former tenant of the church recognised on his deathbed that he had only a life tenure. He was not willing the land to the priory, but recognising that he could not will it to anyone, since it reverted to the church by right. cf. Tyton: Antiquities VI pp. 182-3, and the references above p.117

giving evidence and the bishop delivering judgements on parochial dependence. The case of Christina of Markyate's vow of chastity similarly shows the bishop delivering a judgement because he was nearby, but not presiding over a court of defined composition.[1] In an earlier case at Abingdon bishop Osmund placed an interdict upon a chapel of the abbey at the instance of the priest of the mother church, and the relations of the two churches were determined in a charter drawn up before the bishop when he visited the abbey in 1089.[2]

Other evidence of such judgements comes from charters alone, and these are difficult to handle since often one can only deduce the occasion on which they were issued from the witness list, even when the text is authentic. Two such charters however seem to offer good evidence of a similar exercise of authority. A quarrel between the abbey of Burton and Robert de Fredeville was at last composed at the priory of Kenilworth before bishop Roger of Chester, who was presumably there visiting the family foundation,[3] and a charter of Alexander of Lincoln appears to record some business transacted during a visit to Thorney. It is an interesting text in which the bishop first recites an agreement between the abbot and the son of a benefactor at which he was present and then continues:

> 'Sciantque universi definitum fuisse ante me quod Gaufridus supradictus sacerdoti de Giveldena sic necessaria adinveniet ut non habeat ullam causam super his conquerendi de abbate.'[4]

There is a marked contrast here; the bishop was present at the convention over land, but the question of the priest's stipend was defined before him, a shift of phrase which points the contrast between witness and judge very neatly.

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1. Christina of Markyate pp.64-72.
2. Historia de Abingdon ii pp.18-9.
3. An Abstract of the Contents of the Burton Cartulary, ed. G. Wrottesley in William Salt Archaeological Society, Collections for a History of Staffordshire Vol. V pt.1 p 32 The MS is now B.L. Loans 30. c.f. an earlier near-parallel in An Abstract ...p. 44-50, where bishop Robert was sent to arbitrate by the king at Burton with William Peveroll.
4. Appendix I, Lincoln no. 5 , with which cf the imperfect text Mon. II p.601 (xiii) from Camb. UL Add: 3021 f. 414v.

Three other texts mention judgements of the bishop which cannot be referred to sessions of either chapter or synod. In one Robert de Rames granted the church of Ardleigh to Colchester abbey with the consent of William the priest:

> 'qui de donatione Willielmi mei patris illam habuit quando Iotselina inde se diuisit coram episcopo Ricardo pro suo forisfacto'.[1]

The second is the confirmation by Richard II of Hereford to Reading of the church of Leominster with the forty four chapels which ancient and law-worthy men had asserted before him to be in its 'parochia'.[2] The third is the long and celebrated account of the quarrel between Ramsey abbey and Antimus the priest with Baldwin his son over the church of Shillington, which had been surrendered to the monks before the bishop of Lincoln. When Baldwin tried to recover possession with the king's aid the abbot offered him judgement either in his own court or that of the bishop. This early version of the procedure under a writ of right seems to have found the abbot quite unprepared, but what sort of bishop's court he had in mind is now obscure, and may well have been then.[3]

There is a great deal of evidence for the bishop's presence in chapter when judgements were delivered or agreements reached, but much care is necessary in dealing with it. Many of these cases concern his attending sessions of the cathedral clergy when they dealt with the management of their estates, granting or revoking leases or disputing matters of title, but these are examples of an ecclesiastical corporation engaged in the sort of business any lay lord had to conduct, and are not relevant here.[4]

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1. Early Charters of...St. Pauls no. 95 of 1140 or so; hence the reference is to Richard I.
2. Mon. IV p.56(iii)
3. Chronicon Abbatiae Rameseiensis...ed. W.D.Macray as Rolls Series no.83 (1886) pp.247-8.
4. e.g. Early Charters of...St. Pauls no. 198; The Domesday of St. Pauls...ed. W.H.Hale as Camden Society, Old Series, Vol.LXIX (1858) p.127; HMC IX Report Appendix Pt. 1 p.31b no. 240 and p.66a; Charters and Records of Hereford Cathedral ed. W.W.Capes no. 12; Two Cartularies of Bath pp. 51-5; Feudal Documents from...Bury, ed. Douglas p.cl n.2; The Exeter Book, facs. ed. f.5; Norwich D & C, Reg. I f.224^{v}; Register of St. Osmund i p.381; Appendix I Worcester no.1.

Secondly, as will be seen later, the word 'chapter' has at least two senses, and it is necessary to distinguish between the cathedral chapter and those 'chapters of priests' which also appear. Thirdly the bishop's synods were sometimes held in the cathedral church, apparently in the chapter house or in the presence of the cathedral clergy, so that a grant might be said to be made 'in synod and chapter' without suggesting with any force that two separate occasions were involved.[1] However there remains some evidence that the chapter was an appropriate place for the delivering of judgements and other public acts in which the cathedral clergy were not the principal protagonists.

Two disputes form something of a bridge between those in which the chapter was involved as lord and those in which it was simply a public occasion. The disputes between Battle and the bishop and chapter of Exeter and between St. Peter of Hereford and the bishop and chapter of Hereford cited earlier were both concerned with the ecclesiastical privileges of the chapter, and both were settled in chapter.[2] Equally two other disputes between the bishop and an abbey in his diocese were resolved there when the chapter itself was less directly concerned, those of the bishop of Chichester and Battle and the bishop of Lincoln and Peterborough.[3]

There are however two examples of agreements in chapter where the cathedral and the bishop can scarcely be said to be parties at all; one a dispute over a London church settled before the canons and citizens of London and the bishop, although both parties agreed to pay the canons a small rent, and the other a quarrel between the monks of Seez and Shrewsbury apparently appeased in the chapter of Hereford only because bishop Robert had persuaded them to come to agreement.[4]

What remains is in many ways the most interesting body of evidence, that for synods.

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1. CDF 334
2. Above pp. 103, 106.
3. Above pp. 108, 143
4. HMC IX Report Appendix Pt. 1 p.63b. Appendix I Hereford no. 5 of Appendix I Hereford no. 3 , for a record of a grant to Shrewsbury made in the chapter of Hereford. Mon. IV p.597 (vi) is a grant to Monmouth made in the chapter of either Monmouth or Hereford, it is not clear which.

'Synod' is in some ways as tricky a word as chapter; what I am here concerned with were the gatherings held by the bishop twice a year attended by men (and possibly women) drawn from the whole diocese, in which the parochial clergy were the largest single element. However synod was a word with a less specialised sense; it might be applied to any gathering, particularly any ecclesiastical gathering, and might in particular describe a provincial council. Further, there is by the end of Henry I's reign a certain amount of evidence for the holding of archidiaconal synods drawing on an area smaller than the diocese.[1]

The celebration of episcopal synods was enjoined upon the English episcopate by the first councils held after the Conquest. It is not clear whether these envisaged one or two annually, and practice varied in this matter right through the thirteenth century, but the evidence from Henry's reign suggests that two were quite common.[2] Some traces of the way in which these canons were carried out, though not of the extent to which they were, can be found in the records of the exemption suits already so often cited, and in a small but growing body of charters recording judgements in synod. Since the exaction of a synodal due from those who attended was quite widespread some references to this help to show the incidence of such assemblies. From this evidence one may attempt to answer three principal questions - who went, where did they go, what did they do there?

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1. H. normally uses the word to mean a metropolitan council, and cf. HN p.142 and JoW p.20. Cartulary of...St. Gregory, Canterbury no.3 is witnessed by the 'holy synod of Canterbury', and this may well mean simply the prior and monks. cf. the probably forged charters in Historia...de Gloucestria i pp.25[illegible]-1 and ii p.41. For archidiaconal synods v. Chapter V below.
2. Two of the three early MSS of Winchester 1070 read for c.13 'Quod quisque episcopus omni anno synodum celebret'; the best and earliest however, CCC Cambs, 19[illegible] p.292, reads 'omni anno bis synodum'; this is the only MS for Windsor 1070, which also requires (c.4) two synods. For these councils and MSS v. Brooke: Lanfranc, The English Bishops.... pp.58-9; W i p.365 for Winchester from BL Cott. Tib.C I and Windsor from (?) CCC Cambs. 190; for the thirteenth century v. J.R.H. Moorman: Church Life in England in the Thirteenth Century, Cambridge 1945 p.197; for the reign of Henry v. EYC 141, (and C. Clay: The Early Precentors and Chancellors of York in Yorks. Archaeological Journal Vol. XXXV (1943) pp.116-38 pp. 129-30), and below Appendix I Norw[illegible] no.

~~1. v. Additional note on the end of this chapter~~

Almost all the surviving documents deal with the obligation of the parish clergy to attend. The earliest post-Conquest evidence for the holding of such synods is concerned with this, for Lanfranc told Stigand of Chichester that he had allowed the 'clerici villarum nostrarum' in Sussex to attend the bishop's synods, but only for restricted purposes, while the monks of St. Augustine claimed that Lanfranc had persuaded abbot Scotland 'to lend him his priests to make his synod appear more impressive'.[1] Similarly the abbot of Battle was concerned to prove that Battle parish church should be free of all ecclesiastical customs and the priest

> 'cum aliis presbyteris ad synodum tantum eat .... episcopalia precepta auditurus.'[2]

There is however some evidence to show that members of the laity were both liable to summons and did attend. Lanfranc compelled the priests of the churches of St. Augustine 'parochianosque eorum' to attend his synods, while a charter of Robert of Chester freed the parochial chapel of Burton from parochial dues

> 'nec mittat hominem aut feminam ad capitula vel synodos...'.[3]

The witness lists of three charters drawn up in synod similarly reveal the presence of laymen. The nature of the business which might be conducted there, disputes over episcopal status and so on, must have demanded their presence both as interested parties and as witnesses.[4]

The place of meeting of these synods is rarely mentioned. The aberrant record of a synod held by Wulfstan in 1092 describes a session in the crypt of the cathedral, and the synods of Robert of Hereford seem to have been held at the cathedral too;[5] remarkably however the best evidence comes from the diocese of Chester, where Roger de Clinton presided over synods at Derby, Coventry and Lichfield. The very slight supporting evidence might suggest that the Chester

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1. HN pp.21-2, Thorne: Chronicon S. Augustini coll. 1790-2.
2. Acts of Chichester no.6.
3. Appendix I Chester no.1
4. Reg. Ant. ii no.202, where the laymen involved in the settlement attest, Stenton: Acta Episcoporum p.10n; and Worcester D & C Reg. I f.25^{v} where prior Ralph of Worcester is said to have proved his case in a Chester synod 'idoneis tam clericorum quam laicorum testimoniis' rather later.
5. AS i p.543 — W i p 413 § Appen [illegible] Hereford nos. 3, 9

pattern was the more general.[1]

There remains the question of the business that was transacted at these gatherings. This was twofold, as the Battle evidence cited above has already suggested, for these synods were at once occasions for the bishop to encourage and instruct his clergy and for the hearing of appeals and settling of disputes; this double aspect was one which confused issues of exemption and immunity. So Lanfranc had originally allowed his clergy to attend the synods of Chichester

> 'quatenus..ea quae ad Christianae religionis
> notitiam prodesse possunt sine interpellatione
> vel discussione aliqua a vobis audirent',

and had asked the clergy of St. Augustine to attend his own

> 'non de aliqua re ibi placituros sed tantum ad
> audiendum sermonem archiepiscopi',

while the priest of Battle was to attend his bishop's synod not to be judged but to hear the bishop's precepts.[2] There was incorporated in many contemporary pontificals an address suitable for delivery by the bishop on such occasions, although he might presumably speak in his own voice whenever he wished.[3] In one very odd charter it appears that bishop Simon of Worcester conceived his synods as sources of communal prayer much like a religious community.[4]

It is their second aspect however, as courts, that is my chief concern here. As the exemption and immunity cases show it was at synods that the clergy might well be judged,[5] and the errant laity might also find themselves condemned there. While Anselm was in exile he was told by one Ordwy that it was widely asserted that

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1. Registrum Antiquissimum ii no. 202, Appendix I no. 4 and D & C Worcester Reg.I f. 25^{v} for Chester synods; Appendix I Worcester no. 5 envisages synods at Gloucester and elsewhere, and Registrum Antiquissimum i no.52 (RG 1911) seems to provide for synods at Peterborough.
2. HN p.21, Thorne: Historia S. Augustini col. 1791, Acta of Chichester no.6. cf the very suspicious EYC iv 1.
3. Le Pontifical Romano-Germanique du Dixieme Siecle ed. C.Vogel and R. Elze as Studi e Testi Vol. 226 (1963) pp.275-307; for the descent of this text v. G.Morin: L'Auteur de l'Admonition Synodale sur les Devoirs du Clerge in Revue Benedictine Vol.IX (1892) pp. 99-108; a quite distinct itext, perhaps, from an English bishop, appears in a late xii c. Rochester S, BL Royal 6 A. xi ff.156-60. This is much more concerned with a drunken clergy, and does not mention celibacy at all.
4. Appendix I Worcester Misc. no.1 .
5. n. 2 above; cf. Appendix I Lincoln no. 1 .

laymen had usurped the rights of a number of the clergy from churches under his care:

> 'clericosque quosque ecclesiarum sullivisti dicentes se saepius privatim et publice in synodo de illis iniuriis ad me (sc. Anselm) clamorem fecisse nullumque auxilium accepisse...'

to which the archbishop replied that he was sure he had delivered an adequate 'correptio' on such occasions, although he could not remember any.[1]

Since however the great bulk of evidence comes from charters it is not surprising that we know far more about the way in which synods dealt with the rights of churches than the faults of men.

The earliest record of proceedings in synod after the Conquest concerns the assembly of all the wisest men of the three shires in the diocese of Worcester, summoned by Wulfstan to determine the parochial status of the city churches of Worcester. A committee reported that there were no mother churches in the city except the cathedral, to which the other churches had all ceded their rights in the time of Oswald. It is however not clear that this is strictly a synod in the later sense, and it is certainly not an example of the routine celebration of such assemblies, for it was summoned for a quite specific purpose; it should perhaps be regarded as an isolated case, a minor ecclesiastical parallel to the Pennenden Heath and Ely land pleas.[2]

Almost all the other cases which we know to have been heard in synod similarly dealt with the status of churches, and their rights and duties towards earlier mother churches or later chapels.[3] However other issues are recorded; in an unusually solemn synod at Hereford the monks of Leominster and Milo the constable were brought to agreement over the parochial obligations of the men of Bradfield, while the same house was also involved in a dispute with the abbot of Castaillons over tithes.[4] The most substantial issue debated

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1. EA 336, Anselm's reply.

2. Often printed, best in AS i 542-3.
3. Appendix I Winchester no. 1 , above p. 167 nn. 4 and 5 .
4. Wilkins I p.413; Appendix i Hereford no. 8 .

before any synod of the period of which we know, the ownership of a church was settled by a complex and peculiar procedure. Although it concerns the bishopric of St. Davids therefore it demands attention here.

In 1152 bishop John of Worcester adjudged the church of Daugleddau to Worcester for an annual pension of half a mark to be paid to Gloucester, and into the record of his judgement were copied several earlier documents concerning Gloucester's title, including three writs of Henry I. The first orders Walter fitz Wisceo to reseize the monks of Gloucester of whatever their lawful testimony could prove to be the gifts of Wisceo his father; the second orders bishop Bernard of St. Davids to ensure that this was done, but it is the third which is of the first importance. Again addressed to the bishop it confirms to the monks the church and its appurtenances:

> 'sicut inde habent cartam praedecessoris tuae(,) de concessione tua, et sicut eam ante transfretationem meam praecepto meo et iudicio sinodi tuae dirationaverunt; et sicut hoc postea per ipsam synodum recognitum fuit quod ea ita dirationaverant'.

It seems then that the king ordered the hearing of the case in one synod, and its decision was then recognised in another.[1] It appears that the point at issue, which is not mentioned in these texts, was that Wisceo had made a double grant to both houses, the first under peculiar circumstances, and that in effect bishop John had reversed the decision of bishop Bernard in favour of his own chapter.[2]

It seems clear that ecclesiastical courts were widely held by the end of the reign of king Henry; one can even discern the nature of some of the business being transacted there. What is not so clear is the question of the law which was being administered

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1. Historia ...de Gloucestria i pp.263-6 nos. CCI-VII. The editor gave himself great difficulties with this text, which is in effect one document in which the others are transcribed. The date attached to no. CCVII is that of the whole inspeximus. The royal writs are RG 1754-5 and 1938 (very misleadingly calendared) CD i nos. D 93-7 adds some more difficulties to its summary.
2. The basis of the Worcester claim is set out in a document of the first interest Worcs. D & C Reg. I f. 34^{v}, of the reign of Stephen. For grants in synod v. C D F 334 and Appendix I Hereford [illegible] no. 3

in these courts. When the charters do allow a glimpse of the procedure behind a judgement the scene is curiously familiar; the parties are producing ancient and authentic witnesses such as they would have done in a secular court. It is probably true that the forms of ecclesiastical justice were still nowhere very different, but it is not until the 1140's that I can find any English reference to distinctively canonical practice.[1] Within years the activities of Theobald and the papal judges delegate would make canonical forms far more familiar, but, if only for lack of evidence, they cannot be traced before the reign of Stephen.

9. Episcopal Revenues.

The bishop could draw on four principal sources of revenue: his estates, the churches of which he was the 'owner', some renders made to his cathedral church, and the obligations of his parishioners to him as bishop. With the first of these I am not directly concerned at all, with the second, which the bishop shared with any other ecclesiastical owner, I deal in another chapter, and it is only the last two which can be said to be peculiarly episcopal revenues.

As the mother church of the whole diocese the cathedral might enjoy revenues similar tothose of any lesser mother church but on a larger scale, in oblations and sepulture; in these the bishop would normally participate, as he did in the endowments of the church and see. Originally indeed they may well have been at least notionally at his entire disposal, but the same movement that saw the division of lands between bishop and chapter saw the revenues from oblations and sepulture also attributed in a whole or in part to the chapter. Thus Lanfranc gave his monks half the oblations of their high altar, and Anselm gave them the other half,[2] while bishop Richard of London

> 'Quoniam in dominicis preceptis frequenter
> reperitur qui altario deserviant de altario
> vivant...'

gave the canons of St. Paul's all the oblations at the patronal feast,

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1. HMC Rutland Vol. IV p.149 calendars a charter of Alexander of Lincoln addressed to an archdeacon and dean ordering the restoration of tithes to the monks of Belvoir since 'iuxta statuta canonum' no claim could be made in the face of a 'tricenaria possessio non concusse'.
2. EA 474 from the original charter of Anselm.

as Herbert of Norwich gave them to his monks.[1] St. Osmund made detailed provisions for the division of these revenues for his new foundation; the canons were to have half the oblations of the principal altar except any ornaments, and all those of the other altars, as well as all but the gold offered when the bishop celebrated and all the sepulture, the third part of the chattels of a parishioner buried there.[2] Flambard however at Durham seems to have retained both oblations and sepulture in his own hand, for the priory chronicle observed:

> 'Circa opus ecclesiae modo intentius modo remissius agebatur sicut illi ex oblatione altaris et cimiterii vel suppetebat pecunia vel deficiebat,'

but one of his last acts was to restore these revenues to the monks.[3]

Such oblations could be made at any time to any church, but no doubt the patronal feast would be particularly profitable. There was however one occasion for such offerings which was appropriate only to the cathedral church or some other nominated by the bishop, and this was the Pentecost procession, at which the clergy led their parishioners to the cathedral church. In Normandy they were expected to bring 'cerae deneratae' or their equivalent in coin, but there is no parallel definition in England, and some evidence that this was not the general custom.[4]

The existence of such processions is widely attested, at Lincoln, Ely, York, Worcester and Winchester and probably at Chichester.[5] The evidence at Winchester is particularly interesting, for it comes from a charter of William Giffard granting his monks for lights and other necessities the oblations of Pentecost which he was the first bishop to cause to be made by all priests and parishioners in

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1. Early Charters of St. Pauls no. 62, First Register of Norwich ed. Saunders ff.1^{v}, 3^{v}-4^{v}.
2. Register of St. Osmund i pp.198-200.
3. SD i p.139; Durham Episcopal Charters nos.24-5.
4. Council of Lillebonne c.7 (1080), in OV ii p.318.
5. For those dioceses cited v. below. Rather later evidence for such processions at Durham is found in RCY iii no. LXII, and for London in the thirteenth century v. Early Charters of St. Pauls no. 64.

Hampshire, Surrey and the Isle of Wight according to the custom of all other mother churches of episcopal sees.[1] At Ely bishop Hervey is said to have granted his monks all the offerings of the processions from the whole diocese brought in Whitsun week,[2] and at Worcester bishop Theulf gave the monks twenty shillings 'in Pentecoste ex processione'.[3] At Ely and perhaps at Worcester and Winchester such a procession might be made without placing a wholly intolerable burden upon the diocese, for the distance which even their most remote parishioners had to travel was not impossible. At Lincoln and York the case was otherwise however, and special arrangements must have been necessary.

At York the great outlying churches of Ripon, Beverley and Southwell provided suitable alternative mother churches, and it seems that archbishop Thomas II in fact directed the men of Nottinghamshire to make their procession to Southwell.[4] At Lincoln bishop Alexander allowed the men of Oxfordshire to make theirs to Eynsham

'quia nimis remoti estis a matre ecclesia vestra',

while enjoying the same indulgence for that pilgrimage as they used to have at Lincoln.[5] The reference here to an indulgence seems to connect with the same Pentecostal processions the grant by bishop Ralph of Chichester of a remission of forty days penance

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1. Cartulary of Winchester ed. Goodman no. 32.
2. Miller: Abbey and Bishopric of Ely Appendix no. iv, part of a text more likely to be authentic than Liber Eliensis p.262; the charters dividing the estates of monks and bishop are mostly suspect however, v. Sir Christopher Hatton's Book of Seals, ed. L.C.Loyd and D.M. Stenton as Northhamptonshire Record Society Vol. XIV (1950) nos. 415 and 420 and nn.
3. Henrici Chartularium Ecclesiae Wigorniensis ed. T. Hearne, 2 vols. Oxford 1723, i p.100.
4. Visitations ... of Southwell pp cl-cviii; cf Mon. VI(iii) pp.1313-4.
5. Eynsham Cartulary i no.8; cf nos.9-12 and 51, also Registrum Antiquissimum iii no. 939. In Appendix II of vol.I of the Eynsham Cartulary Dr. Salter discussed some of the later evidence for the payment of a fixed Pentecostal due. The division of the Whitsun oblations between abbey and bishop in the Eynsham texts may well be compared with that in St. Osmund's foundation charter cited earlier on the oblations at the high altar. It is clear that these offerings were not expected to be confined to coins or candles, as the Council of Lillebonne supposed for Normandy. In 1154 Robert II of Lincoln directed some to go to Banbury, (in order to make his fair there more profitable). Eynsham Cartulary i no.II.

'omnibus qui ad Pentecosten ecclesiam Cycestrensem visitaverint et elemosinas suas illic attulerint..'.[1]

Since there does not appear to be any reference to such processions in the Anglo-Saxon sources, and since at Winchester they are expressly stated to be an innovation it is worth considering the occasion of their introduction. If, as late as 1100, they were unknown in one of the least remote and most coherent of English dioceses but were well-recognised in Normandy it seems quite likely that they were introduced by the Norman bishops. If so, this was an innovation of the first importance, an act of authority far exceeding in scope the gradual diffusion and refinement of synodal jurisdiction, and it created a direct bond between cathedral and people more obvious and demanding than any other.[2]

Another revenue collected at the cathedral church, but as a payment for a direct episcopal act, was the chrism fee, paid for the holy oil blessed by the bishop, conventionally on Maundy Thursday.[3] The exaction of a small sum of money from each parish church on this occasion is attested very widely, at Canterbury, Rochester, Chester, Chichester, Lincoln, Norwich and York, and there seems no good reason to doubt that it was universal.[4] The manner of its collection and the rate at which it was levied varied however considerably. The Domesday Monachorum of Christchurch contains an extended list of the sums due from the diocese, no doubt because the proceeds had been granted to the monks by Anselm, and this has been analysed at some length. Here it appears that the fee was widely mediated, some ancient minster churches paying very large sums, representing multiple fees, and then distributing the chrism to their dependent churches. These compound payments and

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1. Acts of...Chichester no.8; although a forty day indulgence is certainly surprisingly large such indulgences were not by the 1120's so rare as to make the text suspicious.
2. Professor Brooke has suggested that such innovations fit very well with the enormous naves then being built for so many English cathedrals; since however the outstanding example of Winchester was begun by Walkelin, not William Gifford, this explanation can scarcely be exclusive.
3. of the very full account of the ceremony in Register of St. Osmund i pp.172-8, a passage which may well reflect St. Osmund's practice.
4. For Canterbury, Rochester and York v. below; v. also Appendix I Chester no. (, Lincoln [illegible] , Acts of Chichester no.6 and Lon. VI (ii [illegible] (ii).

those from single churches apparently represent, with some variation, a rate of sevenpence from each church, similarly suggested by a parallel list in the White Book of St. Augustine.[1]

An only slightly later text comes from the Textus Roffensis, where too the chrism pennies had been given to the monks, by bishop Ernulf. Here the rate was different, sixpence or ninepence for each church, and there is no trace of mediation. This contrast is most easily explained by supposing that the Rochester list represents a much more recent arrangement, made when the importance of the old minster churches was no more than a memory and the distinction between parish church and chapel was well recognised. Since too the Rochester list shows none of the aberrant payments found in the Christchurch list it is unlikely to have been long in operation. The reorganisation of a nearly foundered diocese by Lanfranc and Gundulf may well have been the occasion for this reorganisation.[2]

Yet another rate appears to have prevailed at York; Thomas II

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1. These payments were first studied in detail in G. Ward: Saxon Churches in the Domesday Monachorum and White Book of St. Augustine in Archaeologia Cantiana Vol. XLV (1933) pp.60-89; some of his conclusions were however revised by Professor Douglas in his edition of the Domesday Monachorum, esp. pp.5-14, and in Barlow: The English Church pp.180-2. Unfortunately Professor Douglas, having clarified so much, introduced a confusion of his own in discounting M 359, in which Anselm told bishop Gundulf that he had given the chrism pennies to the monks, since

> 'Guillelmus filius Rodulfi exigit a priore dom no Ernulfo nummos quos presbiteri volent dare eo tempore quo chrisma accipiunt, qui iam assensi sunt in opus monasterii et eos qui adhuc dandi sunt nisi cognoverit me eos in hoc opus concedere.'

The point here is that Gundulf was acting for Anselm during his exile, and that William fitz Rodulf was the royal keeper of the archbishop's revenues, which the king had siezed into his hands. If Anselm had not given the monks the chrism fees the king would claim them, hence the reference to a backlog. An unnoticed writ of king Henry illustrates the activities of both Gundulf and William at this period - Appendix I Canterbury Misc. 3 .

2. G.Ward: The List of Saxon Churches in the Textus Roffensis, in Archaeologia Cantiana Vol. XLV (1932); Dr. Ward explained the entries of sums other than 7d or multiples in the Christchurch lists by a damaged exemplar, and the absence of mediation in the Rochester list by the smaller size of the diocese. The first hypothesis savours of despair, and Rochester was not in fact very much smaller than Canterbury. v. Ernulf's grant in Textus Rotfensis f. 197 c. 178.

remitted sixpence in chrism fee to Bridlington before archbishop Thurstan abandoned his claim to all payments for it throughout the diocese in 1121, when it was being levied at sixpence a parish church and fourpence a chapel.[1] Thurstan saw in such levies a kind of simony, and it was so condemned in the council of 1125, but it was a long time before his example was followed by another bishop.[2] The sums raised by this means were, though equivalent to the rent of a small manor, probably not a very substantial element in any bishop's revenue, and its importance should perhaps be seen mostly as an annual recognition of the bishop's general responsibilities and rights.

There is next the synodal due. In post-Carolingian Europe this and 'circada' or 'cathedraticum' were intimately connected by-products of the bishop's synodal jurisdiction. 'Circada' was a procuration, or something very like it, levied by the bishop as he circulated his diocese seeking out offences suitable for correction in synod, where the synodal due would be rendered.[3] Great confusion has sometimes been caused by the readiness of commentators to identify 'circada' with the English 'church-shot' with which it can have no contact beyond a similarity of verbal form, and there seems to be no convincing evidence that 'circada' was levied in England in the reign of Henry I, although it is known sporadically in later texts.[4] Equally the synodal due seems to have a quite distinctive history in England; the earliest full evidence on its incidence comes from the late twelfth century Domesday of St. Pauls, where it appears as an annual due which was levied on churches, not litigants.[5] This later evidence is entirely consistent with such as survives

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1. Appendix I York no. 1; HCY ii p.[illegible], JC p.101. The very doubtful EHC iv 1 supposes a 6d rate in Cambridgeshire.
2. Westminster 1125 c.2; cf Nicholl: Thurstan pp.75-6 and Cheney: Hubert Walter App. III no. iv, where it is said to have been collected by the archdeacon.
3. Lesne/Génicot: Les Privilèges d'Exemption pp.83-8 and the same author's Institutions Ecclésiastiques en France p.16.
4. For church-shot v. below Chapter VI; the earliest example of the term I have found associated with synodals according to the Carolingian custom is in Robert de Chesney's forged charter of Dunstan, above p.143 n. This however is borrowed from his French exemplar; v. Scholz: The Forged Charters.... p.477. For a later text v. Early Charters of St. [illegible] no. 290.
5. Domesday of St. Paul's p.[illegible] passim.

for the reign of Henry, for here too it appears as a due falling on churches, from which payments are freed by bishops' charters of the period.[1] The only evidence of the rate at which it was levied comes again from Bridlington, which used to pay two shillings a year until freed by Henry II.[2]

That synodals were a post-Conquest innovation, and that they may at least sometimes have been introduced solely to benefit the cathedral building fund, rather than any longer disciplinary purpose, can be shown for two dioceses where the evidence is extraordinarily similar. According to a letter of Hugh the Chanter Thomas I persuaded his clergy to pay the synodal due towards the rebuilding of the minster, but the clergy of the Durham churches in his diocese were forbidden by William of St. Carilef to pay this new impost.[3] At Norwich a charter of bishop Eborard recalled that the custom called 'cerimes' which was paid by the clergy in the two synods had been instituted by bishop Herbert and the priests for the construction of the church.[4] (Everard was then granting the proceeds to the monks, as Ernulf of Rochester had done for his diocese some years earlier.)[5] The same text gives a very early account of the means by which these synodals were collected, for it provides that the archdeacons should collect them, and pay two thirds to the sacrist, retaining a third for themselves; since Thurston made grants out of the synodals of an archdeaconry probably a similar pattern prevailed at York.[6]

There are some traces in the evidence of another source of revenue, the bishop's aid, which was certainly a recognised form of ecclesiastical taxation in the eyes of later canonists. However

1. e.g. EYC ii 876-7, Acta of....Chichester no. 6, Appendix I Exeter no. 3 .
2. Appendix I York no. 1 .
3. HCY ii p.xii.
4. Appendix I Norwich no. 4 ; Bodwell: The Foundation of Norwich p.11 distinguishes these payments from a 'c' tun described by the First Register of Norwich as imposed by bishop Herbert on each messuage of the diocese for the same purpose (First Register of Norwich ed. Saunders f. 3 expanding as 'certum'), but it seems quite possible that this is a garbled reference to the same due.
5. Textus Roffensis f. 197 c. 173.
6. Above p. 166 n. 2 for EYC i 344.

there is only one piece of evidence on this which certainly belongs to the period before 1135, a charter of Remigius of Lincoln for his demesne abbey of Eynsham which renounces his right to impose a 'tessera' should any occasion arise. There seems to be no means of determining whether the charter is authentic or not, but it seems perfectly likely.[1] However the exceptional status of Eynsham prevents one using the text as proof of a general liability to such aids at an early date. If the text is genuine however a charter of archbishop Thurstan for the Durham churches in his diocese is quite explicit:

> 'si commune auxilium de singulis ecclesiis in Euerwichschire accepimus hoc priori et conventui intimabimus...'

but there are grounds for doubting the authenticity of the charter in several respects. Rather later however some Chester charters speak of both bishop's and archdeacon's aids as well established, and they were not infrequent by the end of the century.[2]

There must also have been profits of the bishop's justice to swell his revenue; the evidence for these from an incontinent clergy has been cited earlier and two charters of the period grant them to immunists, but there is very little to show the scale upon which they were levied or the offences for which they were the penalty.[3]

It is ironic that much the most detailed conclusions on any ecclesiastical revenue in which the bishop participated can be reached on Peter's pence, to which he had no right except as an intermediary in its collection. The origins of this due and much of

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1. Eynsham Cartulary i no.5; v. the editor's notes for the word.
2. EYC 936, which also contains the earliest reference to a bishop's procurations that I have found and an unusually full reference to judicial profits; the prior apparently paid the archbishop a rectitudo from the errant clergy whom he had corrected. It is always worrying to find that the earliest evidence for such proceedings comes from a Durham charter, and Professor Offler (Durham Episcopal Acts p.14) doubted the contents in part. Further the seal attached to it is not the same as the only other surviving example of his seal (Nicholl: Thurstan p.249 n.2) I have not however had an opportunity to see the charter. cf Appendix I Chester Misc. no. 2 ; and Cheney: From Becket to Langton pp.151-2.
3. Acta of...Chichester no.6; Appendix I Exeter no. 3 , and compare the evidence of archdeacon's profits below pp.219, 223-4

its subsequent history have been carefully studied, most notably by Professor Lunt,[1] in whose view the rate at which it was paid for the later medieval period was settled after 1109 but probably before 1135. He was inclined to believe that it had been decided before 1115, but since he wrote some new evidence has been uncovered. In a letter to Honorius II abbot Hugh of Reading wrote in the later months of 1129 that he had negotiated with the king and bishops and it was agreed that the arrears of Peter's pence amounted to six hundred marks, which the king would pay himself if it had not been collected by Martinmas. The king had agreed with him that the annual payment ought to be - and then there is an erasure in the manuscript. Professor Holtzmann supplied the figure of five hundred marks, but this seems to be very high;[2] by the end of the century it was some two hundred and eighty, and had been for some time.[3] This letter seems to prove that the sum had not been agreed in 1129, although the king and abbot hoped that the pope would accept their figure, whatever that was.

It is not always clear by what means these sums were transmitted to Rome. In later years it seems that it was the duty of the archbishop of Canterbury, and in the reign of Stephen Henry of Winchester as legate was certainly in charge of its collection, but the earlier evidence is conflicting.[4] Henry I spoke of his sending it, and he certainly appears as an interested party in Hugh's letter.[5] On several occasions noticed in a previous chapter the pope sent his agents to carry it back to Rome,[6] and he also sought to interest himself directly in its collection both through his legates and through correspondence with the English bishops. Early in the reign Paschal

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1. W.E.Lunt: Financial Relations of the Papacy with England to 1327, Cambridge Mass. 1939, pp.3-84 citing the earlier literature. It is striking that Hermannus Contractus, describing the deposition of the three popes in 1046 should say that Peter's pence were given to Benedict 'quia maioris videbatur auctoritatis esse relictis'.
2. PU iii no.23.
3. Red Book of the Exchequer ii p.750; for the importance of this text v. Lunt op. cit. p.20.
4. Lunt pp. 26, 30-43.
5. EA 215 (c.1101), OV iv. p.373 (1131)
6. Above pp. 46 n.3 and 62 n.6

had urged Anselm to press the king for its payment, and Honorius II may even have threatened to suspend the whole English episcopate for their sluggishness in collecting it.[1]

In a bull directed to Thurstan he had earlier insisted that St. Peter should not be defrauded of his dues by parishioners and archdeacons,[2] and both groups were no doubt reluctant to pay the tax, but it was not at this level that St. Peter suffered his most serious losses. There is good evidence to show that only a proportion of the money collected in his name was in fact despatched, and that the collectors detained a useful balance to their own use. There are two examples of grants made by bishops out of the Peter's pence of their dioceses, one Thurstan's endowment of the schools of York cathedral out of the 'Rumpenig' of the archdeaconry of Nottingham at Michaelmas and the other bishop Simon's grant to his monks of:

> 'denarios sancti Petri quos decani nostri de terris eorum exigere solebant',

which amounted to twenty shillings.[3] Similar evidence to suggest that the bishop had a considerable surplus from the Romescot after handing over his contribution to the central collector comes from Christchurch in the Domesday Monachorum, which contains a list of contributors to the Romescot, whose payments total £17 3s. 5d. The date of this list is much earlier than the earliest surviving assessment of the archbishopric for its contribution to the national total, but it gives a profit to the archbishop of more than 10% against his later liability of £7 18s. 0d.[4]

There is evidence too that others than the archdeacon might collect Peter's pence, and retained all or some of it to their own use. A charter of abbot Herbert of Westminster granted to his monks:

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1. EA 213, Paschal's first letter to the restored Anselm; PU iii no. 22, where the wording is ambiguous. The pope says 'Since I have deferred the suspension of the English bishops, act more vigourously in collecting the due.'
2. HCY iii no. 29, dated 5 Jan. 1126 in PU ii p.105.
3. Above p. 166 n. 2 , and W. Thomas: A Survey of the Cathedral Church of Worcester...., London 1736, Appendix p.7.
4. Domesday Monachorum p.80; v. the notes to the list also ib. pp.14-15. For the later assessment of the archbishopric v. Red Book of the Exchequer ii p.745, which almost certainly had then existed for some time.

'omnes gyldas sancti Petri quarum elemosine ad ecclesiam istam solite sunt deferri',[1]

while a settlement between the monks of Leominster and Milo of Hereford included in its terms the provision that the monks should have the Romescot, which they may well have retained. Later in the century the bishop of Lincoln could find no evidence that any archdeacon had ever collected Peter's pence at Bardney, but they were in the hand and jurisdiction of the abbot.[2]

There is also evidence for something very like the farming of Peter's pence. In the reign of Henry II archdeacon Robert of Oxford testified that the abbey of Eynsham had paid seven shillings only from Eynsham and four other manors in the time of his predecessors, and since his immediate predecessor, archdeacon Walter, was in office at least as early as 1112 this seems to take the arrangement back to the earliest years of Henry I. A very similar piece of farming was conducted at Kenilworth too later in the century.[3] The best evidence of such arrangements comes however from the diocese of Canterbury, and particularly the Romescot list in the Domesday Monachorum, which now requires a more careful study.

It contains forty five entries; in one case it is a man, Hugh de Montfort, who owed the large sum of twenty two shillings, but all the rest are churches, headed by the abbey of St. Augustine. The other churches are very often archiepiscopal manors; indeed it includes all the archbishop's demesne manors in the diocese, though none outside but it also includes lands once held by the king, Odo of Bayeux, Eustace of Boulogne and Hugh de Montfort as well as many of the monks' manors. When one compares this list with the chrism list which precedes it, some useful points emerge; although there are some exceptions

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1. P. Chaplais: The Original Charters of Herbert and Gervase p.100. The reference is not wholly clear, but the forged charter of Dunstan is made to free the abbey from the levy of Peter's pence.
2. Appendix I Hereford no. 8 and Lincoln Misc. no. 6
3. Eynsham Cartulary i no.54; Appendix I Chester Misc. no. 2 . Archdeacon Walter's earliest appearance seems to be in c.1111, Historia de Abingdon ii pp.118-9 (RG 1090).

the greater number of the churches on the Romescot list are those which figure in the chrism list as having dependent churches.[1] It seems very likely then that the Romescot was collected by these for an area larger than their own manor. This likelihood is made more probable if one considers the principle of assessment. In the Laws every householder with lands or chattels worth more than thirty pence was liable to pay one penny a year, and there is evidence that this rate was still observed in the thirteenth century, although it was then sometimes attached to land not men.[2] Now in the Canterbury list Maidstone is liable for ten shillings in Romescot, that is a hundred and twenty pence. Even assuming an extraordinary level of prosperity in the manor there were at Domesday only fifty seven villeins and thirty bordars there to contribute to it. Similarly Charing, assessed at eighty four pence, had only a population of fifty three, villeins and bordars combined.[3]

There is a further point here; if the Romescot was efficiently collected on such a principle it would necessarily fluctuate with changing levels of population and prosperity. The list in the Domesday Monachorum is however supposed to have been of some antiquity when it was copied into the manuscript. If this is so, and it was not preserved as a piece of merely antiquarian interest, the sums in it represent fixed and customary assessments, and it is therefore very likely that those who rendered them were themselves taking a surplus for their use, as the bishop did at the next stage.

In one case indeed it seems possible to show that this was true, and that the same process even continued further down the scale. The largest single contributor in the Christchurch list was St. Augustine, assessed at fifty shillings. In the White Book of St.

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1. Seasalter and Barham were 'sevenpenny' churches for chrism and paid small sums for Romescot; Aldington, Stouting and 'Silice' were dependent churches for chrism, but Aldington rendered the comparatively large sum of twenty shillings for Romescot. Stalisfield, Westgate and Northwood do not appear at all in the chrism list.
2. Lunt: Financial Relations ... pp. 27-8 and 80-4; cf. The Black Book of St. Augustine i pp.31-2, 35, 39, 41, 206 etc.
3. Since what is at issue is the number of potentially liable households these Domesday statistics seem to be useful.

Augustine was copied about 1300 a list of the Romescot payments made to the abbey which cannot be much later than 1200 and may be much earlier. It contains a number of entries for the North-East corner of the diocese, which is not covered by the Christchurch list, and shows that the abbey expected to collect more than double its liability to the archbishop, receiving a hundred and one shillings and paying fifty.[1] Since these assessments were copied into a manuscript again much later than the date of their first compilation it seems likely that these too were fixed payments rendered by parish priests or bailiffs who themselves collected more.

It cannot be proved that the national assessment, the list in the Domesday Monachorum and that in the White Book were all in use at the same time, although this seems not improbable, but if they were, or very similar totals were being used, then a remarkable demonstration of the wastefulness of medieval ecclesiastical taxation can be made; probably the bailiffs of St. Augustine collected more Romescot than they were obliged to pay the abbey; the abbey paid the archbishop less than half the money it received; the archbishop paid to the papal collector or the pope himself less than half the total he received, and St. Peter must have enjoyed very much less than a quarter of the money which was collected in his name. On the road to Rome the collectors at every level were being handsomely rewarded for their pains.

10. The Bishop's Household.

Lastly in this chapter there remains the question of the nature of the group of men who lived in the bishop's hall and formed his domestic circle. There are difficult problems of definition involved in such a study however; what is chiefly at

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1. PRO E. 164/ 27 f. 19v; although again most of the entries concern places there are the names of three men, Henry de Hortune, Robert de Shaves and Aylard de Mare, the first two answering for 2d. and the third for 3d.

issue is the group of those constantly about the bishop, attending to his temporal and spiritual needs. Such a group cannot be distinguished from others such as the cathedral chapter or the bishop's local agents, bailiffs, archdeacons and deans merely by distinguishing offices. There is every reason to believe that many bishops were attended by members of their cathedral community; it may be true that the archdeacons of many dioceses are more accurately conceived as members of the bishop's household with special responsibilities than as the heads of lesser local administrations who attended their bishop with some frequency. We now lack all the precise information which might allow one to decide who were the constance attendants of all but a very few bishops, or afford grounds for including or excluding particular men.

Much the fullest account of a bishop's household for the period comes from Worcester under St. Wulfstan, whose life is largely devoted to events which took place within it. Here one can distinguish the two elements typical of such a household, the secular and the clerical. His steward, Ordric, appears in the most domestic of functions, concerned with the status of the guests at his master's table. In the Alveston charter his pre-eminence is well marked, for he attests 'with the whole 'curia' of the bishop', after the prior with the whole convent, the chaplain with all the bishop's clerks and the sheriff with all the knights of the shire.[1] There was however a second steward, who also attests the same charter. There were also at least two chamberlains, whose duties appear as chiefly financial, buying food which the bishop's estates could not provide and carrying his purse on his journeys, although one of them apparently kept the bishop's ecclesiastical ornaments. The 'dispensator' supplied the poor with food and clothing, while the butlers were all too diligent in supplying drink tothe bishop's knights. There is also mention of a constable in one of his charters.[2] The knights whom Malmesbury noted as receiving yearly pay and daily food were clearly a regular element

1. A facsimile of the original in J.W.Lamb: St. Wulfstan, Prelate and Patriot, London 1933 pl.3 facing p.153. Often printed.
2. Chartularium Ecclesie Wigornensis ed. Hearne, ii p.421.

in the household, for it was the bishop's custom to dine with them in his hall when he did not with his monks.[1]

It is the clerical element in his household however to which Coleman seems to have devoted most of his attention; he frequently mentions the company of monks and clerks who rode with the bishop on his journeys, and who were expected to join in the chant of psalms. Three of these appear with some emphasis, Coleman himself, whom the Alveston charter styles chancellor, who preached on the bishop's behalf and received petitions, Nicholas, whom the bishop had brought up from early youth, and Fritheric the chaplain, in the Alveston charter the head of the secular clergy of his household, who wrote at least one of Wulfstan's letters but was also found preparing the bishop's lodgings.

Although there were exceptional features about Wulfstan's household, not least the fact that all its leading members were Anglo-Saxons, Coleman's account must form the basis of any description of such a group, for it is the fullest of its kind to survive. There is much scattered evidence in the literature surrounding the life of St. Anselm, which has been analysed by Professor Southern, but this deals quite largely with his life in exile, and Anselm had anyway a quite untypical lack of interest in the secular administration of his diocese.[2] The account given by Henry of Huntingdon of the household at Lincoln, where he was himself brought up is invaluable for the picture it paints of the splendour of Robert Bloet's entourage, and also because it reveals that a bishop, like any other magnate, might be entrusted with the education of noble youths. Robert of Gloucester was a member of Bloet's household and it may be that Alexander had another royal bastard in his care.[3] Yet neither of these or any other source enters into detail on the composition or management of a household as Coleman does, and the remaining evidence comes from some very scattered references and a large number of charters. These however are particularly difficult evidence to use

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1. GP p.281.
2. Southern: St. Anselm pp.194-203.
3. HH pp.298-300; two charters of Alexander are witnessed by William the son of king Henry, for which v. Appendix I Lincoln nos. 7 . cf also Vita Wulfstani p.50.

for the purpose. Convincing conclusions can only be drawn from the witness lists of such texts when one has a long sequence of charters attested by men who form a solid core reappearing whatever the circumstances of the drafting. For instance, in the charters of several bishops the prior of the monastic chapter is a very frequent witness, and the archdeacons are always likely to appear too; it cannot therefore be argued that these men were constant members of the bishop's household, for this is much more likely to reflect the solemnity of the occasions on which the earlier bishops' charters of the period were issued and the importance attached to the concurrence of the men most likely to impede the charter's effect.

To some degree these problems are least serious for the secular officers of the household, whose titles often distinguish them quite easily. There is clear evidence for the existence of a steward in almost every diocese by 1135, although they existed no doubt much earlier and probably universally.[1] Often we know no more than their names, but sometimes one can draw larger conclusions. It does not appear that the office was invariably hereditary, at least at the beginning of the reign. There is nothing to suggest that the first three known stewards of Bath had any family connexion, and much to suggest that they did not, and it is unlikely that the earlier stewards at Canterbury, London, Salisbury and York were succeeded by their sons.[2] The last example however is instructive; the first known provost was Nigel, who became a monk of Selby without being succeeded by his son. Thurstan later granted the office to a successor, William, with an explicit recognition that the office was hereditary, as was already true at Norwich and

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1. Apart from the references below v. Feudal Documents from Bury ed. Douglas p.61 n.2 for Henry at Ely, Round: Bernard the Scribe p.421 for Malger at Exeter, Appendix I Hereford Misc. 3 for Nicholas at Hereford, ~~Ibid~~ Round: Bernard the Scribe p. 430 for Elias at Winchester, Appendix I Worcester no. 3 for Gifford.
2. For Hildebert, Athelard (? fitz Eustrad), and Atselin Hosed of Bath v. Historiola pp.21-2, Two Chartularies of Bath nos. 34, 53, 57; at London William Brito (Early Charters of St. Pauls no.63) was succeeded by William of Ockendon (ib. no. 274); for Canterbury v. below; RC 1042 is attested by Osmund, bishop Roger's steward, and also by Robert the old steward and his son.

Durham.[1] It seems likely enough that a steady progress towards hereditary right characterised the reign in this respect as in so many others. Indeed there is probably an equally typical example of Henry's intervention in such rights at Winchester; the Pipe Roll of 1130 records the debt of Hugh of Fecamp, a mark of gold for the stewardship of Winchester; since he appears to have been the steward of William Gifford this may well represent the failure of Henry of Blois to repeat his success in evicting an earlier steward of Glastonbury.[2]

Most of these men do not appear as figures of influence outside their bishop's honour, and there is very little evidence to suggest that they were drawn from the ranks of the great magnates. It is difficult to establish so negative a conclusion, but it is likely that their influence and wealth depended on their knightly tenures held from the bishop.[3] For the most part these look like working stewards, expected to be active about their master's business, rather than great men seeking to enrich themselves at his expense.

Their administrative responsibilities are reflected in a number of ways; a grant of herbage and pannage in Kent is addressed to Ansfrid the steward, at York it was recognised that the presence of the archbishop's provost sufficed to excuse the absence of the bailiffs of all his manors in the shire court, and in the Pipe Roll of 1130 their financial responsibilities are revealed by the accounts rendered by the steward of Lincoln for the wapentake of Eaton and by Gotso, steward of then vacant Chester.[4]

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1. For Nigel and his son v. HYC i 46 and Nicholl: Thurstan p.115, for William ib. pp.115 and 248-9; for Norwich Dodwell: Some Charters relating to .... Bacton p.148 n.1; for Durham, Durham Episcopal Acts p.98.
2. PR p.39; Hugh the steward attests the charter of William for Waverley in Mon. V p.241 (i); for the successful eviction of the steward of Glastonbury in spite of his buying a form of the early writ of right v. Adam of Domerham ii p.304.
3. Compare the references cited above n.1
4. F.R.H. Du Boulay: Bexley Church, Some Early Documents, in Archaeologia Cantiana Vol. LXXII (1958) p.50 no.1 and plate 1; HCY iii pp.34-6, and Visitations and Memorials of Southwell p.196; PR pp.73-4, 110 and 117; for Gotso the steward v. also The Staffordshire Chartulary ed. E.W.Eyton in William Salt Archaeological Society, Collections Vol.II (1881) p.206.

No doubt most bishops possessed the full range of secular officers found in the Life of Wulfstan and more besides; the chamberlain sometimes appears with particular emphasis. The most consistent witness in Flambard's charters was William the chamberlain, although the most striking evidence concerns the disaster that overwhelmed Peter the chamberlain of Winchester, who owed the king eight hundred and forty four marks 'ut exiret de captione'.[1] If he was expected to pay so much he must have been a man of vast if unidentified wealth. The fullest evidence for these secular officers comes from the splendid sequence of Norwich charters which show that there were already a steward, butler, constable, and dispenser there before the death of bishop Herbert, while charters of his successor are attested by two cooks and a baker as well. These may have been men of more substance than one might expect; the hereditary bakers of Ely and Rochester appear to have been men of some note, and the extensive tenures of one of bishop Everard's cooks are recorded in three remarkable original charters which look as if they were attested by almost the whole complement of the household.[2]

These secular officers were in one sense the most stable element in the household once they had established their hereditary claims, and the group of bishop's knights from which they were drawn provided a continuous element in the entourage of each succeeding bishop.[3] Much more difficult to trace, but possibly little less enduring,

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1. PR p.39; Peter had been chamberlain to William Giffard earlier, and attests two of his charters Mon. V p.241 (i) and Appendix I Winchester no. 1a. For William the chamberlain v. Durham Episcopal Acts nos. 12, 15, 17, 20, 22 and 24; he also attests a charter of Geoffrey Rufus, ib. no.29.
2. Abbey and Bishopric of Ely, Appendix no. V; BM Cott. MS Vespasian A XXII f 114[v]; for the household at Norwich v. esp. Dodwell: Charters relating to...Bacton pp.158-62, Mon. iii p.348(vi), First Register ed. Saunders ff. 1-11, below Appendix I Norwich nos. 5-7 , and HMC Lothian pp.39-40 (from the original now in the Norfolk County Record Office).
3. For instance in the Norfolk charters cited in the previous note the family 'de Flegge' appears regularly through the episcopates of both Herbert and Everard, although there is no evidence that they held household office. At Canterbury Robert fitz Riculf and William of St. Albans attest through the pontificates of Ralph and William (Ancient Charters...ed. Round p.17, Du Boulay: Bexley Church p.50 nos.1-3, Appendix I Canterbury no. 2); the continuity of knightly families at Durham is equally remarkable; cf. Mon. I p. 241 (v) with Durham Episcopal Acts nos. 12-31.

are the group of 'ministri' who occasionally appear by that style but must often be represented by the string of names at the end of some long witness lists.[1]

The principal force which operated on the group of knightly tenants and household officers to modify its composition at this early date was the bishop's anxiety to provide for his family. Hildebert the steward of Bath and hereditary lay provost of Wells was almost certainly the brother of bishop John, and William the steward of Exeter was William Warelwast's nephew.[2] Flambard was particularly active in making grants of land to his family in the open frontier land around Durham, but elsewhere his fellows were little less active in enfeoffing their relatives or sons and newphews-in-law. The most astonishing evidence of this process comes from the 'carta' of the archbishop of York in 1166, where it is explained that he had thirty nine knights although his quota was only seven because his predecessors 'wished to provide for their relatives and friends.'[3]

The clerical element in the household shows less sign of the differentiation of office visible among the seculars, a point which may justify some conclusions of its own. It seems that some bishops had a clerical head of their household performing many of the duties one would expect to be carried out by the steward. The practical

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1. Feudal Documents from...Bury p.cl n.2 has a charter of bishop Hervey in which the ministri form a separate group; one of these, Albert the Englishman, was still attesting Ely charters at the end of the long rule of bishop Nigel (Miller: Abbey and Bishopric of Ely, Appendix no.X).
2. Historiola pp.21-6; Hildebert's son, archdeacon John, was the nephew of bishop John. For William v. Oxford, Bodleian Library MS James 23 p.166.
3. Durham Episcopal Acts nos. 11-13, and esp. no. 23 with its notes; v. also in general Scammell: Hugh de Puiset pp.219-26. For Chester v. the remarkable text imperfectly printed from Oxford, Bodleian Library MS Digby 104 f. 171-v in Alan de Donerham ed. Hearne i pp.293-4; v. also Red Book of the Exchequer i p.111 for Roger of Salisbury, and i pp.412-3 for the York carta, discussed in Nicholl: Thurstan p.114. Such nepotism was furiously denounced in a charter of Henry of Blois, printed from a late text in Registrum Johannis de Pontissara ed. C. Deedes as Canterbury and York Society Vols. XIX (1915) and XXX (1924) ii p. 623. The female relations of a bishop are necessarily difficult to trace.

management of Anselm's household seems to have been largely in the hands of a monk, Baldwin of Bec, and another, Robert, is once described by the archbishop as accustomed 'res nostras custodire', while Nigel of Ely's affairs were briefly in the hands of a renegade monk of Glastonbury.[1] There may even have been some clerks who were actually called 'dapifer'; Atselin Hosed of Bath appears earlier as one of the bishop's clerks, and there is a slight case for believing that Ansfrid the steward at Rochester and Canterbury was also a clerk.[2]

The case for the existence of episcopal chancellors in this early period is in general very weak. It rests upon an isolated reference to Coleman as Wulfstan's chancellor in his Alveston charter, the description of archdeacon John as chancellor to archbishop Ralph in a conscious imitation of a papal privilege, and the evidence from Winchester. This is the most convincing by far, for there are a number of references to the bishop's chancellor there soon after the accession of king Stephen which make the appearance of another late in the pontificate of William Gifford the more likely.[3]

At Canterbury there is early evidence of the existence of an archiepiscopal treasury, which must have had some kind of staff, perhaps a 'baiulus, scilicet capellanus et custos thesauri'

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1. Southern: St. Anselm and his Biographer pp.194-7, EA 331; in EA 239 Robert 'custodit domum nostram'; Gundulf may have performed a similar office for Lanfranc before becoming bishop - Textus Roffensis ff.171-2; Liber Eliensis pp.284-94 cf. E. Blake: The Historia Eliensis as a Source for Twelfth Century History in Bulletin of the John Rylands Library Vol. XLI (1958/9) pp. 304-327 pp. 318 et seq.
2. Two Chartularies of Bath nos. 50 and 55-6; Ansfrid is a complicated figure, not to be confused with Ansfrid the chaplain, for whom v. below. He first appears as steward of Rochester (Textus Roffensis f. 188 c.132) with which church he retained very close ties, illustrated in Registrum Roffense pp.119-20; subsequently he became steward of Canterbury (RG 1867) perhaps also; he seems to have been the same as Ansfrid the sheriff, and had a wife and sons but he is a witness to Du Boulay: Boxley Church no. 1 and Textus Roffensis f. 179^{v} c.94 as if a clerk.
3. Cheney: English Bishops' Chanceries pp.28-38, where the reference to William at Norwich, Mr. Bethell tells me, is based on Hon.'s misprinting 'cantor', and Geoffrey at Winchester is almost certainly Geoffrey Rufus, the royal chancellor. For Robert of Exeter as chancellor of Winchester v. Appendix I Winchester no.1, and for other examples under Henry of Blois CDF 157 (1139x42) and Great Chartulary of Glastonbury iii no. 1302. (c.1139).

like Ralph Cubium in the household of Alexander of Lincoln.[1]

For the rest however the clerical members of the bishop's household were normally described simply as clerks or chaplains, a distinction which may not reveal a difference.[2] In general however the chaplains seem to enjoy a certain pre-eminence; like their royal counterparts they might be numerous, for four or five attest several charters.[3] To be a chaplain did not preclude other employment or distinguish one necessarily from the cathedral clergy; one of bishop Maurice of London's archdeacons is also described as his chaplain, and two of bishop Richard's are elsewhere described as canons and priests of St. Paul's.[4] Naturally enough too the chaplains might enjoy a very ready access to their bishop's patronage, and two men who never assumed high office but must have made themselves a very comfortable living illustrate the point.

When discussing the household of bishop Wulfstan I mentioned Fritheric the chaplain as an eminent figure; Fritheric however long outlived his bishop and continued to attest the charters of Sampson and Theulf until at least 1116. There survives a very remarkable document which he drew up on entering the priory as a monk. This shows how substantial a man he had become, for he gave the house the church of St. Helen with all its chapels and their lands and tithes, six chapels from the bishop's fee with all the bishop's demesne tithes, nine 'mansure' in the city

> 'quas partim extractas recongregavi, partim pretio et labore adquisivi',

a house and garden given to him by the monks at bishop Sampson's request and the church of St. Mary in London and some land.[5] Most

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1. Appendix I Canterbury nos 1,4,5; Gesta Abbatum i p.106.
2. Four of the nine clerks who attest Du Boulay: Bexley Church no.2 are described in ib. no.3 as chaplains, although one would think that these originals must have been drawn up together.
3. The Staffordshire Chartulary p.206; Hon. V p.241 (1) seems to list seven, but cf. below Appendix I Winchester no.1; Lincoln nos.7 .
4. Early Charters of St. Paul's no. 198; ib. no.63 for Wulfran and Arthur, who were both canons before bishop Richard's appointment according to HMC IX Report Appendix pt. i p.61 b.
5. Hemingi Chartularium pp.427-9; compare the witness lists in ib. p. 427, Appendix I Worcester nos. 1 (1116) and 2 (1114 x 1122); it is not at all clear when Fritheric became a monk, but it seems from his privilege that it was soon after a fire at Worcester.

of these lands were in some sense the priory's already, but it was clearly the bishop's influence which had given him so free a use of them.

Another example of a bishop's clerk with similar landed wealth was Ralph the clerk at Rochester. He was the son of Gilbert of Haddenham, himself a clerk of Gundulf, who gave Rochester his three hides there provided that Ralph should have the bishop's church with all its land and endowments, which were substantial. Ralph also had some family land in Gloucestershire which he persuaded Gundulf to buy from the king so that he could hold it from him, being impoverished by geids. Thenceforward, as Ralph the bishop's clerk, he is the most consistent witness of Gundulf's charters. He survived into the rule of bishop Ernulf, but less happily, for the last time he appears in the evidence it is to surrender extensive tenures

> 'pro concordia et pace habenda de multis querelis
> quas Rofensis episcopus Ernulfus adversus illum habebat'

although he contrived to insert the already rather old-fashioned condition that the bishop should allow his sons or other relations to enjoy another episcopal church with its appurtenances as he had done.[1]

Hereditary chaplains like Ralph were presumably, however, a dying race. It was still comparatively unusual for a clerk to be given his patronymic in the witness clause of a charter, so that it is difficult to tell the social status of the families from which the chaplains and clerks were recruited. Several clearly were Anglo-Saxons, but others may have been the sons of much more influential men, such as Ralph Basset, son of the royal justice, who was a clerk of archbishop William.[2] Already there were signs that the household of an influential bishop might prove a stepping stone to higher things.

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1. Textus Roffensis ff. 213-^{v}, c. 207; ff.213^{v}-4^{v} c. 208; cf. f.184 c.107, f. 188 c. 132, ff.191^{v}-2 c.164, f. 192^{v} c.166, f.193 c.169, ff.181-^{v}c.181, f.198^{v}c.182, ff.200^{v}-1 c.187, ff.210^{v}-2 cc.201,204; for the surrender v.ff.198^{v}-9 c.183.
2. Cartulary of Oseney vi no. 1046, v. above p.100 ; for some Anglo-Saxon chaplains v. Du Boulay: Bexley Church nos. 2-3, Early Charters of St. Pauls no.63, Register of St. Osmund i p.381.

William himself first appears in history as a clerk of Ranulf Flambard, and Geoffrey Rufus, the later chancellor and bishop of Durham, is very likely to have begun his career in the household of Roger of Salisbury.[1] Few could hope to rise as high as that, but more might hope for an archdeaconry. Henry of Huntingdon was educated in the household of Robert Bloet to inherit his father's archdeaconry, and Hugh the chaplain of Richard of London acquired the archdeaconry of Middlesex under peculiar circumstances.[2] More striking are the examples of Gervase archdeacon of Gloucester and Walkelin and William fitz Unfrid of Norwich who witness numerous charters as members of the household before their promotion.[3]

In some respects this clerical element in the household might be supposed more unstable than the secular. It is often clear that the clergy about a bishop accurately reflect his earlier career. So the charters of William Corbeil are attested by a large number of canons, and fewer monks than had been the custom for Anselm and Ralph.[4] It is even more obvious that the family of the bishop would be represented by a significant element in several households. Since there was scarcely a diocese in which one of the bishop's sons or nephews did not hold an archdeaconry it is likely enough that these men began in the household, but there is some more direct evidence than this.[5] The relations of Everard de Calne at Norwich were numerous almost beyond belief; as many as eight of his nephews could attest one charter, and he had at least ten as well as his brother gathered about him.[6]

Usually without the hereditary claims of the laymen of the diocese, members of a group whose composition and size was in theory entirely a matter of the bishop's will, it might seem that such clerical members of the household could have little security at

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1. SD i p.247; RC 1042 and n.
2. Dicето: Opera i pp.250-1, [illegible] pp.299, 302.
3. For Walkelin and William v. Dodwell: Some Charters relating to... Bacton p.158, St. Benet of Holme i no.129, Appendix I Norwich no. 5 For Gervase v. below Appendix I Worcester nos. 2, 3 Thomas: A Survey of...Worcester appx. p.6, D&C Worcs. Reg.I f. 13v
4. v. esp. Textus Roffensis f.203 c.195, Appendix I Canterbury no. 4 and Du Boulay: Bexley Church p.50 no.2.
5. Below p. 215 n.3
6. Appendix I Norwich nos. 5-7; cf. Dodwell: Some Charters relating to ..Bacton pp.158-9; and First Register..ed. Saunders ff.9v-11, and London: Everard, Bishop of Norwich p.189.

the death of the bishop they served. William of Malmesbury painted a vivid picture of the distress of Wulfstan's household about his deathbed:

'lacrimantes et tirannidem futuri pontificis metuentes'.[1]

Yet it does not seem that wholesale change marked the arrival of a new bishop, at Worcester or elsewhere. Fritheric continued to witness charters of Sampson and Theulf in what appears to be a position of dignity; archdeacon Gervase, who was promoted by bishop Simon early in the reign of Stephen, first appears as a clerk of Theulf sometime before 1122, and another of Simon's clerks, Osbert, similarly appears among Theulf's clerks. At Canterbury at least three of the clerks and chaplains of archbishop Ralph continued in the household of archbishop William.[2] This is not extensive evidence, but the sources are not extensive either, and it seems to show a substantial continuity in at least some dioceses.

Such continuity might depend on a number of factors. Hereditary chaplains like Ralph of Rochester were no doubt a dying race, though we have insufficient evidence to assert that they had gone by 1135.[3] There were other reasons why such men should at least continue to witness the bishop's charters however, for a Fritheric or a Ralph would be a notable ecclesiastic even if he received no further preferment from the new bishop. More interesting is another point. The increasing complexity and sophistication of episcopal justice and administration which marked the period at once depended on and demanded a body of trained men capable of operating the machinery of the canon law, an ecclesiastical parallel to the new men who manipulated the king's justice and treasure. To trace their rise we have neither a Dialogue of the Exchequer nor a Constitutio Domus Regis, and cruder techniques of enquiry have to be used. Towards the

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1. GP p.287.
2. For Fritheric above p. 191 and n. 5 ; for Gervase above p. 193 and n. 3 ; for Osbert the clerk Mon.VI(iii)p.1306(i), Landboc sive Registrum de Winchelcumba ed. D.Royce, 2 vols. Exeter 1892, 1903, i p.212, Appendix I Worcester no. 4 , Thomas: Survey of Worcester Appx. pp.9-11. For Canterbury compare Appendix I Canterbury no. 31 and Calendar of the Charter Rolls ...Vol.VI (1341-1417) p.61 with Du Boulay: Bexley Church p.50 nos. 2 and 3.
3. However it is intriguing to find a John fitz Fritheric among the chaplains of Simon of Worcester in 1148-50, Thomas: Survey, Appx. pp.9-11 and below Appendix I Worcester no. 11 .

end of the reign there are an ever increasing number of men witnessing episcopal charters who call themselves 'magister'. Obviously it is impossible to tell how far this represents a change in the nature of the education of men rather than in the styles they chose to adopt, but it does provide a very rough and imprecise guide to the extent of the rise of the new professionals. Already before the death of Robert Bloet Master Gilbert of Sempringham had entered the household at Lincoln, where he continued under Alexander. That noted patron of letters also had an Italian, Master Guido, in his familia, who lectured on Holy Scripture.[1] At Norwich, Exeter, Salisbury, York, Ely, Chester and Durham 'magistri' also appeared around 1135.[2]

It cannot now be determined what volume of administrative business or how elaborate an administrative system these men were operating, for almost every trace of the 'official' archives of the bishops of the period has perished. The fragmentary financial records of the chrism due and Romescot in Kent however suggest that they did exist, and in mid-century bishop Joscelin of Salisbury could speak of a search made through the records of the see back into the days of bishop Roger.[3] Yet the increasing volume of episcopal charters which is well marked before the end of the reign, and the sophistication of some of their diplomatic forms leaves little room for doubt that the ground had been well-prepared for the changes which were to take place in the pontificate of Theobald. By a curious paradox it may even be true that the royal administrators whose appointment reflected most clearly the king's control also laid the foundations of a more fully independent church which could resist him. They certainly presided over a critical phase in the evolution of English episcopal government.

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1. Mon. VI(ii) after p.945 pp.vii-viii; Gesta Abbatum i p.106.
2. For Norwich Dodwell: Charters relating to...Bacton p.158 and Appendix I Norwich no.5, for Exeter Monasticon...Exoniense p.21 n. , and the Crawford...Charters no.13, for Salisbury Register of St. Osmund i p.381 (c.1121); for York EYC ii 874,1073 and vi no.9; for Ely Appendix I Ely no. ; for Chester Mon. IV p.111(i) and The Stone Chartulary, ed.(in abstract) G.Wrottesley, in WSAC Vol.VI pt. i p.15; for Durham, Durham Episcopal Acts no.31. Only a little later they become very frequent in the charters of Hereford and elsewhere. One point demands some caution however; some of the isolated references may be to the 'magister scholarum' of the cathedral, a figure who presumably, at any rate at first, did not require necessarily the 'new' education of the French schools.
3. Above pp.174-5 [181-2]. Oxford Bodl. MS [illegible] 15 f.55.

CHAPTER V

CATHEDRAL CHAPTERS AND THE BISHOPS' OFFICE.

The concern of this chapter is with those men to whom the bishop's authority and obligations were in varying degree delegated - the chapters of cathedral churches and secundae sedes, archdeacons and rural deans. A satisfactory treatment of these topics would require many more detailed local studies than now exist, and what follows is necessarily selective.

1. The Nature of the Cathedral Chapter.

The community of the cathedral church was in origin the bishop's household of familiar clergy. Already however, long before 1100, this early state had passed. As in most of Northern Europe the English dioceses were far larger than those of Southern Gaul and Italy, which meant that there was an early tension between duty to the church and duty to the diocese, and it was the responsibility of the chapter to the church which prevailed. This was not surprising, for the community even at its most precarious was an enduring corporation, whose loyalty was to a saint, his relics, traditions and church, rather than to any one of his successors.[1] Further, as the supernaturalism in a common estate, stability was virtually forced upon the chapter just as the pastoral duties demanded mobility in a bishop. As a consequence one aspect of the duties of the chapter had long become dominant, that of the maintenance of the liturgical cycle in the cathedral church. In one sense the peculiarly English practice of a monastic chapter was no more than the logical extension of a movement which was European in its scope, although it had of course its own unique explanation in the history of the tenth century revival and in later developments.

At the Conquest there were three such monastic chapters, at Canterbury, Winchester and Worcester. Under Lanfranc Rochester

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1. In general see C. Brooke: The English cathedral in the Middle Ages, 2nd. ed. Manchester 1967 p.1-2.

and Durham were similarly converted. In the reign of Rufus, and for more private and even financial reasons secular Chester, Thetford and Wells were moved to monastic Coventry, Norwich and Bath. The creation under Henry I of new dioceses at Benedictine Ely and Augustinian Carlisle ensured that the regular chapters outnumbered the secular by ten to seven for the rest of the Middle Ages.[1]

The Conquest had a marked effect too on those cathedrals that retained their secular chapters. Before 1066 there was something like a spectrum of organisation ranging from the regular and well ordered Worcester through the quasi-monastic Durham and the common but secular life of Wells or Exeter to the obscurity of Lichfield or Selsey and the near-collapse of Rochester. The coming of the Normans sharpened the contrasts between the two types of chapter; at Wells, York and perhaps at Exeter the partially common life so carefully fostered by Giso, Ealdred and Leofric was gradually and sometimes regretfully abandoned.[2] By 1100 there was a clear division between the Benedictine cathedral priories and the secular prebendal chapters. It may be that the more flexible Augustinian rule of Carlisle offered a new attempt at compromise, but if so it soon petered out.[3]

Expansion and Patronage.

The cathedral priories seem to have been in general larger than their secular counterparts. So far as we know Lincoln was the largest of the secular chapters with about forty three stalls by the end of the reign; Osmund is said to have founded Salisbury for thirty six canons, and the number

1. MO pp.131-3; for Rochester Textus Roffensis ff.171-2^{v}; for Durham SD i pp.119-24; for the movement of sees v. the references collected in C.Brooke: Archbishop Lanfranc, the English Bishops and the Council of 1075 pp.51-5.
2. In general R.R.Darlington: Ecclesiastical Reform in the Late Old English Period, in EHR Vol.LI (1936) pp.385-428; for Wells Historiola pp.1-25, for Exeter RGP p.281.
3. For Carlisle v. the references above p.24, n.2.

continued to grow; at London there were thirty. York however is supposed to have had only fifteen to twenty at most, and Exeter, Hereford and Chichester cannot have been much larger.[1] Against these figures one may set those collected by Professor Knowles for the cathedral priories, showing some fifty choir monks at Worcester and Ely, sixty at Rochester and Norwich, and a magnificent hundred and fifty at Canterbury.[2] Except at London it seems that secular and monastic chapters were growing fast in these years. The manner and consequence of this growth were not the same in both cases; when a new monk entered a priory he often brought with him an endowment, but this was for the house, not the individual, and the donor received his benefits in prayers and hospitality, not in influence over the composition of the house.[3] When a new prebend was created however it was a specific benefice which could be reserved to the use of particular men, and this could form a kind of patronage over which the founder might exercise a continuing control. Therefore a canon, once installed, enjoyed a measure of independence and had interests which might be distinguished from those of his fellows or even opposed to them, and in which he might be supported by powerful friends even against the bishop. Examples of this can be cited from the reign of Henry.

The creation of new prebends at Salisbury is illustrated by some instructive charters. There is first the comparatively simple case of the estates of Flambard in Godalming and Weyteabury which the king granted to the church as a prebend which Flambard was to hold for life.[4] A very similar arrangement was

1. Lincoln Cathedral Statutes ed.D.Bradshaw & C.Wordsworth, Cambridge 3 Vols. 1892-7 iii pp.789-92; Newcourt: Repertorium i pp.11b-28, Nicholl:Thurstan pp.11b-7 (an estimate that seems to be particularly cautious). See also C.Clay: York Minster Fasti as Yorkshire Archaeological Society, Record Series, Vols.CXXIII(1958) and CXXIV(1959).
2. MO Appendix XVII, showing the steep rise in these years.
3. ~~Regist~~ e.g.Textus Roffensis ff.191 et seq., Registrum Roffense pp.11b-8.
4. Register of St. Osmund i pp.200(RG 1972) 208, 238-9, 349 (of c.1130x9) 351-2; Sarum Charters and Documents nos.1(RG 735) and 298.

made for the estates he held at King's Sutton and Horley, granted to Lincoln 'in prebendam' as a prebend for Flambard and Elias his son, and for the estates of Brand the priest which the king also gave to Lincoln to be held by Brand and his son after him.[1]

A second Salisbury example concerned the grants by Arnald the falconer, one for his son 'G' and the other for a second son Humfrid. St.Osmund, Rufus, Henry I and an archbishop of Canterbury all confirmed these to Salisbury on condition that Arnald and his heirs could present their own candidates to the stalls, for after some dispute bishop Roger confirmed to Arnald and his heirs;

> 'ut ipsi eligent et presentent clericos idoneos qui instituantur (ad) prebendas quas ipse Arnulfus adquisivit ecclesiae nostrae...'.[2]

There was a very close parallel to this in the grant by Serlo the king's collector of Devon of his churches there as a prebend for Richard his nutritus:

> 'et post Ricardum semper propinquiori in progenie qui aptus et idoneus ad servitium in ecclesia nostra faciendum fuerit',

a right which was finally resigned by Serlo's successors in 1227.[3]

The third type of grant illustrated at Salisbury was bishop Roger's grant of the prebend of Sherborne to abbot Thurstan, in spite of the murmurs of the canons both then and after the abbot had appointed a resident vicar. When bishop Joscelin confirmed this stall to the abbot's successor he was

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1. Reg.Ant. i nos.32(RG 1104) and 38(RG 1043).
2. Register of St.Osmund i p.383; in an earlier mandate the king had ordered the bishop and canons to observe the agreements they had made or 'reddo sibi et propinquioribus de genere suo natis prebendas de me et heredibus meis in perpetuam tenendas', ib.x.
3. Register of St.Osmund i pp.381-2(RG 1371), 381(the bishop's charter), 382-3 (the surrender).

in effect recognising an ex officio prebend of the king which Thurstan had established for the priors of Hexham and Nostell at York.[1]

In the Lincoln evidence there seem to be traces of a more obscure issue. Between 1094 and 1100 Robert fitz Gerold gave the cathedral the vill of Asgarby as a prebend for Robert de Grenville. The grant raised numerous difficulties but the earliest trouble recorded may well have been with the bishop, for a writ of the king addressed to him announces that he has confirmed the grant 'in prebendam' as the bishop had originally agreed and therefore:

> 'nolo ut illam iniuste super hoc perdat, et resaisi eum inde sicut erat in tempore fratris mei.'[2]

It looks very much as if this is an example of the king intervening on behalf of a canon against his bishop, as he did for archdeacon John against Godfrey of Bath.[3]

Recruitment.

The interest of the previous examples lies partly in the evidence they provide that the composition of the chapter might depend on other factors than the mere will of bishop or canons. That their choice was confined is also suggested at the very full evidence from St.Paul's. Here one can see how successive dignitaries might fill their chapter with relatives on a scale large enough to be self-perpetuating. The vast Belmeis connexion was strong enough to keep a grip on high office long after their founder died, and was even able to take an independent stand against bishops appointed from without. Gilbert the Universal and the Belmeis dean early collided over the issue of the Immaculate Conception of the Virgin, and later over the archdeaconry of Middlesex. The family suffered setbacks here, but played a leading part in excluding abbot Anselm of Bury from

1. Sarum Charters and Documents no.16; Register of St.Osmund i p.249; Nicholl: Thurstan pp.116-7 and 128-30.
2. Reg.Ant. i no.58(EO 761); cf. ib. nos.56-7,59,118,130
3. Historiola pp.24-5. And cf. n.1 above

the bishopric under Stephen.[1]

Even at the height of their power however the canons cannot have controlled more than a quarter of the stalls; there was always a large element which depended upon other factors. The evidence for a hereditary succession of canons has been carefully tabulated by Professor Brooke, and the results must represent a minimum figure. If to this total one adds the number of canons who succeeded their uncles rather than their fathers it becomes clear that hereditary prebends were very common there, especially early in Henry's reign. The evidence from St.Paul's is exceptionally full, but there are no convincing grounds for doubting that family influence played an important part not merely at Salisbury and Lincoln but also at York and Hereford.[2]

One cannot extrapolate so readily from another set of pressures which operated on St.Paul's. Obscure though these are it seems clear that a number of canons, of whom Nel.n fitz Algod is the best documented example, were drawn from the ranks of the leading families of the Norman aristocracy. It is likely that these men, who had control of a large number of city churches and participated widely in the affairs of the chapter could claim stalls there almost of right. We know even less of the other cathedral cities than we do of London, although the long lists of Anglo-saxon witnesses in some Exeter charters encourage

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1. For the chapter of St.Paul's there is now an extensive literature; v.esp. Diceto: Opera ed.Stubbs i pp.xxi et seq., Early Charters of St.Paul's p.xvi-xxxix, and the studies of C.N.L. Brooke, The Composition of the Chapter of St.Paul's, and Gregorian Reform in Action in Cambridge Historical Journal Vol.XIII (1956) pp.1-21. The Deans of St.Paul's c.1090-1499 in Bulletin of the Institute of Historical Research Vol.XXIX (1956) pp.231-44, and Gilbert Foliot and his Letters, Cambridge 1965. The new edition of Le Neve's Fasti for the diocese ed.D.Greenway is imminent. For the election of Anselm v. Diceto i p.248-51, for the Immaculate Conception above p.92 n.2
2. EA 255, and for three generations of canons at Hereford v. Brooke: Gilbert Foliot and his Letters p.209, the descendants of Dean Ircmemer, for whom v. ib. p.207 n.2, and Appendix I Hereford Misc. no. 1.

one to believe that canons and citizens lived in equally close contact there.[1]

It was common enough, one may then suppose, for the chapter of a cathedral to include not merely numerous men who had been there before each bishop's appointment but others who owed him little more than formal consent to their installation. So there were even at the earliest stages of their reconstruction, opportunities for the chapters to adopt a line independent of their bishop. There were equally a number of conflicts of interest which might allow this independence to ripen into hostility.

Conflict between Bishop and Chapter.

A first group of conflicts was broadly economic. Among the cathedral priories, as in the other monastic houses, the reign of Henry saw a rapid advance in the separation of the estates of community and president. The proportions to be observed in such a division were naturally the subject of considerable and sometimes acrimonious debate. At both Bath and Coventry it was said that their first bishop had virtually starved the monks by the poverty of his allowances, although John of Bath later repented. At Ely there is fuller but more complicated evidence to show similar tensions; both there and at Durham however later disputes seem to have tempted the monks into forgery, and the details are often obscure.[2]

Even where the broad lines of division were early or amicably settled particular arrangements might upset the balance. The most notable of all such conflicts was that at Winchester; here bishop Walkelin had undertaken to bear all the

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1. cf. The Exeter Book, facs. ed. f.5, Monasticon..Exoniense p. 136.
2. GP pp.195,310; Two Chartularies of Bath no.53; Miller: Abbey and Bishopric of Ely p..75-6; Feodarium Dunelmensis p.109 and Durham Episcopal Acts, esp. Professor Offler's notes to nos.3-7 and 24. In general the seperation of estates v.MO pp.404-6, and J.A.Robinson: Gilbert Crispin p..41-4. In Domesday the estates of bishop and monks are already distinguished at Canterbury, Winchester and Worcester.

costs of the new church if the monks allowed him the proceeds of their demesne churches and some other rights. By 1122 the monks wished to end this concession, for the church must have been substantially complete, and passions rose so high that even the king and magnates were involved in the dispute. It was only after the monks had processed around the church against the sun with tapers reversed that a powerful royal commission brought the bishop to a settlement.[1] Very similar disputes were taking place over the building fund at Abingdon and Durham, and over the destination of particular estates at Worcester.[2] Nor were such disputes necessarily confined to the monastic chapters, for Roger of Salisbury held a number of prebends in his own hand there for some times.[3] It was therefore with good reason that the monks of Norwich blessed the memory of their founder, bishop Herbert, for the unambiguous division he had made between their estates and those of the see.[4]

A second group of sources of friction may be loosely described as 'ideological'. A very famous quarrel forms a natural connecting link between the previous group and this. Henry I gave archbishop William and Christchurch the ancient collegiate church of Dover; the king's grant and the pope's confirmation are quite explicit on the object of the grant, which was for the archbishop to found there a house of Augustinian canons. However when the bishops of Rochester and St.Davids and prior Elmer prepared to instal the canons they were brusquely halted

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1. Annales Monastici ii pp.40-7; Registrum Johannis de Pontissara Vol.ii pp.820-1.
2. Above p.142n.2 for the Abingdon evidence, and some doubts on its accuracy. Flambard employed the proceeds of sepulture and oblations to do his share of the building of Durham, but his charter of restitution names these as revenues which he had unjustly usurped from the monks, v. p.172n.3above. For Worcester v. GP pp.289-90 n. illustrated by the documents in Thomas: Survey of Worcester, Appendix pp.6,9-11.
3. v. the references on the fate of the prebend of Heytesbury and Godalming above p.198n.4 cf. Early Charters of St. Paul's nos. 60-1.
4. First Register of Norwich ed.Saunders f.1.^{v}.

by Jeremiah, the sub-prior of Christchurch, who threatened to appeal to Rome against what he called the spoliation of the monks. Both the manner and the matter of this disgraceful episode cast a vivid light on the rankling sense of grievance at Christchurch after the election of an Augustinian archbishop.[1]

It has already been seen that the operation of royal policy almost always provided secular bishops to preside over monastic chapters. The monks of Canterbury had struggled manfully to assert their electoral rights not so much for 'Gregorian' reasons as out of a desire to avert such an event there. It is striking that the only other evidence for a spontaneous effort to assert such rights comes from another monastic chapter, Worcester, after the unhappy episcopate of Theulf. Prior Nicholas and his monks wrote two letters of desperate appeal for support in their electoral claims. The first, to archbishop William, claimed that this was necessary lest:

'ecclesie nostre que hactenus piis et modestis pastoribus est defensa alienum et tirannicum preficiat dominatorem,'

and demanded with a reckless if vicarious courage that if the king failed to allow an election:

'vestra que a Deo pendet auctoritas canonici rigoris gladio contraire non formidaret.'

The second, to William of Winchester, asked him to use his influence with the king to make him more ready to grant the election which canon law demanded. There is nothing to show that what the monks wanted was to elect a monk, but that is overwhelmingly probable. Two letters in reply survive, one from the archbishop, the other from Hubert; neither mentions election at all, but both urge on the monks the most exact observance of their rule, for the whole order of monks was now scrutinised with such general hostility that they could afford no dissensions

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1. Gervase: Opera i pp.96-9, Mon.IV p.538(vii)(HC 1736), Haines: Records of Dover pp.56-79.

among themselves.[1]

The Worcester evidence finds little if any ~~evidence~~ parallel outside Canterbury under Henry I; the problems of a secular presiding over monks were more widely reflected in the sufferings than the pretensions of the chapter. At Durham and Bath the community were exposed to the contempt as well as the avarice of their bishops, and Flambard seems to have taken malicious pleasure in outraging the sensibilities of his monks. His successor, Geoffrey Rufus, began his rule in little more promising style, but here, as at Bath under John and Winchester under William Giffard early hostility gave way later to what seems to have been a genuine and even deep affection.[2]

There is no evidence to suggest that the two regulars of the reign who presided over secular chapters, Seffrid of Chichester and Robert II of Hereford, were embarassed by that fact alone, but secular chapters presented their own problems. They were far less amenable to a common discipline, as archbishop Gerard once lamented to Anselm, and were liable in full measure to just those abuses which the English reformers were beginning to attack; their canons were frequently married, their benefices offered opportunities for simony, and absenteeism seems to have been frequent.[3] Even a secular bishop touched

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1. These four letters are found in BM. Cott. Claudius A I ff.36-v; the letter of Eadmer was printed as AS ii p.236, and thence in PL CLIX col.807. The MS is described and the letters transcribed in full in Mr.Bethell's thesis, Appendix V.
2. GP pp.195,p.274 n.5; HD i p.142; for Bath above p202n.2; for Winchester above p.203n.1.
3. A hereditary is presumably a married clergy; the narrative of Diceto: Opera i p.249 shows a number of canons' wives still at St.Pauls in 1137; for simony v. EA 255; for absenteeism HCY iii no.29. How general it was is very difficult to tell; in the St.Pauls evidence it seems that about a third of the canons were probably non-resident, if one may judge from their absence in surviving witness lists, many of which are very full. Those who do not appear are just the ones one would expect, the royal servants and chaplains like Nigel the treasurer, Everard de Calne and Thurstan.

by the call to reform might find himself at odds with such a community, and there is evidence for such conflict at York and Hereford. The grounds for Robert II's quarrels with his dean and chapter are left vague by his biographer,[1] but at York it seems that archbishop Gerard made serious efforts to enforce the provisions of the council of 1102. The canons repaid him by accusing him of necromancy and refusing to bury his body.[2]

The third source of friction was the extent to which the chapter was free to administer its own estates; formally this is the most critical in assessing the extent of the bishop's control, although it may have been of less practical significance than one might suppose.

By 1135 it is likely that a majority of cathedral chapters had been granted free administration of their estates, the phrase used being often that they should have the same rights over their land as the bishop had over his.[3] A charter of Henry of Blois for Winchester enters into great detail, providing that the knights and free tenants should do homage to the prior as lord, and that he should enjoy full and free administration ~~over~~ and power over the internal and external affairs of the priorship, meaning presumably the monks' portion.[4] At York suspect testimony attributes the canons a virtually complete autonomy.[5]

Such liberties were not however universal; the grant by Robert II of Lincoln ~~and~~ of the freedoms which the canons of Salisbury had over their prebends to his canons in theirs a

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1. AS ii p.304
2. v. EA 255, GP pp.259-60; v. HCY i p.300.
3. BM Add.6159 f.8v, First Register of Norwich ed. Saunders ff.10v-11; Register of St.Osmund i pp.198-200; Early Charters of St.Pauls no.63.
4. Registrum Johannis de Pontissara ii pp.824-5.
5. HCY iii pp.34-6(FG 1083), which should be compared with a letter supposedly from the chapter of York to that of Southwell which is closely related to this - Visitations and Memorials of Southwell pp.190-6.

generation later was clearly an innovation, and it is doubtful whether several chapters effectively enjoyed the privileges which appeared in their charters.[1]

One area of difficulty was being entered quite freely at this period, the problem of the destination of a canon's revenues at his death, which was the subject of constitutions at York, Salisbury, Chichester and Exeter.[2] The effect of these in general was to divide the proceeds of the prebend for a year after the canon's death into two portions, one for the use of the creditors, family and soul of the dead canon, the rest to the church. The provisions at Exeter are perhaps the most interesting; first the bishop granted the canons disposition of such revenues for a year and then both parties granted them to the priory at Plympton, so creating almost a communal chantry.

There was a second form of liberty which was also claimed and already widely held by the chapters, freedom from the jurisdiction of the archdeacon. At Worcester this right was asserted to be very ancient, being attributed to a concession of Oswald, and it was also granted to the canons of St.Pauls and Salisbury. At Ely the situation was extraordinarily complicated, for the monks had originally enjoyed the archdeaconal rights of the bishop of Lincoln in the Isle of Ely, and this made for great confusion when they had their own bishop and archdeacon. At Durham for a period bishop William of St.Carilef is said to have granted the archdeaconry of the whole diocese to prior Turgot, but this bold design was soon abandoned under Flambard, leaving the extent of the monks' immunity obscure.[3] At York

1. Registrum Antiquissimum of Lincoln i no.267,cf. no.290.
2. EYC nos.149-50; Register of St.Osmund i p.19, Acta of... Chichester no.15, Monasticon Exoniense pp.136-7 nos.vii & viii For the substantial authenticity of Osmund's charter and the 'Institutio' v.Morey and Brooke: Gilbert Foliot and his Letters p.189 n.1.
3. AS i p.543; Early Charters of St.Pauls no.65; Register of St.Osmund i p.14; Liber Eliensis pp.124-5,276; SD i p.129, H.S.Offler: The Early Archdeacons in the Diocese of Durham in Trans.Archit. and Archeol.Soc. of Durham and Northumberland Vol.XI(1962) pp.189-207.

there is no very early reference to such rights, but they are claimed by implication in the documents cited earlier and were certainly enjoyed before the mid-century.[1]

The third area of liberty is in the choice of canons. I have suggested earlier that recruitment of members of the secular chapters was in practice determined by some factors which have very little to do with the formal definition of the rights of either bishop or canons; however these rights were set out in a number of texts. In general the texts speak of the bishop's right to appoint a new canon, although at both York and Exeter the canons' consent was at least formally required, and at Salisbury it was said that the bishop instituted a canon and the dean installed him, much as the bishop instituted parish clergy and the archdeacon inducted them.[2] At London however bishop Maurice at one point is said to have repented of his evil deeds towards the canons of St.Pauls and restored among other rights:

'consuetudines...et statuta et elecciones et potestates in dandis prebendis...'.[3]

It has been suggested that this right of election was very ancient, but it is doubtful how effective this grant was; it certainly did not survive the pontificate of Richard de Belmeis I. In practice the bishop chose his cathedral dignitaries with the same freedom as Roger of Salisbury seems to have enjoyed.[4] In this matter the bishops of monastic churches seem to have enjoyed a distinct advantage over their fellows. William of Winchester could depose his prior with an ease which must have been envied by Thurstan of York or Robert of Hereford, both of

1. Above p.206 n.5; cf. EYC i 152 and 1153.
2. HCY iii p.35; Monasticon Exoniense p.136-7 no.viii; Register of St. Osmund i p.4.
3. Early Charters of St.Paul's no.59.
4. Ib. pp.xxi-vi; cf.nos.273-4 a grant of the Mastership of Schools; the nephew of bishop Richard became dean very early in his episcopate which again does not suggest an election in any meaningful sense; cf. Sarum Charters and Documents no.10 for Roger of Salisbury's appointment of a canon in the teeth of the protests of his chapter, a unique reference to this date.

whom went as far as Rome for authority to control their deans.[1]

Co-Operation of Bishop and Chapter.

I have so far been at pains to show that the chapter was already capable of a substantial measure of independence. It would however be most unwise to exaggerate the division of interest. Several factors reduced its significance. Firstly, many of the bishop's intimates, including his archdeacon, were often members of the chapter. Secondly the chapter might perform important functions in the conduct of the bishop's business; I have already suggested that it might act as a court for his judgements, and many of his charters were no doubt issued there.[2] Thirdly the bishop often had a lodging as close to that of his chapter as that of many abbots was to their monks, and although few bishops probably went as far as William Giffard, whose habit it was to take his afternoon siesta with his monks, such proximity cannot have been without consequences.[3]

Not only were the bishop's household and chapter not sharply distinguished groups, there were many common interests to unite them. Of these the most obvious was the dignity of the see. It is increasingly clear in the later stages of the primacy dispute of the reign that much of the energy, learning and bitterness with which the quarrel was prosecuted came from the two chapters. In the last years of Anselm's life indeed the chapter at York seems to have been acting almost independently of their archbishop-elect. The chronicles of Eadmer and Hugh the Chantor both reflect the approach of the two communities each regarding the other's principal as almost a lay figure, a more or less responsive instrument of the corporate will.

This common responsibility was also expressed in a paradoxical way in the confirmations made in the name of the chapter of acts of the bishop. In the reign of Henry I such capitular

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1. Annales Monastici ii p.43, HCY iii no.29, AS ii p.312.
2. Compare Brooke;and Morey: Gilbert Foliot and his Letters p.190
3. Annales Monastici ii p.49.

confirmations were an innovation, for there do not appear to be any genuine examples before 1100. The earliest appears to be from York about 1109-12, though it is not above suspicion, but by the end of the reign they appear quite widely.[1] A particularly notable example is another York chapter charter, confirming the foundation of the nunnery of St.Clement by Thurstan, for the archbishop's own charter is attested by what must have been an overwhelming majority of the canons.[2] These texts indicate two points. They express the common interest of bishop and chapter in the affairs of the diocese but also a conception of the chapter as sufficiently distinct for its consent to be given in a separate charter.

2. Secundae Sedes.

The cathedral chapter was principally distinguished by its connexion with the mother church of the diocese; of these of course there could only be one in the full sense. There were however a large number of churches which shared many of their characteristics, bishop's churches over which he had a substantial measure of control, served by a community which was usually secular, and performing many of the functions of a cathedral in the preservation of relics, perhaps in the distribution of chrism and certainly sometimes for the making of Pentecostal processions.[3] In sum they acted as the mother churches for an area which contained many full parish churches, foci of devotion and sometimes centres of episcopal jurisdiction.

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1. EYC i 44; for Ely v. the charter of prior Henry (Cambs.U.L. Add.MS 3020 f.166^{v}); for Thorney; for London the charter of dean William and the canons for St.Osyth (London,Guildhall, Bishop Clifford's Register ff.172^{v}-3, Mr.Bethell's thesis p.272); for Canterbury Du Boulay: Bexley Church p.51 no.4; for Hereford PRO C.115 A.9 f.115, 1136, also in C.115 A.I Sign.I no.cxxxiv and Sign.VI no.xxvi.
2. EYC i 358; the archbishop's charter is ib. no.357, and is attested by the dean, treasurer, three archdeacons and eleven canons. The date should probably be 1125 x 1135, not Farrer's 1141-2; cf. EYC ii 874 and vi 10.
3. Above p.173 and n.4, Barlow: Durham Jurisdictional Peculiars p.xiv n.2.

The most notable group of these was that of the collegiate churches in the diocese of York, at Ripon, Beverley, Southwell and Hexham. Except for Southwell these had all once been bishoprics themselves; except for Hexham they were all served by comparatively prosperous communities of secular canons, and all were the beneficiaries of their archbishop's generosity and care. Southwell, Beverley and Ripon were first reconstructed during the pontificate of Ealdred, and a continuous expansion took place under the Norman archbishops; the revival at Hexham was the work of Thomas II who converted it into an Augustinian priory. These churches asserted their quasi cathedral status by asserting the same rights against their bishop as his cathedral canons had. Canons from Beverley and Ripon frequently appear among the witnesses to charters of the archbishop at this period.[1]

York was an unusual diocese in that the monastic revival there was comparatively late, so that these churches had an importance without parallel in most of the more thickly settled dioceses of the south. In many ways however the diocese of Exeter, with its former bishoprics of Crediton and St.Germans and collegiate churches at Bodmin, Plympton and Launceston presented a rather similar pattern.[2]

Elsewhere the bishop's collegiate churches were less important; there is no evidence that the former bishops' sees at Dorcester, Wells and Sherborne retained more than the prestige of their earlier cathedral status. At Lichfield however there is a little to suggest this. Bishop Robert Pecche and Roger de Clinton continued to favour the site, and Roger

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1. v. above p.49 and n.2 , Nicholl: Thurstan pp.29-30,123-6; EYC i 116,125,146, ii 870-7, 903(RG i 421); for canons of Ripon and Beverley attesting charters v. EYC i 25 ,62,150, ii 936(?). In general v. Memorials of Ripon ed.J.T.Fowler in 4 vols as Surtees Society Vol.LXXIV(1882),Vol.LXXVIII (1886),Vol.LXXXI(1888), and CXV(1908); Sanctuarium Dunelmense et Sanctuarium Beverlacense, ed.J.Raine as Surtees Society Vol.V(1837); Visitations and Memorials of Southwell, Priory of Hexham ed.Raine, HCY i pp.201-347.
2. Above pp147-8 for references.

particularly is said to have increased the number of prebends and added to the church buildings. Since he also held synods there it is likely that it remained of considerable importance in the diocese.[1]

In general however the devolution of episcopal authority through the ancient communities of minster churches, even when reformed according to the pattern of the regular canons, was fast becoming obsolete. Since their foundation the rapid increase in the number of parish churches had reduced their influence and their own decay with the expansion of the religious orders had reduced their prestige.[2] The ecclesiastical map of the diocese was being rapidly redrawn by factors over which the bishops had little control and quite different techniques of church government were required to manage it. As the collegiate churches sank, to varying degrees, in wealth and influence, new officers of the bishop appeared to exercise his authority.

3. Archdeacons.

Of these the first in importance is were undoubtedly the archdeacons. The origins of this office present almost all the same problems that beset the study of those of ecclesiastical courts; in essence the situation is this: there are a number of references to the office in pre-conquest literary sources, although the only convincing ones are found in the Northumbrian Priests Law, but no evidence has been produced that men bearing such a title then existed in England.[3] Across the Channel however, in Normandy as in the rest of France, the first half of the eleventh century appears as the period of critical

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1. GP p.311; AS 1 p.434; D&C Worcester Reg.1 f.25v.
2. For the decay of the minster churches of the far West v. the references collected above on p.148 n.3 especially for Hartland and Plympton.
3. These reference have been often collected, most recently in Barlow: The English Church pp.47-8; cf. also Vita Wulfstani p.xxxv n. The archdeacons described in Deanesley: The Familia at Christ Church Canterbury in Essays presented to T.F.Tout, Manchester 1925, pp.1-25, do not appear to have survived the ninth century.

expansion during which the bulk of dioceses can be shown to be divided up into archdeaconries.[1] The Norman clergy who accompanied the Conqueror into England thus were familiar with the office in its qualities of multiplicity and territoriality. At the Windsor Council of 1070 canon five provided:

'Ut episcopi archidiacones et ceteros sacri ordinis ministros in ecclesiis suis ordinent'.[2]

The response to this seems to have been rapid; an archdeacon Anschetill appears as a witness to the acts of the Council of London in 1075, but according to a late source Lanfranc had replaced the chorepiscopus at Canterbury with a first archdeacon Valerius, which, if true, must refer to a yet earlier period.[3] In the 1080's references to such offices multiply so rapidly that it seems that there were archdeacons in every English diocese, except perhaps Rochester, before Lanfranc died.[4]

In some cases the final subdivision had taken place, as probably at London, York, Bath and Salisbury. Elsewhere it seems more likely that the original circumscriptions proved too large and the process was continuing. It was probably not until the middle years of bishop Alexander of Lincoln that an eighth archdeaconry of the West Riding of Lindsey was created.[5] At Worces-

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1. There is a useful collection of references in Lemarignier: Les Institutions Ecclesiastiques en France...pp.70-71.
2. W i p.305.
3. W i p.304; AS i p.150. Anschetill, who figures in the Textus Roffensis, but is not to be confused with the later archdeacon of Rochester, died in c.1090 (Revue des Sciences Religieuses Vol.XV(1935) pp.307-9).
4. For Worcester Vita Wulfstani p.xxxv-vi n.(1086); for York v. HC p.7(1093); for Exeter v.A.Morey: Bartholomew of Exeter, p.114(1069); for Chichester HN p.71(1089); for Bath DB iv p. 147(1086); for Chester Eyton: Antiquities i p.110(c.1086); for Lincoln HH p.308(-1084); for London Brooke: Composition of the Chapter of St.Paul's p.18n.(1089); for Norwich DB ii p.193 (1086); for Salisbury Historia...de Abingdon ii p.19(1089); for Hereford EHR Vol.XLIV(1929)p.353 (1089); for Winchester Adam de Domerham i p.293-4(-1095); for Durham Offler: The Early Archdeacons... pp.191-3 (1080x1089); the earliest genuine Rochester evidence comes from 1107, Registrum Roffense p.6-7(RC845).
5. Reg.Ant. vii p.201.

ter it seems that there was no second archdeacon un il the twelfth century, as at the eccentric case of Durham, and there may have been some further subdivision at Norwich.[1] There is still a serious problem in determining the early f sti of these archdeacons, for it was in general not not until the 1130's or even later that it became the custom for them to adopt the style of their particular charge rather than that of the diocese.[2] That this represents no more than a diplomatic practice can be demonstrated quite clearly at Lincoln and Salisbury, where the earliest reference to the institution of archdeacons attributes each a particular sphere of competence. It is anyway inherently probable, for it can scarcely be believed that a number of archdeacons would be left to compete for jurisdiction throughout the diocese.

Recruitment of archdeacons.

Many of these archdeacons are necessarily obscure figures, but two large and overlapping groups among them do emerge from the evidence. It has been noticed earlier that a very large number of royal chaplains held archdeaconries; sometimes, as with William Warelwast at Exeter, it is impossible to trace their connection with the diocese beforehand, if indeed they had one. More often they were relations of the bishop who was himself a royal servant.[3] There is a further large group of archdeacons

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1. At Worcester, where the evidence for the pontificate of Wulfstan is very substantial, there is no reference to a second archdeacon until c.1112x1114; v. I.Atkins: The Church of Worcester from the Eighth to the Twelfth Century (pt.ii) in Antiquaries' Journal Vol.XX(1940) pp.1-38,209-229, esp.p.36, with which cf. Clay: A Worcester Charter of Thomas II; there may not have been two archdeacons at Durham consistently before c.1145 (Offler: Early Archdeacons passim); for Norwich L.Landon: The Early Archdeacons of Norwich in Proceedings of the Suffolk Institute of Archaeology Vol.XX(1930) pp.11-35.
2. Morey: Bertholomew of Exeter p.114-27; C.Clay: Notes on the Early Archdeacons in the Church of York in Yorks. Archaeological Journal Vol.XXXVI(1944) pp.209-27,409-34; Acts of ... Chichester pp.213-9.
3. Above p.117-8.

whom we know to have been the bishop's relatives but who do not appear to have had any very close relation to the king's court.

Sons and nephews of the bishop became archdeacons in almost every diocese in the kingdom during Henry's reign, with varying results. Some proved disastrous choices, such as Thurstan's nephew Osbert, who was the central figure in one of the greatest scandals of the century.[1] Others on the other hand proved admirable choices; archbishop Ralph's nephew seems to have been an unexceptionable archdeacon of Canterbury, for archbishop William subsequently made him bishop of Rochester.[2] For the others it is difficult to tell whether they were notably better or worse than those chosen on other grounds.[3]

It has already been noticed that some archdeacons were chosen from the household clergy of the bishop, a valuable indication of the way in which ecclesiastical administration was becoming a career; one of these, Walkelin of Norwich proved at least as disreputable as any bishop's nephew.[4] There is one further group which can be discerned in the evidence, the hereditary archdeacons. Henry of Huntingdon is perhaps the best known example, but there were similar successions at York and notably at London; it is likely enough that they were commoner than the

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1. Clay: Notes on the Early Archdeacons...pp.277-9 and references there cited; he had at least two sons.
2. HN p.231; JoW p.19, HH p.245.
3. For Bath Historiola pp.22-5, John, nephew of bishop John; Robert(?) nephew of bishop Geoffrid, Acts of Chichester pp.6-9; Richard, son of Robert Pecche of Chester, Staffordshire Chartulary pp.176,198; Ranulf nephew of Flambard at Durham, 'vir praeclarae probitatis', SD ii p.312, Offler: Early Archdeacons p.200. Robert, nephew of William Warelwast at Exeter, Morey: Bartholomew p.114; William nephew of Alexander, and David the bishop's brother at Lincoln, HH pp.302-3; Richard de Belmeis at London Diceto: Opera i p.2.1; also the references above for York and Canterbury, and for Salisbury and Ely p.
4. Landon: Early Archdeacons of Norwich p.30; Brooke: Gregorian Reform in Action p.15

evidence anywhere except at well-documented London suggests.[1]

Very occasionally the archdeacon was a regular; the first archdeacons of Durham after Turgot seem to have been monks, although this plan was soo abandoned, and Richer of Winchester was also a monk of the priory.[2] Twice it appears that there was an Augustinian archdeacon, although both cases are curious. It is said that archdeacon Stephen of Winchester had become a canon of Merton before July 1125. If this is true he must have entered religion after becoming an archdeacon, for he first appears before Merton was founded, and continued in office after his conversion.[3] Gervase of Canterbury says that archbishop William made Helewise from a canon archdeacon of Canterbury; it does not however appear where he was a canon, and he had been previously archdeacon of Rochester.[4]

Where inheritance, family patronage and perhaps royal influence played so large a part in the choice of archdeacons it is not surprising that many of them were ill-suited to the task of reform. Among their principal disciplinary duties was the eradication of a married clergy, but a significant propor-

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1. For an unnamed hereditary archdeacon at York EA 255; for Henry HH p.302, for Cyprian son of Quintilian, and Roger son of Walter all four archdeacons at London v. Newcourt: Repertorium pp.144,124
2. Offler:Early Archdeacons...pp.194-200

   for Richer Liber Vitae...of Hyde ed. W.de G.Birch at Hampshire Record Society Vol.IV(1892) p.30.
3. London, College of Arms, MS Arundel 28, f.12; there is a grossly inaccurate abstract of this MS in A.Heales: The Records of Merton Priory, London 1898, pp.1-13. Stephen first appears in EA 230 and attested charters right at the end of Giffard's pontificate, e. .Mon.V p.241(i), the foundation charter of Waverley.
4. Gervase: Opera ii p.96; Helewise continued for a while as archdeacon of Rochester under bishop John (Arundel MS f.15^{v}), and it is not known exactly when he became archdeacon of Canterbury. Morey and Brooke: Gilbert Foliot and his Letters p.208 cite another case at Hereford perhaps a little later, a canon of Llantony as archdeacon of Shropshire.

tion of them were married themselves.[1] urther there is some reason to believe that many of them were appointed very young, for they might hold office for a remarkably long time. Peter was archdeacon of Hereford for at least forty seven years, Henry of Huntingdon and Walter of Oxford for about forty. The case of Richard Pecche is even more remarkable, for he was archdeacon for thirty five years and then bishop for twenty one more. There are a number of parellel cases tending to the same conclusion.[2] However when bishop Richard wished to make his nephew 'nondum plene pubes' archdeacon of Middlesex, even another nephew, the dean, felt bound to protest.[3]

Functions.

The first duty of an archdeacon was to assist his bishop, or to supply his absence; in 1108 Anselm sent his archdeacon William with the sub-prior of Christchurch to Rochester with Ralph the new bishop:

'ut illum ex parte sua ipso episcopatu investiret'.[4]

Anselm was then a sick man, and it may have been because the bishopric of Winchester was vacant that he sent archdeacon Stephen of Rurey to Romsey to prohibit the further cult of Waltheof:

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1. Liber Eliensis pp.403-4; Feudal Documents from Bury no.172 is attested by the son of archdeacon Walter of Waltham (perhaps the prebendary of Holborn in Newcourt: Repertorium i p.156 ;); for Henry son of archdeacon Hugh v. Newcourt i p.163 ; RG 1969, Appendix no.CCCXVIII for Michael son of Nigel archdeacon of Northants; Giraldus Cambrensis, Opera vii Appendix B 19 Sept., for the son of archdeacon Richard at Lincoln. Osbert was succeeded by William fitz Osbert as archdeacon of the West Riding of Lindsey, which is suggestive (Reg.Ant. vii pp.201-2) For Richard de Belfou at Norwich v. Chronicon...de Bello pp. 120-1.
2. For Peter v.N. and C.N.L.Brooke: Hereford and Imperial Dignitaries in the Twelfth Century in Cambridge Historical Journal Vol.VIII(1944) pp.1-22,pp.15-6. Henry became archdeacon of Huntingdon c.1110 (HH p.245, Liber Eliensis p.276,) and died c.1155 . Walter first appears c.1111(RG 1000), and died 1151 (Annales Monastici iv p.25). For Richard Pecche v. above p.215 n.3
3. Dicto: Opera i p.251.
4. HN pp.190-7.

'ex nostra parte, et ex parte episcopi Wintoniensis et vestra'.[1]

The archdeacon's duty to assist the bishop in the performance of his duties is well illustrated by some of the earliest evidence, for the archdeacon of Worcester prepared the churches for Wulfstan to dedicate the next day, and gave advance warning of the bishop's coming.[2] A even better illustration comes from a letter of Herbert of Norwich to Roger of Salisbury, asking him to send back his archdeacon Walter:

'quoniam adeo necessarius est in sinodo quam habiturus sum ad (blank in MS) ut eandem sinodum sine eius praesentia nullo modo definire possim. Ego enim tanta molestia cruris et tibiae affligor ut nunquam valeam procedere nisi nostrorum fratrum manibus deportatus.'[3]

The witness lists of several sinodal texts suggest that the presence of the archdeacons was customary.[4]

It is very likely that these early archdeacons conceived their duties as being as much or more personal, to the bishop, than public, to their archdeaconries. When Richard of London was vice-roy of the Marches he seems to have taken his archdeacon Cyprian with him, which certainly suggests this.[5]

The archdeacons were already acquiring functions however which were particularly theirs. I have cited earlier the evidence for the emergence of their duty to induct those clergy whom the bishop had instituted, and to hand over to their new owners churches granted to religious houses.[6] In another sense too they acted as extensions of the bishop's presence, or were

1. EA 236, where the editor's date is insecure.
2. Vita Wulfstani pp.98,51.
3. Epistolae Herberti... ed. Anstruther no.XXI.
4. Stenton: Acta Episcoporum p.10n has an Exeter synod attested by three of the bishop's four archdeacons and two visitors, from Bath and Salisbury. For the other texts v. above pp.168-9
5. Kyton: Antiquities iii p..232-3.
6. Above p.167 n and p.169n.; v. also Saltman: Theobald p.527.

supposed to, for the councils of the reign expect them to search out a married clergy and faithfully report them to the bishop, although they were widely believed to use these instructions as an opportunity for blackmail.[1]

It is clear too that the archdeacons had financial duties. Royal writs and a mandate of archbishop William instruct the archdeacon to secure the due render of tithes to favoured churches,[2] insisting on his duty to others in the diocese besides the bishop, but he must have been particularly active in collecting the 'consuetudines episcopales', chrism, fees, synodals, Peter's pence and sometimes the profits of the ordeal.[3] The mechanics of the process may be illustrated at Norwich and Lincoln; at Norwich the archdeacons collected the synodal due and paid two thirds of it, originally presumably to the bishop, while at Lincoln they were accustomed to collect the chrism dues and pay the bishop a pension out of the proceeds.[4] In effect therefore they seem to have acted much like sheriffs rendering a farm, and at York at least the archbishops made allocations out of the render just as the king might from his.[5]

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1. Above p.189 ; v. esp. the 'Quadripartitus' version of London 1108.
2. Appendix I Canterbury no. 6 ; Reg. Ant. no.74 (RC 1301) and no.20(RC 1801).
3. For Peter's pence in particular v. above pp.178-83. Liber Eliensis pp.134-5 deals with the statement by archdeacon Henry of Huntingdon that he and his predecessors had not collected the profits of the ordeal in the Isle of Ely, seeming to imply that they did elsewhere. The profits from the ordeal at Westfield were granted to Battle by Ralph of Chichester (Acts of... Chichester no.5), so that this might be an episcopal revenue. V. also Saltman: Theobald p.527 and Appendix I Chester nos. 1-3. References to archidiaconal exactions in such texts as Bethell no.XXIX p.211(citing archbishop Herbert's Register Vol.I f.134^{v}) and below Appendix I Lincoln no.2 may refer either to the collection of these episcopal dues or the archdeacon's own judicial and procuration dues discussed below.
4. Appendix I Norwich no. 4 and Cheney: From Becket to Langton Appendix III no. iv.
5. EYC i 144, discussed in Clay: The Early Precentors pp.129-30; EYC i 146.

The Archdeacon's Courts.

As one might expect, evidence for the holding of courts by the archdeacon begins to appear in the same hesitant fashion as that for episcopal courts, but rather later. The earliest comes from a letter of Anselm in which he confirms the sentence of archdeacon William upon the incontinent lapsed clergy, in a phrase which suggests an early experimental jurisdiction.[1] More precise evidence however does not appear until much later in the reign; the charter of William Warelwast for Plympton grants the house the fines which its domestic servants might incur while reserving

> 'Iusticiam...et poenitentiae censuram...mihi et archidiacono',[2]

but in Henry's last years there are records of several cases actually heard by an archdeacon. A mandate of Alexander of Lincoln orders Robert archdeacon of Northampton to restore the monks of Thorney of the tithes of Robert de Stibbington if they held them on the day that William de Lisurs died, to 'take right' from the chaplain of Benefield who had detained the tithes and to compel the parishoners of Wansford to come to the church of Stibbington:

> 'sicut adiudicatum fuit coram te ipso et Henrico archidiacono, et prohibe Herberto presbitero ne amplius recipiat eos vel oblationes eorum sicut diligit officium suum, et quicquid inde amodo receperit constringe eum per Christianitatem suam donec totum reddat.[3]

Another text which is likely to be early, though of uncertain date, records the dispute between the monks of Gloucester at Ewias and the clerks of the castle there, heard, according

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1. EA 374, above p. 89
2. Appendix I Exeter no. 3.
3. Appendix I Lincoln no. 6, 1129 x 1137. cf. Eynsham Cartulary i no.15.

to the charter of archdeacon John of Lincoln:

'in presentia nostre et domnegen' decani et totius capituli de Irias'.[1]

This may well be compared with a text which certainly refers to an early case, a letter of archdeacon Adelelm of Dorset to bishop Joscelin which describes an action thirty years earlier in the days of bishop Roger. It concerned the claims of canon Roger and Walter de Hull over the church there, and because archdeacon Azo was the canon's brother the bishop committed it to Adelelm for judgement. The parties were therefore summoned to plead:

'in ecclesia de Beverell presente capitulo illius provincie.'

The canon produced three priests to swear that the church was appurtenant to his prebend, and so 'secundum ordinarium' he won his case. This judgement was confirmed by Elias Gifford II, the lord of Walter de Hull, in a charter which gives the names of the jurors.[2]

These last two actions took place in a 'capitulum', apparently a court for a district, at Swine with its own dean, where the archdeacon delivered judgement in the presence of clergy. These are the earliest precise references to such a court, but they illuminate a number of earlier texts. The record of a grant to St.Paul's has among its witnesses the chapter of Reiner the archdeacon, and then follow the names of three priests, which is suggestive,[3] but less so than the phrases found in some charters of immunity or presentation. A mandate of Alexander of Lincoln, cited earlier, instructs the archdeacon of Buckingham to proclaim a priest whom he had instituted 'capitulo suo', and archdeacon William of Ely denies that a clerk had ever been made

1. Appendix I St.Davids Misc. no.1
2. Register of St.Osmund i pp.349-51; the charter of Elias gives the names of five oath-swearers, three priests, a clerk and another. Elias Gifford II is said to have succeeded his father in c.1130, (Sanders: English Baronies p.110).
3. HMC IX Report, Appendix pt.1 p.62a.

parson of Pittlesey 'in capitulo nec in senatu de Pitles'..'.[1] The judicial aspect of such chapters is expressed very fully in a charter of bishop Ralph of Chichester which provides that the parish priest of Battle shall go to synods only to hear the bishop's precepts, not to undergo judgement:

'nec ad clericorum capitulum ibit nisi eum abbas miserit, aut propter clamorem faciendum ire voluerit.'[2]

The text presents some awkward problems, but the same liberty less fully expressed appears also in the claims of St. Augustine over its clergy and in the privileges of Burton and Godstow.[3] It seems clear that two sorts of ecclesiastical court, the bishop's synod for the whole diocese and the 'capitulum clericorum ' for a smaller area were already established before the end of Henry's reign.

Although these chapters have been discussed more because there is good evidence that the archdeacons might preside over them it is also clear that they were not peculiarly his courts. In one case at least it seems that bishop Robert II of Hereford held one; in another the abbot of Abingdon compelled the priest to dig up the body of a parishioner of another and to restore it to its rightful priest 'in capitulo presbyterorum', a case curiously reminiscent of events at Hereford and Gloucester at about the same time.[4] This second case may be an example of the court of an immunist similar to that envisaged in the Godstow charter, although we do not know enough of Abingdon's early liberties to be sure. The charter of Jordan of Brecon however has already introduced the dean of a chapter and there is other evidence that these chapters of priests were indeed the courts of a deanery, in

1. Historia...de Gloucestria ii p.170 cited above p.154; Saltman: Theobald p.527.
2. Acta of...Chichester no.6 for which v. above p.143 and n.2. If it was interpolated in the mid XIIc. this passage is almost certainly authentic.
3. Thorne: Historia S.Augustini col.1791, Appendix I Chester no.1 and Lincoln no.2.
4. Appendix I Hereford no.6; Historia...de Abingdon ii pp.130-1.

which archdeacons and bishops might preside under some circumstances.[1]

The court which was exclusively the archdeacon's was his synod, held for his element of the diocese, for this there is no evidence which certainly belongs to the reign of Henry I, but some does appear immediately after its end, so suggesting that they were being held earlier. The first stage of the Anstey case was heard before the archdeacon of Colchester at Colchester in 1130;[2] in the reign of Stephen archdeacon David of Buckingham held a synod to determine the ownership of the churches of Bringley and Draysbury.[3] One charter, the confirmation to St.Neots of the gift of Holy Trinity Church Huntingdon by archdeacon Henry, which describes the gift he has made in his synod at Huntingdon, may however be as early as 1135.[4]

The Archdeacon's Resources.

As the collector of much of the bishop's ecclesiastical revenues the archdeacon was in a position from which he could expect to profit. There were however some revenues which he might collect on his own account; of these the profits of his jurisdiction were perhaps the most important. They were granted to Plympton for a small area in the earliest specific reference to them, and they were also uppermost in the mind of Gilbert of Sempringham when he refused bishop Alexander's offer of an archdeaconry. In a passage of remarkable delicacy his biographer explained his fears of accepting an office in which he would have a financial interest in the multiplication of sin.[5] He might also levy his own procurations, according to two charters of Godstow nunnery which are of the utmost interest. The first

1. Below p.230 .
2. Letters of John of Salisbury no.229.
3. Historia...de Gloucestria ii pp.100-7; cf. Letters and Charters of Gilbert Foliot no.371.
4. Appendix I Lincoln Misc. no.1
5. Appendix I Exeter no.3 ; Life of Gilbert of Sempringham p. viii - '...timuit...ne augmentum culparum foret incrementum dividiarum,' hence his view of the office as the swiftest road to Hell.

is a charter of archdeacon Walter, granting the nuns all the freedom that an archdeacon could grant, including freedom from:

> 'omni archidiaconali exactione sive aggravacione, ut in hospiciis exigendis aut capellanis impetitendis, ceteriave eiusdem ecclesie ministris in causam ducendis'.

The abbess should have such freedom in the management of her chaplains that if she wished:

> 'ad sinodos sive ad capitula non eant, nec archidiacono nec decano aut eorundem ministris nisi voluntarie respondeant. Capellani quoque sui si perverse egerint convocet abbatissa ad ecclesiam suam vicinos quos elegerit presbiteros quorum iudicio aut corrigat eos aut eiciat.'

At the same time bishop Alexander confirmed all these rights at the archdeacon's request, adding some of his own.[1] Not merely is this an unusually full and early account of a small immunity, containing the first unequivocal reference to the archdeacon's procurations, it also illustrates an important process at its birth. When Walter granted the abbess all the liberties he could concede he claimed a much larger measure of control over his office than the first archdeacons could normally have exercised. Such a grant, and his bishop's confirmation, involve many of the same factors as the concurrent grant by bishops and chapter discussed earlier. It marks a stage in the growing independence of the office.

Most archdeacons, if not all, had other sources of revenue than their office. So far as one can judge it was usual for those who served in dioceses with secular cathedrals to hold a prebend in chapter; this was certainly so at St.Pauls where there is so much evidence , and it was also true of at least some archdeacons of Salisbury and Lincoln.[2] Just as a variety of influences might combine to provide the with their archdeaconries, so the held a wide variety of benefices by virtue

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1. Appendix I no. Lincoln no. 1 and Lincoln Linc. no. 2 .
2. Newcourt: Repertorium i p.137,148,176,183; Register of St. Osmund i p.249. Lincoln Cathedral Statutes iii p.789-91.

of the favour of their bishop, their family or the king.[1] Two examples, although they concern men of exceptional standing, well illustrate the range of their interests and the multiple patronage they might enjoy. The first is Richard de Belfou, a member of an influential Norfolk family and archdeacon of Norwich, a tenant of the bishopric with a knight fee, and a royal chaplain holding the tithes of the king's hall at Ormsby;[2] the second is Walter of Oxford again. His importance in the literary history of the period has always lent his career a particular interest, and it has been much studied. As well as being archdeacon of Lincoln he was also provost of the college of St. George in Oxford castle and a canon of All Saints, Warwick, with a house in Oxford and substantial estates, out of which he made further grants to Godstow.[3] Walter's career was very long, and perhaps unusually profitable, but his wealth derived from sources which many of his fellows were exploiting at the same time.

The Councils and Archdeacons.

To judge by the sole surviving summons to a council in the reign it was usual for each bishop to arrive at the councils of primate or legate accompanied by the heads of religious houses

1. Since the point here is that the archdeacons enjoyed all the patronage available to any influential churchman it would be otiose to catalogue all their endowments; I cite a few examples only. Archdeacon Anschetill of Canterbury was a canon of collegiate Dover which it was still a royal church (DB i f.1b) and held the tithes of several estates of Rudo dapifer and his family, (Textus Roffensis f.184^{v} c.110). For Richard de Belmeis v. Diceto: Opera ed. Stubbs i p.xxv, Hon.VI (1),p.202(i) (RG 1492) and p.203(iv); Archdeacon Nicholas of Bedford was a canon of the unreformed college at Bedford, where he held the schools, Cartulary of Newnham Priory ed. J.Godber as Bedfordshire Historical Record Society Vol.XLII(1963) and XLIII (1964) pp.ix-xi, nos.1,2,83,196-7.
2. Above p. 117. He also farmed nine churches of Battle (Chronicon...de Bello pp.120-1).
3. History (1929) Vol. pp 57-8; Annales Monastici IV p.25, Appendix I Lincoln Misc nos 3 and 4, PRO E 164/26 f.78

of the diocese and his archdeacons.[1] Since they played so large a part in executing the provisions of the council, or not, it was natural that they should attend, and as natural that the councils should seek to regulate their conduct. The council of 1102 had forbidden the farming of archdeaconries, in 1102, 1125 and 1127 it was insisted that all archdeacons must be deacons, and in 1125 and 1127 that no one should hold two archdeaconries at once.[2] The evidence which would allow one to discover how widespread were the first two abuses no longer exists, but the third presents a curious problem. Although the fasti of the period are not yet settled, and perhaps cannot be, there is still a good deal of evidence, and nowhere are there any grounds for believing one man to have held archdeaconries in two dioceses.[3] It is however difficult to believe that the councils concerned themselves with possible abuses when there were so many already there.

One further point is worth attention; on several occasions the councils threaten recalcitrant archdeacons with deposition, apparently by their bishop.[4] There does not seem to be any evidence that any were so deposed for any reason in the reign, but under Stephen it seems that no authority less than that of Rome could evict an archdeacon, a further sign of the independence of the office.[5]

4. Rural Deans.

It is clear that there were other episcopal agents besides the archdeacon about the diocese; the Council of Windsor in 1070 had required the bishop to appoint archdeacons and other

1. LL. p.49, which may be contrasted with W. i p. 364
2. Westminster 1102 cc.3,4; Westminster 1125 cc.7,12; Westminster 1127 cc.4,7. Westminster 1125 forbids a pluralism of archdeaconries or diversi ordinis...honores.
3. There is no clear evidence throughout the century. It is just possible that Gelewise was archdeacon of Canterbury and Rochester from c.1125 - c.1130, when there is no evidence for a separate archdeacon for Rochester.
4. London 1108 c.5; Westminster 1127 cc.4,5.
5. Compare the depositions at Ely (Liber Eliensis, pp.345,350 and 403-4), and Joscelin of Brecon (Letters of John of Salisbury no. 134).

ministers of holy order, and by 1135 references to the 'ministri' of bishop and archdeacon are frequent.[1] Late in the reign at York and Exeter there are references to sub- and vice- archdeacons, although the nature of their duties is not illustrated.[2]

One group of lesser officers is of sufficient importance to demand separate attention, the rural deans. The word 'decanus' without qualification might be applied to an enormous range of men, secular and ecclesiastic. For some time after the conquest it was still applied to a monastic prior, it was already the style of the president of a secular chapter, it seems to have been commonly applied to the head of a college of secular canons or minster, it could equally be applied to the chief man of a tithing.[3] Without good reason then one cannot assume that a man called 'decanus' was a rural dean.

In many ways the origins of this officer, subject to the archdeacon and presiding over the occasional gatherings of the local clergy, present a picture similar to that of the archdeacon. I do not think however that there is any evidence either of the office or men holding it in Anglo-Saxon England. Again however it was well on the way to establishment over the Channel, and the canons of several Norman councils seem to suppose its existence. Canon 14 of the Council of Rouen in 1072 stresses the duty of archdeacons to eradicate a married clergy, and continues:

> 'sed caste et iuste vivant, et exemplum castitatis et sanctimonie subditis praebeant. Oportet enim ut

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1. V. 1 p.365; for such references v. e.g. Appendix I Hereford no.14, and the addresses of many episcopal mandates of the period. Eynsham Cartulary 1 no.15A instructs such an agent to hold an inquest on tithes in a very notable text.
2. EHC ii 1073; Crawford Collection of Charters no.XIII.
3. e.g. B.Kemp: The Monastic Dean of Leominster in EHR Vol. LXXXIII (1968) pp.505-15, Liebermann: Gesetze ii p.743, Mon.VI (ii) pp.710-11, Monasticon...Exoniense pp.21[n],71-2.

tales decani eligantur qui sciant subditos redarguere et emendare, quorum vita non sit infamis, sed merito praeferatur subditis.'[1]

The same association of deans with archdeacons as men of lesser rank appears in canon 1 of the Council of Rouen in 1074, which proscribed simony:

'ita quod neque abbatia, seu archidiaconatus, aut decanatus aut ecclesia parrochialis ematur aut vendatur.'[2]

It seems to me that, once given the other French evidence for the increasing disciplinary importance of deans, their place in these Norman councils, after the archdeacons but exercising very similar functions, makes it almost impossible to believe that these are deans of cathedral chapters, or anything but the ancestors of the later rural deans.[3]

There are no parallel references in the English councils from 1070 to 1102.[4] Canon 5 of the Council of London in 1108 follows the Norman pattern however very closely; the archdeacons are to swear not to accept money for allowing priests to retain their wives, and to follow up any reports of a married priest:

'Similiter et decani nec eadem per omnia iurabunt. Cui vero archidiaconus vel decanus hec iurare noluerit, archidiaconatum vel decaniam irrecuperabiliter perdet.'

The ancestor of the continental rural dean was a figure almost indistinguishable from the Anglo-Saxon president of a minster. Whether these were the ancestors of the English deans is as yet very difficult to determine, largely because we know so little about the early minsters. There are however indications that they were not. If the Christchurch chrism list preserves

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1. Concilium Rotomagensis provinciae p.55.
2. Ib. p.64.
3. Lemarignier: Les Institutions Ecclesiastiques pp.22-4 citing evidence for such circumscriptions in Eastern France as early as the tenth century.
4. If the deans of Westminster 1125 c.7 and 1127 c.4 are rural deans ~~they~~ make an interesting comparison with Westminster 1102 c.4.

Key

anything like the ancient minster organisation in Kent, as seems very probable, this bore no very close relation to the subsequent pattern of rural deaneries in the diocese.[1] The enduring vitality of shire and hundred in England makes the dating of institutions by frontiers much less easy than in many parts of France, but the evidence for the moment tends towards the conclusion that the proto-rural deanery existed in Normandy at the time of the Conquest but did not in England, that the English deaneries bore little relation to what we know of the minster organisation of Anglo-Saxon England, and that therefore it appears likely that the institution was at least as Norman and 'alien' as that of the archdeacons.[2]

When one turns to the charter evidence it provides a close parallel with that of the councils. Two early charters which place deans in the same relation to archdeacons as the canons of Rouen cited earlier may well be later handlings or even forgeries,[3] but by the later years of the reign it is common to find episcopal charters addressed to the bishop's archdeacons and deans;[4] a mandate of Roger of Salisbury is unequivocal, for it is addressed:

> 'archidiacono de Berkesire et omnibus decanis et toto clero de Berkesire'.[5]

The charter of Ralph of Chichester for Battle which provides that the priest of Battle shall be presented to the archdeacon

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1. Above p.175 n.2. For the later deaneries v. Taxatio...Papae Nicholai pp.1-4
2. A.H.Thompson: Diocesan Organisation in the Middle Ages; pp. Two articles by W. Hudson, The Ancient Deaneries in the Diocese of Chichester...in Sussex Arch. Collections Vol.LV(1912) pp.108-22, and The Norwich Taxation of 1254...in Norfolk Archaeology Vol.XVII(1910) pp.46-107, trace the rural deaneries of Chichester and Norwich on a map of the hundreds, but his conclusions are vitiated by several assumptions for which there is no evidence. The association of minster and hundred was apparently close enough to confuse the evidence a great deal.
3. Appendix I Exeter no. 1 and Oxford, Balliol College MS 271 f.102v (v p 291)
4. e.g. Appendix I Lincoln nos.3-4, London no. 3 , Worcester no. 10 .
5. Appendix I Salisbury no. 1 .

or dean seems to refer directly to the duties of such a man.[1]

Deans who are not the deans of cathedral chapters appear quite regularly in the witness lists of episcopal charters, but usually one cannot tell what they did preside over. In one remarkable chapter of Everard of Norwich however there are ten deans and it is difficult to advance a credible hypothesis on which these are not rural deans. Although there is no clear evidence in the text one would expect this charter to have been drawn up in synod.[2]

When discussing the courts of the archdeacon it appeared that a dean might preside over the 'chapters of priests' which were beginning to appear in the evidence. One charter which cannot be dated precisely gives an account of proceedings in such a chapter. Henry de Longaville sold the abbot of Thorney a piece of land:

> 'ita quod partim de denariis accepit in capitulo coram Drogone decano et clericis capituli eor et hominibus hundredi de Normancros apud Iak' et affidavit in manu Drogonis decani istam venditionem firmam et stabilem a se et ab omnibus heredibus suis in perpetuum fore. Ibi presens fuit Gilebertus monachus qui partim de denariis ibi et tradidit coram decano et capitulo et hominibus hundredi et inde accepit testimonium a Drogone decano et clericis capituli, scilicet Hugone presbitero de Caldecote, Odone de Stichelton', Iecobo de Cuninton', Rogero de Clettune et c'.[3]

In the reign of Henry I then it seems possible to trace a number of references to men whom only vigorous manipulation can deny the functions of a rural dean, holding courts, enforcing judgements and collecting the bishop's revenue.[4] It may be that a full study of the boundaries of archdeaconries and deaneries

1. Acta of...Chichester no.5
2. First Register of Norwich ed. Saunders ff.10^{v}-11. The original is still at Norwich.
3. Appendix I Lincoln misc. 5 .
4. Historia de Abingdon ii p.121; above p.180 n.3.

will prove that their origins go back into the earliest years of the reign of the Conqueror, but it is clear that the bishop's agents in 1135 not merely existed; they had evolved their own modes of action, a hierarchy and relatively distinct spheres of action.

CHAPTER VI. THE PARISH CLERGY AND THEIR CHURCHES.

1. The Sources.

The evidence for the way of life, duties and social status of the parish clergy is too scattered and fragmented to allow any comprehensive survey. What I have tried to do here is to isolate a few general points of importance which can be established. The sources for such an enquiry are of course the charters, but also a small group of saints' lives and miracle collections which are of prime importance. These alone deal at length with men and women drawn from the same class as the bulk of the parish clergy, and inform the charters with some indications of the standards and ideals of the middle and lower ranks of Anglo-Norman society.[1] However it would be a mistake to conceive of the parish clergy as uniformly composed of men drawn from the lowest order of society, barely if at all to be distinguished from their villein flock.

2. Pluralists and Wealthy Clergy.

It is first necessary to distinguish between the titular possessors of churches, the rectors and parsons of the later canon law, and those who actually performed their pastoral office. No doubt these were often the same men, but there were many occasions when they were not. It was already often true that the 'owner' was a religious house, holding a church 'in proprios usus', and appointing a vicar to do the parochial work, and the number of churches held in this way increased rapidly through the reign. More striking however were a large group of parsons

1. H.Dauphin: L'Eremetisme en Angleterre aux XI^e et XII^e Siecles in L'Eremetismo in Occidente nei Secoli XI e XII, Miscellanea del Centro di Studi Mediovali Vol.IV, Milan 1965, pp.271-310; there is a brief discussion in the Life of Christina of Markyate pp.15-20, itself a splendid example of the genre; cf.also Wulfric of Haselbury ed.Bell, Libellus de Vita et Miraculis S. Godrici... ed. J.Stevenson as Surtees Society Vol.XX(1847), & the Life and Miracles of Godric of Trokenholt from which I include an extract below in Appendix I Ely no.2. A full publication of this eccentric work is very desirable.

whose existence similarly presupposes the employment of vicars, the great pluralists of the period.

In considering the careers and endowments of bishops and archdeacons several examples of such pluralism have already been cited. The finest of all was Roger of Salisbury. To his bishopric, some of his prebends there and the desmesne abbey ~~abbey~~ of Malmesbury he added at one time or another the deanery of St.Martin-le-Grand, the chaplaincy of Pevensey, the deanery of Wolverhampton, five of the churches of St.Frideswide at Oxford, (as well as many of its estates), the churches of Odiham, Liss and Brixworth, where he succeeded Flambard, and the churches of Langford, Stanton Harcourt, Newport and Tacheham.[1] With Roger, as with the other pluralists, the evidence comes from the occasions on which these holdings were dispersed or restored to religious houses. Correspondingly those that were passed on to similar men can very rarely be traced, and the evidence is very imperfect.

Another, humbler, royal servant's wealth similarly illustrates the multiple patronage which a curialist might tap. Bernard the scribe may well have been a canon of unreformed Launceston, and held five churches in Cornwall of the gift of Ruald fitz Wigan, one in Surrey from Hugh de Laval, one in Hampshire from bishop William Giffard, and another in Northamptonshire from Robert de Ferrers, and there were probably others.[2]

1. For Malmesbury and the prebends of Salisbury v. Register of St. Osmund pp.216-7 and Sarum Charters and Documents no.6 (RG 1715); for the deanery of St.Martin: RG iii nos.524-5; for Pevensey RG 1360, Appendix no.CLIX, whose substance seems probably enough; for Wolverhampton, Shaw: History and Antiquities of Staffordshire ii p.151; for Regenbald's churches The Cartulary of Cirencester ed. in 2 Vols. by C.D.Ross, Oxford 1964, i no.2~~5~~/2; for the churches and lands of St. Frideswide, St.Frideswide ed. S. Wigram as Oxford Historical Society Vols. XXVIII(1894) and XXXI (1896), i nos.9 and 13, ii no.709; for Odiham, Liss and Brixworth RG iii no.789; for Langford Reg.Ant. i no.139; for Newport RG 1362; for Stanton Harcourt BM MS Harley 1708 f.20v.
2. Round: Bernard the Scribe pp.419-20, 429-30, and RG 1486 and n.

Such pluralism was not confined to royal servants. I cited earlier the case of Ralph Basset, the clerk of William Corbeil, whose father gave him some dozen churches with their appurtenances; these are recorded because Ralph tried to give them all to Oseney,[1] and for similar reasons it is possible to ~~ecele~~ trace the scale upon which Robert fitz Hamo provided for his chaplain, Robert, eighteen of whose churches were given to Tewkesbury abbey.[2] These are among the most notable examples of such pluralism to survive, but they are far from unparalleled.[3]

It cannot be supposed that many of these pluralists lived in any of their churches; sometimes one can see that they employed the vicars upon whom such a system depended.[4] There is however other evidence to show that even the resident clergy might be the men of real substance. The best comes from Burton Abbey, where the terms upon which three generations of Anglo-Saxon chaplains served the parish chapel have been preserved. The second of the line held four bovates of land free from all customs, and a lodging outside the abbey gate, had the 'procuration' of one monk and 'pabulum et praebendam' for his horse:

'ut sollerti cura expleat officium suum'.[5]

Walter Grammaticus, the parson of Straham, was equally well provided for; when he surrendered his church to the monks of Ely to be held from them for an annual pension of three marks and threepence he received in exchange a corrody for himself, his servant and two horses as well as the fraternity of the

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1. Above p.100 and n.2.
2. MonII p.66 (iii)(RG 847) is spurious, but the churches are also mentioned on pp.69-70(xxvi) p.70(xxvii) p.81(lxxxvii).
3. Compare with these the holdings which Eyton attributed to Osbert, chaplain to the Stafford family c.1130 in the Staffordshire Cartulary pp.210-2, the churches of Living the scribe in Reg.Ant. i no.41 (RG 1032), and the churches of Osbert the sheriff 'who...had formerly been a very famous priest'. (For Osbert and his large family v. W.Farrer: The Sheriffs of Yorkshire and Lincolnshire 1066-1130 in EHR Vol.XXX (1915) pp.277-285).
5. Descriptive Catalogue of the Charters of the Marquis of Anglesey no 7

house.[1] Arrangements such as this recognised in early charters are by definition unusual, but there are grounds for believing that these men were not untypical of the upper levels of parish clergy.

Evidence tending in the same direction comes from two sources in particular. Scattered about the cartularies there are a number of grants made to religious houses by parish clergy, although these are rarely if ever recorded in their own charters before 1135. These gifts are usually quite small or indeterminate, but they must represent only a portion of the available wealth of the owner, and such suppose freedom as well as modest substance.[2]

The Pipe Roll of 1130 contains a great number of entries concerning the debts of the clergy, which could be heavy. Often it seems that they were acting as collectors of the king's dues, but sometimes the debts are their own. If one can argue for a relation between liabilities and resources these men too had access to considerable wealth.[3]

The occasional portrait of a parish priest which appears in a miracle collection or saint's life tends to reinforce such impressions. Wulfstan as priest of Hawkesbury before his conversion had servants and lived in some comfort, while Wulfric of Haselbury, who was apparently of noble birth, spent much of his earlier life in hawking and coursing.[4] It is not therefore surprising to find that men of knightly birth were found even in

1. Feudal Documents from ...Bury p.cl n.2. It is important here that Walter was the person, given the church by bishop Hervey, and not the owner; he was not being recompensed for the advowson. Appendix 1 Canterbury no.3 deals with only some of the resources of the clerk of Bexley church, but the owner of at least ten 'animalia' would deserve some notice in most vills.
2. e.g. Registrum Roffense pp.116-20, [illegible], Historia de... Gloucestria i. pp.81-2.
3. The Pipe Roll of 31 Henry I, ed. by J. Hunter 1833, reprinted London 1929, esp. pp.9,10,26,39(where Walchelin the clerk owes twelve gold marks in one entry, and two hundred marks of silver in another 'ut exiret de...captione'), 49,61,77,78,80,85, 88,92,98,117,132.
4. Vita Wulfstani pp.47,94; Wulfric of Haselbury pp.13-14.

the ranks of the active parish clergy.[1] They cannot have provided more than a small proportion among them but they emphasise that the class was by no means homogeneous, and few generalisations on their social status are secure.

3. Clerical Marriage.

It seems clear that a very high proportion of the clergy were married, and most of these may well have hoped to pass their churches on to their sons. The earlier efforts of Lanfranc were ignored or forgotten, and after the council of 1102 Herbert of Norwich told Anselm that parochial work in the diocese would almost cease if all the married clergy were suspended.[2] Every succeeding council of the reign returned to the question, and those of 1108 and 1129 seem to have been almost wholly devoted to it.[3] Yet the effects were disappointing; throughout the century complaints of the prevalence of marriage and inheritance among the clergy continued in much the same terms.[4] There are innumerable references to the children of parish clergy in the evidence, and probably all the reformers could reasonably hope to achieve was to drive the institution underground. Even this was still far from achieved in 1135.

The king, as well as the bishops, professed a keen concern for the eradication of a married clergy,[5] but both royal and ecclesiastical courts continued in practice ~~and even~~ to recognise and even enforce the rights of inheritance in churches.

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1. Gilbert of Sempringham was the son of the patron of the church; the priest of Willerby was the brother of Athelard the Hunter, a military tenant of the Gant fee in Yorkshire - compare EYC ii 1222 with 1135 and 1139.
2. Henry of Huntingdon could call the wives of the clergy of 1102 'antea non prohibitae' (HH p.234); EA 254.
3. For 1129 v. above pp.91-2; for 1108 Appendix II below.
4. cf. Westminster 1175 c.1 in W.i p.477 and e.g. St.Benet of Holme i nos 70, 72, Cartulary of...St. Frideswide i no.22. Cheney: From Becket to Langton pp.126-9.
5. Largely no doubt for financial reasons; in 1105 and again in 1129 he levied heavy fines on the married clergy (HN pp.175-7, HH p.251). He is said to have instigated the council of 1108, and to have been even more active than Anselm in following it up. (HN pp.193,212-3).

Henry certainly granted some for more than one life,[1] and in one case at least he sold the dispossessed son of a priest a writ ordering his reinstatement 'per rectum'.[2] At St.Paul's the chapter heard a number of cases in the reign which turned on the vindication of hereditary rights, and in one remarkable example these were formally safeguarded for three generations.[3] Nor were the religious orders necessarily more zealous in their enforcement of discipline; neither the chaplains of Burton nor the clergy of Plympton priory's church of Sutton were disturbed in their succession by their patrons, and there is no reason to believe that such cases were as exceptional as the evidence is scarce.[4] Even the idea of celibacy received only a halting recognition at King Henry's death.

4. Intellectual Standards.

The evidence for the level of education of the parish clergy is again trivial. The first substantial evidence on this point comes from the early thirteenth century visitation of the churches of the chapter of Salisbury ,[5] and it might well seem that the virtual illiteracy of the clergy whom the dean examined then could only have been more abysmal a hundred years earlier, before the expansion of education in the century. In some respects the very modest attainments when the synodal addresses suppose in their hearers support this view,[6] but just as there were learned priests in the thirteenth century so there were in the twelfth. Wulfstan of Worcester as priest of Hawkesbury may not have had academic tastes, but he must have been far from illiterate, and there can be no doubt that Gilbert of Sempringham was a parish

1. Reg.Ant.i no.35 (RG 1043); Stubbs: The Foundation of Waltham p.51 (RG 513,1985).
2. Chronicon Abbatiae Rameseiensis p.248
3. HMC IX Report Appendix pt.1 pp.62a,63a,63b,64a,64b.
4. Ap. p.234 n.5 [illegible] ; the son apparently of Ailwin the chaplain in this text received the same office in the time of abbot Bernard (1160-1175) under almost the same terms - BM Loans MS 30 ff.42- ; for the priests of Sutton v. Appendix I Exeter 3 (a), a passage which fits oddly with 3(b).
5. Register of St.Osmund i.pp.275-314.
6. Cited above p.168 n. 3

priest of very substantial attainments.[1]

A number of the clergy too were capable of at least elementary instruction, for Orderic Vitalis and John of Salisbury both owed their early education to the local priest.[2] At Bury St.Edmunds there was an engaging account of Goding the priest hurrying to a deathbed surrounded by his 'scholars', and it does not seem unreasonable to believe that such teaching was a frequent task.[3] Again the general condition must remain unkown, but there are enough specific cases to show that the parochial clergy might be educated men, even if most were not.

5. Duties of the Parish Clergy.

It has recently been suggested that the duties of the clergy were in general so little required that the occasional ministrations of a monastery nearby would supply them.[4] It is difficult to believe that this is true, in spite of the absence of direct evidence. It makes the reconstruction of so many parish churches and chapels virtually incomprehensible; even if most of them were built to return a profit to their founder, a view for which there is less and less evidence in the twelfth century, such profits themselves depended on the frequent oblations of the faithful, and so establish the same point. Gilbert of Limerick made a list of the duties and capacities of the parish clergy; the priest was to impose penance, say a daily mass and the canonical hours, give thanks for past blessings and pray for more, to preach, to baptise, to teach (good living rather than letters), to bless the water and salt on Sundays, the bride and groom at weddings, the water and bread of the ordeal,

> '...coronam clerici et velum viduae, novos fructus, candelas in Purificatione sanctae Mariae, cineras in

1. Vita Wulfstani pp.47,94; Life of Gilbert of Sempringham pp.v-vi.
2. OV v p.134;
3. Memorials of Bury i p.81.
4. M.Chibnall: Monks and Pastoral Work: A Problem in Anglo-Norman History in Journal of Ecclesiastical History Vol. XVIII (1967) pp.165-72

> caput ieiunii, ramos in Dominica Palmorum, et peregrinaturos, et lecturum Evangelium, et populum cum dimittitur; aquam benedictam aspergit, et benedicendas novas domos et cetera nova.

He was to annoint the gravely ill, administer the sacrament three times a year to all the baptised, and to the dying, commend their souls to God and bury them.[1]

How far the majority of parish clergy performed all these duties remains entirely obscure, but one point emerges very clearly from the catalogue. A parish church so served would be a convenient focus for the comparatively slight duties of obligation which lay upon its parishoners, but it would also be a communal chantry, a source of prayer for one's own crops and cattle as well as one's soul. The silence of the sources perhaps makes it too easy to ignore the values that could be placed upon the regular intercession of the priest, or the background of magical incantation which could so easily inform them in a rural society.

6. The Hierarchy of Rights.

Just as the term 'parish priest' might cover men of the most various origins, wealth and education, so the term 'parish church' covered a scale of liberty and dependence as wide as that in which a man might find his place. The origins of this variation are in detail obscure and complex, but the general outline is readily comprehensible.

After the creation of the original dioceses the greater minster churches followed, scattered about the diocese. These obtained their chrism from the cathedral, sometimes rendered a feorm to the bishop much as the royal vills in which they were often built rendered one to the king, and might well collect in their own right such ecclesiastical revenues as churchshot and perhaps tithes, and acted as centres for the collection and

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1. PL CLIX coll. 1000-1; for the relevance of this text to English conditions v. above p. 31 n.3.

transmission of Romescot.[1] Within their large 'parochiae' soon grew up a number of churches serving smaller districts, attracting many of the rights and much of the revenue of the minsters. The extent to which this diminution of the rights of the minsters was matched by contributions to their burdens, varied very widely. sometimes it was still possible to speak of all the churches within an earlier 'parochia' as the chapels of a minster, contributing considerable sums to its burdens, collecting and paying for their chrism there and so on. More often the rights of the minster seem to have faded as the pattern of lordship in which they had been created disintegrated with the passage of time.[2] In either case there is little evidence that this subdivision had been subject to close and effective ecclesiastical control.

There was however no reason why this process should stop one step below the minsters, and clearly it did not. The building of new churches and the consequent further subdivision of 'parochiae' probably continued to accelerate through the period. The context of the process, and its legal consequences, were now however altered in two respects. Firstly the units being divided were much smaller, and so the former mother church was much better placed to appreciate the nature of the change, and to insist upon its rights. Secondly the men and machinery for making and enforcing ecclesiastical judgements now existed much more fully.

Consequently it seems by 1135 that the building of a new church and so the creation of a new ecclesiastical circumscrip-

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1. Barlow: The English Church pp.179-84; the fullest evidence comes from the Domesday Monachorum, for the minsters of East Kent seem to have retained an unusually large proportion of their rights. M. Deanesley: Early English and Gallic Minsters in TRHS IV Series Vol.XXIII pp.25-69.
2. This possibility is well illustrated in the charters relating to some greater churches in York diocese. EYC i 428(RG1045) where they 'non perdant parochias suas quas habuerunt tempore regis Edwardi propter socas quas inde dedi quibusdam baronibus meis.' cf. EYC i 431.

tion was usually accompanied or followed by an exact definition of the rights of the old church and the new, while occasional efforts were made to define the relation between churches which already existed. These were customarily expressed in terms of a mother church and its daughter, or church and chapel, definitions which expressed a relationship rather than the rights of either. When discussing the consecration of churches I cited a number of bishop's judgements on the point, but in order to understand it more fully it is necessary to survey the rights and revenues of ~~the~~ churches which were the expression of these relationships.

There was first the endowment of land, upon which stood the church, the priest's house and that attached to the church for the priest's maintenance. Gilbert of Limerick offered a notional minimum of a ploughland, but in practice the endowment of churches seems to have varied very widely.[1] If the church affected was thoroughly dependent on the status of the land might become a serious issue. At a synod of Roger of Chester it was determined that the church of Wingerworth was so dependent on that of Chesterfield that the grants made to it by Nicholas should be recognised as gifts to Chesterfield:

> 'sicut de illo homine qui libere et quiete hec in elemosinam dedit ecclesie et ea warantire debet, ~~et~~ non ut de advocato ecclesie'.[2]

The remaining revenues were derived from dues and offerings. Of these it seems certain that tithes formed the largest single element. There is a certain amount of evidence to suggest that these were not universally recognised in Anglo-Saxon England. A lease by the abbot of St.Augustine to Wadard the knight provided

1. cf. the four acres of Textus Roffensis f.135^{v} c.121, the lands of Exhall (Appendix I Worcester nos.8-9), the eighteen acres of Edwardstone (Cartularium...de Colne no.64) with the larger endowments of some Daventry churches in Mon.V pp.179-80(vi). Boehmer: Eigenkirchentum pp.314-5.
2. Reg.Ant. ii no.202. Chesterfield belonged to the chapter of Lincoln. This is a very early warranty clause.

that the French tenants should pay their 'decimam omnium rerum' while the English should render their 'consuetam annonam' until the legal tithe should be paid by all the English. At Abingdon abbot Faricius found that the men of Uffington were accustomed to pay twenty four thraves from each virgate in the place of tithes too, and elsewhere in the same source tithes seem to be equated with church-shot, which was certainly levied on the same principle, and sometimes at the Uffington rate.[1]

Usually however the nature of the duty to pay tithes appears to be well understood. One distinction appears constantly in the abundant references to the obligation, that between the desmesne tithes of a free man and others, sometimes explicitly defined as the tithes of the villeins or 'minutae decimae'.[2] The point of the definition is that the desmesne tithes were 'separabiles'. As several compilers of cartularies later felt it necessary to explain, the Normans conceived themselves free to grant their desmesne tithes to whatever church or pious purpose they wished.[3] Innumerable examples of such grants are found in the cartularies of houses of the period; occasionally indeed they seem to have formed the principal element in the

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1. Appendix I Canterbury Misc. no.1 ; Historia de Abingdon ii pp. 142-3; cf ib.pp.52-3, a grant of a church 'cum...decimis sive cyrceceattis'; for the rate at which church shot was paid v. the references collected in N.Neilsen: Customary rents in Oxford Studies in Social and Legal History ed. P.Vinogradoff Vol.II(1910) pp.193-7, particularly J.H.Round: Church scot in Domesday in EHR V p.101. The Red Book of the Exchequer defined churchshot as 'Une certaine mesure de ble battu qe chescun homme donoit au temps des Bretons et des Englois al eglise le jor Seint Martyn. Mais puis la venue des Normans si le prestent a lors oeps plusors seignurs et le donerent solonc la veu loy Moisi nomine primtiarum' (Red Book iii p.1039, a reference which may deserve more serious note than it has received.)
2. Appendix I Hereford no.15 ; Appendix I London no.1 ; Cartularium Prioratus de Colne no. 31, a grant of a church with the whole tithes 'de domino, et de virgulto, et de villa'.
3. Red Book of the Exchequer ii p.751, Historia de Abingdon ii pp. 169-70, Landboc de Winchelcumba i p.81; Liber Memorandorum de Bernewelle p.39.

foundation.[1] Grants of the tithe of the whole vill are on the other hand very much rarer, and seem to be found only when the church itself was being granted.[2] There was nothing to prevent the grant of desmesne tithes to a parish church, but this seems to have been an unusual practice.[3] There is some evidence for the division of desmesne tithes into three portions, one for the local church and two for pious purposes, but little which is both early and decisive;[4] it seems in general that the later distinction between the great tithe and the lesser rested much more on that between desmesne and villein tithes in the period after the conquest.[5]

The destination of the tithes paid to a church was also an important element in determining its status. The tithes of Wingerworth were at the free disposal of the priest of Chesterfield, those of 'Lecche' were so divided that the mother church retained one third, while the mother church of the chapel of Astley kept all the tithes of assarts and also those of some other lands in the vill.[6] In general however it seems more

1. For some large grants of tithes EYC ii 856, iii 1304, Eynsham Cartulary i no.7(RG 928), Mon.III pp.404-5(i),520(v); Cogges priory and Kepier hospital were largely founded out of these - CDF 120, Durham Episcopal Acts no.9. Episcopal licences in advance for such grants are rare, but cf. Chertsey Cartularies ed. M.Giuseppe and others as Surrey Record Society Vol.XII in 5 parts(1915-63) i no.45, ~~and Appendix I St.Davids nos.~~ .
2. Above p.242n2 , and RG 833, Appendix no.L, where the contrast between the grant of churches and the whole tithe and grants of desmesne tithes elsewhere is clearly drawn.
3. Appendix I London no.1; Cartularium.d.de Colne no.9 includes the church of Camps with the desmesne tithes of seven other vills.
4. The Cartulary of Tutbury priory ed. A.Saltman as Staffordshire Record Society IV Series Vol.IV(1962) no.51; other grants of two thirds of the desmesne tithe may represent the same principle but it cannot be established. cf.V. i p.413.
4. Barlow: The English Church p.195 suggests that before the Conquest part of a thegn's desmesne tithes went to the parish church, his villein's to the minster. The evolution of the later doctrines of tithe has been little studied in England in their precise application, and what is said here is only in default of the fuller study which is needed. There is an intriguing sketch in O.J.Reichel: The Treasury of God and the Birthright of the Poor in Archaeologia Vol.LX(1907) pp.399-410.
6. Reg.Ant.ii no.202, Historia de Gloucestria ii p.75, below Appendix I Hereford no.4 .

likely from the silence of the sources that most chapels with any measure of independence at all held the tithes of their villein parishoners, and the mother church was recompensed by a pension paid at least partly out of the proceeds.[1]

Besides these tithes there were also the oblations, the offerings on the altar throughout the year, but particularly no doubt at the greater feasts. These two were a matter for careful regulation in the founding of a new church; it was a simple method of asserting the rights and protecting the revenues of the mother church to insist that the parishoners of a chapel should attend the mother church on certain great feasts with their priest.[2]

Lastly among these revenues was perhaps the most contentious: the third of the possessions of a parishoner buried in the cemetery. Provisions on the right of the mother church to insist on burying the body of any parishoner of the chapel it chose, or to receive a pension in recompense are extremely common, even more so that the litigation over the issue.[3]

In two other ways a mother church might assert its rights, or establish its claims. In places where the chapel had only the most precarious and independent existence it might be provided that the priest should be appointed by the rector of the mother church, although this does not appear to be a common provision.[4] The second expression of dependence derived from the liability

1. Appendix I Chester no.5 and Hereford no. 7, Worcester no.3. It is essential but very difficult, to distinguish between the pensions paid by a chapel to the mother church and those paid to an owner.
2. Historia ...de Gloucestria ii p.75; Appendix I Exeter no.2 Chester no.5.
3. For a vivid account of such division v. letters of Osbert de Clares no.8; for charters protecting the right of the mother church v. below Appendix I Hereford no.9 Chester no.5, Mon.VI(ii) p.1094(xiv),VI(iii) p.1328(xi), EYC ii 873. For a dispute over the issue among parish clergy v. Historia de Abingdon ii pp.120-1.
4. Reg.Ant.ii no.202, Cartularium de Colecestria i p.78, EYC ii 1073.

of parish churches to the episcopal charges discussed earlier. A chapel might well be defined as one which answered to the bishop for these through a mother church. Indeed this was one of the very few tests which could be applied consistently in determining status.[1]

This set of dependent relationships, in which any of these rights might be involved, was not of course immutable; sometimes the rights of the mother church were 'bought out' in perpetuity by a grant of land or an exchange.[2] Two Yorkshire examples show how the potential complexities of such claims could be resolved. The first is the foundation of the priory of Holy Trinity by Richard Malaverer; he first granted Marmoutier the chapel of Alverton with all the tithes, oblations and customs of his land in other parishes, for which he recompensed the priests with grants of thraves from his desmesne and other gifts. Later the monks established some monks at Alverton to whom Richard granted numerous tithes and rights, and archbishop Thomas II confirmed Alverton a new status as a mother church itself.[3]

The second is much more complex. The monks of Whitby held the chapel of Middlesbrough, which enjoyed all parochial customs over twelve carucates except the burial of the dead, which was the privilege of Guisburn's church of Stainton. Guisburn claimed that all these customs were allowed to Stainton, but the two houses were at last brought to agreement before Robert de Brus, patron of both. Each church was to hold all the parish customs including burial from six of these carucates, and so:

> 'si velint..monachi...capella Midlesburg deinceps absque ulla calumpnia sit mater ecclesia.'[4]

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1. Mon.II p.71(xxxviii), Appendix I Worcester nos.3,8. Appendix I Lincoln Misc. no.7 is an odd case of another kind of test, which has no parallel, so far as I know.
2. Stenton: Acta Episcoporum p.10 n., EYC iii 1405.
3. EYC ii 729 (CDF 1293).
4. EYC ii 873 (1130 x 1139); it is tempting to suppose that this example of a secular lord doing ecclesiastical justice is explained by the application of Henry I's celebrated writ on the jurisdiction of shire and hundred, for Robert de Brus

7. The profits of lordship.

The question of the profits which an owner might derive from his church touches on two critical issues. The profits of a layman are the most central issues of the post-Gregorian reform in England; the profits of an ecclesiastic, and particularly those of a religious house involve the parallel problems of the endowment of many houses in the period and the forms of exploitation involved.

The source of outstanding importance for an understanding of the profits which a layman expected to derive from 'his' church after the Conquest is of course Domesday Book, and its information has been analysed in several studies.[1] In essence the chief conclusion to be drawn appears to be that these profits were of two kinds; since these churches are often attributed a 'valet', (which is rarely very large compared to some later pensions), the priest was presumably expected to pay his lord a rent, and there is sometimes direct evidence that he also owed some services.[2] Archbishop Lanfranc in 1076 contented himself with insisting that these services should remain at the level required before the Conquest,[3] and there is very little to suggest that a frontal attack on such practices was attempted then or for some time later. I have cited in an earlier chapter the evidence to show that the rights of the laity were increasingly defined as 'ius patronatus' rather than the earlier 'ius proprietatis', but there is no means of showing that this involved an abdication of the former rights

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had given Whitby Middlesbrough and Guisburn Stainton. Had the churches been given by different lords perhaps the case would have gone as naturally before the archbishop. A reverse process was also possible; Appendix I Worcester disc. n.. appears to be a case of a church being subjected to another by the lay donor's grant rather than prior right, although the evidence is deficient.

1. W. Page: Some remarks on the churches in the Domesday Survey in Archaeologia LXVI (1914-5) pp.81-102, W. Bohmer: Eigenkirchentum, Barlow: The English Church pp.187-208.
2. Esp. DB i 179a.
3. Winchester 1076 c.6.

of exploitation. It is clear that some churches continued to carry a burden of services far beyond the end of the reign of Henry I, and others were presumably continuing to pay some sort of render either in service or rent, for otherwise it is impossible to see what ~~servic~~ purpose was served by including them in lay fees.[1] The evidence which would allow one to see whether the increasingly rigorous forms of exploitation available to the clergy were equally applied by the laity does not survive in a convincing form.[2] Two trends clearly attested in the reign of Henry I may indicate that they were commonly not, and thet the patron was indeed less exacting than the owner, if he was a layman. There is very little evidence that the new churches founded in the period were subject to secular burdens, and most charters recording the grant of glebe speak of it as in free alms.[3] Secondly this was a period in which an enormous number of parish churches were granted to the religious orders.

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1. The tiny priory of Pyneham continued to be responsible for the upkeep of the local bridge, MonIV p.260(ii), far beyond the end of the century, and the church of St.Nicholas Gloucester had a similar duty in 122 and later, (Rolls of the Justices in Eyre for Gloucestershire, Warwickshire and Shropshire, 1221,1222, ed.D.M.Stenton as Selden Society Vol. LIX (1940) no.269). For examples of churches held as part of lay fees v. below Appendix I Hereford no.14, ~~Lincoln Misc. no. 7~~ EYC i 25, and Gesta Abbatum i pp.113-8. It is perhaps possible to interpret Appendix I Norwich no.5 as removing the right of the layman to such rights. cf. also Reg.Ant. i no.45 (RG 821).
2. EA 336 describes the complaints made to Anselm that laymen in the diocese had stood at the altar taking the oblations of the churches of their manors; in context it is clear that this was a flagrant abuse, not a common practice. Mon.I p. 390(xxv) is a convention between Edituus' Burgensis Aecclesiae' of Peterborough, Monks' tenant for two chapels, and Anskytill his priest who was to have one third of the tithes and of the 'minutae candelae', as well as all the 'sponsalia et unctiones et oblationes et sepultūras pauperum', while Edituus and the monks held the rest of the tithes, a ten shilling pension and the 'cereos'; Edituus however may have been a cleric as well as answering to the monks for at least some of his profits.
3. Above pp. 137-8 and p 138 nn.

This widespread transfer of rights has been, rather obscurely, described as one of the greatest administrative ~~ae~~ achievements of the English Middle Ages, and it has been estimated that before 1200 a quarter of the parish churches of the country were in the hands of the religious.[1] English and Norman Benedictines and Augustinians benefited alike from a flood of these donations, and it seems unreasonable to look for special explanations of a general phenomenon.[2] Much the simplest explanation is that these grants were made so widely because the donors were not deriving very large profits from these churches, but the beneficiaries could.

It was later possible to distinguish three main types of exploitation of parish churches by religious houses, the imposition of a pension on the rector, the creation of a vicarage, in which the priest held a proportion of the revenues but enjoyed security of tenure, and complete impropriation, in which the church was served by a salaried priest while the owner drew all the revenues.[3] In this early period the distinction between patron and parson was probably by no means clear,[4] the security of tenure of the priest presented to the bishop was not clearly established,[5] and there is little evidence (or even likelihood)

1. Stenton: Acta Episcoporum p.2, MO p.597.
2. It has often been supposed that the Augustinian benefited from such grants because they would perform parochial duties; Dickinson: Origins of the Austin Canons pp.224-235 shows how slight the evidence is. D.Matthew : The Norman Monasteries and their English Possessions, Oxford 1962 pp.58-65 established a reasonable case for believing that monks might well take on parochial duties in the churches of manors which formed the centre of an economic 'unit', but there is very little evidence for such service in more than one church. For such endowments compare EYC iii 1304, iv 8, vi 1-2, Mon.V pp.148-9(ii), Mon.IV p.125(i), Mon.III pp.404-5(i), CDF 1145, with Mr. Dickinson's Augustinian's examples.
3. R.A.R.Hartridge: A History of Vicarages in the Middle Ages, Cambridge 1930; C.R.Cheney: From Becket to Langton, pp.122-36; G.W.O.Addleshaw: Rectors, Vicars and Patrons, St. Anthony's Hall Publications No.9 York 1956; MO pp.597-600.
4. cf. EA 223 cited earlier.
5. v. the cases cited below p.249 n.4 ; presentation itself was still something of a novelty.

of a purely slaried clergy. Consequently the various methods of exploitation show none of the clearly defined limits which the later canonists and long practice could make possible, and there is that wide range of devices which one would expect of a period of early experiment.

The imposition of a pension was clearly widespread; in one sense it was merely a continuation of the practice to which Domesday seems to bear witness, although the burdens imposed were probably more substantially severe. There are long lists of such pensions for St.Martin of Seez in Holderness, and for Christ Church and St. Augustine at Canterbury,[1] and even churches specifically confirmed 'in proprios usus' might be bound only to some such payment. This is well illustrated at Eye Priory, where the foundation charter granted the monks some nineteen churches with their appurtenances. Two of these were subsequently confirmed to the priory by bishop Herbert of Norwich 'in proprios usus', but the later charter of archbishop Theobald shows that almost all the rest were paying substantial pensions.[2] There are a number of references to grants of churches to men who would subsequently be described as rectors on such terms;[3] others however held their churches on a precarious tenure.[4] Another group

1. EYC iii 1300, B.W.Kissam: An Early List of London Properties in Transactions of the London and Middlesex Arch. Soc. NS. Vol.VIII pp.57-69. PRO E.164/ 27 f.18 under the heading 'Iste sunt ecclesie censuales sancto Augustino..'
2. Mon.III pp.404-5(i); below Appendix I Norwich no.1 ; Saltman: Theobald Appendix nos.105-6. In a charter of John of Norwich at the end of the century (Essex C.R.O. Chelmesford D/DBy C.14 f.26) the same pensions as those recited by Theobald have become the 'due and ancient pensions'; they may well have been those originally imposed. cf.Addleshaw: Rectors, Vicars and Patrons p.14
3. Historia...de Gloucestria ii p.170, Appendix I London Misc. no.2 (where the pension is associated with a duty of hospitality), Hervey: Abbot Gervase of Blois pp.158-9. Registrum Roffense p.592 (an interpolated but probably mostly genuine text which should be compared with Appendix I Canterbury Misc. no.2).
4. Cartularium...de Colecestria ii p.512, EYC iii 1470, HMC IX Rep. Appendix pt.1 pp.62-5a, and cf. EYC iv 139, which appears to repeat an earlier set of conditions.

of priests are distinguished from these rectors paying pensions only apparently because they are called vicars, although they held their church with all its appurtenances for an annual pension.[1]

There is also abundant evidence that the house which had been given a church might exploit it much more ruthlessly than in the cases cited earlier. Anselm appreciated the danger, and canon 22 of his council in 1102 prohibited monks to take so much of the revenue of the churches given to them that the priests ~~kk~~ should not have their necessary sustenance. A charter of Adelold of Carlisle for ~~'~~etherall~~'~~ emphasizes the bishops' own interest in the matter when it requires the monks to provide such a portion for the priests of their churches:

> 'Unde decenter sustentari queant et synodalia iuri persolvi valeant.'[2]

There are a number of charters granting churches to religious houses which similarly expect that the monks or canons will take much of the revenues to their own use, but the mechanics of supplying the needs of the vicar are rarely mentioned.[3] A grant by Roger of Salisbury provides that the vicar shall have the lesser tithe,[4] and there is the very detailed account of the rights of the vicar of Thorp from Peterborough,[5] but in general the texts are vague. Two charters in this period seem to suggest that the vicar would be provided for not ~~only~~ by the 'owner' of the church, but by the original donor, a curious and characteristically primitive arrangement.[6]

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1. Appendix I Hereford nos.1,10; it is likely enough that some of the men involved in the grants already mentioned would have been described similarly as vicars, had the draughtsmen been concerned with the point.
2. Mon.III p.584(x).
3. EYC i 458(RG 1431), vi 8,11, vii 3; some similar arrangement presumably underlies the holdings of the pluralists mentioned above on pp.232-4.
4. CDF 240
5. Above p.247n.2
6. Historia...de Gloucestria ii p.45(RG 1940);Appendix I Lincoln no. 5

In spite of the provision of Anselm's council there is little evidence to suggest that the bishops had yet identified the problems concerned in such exploitation as peculiarly worth their attention; there were however a number of reasons why it should concern them and a opportunities for action. The increasing activity of episcopal agents in collecting his revenue made it important that they should know the status of both the church and the priest; chapels answered at a different rate, and some clergy did not themselves answer for these dues, which fell on the 'owner'.[1] Further such evidence as there is on the practice of presentation suggests that the patron or perpetual parson was very ready to use the bishop's authority as a means of enforcing his contract upon the new priest.[2] If there was as yet little sign that the bishop sought to modify these forms of management the origins and the material for the later conflicts were already visible.

This has been the shortest chapter in the study, which is a serious distortion. It is still necessary to write ecclesiastical history upside down, for while one can see with comparative clarity the shape of the superstructure of Henry's church there is an almost total darkness over the critical problem of the relations between the clergy and the great bulk of the laity. It is in a sense absurd to study the scaffolding of the church when one knows so little of the needs it existed to satisfy; the pastoral and sacramental mission of the church escapes, while its outward forms survive.

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1. EYC iii 1470, Saltman: Theobald p.527.
2. Above pp. 153-5

APPENDIX I

Illustrative Documents.

1. Principles of Selection.

The charters that follow are all, so far as I know, not accessible in print, and that is the first criterion for their inclusion. The second is that they have been cited in the text, or illustrate the arguments advanced there. Necessarily most of them are episcopal charters, but this appendix contains only a fraction of the charters of bishops in the reign which are still unprinted.

The charters of archbishop Ralph and William of Corbeil were collected, and those of William edited, in the thesis of Mr. Bethell so often cited, but those which I have used for this study reappear below from an independent collation of the manuscripts. There are excellent editions of all the charters of this period from the dioceses of Chichester and Durham, which are not represented here; the diocese of Bath has been very unfortunate in the survival of its cartularies, and all the charters of bishop John of Tours and bishop Godfrey which I have encountered are either edited or noticed in the printed cartulary of Bath priory.

2. Arrangement.

The charters of the bishops who held office during Henry's reign are arranged by dioceses; charters of archdeacons, laymen and later bishops of that see appear at the end of the section for the diocese in which the transaction seems to have taken place, under the heading 'Miscellaneous'. This system seems less awkward than the alternatives, though far from satisfactory.

3. Diplomatic.

This collection of texts suffers from an obvious and serious defect; there is no attempt to study the whole range of surviving original charters in order to establish a solid core of authentic texts against which to compare the much larger body of

1. Acta of the bishops of Chichester ed. Mayr-Harting, Durham episcopal charters ed. Offler, two cartularies of Bath ed. Hunt. Although very useful, the principal [illegible] study [illegible] number of charters that are to be found [illegible]

charters which survive only in copies. Invaluable though such a study would be however, its application would be limited. The charters of any one bishop survive so rarely in the original that the sample is inadequate; further they might be drawn up either by his own clerks, or by members of chapter, or by a scribe of the beneficiary, so that the unit of study is not well defined; lastly it already seems beyond doubt that the forms of these charters were peculiarly unstable, as one would expect in such a period of experiment and innovation. Such a study of the originals may then establish that some forms were used, it could not in itself establish that others were not.

The wide area of doubt which remains is a serious matter, for this whole study has been based upon changes in the forms of ecclesiastical action which took place over a comparatively short period. Hence a charter drawn up only a few years after the transaction it records may be entirely misleading, however accurate the substantial information it preserves. How many surviving texts were drawn up within a short time of the event is almost impossible to determine; as an act of faith I believe them to be numerous.

What follows is not a full critical edition, and the apparatus has been much simplified. The text is that of the first MS cited, and only those variations from other MSS which affect the sense have been noticed. Where there is a surviving original the use of capitals and the punctuation has been reproduced as fully as a typewriter allows; with copies both are my own. I have silently expanded most contractions, except in proper names and doubtful cases, where they are enclosed in brackets.

Originals and manuscripts from which I have taken only one charter are cited at the head of the relevant text. Otherwise the following abbreviations have been used:

Burton A	BM Loans 30, D.91 , mid.xiii c. general cartulary.
Gloucester A	Gloucester Dean and Chapter Register A, D.445, l. xiv c. cartulary.
Godstow A	PRO Exchequer Misc. Books i (E 164) 22, f.[illegible],

		e. xv c. cartulary, [illegible] which, D. 463, was edited by Clark as the English Register of Godstow Nunnery.
Hereford	A	Balliol College, Oxford 271, D.484, e.xiv c. cartulary of St.Cuthlac's priory; the outer margins of the later leaves are demaged.
Kenilworth	A	BM Harley 3650, D.501, composite l.xii/e.xiii c. cartulary.
	B	BM Add.47677, D.502, xvi c. cartulary; its texts are often truncated or careless.
Lichfield	A	BM Harley 3868, D.562, e. xiv c. volume of charters 'exhibited'to the bishop by the houses of his diocese.
Llantony	A	PRO Chancery Masters' Exhibits (C 115) A.9, D.530, mid. xiii c. cartulary.
	B	Ib. A 1-2, mid.xiv c. cartulary, D. 531, not foliated, but arranged by 'signe'. I did not use C 115 A 4-6, the xv c. cartularies of the house.
London	A	Glasgow U.L., Hunterian U 2. 6., D.610, e.xv c. cartulary of Holy Trinity priory, Aldgate.
Norwich	A	Norwich Dean and Chapter Reg.IV, D.705, xv c. cartulary of episcopal grants to the priory, carefully compiled.
Reading	A	BM Egerton 3031, D.801, l.xii c. cartulary.
	B	BM Harley 1708, D.802, mid.xiii c. cartulary.
	C	BM Cott. Domitian A III, D.552, mid.xiii c. cartulary of Reading's priory at Leominster.
	D	BM Cott. Vespasian E xxv, D.803, e.xiv c. cartulary.
Rochester	A	Rochester, Diocesan Registry, 'Liber Temporalium', D.820, mid xiv c. register of charters and historical material relating to the priory and see.
St.Neots	A	BM Cott. Faustina A iv, D.[illegible], mid.xiii c.

cartulary, in which the witness lists are usually truncated or absent.

Shrewsbury A National Library of Wales 7851, D.895, l.xiii c. cartulary.

Thorney A Cambridge U.L. Add. 3020-1, D.964, c.xiv c. cartulary, the 'Red Book of Thorney', bound in two volumes but continuously foliated.

Worcester A BM Cott. Vespasian E iv f.207, a badly rubbed leaf containing the two charters of ephemeral importance (to the monks) included below. It is more or less decipherable under ultra-violet light.

CANTERBURY

Ralph d'Escures.

1.

Source: PRO DL 27/ LS 46, an original 9¾" wide by 4¼", in a large book hand. It is sealed sur simple queue with a fine large elliptical seal (now upside down) in white wax much discoloured with varnish, depicting the archbishop standing with his staff in his left hand and his right hand raised in blessing. Of the legend only '..N IS MICHIE..' is now legible.

Date: 1115 x 1122

Ego RADULFus archiepiscopus concedo Aeadwardo de cornhelle & uxori eius Godelif. & heredibus suis terram de eadintune que fuit Wlfini. quam .ae. deeudwerc dedit cum filia sua .Ae. de cornhelle pro xx sol(idos) denariorum quos inde dabit inthesaurum meum singulis annis; unde est .Ae. noster homo & mihi & successoribus meis in placitis nostris serviet. & nulli preposito nisi ipso archiepiscopo inde respondeat. T. Gern' Episcopo rof(fensis). Normanno Abbati dem.[a] Geinfred magn(o). Rufello cap(ellano). Ieno clerico.

a. The charter is a little rubbed here; it might read 'dem', Wlsini

which I find equally obscure.

For some comments upon this charter and nos. 4 and 5 below v. J.H.Round: Geoffrey de Mandeville (London 1892) Appendix K.

2.

Source: Worcester A

Date: 1114 x 1122

d/ Frater R. sancte Cant' ecclesie ƀebilis minister venerabili amico suo T. Wig' episcopo et clero ac populo a Deo sibi commisso salutem et Dei benedictionem et suam. Venerunt ad nos termino a nobis secundum iudicium vobis constituto venerabiles viri a fraternitate vestra nobis transmissi qui parati fuerunt ad reddendas rationes si forte opus esset de iis unde causa vestra apud nos tractari debebat. Sed quia hac vice ex his nichil actum est remittimus eo(s) ad vos cum pace et dilectione nostra o(mn)i hac causa ex parte nostra sine certo termino in tranquillitate remanente quousque aliud audiamus. Si vero ulterius ex hoc ortu(m) aliquid fuerit unde(nos rationabiliter oporteat) in causam (intrare nostrum erit) vos convenienter et canonice summonere ut (venientes) rationes vestras secundum ... (habitas) sermones sive querelas ante ... discutiatis. Val(ete).

William of Corbeil.

3.

Source: PRO E 40/ A 7915, the original, 7½" wide by 2⅞" with sealing tongue and wrapping tie.

Date: 1125 x 1126

d/ Will(elmus) ƀei gratia cant' archiepiscopus. Ioh(ann)i episcopi Roff' 7 Anfr(ido) dap(ifero) 7 Omnibus hominibus de Bix. Salutem & dei benedictionem. Scietis me concessisse Iord(ano) clerico meo & ecclesie Sancte Marie de Bix. decem animalia in dominico herbagio nostro & decem porcos in bosco nostro sine pasnagio & totam decimam de pasnagio nostro de porcis et de porcariis. Teste Ioh(ann)e cui co

7 Giffard capell(ano) 7 Simone c'non(ico) 7 c'pell(ano).
e/ 7 Godefrido 7 Alano 7 Iordano de dovor& Rodberto filio
riculfi 7 Rad(ulfo) picot 7 Will(elmo) de sancto Albano
7 Rad(ulfo) camer(ario) apud cantoroberiam . . .

Compare this text with those on the same church printed in Du Boulay: Bexley Church ... nos. 1 - 5.

4.

Source: PRO DL 25/ L 105, the original, 6½" wide by 3½", written in a large and formal court hand, with traces of sealing on a tongue and the remains of a wrapping tie.

Ego Will(elmu)s Archiepiscopus concedo Aeadwardo de cornehelle et uxori eius Godelif. et Heredibus suis terram de eadintune que fuit Wlfini. pro .xx. solidis denariorum. quos inde dabit in thesaurum meum singulis annis. Et faciet mihi servitium inde quod fecit Ra(d)ulfo antecessori meo. Unde est .Ae. noster homo. & mihi & successoribus meis in placitis nostris serviet. & nulli preposito nisi ipsi archiepiscopo respondeat. T(estibus) Roberto monacho et Rogero canonico et Siwardo canonico et Anfr(ido) dap(ifero) & Rannulfo fratre archiepiscopi et Henr(ico) clerico.

5.

Source: PRO DL 25/ L106, the original, 8" wide by 3", with traces of sealing on the tongue and a wrapping tie, in a large court hand.

Ego Will(el)mus dei gratia Cantuariensis archiepiscopus. Concedo Gervasio 7 Agneti uxori sue filie Godeleve 7 heredibus eorum terram de eadintuna. que fuit eiusdem Godeleve pro xx. sol(idis) denariorum quos inde dabit in teshaurum[a] meum singulis annis. Et faciet inde mihi servicium quod fecit Radulfo archiepiscopo antecessori meo. Unde est idem Gervasius noster homo. Et mihi 7

successoribus meis in placitis nostris serviet. Et nulli preposito nisi ipsi archiepiscopo inde respondeat. T(estibus) Helewis archid(iacono). Rad(ulfo) de Cadomo. Iord(ano) de Dovera. Rad(ulfo) pic(ot). Helg(oto) fratre archiepiscopi. Goufr(ido) pic(ot). Roltone filio Ric(ardi) filii Malgeri. Alano filio huberti. Willelmo filio Iwardi. Roberto Bel. Willelmo filio Ricelde. Perlone clerico apud Lamhed'.

a. sic

Since the archbishop styles himself legate in neither of these two charters they were perhaps drawn up between 1123 and his departure for Rome in the autumn of 1125.

6.

Source: Reading A f.93^{v}; also Reading D f.120^{v}.

Date: 1126 x 1136, perhaps 1127 x 1131

Rubric: W. Cant' archiepiscopus de quibusdam pertinentiis ecclesie Leom'.

W. Dei gratia Cant' archiepiscopus et sancte Romane ecclesie legatus P. Hereford' archidiacono et ministris suis salutem. Mando vobis ut ecclesie Leominist' viriliter reddi faciatis decimas de omnibus terris que in parochia supradicte ecclesie sunt et nominatim de Hardeford et de Haureton' et Niwetun' et de Catredeopa et Achis et Tona et Wameschis et Tetfeld' et alia Tetfeld' et Hamton' et Wiseberie et Bradefeld. Quod si reddere noluerint ecclesiastice non dormiat severitas iusticie.

Compare this text with that following; both seem most likely to be connected with the long vacancy at Hereford.

7.

Source: Reading D f.121.

Date : 1126 x 1130

Rubric: Prohibicio Will(elmi) Cant' super ecclesiis de Hord et Hamton'.

Will(elmu)s Dei gratia Cant' archiepiscopus et sedis apostolice legatus I. Herford' archidiacono et ministris suis salutem. Dominus Hug(o) Redyng' abbas conqueritur quod in capellis Horde et Hantun' ad ecclesiam Leom' pertinentibus ipso abbate nesciente nec concedente nec assenciente clericos intromisistis, quod nequaquam sic facere debueratis. Mandamus itaque super hoc vobis quatinus hoc citius emendetur clericos inde removendo donec per abbatem fiat quicquid fiet. Quod nisi feceritis et clamorem inde audiam quod ad me pertinuerit[a] faciam, sicut de negligentibus et obedire refugientibus ad ea que per auctoritatis apostolice manum firmata cognovimus. Valete.

a. MS pertinuerint

Hugh of Reading became archbishop of Rouen in 1130; again probably a vacancy document.

8.

Source: Thorney A f.166.

Date : 1126 x 1128

Rubric: '...quoddam scriptum bone memorie domini Will(elm)i Dei gratia Cantuariensis archiepiscopi de ratificacione et confirmacione indulgenciarum die dedicacionis predicte ecclesie et in annua revolucione eiusdem per prelatum dominum Herveum et collegas suas concessarum...'[a]

Will(elmu)s Dei gratia Cantuar(iensis) archiepiscopus et apostolice sedis legatus Herveo eadem gratia Elyensi episcopo salutem Deique benedictionem et suam. Super dedicatione sancte Marie Thornensis ecclesie quam ad presens facere disponitis congratulamur et laudamus inceptum et ad bonum finem provenire[b] exoramus. Et quia huiusmodi conventus fiunt pro animarum salute et redemptione peccatorum, ubi etiam homines penitentiarum relaxacionem maxis expetunt, quicquid huiusmodi rationabiliter tam in die dedicationis quam in annua ipsius diei revolutione vestra et fratrum nostrorum coepiscoporum prudentia relaxandi

decreverit et nos ex Dei parte et nostra et auctoritate nobis a Deo commissa firmamus. Valete

a. This is an extract from the long narrative rubric preceding the section on Cambridgeshire.

b. sic.

Thorney was dedicated in November 1128 (BM Cott. Nero C viii f.80)

9.

Source: Thorney A ff. 166^{v}-7

Date : 1128 x 1136

Rubric: Scriptum supradicti domini Will(elm)i Dei gratia Cantuar' archiepiscopi confirmatorium de supranominata libertate dicto monasterio concessa.

Will(elmu)s Dei gratia Cantuar' archiepiscopus et sedis apostolice legatus tam presentibus quam futuris salutem. Notum sit omnium devocioni me concessisse et confirmasse donationem illam quam concessit et donavit Herveus Elyens' episcopus Thornensi ecclesie in dedicacione eiusdem ecclesie quando ipse eam dedicavit, scilicet omnes illas consuetudines et causas seculares quas habebat Eliensis ecclesia in hundredis suis de Wicheford' de terra et hominibus Thornensis ecclesie de Witles(eye) exceptis regalibus consuetudinibus que super terram illam evenerint que nec ad episcopum nec ad ecclesiam suam pertinent. Teste[a] Ioh(ann)e episcopo Roff', Thom(a) priore et Helewis arch(idiacono) Cant' ecclesie cum multis aliis apud Lambedam.

a. sic.

10. 15.

Source: London A f.172

Date : 1126 x 1136

Willelmus Dei gratia Cant' archiepiscopus et Romane ecclesie legatus W. decano et archidiacono et capitulo sancti Pauli salutem. Mandamus vobis etiam precipimus ut domino Herm[anno][1] investituram archidiaconatus Cant[uariensis] et capitulo

nostrum in presencia nostra iuste adiudicavit restituatur, prohibentes ne ab aliis ecclesiis parrochiani illi suscipiantur. Valete.

1. Prior of Aldgate 1107 - 1147

Compare with this London 3 below.

11.

Source: Norwich, Dean and Chapter Reg. VIII, D.498, l.xiv c. cartulary of St.Benet, Holme, f.

Date : 1126 x 1136

Willelmus gratia Dei archiepiscopus Cantuariensis et sancte Romane ecclesie legatus universis fidelibus Christi benedictionem Dei et suam. Quoniam tranquillitati serviencium Deo religiosorum cura sollicita caritate debet intendere nos apud sanctum Benedictum de Holm cum venerando episcopo Norwycensi ecclesie Ebrardo constituti hanc concessionem sancte caritatis intuitu eidem loco ad honorem Dei et beati Benedicti concessimus, ut quicunque ad eandem ecclesiam in translacione eiusdem patris mense Iulio et infra octavas eiusdem solempnitatis devota mente conveniret, si in penitentia permanserit a Pascha usque ad festum sancti Martini et a Natale Domini usque ad caput Ieunii eodem anno omni septimane septem ei dies relaxentur. Qui vero in iniuncta penitentia fuerint triginta dies illis relaxentur per annum et, si penitentiam extra ecclesiam egerint, eisdem diebus intrent ecclesiam. Deus pacis et dilectionis sit semper vobiscum.

Compare with this the two charters of William and Everard printed in St.Benet of Holme ed. West 1 nos.76 and 83. All three belong probably to 1126/7.

CANTERBURY MISCELLANEOUS

Scotland, Abbot of St. Augustine, Canterbury.

1.

Source: PRO E 164/ 27, f.[illegible], Shc xiii/xiv c. White book o

St.Augustine ' f.88

Date: 1070 x 1087

Convencio inter Scotlandum abbatem et monachos sancti Augustini cum Vadardo milite.

0/ ccepit ipse Vadardus terram quinque s/linporum circa Norbournam villam, ea condicione quod dabit ipse per singulos annos .xxx. solidos in Pentecosten abbati et dabit decimam omnium rerum suarum que in eadem terra fiunt, scilicet messium, ovium, lane, porcorum, animalium, caseorum et ceterorum que ipse in dominio habuerit, u/ francigene quicqmque de terra illa emicquam ab eo tenuerint. Angli vero ibidem degentes consuetam annonam reddant usque dum legittime ab omnibus angligenis decima redditur, et ipsi eam tunc daturi. Terram vero istam debet ipse Vadardus bene vestire et domibus et animalibus, et bene agricolari, et si contigerit sibi obitus habeat totam terram cum vestura in dominium sanctus Augustinus, in cuius cimiterio delegit sepulturam et omnium proprierum rerum donacionem. Ipse autem serviet abbati et fratribus fideliter sicut miles eorum. Consuetudines tamen quas hactenus reddidit terre illa regi in operibus castellorum vel quod dicunt scot vel aliarum rerum reddet.

There follows a grant by abbot Scotland to Vadard's successor, Arnfrid 'masleclerc', in very similar terms.

Gilbert fitz Richard.

2.

Source: BM Cott. Dom. A X ff. 37-^{v}, D.C18, e. xiii c. cartulary of Rochester Priory; also Rochester A f.18^{v}.

Date : 1094 x 1109

Gilbertus filius Ric(ard)i Radulfo episcopo Cicestr' et Arnulfo vicecomiti et omnibus baronibus francigenis et anglis de Sutherei et de Suthsexia salutem. Omnibus vobis

notum esse volo me concessisse et confirmasse, voluntate et assensu Domini Anselmi Cant' archiepiscopi, ecclesie sancti Andree apostoli de Rovec' et monachis ibidem Deo servientibus ecclesiam de Retherfeld cum capella de Fernet que ad eam pertinet cum terris, cum decimis et oblationibus et omnibus appenditiis suis, et in mea foresta singulis annis unum cervum ad festum sancti Dionisii in cuius honore ipsa ecclesia fundata est, meo iussu eis tradendum. Sciatis etiam me pro amore Dei et reverentia beati Andree apostoli reddisse monachis predicte ecclesie terras suas que in leuga mea de Tunebrege sunt, terram videlicet que dicitur Wupringeberi iuxta Burnam que pertinet ad Trendesb' et Sudichinesdene que iacet ad Dunam tunam maneriu eorum liberas et quietas. Concedo etiam et confirmo eidem ecclesie sancti Andree apostoli et monachis terram Othini hominis mei de Bullocchesfed' cum filio suo ad faciendum eum ibi monachum pro anima patris mei et matris mee et pro salute anime mee liberam et quietam ab omni servitio quod ad me pertinet. Et isti sunt testes: Anselmus archiepiscopus et cet'.

Henry I

3.

Source: Rochester A f.17

Date: 1100 x 1108, perhaps 1103 x 1107

Henr(icus)rex Walle Hom(ini) dapifero et omnibus baronibus francis et anglis de Chent salutem. Precipio ut omnes warennes archiepiscopat s de Brocheham et de Gillinghem et de Stanes et de Trendesberie et de omnibus aliis dominicis maneriis de archiepiscopatu sint in mea defensione et ita nullus in eis fuget nisi licentia archiepiscopi et Gundulfi) episcopi Rovec' et Willelmi filii Rad(ulf)i. Et si aliquis in eis fugavit Gundulfus episcopus et Willelmus filius Rad(ulf)i capiant inde plenum rectum in curia archiepiscopi. Testibus istis

habere Hamo dapifer michi et eis inde plenam iusticiam faciat.

The sense of the text seems to demand that it was issued when the archbishop was out of the country; William fitz Rodulf was apparently keeper of the archbishopric during the years 1103-5 (EA 359) and might have continued to act so until Anselm's return to England.

CHESTER

Bishop Robert de Limesi or Robert Pecche

1.

Source: Burton A f.19; another partial note on f.22; also Lichfield A f.35^{v}. Calendared from Burton A in Abstract of the Burton chartulary ed. Wrottesley p.

Date : 1086 x 1126

Rodbertus Dei gratia Cestrensis episcopus omnibus archidiaconibus suis et omni clero sibi commisso salutem. Sciatis quod ego concedo et confirmo matri ecclesie Burtoniensi libertatem quam inveni in ea et quam habuit ex quo fundata est, id est ut non reddat ullam consuetudinem pro chrismate vel oleo sancto, neque pro aliqua re parochiali, nec mittat hominem aut feminam ad capitula vel sinodos, sed teneat rectum in curia sua [a]quamdiu se a recto non deficit[a]. Quamobrem prohibeo ex parte Dei et interdico sub anathemate ne quis in posterum presumet infringere hanc libertatem. Valete.

a - a. Lichfield A et apud se plenam iusticiam faciat.

. Roger Clinton

2.

Source: Burton A f.19; another partial note on f.22; also Lichfield A ff.35^{v}-6. Calendared from Burton A in Abstract of the Burton chartulary p

Date : Perhaps 1140 x 1148

Rogerus Dei gratia Cestrensis episcopus (Rodulfo) archidiacono Stafford' et ministris suis salutem. Prohibeo vobis ne aliquem redditum vel consuetudinem exigatis a capellano Burthonie quia nullum umquam redditum vel consuetudinem fecit, et ecclesia Burtonie omnem libertatem habeat quam solita est habere. Valete.

Robert archdeacon of Stafford seems to have been in office as late as c.1140 (Magnum Registrum Album of Lichfield, ed. H.E.Savage as WSAC Third Series Vol.XVII (1924) no.169).

3.

Source: Kenilworth A f.43; Kenilworth B f.91.

Date : 1129 x 1148

Rog(erus) Dei gratia Cestr' episcopus universis ecclesie filiis salutem et pacem. Noverint tam posteri quam presentes quoniam eo tempore quo ad Cestr' ecclesie episcopatum electus accessi ecclesiam sancte Marie de Kenill' liberam, solutam et quietem ab omni exactione et consuetudine tam episcopali quam archidiaconali inveni, quam libertatem predecessor meus Rob(ertus) secundus Cestr' episcopus, vir bone memorie cuius tempore predicte ecclesia fundata est, eidem ecclesie concessisse dinoscitur. Nos autem eiusdem ecclesie libertati et quieti congaudentes et in posterum providentes prefatam libertatem nostra auctoritate communimus, et ab omni tam episcopali quam archidiaconali exactione et consuetudine eam inperpetuum absolvimus. Valete

4.

Source: Lichfield A ff.35-35v.

Date : 1139, after June 11

Omnibus sancte matris ecclesie filiis Ro(gerus) Dei gratia Cestren' episcopus salutem in Domino. Universitati vestre constare volumus nos inperpetuum Iohannem capellanum in ecclesiam de Burthon et in omnibus

Rogerus Dei gratia Cestrensis episcopus (Rodulfo) archidiacono Stafford' et ministris suis salutem. Prohibeo vobis ne aliquem redditum vel consuetudinem exigatis a capellano Burthonie quia nullum umquam redditum vel consuetudinem fecit, et ecclesia Burtonie omnem libertatem habeat quam solita est habere. Valete.

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4.

Source: Lichfield A ff.35-35v.

Date : 1139, after June 11

Omnibus sancte matris ecclesie filiis Ro(gerus) Dei gratia Cestren' episcopus salutem in Domino. Universitati vestre constare volumus nos inperpetuum Iohannem capellanum in ecclesiam de Burthon et in omnibus

debitam eis persolvent pensionem secundum modum nobis sibi concessum. Omnes vero decimas quas hactenus sine calumpnia possederunt tam ex suis quam ex aliorum dominiis volumus ut amodo inconcusse teneant. Et quoniam necessitate cogente in quibusdam eorum parochiis cimiteria benediximus et capellas dedicavimus, precipimus ex Dei et nostra auctoritate ut capelle ipse matribus ecclesiis sicut filie subiecte sint, ita ut in diebus solempnibus non ad eas sed ad matrem ecclesiam populus omnis conveniat, et corpora defunctorum que voluerit presbiter matris ecclesie ad ipsius cimiterium deportari faciat. Propter fratrum autem quietem omnes ecclesias et omnes dictas decimas et pensiones ecclesiarum subscriptarum nostre auctoritatis sigillo confirmare duximus ratum: Ecclesiam scilicet de Hodenet cum capellis suis et pensione duarum marcarum, Ecclesiam de Archelon cum capellis suis et pensione viginti solidorum, ecclesiam de Egoundum cum capellis suis et pensione quadraginta solidorum, ecclesiam de Novo Burgo et pensione decem solidorum, ecclesiam de Idoscala cum capellis suis et pensione triginte solidorum, ecclesiam de Donitón cum pensione dimidie marce, ecclesiam de Tonga cum pensione dimidie marce, ecclesiam de Belintun cum capellis suis et pensione duarum marcarum, ecclesiam de Brocwrdin cum capellis suis et pensione viginti solidorum, ecclesiam de Aptun' cum capellis suis et pensione viginti solidorum, ecclesiam de Conedovere cum capellis suis et pensione .xviii. solidos[a], ecclesiam de Birintun cum pensione viginti quatuor solidorum, ecclesiam de Neuse cum pensione decem solidorum, ecclesiam de Ibo Monasterio cum capellis suis et pensione triginta solidorum, ecclesiam de Bascherche cum capellis suis et pensione viginti solidorum, ecclesiam de Rudle cum pensione unius marce, ecclesiam de Bortun' cum pensione duorum solidorum, ecclesiam de Wletun cum capellis suis et pensione

viginti solidorum, ecclesiam de Leimundestou cum pensione sex solidorum[b]. Quoniam volumus quod predicti fratres has ecclesias, decimas et pensiones in pace teneant, iccirco nostre auctoritatis sigillo eas corroborare decrevimus, precipientes sub anathematis interposicione ne quis deinceps inde eis molestus existat.

a. sic

b. Lichfield A vi s. viii d.

This charter was discussed in Eyton: Antiquities of Shropshire ii pp.331 et seq.; he asserted on ii p.248 n. that the Lichfield MS was the better, a view I do not accept. Compare Hereford no. below.

CHESTER MISCELLANEOUS

Godfrey, bishop of St.Asaph.

1.

Source: Kenilworth A f.43^{v}; also Kenilworth B f.152^{v}.

Date : 1160 x 1175

Sciant tam presentes quam futuri quod ego Godefridus Dei gratia ecclesie Sancti Asaph dictus episcopus dum essem monachus Coventr' interfui cuidam sinodo in tempore regis Henrici senioris quam in eadem ecclesia celebravit venerabilis memorie Rogerus eiusdem loci episcopus, in qua probatum est ecclesiam de Cobinton' esse capellam ecclesie de Wotton'. Et quia ad nostrum spectat officium veritati testimonium perhibere et paci fidelium et maxime religiosorum providere hoc ipsum me audisse et vidisse literis presentibus et sigilli nostri impressione testificor.

Bishop Godfrey was suspended in 1170 and died in 1175. For another account of this synod v. Cheney: From Becket to Langton Appendix III no.i.

Richard Pecche, bishop of Coventry.

2.

Source: Kenilworth A ff.40^{v}-1, and [illegible] in f.4[illegible]; Kenilworth [illegible]

ff. 90^{v}-1

Date: 1173 x 1179

Ric(ardus) Dei gratia Coventr' episcopus universis sancte matris ecclesie filiis salutem. Noverint tam posteri quam presentes quod nos pietatis intuitu concessimus ecclesie sancte Marie de Kenill' et canonicis ibidem Deo servientibus denarios sancti Petri de tribus ecclesiis et earum parochiis, scilicet de Wotton' iuxta Kenill' et de Stanleia et de Hamptone in Ardena [a]tam de locis in quibus sunt capelle ad ipsas ecclesias pertinentes quam de parochianis qui assidue predictas matrices ecclesias ad divina percipienda frequentant[a], solvendo nobis et successoribus nostris inperpetuum singulis annis xx^{ti} solidos ad assumptionem sancte Marie. Concessimus etiam canonicis predicte ecclesie ut de singulis (ecclesiis) ad ipsos in nostro episcopatu pertinentibus xii denarios tantum ad auxilium episcopale solvant, et de singulis capellis que reddere debent sex tantum denarios, ad auxilium quoque archidiaconale tantumdem. Hoc autem fecimus pro reverencia domini Alexandri pape tercii et beati Thome martiris glorioси qui memoratam ecclesiam de Kenill' in spiritualem protectionem susceperunt, sicut ex eorum litteris que in eadem ecclesia habentur adverti potest. Peticione quoque magistri Radmundi Coventr' archidiaconi hoc predictis canonicis indulsimus.[b] Quare volumus et episcopali qua fungimur auctoritate statuimus ut nullus super hoc de predictis ecclesiis aliquid amplius presumat exigere vel ecclesiam de Kenill' super hiis aliquo modo inquietare. Huius concessionis testes sunt: Radm(undus) arch(idiaconus) Coventr', Rob(ertus) archidiaconus Cestr', Will(elmus) decanus Lichif', Augustinus et Wir(ellus) capellani, magister Terricus, magister Geufr(idus) de Lont', Walt(erus) de Tilebir'[c], Will(elmus) filius Isoel, Ric(ardus) de Walhem, Robertus clericus de Lopha et plures alii.

a - a A f.41 om.

b.

c.

c. A f.41 Will(elm)s de Aleberic.

Edmund archdeacon of Coventry had been replaced by 1179 (J-L 13254).

ELY

Nigel

1.

Source: Thorney A ff.167^{v}-8

Date : October 1133 x March 1136

Rubric: Carte domini Nigelli Elyensis episcopi de concessione et confirmacione predicte libertatis.

Nigellus Dei gratia Elyens' episcopus toti conventui ecclesie sancte Etheldrede et omnibus baronibus et vavassoribus et omnibus hominibus suis totius episcopatus francis et anglis salutem. Sciatis me concessisse ecclesie sancte Marie Thornensi et Rob(ert)o abbati et omni(bus) successoribus suis omnes consuetudines illas et libertates quas Herveus episcopus antecessor meus illi in dedicationi eiusdem ecclesie concessit et carta sua confirmavit. Et volo et firmiter precipio ut illas bene et honorifice et quiete possideat ita ne aliquis ei inde iniuriam vel contumeliam faciat, videlicet omnes consuetudines et causas seculares quas Elyensis ecclesia habebat in hundredis suis de Wicheford' de terra et hominibus Thornensis ecclesie de Witlesseya, presentibus et testibus hiis subscriptis: Ioh(ann)e archid(iacono) de Bada, et Will(elm)o priore Elyens' ecclesie, et Gerardo priore de Bernewell', et Will(elm)o archid(iacono) de Ely et Will(elm)o decano et magistro Ranulfo et magistro Aluredo et cetera.

Archdeacon John of Bath died shortly before the consecration of bishop Robert in 1136 (Historiola de primordiis ...p.24)

2.

Source: In Thorney A ff.187-90, 196, in a brief 'Life and Miracles of Godric the hermit of Finchale'. The

work seems to have been written some time after the death of Nigel of Ely, but perhaps not much later. Below are chapters eleven and twelve of the Life, from ff. 189 -^{v}.

Date: 1133 x c.1150

Venerabilis memorie dominus Nigellus Dei gratia Eliens' episcopus audiens multa bona de prefato fratre ad iam dictum locum ire disposuit, fratrem Godricum visitaturus et in Domino consolaturus. Post sacri verbi consolationem r rogavit episcopum frater ille ut si voluntati sue placeret locum cum oratorio dedicare et consecrare caritative dignaretur. Et annuit ille. Locum igitur dedicavit in honore sancti Trinitatis et sancte Marie semper virginis et patroni sui sancti Andree apostoli. Insuper eidem loco omnes libertates in temporalibus et spiritualibus quales habent alie ecclesie honorifice concessit et sigillo suo confirmavit. Et post celebracionem factam episcopus ille una cum viris locupletibus qui illuc advenerant propter solempnitatem prefatam in loco illo discumbere non recusavit. Sed et prefati viri eodem die de terris suis et redditibus loco eidem contulerunt, quo dona episcopus predictus concessit et confirmavit.

Rubric: Sequitur carta domini Nigelli Dei gratia Eliens' episcopi de concessione et confirmacione terrarum et reddituum predicto loco de Trokeholt die dedicacionis illius collatorum.

Nigellus Dei gratia Eliens' episcopus omnibus sancte ecclesie filiis salutem. Universitati vestre notum facimus quod Riganus filius Landri de Holebech' dedit Deo et sancte Marie et ecclesie sancti Andree de Everdewic' .xii. acras de marisco in elemosinam pro anima patris sui et uxoris sue. Burstanus similiter dedit pro anima sua et coniugis sue et omnium antecessorum suorum unam acram terre iacentem iuxta aliam quam ipse arabit et seminabit de suo quamdiu vixerit et filii eius post eum. Iwardus de Wisebech' efficitur frater eiusdem loci dando unam acr[illegible].

Reginaldus clericus de Isebech' dedit dimidiam acram, Hagga de Leverington' dimidiam acram in parco, Godricus miles de Walsokne et Isaac filius eius dederunt unam acram, E(mecin) vero unam culturam terre in Geddeneia pro anima Gaufridi filii Fulconis de Ciri domini sui et pro animabus filiorum suorum omniumque antecessorum. Estanus de Wiseb' dedit unam rodam quam de suo arat et seminat omnibus diebus vite sue. Summardus vero dedit unam rodam. Hec omnia recordata et confirmata fuerunt in presentia nostra in die dedicacionis illius ecclesie. Et nos excommunicavimus omnes illos qui de predictis terris vel aliis que post(ea) predicte ecclesie date sunt aliquid abstulerint. T(estibus) Roberto presbitero, Alwardo de Wisebech', Hagga de Leveringt(on), Gudranno filio Adelware, Wigano filio Landri, Isaac filio Godrici et multis aliis.

Godric was born in the reign of Edward the Confessor (f.187), and died at the age of about eighty, after forty years as a hermit (f.190).

EXETER

Osbern fitz Osbern

1.

Source: BM Cott. Vitellius A ix (D.392), the mid xiii c. cartulary of St.Nicholas' Priory, Exeter, f.29; also London, Lincoln's Inn MS Hale 87 (D.28), a slightly later cartulary of the mother house of Battle, f.33.

Date : 1076 x 1103, later rather than earlier.

Notum sit omnibus ecclesie filiis tam presentibus quam futuris quod ego Osbernus Exon' episcopus assensu tocius capituli nostri donacionem quam Willelmus rex conquisitor Anglie ecclesie sancti Martini de Bello et monachis eiusdem ecclesie in civitate Exon' commorantibus ibidem Deo in ecclesia sancti Nichol(ai) servientibus dedit, scilicet ecclesiam sancti Olavi de Exon', ecclesiam de Colerpton' cum terris et decimis illi parti illius

et omnibus consuetudinibus concedo et episcopali auctoritate confirmo perpetualiter possidere. Cum autem presbyteri horum ecclesiarum obierint vel degradati fuerint cunctis ex causis prior et monachi sancti Nicholai presbyteros in capitulum eorum quales eis placuerit assensu totius capituli eorum personam[a] hiis ecclesiis constituent et scripti sui testimonio episcopo Exoniensi aut archidiacono vel decano presentent, et sic ecclesiis per monachorum sancti Nicholai vel abbatis de Bello concessionem et scriptum officio sacerdotali deserviant. Ut si aliquis ex parochianis sancti Petri vel aliqui alii decimam suam quam iuste dare potuerit, de omni pecunia sua videlicet et de omnibus rebus suis quas decimare et huic ecclesie dare voluerit, licenciam illuc dandi pro anime mee[b] et omnium parentum suorum salute omnino habeant. Ego autem pro anima mea et omnium antecessorum et successorum meorum saluto hoc episcopali auctoritate hiis litteris concedo atque confirmo. Qui vero huic ecclesie decimas aut donaciones aliquas obtulerint beneficiorum omnium que in ecclesia sancti Nicholai fiunt, videlicet missarum, elemosinarum, orationum, participes se esse non dubitent, sed eciam Dei et meam benedictionem habeant.

a. Acta of Chichester no.5 vicarium, v. below.

b. Hale sue

If genuine, this is a very early example indeed of such an episcopal confirmation. However there are grounds for grave doubt; the passages underlined are also found in Acta of ...Chichester no.5, a confirmation by Ralph of Chichester of the church of Westfield to Battle. It is possible that Ralph's charter was drawn up by the monks, modifying Osborn's grant to fit, but it is far more likely that this is a later forgery based on Ralph's grant. The opening sentence is both odd in itself and far more likely to be a clumsy adaptation than a model.

William Brooke et

Source: Exeter Dean and Chapter, Muniments 3672 (D.&C.), c xv c. cartulary of the cathedral, p.33 (which is written in a hand slightly later than that of the main text.)

Date : 1108 x 1123

Hec est convencio inter Will(elmu)m Exon' episcopum et Ricardum de la Mare de capella de Ulfegescote, que est facta in parochia ecclesie de Bentuna. Huic episcopus concessit Ricardo ut faceret dedicare capellam predictam tali pacto: ut perhenniter hec capella sit subiecta matri ecclesie sue de Bentuna. Item ut homines de terra Ricardi tantum ibi audiant servicium, ita ut nemo ex aliis parochianis Bentune ibi recipiatur. Item ut corpora mortuorum de terra Ricardi afferantur ad matrem ecclesiam Bentune. Item clericus qui serviet capelle veniet ad matrem ecclesiam hiis festis: in festo sancti Bernewoldi, in Nativitate Domini, in Ramis Palmarum, in Resurrectione, in Rogacionibus, in Pentecost', in Nativitate sancti Iohannis Baptiste. Huic autem episcopus concessit ut capella hiis convencionibus sacretur, reddet capella et qui eam habuerit unoquoque anno duos sextarios fr(ument)i matri ecclesie de Bentuna. Hec igitur convencio firma teneatur tam in omnium successorum temporibus quam in istorum. Test(ibus) huius rei Iusticiario Roberto Lincoln' episcopo, qui sigillo suo convenciones confirmavit, et Ric(ard)o London' episcopo qui peticione Ricardi et concessione episcopi Exon' dedicavit hanc capellam, et hec convenciones sigillo suo confirmavit in ecclesia de Bentuna, et Ricardo de [a], Ioh(an)ne de Bentuna, et Osberto de Bentuna et omnibus illis testibus in quos recordata fuit hec convencio.

a. Blank in MS

The years 1108 - 27 were the only ones between Conquest and Reformation when there was such a conjunction of bishops of London, Lincoln and Exeter. Brompton was described in [illegible] held by a bishop Robert of bishop [illegible] of Exeter.

3.

Source: Oxford, Bodleian Library MS James 23, Richard James' notes from a transcript of the lost cartulary of Plympton, p. 780, pp.151-2. Matthew Hutton also noticed the existence of this charter in BM Harley 6974 f.29.

Date: 29 July 1124

+ In nomine sancte et individue Trinitatis ego Will(elm)us licet indignus Dei tamen gratia Exoniensis episcopus, zelo caritatis accensus et sanctorum patrum vestigia sequens, pro amore Dei et peccatorum meorum remissione atque pro salute totius capituli mei, ecclesiam sancti Petri apostolorum principis de Plimton' omnesque capellas sibi pertinentes,nominatim eam de Plimestoke, ab omni censu synodali et paschali consuetudine et ab omni exactione episcopali absolvo, et liberam et absolutam esse concedo et totius capituli mei consilio corroboratus in perpetuum confirmo. De servientibus canonicorum regularium eiusdem ecclesie de mensa eorundem victitantibus foriefacturam denariorum, si forte contigerit, eisdem canonicis irrefragabiliter attribuo. Iustitiam vero et penitentie censuram eorum dumtaxat mihi et archidiacono retineo. Sic quoque in hac pretaxata libertate salva omnino subiectione et obedientia sue matris Exoniensis ecclesie. Verum ut et presentibus omnibus tam clericis quam laicis in promptu sit hec libertas tam scripto et sigillo meo adstipulatam contradidi.

Data Exonie anno ab incarnatione Domini M°C°XX°IIII° Epacta III[a] Indictione II[a] IIII° Kal' Augusti, Calixto secundo papa Rome presidente, Will(elm)o Cantuar' archipresule, Henrico rege in Anglia regnante; et erant xii canonici sub regula sancti Augustini ibi deo servientes.

For James as scholar and copyist v. Early Charters of St. Neots pp. ix-x. The extreme elaboration of the dating clause in this charter may be compared with those of two other charters of [illegible] dated [illegible] ten [illegible]

...Exoniense p. 36 nos. vii and viii. The elaborate authentication seems to be characteristic of Exeter charters of the period.

In James' extracts there follow some historical passages, which appear to derive from the same source. All of them are of interest, but the two passages that follow are particularly relevant.

3 a. MS pp.164-5.

(The canons of Plympton are refuting the claims of the Redvers family to be the patrons of Sutton church).

Fdiiciunt etiam canon(ici) se ab antiquis audisse ecclesiam de Suthon membrum fiisse Plimton' ecclesie antequam Normanni Angliam subiugassent. Dicunt etiam ipsum Reginald(um) de Valletorta[1] primum applicasse domino Ralfrido priori[2] Plimt' pro Thoma clerico filio suo bastardo ut eum admitteret in vicariam ecclesie de Suthon' sub annuo canon'[a] Plimton' ecclesie solvendo, et ut eum presentaret domino Will(elm)o Exon' quod et factum est. Item de hoc ratione dicuntur audite a Roberto clerico filio sacerdotis de Suttuna nomine Dunegrust, et ab aliis senioribus illius temporis, tempore Haroldi regis Anglie[3] et Livingi episcopi Saxon'[4] et Godwini com(itis) Devonie[5] et Edrici vicecomitis et Hodda Hordre de Plimton' Alfegh fuit unus sacerdotum de Plimton', habuit in prebenda sua et in communa sua capellam sancti Andree de Sutton et parrochiam, et capella adhuc lignea erat. Filius vero Alfegh fuit Gladda sacerdos, et ipse tenuit p(r)edictam ecclesiam de Plimton', et post eum Alnodus sacerdos, et a. for censu ?

1. Lord of Tremeton in Cornwall, who seems to have died before 1130 (Sanders: English Baronies... pp.90-1).
2. Prior 1128 x 1160
3. Harold I , Regent' 1035-7, King 1037 x 1040
4. Bishop of Crediton 1027 x 1046
5. [illegible]

post Alnodum Lunprust filius eius, et ita Elmton' eccle contin e et pacifice ten it ecclesiam de utt a tungrum capellam, quia nondum dedicata erat primorum Normanni subiugassent sibi Anglian.[1] Item post Lunprust Will(elmu)s Bacini, filius eius, eam tenuit de Elmton', et post eum Thomas clericus filius Reginaldi de Belletorte de filia Lunprust qui, post decessum Will(elm)i episcopi et patris sui R. cui rex Henricus prius dederat manerium de udtune pro servitio suo, hoc recognovit in plenario capitulo Elmton', et in extremis agens clavem illius ecclesiae resignavit cuidam Ioh(ann)i[2] et canon(icis) Elmton' sub testibus.

3 b. MS p.165

Will(elmu)s igitur episcopus cum (in) subditorum et precipue clericorum vita et conversatione multa enormitatea et scandala infirmorum abundare inviserit, omnes enim incontinentie laborabant et erat in hac causa ut populus sic sacerdos, Deo inspirante detegebat hoc vitium primo in maioribus ecclesiis corrigere. Erat enim malum intollerabile cum sacerdotes publice uxores ducerent et, neglecto ornatu et cultu ecclesiarum, quasi de sola successione hereditande cogiterent, et mulieribus non altaribus ornandis indulgerent. Coepit ergo tanquam bonus pastor verbo sacre exhortationis et exemplo canonice religionis ad castitatem et honestatem revocare. Primus enim ordinem canonicorum in Devonia et Cornubia per viros spectabilis vite instituit, et in ecclesia Elmtoni' et Bodmunensi et Lanstavaton' disposuit et dominum regem Henr(icum) primum ad confirmandum induxit.

a. MS enormitatis

1. cf Wincheester 1070 c.8
2. Prior 1169 x 1176

HEREFORD

Robert de Bethune

1.

Source: Hereford A f.56^{v}

Date : 1131 x 1137, perhaps 1134

Notum sit omnibus tam presentibus quam futuris quod vacana post decessum Ioh(annis) presbiteri ecclesie beati Cuthberti de Hamma, quam Hugo de Lacy aliquando prius concesserat Deo et sancto Petro et abbati et monachis Gloec', ego Robertus episcopus Hereforden' prebens auctoritatem et assensum idem concessioni ad presentacionem et peticionem Walteri abbatis Gloec' suscepi Stephanum presbiterum in vicariam ipsius ecclesie de Hamma, et eidem curam animarum sub hoc tenore commisi ut michi quidem et ministris meis de episcopalibus respondeat, abbati vero et monachis de annuo censu quam eis debet de ipsa ecclesia et omnibus ad eam pertinentibus per omnia fidelis existat. Hoc autem ruic firmum esse volo scripti presentis et sigilli mei auctoritate confirmo. Hiis testibus: Roberto cantore, Briennio thesaurario, Gilberto de Eborac', magistro Eustach(io), magistro Ranul(fo), Rogano filio Iohannis, Milone constabulario, Helia de Sey, Roberto Brien, Hugone Brien et aliis.

The death of Rain fitz John provides the terminus ante quem. However this MS on f.97^{v} has another version of the settlement of 1134 printed in Historia ...de Gloucestria i pp.86-7 with a witness list so close to this that they seem likely to be contemporary.

2.

Source: Hereford A f.55^{v}

Date : 1131 x 1139, perhaps 1134 x 1139.

( )ogerus^{a} Dei gratia Hereford' episcopus archid(iaconis), dec(anis), et omnibus ministris Hereford' ecclesie totiusque sancte ecclesie fidelibus salutem et benedict(ionem). Noverit sancta fraternitas vestra nos, ad [illegible]

auctoritate concessi altero abbati et conventui sancti Petri plenum personatum in ecclesia sancti Cuthberti de Hamma ultra Waiam cum terris et decimis et omnibus pertinenciis suis quam Paganus filius Ioh(annis) pro anima sua et pro animabus antecessorum suorum, annuente hoc Sibilla coniuge sua, per manum meam imperpetuam elemosinam eis donavit. Concedo etiam predicto abbati et monachis ut in predicta ecclesia pro voluntate sua vicarios mittant et amoveant si bene non serveverint. Hoc quia ratum et inconvulsum manere volo sigilli mei impressione confirmo. Hiis testibus: Petro archid(iacono), Rad(ulfo) decano, Gilberto de Ebor(aco), Ronulf filio Erchrem', Ingulfo presbitero, Will(elm)o decano de Horsham, Gozo presbitero de sancto Martino, Stephano presbitero de Hamma, Ponis presbitero de Kylpek, Hug(one) clerico de sancto Petro etc.

a. sic, but there can be no doubt that Robertus is the right reading.

From the occurrence of Stephen the priest this is clearly later than the last text, hence the date.

3.

Source: Shrewsbury A p.302 no.ccexxxviii

Date : 1131 x 1148

Notum sit omnibus tam presentibus quam futuris quod Herbertus filius Helgoti dedit Deo et sancto Petro et monachis Glop' ecclesiam de Stantone, quam donationem ipse et filius eius Eutropius concesserunt in capitulo Hereford' in presentia Ricardi episcopi. Cui episcopus hoc benigne concessit et precepit ut clericus qui tunc eam tenebat omni tempore vite sue eam in pace haberet. Eo autem defuncto predicta ecclesia in dominium monachorum veniret. Post obitum vero eiusdem clerici Warini predicte ecclesie et prefati episcopi concessio recognita sunt et testificata in sinodo Hereford' ecclesie, presidente ibi domino Godberto episcopo et conventu eiusdem ecclesie, cui auctoritate hoc confirmavit et confirmando

sui conventus et totius sinodi illum monachis deinceps in pace habere precepit. Quod suo sigillo confirmavit et hoc idem sigillo sui conventus confirmare precepit.

4.

Source: Shrewsbury A pp.306-7 no.cccxlviii

Date : 1131 x 1148

Robertus Dei gratia Hereford' ecclesie episcopus Radulfo decano totique conventui Hereford' ecclesie salutem. Noverit dilectio vestra nos die sancti Kalixti pape pro salute populi circumiacentis capellam de Betleg' dedicasse et pro necessitate pacis ibidem cimiterium benedixisse, et hoc in primis concessisse ut prefata capella cum eatenus capella de Homerfeld fuerat semper capella remaneat, et consuetudines que ad capellam pertinent persolvat. In die vero dedicationis eiusdem capelle abbas Salop' loci illius dominus concessit prefate capelle dimidiam virgatam terre et unum essartum quatuor solidorum, unamque domum in eadem villa. Ita videlicet quod abbas et monachi Salop' omnes decimas de quibusdam terris in manerio dicte ville sitis, una cum decimas omnium essartorum eiusdem, amodo in pace et integre teneant, sicut eas hactenus tenuerunt et possederunt. Nos autem hanc pacem in prefato loco ponentes successores nostros precamur ut pacem quam nos misericordia Dei incepimus sua auctoritate confirment et manuteneant. Hiis testibus: Reinaldo priore de Wenlô , Petro archid(iacono), Hug(one) canonico Lenton', Ricardo et Hlurico decanis, David et Waltero capellanis meis.

5.

Source: Shrewsbury A p.301 no.cccxxxvii

Date : 1131 x 1148

Robertus Dei gratia Hereford' ecclesie minister universis sancte matris ecclesie fidelibus salutem. Quod calamo committitur posteritatis memorie reservatur. Nos igitur secundum consuetudinem nostram providentes ea que ad pacem

sunt Ierusalem tam presentibus quam futuris presentium
lingue significamus quod querimonie Salopesberiensis ecclesie
quam habuit adversus ecclesiam Sagiensem super ecclesia de
Dudeneburia et maneric de Billingesleya huiusmodi compositio
finem imposuit. Ioh(anne)s abbas Sagiensis et Ranulfus
Salopesberiensis ex consilio nostro, contentione et in presenti
deposita et in posterum compositione precisa, possessiones
quasdam quas utreque ecclesie sue vendicabat inter se
diviserunt, et eas ita divisas ecclesiis suis mutua quadam
fraterne caritatis conventia imperpetuum concesserunt.
Concessit itaque Ioh(anne)s abbas Sagiensis ecclesie Salop'
ecclesiam de Kircheham et decimas de Tattuna et Hauebrecca et
unam carrucatam terre quam dederant priori de Lancastra pro
compositione ecclesie de Kircheham. Econverso autem abbas
Salop' concessit ecclesie Sagiensi ecclesiam de Dudeneberia
et Billingesleyam et capellam de Biscopham, et decimas quas
h(abeba)nt ex dono Rogeri comitis. Hanc autem conventionem
in presentia nostra et capituli nostri Hereford' ecclesie et
venerabilis fratris nostri Gilberti Gloucestrie abbatis, priorum
orum etiam Regin(aldi) de Wenelec et Edmundi de Liminstria,
archidiaconorum vero Will(elm)i Lond' et Godefridi Wyrorn'
factam episcopali auctoritate sanctimus, et sigilli nostri
impressione communimus.

6.

Source: Shrewsbury A p.308 no. cccl (b)

Date : 113 x 1148

Robertus Dei gratia Hereford' episcopus universis sancte
ecclesie filiis et filiabus eternam in Domino salutem. Notum sit
fraternitati vestre quod Helyas de Sai coram me et omni
clero qui capitulo nostro apud Stantonam interfuerunt
concessit monachis de Salop' villam nomine Brompto(nam)
ita libere et quiete sicut frater suus Henr(icus) eis ante
concesserat, totam calumpniam eam inde eis commoverat
[illegible]

rei confirmationem prefati fratres sex marcas argenti ei dederunt. Huius conventionis ego mediator et testis extiti, testibus omnibus qui nobiscum predicto affuerunt capitulo.

7.

Source: Shrewsbury A pp.299-300 no.cccxxxiiii

Date : 11 x 1148

Robertus Dei gratia Hereford' episcopus dilectis in Christo filiis abbati et conventui Salop' salutem, gratiam et benedictionem. Ex officii nostri debito pre ceteris ipsos paterno fovere tenemur amplexu, necnon et eorum procurare profectum, quos sancte contemplationis ocium agonsi trahit et ducit in amplexum. Ne propter, dilecti in Christo filii, religionem quam in vobis vigere credimus attendentes ecclesiam de Homerfeuld cum pertin' suis vobis ad proprios usus perpetuo possidendam necessitatibus (vestr)is compaciendo concedimus. Ita quod in ipsa morentur monachi et de vobis nunc hii nunc alii ad libitum vestrum ad faciendum hospitalitatem ibidem secundum facultates loci. Et ipsam ecclesiam vobis auctoritate episcopali confirmamus una cum pensionibus capellarum suarum, videlicet de capella de Billingeleya sex sol' et octo denar' et medietatem garbarum dicte ville, de capella de Wateleya .viii. sol', de capella de Alberbur' .v. sol', de capella de Wasseleya .vi. sol' et .viii. den'. Concedimus etiam vobis et confirmamus omnes pensiones vestras alias debitas quas similiter in episcopatu nostro ab antiquo percipere consuevistis, videlicet de ecclesia de Stotisdon' quatuor libras argenti, de ecclesia de Castro Holgoti octo sol' et octo denar', de ecclesia de Abbeton' duos sol', de ecclesia de Ruggeford' .ii. sol'. Concedimus insuper vobis et confirmamus decimas de omnibus dominicis vestris et aliorum magnatum in episcopatu nostro que vobis ab antiquo ad sustentacionem vestram date sunt, videlicet omnes decimas de Watoleya, et etiam alias decimas in eadem parochia vobis ab antiquo datas, et omnes decimas totius dominici vestri de Aldwich, et decimas [illegible]

'tottisdun', et duas partes decimarum de dominico, i eadem
villa, domini[b], et duas partes decimarum dominii de Walkeslave,
et duas partes decimarum de dominico vestro de Ichton', et
omnes decimas de dominico vestro de Muggeford', duas etiam
partes decimarum dominii de Henneleg', et duas partes
decimarum dominii de Teutun', et duas partes decimarum dominii
de Iptun', et duas partes decimarum de Thokethul. Obsecramus
autem omnes successores nostros quatinus hec statuta nostra
manuteneant, et de episcopalibus consuetudinibus nil amplius
a vobis nec a bonis vestris prenominatis exigant quam nos
statuimus, ne id quod pro defensione pauperum fecisse dinosc-
imur in detrimentum vestrum et ecclesie vestre cedere videatur.
Ut autem h(ec) nostra concessio et confirmatio robur optineant
eas presenti scripto et sigilli nostri munimine fecimus
roborari. Hiis testibus: Reinaldo priore de Wenlok, Petro
archidiac(ono), Hug(one) canon(ico), Ric(ardo) decano, D(avi)d
capellano et pluribus aliis.

a. MS damaged.

b. This is the punctuation of the MS, i.e ' of the demesne of the lord in the vill/'?

8.

Source: Reading A f.56[v]; also Reading C f.58.

Date: 1131 x 1138

Rubric: Carta R, Hereford' episcopi de parrochia de Bradefeld

Volumus ad noticiam posterorum pervenire concordiam factam de
disceptatione qua inter se invicem contendebant monachi de
a/ Leominstr' et Milo constabulus pro parrochi/ hominum de
Bradefeld', quos predicti monachi ad parrochiam de Leominstr'
dicebant pertinere, et Milo defendebat. Concordati sunt autem
eo tenore ut monachi Leominstr' haberent de predicta villa
Bradefeld' scrifcorn sicut antea habuerant, et in augusto ii.
acras bladi de dominio, unam videlicet frumenti et alteram
avene, quia has antea quoque habuerant, et quascumque alias
sicut etiam prius recipiebant. Et communes decimatores ecclesie

de Bodeham sepeliat et cetera beneficia recipiat. Acta sunt hec in synodo Herford' nobis presentibus, Roberto episcopo
i/ Herford'[a] et abbatibus Waltero Glow', Godefrido Wichilec', Herberto Salop' et multis aliis.

a. Reading C ends here.

9.

Source: Reading C ff. 58-v

Date : ? 1131 x 1148

Rubric: De conditione consecrationis cimiterii in Bethfeld'.

R. Dei gratia Hereford' episcopus omnibus fidelibus parrochie sue salutem et benedictionem). Notum vobis esse volumus quod ego consecravi cimiterium in Bethfelda tanquam augmentum quoddam cimiterii de Leom' hac conditione, ut quicquid oblationis ad sepulturam cuiusl(ib)et defuncti ibidem evenerit vel quod ipsemet defunctus adhuc vivens pro se dandum suc matri ecclesie de Leom' divisit totum sit proprie monachorum de Leom' tanquam si corpus ipsum defuncti in principali cimiterio Leom' sepeliretur, hoc proviso ut clericus quicumque in illa capella
u/ ministraverit securitatem faciat prefatis monachis quod hoc ius ipsorum fideliter eis quantum in ipso est conservaverit. Capella autem ipsa in hiis que ad servitium episcopi pertinent non sicut mater ecclesia sed sicut capella habeatur.

This charter is entered in the cartulary among the acts of Robert de Bethune, and its form is consistent with an attribution otherwise unprovable.

10.

Source: Gloucester A f.159

Date : 1139 x 1148

Robertus Dei gratia Hereford' episcopus decano totique capitulo eiusdem eccle ie ceterisque sancte ecclesie fidelibus salutem et Dei ac suam benedictionem. Noverit sancta fraternitas vestra quod ego episcopali auctoritate concessi abbati et conventui sancti Petri Gloucestrie plenum perpetuum in ecclesia sancte Fidis de Ston' cum terris et decimis et

et omnibus pertinenciis suis, quas [illegible] de [illegible] per manum meam imperpetuam elemosinam eis donavit. Concedo eciam abbati et monachis ut in predicta ecclesia pro voluntate sua vicarios intrarent[a] et amoveant si eis fideliter non servierint. Teste Ruredo, quem ex presentacione venerabilis Gil(berti) abbatis Glouc' vicarium in eadem ecclesia suscepi, et aliis.

a. MS int[t]ant

11.

Source: Llantony A f.161 (in a later hand); Llantony B Sig.X no. LXXVII

Date : 25 April 1134

Anno ab incarnacione Domini .m.[o] c.[o] xxxiiii.[to] in festivitate sancti Marci facta est hec conventio inter Nigellum filium Herfasti et Robertum priorem Lanth' coram Roberto episcopo Hereford' et canonicis de Lanth' Petro, Eudoeno, Will(elm)o de Wicumbe et Roberto de Clifford. Scilicet, tradidit canonicis Lanth' tres virgatas terre et duas partes decime de dominio quas idem Nigellus tenet de monachis sancti Mich' de Andegavis quietas et solutas ab omni re, sicut ipse tenet de eisdem monachis, pro .xx. libris denariorum quas predicto termino canonici ei tradiderunt, et hoc tenendum affidaverunt Nigellus et Will(elm)s filius et heres eius remota omni occasione usque ad .xx. annos. Quod si aliqua inevitabili causa hec conventio servari non poterit, quicquid de censu supradicto deficerit de proprio suo Lanthonienci ecclesie supplebit. Post hos autem annos .xx. concessit Nigellus, et Willelmus heres eius, terram supradictam et decimam absque affidatione tenendam canonicis in perpetuum, sicut ipse tenet de monachis. Scilicet in singulis annis pro .xx. sol'. Concessit etiam ipse Willelmus heres Nigelli donationem Ameslawe cum tota soca que ei pertinet, sicut Nigellus pater suus eam canonicis dedit et Henricus de Aben' precatu ipsius concessit et scripto suo confirmavit. Hiis testibus: Wulfrico [illegible], [illegible], [illegible], [illegible]

presbitero de Litlinget'[a], Gileb(erto) de Rokeshulle, Will(elm)o de Peltune, Adam de Henl', d(am) filio Hug(onis), Edwardo Russel, Waltero, Henr(ico) filio Rob(erti), Hug(one) stabulario et Will(elm)o de Frome.

a. B ends here.

12.

Source: Llantony A ff.157-v; Llantony B Sig. X no.LXIX

Date : 1131 x 1148

Rob(ertus) Dei gratia episcopus Hereford' Alex(andro) eadem (gratia) episcopo Linc' fratri et amico suo in Christo, et successoribus eius quoque eorum archid(isconis) et decan(is) salutem et orationes. Ad precavendum iniurias aliquorum quales agnovimus, qualesque credimus non defuturos, qui elemosinas suas et antecessorum suorum moliuntur tollere hiis quibus date erant et in suos usus revocare, voluerunt fratres Lanthon' ecclesie et rogaverunt me, postquam ad episcopatum assumptus sum, ut ius quod haberent in ecclesia de Henlawe scripto episcopalis testimonii eis apud vos testificarer. Noverit itaque ideo- itur tam vos quam successores vestri quod Nigellus filius Erf- asti, me presente et audiente, recognovit et concessit prefatis fratribus de Lanthon' donationem quam eis fecerat de ecclesia de Henl', scilicet eam advocaturam et iurisdictionem quam in ea habebat sicut advocatus eius et feodi in quo sita erat quod eis dederat in elemosinam. Rogamus itaque fraternitatem vestram in caritate Dei quatinus ius prefate ecclesie manutenatis si aliquis de heredibus Nigelli eos inde vexare voluerit. Valete.

For Nigel's grants v. Hereford Misc. no.2 below.

13.

Source: Llantony A ff.157v-8; Llantony B Sig.X no.LXX

Date: 1136 x 1148

Rotbertus Dei gratia episcopus Hereford' dilecto domino et confratri suo A. Linc' episcopo et successoribus suis omnibus(que) fidelibus ecclesie sancte Trinitatis. Testimonium perhibeo veritati cuius [illegible] movi, [illegible]

filius Irfacti dedit ecclesie et canonicis Lanthon' de terra sua in elemosin(am), totum scilicet tenementum quod tenebat de domino suo Henr(ico) de Albing' in Henneslawe. Et hanc elemosinam dedit liberam ab omni servitio et consuetudinibus que ad ipsum vel heredes suos exigere vel facere pertinebat preter commune geldum regis, tali conventione ut servitium quod de illo tenemento fieri solebat prefato domino suo Henr(ico) suppleret de alia terra sua quam de eo tenebat in Herst'. Hoc concessit prefatus Henr(icus) de Alb', hoc confirmavit rex Henr(icus).[1] Cum autem, defunctis patribus, Rob(ertus) heres Henr(ici) servitium suum requireret a Ric(ardo) filio Nigelli, Ric(ardus), violato pacto patris sui, requisivit illud et gravius accepit de elemosina patris sui. Hanc igitur indignam angariam, me intercedente et operam dante, pro fratribus meis, Lanthon' redemerunt erga Robertum .xx. marc(is) argenti et uno palefrido, eo pactione definite inter Robertum et Ric(ardum) et ab utroque parte concessa ut prefatum servitium nec Rob(ertus) nec heredes eius ultra requireret a Ric(ardo) vel herede suo, nec Ric(ardus) nec heres eius a canonicis Lanthon'. Hanc libertatem confirmavit Robertus fratribus et ecclesie Lanthon' coram me tam scripto quam testibus subnotatis: Nigello fratre Rotberti, Sicil'[a] matre eius, Rad(ulfo) priore de Coteis, Symone monacho de Wardon' et aliis.

a. B scilicet

1. MG 1738, Appendix CCLXV. The monastery of Warden, near Henlow, was founded in 1136.

14.

Source: Llantony A ff.158-[v]; Llantony B Sig.X no. LXXI

Date : 1143 x 1148

A. Dei gratia episcopo Lincoln' amico et confratri suo R. eadem gratia episcopus Heref' salutem. Significatum est nobis quosdam ex vestris qui on officiis agunt epi copalibus dissimulare se scire quid iuris habeant canonici in ecclesia de Heneslawe, cuius donationem nec viderint, ut dicunt, nec audierint. Nos autem [illegible] testimonio [illegible]

incredu li sunt et detrectant. Sed forte donationem predicte ecclesie nobis fieri non viderunt, sed forte testimonium meum de concessione et recognitione Nigelli nec dum audierunt. Audiant igitur vel nunc et nolint esse increduli sed fideles. Audiant quod dico, quod episcopali scripto perhibeo, quia Nigellus filius Erfasti sicut dedit canonicis et ecclesie de Lanth' terram quam habebat in Hanelawe ita concessit eisdem quicquid iuris in ecclesia de Han' sicut advocatus eius habebat. Sed quia aliqui malevoli iacteverant ubi voluerant quod Nigellus eam concessionem non recognoscebat, ideo postquam episcopus ordinatus sum idem Nig(ellus) coram me positus et interrogatus liquido recognovit eandem concessionem et coram legitimis testibus confirmavit. Sicut igitur veritas hec sibi constat immobilis, sic ubi necesse fuerit eius ero testis immutabilis. Huius vero rei testimonium meum vos, prefatorum ministrorum vestrorum episcopus, dominus et magister, dudum in abbatia Glouc' ex ore meo audistis et absque scrupulo incredulitatis sicut decebat accepistis, ipsamque ecclesiam ad testificationem et intercessionem meam episcopali auctoritate et scripto ecclesie Lanth' confirmastis. Nec vos solus, sed et papa Romanus sancte memorie Innoc(ens) testimonio nostro bene credulus et intercessioni pro fratribus Lanth' auditor propitius omnes possessiones eorum et inter ceteris quicquid Nigellus nobis dederat ecclesie Lanthon' apostolice auctoritate sub anathematis sententia confirmavit, eosque cum suis omnibus in beati Petri suaque protectione susceptos legati sui tutele sue vice commendavit. Viderint igitur qua ratione, quo exitu, fratres nostros inquietent profati increduli super a/ episcopum, super dominum Papa diligentiam suam, ne aliter dixerim, extendentes. Non enim est discipulus super magistrum neque servus maior domino suo. Nam illud quod obtendere dicuntur/t nocent audisse se potius quod Nigellus postquam a Lanth' redit prefatam ecclesiam filiabus suis dederit et filio eius post eum, patet ratio eum frivole dixit, immo [illegible] nulla fuerit cui aliquam [illegible] [illegible] [illegible]

toris obedientia ligatur et nesciente notestatem sibi contra fidem ecclesie sue usurpet, quod si temptare presumpserit perniciosum sit episcopo presidenti tolerare. Valete).

For two confirmations by Alexander of Lincoln v. below Lincoln no..

end .

15.

a/ Source: Llantony A f.114^{v}; Llantony B Sig.VI no. XXIV and (in an inspeximus of 1308) Sig.I no.CXXXIIII. A second, virtually indistinguishable,vversion is found in A ff.114^{v}-5 and B Signum VI no.XXV.

Date : 1136

Rotb(ertus) Dei gratia Hereford' ecclesie episcopus -ym' eadem gratia Wygorn' episcopo omnibusque sancte ecclesie fidelibus tam presentibus quam futuris salutem. Sicut amore religionis religiosarum ecclesiarum prosperitati ac paci congaudere debemus, sic earum indigentie misericorditer concurrere, tranquillitati tam in presens quam in posterum providere, debitum est opus caritatis. Propterea, quia novimus possessiones a/ Lenthoniensis ecclesie per bellicam cladem plus satis imminutas, dedi priori et conventui eiusdem ecclesie duas ecclesias in Presteb', unam sub montibus, alteram super montes, cum decimis aliisque elemosinis omnibus eisdem ecclesiis pertinentibus et contingentibus, exceptis duabus portionibus decime de dominio meo quas habent decanus et cantor Hereford', de blado scilicet tantum et leguminibus, sicut consuetudines inveni. De parco autem, et de hiis qui seminantur vel colliguntur infra designatum ambitum parchi, decima remanet ecclesie, quia terra fuit villanorum. Hanc igitur elemosine nostre donationem vobis presenti scripto decrevimus notam fieri et eis ratam futuris temporibus confirmari. Datum anno .i. regni Stephani regis Anglorum.

HEREFORD DIOCESE

Hugh de Lacy

1.

Source: Hereford A f.93^{v}.

Date : 1107 x 1115

Notum sit omnibus tam presentibus quam futuris quod ego Hugo de Laceio, pro salute anime mee, patris et matris mee et heredum meorum, dedi et concessi in perpetuam elemosinam per manum reverendi patris nostri Reinelmi Hereforden' episcopi Deo et ecclesie sancti Petri Glouc' ecclesiam sancti Petri de Heref' cum omnibus prebendis et pertinentiis suis, libertatibus et dignitatibus quas ipse meo tempore vel tempore patris mei optinuit, ad victum monachorum ibidem Deo serviencium. Concedo etiam predicte ecclesie sancti Petri de Hereford et monachis ibidem Deo servientibus ecclesiam sancti Audoeni in eadem civitate, cui adiacet una decima et unus denarius cotidie et tres macres, unam videlicet Leicr', alteram Rad(ulfi) peregrini, terciam Steph(ani) prepositi; ecclesiam quoque sancte Mar(ie) de Ficls^{a}, et ecclesiam sancti Cudberti de Hamma, et ecclesiam sancti Petri de Stoce in Herefordsira cum omnibus pertinenciis suis; insuper et decimas omnium dominiorum meorum de omnibus rebus de quibus decime dari debent; totam quoque decimam de piscaria de Hodenac, et de decem villis decem villanos, unum in Stok in Herefordsira, alium in Stantona in Heropessira, alium in Stoce in eadem syra, alium in Wilbeleye in Herefordsira, alium in Bricdmerifroma in eadem sira, cum (quinque)^{b} villanos in Gloucestressira, unum scilicet in Cutingo, unum in Suenintuna, unum in Stratuna, unum in Fica^{b}, unum in Duntesburna; Item unum in Homma in Herefordsira, et unum apud Montjoel in Oxenfordsira, cum terris et possessionibus eorum. Hec omnia dedi et concessi supradictis monachis tenenda de me et heredibus meis libere et quiete et inconcusse ab omnibus serviciis et consuetudinibus et exactionibus in elemosinam perpetuo possidenda. His testibus: Reinelm' Hereford' episcopo, Gilberto filio Ric(ard)i, Waltero de Glouc', Harold dapifero, Bernard de Novomerc(eto), Will(elmo) filio Norm(anni), Hugo Pelun', Roberto filio suo, Roberto

c/ i/

de Boscavil', (Ern)ulfo) et (Ro)gero) et (Ern)ulfo) fr tribus illius, (Ar)chem(ero) decano Hereford', (Ado)n(e), (Ar)chio), Durand, canonicis, Willelmo de Purch', Willelmo filio Gerard de Humbr', Ricardo de Locher, Willelmo de Aver'.

a. or Picha

b. MS v^{o}, presumably in error for .v.

c. The scribe seems to have been misled by an Anglo-Saxon usage, for this is usually spelt Wica.

The early charters concerning the transfer of the original college of St.Peter to Gloucester and some of its endowments as a priory present a rather confused problem (cf.EHG 602), and I am not convinced that this charter, or another of bishop Theinhelm in which he allows the monks to appoint and remove vicars in some of these churches (Hereford A f.102^{v}), can be accepted as authentic in their present form.

Nigel fitz Erfast

2.

Source: Llantony A f.142; Llantony B Signum X no.II

Date : Before 1135, perhaps before 1131.

Nigellus filius Erfasti omnibus fidelibus sancte ecclesie salutem. Scitote universi quod ego pro salute mea et Marsil' uxoris mee et omnium aliorum meorum scilicet filiorum dedi ecclesie Lanthon' et canonicis ad eam pertinent(ibus) in perpetuam elemosinam q/icquid possessionis et iuris habebam in socha Hanealawe, quantum scilicet de feodo Henr(ici) de Alb' tenuit pater meus et ego post eum. Hanc donationem feci concessione domini mei Henrici de Alb' hoc modo, ut canonici haberent eam liberam et quietam ab omni servitio meo et heredum meorum, et de exercitu, et de equitatu, et de cyeri-one castrorum et custodia, et hoc tali conditione ut ego servitium quod excidit de illa elemosina supplerem domino meo de reliqua parte quod mihi retineo. Et si ego aliquando in hoc me defecero dominus meus non iustificabit me per hanc terram canonicorum sed per aliam terram meam de feodo meo in [illegible]'

donec habeat de me servitium integre. De hac donatione et libertate promisi canonicis perquirere confirmationem regis Henrici, et eam perquisivi cum intercessione Henrici de Lb' [a]apud Westm', T(estibus) Will(elm)o archiepiscopo, G. canc(ellario), Rob(erto) de Sigillo et aliis.[a]

G/ a - a. This is the witness clause of the king's writ, RG 1736, with an omission; it is not I think meant to apply to Nigel's charter.

RG 1738, the royal confirmation mentioned here, belongs to 1123 x 1133, possibly 1132; if this grant is the one mentioned in no. 12 above, then it was originally made before Robert de Bethune became bishop.

3.

Source: Llantony A f.142; Llantony B Signum X no.I

Date : 1131 x 1148

Nigellus filuus Erfasti omnibus fidelibus sancte ecclesie salutem. Notum sit vobis quod primo dedi canonicis Lanthon' in elemosinam medietatem terre mee quam habebam in Heneslawe. Deinde in secunda donatione dedi similiter in elemosinam cum Rotb(erto) filio meo canonico faciendo in ecclesia Lanthon' totum quod habebam in socha Heneslawe de feodo Henr(ici) de Habb', totam scilicet terram cum ecclesia Hanesl' que erat capud illius tenure. Sed rem ro aliquo tempore postmodum propter aliquas causas dissimulavi et nolui recognoscere donationem ecclesie. Postea tamen in presentia R. episcopi Heref' apud Leddebur' per admonitionem ipsius et propter amorem eius recognovi rei veritatem et concessi donationem quam feceram sicut in carta mea posita erat. T(estibus) eodem episcopo Rotb(erto), Rich(ardo) dap(ifero) eius, Will(elm)o capellano et Gino canonico et aliis. Similiter concessi eis et canonicis emptionem terre de Haiour quam emerunt de Dun rico villano pro xvi. marcis argenti, que emptio definita fuit apud Ormef', coram Ced(ulfo) priore, Mart tro yret et Humfr(edo) canonico.

LINCOLN

Alexander

1.

Source: St.Neots A f.41

Date : 1123 x 1148

A(lexander) Dei gratia episcopus Lincol' omnibus sancte matris ecclesie filiis hoc scriptum videntibus salutem in Domino. Volumus vos scire nos concessisse et presentis scripti nostri munimine confirmasse Deo et ecclesie sancte Marie Becci et ecclesie sancti Neoti et monachis Becci apud sanctum Neotum Deo servientibus ecclesiam de Bernewelle cum omnibus pertinenciis eidem ecclesie quam Henricus rex Angl' eis in perpetuam elemosinam dedit et concessit et carta sua illis confirmavit; et ecclesiam de Turveyn cum omnibus eius pertinenciis quam Will(elmu)s de Alnodo nobis presentibus eis dedit et concessit et carta sua eis confirmavit; et ecclesiam sancte Trinitatis in Huntindon' cum omnibus appendiciis eiusdem ecclesie quam Godricus Custard eis dedit et concessit et carta sua confirmavit et per manum Henr(ici) archidiaconi Huntend' eis liberam et quietam resignavit. Quare volumus ut predicti monachi memoratas ecclesias de Bernewell' et de Torve a et sancte Trinitatis de Hunt' cum omnibus rebus ad eosdem pertinentibus in pace et bene[a] et libere teneant, salva tamen matris ecclesie nostre Lincol' in omnibus dignitate. T(estibus) .

a. MS in bene et pace.

The royal writ referred to is EG 1969, Appendix CCCXVIII. Since Alexander does not say that Henry was dead, perhaps before 1135. Compare Lincoln Miscellaneous no.I.

2.

Source: Godstow A f.v. Calendered in the English Register of Godstow ii no.866 from the Middle English translation, with the witness clause from this source.

Date : 1139

Alex(ander) Dei gracia humc' episcopus omnibus fidelibus sancte ecclesie salutem et episcopalem benedictionem. Sciat caritas vestra quod in dedicacione ecclesie de Godestowe coram Stephano rege Anglorum et Math' regina et coram episcopis qui aderant atque abbatibus, comitibus eciam et baronibus, clero quoque et populo, concessi eidem ecclesie de Godestowe subscriptam libertatem et episcopali auctoritate confirmavi, volente Walt(ero) Oxinefordensi archidiacono atque rogante, qui tunc officio archidiaconatus eiusdem provincie fungebatur. Scilicet ut ab omni archidiaconali exaccione sive aggravacione, ut in hospiciis exigendis aut capellanis implacitandis, ceteriove eiusdem ecclesie ministris in causam ducendis, libera sit predicta ecclesia et prorsus quieta. Oleum quoque, crisma et oleum sanctum et oleum infirmorum, absque exaccione habeat. Abbatissa eciam loci capellanos suos ponat ita ut si noluerit ad sinodos sive ad capitula non eant, nec archidiacono nec decano nec aliquibus eorundem ministris nisi voluntarie respondeant, et si perverse egerint vicinos quos elegerit presbiteros ad ecclesiam suam abbatisse convocet, quorum iudicio aut corrigat eos aut eiciat. Curam eciam monialium suarum et correccionem absque scitacione episcopi sive archidiaconi habeat. Defuncta vero abbatissa, aliam de conventu eiusdem ecclesie prout illis Deus inspiraverit moniales eligant, ita ut nulle alterius ecclesie monialis invitis illis superponatur Huius libertatis si quis violator aut destructor extiterit anatema maranatha sit nisi resipuerit et condignam satisfacionem egerit. Huius itaque rei existunt testes: Robertus Exoniens' episcopus, Iger(us) Constantiens' episcopus, Simon Wigorniens', Walterus Oxinef' archidiaconus, Reginaldus abbas Evesham, Walt(erus) abbas Frenchehome, Robertus comes Gerecestrie, Hilo de Gloecest' comest(a)b(ularius), Robertus de Sallio, Johannes de [illegible]

Iohanne, Ingelrannus de Loi et multi alii de clero et populo qui affuerunt.

Compare with this the bishop's companion charter confirming the nuns' endowments in Mon.IV pp.36 -3(i), and the charter of archdeacon Walter, Lincln Misc. no.

3.

Source: Llantony A f.157; Llantony B Signum X no.LXVIII

Date : 1135 x 1148

A. Dei gratia Linc' episcopus Nich(olao) archidiacono Beddeford' et decanis suis omnibusque post eos substituendis salutem. Noveritis me caritative concessisse et episcopali auctoritate confirmasse ecclesie et canonicis de Lanthon' ecclesiam de Hennel' ex dono Nigelli filii Erfasti libere et integre ad fretrum et hospitum sustentationem, salvis duabus partibus decim' de dominio que pertinet ad monacos Andeg'.

The first dated occuerrences of archdeacon Nicholas seem to be of 1145, the last of his predecessor c.1135 (Early Charters of St.Pauls no.156, Reg. Ant. ii no.553). cf above Hereford nos.11-14.

4.

Source: Llantony A f.157; Llantony B Signum X no.LXVII

Date : 1135 x 1148

A. Dei gratia Linc' episcopus Nich(olao) archidiacono Bedeford' et decanis suis omnibusque post eos substituendis salutem. Quoniam ad officii nostri sollicitudinem pertinere cognoscimus religiosorum virorum precem et subsidia temporalia pro vice nostra et potestate nobis contradita conservare, iccirco concedimus et episcopali auctoritate confirmamus ecclesie et canonicis de Lanthon' elemosinas illas quas Nigellus filius Erfasti eis dedit et concessit in episcopatu meo, scilicet terram de Prestehou, et terram [illegible]

de Haneslawe que continetur in eodem feodo cuius possessor erat et advocatus.

For the date of this charter v. no. 3 above.

5.

Source: Thorney A f.410

Date : 1123 x 1145

Alexander Dei gratia Linc' episcopus omnibus contemporaneis et posteris suis salutem et Dei benedictionem. Notum sit universis fidelibus me interfuisse conventioni que facta fuit inter Robertum abbatem sancte Marie de Thorn' et Gaufridum de Traileo filium Gaufridi senioris que talis fuit: Ipse Gaufridus iunior ob salutem anime patris sui et peccatorum suorum remissionem dono donavit ecclesie sancte Marie de Thorneia et monachis ibidem Deo servientibus tres virgatas terre cum omnibus eisdem pertinentibus liberas et quietas ab omnibus consuetudinibus, a gheldis et danegheldis, etiam a murdro et latrocinio, que si evenerint idem Gaufridus ex proprio marsupio cas erga regem acquietabit. Concessit etiam eis, et per vadimonium suum super altare optulit, duas partes decime sue de Giveldena sicut pater eius vivens cum virgatis supradictis ecclesie concesserat. Faciet autem illas tres virgatas terre ad minus .xv.s' per annum valere, et duas partes decime alios .xv.s'. Clamat etiam quietam Deo et sancte Marie illam calumpniam que fuerat inter abbatem et Gaufridum de uno millenario anguillarum. Sciantque universi definitum fuisse ante me quod Gaufridus supradictus sacerdoti de Giveldena sic necessaria adinveniet ut non habeat ullam causam super has conquerendi de abbate. Huius convencionis sum ego testis et donnus Nigellus decanus Linc', et Hugo archidiaconus Bedeford', et Herbertus, Ebrardus et Hunfredus capellani episcopi et c'.

An imperfect text of the grant by Geoffrey I de Trailli is printed in Mon.II p.601(xiii) from f.4 4[v] of this MS. Thorn

Hisel is otherwise I think unknown, and his existence is denied by implication in the obit of dean Adelelm (Giraldus Cambrensis Opera Vol.VII, Appendix B 24 Feb.). For archdeacon Hugh v. no. 3 above.

6.

Source: Thorney A ff.409^{v}-10

Date : 1129 x 1137

Alexander Dei gratia Lincoln' episcopus Roberto archidiacono suo salutem. Mando tibi et precipio ut si abbas de Thorn' fuit saisitus de decima Rogeri de Stibentuna die qua Will(elmu)s de Lisoris fuit vivus et mortuus cito inde resaisiatur, et cape rectum de capellano de Bernifeld qui eam asportare presumpsit. Iterum precipio tibi ut facias parochianos de Walmesford' venire ad ecclesiam de Stibintuna sicut adiudicatum fuit coram te ipso et Henr(ico) archidiacono, et prohibe Herberto presbitero ne amplius recipiat eos vel oblationes eorum sicut diligit officium suum. Et quicquid inde modo receperit, constringe eum per Christianitatem suam donec totum reddat. Valete.

William de Lisurres is said to have died c.Christmas 1129 (JS 1609 n.); archdeacon Robert of Northampton had been replaced by 1137 (Thame Cartulary ed. H.E.Salter in 2 vols as Oxfordshire Record Society Vols.XXV-VI (1947-8) 1 p. 2). A charter of bishop Robert II on f.410 records the surrender by Geoffrey of St.Hedard of his family's claim:

> ' quod homines qui manent in australi parte pontis de Walmesford' deberent venire ut parochiani ad ecclesiam que est ex boreali parte eiusdem pontis tam viventes quam corpora defunctorum.'

7.

Source: Thorney A f.409^{v}

Date : 1123 x 1142

suis salutem et episcopalem benedictionem. Noverit me concessisse et confirmasse quecunque beneficium, sive in ecclesiis sive in decimis vel ceteris possessionibus, ecclesie Thorn' dederitis, salva auctoritate nostra et ecclesie nostre. Hoc autem concessi et confirmavi. Teste Phil(ippo) arch(idiacono) Ebroensi, Hunfredo, lex(andro), Gisleb(erto) de Kemping', Gisleb(erto) de Belfago, Ebrardo, capellanis meis, et Walterio dapifero meo et Will(elm)o filio regis Henr(ici) aliisque multis. Valete.

Alexander's confirmation to Thorney of the churches of Keping on the same leaf has the same witnesses. Philip archdeacon of Evreux is Philip de Harcourt, unsuccessfully nominated to Salisbury in 1140, who became bishop of Bayeux in 1142 (GC V p.123). He was also dean of Lincoln at least as early as 1136, (Reg. Ant. ii no.202), and it is curious that he is not so styled in this charter if it is later than that.

8.

Source: Thorney A f.166^{v}

Date : 1128 x 1137

Alexander Dei gratia Lincoln' episcopus omnibus sancte ecclesie filiis per Grantebriggeschiram et Huntendonescyram constitutis salutem. Notum sit vestre fraternitati quod Herveus Walliens' episcopus die dedicationis qua dedicavit ecclesiam Thornens' dedit et concessit eidem ecclesie omnimodas consuetudines suas de quodem maneric suo Witles' habere solebat, et ab omnibus ei pertinentibus de eadem villa abbatem prefati loci Robertum nomine et successores eius quietos inperpetuum clamavit. De hoc testimonium perhibemus eidem ecclesie Thornensi, scilicet ego Alex(ander) episcopus, Hug(o) archid(iaconus) de Bedeford', Walterus arch(idiaconus) de Cherec', Rob(ertus) archid(iaconus) de Hampton', Henr(icus) arch(idiacono) de Hunt', Ric(ardus) de Ulvill' canon(icus) Linc', Alterus et alius de Sanctevill' fratres et milites, Rob(ertus)

de Buschirvill' miles, ob(ertus) filius ill(elm)i miles et c'.

For the dating limits v. nos.Canterbury 8 and Lincoln 6 above.

LINCOLN MISCELLANEOUS

Henry archdeacon of Huntingdon

1.

Source: St.Neots A f.42

Date : 1110 x 1148, perhaps 1123 x 1135

Omnibus sancte matris ecclesie filiis ad quos presens scriptum pervenerit Henricus archid(iaconus) Hunt' salutem. Noverit universitas vestra Godricus Gustard de Huntend' nobis presentibus se ipsum obtulisse Deo et ecclesie sancte Marie Becci et ecclesie sancti Neoti et cum ipso ecclesiam sancte Trinitatis in Hunt' et quicquid iuris in eadem ecclesia habuit, cum tota terra sua de Huntend' et cum omnibus pertin(enciis) predicte ecclesie. Postea vero in sinodo apud Huntend' congregata predictus Godricus in manus nostras resignavit prefatam ecclesiam, et nos ad ipsius concessionem et presentacionem monachos sancti Neoti ad predictam ecclesiam sancte Trinitatis recepimus et ipsos instituimus. Et ut hoc ratum et inconcussum permaneat scripto nostro sigilli nostri apposicione roborato predictam ecclesiam cum omnibus pertin(enciis) suis prenominatis monachis concessimus et confirmavimus.

Compare this with Lincoln no.1 above. The limits of date suggested above are based on the assumption that the charters of king bishop and archdeacon were issued at about the same time. The similarity of phrasing between this charter and the bishop's suggests a relationship, although not necessarily close in time.

Walter archdeacon of Oxford.

2.

Source: Godstow A f.v; Middle English abstract, without witness-list, in Clark : the original charter is now ii.[illegible]. T

Date: .1139

Walt(erus) Oxinefordens' archidiaconus omnibus fidelibus sancte ecclesie salutem. Notifico caritati vestre quod concessi ecclesie de Godestowe et monialibus ibidem Deo servientibus omnem libertatem quam archidiaconus concedere potest. Scilicet ut ab omni archidiaconali exaccione sive aggravacione, ut in hospiciis exigendis aut capellanis implacitandis, ceterisve eiusdem ecclesie ministris in causam ducendis, libera sit predicta ecclesia et prorsus quieta. Oleum quoque, crisma et sanctum et infirmorum, absque exaccione habeat. Abbatissa eciam capellanos suos ponat et habeat ita ut si ipsa noluerit ad sinodos sive ad capitula non eant, nec decano aut eorumdem ministris nisi voluntarie respondeant. Capellani quoque sui si perverse egerint, convocet abbatissa ad ecclesiam suam vicinos quos elegerit presbiteros, quorum iudicio aut corrigat eos aut eiciat. Curam eciam monialium suarum absque scitacione alicuius archidiaconi sive decani habeat. Huius libertatis si quis temerario ausu violator aut destructor extiterit perpetui anathematis sentencie subiaceat nisi recipuerit et condignam satisfactionem egerit. Huius rei existunt testes: Rodbertus Exoniens' episcopus, Ricardus abbas Elemosine, Reginaldus abbas Everehanne, Walterus abbas Tgeneah', Radulph(us) de Monem', magister Goufridus Arturus, Rodb(ertus) prior Oxinef' Rodb(ertus) capellanus, Aucket(in)us presbiter, Will(el)mus capellanus, Reginaldus filius comitis et Filii sui, Will(elmus de Keisn', Hunfr(edus) clericus, Andreas clericus, Hug(o) de Keisn', Will(elmus) filius Walt(eri), (Sim') de Gerard' molend', Nichol(aus) Besset, Nigel(us) del Broc, Radulph(us) de Broc, Will(elmus) filius Godef', Willelmus Luvel.

Compare with Lincoln no.2 above.

3.

Source: Godstow A f.lxxxvi; Middle English abstract in Clark: English Register of Godstow i p. 2[illegible] no.436

Date: 1139 x 1151

Walt(erus) Oxin' arch(idiaconus) omnibus sancte matris ecclesie fidelibus salutem. Notum vobis facio me dedisse in elemosinam ecclesie beati Iohannis de Godestowe decimam terre mee in dominio meo de Cudeslewe, ipsamque posuisse super altare in dedicacione ecclesie coram Alexandro Linc' episcopo et ceteris episcopis qui dedicaverunt ecclesiam. Valete.

4.

Source: Godstow A f.lxxxxvi

Date: 1141 x 1151

Walt(erus) Oxin arch(idiaconus) omnibus fidelibus sancte ecclesie salutem. Notum vobis facio quod rustici mei de Weltona in dedicacione ecclesie sancti Egidii que est extra portam de North' Oxinef' dederunt decimas suas eidem ecclesie assensu et voluntate mea quod concedo, volo et ex parte Dei sic esse precipio. Teste Willelmo abbate de Egnesham, Robberto priore sancte Treyes[illegible]uid', Godef(rido) priore de Egnesham, magistro Galfrido Arturo, Radul(f)o de Monumuta, Will(elm)o capellano, Nigello presbitero, Iocelino clerico, Petro de Barford', Rad(u)l(f)o de Helverna, cum multis aliis. Valete.

Robert prior of St.Frideswide is said to have taken office in 1141

5.

Henry de Longevilla

Source: Thorney A f.420

Date : 1113 x 1151

Ad memoriam presencium et posterorum scripture tradidimus quod Henricus de Longevilla vendidit R(oberto) abbati Thorn' et conventui eiusdem ecclesie .viii. acras prati in Stantun' pro .xxx. solidis, ita quod partim de denariis [illegible] coegit in capitulo coram toto conventu et clericis [illegible]

et affidavit in manu Progonis decani istam venditionem firmam et stabilem esse et ab omnibus heredibus suis inperpetuum fore. Ibi presens fuit Gilebertus monachus qui partim de denariis ibi ei tradidit coram decano et capitulo et hominibus hundredi et inde accepit testimonium a Progone decano et clericis capituli, scilicet Hug(one) presbitero de Caldecote, Odone de Stichilton', Iacobo de Cuninton', Rogero de Glettuna et c'.

Dated from the term of office of abbot Robert, among whose acts this charter appears in the cartulary.

Bishop Robert de Chesney

6.

Source: BM Cott. Vespasian E XX, D.18, the l.xiii c. cartulary of Bardney, f.30^{v}.

Date : 1148 x 1166

Robertus Dei gratia Linc' episcopus omnibus fidelibus sancte ecclesie salutem. Cum in manu nostra esset archidiaconatus Linc' diligentem per ministeriales nostros fecimus inquisicionem utrum scirent decessorum nostrorum officiales pensionem beati Petri in parochia de Bard' in aliquo tempore percepisse, vel aliquam iurisdictionem in eadem parochia habuisse. Ut quia nequaquam hec ab ipsis vel ab aliis addiscere potuimus sed pocius ex eorum testimonio in manu abbatis Barden' et in iurisdictione monasterii hec predicta extitisse, nolentes alicuius iura minuere vel auferre libertates et consuetudines antiquas hucusque habitas eis concedimus et presentis scripti pagina confirmamus. Hiis testibus: David archidiac(ono) de Bueh', Will(elm)o Clem(ente), magistro Bolgero, Rad(ulfo) medico, Rogero filio Will(elm)i.

7.

Source: BM Royal MS 11 B ix, D.699, the l.xiii c.cartulary of St.Andrew, Northampton, f.29^{v}-30; also its xv c.

revision, BL Cott. Vespasian E xvii f.203[v].

Date: 1154 x 1166

Robertus Dei gratia Linc' episcopus omnibus sancte matris ecclesie filiis salutem. Noverint omnes tam presentes quam futuri ad quos iste littere nostre pervenerint quod nos, iussu domini nostri regis H. Anglie, facta diligenti inquisicione super ecclesia de Thorp' an sit per se baptismalis ecclesia an ad aliquam aliam ecclesiam pertineat, cognovimus multis attestentibus clericis et laicis ipsam cum appendiciis suis ad ecclesiam sancti Petri de Norh't' pertinere et sicuti membrum capiti et filia matri adherere. Audivimus[a] etiam quosdam de parochianis dixisse se infantes suos ad predictam ecclesiam sancti Petri ad baptismum portasse et corpora mortuorum suorum ibidem sepelisse. Nos igitur quod a multis audivimus testificamur, et sigilli nostri attestacione affirmamus. Hiis testibus: Will(elm)o arch(idiacono) de Norh't', David arch(idiacono) de Buec', magistro Thom(a), Gaufrid(o) cresco, Laur(entio) clerico.

a. Royal 11 B ix Audimus.

LONDON

Maurice

1.

Source: BM Harley 662, D.318, the l.xiii c. cartulary of Dunmow, f.6

Date : November 3 , 1104

Anno dominice incarnationis M°C°quarto, indicione duodena, iii° n(ona) Novembr' quedam vidua nomine Iuga soror Rad(ulfi) Bainardi maioris fecit Mauricium Lond' episcopum dedicare ecclesiam in villa que ab incolis dicitur minor Dunmawe in honore sancte Marie. Qui ecclesie predicta mulier illo die dedicacionis in eadem villa [illegible] hidam terre liberam ab omni [illegible] servitio cum [illegible] de [illegible]

hoc donacio coram predicto episcopo Mauricio et clericis eius omnibusque qui dedicationi illi aderant, presente et annuente Will(elm)o Baynardo sub quo ille domina predictam villam tenebat, et concedente Radulpho Bainardo eiusdem domine filio, in cuius iure hereditario eadem villa tunc erat. Ecclesie vero illa ita de(di)cata cuidam clerico nomine Brictio ita libere commissa atque concessa est ut, excluso omni secularis servitii impedimento, soli Deo devote mente serviret, omnesque qui ad serviendum ecclesie predicte illo clerico succederent. Huius donationis hii sunt testes: Mauricius episcopus, Nob(ertus) archid(iaconus), Hamo presbiter capelle et c'.

Ego autem Mauricius episcopus hanc donationem litteris confirmavi et sigillo meo corroboravi. Si quis vero illam, quod absit, solvere vel minuere vel quoquomodo infringere presumpserit quo iratus Dominus animas hominum percutit duro anathemate ferit[a]tur.

Bricti subsequently became first prior of the house of canons founded in this church. If this is the pontifical indiction it fits 1104; November 3 in that year was a Thursday.

Richard de Belmeis.

2.

Source: BM Cott. Faustina A iii, f.211, xiii/xiv c. cartulary of Westminster Abbey, f.287

Date : c.1120 x 1127

R(icardus) Dei gratia London' episcopus universis g...[a] omnibus et sancte ecclesie filiis salutem. Sciatis quod firmiter concedo quod monachi Westm' bene, quiete et honorifice habeant et teneant ecclesiam de Fobricheswrth cum decimis et omnibus rebus eidem pertinentibus, quia rex Henricus meo concessu et meo consilio ita eam illis dedit, et ego per Rogerum archidiaconem meum feci illos inde seysiri. Valete.

a. = contraction for quo[d] aut similar.

dapifer, who died sometime late in 1120. Archdeacon Roger of Middlesex died before bishop Richard, but it is not I think clear how long before. For Henry's charter v. Robinson: Gilbert Crispin p.156 (RG 1884).

Gilbert the Universal

3.

Source: London A f.172

Date : 1128 x 1134

Gilebertus Lond' episcopus Willelmo archidiacono et Hacone decano salutem. Mandamus vobis et per obedienciam precipimus ut sine aliqua dilacione plenariam iusticiam faciatis canonicis ecclesie sancte Trinitatis de parochia sancti Bothulfi quam Permannus sacerdos detinet iniuste et sub excommunicatione affert, sepius quoque dulci adhortacione commonitus hucusque retinere presumit. Omni autem sancti Pauli capitulo mandamus ut pro amore Dei et nostro predictis canonicis auxilium ferant quatenus quod iamdiu iniuste perdiderint celeriter recuperare valeant. Valete.

Compare Canterbury no.10. Haco priest and dean heads a list of priests witnessing a St.Paul's charter in HMC IX Report, Appendix pt.1 p.61b; cf ib. p.63a.

4.

Source: BM Cotton Roll XIII . 18 (a xiii c. roll of charters of Holy Trinity, Aldgate with xv c. additions) no. 2

Date : 1127 x 1134

G. Lond' ecclesie cervus Will(elm)o decano sancti Pauli et Hug(oni) archid(iacono) salutem. Scitis nos concessisse ecclesie Christi Lond' et canonicis Haco ibidem famulantibus ecclesiam de Totehom et omnia ad eam pertinentia ita bene et plenarie et honorifice sicut David rex Scotorum eis in elemosinam concessit, salva iusticia nostra. Martinus Parvus archid(iacono) et sacerdo[illegible]

(Tileb')[a] et Will(elm)o cam(erario). Valete.

a. obscured by the junction between two membrances.

King David's grant is recorded in Mon.VI(i) p.152(v), corrected in Regesta Regum Scottorum ed. G.W.S.Barrow i no.9.

LONDON MISCELLANEOUS

Henry I

1.

Source: London A f.136[v]

Date : 1127 x 1134, ?1130 x 1134

Henric(us) rex Angl' G(ilberto) episcopo Lond' salutem. Precipio quod iuste rescicias ecclesiam sancte Trinitatis de ecclesia sua Omnium Sanctorum, et de terra sua de soka tua, quas Ranulfus clericus ei dedit in elemosinam, unde ipsa ecclesia est iniuste et sine iudicio dissaisita. Et bene et in pace et iuste et honorifice teneant canonici sancte Trinitatis sicut potuerint diracionare per suos legales testes quod eis res illa in elemosina data fuerit, ne super hoc quicquam perdant pro penuria plani recti.

On f.136[v] there follows a letter of abbot Ingger of Reading (1130 x 1136) to bishop Gilbert supporting the canons' case; hence the suggested limit above.

Reginald abbot of Evesham

2.

Source: BM Cott. Vespasian B xxiv f.56

Date : 1130 x 1149

Hec est conventio facta inter dominum abbatem Reginaldum de Evesham et conventum eiusdem ecclesie et inter [illegible]erlingum presbiterum; quod ipsi concedunt huic Sperlingo ecclesiam sancti Mich(aelis) de Cornulle Lond' in elemosinam et sicut ipse prius habuit concessu antecessoris abbatis et conventus, [illegible]

quam Orgarus superbus tenet, unde ipse Orgerus dodit duos solidos per annum. Item quod ipse Sperlingus debet inde reddere unam marcam argenti singulis annis ecclesie de Evesham', et inveniet domino abbati et suis congruum hospitium et salem et aquam et focum, scilicet dimidiam marcam ad Pascha et dimidiam ad festivitatem sancti Michaelis. Hiis testibus: domno priore Dominico, Walterio monacho, Aluredo celerario, Nich(olao) monacho, Reginaldo monacho, Baldwino monacho, Alnotho presbitero, Pagano clerico, Henrico clerico, Will(elm)o de Seuecurdia, et Ric(ardo) filio suo, Constantino et pluribus aliis.

NORWICH

Herbert de Losinga

1.

Source: Essex County Record Office, D/DBy Q 19, D.397, the 1. xiii c. 'Malet' cartulary of Eye, f.26

Date : 1091 x 1119

H(er)b(ertu)s Dei gratia Norwic' episcopus universis sancte Matris ecclesie fidelibus salutem in Domino. Noverit universitas vestra nos divine pietatis intuitu concessisse priori et monachis de Eya ecclesiam sancti Petri de Eya parrochialem infra villam Eye et ecclesiam sancti Leonardi in Donewic' ut eas in proprios usus in perpetuum habeant et libere et quiete et honorifice possideant ab omni vexacione laicalis clericalisve persone absolutas, quietas et immunes, Dei auctoritate et nostra inhibentes ne laicus vel clericus super hac concessione nostra predictis priori et monachis iniuriam vel molestiam vel gravamen inferre presumat. Et per hanc cartam sigillo nostro signatam predictas ecclesias eis confirmamus. Ut si quis nisu temerario huic confirmacioni nostre contraire presumpserit vel aliquo modo attemptaverit sciat se auctoritate nostra anathemate esse innodatum et divine ultioni in extremo examinatione subiacendum.

This appears to be the earliest of several charters by which

Saltman: Theobald, Appendix no.106.

2.

Source: Norwich, Dean and Chapter, Original; written in a large book-hand characteristic of the early charters of the priory 6" wide by 14⅜", with the foot, perhaps with its seal, torn off; a copy in Norwich A p.19 no. D.IX.

Date : 1100 x 1119

Quid inquit propheta retribuam domno pro omnibus que retribuit mihi. Et velut rethorico more sue hesitationi respondens - calicem inquit saluteris accipiam. & nomen domini invocabo. Sancti apostoli rebus omnibus. & carni & sanguini abrenuntiantes audierunt a domino. Vos qui secuti estis me in regeneratione cum sederit filius hominis in sede maiestatis sue sedebitis & vos super sedes duodecim iudicantes duodecim tribus Israel. Zacheus medietatem suorum bonorum erogavit pauperibus & dictus est filius Habrahe. sua in domo veram salutem accipiens. Felix vidua. que ob unius quadrantis oblationem, dominice vocis promeruit preconium. Quod pietatis negligitur officium. si exhibitio calicis aque frigide non perdit mercedem suam; Maxima omnium rerum. vita eterna. Sed ea. sola etiam bone voluntate adquiritur. Quod ego HERBERTUS episcopus coniecturans. & in domo dei. Seltem vilis granis fructuosus apperere concupiscens donavi deo in ecclesia dei sancte TRINITATIS de Norwico. advictum monachorum ibidem servientium deo. manerium meum de frainges & unam carucatam terre quam donaveram cuidam odoni. ita libere & integre sicuti eandem terram habebam in manu mea. Et ut in perpetuum hec donatio confirmaretur. apposui signum sancte crucis propria manu et sigillum meum donationis prefate presenti scripto

SIGNUM (HERB)ERTI episcopi +

3.

Source: Norwich A p.16 no.D IV; also Norwich Dean and Chapter, Reg. VII f.55.

Date : c.1114 x 1119

Herbertus episcopus presentibus et futuris fidelibus salutem. Notum sit vobis quod ego Herbertus episcopus donavi ad opus monachorum nostrorum serviencium Deo in ecclesia sancte Trinitatis imperpetuam elemosinam terram de Gnatington' quam emi a Will(elm)o Waltem et a matre eius pro .x. marcis argenti. Teneant ergo eandem terram cum pertin(enciis) suis modo imperpetuum libere et quiete sicut omnes alias possessiones suas. Et ut (hec) donacio rata perseveret et stabulis confirmo eam appocicione sigilli mei. Testibus Ric(ardo) archid(iacono), Will(elmo)[a] archid(iacono), Turgisio, Will(elm)o presbitero de Humsfelde, Humfr(ed)o de Munnevilla, Rogero de fflec[b], Wadrico catto.

a. Reg.VII Will' clis

b. Reg.IV originally added 'advocato' and then cancelled it.

The earliest occurrences of archdeacon Richard were placed in London: The Early Archdeacons of Norwich c.1114; the evidence is weak, but the conclusion seems fairly likely.

4.

Source: Norwich A pp.24-5; also Norwich Dean and Chapter Reg. V ff.7-7v. I did not collete the texts also found in the Sacrist's register and elsewhere.

Date : 1139 x 1145

In nomine Patris et Filii et Spiritus Sancti Amen. Notum sit presentis et futuri temporis fidelibus quod ego Eborardus Dei gratia Norwic' episcopus reddidi et in eternum concessi ecclesie sancte Trinitatis ad eandem ecclesiam faciendam et conservandam consuetudinem illam quam caritatem vocant que a sacerdotibus datur in duobus sinodis sicut a beate memorie Herberto episcopo et a [illegible]

constructionem ipsius ecclesie concesserunt stetutum et confirmatum est. Colligent eam archidiaconi et tercia parte concessa sibi duas sscriste liberent expend(endas) in opus ecclesie. Reddidi et concessi eidem ecclesie ad necessar' monachorum ecclesiam sancti Petri de Hoxa cum omnibus pertin(enciis) suis in hominibus, terris, oblationibus, decimis, consuetudinibus et aliis omnibus rebus eidem iure pertinentibus sicut in cartis Henrici regis et Herberti episcopi continentur, et quia terra Hervei filii Adeni quam habet in Chikeringe de tenura eiusdem ecclesie esse cognoscitur concessi eis totum servicium eiusdem tam de terra de Horham quam de Chikering, ut de eis teneat et eis totum servicium faciat quod michi faciebat. Reddidi etiam eis sexaginta acras suas eis Herbertus episcopus in Longham dederat in perpetua elemosina inconcusse possidendas. imiliter salinas de Grivode teneant sine omni inquietacione et exactione episcopalium ministrorum. ita libere sicut in cartis Henrici regis et Herberti episcopi continetur. Terram quoque que fuit Thurstani diaconi in Thornham et terram que fuit Gaufr(id)i Marescald de Gnatington' reddidi eis ita libere et quiete ab omnibus auxiliis et operacionibus et omnibus exactionibus episcopalium ministrorum sicut in carta Herberti episcopi continetur, et vivarium suum de Elmeham. Hec omnia reddidi eis et concessi sub anathematis interposicione, precipiens ut nullis modo temporibus disturbentur, sed quicquid eis Herbertus episcopus concessit teneant bene, quiete et libere. Dedi eciam eis ex parte mea ecclesias de Bleffeld et de Blicklinge et terciam partem decimarum quam famuli mei solebant habere in eisdem villis, et in Thornham et in Hoxa et in Humbrefeld. Feci etiam concordiam inter eos et Iohannem dapiferum meum, ita quod Iohannes et filius eius Adam clamaverunt eis et quietam calumpniam de terra que fuit ill(elm)i Holtham in Gnatington' et concesserunt ut [illegible]

perpetuo elemosina. Facta sunt hec in capitulo sancte Trinitatis coram me, presente conventu, presentibus et cooperantibus archidiaconibus ecclesie nostre Will(elm)o et altero Will(elm)o et Rogero, et clericis nostris Turold, Adam, Goufr(id)o, magistro Will(elm)o Lupedocle, Georgio presbitero, Philipp(o) de Henred', Luc(a) filius Adam, Goufr(id)o de Wichton' et hominibus meis Iohanne dapifero, Petro filio Adam, Simon de Noers, Hugo de Glafeld, Hervey camer(ario), Melon', Gern', Adam filio Iohannis.

Ego Theobaldus Cant' archiepiscopus et totius Anglie primas subscripsi et apostolica auctoritate sub anathematis interpositione et sancte crucis signo nostrique sigilli apposicione inperpetuum confirmando confirmo.

5.

Source: BM Topham Carter no.3, the original, in an elegant book-hand, the foot slit for a seal tag.

Date : 1121 x 1127

+ In nomine patris 7 filii 7 Spiritus Sancti. Notum sit omnibus tam presentibus quam futuris fidelibus. quod ego Ebrardus norwic' episcopus reddidi Rodberto coco totam terram que fuit patris sui. in ecclesiis 7 omnibus aliis rebus. ita quod de ipsis ecclesiis habeat advocationem. 7 omnes alias res habeat 7 teneat ita bene 7 honorifice sicut unquam melius tenuit pater suus 7 eodem servitio. Hec donatio 7 redditio facta est in presentia subscriptorum testium. ita quod predictus Rodbertus predictas terras in feudo 7 hereditario iure de norwicensi episcopo Teneat. Cuius rei testes sunt. Ingulfus prior cum toto conventu Sancte trinitatis Ricardus arch(idiaconus). Will(elmus) arch(idiaconus), Rogerus arch(idiaconus), Magister Will(elmus), Turkillus. Adam. Will(elmus) filius henfredi. Ioh(anne)s d(apifer). Petrus de Calne. Rogerus filius henfredi. Walterus cursetus (?rius).

W4/ eius /alterus. [illegible]rinus. ic[illegible]rdus de colecirche. [illegible]etrus
filius Alani. Rogerus de fleg. 7 Will(elmus) filius
bernardi. 7 Odbertus frater eio/s. Sedulfus filius Geroldi.
u/ BeniamiN. Durandus de berlingh'. Hugo morell'. Will(elmus)
presbiter de humr'feld. Edmerus. Gofredus. Goduinus de
elmh'. Rodbertus de flichestun'. Asketillus filius
Teoderici. Rodbertus de mendh'. Ricardus filius
Will(elm)i. Burcard presbiter de Hoxe. Will(elmu)s filius
bristmari. Samson. Rodb(ertus) de metles.
s. added above the line by the same scribe.

William fitz Unfrid, clearly not an archdeacon in this text, had become one before the end of 1127 (St.Benet of Holme...ed. West 1 p.72).

6.

Source: BM Campbell Charter XII . 1, the original, 5" wide by 6 7/8" long, the bottom 7/8" folded back and slit for a long seal tag, written in a large court hand.

Date : 1121 x c.1135

+ Ebrardus dei gratia NorWIC' episcopus. Omnibus Sancte ecclesie fidelibus presentibus & futuris salutem. Notum sit vobis quod ego concessi 7 reddidi Rodberto coco terram totam quam predecessor meus herbertus episcopus ei donavit in humbresfeld 7 per idem servitium. scilicet totam terram matris sui 7 preter hoc .lx. acras pro .v. solidis per annum de omni servitio. huius concessionis testes sunt. Eustachius 7 Will(elmus) turbo monachi. Magister Will(elmus).Ingolfus. Adam de colna. Petrus dapifer. Walterus de Colna. Nigellus nepos episcopi. Rogerus filius Unfridi. Radulfus de Waisi. Will(elmus) compiun. Will(elmus) barun. Henricus belet. Ricardus 7 Ebrardus 7 herbertus nepotes episcopi. Will(elm)s bigotus. Henricus filius Roberti. Rodbertus de curc'. Simon de Niuers. Walterus filius turrisi. Ricardus de camera. Germanus. Benedictus. Ricol' de Acra. Odbertus de

bois. Godwinus filius Gairard. Grding presbiter. Will(elmus) presbiter. Edner prepositus. Fluricus. Godwinus filius Fluui. Durchil filius Betel. Iwi filius Fluui. Edricus crele. Fluui Wicheanreve. Godricus filius Fluui. Rebel. Odo. Ansgherus filius Fluvici. Walterus filius Vlueri. +

d/ It appears that William Durbe had not yet become prior of the cathedral when this grant was made. He did so after 1124, but before c.1135.

7.

Source: BM Campbell Charter XII . 2, the original, 5¾" wide by 9¾" long, the bottom 1½" being folded back and slit to take two seal tags. That on the left has vanished, that on the right carries a fine but damaged impression of the seal of the priory in white wax, displaying Christ in majesty seated behind three towers connected by arches. The hand resembles that of no. 6 above, but is probably distinct.

Date : 1135 x 1145

+ Notum sit omnibus presentis temporis 7 futuri fidelibus quod ego EDMUNDUS norWIC' episcopus dono 7 concedo Rodberto de hubresfelt suam terram in feudum 7 hereditatem per servitium quod carte eius testantur. Et post mortem eius concedo eandem terram Bertholomeo filio eius per idem servitium. Et ut hoc stabile permaneat; corroboro 7 confirmo appositione sigilli mei 7 sigilli sancte t/ Trinitatis. 7(estimonio) prioris. 7 conventus. 7 Will(elm)i archi(diaconi). 7 Walcheli . archi(diaconi). 7 Will(elm)i archi(diaconi) de sutfolc. 7 Will(elm)i ministri. 7 Rogerii clerici. 7 Toroldi cap(ellani). 7 Ioh(ann)is dapiferi. 7 Petri nepotis episcopi 7 Petri filii Alani. 7 Simonis de nuiers 7 Will(elmi) fratris eius. 7 Bernardi nepotis episcopi 7 Hug(onis) de Belfelt . 7 Orlandi de t/)/ lingunde. 7 Will(elmi) [illegible]

ordingi presbiteri. 7 Rogeri presbiteri. 7 Edmeri. 7 Ordingi. Will(elmi) filii Reimundi. Almeri chenep. Walteri filii Hulmeri. Alani teste. Rogeri norreis. Rust(achii) filii Will(elmi).

a/ Archdeacon Walkelin succeeded Richard de Belfou, who became bishop of Avranches in 1135.

8.

Source: BM Harley 2110, D.215, xiii c. cartulary of Castleacre, f.123v.

Date : 1121 x 1145

Ebr(ardus) Dei gratia Norwic' episcopus archid(iaconis) et dec(anis) suis salutem. Notificetur caritati vestre me canonice dedisse huic Rog(ero) sacerdoti ecclesiam sancti Andree de Tatersetia cum decimis et oblationibus et elemosinis et omnibus pertinentiis suis per presentationem domini Angwi prioris de Lacra et aliorum monachorum atque parrochianorum. Quare volo et precipio ut libere et quiete et sine calumpnia honorifice teneat ipsam ecclesiam in vita sua. Et si quis ei iniuriam et contumeliam irrogaverit secundum s(ancte) ecclesie constitutionem ad correctionem cogatur.

ROCHESTER

A note on the episcopal charters for Rochester Priory 1066 - 1136.

All the charters for the cathedral priory of Rochester granted by archbishops of Canterbury and bishops of Rochester in these years that I have found are now in print. However they fall into two groups which cannot always be distinguished clearly in the printed texts. One, containing only apparently genuine charters, is contained either in the Textus Roffensis (TR) or BM Cott. Dom.A x (Dom., the c.xiii c. cartulary of the priory), or both, as well as in other manuscripts; the other, containing only forged, interpolated or [illegible]

texts, is not found in TR or Dom., although again widely elsewhere. A large number of both genuine and forged texts were printed in Thorpe's Registrum Roffense (RR), which drew heavily upon Rochester A (LT, the Liber Temporalium in Rochester Diocesan Registry), and upon BM Cott. Faust. B v, (Faust., the xiv c. history of the pontificate of Hamo Hethe). I distinguish the groups as follows:

A. Genuine charters.

Anselm.

1. Confirmation of all episcopal rights in the diocese, grant of Northfleet, and remission of 35/- rent at New Weir.
TR f.179 c.93; Dom.17^{v}(first four witnesses only), thence RR p.32

2/ ~~11~~. Confirmation of Northfleet and remission of rent on New Weir
TR ff.181^{v}-2 c.98; Dom.ff.118-^{v}, thence RR p.505

Ralph.

3. Confirmation of Northfleet, grant of an acre of land and remission of all rent on New Weir.
TR f.179^{v} c.94; Dom.ff.118^{v}-9 (first three witnesses only)

4. Confirmation of the church of Norton and tithes.
Dom. f.182^{v}, thence RR p.507

William of Corbeil

5. Confirmation of Northfleet, and Bexley church.
TR ff.179^{v}-80 c.95; Dom.ff.119-^{v}(first three witnesses only).

6. Confirmation to bishop John I of all episcopal rights in his diocese.
TR f.203 c.195

Gundulf

7. Agreement with Edmer the burgess over New Weir.
TR f.210^{v} c.201; thence RR p.32

8. Record of a three acre exchange with the king's agents.
TR ff.211^{v}-2 c.204; Dom. ff.181-^{v}, thence RR p.926

9. Record of the grant by Gilbert his clerk.
TR ff.2[illegible] c.207

10. Confirmation of the establishment of the priory, and its rights of patronage in its churches.
Original D&C Rochester B.845; Dom.ff.98-9, thence in part in RR pp.32-3; Registrum Hamonis Hethe f.132, thence calendared in Registrum Hamonis Hethe ed.C.Johnson, i p.433; LT f.135 (first five witnesses only), thence RR pp.6-7; RG 845, which needs further revision.

11. Ernulf.

11. Grant of the tithes of Haddenham and Cuddington for his obit.
TR ff.196v-7 c.177; Dom. ff.106v-7 (first witness only), thence RR p.383; LT f.135v (first four witnesses only), thence RR p.7.

12. Grant of chrism and synodal pennies.
TR f.197 c.178; LT f.135v(one witness only), thence RR p.7

John I

13. Grant of the church of Frindsbury and chapel of Strood for his obit.
Dom. ff.121-v(one witness only); LT f.135v, thence RR p.8.

14. Confirmation of the church of Boxley
Dom. f.120, thence RR p.177

B. Forged or suspicious charters.

Lanfranc.

15. Grant of episcopal rights in the diocese to Gundulf, with confirmation of Freckenham and Isleham, witnessed by Herbert bishop of Suffolk.
Cott. Vesp. A xxii (1.xiii c.) f.127v; Faust. ff.67-v, thence RR p.441; cf. no.16 below.

Anselm.

16. Confirmation of no.15 by inspecting it; were no.15 in existence in Anselm's lifetime he could not have failed to notice the error in the witness clause.
c/ Faust. f.67 , thence RR p.441; lost inspeximus by archbishop Boniface, thence Mon.I pp.176-7 (1)

17. General confirmation of lands and rights, dated 1101, with a comprehensively impossible witness list.
Lost inspeximus by archbishop Boniface, thence Mon.I pp.176-7(1); Faust. ff.67^{v}-8^{v}, thence RR p.442.

18. Another version of no.1 expanded to confirm the priory's rights in Freckenham and Isleham.
D&C Rochester original (lost), thence RR pp.359-60; Faust. f.72 in an inspeximus of archbishop Boniface, thence RR p.446; LT f.17^{v}. Without the original it cannot be proved that this is a later interpolated version of no.1, but the MS tradition suggests this.

19. Confirmation of a grant by Gilbert earl of Hertford.
Inspeximus by archbishop Peckham at Rochester (which I have not seen), thence RR p.592. Clearly impossible in its present form, but not necessarily a complete fabrication; the witness list does not appear to have been borrowed from any surviving text and is quite possible.

Ralph.

20. Much enlarged version of no.3 above, including a confirmation of the priory's rights in Freckenham and Isleham.
Faust.f.68^{v}, thence RR pp.442-3. The case against this charter is the same as that against no.18.

William of Corbeil.

21. No.5 above expanded to confirm Freckenham and Isleham, witnessed by Fulk abbot(sic) of St.Osyth.
Faust. ff.68^{v}-9, thence RR p.442. cf. nos. 18,20.

22. Record of the judgement of his court on the tithes of Mottingham, dated 1131.
Lost original at Rochester, thence RR p.346; lost inspeximus by William de Dene, thence RR p.349. The form is quite anachronistic, the witness clause is borrowed from no.5 above.

Gundulf

23. General confirmation of lands to the priory, dated 1089.
BM Cott.Charter VIII. 10, pseudo-original, thence Mon.I p.175 (xlix); [illegible]

above, and is impossible for 1089. The supposed original was damaged in the Cottonian fire; it was formerly sealed on silk cords in red wax, and is written in an imitative script which looks more thirteenth century than twelfth.

24. Confirmation of tithes to the priory, dated 1091.

Canterbury D&C Cartae Antiquae R.50, inspeximus by prior Thomas of Canterbury (1270), of an inspeximus by archbishop Theobald, thence Saltman: Theobald, Appendix no.222; a copy of the prior's inspeximus in Registrum Iohannis Fisher f.85, thence RR pp.87-8. Gundulf's charter has the witness list borrowed from no.10, which is again impossible for 1091; it seems very likely that Theobald's inspeximus, which insists so strongly on the splendid condition and authenticity of this crude forgery, is itself fabricated.

c/

(The priory's rights in Freckenham and Isleham, which form the subject matter of much of the interpolated material above, are also the concern of a forged charter of Alfred, Cott. Charter VIII . 19, Cartularium Saxonicum ed. Birch no. 571, also found in Faust. ff.66^{v}-7 and LT f.10^{v}. This forgery is usually attributed to the twelfth century; with the utmost diffidence I would suggest that it is a little later.)

None of these forged, interpolated or suspect charters is found in any MS earlier than the mid-thirteenth century, and all are omitted from Dom., compiled c.1220. However nos.15-17, 20 and 21, with the forged charter of Alfred, are found in Faust. ff.66^{v}-69 in an inspeximus by prior Richard of Canterbury of an inspeximus by archbishop Hubert Walter; either the archbishop's inspeximus is itself a forgery and the great work of fabrication was done in the thirteenth century, or the forgeries belong to the second half of the twelfth century, but were deliberately omitted by the compiler of Dom.. The critical document is the pseudo-charter of Alfred, but its imitative script is peculiarly difficult to date.

SALISBURY

Roger Poer

1.

Source: Reading A f.51^{v}; Reading B f.190^{v}, added at the foot of the leaf

Date : 1121 x 1139, perhaps 1136 x 1139

Rogerus episcopus Sar' archidiacono de Berkesire et omnibus decanis et toto clero de Berkesire salutem. Prohibeo quod nullus regat scolas apud Radingiam nisi consensu et bona voluntate abbatis et conventus. T(este) A. th' apud Wintoniam.

If this A. th' is Athelelm, Stephen's treasurer, the charter can be dated within the narrower limits suggested above; otherwise they are provided by the foundation of Reading and Roger's death.

ST.DAVIDS MICELLANEOUS

Jordan, archdeacon of Brecon

1.

Source: Gloucester A f.143v

Date : c.1126 x 1175

Universis sancte matris ecclesie filiis Iord(anus) Dei gratia archid(iaconus) Breken' salutem. Noverit universitas vestra quod controversia inter monachos Glouc' et clericos castelli de Ewias diu habita est in presentia nostra et Kenegen' decani et tocius capituli de Ewias hoc modo terminata est; quod parrochia tota de Ewias cum omnibus pertinenciis suis ad ius parrochiale pertinentibus matri ecclesie sancti Michaeli et monachis de Gloucestr' eam possidentibus adiudicata est, ita quod clerici de castello in nullo nec in magno nec in parvo quod ad ius parrochiale pertineat se intromittent preter solam tertiam garbam quam de matri ecclesia tenebunt. Hanc convencionem fidelitor et sine dolo tenendam ipse Sed(ulfus) clericus coram altari sanctorum apostolorum Iacobi et Bartholomei iuramento confirmavit. Huius rei testes sunt Keneg' decanus, Hugo de Aberleiren et alii.

A comparatively early date in Jordan's long if intermittent archidiaconate for this charter is suggested by comparing it with Historia ... de Gloucestria i pp.285-6, a charter of Harold of Ewias in which he confirmed to Gloucester the church of Ewias and the chapel of the castle. It is easier to understand this dispute if the castle chapel was not yet in the hands of the monks, and Ralph the clerk and Kenegein both attest Harold's charter. The year of Harold's death is unknown, but he seems to have been alive in 1131 (above Hereford no.10), and dead by 1138 (Historia ...de Gloucestria i p.225). Harold's charter was dated 1115 x 1125 in C-D i p.141, but on the assumption that Harold died in c.1125 (ib. p.136 n.391).

WINCHESTER

William Gifford

1.

Source: Inspeximus by Edward III of 1341 of charters of St.Mary, Southwark, Calendar of the Charter Rolls Vol.V p.35, inspected in letters patent of 13 Richard II, Calendar of the Patent Rolls 1388 - 1392 pp.110-1, inspected in original letters patent of 19 Henry VI, BM Add.Charter 44694.

Date : 1107 x 1129 ?

Will(elm)s Dei gratia Winton' episcopus omnibus Christi fidelibus salutem et benedictionem Dei et suam. Notum sit omnibus vobis quod ecclesia sancte Margarete directionata est coram me et coram clero ecclesie nostre in sinodo mea ad pertinenciam ecclesie sancte Marie de Sudwerca, et quia ego eandem diraciocinacionem tunc concessavi[a] presenti cartula auctoritate Dei et beati Petri inperpetuum stabilem esse deber confirmo. Valete.

a. sic

If this is not a charter of William Gifford it must be of William Raleigh (1244 x 1250), and its style is most unlikely for the later date.

1a. The same charter also inspects William Giffard's confirmation to Southwark of the church of Stoke, which was printed in Mon. VI (1) p.372(x) from the letters patent of 3 Edward IV; I give below the full witness list, of which Mon. only supplies the first three names:

...presentes Stephanus archidiaconus de Surreia, Giraldus capellanus, Bernardus capellanus, Herlebaldus capellanus, Rodbertus de Saxonia cancellarius, Gillebertus de Gisnei, Rogerus de Molefort, Petrus camerarius; et de comitatu Bukingeham' appositi sunt alii testes idonei, Fromundus arch(idiacon)us, Rodbertus frater Hugonis, Serinaldus frater eius, [illegible], Almodus, et frater eius Aluid. Et con[illegible]filio et [illegible]

prenominatorum excommunicavimus in ecclesia sancte Marie huius donacionis violatores.

WORCESTER

Theulf

1.

Source: Worcester A

Date : 15 August 1116

Hec est conventio que facta fuit in capitulo Wigornensis ecclesie cum Aelfgeto presbitero de Wiltonia presidente venerando presule Theoduuoldo et N(icholao) priore cum omni congregatione fratrum eiusdem ecclesie. Scilicet quod idem Aelfgetus suscepit fraternitatem congregationis et societatem omnium benefactorum que ibi fiunt. Et ipse Aelfgetus contulit ibi .v. marcas argenti ad necessitatem loci et spopondit super textum sancti evangelii fidelitatem et firmam fraternitatem eidem congregationi, et si Deus immiserit ei in cor ut velit monacus fieri in eodem monasterio habitum monachilem suscipiet. Et domnus Nicholaus prior commendavit eidem ad firmam quandam villulam que Ikacumbe vocatur que, propterea quod longe a monasterio, destructa tunc erat et deserta preter .vi. boves et .l. oves que tunc ibi erant, quas ipse domno priori reddidit et nudam terram suscepit. Ad hoc scilicet, ut ipse eam edificet in domibus et culturis de sua propria substantia et teneat usque ad .v. annis dando singulis annis .xx. solidos, et .v. anno assignet domno priori super eandem terram .x. boves electos et .c. oves lactantes, ut exinde et ex supradictis bobus et ovibus restaurentur alii .xx. solidi sing(ulis) annis, et sic .xl. solidi persolventur. Et super hec quantum habere potuerit super eandem terram in mobilibus delegabit pro anima sua ad monasterium. Et ipse Aelfgetus promisit fide sua in manu domni episcopi quod nunquam per ingenium suum vel per ar(tem quen)quam conabitur unde ipsa villa in aliquibus ei tam modo minus valeat habere vel ex alii.

Hec conventio facte est anno incarnationis dominice (?) CXVI in assumptione sancte Marie, et ad hunc terminum reddet ipse Aelfgetus illos .xx. solidos.
Huius rei testes sunt ipse venerabilis episcopus Theoduuoldus et Nicholaus prior cum omnibus fratribus, Hugo archidiaconus, Fridericus capellanus, Rotbertus nepos episcopi, et Hu(m)fredus capellanus de Wiltonia.

This charter was used by Sir Ivor Atkins: The Church of Worcester from the Eighth to the Twelfth Century Pt.ii p.225, but neither of his possible readings of the witness list seems to be right.

2.

Source: Llantony B Signum I no.C
Date : 1115 x May 1118 (?)

T. Dei gratia Wygorn' episcopus omnibus fidelibus et amicis suis et tenentibus sancte Marie salutem et benedictionem. Sciatis karissimi me dedisse ecclesie sancti Iohannis de Lanthon' et fratribus ibidem Deo servientibus perpetualiter per singulos annos unum modium de nostratibus modiis ad servicium Dei et sancti Iohannis pro Dei amore et salute regis et regine et filiorum suorum. Test(ibus) Nicholao priore et Hug(one) archidiac(ono) et Frederico et Ric(ardo) archidiac(ono) et Alwino et Gervasio et Will(elm)o de Lingeura et Rob(erto) de Cureci capellanis et aliis.

Interpreted strictly a grant for the safety of the queen and her sons could not have been made after the death of Matilda in May 1118.

3.

Source: Kenilworth A ff.46-v
Date : Sunday 24 September 1122

T. Dei gratia Wigorn' episcopus universis fidelibus sancte ecclesie in Domino salutem. Anno dominice nativitatis

M.C.XXII°. VIII° Kl' Oct' facta est in dedicatione ecclesie de Mideltona quam fecimus pax et concordia inter ipsam ecclesiam de Midelton et ecclesiam de Etendon' convencione tali. Reddet siquidem ecclesia de Midelton singulis annis inperpetuum ecclesie de Etendon' .viii. solidos Kl' Augusti et sic remanente calumpnia ipsius quieta inperpetuum et absoluta erit ecclesie de Midelton' de omnibus consuetudinibus quas clamabat ecclesia de Etendon' adversus eam. Convencionem hanc ita factam concesserunt Henricus et Rob(ertus) Pipert, domini utriusque ville, necnon superiores domini Rob(ertus) comes Legrec' et Robertus de Ferar' et litteris suis confirmaverunt. Nos quoque presentes concessimus et literis nostris sigillatis auctoritate episcopali corroboramus, et si quis eam violare presumserit perpetuo eum anathemate condempnamus. Test(ibus) Hug(one) et Thurstino archid(iaconis) nostris, Alwino, Will(elmo), Will(elmo) de Cletis, Rob(erto), Cervasio et alio Will(elm)o clericis nostris, Leofredo decano, Geroldo vicec(omite), Wigoto, Alfredo de Tredinton', rni de Honiton', Ric(ardo) de Niwebold', Gondulfo de Wenton', Lewino de Sinedon', Ailwino de Breiles et Thom(a) vicario suo, presbiteris, Ciffardo dap(ifero) meo, Odone de Lechesfleia et Rad(ulfo) filio suo, Will(elmo) de Ispania, Will(elmo) de Halsvilla, Ingelrannus et Norgone de Se'tis, Tovi de Watcote, Baldw(ino) filio suo, Rog(ero) de Ceustona, Normanno de Tedlinton', Anngero, Gaufr(ido) de Sudrea, Ric(ardo) de Hereford', Renn(ulfo) de Reigni, Ric(ardo) de Altfai et aliis multis qui dedicationi prefate interfuerunt.

meis

Simon

4.

Source: Llantony B Cignum I no. LIX

Date : 1125 x 1137

S. Dei gratia Wygorn' episcopus omnibus sancte matris ecclesie filiis salutem et oraciones in Christo. Omnibus tam presentibus quam futuris cartule presentis testimonio notificamus nos dedicasse capellam sancti Audoeni de Glouc' que est in Quedeleya, derelicta atque in perpetuum deleta omni controversia et calumpnia sive querela a Turst(ino) presbitero et sua parte retro habita. Cui capelle Margareta mater Willelmi parvi dedit .iiii. acras terre et totam decimam sui dominii tam in vivis quam in mortuis, et hoc in manu mea misit et sic super altare per cultellum inde capellam dotavit. Similiter et homines sui suas decimas omnes se singulis annis daturos concesserunt et super altare illud voverunt et sua manu vadiaverunt. Nos autem ad perpetuam ipsius capelle pacem integre conservandam concessimus Willelmo filio predicte domine in elemosinam omnes predictas decimas et exitus elemosinarum terre matris sue et eum inde personavimus. Sed et canonici sancti Audoeni, Ric(ardus) videlicet et Rog(erus) concesserunt quod vicarius eorum qui predicte capelle deserviret faceret fidelitatem predicto Willelmo de sua parte sicut predictis canonicis de sua quam antea habebant. Et Willelmus debebat adquietare vicarium pro servitio sue partis. Nos vero ex auctoritate a Deo nobis iniuncta hanc considerationem concessimus et presentibus scripcibus confirmavimus, et pro pace et utilitate sancte ecclesie et salute tam vivorum quam mortuorum concessimus predictam capellam habere consuetudinem capelle de episcopalibus cum cimiterio suo imperpetuum. Test(ibus) magistro Clemente et Iohanne canonicis regularibus, Ric(ardo) et Rog(ero) sancti Audoeni canonicis, Edwardo sancti Oswaldi canonico, Osb(erto) capellano meo, Rog(ero) filio Fulconis et multis aliis.

St. Audoen of Gloucester and its chapels were given to Monkton secunda at its dedication in 1137 (v. no. below); it does not appear that this has ever been done before [illegible] cimiterium.

9.

Source: Llantony B Signum I no.XCVII; also, in an inspeximus by prior John of Worcester of 1307, no.CXXXIIII. Signum I no.XCVIII is a second version with one or two variants noticed below.

Date : 1141 x 1148

Symon Dei gratia Wygorn' episcopus omnibus episcopatus sui filiis ceterisque sancte ecclesie filiis tam presentibus quam futuris omnibus salutem. Anno ab incarnatione Domini MCXXXVII° dedicavi ecclesiam regularium canonicorum extra muros Gloec' in honorem Dei et memoriam beate Marie semper virginis. Et quia pium semper esse dinoscitur pacci et quieti religiosorum providere eadem die qua predicta ecclesia dedicabatur pro Dei et religionis amore et domni Hylonis Hereford' comitis pia devotione et petitione concessi eidem ecclesie [a]et suis appenditiis, scilicet ecclesie sancti Audoeni cum capellis ad eam pertinentibus, capella videlicet intra castella, capella sancte Kineburge, capella de Beccahasteda, capella de Elmoura, capella de Quedesleya[a], de eodem feodo hanc libertatem ut ab omni servicio et consuetudine que ad episcopum Wygornensem pertinebant sive ad ministros episcopales libere foret deinceps et emunis inperpetuum, excepto quod prelatus ipsius ecclesie si episcopus eum summonuerit vel summoneri precepit veniet ad sinodum eius vel ad magnam aliquam causam eius si in villa Gloec' vel foris propius tractabitur. Teste Roberto episcopo Hereford', Gervasio archid(iacono),[b]Godefrido archid(iacono)[b], Hierico priore S.Dionisii de Birhurst, [c]Rob(erto) de Cornevilla[c], et aliis.

a - a Sig.I no XCVIII om.

b - b no XCVIII only

c - c no XCVIII only

Dated by Milo's assuming the style of earl and robert of Gloucester's death.

6.

Source: Llantony A f.114; Llantony B Signum VI no.XXII; ib. Signum I no.CXXXIIII, in an inspeximus of 1307.

Date : 1131 x 1150

Sym(on) Dei gratia Wygorn' episcopus universis sancte matris ecclesie filiis salutem et fraternam dilectionem. Dum in patria nostra quadam vice moraremur Robertus venerabilis Hereford' episcopus tanquam advocatus in perpetuam elemosinam concessit fratribus ecclesie de Lanthon' ecclesiam de Prestelb' tunc temporis vacantem, et tanquam vicarius Wygorn' ecclesie qui nobis absentibus vice nostra fungebatur eandem ecclesiam dedit, et per manum Turstini archid(iaconi) nostri canonice investivit. Quod factum post redditum nostrum ratum habuimus, et habemus, et eisdem ecclesie canonicam manu propria eis fecimus investituram, eamque eisdem cum universis ad eam pertinent(iis) episcopali auctoritate confirmavimus. Hoc autem fecimus salvo iure et nostro et ecclesie nostre. Valete.

For a charter of bishop Robert on the same grant v. Hereford no.15 above.

7.

Source: Reading A f.53^{v}; Reading B f.201; Reading D f.122^{v}

Simon Dei gratia Wigornensis episcopus Warino priori ecclesie Wirecestrie et omnibus archid(iaconis) suis et omnibus fidelibus et filiis Wigornensis ecclesie salutem et paternam benedictionem. Notificamus dilectioni vestre quod Hog(erus) de Wilherdingtune in dedicatione ecclesie de Bokintune in presentia mea totam parrochiam et decimam de Wilencie cum omnibus rebus eidem parrochie pertinentibus predicte ecclesie de Bokintun' absque omni calumpnia et retractione inconcusse inviolabiliterque in perpetuum tenendas concessit, sicut [illegible] tempore [illegible] tionem inde [illegible] er

altare predicte ecclesie ponendo tirtiua [illegible]
concesserat. Volo itaque et episcopali auctoritate
precipio ut supramemorata ecclesia de Wokint' parrochiam
et decimam de Wileneia cum omnibus rebus eis pertinentibus
sine omni diminutione, inquietatione et molestia,
honorifice et in pace teneat, sicut supramemoravimus
patrem predicti Rogerii de Wileneia eundemque Rog(erum)
dedisse et concessisse. Valete.

Warin was prior of Worcester 1124 x 1140; hence a date of 1125 x 1140.

8.

Source: Kenilworth A ff.44-▼; Kenilworth B f.204▼

Date : 1135 x 1150 (?)

Universis sancte ecclesie fidelibus Sim(on) Dei gratia
Wigorn' ecclesie minister humilis in Domino salutem.
Confirmo presenti pagina donacionem quam probi homines
de Ecclesha donaverunt ecclesie predicti monerii in die
qua eum dedicavi. Sciendum est autem quod Rob(ertus)
Corbeceun donavit eidem ecclesie inperpetuum unam
virgatam terre cum mansura ubi presbiter qui ecclesie
deservire debet domum suam facturus est, et Rogerus
donavit similiter inperpetuum eidem ecclesie .iiii.
acras terre in campo, cum illa parte mansure quam ad
opus sacerdotis concessit. Wido vero .iiii. acras terre
similiter, et Rob(ertus) similiter .ii. acras. Qui autem
aliquid inde subtraxerit sive minuere presumpserit
anathematis gladio feriatur. Preterea volo et firmiter
precipio quod prenominata ecclesia de Eccleshala defendat
se erga episcopum et ministros suos de consuetudinibus
episcopalibus sicut capella, quia membrum est et capella
matri ecclesie de Saltfordia antiquitus subdita. Valete.
Test(ibus) Archid(iacono) Gervasio Gloec', Magistro
capellano meo, Crero dec no.

Dated by analogy with no. 7 above; the [illegible] of archdeacon Gervase

seems to be of [illegible] to 1163, but he may have been in office for some time before that (Historia ... de Sancto Cuthberto ... Dunelmensis ecclesia et Cestria i p.lxxvi).

9.

Source: Kenilworth A f.44; Kenilworth B f.204v

Date : 1135 x 1150

Universis sancte ecclesie fidelibus Sim(on) Dei gratia Wigorn' ecclesie minister humilis in Domino salutem. Confirmo presenti pagina donacionem quam probi homines de Ecleshale donaverunt ecclesie predicti monerii in die qua eam dedicavi. Sciendum est autem quod Rob(ertus) Corbeceun et uxor eius donaverunt eidem ecclesie inperpetuum unam virgatam terre cum prato ad tantum terre pertinenti, et totam suam partem crofti ab orientali parte cimiterii usque ad domum que fuit Lefrich, et Rog(erus) donavit eidem ecclesie quatuor acras in campo, cum sua parte eiusdem crofti exceptis duabus acris quas Wido orgo eum excambiavit ad opus eiusdem ecclesie, et cum moro sub crofto. Wido vero ex sua parte quatuor acras in campo et dimidiam in prato, et Rob(ertus) similiter duas acras. Hanc donacionem similiter omnes fecerunt cum decimis suis plenariis eidem ecclesie liberam et quietam ab omni seculari servicio, et ego ex mea parte volo et precipio ut libera sit et quieta ab omni episcopali consuetudine. Qui autem aliquid inde subtraxerit sive minuere vel perturbare presumpserit anathematis gladio feriatur. Test(ibus) Gervasio archid(iacono), Rad(ulfo) priore de [illegible]tanes, Rog(ano) capellano.

The fact that this frees the church of Wexhall from all episcopal customs where the last merely defines them suggests that this charter is a little later. The priory of Stone is generally held to have been founded c.1135.

10.

Source: Kenilworth A f.44 ; also Kenilworth B f.269

Date : 1125 x 1150

Simon episcopus Wigorn' archid(iaconis)et decano de Wirecestrescira et Warewichescira salutem. Dedicavi ecclesiam de Cumbroc in honore Dei et sancte Marie et sancte Margarete, et cimiterium ibidem consecravi, salvo iure matris ecclesie de Kinton' et ita quod quieta sit ab omni episcopali consuetudine et redditibus preter illos quos antea reddere consuevit.

11.

Source: PRO E 329/ 107, the original, 10¾" wide by 2 5/8", with a wrapping tie and central seal tag bearing a much repaired elliptical seal in red wax; it shows the bishop seated with his staff in his left hand and his right hand raised in blessing; written in a regular book hand. PRO E 315/ 45 no.287 is a second apparent original 9" wide by 2" (but the foot has been trimmed, leaving no trace of the manner of its sealing). This charter is written in a much freer idiosyncratic book hand, and the scribe employed cedille, and notae where the scribe of A used ampersands.

Simon dei gratia Wigornensis ecclesie minister humilis successoribus suis & universis sancte matris ecclesie fidelibus [a]tam futuris quam presentibus[a] in Christo salutem. Notum sit vobis nos concessisse & dedisse in perpetuam elemosinam pro salute predecessorum nostrorum deo & sancte MARIE de Bordelega quendam insulam apud Wich iuxta Colohullam liberam & quietam ab omni servitio & consuetudine seculari cum omni proficio & emendatione quam fratres prefate ecclesie in eadem insula facere poterunt. Preterea quoddam fifiei apud holowei. scilicet per la Suggweiam; usque ad pratum Randulfi de Lenc & ad devisam de holoweia. Teste Randulfo priore. Godefrido. Gervasio. archidiaconis. Ingeno clerico. Willelmo de Wint'. Iohanne filio Pretherici. Rad(ulfo) de Mamavilla. Rogerio de Humberia. Willelberto rufo.

Endorsed: Iste due carte sunt de Teul' apud ich' et quoddam de Woleway.

a - a E 315/ 45 no.287 om.

Dated by the appearance of prior Ralph of Worcester to 1145 x 1150. For a similar duplication of originals cf. Du Boulay: Bexley Church nos.2 and 3.

WORCESTER MISCELLANEOUS

Robert de Chandos

1.

Source: Llantony A f.91: Llantony B Signum IX no.V

Date : Mid-Lent 1142

R(obertus) de Chandos hominibus suis et amicis omnibus salutem. Notum vobis esse volo et posteris vestris omnibus quod quando dominus ym(on) Wygorn' episcopus dedicavit ecclesiam de Brocword' quam ego anteo concessi-serevi in elemosinam canonicis Lanth' concessi ut eidem ecclesie episcopali auctoritate confirmaret in perpetuam elemosine possessionem terram quam ea tenus habuerat quo pro dimidia hyda reputabat. Et quia una virgata illius terre prius obnoxia fuerat seculari servitio clamavi eam quietam et liberam feci ab omnimodo servitio et consuetudine deinceps in perpetuum. Mansionem etiam iuxta cymiterium a parte occidentis quam Iohannis presbiter de me tenuerat dedi eidem ecclesie in liberam elemosinam in sempiternum. Pro qua elemosina et libertate episcopus concessit mihi missas et societatem omnium beneficiorum sacerdotum suorum et clinodorum pro anima patris mei et aliorum amicorum meorum. Oblationem insuper duorum exsartorum quam Ric(ardus) de Brocw' dapifer meus prefate dedit ecclesie paulo post dedicationem ego concessi et condonavi perpetu liter redditum .xx.ti denariorum qui pro alio exsarto ea tenus dari solebant, ut liberam esset elemosina illa deinceps ab omni debito et consuetudine imperpetuum. Hanc concessionem

et libertatem obtuli super altare . nocte sancte apud
Lanth' Glouc', Dominica med' .xl. anno Domini .m.c.lii.
T(estibus) Henr(ico) filio com(itis), Ric(ardo) filio
Ric(ardi), Hugon(e) de Ybrois et al'.

These gifts were confirmed by bishop Simon in a charter found in Llantony B Signum IX no.LXXII, and, in an inspeximus of 1307, Signum I no.CXXXIIII. It makes no mention of the benefits which Robert expected to obtain from his gifts.

YORK

Thomas II

1.

Source: BM Add. 40008, D.73, the xiv c. cartulary of Bridlington, f.325; calendared from this MS in Abstracts of the charters...of Bridlington, ed. W.T.Lancaster, Leeds 1912, p.431.

Date : 1109 x 1114, later rather than earlier.

Thomas secundus Dei gratia Ebor' archiepiscopus omnibus sancte Dei ecclesie fidelibus salutem. Ecclesia beate Marie de Brid' solita erat reddere archiepiscopo unoquoque anno vi denarios ad crisma et duos solidos ad sinod' sicut cetere parrochiales ecclesie. Sed quia crescente in ea religione dignum quoque est ut ei libertas et honor crescat, preterea ego Thomas archiepiscopus prefatam ecclesiam a predicto redditu volo et concedo in perpetuum solutam esse et quietam, consilio et assensu capituli sancti Petri pro amore et honore sancte sanctarum domine nostre et fratrum qui in eius ecclesie Deo serviunt. Valete.

This charter is followed by an almost verbatim confirmation by the dean and chapter. or Thurstan's confirmation of these rights v.EYC ii 1151.

Thurstan

3.

Source: Guisborough [illegible] .v

Date : 1125 x 1135, perhaps 1126

T. Dei gratia Eborac' archiepiscopus R. Coventrensi episcopo et R. eius archid(iacono) et universis eiusdem ecclesie filiis de Werwichesira salutem. Decet ut sancta mater ecclesia quam Christus in cruce pendens de latere suo formavit beneficio fidelium suorum filiorum sustineatur. Hoc debito nos excitati disposuimus aliquod beneficium inpendere ecclesie sancte Marie de Kenill' et fratribus in ea canonice viventibus, dedimusque eis ecclesiam de Stanleia inperpetuum habendam pro salute regis et domini nostri Henrici, et pro animabus patris et matris et fratris eius Willelmi, necnon et pro animabus Matildis secunde regine et filii eorum Willelmi, et pro animabus omnium antecessorum et parentum nostrorum. Hoc donum presentis cartule attestatione confirmamus, et regis concessu de cuius dominio fuit hanc donationem fecimus. Valete.

The church of Stoneleigh was among the gifts confirmed to Kenilworth in the very auspicious RG 1428 of 1124 x 1126, and also in RG 1445 of 1123 x 1126; it does not follow that this charter is so early. Kenilworth is usually said to have been founded in 1125.

APPENDIX II : THE COUNCILS OF THE ENGLISH CHURCH 1102-1127.

The study of the church under King Henry is bound to rely to an important degree upon the evidence of the canons of the four councils of 1102, 1108, 1125 and 1127 whose acts survive. This evidence is still however not conveniently available in a trustworthy edition. The last attempt to provide an edition of the whole body of evidence for these was that of Wilkins in the early eighteenth century, and his text was based upon only a proportion of the available manuscripts, sometimes a minute one, as well as lacking any apparatus in the current sense. There are excellent editions of particular versions of these councils in the Rolls Series editions of Eadmer, William of Malmesbury, and Symeon of Durham, as well as in Weaver's edition of John of Worcester, Rhys' of the Book of Llandaff, and Liebermann's of the Quadripartitus, but none of these is intended to do more than represent one tradition of the acts of a council. One cannot tell from them the relation in which that tradition stands to others, or the extent of the whole manuscript testimony.

These inconveniences will soon be removed by the publication of Councils and Synods, Vol. I, but since this will not take place for a year or two, and since I have drawn heavily upon this evidence it seems worthwhile to include some discussion of the authorities used here, the extent of the evidence upon which a proper edition will rely and any conclusions from it which throw light upon the means by which these councils were published.

I could not have begun such an appendix without the very generous assistance of Professor C.N.L. Brooke who has allowed me to use the materials procured for Councils and Synods Vol. I,

which indlude editions of the councils of 125 and 1127, and these are the basis of the discussion that follows, although the responsibility for any conclusions drawn from this evidence is my own. For the councils of 1102 and 1108, and for guidance in the whole study of conciliar problems I am also most heavily in his debt.

What I have tried to present in what follows is, firstly, an account of the twelfth century manuscripts containing texts of the canons, and any other later ones which cast important light on their transmission, showing the extent to which these appear to represent independent versions; secondly a sketch of the distribution of important discrepancies among these texts; and thirdly a note on any special features of the MSS which appear to cast light on the means by which knowledge of the canons became public. Since the area of significant disagreement on the sense of the canons is usually small, and there is no point in doing here what will be better done elsewhere, I only offer a text of the council of 1108, and that principally to illustrate the rather complex arguments on its evolution.

(Unless otherwise stated, the MSS cited are of the twelfth century.)

1. The Council of Westminster, Michaelmas 1102.

Printed. Wilkins, i pp. 382- , from Aii, EN pp. 141-4, from A ii, GP pp. 118-21 from A iii, Quadripartitus ed. Liebermann p. from Ci.

Manuscripts.

A i. London, Lambeth Palace 59 ff.179^{v}-8 ; this is the collection of Anselm's letters which was perhaps put together 1120-30. The archetype of CCC Cambs MS 135 and Paris, Bibl. Nat. MS lat. 2478.

A ii. Cambridge, Corpus Christi College MS 452 pp. 161-6, Eadmer's autograph of the Historia Novorum. Also in the Rochester copy, slightly abbreviated, London BL Cotton Titus A IX.

A iii. Oxford, Bodleian Library, MS Bodley 297 pp. 404-6; this is the Bury St. Edmunds copy of the Chronicle of John of Worcester, the only MS to include a full text of the council, although John had a copy before him as he wrote.

A iv. Oxford, Magdalen College MS 172 ff. 38^{v}-9^{v}; this is the autograph of William of Malmesbury's Gesta Pontificum, the archetype of the numerous early MSS of that work.

B i. London, British Museum, Cotton MS Titus A XIII, ff. 147-8^{v}, a xvi c. abbreviation of the canons, carelessly put together. For its possible importance v. below.

C i. A very short list of some of the matters discussed in the council, found in the three principal MSS of the Quadripartitus: Manchester, John Rylands Library, MS lat. 420 f. 38^{v}, formerly in the possession of

J.H. Gurney, of Keswick Hall, London,
BM Add. 49366 f. 103^{v}, formerly at Holkham,
London, BM Cotton MS Titus A XXVII f. 155^{v}.

Variant Readings. For reasons suggested below there is only one significant variation between the MSS of the A tradition, the only one which preserves a full text, and that is that A i omits the name of Aldwin of Ramsey from the list of deposed abbots. The C tradition is internally coherent.

Transmission. Although there are a comparatively large number of twelfth century MSS containing a full text of this council it is very likely that all but Lambeth 59 are derived from Eadmer; the text in Bodley 297, which includes Eadmer's comments on the council certainly is, and the variations in Malmesbury's text look more like his own characteristic ' stylistic improvements ' than traces of a separate text; it is certainly clear that he used a copy of the Historia Novorum in his account of Anselm, and so very probably here. Lambeth 59 and Eadmer are both of course Christ Church books, and are therefore very likely themselves to derive from a single source; since Eadmer says that his text is set out ' sicut ab eodem patre Anselmo descripta est ', it is at least permissible to suppose that the common source was the archbishop's own draft of the canons.

Nature of thetext. It is clear from a superficial view of the text that it differs in important respects from those which survive for the councils of 1075, 1076, 1108, 1125 and 1127. In these councils each canon is in the form of a complete sentence, sometimes with a citation of authorities, while those of 1102, though of various length, are usually nearer to notes than full canons; many indeed are much nearer to the capitula which survive for the council of April 1070. While these however survive in three MSS from different cathedrals, and so were presumably a quasi 'official' record of the proceedings there, those of 1102 appear to survive only from the archbishop's

draft at Canterbury. The compilers of the collections of canons working at Hereford and Worcester, whose work is known from Hereford Cathedral MS O 2 vii and the two xiv c. MSS Lambeth 171 and Bodleian Library Rawlinson MS C 428 did not apparently have access to a copy, and there do not seem to be any other independent texts.

The reason for this situation, which is without parallel, is clearly suggested by two letters of Anselm. In one, addressed to the archdeacon of Canterbury, he says

> ' Sententias capitulorum concilii expositas holo vobis aut alicui ad presens mittere, quia quando in ipso concilio expositae sunt, non potuerunt ad plenum et perfecte recitari, propterea quia subito sine praemeditatione ac competenti, sicut oportuerat, sunt prolatae. Unde quaedam videntur addenda et forsitan quaedam mutanda, quod non nisi communi consensu coepiscoporum nostrorum volo facere. Volo ergo eas dictare, et prius eisdem episcopis ostendere, cum primo convenerimus, quam per ecclesias Angliae dictatae et expositae mittantur. Nomina tamen rerum de quibus ibi locuti sumus vobis mittimus ... ' (A 257).

Since he then continues with an account of the prescriptions against sodomites fuller than that of the surviving text the letter suggests one way in which the council's discussions had exceeded the scope of the Canterbury draft. Similarly in a letter to Gerard, (A 253), he says that he is only sending ' capitula ', for there had not been enough time at the last council to draw up ' sententiarum eorum expositiones '. From William's letter it seems clear that Anselm then had only a draft, as it were an agenda, which had been presented to the council for discussion; this is precisely

the nature of the surviving 'A' text. Equally it appears that a set of 'capitula', or 'nomina rerum' had a very limited circulation. The nature of the 'B' text is obscure, but it may represent such a set of capitula; equally the Quadripartitus, compiled by someone close to Gerard of York, when it produces a list of matters dealt with at the council, may contain either the author's own memory of what happened, or an abstract of Eadmer, or such a collection of ' nomina rerum '.

Two letters connected with Anselm, EA 255 from Gerard and EA 348 from Pope Paschal, in which he authorises the king to have circulated ' per metrices ecclesias ' the ' constitutiones quae ad coercenda vitiorum contagia synodali apud vos promulgatae consensu ' may be connected with this council. EA 255 deals, in part, with the way in which the canons of York 'sophisticated' on the provisions of the council against married clergy; the passage cannot refer to the surviving text, which does not mention the houses of the clergy, and again supposes a lost fuller draft. The loophole found by the canons of York was closed by canon 2 of the council of 1108.

2. The Council of London on May 24, 1102.

Printed: W i p - from a conflation of E and J;
FoW ii pp. 58-9 from J; FoW ii pp. 241-1
from S; Quadripartitus ed. Liebermann
from G, H and T; HN pp. 193-5 from E.

Manuscripts:

A i Cambridge, Corpus Christi College MS 452 pp. 230-2, Eadmer's autograph, and its early copy, (v. above). (E)

A ii London, Lambeth Palace MS 59 ff. 179-^{v}, and its early copies, (v. above). (L)

B i Durham, Dean and Chapter MS B.IV.17 ff. 169-^{v}. (D)

B ii Hereford, Dean and Chapter MS O.ii.7 ff. 150^{v}-1. (He)

C i Manchester, John Rylands Library MS Lat. 420 ff. 38^{v}-9. (G)

C ii London, BL, Add. MS 49366 ff.103^{v}-4^{v}. (H)

C iii London, BL, MS Cotton Titus A XXVII ff. 159^{v}-60. (T)

D i Oxford, Corpus Christi College MS 157 p. 367. (J)

D ii Cambridge, Corpus Christi College MS 139 ff. 68-^{v}. (S)

E i Canterbury, Dean and Chapter Muniments L 138^{a} (dorse). (C)

E ii Oxford, Bodleian Library, Rawlinson MS C 428 ff. 101^{v}-2. (R)

E iii London, Lambeth Palace MS 171 f.10. (I)

These MSS present textual problems far more acute than those surrounding any other English council between 1070 and 1127. The two Canterbury MSS of class A have a prologue which differs from that found in all the other classes, and so

framed as to cast the text into oratio obliqua. The two MSS of class B have the form of C, D and E, but the substance of A. Class C, the MSS of the Quadripartitus, contains the two MSS G (of the late xii c.) and H (of c. 1270) which derive from a single very bad ancestor, while T (c. 1225) is a good but later text. These, in common with classes D and E, lack canon 7, but have many peculiarities of their own. The prologue attributes the council to Anselm and archbishop Gerard (d. 21 May 1108), at Winchester, and there are some marked differences in the text. It refers to the 'wives', and not the more consistent 'women' of the clergy, has a large omission in canon 4, and longer versions of canons 2 and 5. Elsewhere these MSS agree with classes A and B against D and E consistently. Class D contains the autograph of John of Worcester and the only early manuscript of the Gesta Regum; the Durham chronicler is heavily dependent upon John for these years, and in spite of one curious variant in the prologue his text is most unlikely to be independent. In John's MS the canons of the council are a marginal addition, although incorporated in the text of all the other early copies of his work; since these do not appear to contain any variants from J found in other versions of the council I have not collated them here. Class E contains the xiiic. single leaf C, from Canterbury and the two copies of the Worcester xiv c. canonical compilation In substance these contain the class D text but they have some minute variations to suggest the currency of another version of it.

There are then in effect three versions of the council, one found in MSS from Canterbury, Durham and Hereford, one deriving from a compiler very close to Gerard of York, and one used by John of Worcester, although there may well have

been a second copy of this in circulation. The C text agrees with those of classes D and E in omitting canon 7, but everywhere else agrees with classes A and B where it does not have an idiosyncratic reading. When one considers also the more primitive form of these, it seems that one should take the prologue of this class seriously and treat the class C MSS as representing either a draft prepared for a council intended for Winchester in Gerard's lifetime or as the acts of such a council which actually took place. The second possibility is not as remote as one might think, for the council of 1102 was given so limited a circulation because Anselm intended to revise it at a council held a little while later. The text of class D and E MSS omits the canon which attributes the profits of justice in this matter to the bishop and so shortens canon 5 as to reduce the emphasis on the duties of the archdeacon. If the MSS of classes A and B represent the text published by Anselm in 1108 it is possible that those of classes D and E represent a later re-issue, possibly on royal authority, when Henry I interested himself in the enforcement of these canons after Anselm's death.[1]

Text

(This is based on Ae, except where E,L and D are agreed against it)

[a] Hec sunt statuta[b] de archidiaconibus[c], presbiteris, diaconibus[cd], subdiaconibus[cd], et[e] canonicis [f]in quocunque gradu constitutis[f] que Lundonie[g] statuerunt Anselmus archiepiscopus Cantuariensis et cum eo[A j]Thomas electus[j]

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1. EHR pp. 212-3.

archiepiscopus Eboracensis,[k] et[l] omnes[l] alii Anglie episcopi in presentia[m] gloriosi regis Henrici assensu omnium[n] baronum suorum.[a]

1. Statutum[oo] est[o] ut presbiteri, diaconi,[q] subdiaconi,[r] caste[s] vivant,[t] et feminas in domibus suis non habeant,[u] preter proxima consanguinitate[v] sibi iunctas[w] secundum hoc[x] quod sancta Nicena[y] sinodus definivit.[z]

2. Illi vero presbiteri, diaconi sive[a] subdiaconi qui post interdictum Lundoniensis concilii[b] feminas suas temuerunt[c], vel alias duxerunt,[de] si amplius missam[f] celebrare voluerint[g] eas a se omnino faciant[h] sic[j] alienas ut nec ille in domos[k] eorum nec ipsi in domos eorum intrent,[l] sed neque in aliqua domo[me] scienter conveniant[n] neque huiusmodi[o] femine in territorio ecclesie habitent[p]. Si autem propter aliquam honestam causam eos[q] colloqui oporteat,[r] cum duobus ad[s] minus[s] legitimis testibus extra domum colloquantur.[t]

3. Si vero in duobus aut[u] in[v] tribus legitimis testibus vel publica parochianorum fama aliquis eorum accusatus fuerit[w] quod hoc[x] statutum violaverit,[y] purgabit[z] se adiunctis secum ordinis sui idoneis testibus, si[a] presbiter, quinque[a] si diaconus, quatuor[b] si subdiaconus fuerit.[c] Cui[d] autem hec purgatio defecerit[e] ut transgressor sacri statuti[f] iudicabitur.[g]

4. Illi autem presbiteri qui divini altaris et sacrorum ordinum contemptores preelegerint[h] cum mulieribus[j] habitare a divino officio remoti,[k] et omni ecclesiastico beneficio privati[lk], extra chorum[m] ponantur,[n] infames pronuntiati.[o] [p]Qui vero rebellis et contemptor feminam suam[q] non reliquerit,[r] et missam celebrare presumpserit,[s] vocatus ad satisfactionem si neglexerit[t] octavo[u] die excommunicetur.[vp]

5. Eadem sententia [w]archidiaconos[x] et canonicos omnes[w] complectitur,[y] et[m] de[b] mulieribus relinquendis[b] et[c] de[c] vitanda earum[c] conversatione, et de districtione censure si statuta transgressi fuerint.[f] Iurabunt[gh] quod pecuniam non accipiant[j] pro toleranda transgressione huius statuti, nec[k] tolerabunt[l] presbiteros[m] quos sciant[n] feminas habere[nop] cantare vel vicarios habere,[q] et[r] si eos audierint[s] calumniari veritatem inde inquirent.[qtr] [u]Similiter et decani[vw] hec eadem per omnia[w] iurabunt.[xu] Qui vero archidiaconus vel decanus hec iurare[y] noluerit[z], archidiaconatum vel decaniam[a] irrecuperabiliter[b] perdet.[c]

6. Presbiteri vero qui, relictis mulieribus,[d] Deo et sacris Altaribus[e] servire[f] elegerint[g] quadraginta dies[h] ab officio cessantes pro se interim[j] vicarios habebunt;[k] inlumota eis penitentia secundum[l] quod episcopis eorum visum fuerit.[mn]

7. [illegible] [o]nobilia l[a]psorum[p] pont[pq]heo[pq] presbiterorum, diaconorum, subdiaconorum et canonicorum tradentur[r] episcopis et concubine cum rebus suis velut adult[illegible]ere.

Prologue a-a. M. (Unde) Anselmus archiepiscopus Cantuariensis, et Thomas electus archiepiscopus Eboracensis, (nam Gerardus tunc nuper ad eandem curiam tendens obierat) et omnes alii Anglie episcopi statuerunt in presentia eiusdem gloriosi regis Henrici, et assensu omnium baronum suorum. The passages in brackets are in E only.
b. (T) instituta.
c. HRC archidiaconis, presbiteris, diaconis, subdiaconis.
d. CHT) om.
e. T om.
f-f. S secularibus
g. JSHRC anno dominice Incarnationis MCVIII, CHT Wintonie
h. JSHRC transfer cum eo to k.
j-j. CHT Gerardus
k. v. h.
l. JSHRC omnesque
m. H presenta
n. JSHRC om.

Canon 1 o. EL om.
p. CH Statum
q. D adds et.
r. CH om.
s. H custi
t. EL viverent
u. EL haberent
v. CH consanguitate
w. D coniunctas
x. HLHRC om.
y. CH sancte Nicene
z. CH definiunt

Canon 2 a. He om.
b. L om. CH consilii
c. CHTR tenuerint
d. CHTR duxerint
e-e. CHT si elegerint in sacris ordinibus remanere iurent quod cum ei(s) carnale

commercium non habeba(n)t amplius.
Statutum est etiam ut predicte fe ine
(in domos eorum vel ipsi in domos earum
non intrent, sed neque) in(aliqua)domo...
The passages in brackets are found only
in T.

f. JSMC missas
g. EL vellent
h. EL facerent
j. JS sic faciet MC sic faciant
k. L domus
l. EL intrarent
m. D domo aliqua
n. EL convenirent
o. S huiuscemodi R huius
p. EL habitarent
q. JSMC eas
r. EL oporteret
s. JSMC om. In R added in another hand.
t. EL colloquerentur
Canon 3 u. MC vel
v. L om.
w. EL esset
x. D om.
y. EL violasset GHT transierit
z. EL purgaret
a. JSMRC iiii
b. JSMRC ii
c. EL esset
d. DT cum
e. EL deficeret
f. GH statui
g. EL iudicaretur
Canon 4 h. EL preeligerent
j. GHT uxoribus
k-k. GHT om.
l. He reprivati
m. GH hortum
n. EL ponerentur
o. MRC nunciati R later corrected to pronunciati
p-p. GHT om.
q. JSMxC om. Added later in R
r. EL relinqueret
s. EL presumeret
t. EL neglegeret
u. JSMRC octava
v. EL excommunicaretur
Canon 5 w-w. D omnes archidiacones et omnes
x. E archidiacones

y. EL complectebatur
a. EL tam
b-b. GHT abiurandis uxoribus
c. EL quam
d. L om.
e. GHT eorum
f. EL fuissent
g. EL furarent
h. EL add insuper G-T add etiam
j. EL acciperent
k. GHT sed neque ullo modo
l. EL tolerarent
m-m. GHT uxoratos
n. EL vellent
o. D habere feminas
p. J MRC add mianam
q-q. JSLRC om.
r-r. GHL Quod ipsi non dissimulabunt per archidiaconatus (EL -atos) suos nec inquirere et fideliter episcopis suis renuntiabunt et attente et fideliter de exequenda huius rei vindicta episcopos suos adiuvabunt
s. L audirent
t. EL inquirerent
u-u. JSLRC Similiter decani faciant
v. L diaconi
w. D hec omnia eadem per omnia, de hec omnia eodem
x. EL iurarent
y. M vitare
z. EL nollet
a. M decanatum R diaconatum
b. JSLRC om.
c. EL perderet

Canon 6

d. S mulieribus GHT uxoribus D transfere mulieribus to f.
e. GHT ordinibus
f. See d.
g. EL eligerent D eleri t MRC elegerunt
h. EL add vero transgressione prefati concilii
j. GHT om.
k. EL haberent
l. JS add hoc
m. EL esset
n. S TJSLRC end here

Canon 7

o. EL add vero
p. Ig m.
q. D om.
r. E traderentur

3. The Council held by John of Crema as legate, 2 September, 1125.

Printed: Wilkins i 406-9; JoW pp. 20-2 (from A); SD ii 278-81 (from B); Lib.Eland. pp. 49-51 (from C1).

Manuscripts: A. The various versions of the Chronicle of John of Worcester, clearly presented in Weaver's edition.

B. The Historia Regum, associated with the name of Symeon of Durham, which virtually exists in only one early manuscript.

C. Texts not incorporated in chronicles:

i. The Liber Landavensis

ii. Hereford Cathedr L, Dean and Chapter: P. O 2 vii

iii. [illegible]

iv. London, Lambeth Palace MS 351

v. Oxford, St. John's College MS 125

'Symeon' is distinct from John of Worcester not merely in a number of cases where his text agrees with that of several independent witnesses against John, but also in the possession of a dating clause, which may be compared with that preceding the acts of, e.g. 1075, 1076, 1102 and 1108, and in one peculiar variant noted below. Inherent likelihood, as well as the evidence of its readings, makes it clear that the text in the Liber Landavensis is independent of that in either chronicle. Less clearly, but still very probably, it appears that none of the other four MSS is dependent either on a chronicle text or any one of the others, for there is no consistent agreement in the variations they preserve. It seems then that there are seven apparently independent versions of this council which can be supposed current in the twelfth century, a larger number than can be established for any other council of the reign.

Variations. The prologue found in John of Worcester is found in more or less similar form in 'Symeon'; it is not found in the indepe dent MSS. Of these the Llandaff text does have a rubric, including what I have earlier suggested to be an inaccurate reference to the proceedings of Urban of Llandaff there.[1]

John of Worcester alone includes a last line

' Placet vobis? Placet. Placet vobis?
Placet. Placet vobis? Placet. '

It seems very probable that this was the formal authentication by the fathers of their own acts. It is not I think clear whether its incorporation in John's text means that it existed in other exemplars, but that he alone pre served it, or that it was in the copy from which he worked but not in the others.

The only variation between the manuscripts in the body of the canons which is not one of spelling or word order is that which separates 'Symeon' from the rest in canon 4, where he reads:

' Nullus abbas, nullus prior, nullus omnino monachus vel clericus ecclesiam sive decimam seu quelibet beneficia ecclesiastica de dono vel manu laici sine proprii episcopi auctoritate et assensu suscipiat .. '

Since this reading is unsupported it may well be a mere slip.

Special features: The large number of early independent texts makes this council important in assessing the extent to which the canons of such a council existed in an 'official' form. When one finds, as here, that there is only a very slight area of verbal disagreement in copies made as far apart as Llandaff and Durham I think one is entitled to draw some conclusions. Such a similarity supposes the existence of a

large number of almost identical exemplars. These cannot have been produced by the bishop or his clerks working up in their scriptoria notes taken down at the Council. At its close an authentic text was circulated, from which the surviving copies were made. It is tempting to suppose that Cambs. St. John's College MS 236 is just such an authentic text prepared after Lanfranc's council in 1075.[1] A merit unique to the Llandaff version is that it is accompanied by the writ of summons for Urban, commanding his presence with the archdeacons, abbots and priors of his diocese.

1. Studia Gratiana Vol. XII (1967) pp 44, 57.
This hypothesis explains the existence of such a copy - very close to an original with autograph signa, and written by one of the archbishop's chaplains - very conveniently.

4. The Council of Westminster, 13 May 1127.

Printed: Wilkins i 410-1; JoW pp. 23-5 from A.

Manuscripts: A. The Chronicle of John of Worcester as edited by Weaver.

B. Three independent MSS:

i. Cambridge, Corpus Christi College MS 19, which Ker (Medieval Libraries 2nd. ed.) attributes to Christchurch.(Co)

ii. The Hereford Collection (v. sup. p.) (He)

iii. BM Royal MS 10 A viii (mutilated). (Ro)

None of the three independent MSS appears to depend on the Worcester chronicle from which they share eleven differences. He and Ro however appear to have a common origin, if one is not a copy of the other, for there is only one trifling transposition to separate them and they have six readings peculiar to themselves. It appears that Co, the Canterbury MS, is the best authority we have for the council, since it has only one idiosyncratic reading, ' servicio ' for ' iudicio ' in c. 6, elsewhere agreeing either with JoW against He and Ro or vice versa.

Variations: The only difference between the MSS which affects the sense is that He and Ro omit ' ordine ' in c. 5. As four of the six variations peculiar to these MSS are omissions this is probably mere error.

Special features: In Co the last canon is directly followed by the king's writ confirming the proceedings of the council and ordering its observance (EHR LXXII (1957) p. 69 n. 5, RG 1476). There is good reason to believe that this conjunction was not the work of the compiler of this MS but existed also in the exemplar from which John of Worcester worked, for although

he does not include it he ends his account with a paragraph which is apparently based upon it - :

> Rex igitur cum inter hec Lundonie moraretur,
> auditis concilii gestis, assensum prebuit;
> auctoritate regia et potestate concessit
> et confirmavit statuta concilii a Willelmo
> Cantuariensi archiepiscopo et sancte Romane
> ecclesie legato apud Westmonasterium celebrati.

The words underlined appear in the royal writ which is dated at London and attested by the bishop of Salisbury and the earl of Chester. Since JoW and Co preserve independent texts of the canons it seems very likely that the royal writ was appended to those 'official' exemplars for whose existence I argued when discussing the council of 1125.

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		P. i. 3
London, British Museum:	Additional	6159
		29436
		35296
		40008
		47677
		49366
	Add. Charter	20161
		44694
	Campbell Charters	XII. 1 and 2
	Cotton Tiberius	A.ix
		C.i
	Claudius	A.i
		A.viii
		D.x
	Vitellius	D.ix

1. With some noted exceptions this is throughout a bibliography of material cited, not consulted.

London, British Museum:	Cotton	Vespasian	A.xxii
			B.xxiv
			E.iv
			E.xvii
			E.xx
			E.xxv
		Titus	A.xiii
			A.xxvii
		Domition	A.x
		Cleopatra	B.i[1]
		Faustina	A.iv
			B.v
			C.i
		Appendix	xxi
		Roll	XIII.18
	Egerton		3031
	Harley		662
			1708
			2110
			3650
			3868
			4757
			6974
	Landsdowne		448
	Loans		30
	Royal		6. A. xi
			8. E. ix
			11. B. ix
	Topham Charter		3
College of Arms:		Arundel	28
Lambeth Palace:			42
			59
			171
			1212

1. There are no significant omissions from this [illegible] in the earlier portion of the life of Gilbert of Sempringham in Vol. VI (ii).

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