



Chapter 4

Ecclesiastical Powers and the Augustinian Canons

The popular view of monasteries, that they were worlds unto themselves, silent in all things but prayer, with isolated men or women walking with heads bowed in ceaseless religious observance, bears little resemblance to the real monastic experience in the medieval world, as any scholar knows. The ties that bound them to their communities were strong, and the expectations placed upon monks and canons regular were many. Far from mere religious men, the Augustinian canons were not only active in the economic life of their respective towns, but they were also enmeshed in the fabric of the church affairs of their diocese as well. The canons in Worcester diocese were no different in this, and their interactions with the bishops of Worcester, the archbishops of Canterbury and York, other monastic establishments in England and abroad, and the papacy, are woven into the historical records so as to present the historian with a vivid and diverse picture of medieval monastic life.

Many records reveal the nature of the interactions of the canons with the ecclesiastical powers in their diocese. Worcester has the happy circumstance of having excellent extant bishops' registers, the tomes that record the deeds of the bishops. Complete, including the records *sede vacante*, from the time of Godfrey Giffard (1268-1301) throughout the entire medieval period and beyond, this body of information affords

great insights into the administration of the diocese, and specifically for this study, how the bishops interacted with the religious in their diocese.¹ Additionally, the many volumes of the *English Episcopal Acta* series complement the bishops' registers, and the diocese of Worcester has a volume that immediately predates the surviving registers, covering the years 1218-1268. While not always thrilling, and often remarkably mundane, the records of the bishops provide a tremendous supplement to the rolls of the crown, the cartulary evidence available, and the papal registers of the time, all of which will be drawn upon in this section of the thesis. The end result is that it can be known with some clarity how the Augustinian canons functioned within the ecclesiastical structure of late medieval England and in the diocese of Worcester in particular.

Specific references to the regular canons are numerous in the episcopal and papal registers and reveal the many ways in which the bishops and popes were involved with the monasteries. While previous studies were primarily interested in retelling key events in the lives of the religious houses,² this portion of the thesis will examine the available evidence to seek further to understand the nature and tenor of the ongoing relationship between the ecclesiastical powers – specifically the bishops of Worcester and the popes – and the houses of Augustinian canons in Worcester diocese in the later Middle Ages. It is here contended that while the monasteries were essentially autonomous, functioning most of the time without hindrance or direct external oversight, the canons were connected at many levels with the ecclesiastical structure of the English and Roman Church. At elections and visitations the bishops exerted perhaps the most direct influence over the canons. At other times as well, however, the paths of the monasteries and the bishops

¹ See David M Smith, *Guide to Bishops Registers of England and Wales* (London: Offices of the Royal Historical Society), 1981, for a catalog of these registers and their locations.

² Particularly the *VCH*, which draws most of its information from the visitation records.

crossed. The canons were called upon to settle disputes, thus aiding in the ecclesiastical courts of the day, and were also drawn into conflict between church powers for their actions. They were called upon to collect tithes and taxes levied by Rome or the crown and complete religious and parochial duties for the bishops. On top of this, the papacy was involved with the lives of convents and individual canons in the diocese, employing the canons in the courts of the Apostolic See as well as granting many privileges to individual canons and monasteries corporately. Taken together, the evidence suggests that the canons were, along with other monasteries in the diocese, active and important members in the ecclesiastical communities of their day.

The Bishops of Worcester and the Augustinian Canons

Elections of Heads of Augustinian Houses

One regular point of contact between the bishops and the monasteries occurred during the election of the head of a religious house.³ The election of a new abbot or prior was a momentous occasion in any monastery. A new abbot or prior was generally elected only when the predecessor died, became infirm, or was removed for ineffectiveness or contumacy. In all cases the process of the election involved many steps and required the approval of numerous persons, including but not limited to the chapter, the patron, the diocesan bishop, and the king. While neither the Patent Rolls nor the registers of the bishops are exhaustive in their records of the elections of the heads of religious houses, both sources can be used to piece together the processes for appointing a new abbot or

³ See Marion Gibbs and Jane Lang, *Bishops and Reform, 1215-1272* (London: Oxford University Press, 1962), for a discussion of the bishops' attempts to enforce Lateran IV in the thirteenth century.

prior and the nature of the interactions between the houses and the diocesan.⁴ The episcopal registers of Worcester diocese contain several significant entries detailing the election process and the challenges that sometimes accompanied the election of a new prior or abbot.

Though on occasion, and in particular for the smaller houses in the diocese, the election or appointment of a prior to a monastery was simply recorded in a bishop's register as an event that occurred, often with very little, if any, comment, there were times where the bishops' registers provide insight into the unusual circumstances that surrounded the departure of one prior or abbot and the installation of his successor. Bishop Giffard's register noted, for example, that in 1284 William de Bereford was to assume the responsibilities of the prior of Warwick St. Sepulchre, since the previous prior had retired without reasonable cause.⁵ Later in the same year William was named prior.⁶ An example of a typical record of election can be found in the register of Wolstan de Bransford, who recorded the election of Peter Warwick on 17 June 1349, as prior of the priory of St. Sepulchre Warwick, 'on the (re)moval of William de Witton'.⁷ Another, more detailed entry for the same election can be found in the same register. It confirms the election and the examination of witnesses, giving some detail into the public nature of

⁴ See *HRH* for comprehensive lists of those that were elected and where the records for their oversight can be found. See also Martin Heale, 'Not a Thing for a Stranger to Enter Upon: the Selection of Monastic Superiors in Late Medieval and Tudor England', in *Monasteries and Societies in the British Isles in the Later Middle Ages*, ed. by Janet Burton and Karen Stöber (Woodbridge, Rochester: Boydell, 2008), pp. 51-70.

⁵ *Reg Giffard*, p. 246. He is listed in *MA*, vol. vi, p. 602, as becoming prior at this time. He was also recorded as having been attacked by the other brothers and locked up in 1280. He had been given papers for the removal of the prior when he was to take over, but they had apparently not been executed. *Reg. Giffard* p. 126.

⁶ *Ibid.*, p. 250.

⁷ *Reg Bransford*, p. 429. *HRH*, vol. ii, p. 481.

the process.⁸ The same house chose John Stunford as the new prior on the death of the aforesaid Peter in 1402, as recorded in the register of Bishop Clifford.⁹ This election is notable because of the absence of Bishop Clifford, who appointed William Forster, his commissary general, to examine the election.¹⁰ No further information is available for these elections, and the process as recorded seems simple enough.

Likewise, the very small priory of Dodford has a few entries in the bishops' registers concerning elections. The register of Henry Wakefield records that a letter was written to William Pole appointing him to be prior. The entry states that the canons had requested the bishop to make a provision to the vacant post.¹¹ The *sede vacante* register records an appointment to Dodford, as above, 'on behalf of the canons', so as to avoid the inconvenience of a long vacancy, since there was no way or form of election in the priory.¹² Dodford also had an appointment noted without comment in Godfrey Giffard's register.¹³ These houses were among the smallest in the diocese, and none of the entries in the bishops' registers provides any insight into the nature of the election of a prior. From these instances alone, the case could be made that the bishop more often than not appointed a new prior for the monasteries, and that the bishop and the priories were in agreement with the process and decisions of the bishops. Episcopal appointment was rarely the case, however, as the right freely to elect a prior was one that was strictly

⁸ *Ibid.*, pp. 351-2. See the discussion on the elections at St. Augustine's Bristol below.

⁹ *Reg Clifford*, no. 158. *HRH*, vol. ii, p. 481. Peter had the remarkable tenure of 53 years as prior.

¹⁰ The calendar of the register records that William was to examine those who may be opposed and report back to the bishop all that he discovered and whether he approved of the appointment or not. The entire transcript of the correspondence is printed in the appendix to Clifford's register. *Reg. Clifford*, no. 158 and App. 6.

¹¹ *Reg Wakefield*, p. 23.

¹² *Reg SV*, p. 209. The entry records that two canons came to request, one of whom was the appointee, Thomas Doul, though this entry seems to imply that there are other canons in the house. It is in this case instructive since it was known to be a very small priory, one that was later combined with the Premonstratensian house of Halesowen because of its small size and poverty.

¹³ *Reg Giffard*, p. 385.

guarded by the monasteries. In Worcester diocese, that right was on occasion at least surrendered to the bishop, who would appoint a prior to a small monastery when asked.

Like the smaller houses of the diocese, some larger monasteries carried out the election of a new prior with little fanfare. Most notably, the priory of Lanthony by Gloucester, one of the largest and most influential monasteries in the diocese, elected Walter Martley as their new prior in 1283. He was appointed and installed without any comment in the register. No process of election or inspection is recorded for this election.¹⁴ It is also important to note that some elections, even for the larger houses, are not noted at all in the registers, which seems surprising given the importance that the abbot or prior of a large monastery could have on the local ecclesiastical climate as well as the interactions between the local landowners and the church. One simple example is the election of Henry Hampnett to the abbacy of Cirencester in 1281. His election and appointment are not recorded in either the Patent Rolls or in Giffard's register. This serves as a keen reminder that the extant records for the monasteries and bishops are episodic and not exhaustive.¹⁵ While most of the records for the elections of heads of minor religious houses were recorded without comment, it seems that, with some frequency, the election of the heads of larger houses carried with them more significance, and a longer process was involved and recorded by the bishops in their registers.

Several helpful records of the elections of priors and abbots have been preserved in various sources. Two lengthy descriptions of the process of election are conveyed in

¹⁴ *Reg Giffard*, p. 174, 175.

¹⁵ It is beyond the scope of this study to research statistically the precise recording of the elections of heads of monastic houses, and in how many of them the bishops actually intervened. Such information would be instructive in building a strong case for positive or negative interaction between the canons and the bishops on elections on a broader scale. A. K. B. Evans, writing on Cirencester Abbey, has a list of all the abbots, and of them, only the election of Adam de Brokenburgh (see below) is recorded in the registers of the bishops, and that in the *sede vacante*. There were 19 abbots elected after 1268, the year in which the extant registers begin. Evans, 'Heyday', pp. 136-138.

the register *sede vacante*. In them, the process necessary to elect a new abbot¹⁶ as well as the actions taken by the prior of the cathedral chapter, who was acting as diocesan for the vacant see of Worcester, can be identified.¹⁷ Additionally, one election each is detailed in the registers of Wolstan de Bransford and Adam Orleton, and an interesting record of discord appears in the papal registers of 1456. These registers add considerable information to the bare record of the same events as recorded in the Patent Rolls. The information recorded concerning elections in the Patent Rolls typically contained three entries: the notification that the abbot had died and that the crown had given license to elect, notification that a new abbot had been elected, and notification that the temporalities had been restored to the abbey.¹⁸ The common entries in the calendars give little real information as to the actual process of election. Here the registers contribute greatly to knowledge of the process and some of the challenges during elections. They also on occasion reveal the attitudes of the participants and help shed light on the nature of the relationships between regulars and the diocesan.

In 1307 the abbey of St. Mary in Cirencester undertook the election of a new abbot on the death of Henry de Hampnett, who had served as abbot from 1281 to 1307.¹⁹ The canons gathered a week after the feast of All Souls, St. Brice's day, one week after the interment of the former abbot.²⁰ The register records that all members of the community who 'ought, would and could be present' were together in their chapter, and

¹⁶ The two houses in these instances were abbeys.

¹⁷ It should be noted that a significant amount of conflict and resistance greeted the priors when they acted during a vacancy. From the examples that will follow, it can be seen that the priories seemed to treat the prior with much less respect than the bishops themselves.

¹⁸ *CPR*, Edw II, 1307-1313, pp. 12, 20 and 26.

¹⁹ *HRH*, vol. ii, pp. 159-60 and *Reg. SV*, p. 98.

²⁰ *CPR*, Edw II, 1307-1313, p. 12 indicates that he died on 6 November 1307. Interestingly, the register also records that on the same day, the feast of St. Brice in 1307, the proceedings for the election of Walter Reynolds, the next bishop of Worcester, also took place. See *Reg SV*, p. 103.

that those under ‘excommunication, suspension or interdict’ were to stay away.²¹ The register records that the canons agreed on the method of election, that of scrutiny. Election by scrutiny was a system of investigation that included a private vote whereby every eligible member cast one vote and could not vote for themselves.²² Three canons were chosen as scrutators, presumably those who would inquire of the candidate, and another was chosen to compare the votes. The canons voted, and the almoner, who had been given the responsibility of reporting the votes, reported that the ‘greater and wiser part of the canons’ had elected Adam de Brokenebarwe (Brokenborough) to be the next abbot.²³ Adam assented to the election and the crown approved of the appointment. An entry in the Patent Rolls on 23 November 1307 records the election.²⁴

After the election made by the canons, the prior and convent wrote a letter to the bishop, or in this case prior of Worcester, requesting confirmation. The letter details the process in minutia, and is attested by no less than 18 canons and officials of the house.²⁵ The results of the election were that 20 of the 40 canons voted for Adam de Brokenborough, and that after the publishing of the scrutiny, three canons changed their votes publicly in favor of Adam.²⁶ Thus, Adam was the majority selection by the canons. Adam was then presented to the prior at Worcester Cathedral, and his confirmation as

²¹ *Reg SV*, p. 98.

²² Scrutiny is an old practice, and is used for promotion to holy orders. St. Cyprian, ca. 258, refers to such a practice, and the council of Nicea seems to presuppose this is happening. See William Fanning, ‘Scrutiny’, *The Catholic Encyclopedia*, vol. xiii (New York: Robert Appleton Company, 1912) <<http://www.newadvent.org/cathen/13641a.htm>>. Interestingly, Pope Gregory XV declared in his bull ‘Aeterni Patris’ of 1621, that scrutiny should be the normal method of election for all popes after him. See Michael Ott, ‘Pope Gregory XV’, *The Catholic Encyclopedia*, vol. vii (New York: Robert Appleton Company, 1910) 27 Jan. 2009 <<http://www.newadvent.org/cathen/07004b.htm>>.

²³ *Reg SV*, p. 99.

²⁴ *CPR*, Edw II, 1307-1313, p. 20.

²⁵ *Reg SV*, p. 100.

²⁶ *Ibid*, pp. 100-101.

abbot was requested.²⁷ When the abbot-elect was presented and the attestation of the witnesses was made public, the prior of the cathedral called for any who might wish to speak against the abbot-elect to come forward. In this instance no one spoke up and the election proceeded on as usual. Here the register again repeats the details of the election, adding only sporadic new bits of information and detail that need not concern us.

The most interesting statement in the register, and the one that separates this record from others similar to it, is a statement of the prior of Worcester: 'Whereas the power of electing, making, or providing an abbot to the monastery of Cyrencester belongs to him, he declares the aforesaid election to be invalid and void.'²⁸ This statement seems to be a shocking brandishing of power on the part of the prior of Worcester. This is not without precedent, for as A. H. Sweet demonstrates, a similar situation took place in the diocese of York under Walter Giffard.²⁹ The records of diocese of Worcester, however, have no other election document making such a claim. But here, the prior of Worcester asserts his right to appoint. The telltale sign that this might be nothing more than an assertion of power for the sake of such assertion comes when the register goes on to record that 'after considering the matter with certain prudent men, and understanding that the said Adam... is a discreet man, esteemed for his learning... the

²⁷ Ibid. This entry in the register is dated 3 December 1307.

²⁸ *Reg SV*, p. 102. Note that *VCH*, Worc, vol. ii, p. 81, states that this was 'probably owing to some informality in the proceedings.' This is an interesting statement since it is offered without support and seems to be in direct opposition to what is actually recorded in the register. This author would owe it more to the recent power play of the abbey in opposing visitation by the prior of Worcester in 1301 and 1307, and even claiming exemption in 1313. It is clear that they did not take kindly to being visited by the priors of Worcester.

²⁹ A. H. Sweet, 'The English Benedictines and Their Bishops in the Thirteenth Century', *American Historical Review*, 26 (1919), 565-577. Sweet also notes a time when Robert Grosseteste denied the election of a house because of old age, physical defects and other maladies of the elected man.

said prior makes and provides him abbot of said monastery'.³⁰ The prior then wrote to the king requesting him to show such favor to Adam, 'as has been accustomed to be shown his predecessors'.³¹ Spiritualities were then restored to Adam on 3 December 1307, and he was granted the right to receive benediction from any bishop in the province of Canterbury.³² Temporalities were restored approximately a fortnight after, on 14 December 1307.³³ With the singular exception of the interference of the prior of Worcester, the election came off smoothly, with little strife it would seem.

A similar election, reported in even greater detail, is recorded in the *sede vacante* register for the house of St. Augustine's Bristol in the year 1353.³⁴ The records in the *sede vacante* register for St. Augustine's for the election of Abbot William Cok bear a similar resemblance to those for Cirencester. A request for election was first made to the patron, in this case Phillippa, Queen of England. The canons then proceeded with the election by scrutiny, the scrutators taking the votes of all members of the house, seventeen in all.³⁵ A vote of nine to eight in favor of Brother William earned him the approval of all the community. The testimony of the register then reveals some of the religious customs of the house. The canons, upon agreeing to their choice for the next abbot, hoisted the elect up into the air and placed him upon the altar of the conventual church, while singing *Te Deum laudamus*.³⁶ This is noted as the custom of the monastery. Immediately afterward, the election was published 'in English' to the clergy and the

³⁰ *Reg SV*, p. 102. This is the same outcome noted by Sweet, the bishop (or in this case prior of Worcester) disallowed the election, then appointed the same man.

³¹ *Ibid.*

³² *Ibid.*, pp.102-3.

³³ *CPR*, Edw II, 1307-13, p. 26.

³⁴ *Reg SV*, pp. 193-4.

³⁵ *Reg SV*, pp. 193-4.

³⁶ *Ibid.* p.194. The account for the election of the abbot of Cirencester stated that they too lifted the elect into the air and carried him to the altar, though they sang 'an English hymn'. *Ibid.*, p. 101.

people (of Bristol?).³⁷ The next day, the election was made known to the proctor of the abbey, who agreed with the vote and elected the same.

Where this account diverges from the description of the process at Cirencester is the detailed record of the examination of the witnesses to the election. Where the Cirencester election references how the witnesses recounted the election story, the examination of the witnesses at St. Augustine's spans more than three pages in the *sede vacante* register. It begins with a copious account of the election process, 17 articles with details from the time of the death of Ralph de Assche, the former abbot, through the election of William Cok. These essentially recount the previous entries in the register, but add some details pertaining to his ordination in orders and legitimate birth.³⁸ The register then explains the process of bringing forth and examining witnesses to the said articles. In all, nine men were called as witnesses to the published articles of election. The first four were all canons of the monastery who gave testimony to the published articles, to most of which they were eyewitnesses.³⁹ Interestingly, after the canons gave their testimony, three laymen from Bristol, William Hail, a burgess, John atte Heyhorne and Sir John de Beochomp, gave their own testimony to the age of William, the legitimacy of his birth and his status as a free man in the town of Bristol.⁴⁰ Following these proceedings, the prior, as in the election of the abbot of Cirencester, sought out any co-elect or those who opposed the election, and finding none, proceeded with the induction.⁴¹ The definitive sentence was then granted by the prior of Worcester, without

³⁷ *Reg SV*, p. 194.

³⁸ *Ibid.*, p. 195.

³⁹ *Ibid.*, pp. 196-7. The record indicates one canon giving assent to articles 18, 19, 20 and 21, which do not appear, either in the published record or the manuscript. See *ibid.* n.l.

⁴⁰ *Ibid.*, p. 197.

⁴¹ *Ibid.*, p. 198. One co-elect had to be sought out in Cirencester, who gave his vote for the eventual abbot. See *Ibid.*, p. 102.

comment, and the installation of the abbot moved forward, confirmation from Queen Philippa, the patron, being sought.⁴²

Adam Orleton also recorded the election of an abbot at the monastery of St. Augustine's Bristol. In this instance, the election was done canonically and was not opposed by any, thus making it an example of a smooth and presumably 'normal' election. The only noteworthy feature of the election was the external witnesses who participated. Several rectors of churches and deans of neighboring dioceses appeared to bear witness to the election.⁴³ It also detailed the oath taken by the abbot, which emphasized the obedience to the bishop and his successors, and to the mandates of the church of Worcester.⁴⁴ This entry clearly demonstrates how connected the abbey was to the town, as the abbot-elect was dependent upon the testimony of secular clergy of the region for his election. Though it does not demonstrate the precise relationships the canons had with the secular clergy, it does reveal that they were known men who had a reputation, for good or ill, with those outside the walls of the monastery.

An election recorded in the register of Wolstan de Bransford reveals a process similar to the others. In 1349 the priory of Studley elected John la Southe to be their new prior. Many of the events of the recorded election were the same as in the cases discussed above, though with less detail. The register does state that the examination of the witnesses and public declaration of the election were made, though specifics are wanting.⁴⁵ The striking feature regarding this election comes toward the end of the entry, where, as in the case of Cirencester, the election was voided at what seems to be the very

⁴² *Ibid.*, p. 198.

⁴³ *Reg Orleton*, pp. 108-109.

⁴⁴ *Ibid.*

⁴⁵ *Reg Bransford*, p. 353.

last minute, this time with the stated cause that the election ‘had not been canonically made in accordance with the constitution *Qua Propter*’.⁴⁶ Here again this declaration seems to be somewhat disingenuous and based upon a technicality, for though the bishop stripped the house of the right to elect and appointed himself *iure devoluto*, the same candidate, John la Southe, was chosen as prior.⁴⁷ Whatever the irregularity, it is clear from the record that there was no objection to the candidate, but that the bishops were very rigid in their enforcement of the canonically prescribed election process.

None of these elections seem to be too extraordinary, neither hotly contested nor strewn with controversy, yet the registers detail them quite closely, indicating the significance of such events for the life of the diocese. The records reveal that in general, and with only a very few exceptions, the relations between the canons and the bishop or their proxies in the case of vacancies were smooth when it came to elections. The right of the convents to elect freely was rarely impinged upon, even when opportunities arose due to errors on the part of the canons. In light of such apparent ease, one incident in particular stands in relief to the others as an excellent example of the problems that occasionally occurred during the election of a head of an Augustinian house.

The Calendar of Papal Registers records an account of collusion and discord between the abbey of St. Augustine’s Bristol and Bishop John Carpenter. The register of Calixtus III records, in an entry dated 19 November 1456, that the abbot of St. Augustine’s, Walter Newbury, had been wrongfully deposed.⁴⁸ Walter had been the abbot of the house for ‘about twenty-five years’ but ‘Bishop John (Carpenter), for certain fictitious and false causes, at the instigation, as is said, of a certain of the said Walter’s

⁴⁶ Ibid., pp. 353-4.

⁴⁷ Ibid., p. 354.

⁴⁸ See *CPL*, vol. XI, pp. 132-3.

enemies... deprived and removed Walter by a sentence, which was null, after which Walter was induced to cede the said rule and administration' to another canon.⁴⁹ The canon, Thomas Sutton, had been able to act as abbot for 'a number of years'. The register records that Thomas was granted the control of the house 'under pretext of an election made of him and of a confirmation by the said ordinary authority'.⁵⁰ The pope proceeded to record the steps taken to restore Walter, who had been imprisoned for several years, due apparently to the unjust charges made against him by Thomas and others.

Walter had, upon regaining his freedom, appealed to Thomas (Bourchier), archbishop of Canterbury.⁵¹ The archbishop restored Walter after an examination of the case, and placed him back as the abbot in corporal possession of the monastery. The precise motivation for Bishop John Carpenter's action remains unclear. The degree of his collusion with Thomas Sutton also is unrecorded in any known document. In this instance the apostolic see summoned several local ecclesiastical leaders to assure Walter's protection. The bishops of Winchester (William of Wayneflete), Hereford (John Stanberry) and the abbot of St. Mary's, Glastonbury (either Frome, More or Selwood), were ordered, 'if the facts be so and there be no canonical obstacle, to defend abbot Walter, not to allow him to be hindered from being able to enjoy in peace the rule of and administration' of St. Augustine's, and 'compelling obedience by ecclesiastical censure, deprivation... without appeal, and invoking if necessary the aid of the secular arm'.⁵²

The preceding account exemplifies the ways that the canons engaged directly in the structures of ecclesiastical power outside the monastic world in order to protect their

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Thomas Bourchier had been the bishop of Worcester immediately preceding John Carpenter, from 1434 to 1443. He had become the bishop of Ely in 1444, and was archbishop of Canterbury in 1454-1486.

⁵² *CPL*, vol. XI, pp. 132-3.

own interests. The canons, like all churchmen, had the right of appeal to the powers of the secular church, including the archbishop and the papacy directly, when the situation warranted. In the face of a collusive bishop, a deposed abbot could supersede his obedience to the diocesan and appeal directly to the See of Peter and the archiepiscopal see of Canterbury. On occasion, the higher authorities were the source of justice for the religious houses in the face of oppressive or collusive ordinaries, perhaps the only possible source.⁵³ It must be stated, however, that the exploitation of personal relationships must not be overlooked. In this instance, the relationship that the deposed Walter might have had with Archbishop Bouchier, who had been the bishop of Worcester immediately preceding Carpenter, may have been instrumental in the favorable resolution of this case. The recurring instances of monasteries and ecclesiastics exploiting their relationships with those in power for their own benefit highlight a significant element of medieval church life. To be connected to those in power very often meant a positive settlement for a dispute. Both monasteries and individual canons seemed to understand this political aspect of church life, and several of them exploited these connections frequently. Though little is known of the exact tenor of their relationship while Bouchier was diocesan, it is likely that Abbot Walter would have been well known to the then archbishop, making his appeal more likely than ever to resonate with the prelate.

As previously noted above, the elections of new abbots or priors were times when the monasteries necessarily interacted with the diocesan or his appointed official. Most often, though not always, the elections were completed without incident. However,

⁵³ Occasionally, as in the case of St. Oswald's Gloucester, inappropriate actions on the parts of the bishops and archbishops required the intervention of the crown on the side of regulars. See below, pp. 241-250.

election was only one of the many ways that the canons were connected with the ecclesiastical powers. The points of tension over the authority of the bishops in the monasteries manifested itself in other ways as well. The notorious cases of episcopal visitation were sources of contention for many houses, and the registers reveal in detail both the occasions for censure and the nature of the visitations themselves that often became such a source of anxiety for the monasteries.

Visitations of Monasteries

The responsibility for the spiritual well-being of the people in Worcester diocese, as in all dioceses, fell to the bishop. As bishop, his job was not only to oversee the parish churches and the priests serving at their altars, but also to make certain that the monasteries, friaries, hospitals, and other monastic and quasi-monastic institutions within his see were serving their appropriate function, which included among other things, that they were living up to their rule regarding divine worship, almsgiving, and appropriate discipline. The relationships between bishops and monasteries were always contentious on certain levels; the monks and canons swore obedience to their abbot or prior, the heads of religious houses made their profession, or swore obedience to, the bishops. But the exact relationship between a monastery and the episcopate was frequently ambiguous and somewhat tenuous. Just what was the role of the bishop in the governance of the monastery? When and how did the bishop exercise his influence over a monastic house?

While this study makes no attempt to assess the overall relationships between the religious houses of all types and the diocesan, it does bear on our study to address the relationship between the Augustinian canons and the bishops. A. H. Thompson asserts

that from the start, and by the very nature of their order, the canons regular were more in line with and submissive to the bishops than were the other monastic orders. 'From the beginning, so far as England was concerned, they submitted, more readily than the houses of other orders, to the jurisdictions of the diocesan bishops... Augustinian canons remained in subjection to the bishops.'⁵⁴ This comment is made specifically in light of the claim to exemption from visitation that the Cistercians, Carthusians, and Premonstratensians enjoyed, and the frequent attempts, often successful, that the Benedictines made to gain exemption and the privilege of being directly under the control of the papacy.⁵⁵ As Thompson notes, only two houses of Augustinian canons were ever granted exemption from visitation, Waltham and St. Botolph's Colchester.⁵⁶ Thompson claims that the initial reason for the order's close relations with and submission to the bishop was the parochial nature of its founding – that canons regular served at the altars of the churches in their possession, at least with some regularity. Thompson is clear to point out that this was probably never the general rule, and that the practice, if ever widespread, soon waned enough to make it the exception rather than the common practice.⁵⁷ However, there is evidence to suggest that after the great pestilence of 1349 and the recurring outbreaks of plague, the canons again resumed the practice of serving in churches appropriated to them when they were near to the monastery and when seculars were in short supply. Thompson sums up: 'Thus, while the parochial ministrations of canons regular were checked for a time, they were never wholly suppressed, even in face of the requirements of canon law. An Augustinian canon, in undertaking a cure of souls,

⁵⁴ Thompson, *Bolton Priory*, p. 9.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.* He does note that Leicester was granted this right under Abbot Repyngdon, although when he was named bishop of Lincoln the abbey reverted to its previous estate.

⁵⁷ See below, pp. 343-355, for a full discussion of this contentious issue.

might reasonably plead that... he was fulfilling the intentions of St. Austin himself, and that... those intentions had been sanctioned by the early promoters of twelfth-century canonries.⁵⁸ It may have been that early in the twelfth century, with the founding of many houses of canons, the bishops took favorably to the new order as an extension of the secular clergy or as some kind of hybrid between the monks and parish priests. Nonetheless, it is clear that by the later Middle Ages, the monastic character of the regular canons became the predominant trait of the Augustinian canons, and that any special place in the bishops' hearts seems wholly unapparent.

J. C. Dickinson also argues that the lack of exemption for the order lay in its status, stating that 'they were regarded as essentially part of the *ordo canonicus* which for centuries tradition had (been) regarded as essentially the charge of the local bishop'.⁵⁹ He goes on to state that 'regular canons, being generally assumed to be clerks, were inevitably regarded as part of the ordinary machinery of the Church, so were set apart from it only for some abnormal reason'.⁶⁰ Dickinson notes that at least in theory the canons were lumped with the secular clergy rather than the monks, though to the modern mind the reasons seem obscure.⁶¹ Regarding the observances of the Augustinian monasteries as well, Dickinson is comfortable stating that within the monasteries, 'supervision... seems to have been... for a long time... almost entirely from the local bishop as the ordinary of the house'.⁶² He is, however, clear to demonstrate that the

⁵⁸ Ibid., p. 19.

⁵⁹ Dickinson, *Origins*, p. 162.

⁶⁰ Ibid., p. 201.

⁶¹ Ibid. This same notion, the modern difficulty in distinguishing between monk and canon amid the apparent differentiation in the twelfth-century mind, is echoed in the work of Christopher Brooke, *Monastic World*, pp. 133-4, and 'Monk and Canon'.

⁶² Dickinson, *Origins*, p. 169.

diocesans were normally 'chary of the delicate task of legislating a mode of life' generally foreign to them.⁶³

These two primary scholars of the order leave us with an ambiguous picture of the roles of the bishops in Augustinian monasteries. While it is generally considered true that the order was in some way included in the sphere of influence of the bishop in a qualitatively different way from the Benedictines, it is not clear at all what role the bishops played in the monasteries on a regular basis. Little evidence exists to suggest that the bishops tried regularly to seize control of the monasteries or interfere directly in their operation. Rather, questions of authority and governance became most acute when the bishop took upon himself the responsibility of visitation of the convents in his diocese. On these occasions, the bishop and his entourage (which sometimes grew excessively large) would come and stay at a monastery and receive their hospitality. The bishop would also take the opportunity to observe the overall status of the monastery, occasionally preach in the church or in the chapter house, sit in on the chapter meetings and observe the discipline of the brothers and conduct of the superior. Frequently, the bishop would then meet with individual canons and take complaints about the abbot or prior and take action appropriately. In short, it was a general inspection in which all were susceptible to rebuke, correction, and discipline. As one author puts it: 'Visitations were not formalities perfunctorily performed, they were thoroughgoing attempts to ascertain whether the life of the community visited was in accordance with the precepts of the Church and the monastic rule, and whether its affairs, temporal as well as spiritual, were

⁶³ Ibid.

in satisfactory condition.⁶⁴ It is small wonder that the visitations carried out by the bishops, in Worcester diocese and across Christendom, were times of great stress for monasteries. The visitations were costly for the monasteries that were bound to provide hospitality and liable to end up receiving the rebuke of the diocesan.

The registers of the diocese indicate that varying bishops exercised their right to visitation to differing degrees. Between ca. 1268 and 1485, there were 23 bishops of Worcester. Of the eight bishops' registers readily available, which cover most of the fourteenth and the beginning of the fifteenth century, only four of them offer any evidence that the bishops ever attempted visitation. The registers of Godfrey Giffard, Thomas de Cobham, Wolstan de Bransford and Henry Wakefield all have records of visitation of the houses of Augustinian canons. The records for Bishops Geynesburgh, Reynolds, Orleton, and Clifford do not show any clear indication that they ever visited the houses of canons in their diocese. Of the four that do have records of visitation, only Giffard's reveals that he visited the houses on more than one occasion.⁶⁵ Giffard visited the houses of Cirencester, St. Augustine's Bristol, and Studley six times each, the small house of Horsley five times. Lanthony and St. Sepulchre received Giffard on three occasions, and Dodford and even Kenilworth received the bishop once each.⁶⁶ The other registers reveal that the other bishops in question are likely to have made only one

⁶⁴ Sweet, 'English Benedictines', p. 569. See also C. R. Cheney, *Episcopal Visitation of Monasteries in the Thirteenth Century* (Manchester: Manchester University Press, 1983) for a thorough discussion of the practices of visitation.

⁶⁵ Sweet notes that Giffard's register has the largest number of monastic visitations for any register in the thirteenth century. See Sweet, 'English Benedictines', p. 569, n. 28.

⁶⁶ This is the data as recorded in the tables published in *Reg Giffard*, p. xciii. My own study of the published register reveals slightly different numbers, though very nearly the same figures. It is possible that Bund, in his publishing counted all the times that the bishop indicated his intention to visit as a visitation, assuming that he in fact did so. Kenilworth is an interesting case, since it is not actually in Worcester diocese, though it held lands and several churches in the diocese. St. Oswald's never received visitation from the bishops of Worcester since they were a royal free chapel, a status that brought much difficulty for the bishops and the canons.

visitation of the monasteries, and even then they did not visit all the monasteries, or at least those visits are not recorded in their registers.

The existence of the registers of the priors of Llanthony from the late fifteenth and early sixteenth centuries offers more evidence that the bishops continued the practice of visitation until the very end of the medieval period. Records of Silvestro de Gigli's summons to visitation exist in the register of the priors for the years 1503,⁶⁷ 1507,⁶⁸ 1510,⁶⁹ and 1513.⁷⁰ In both 1503 and 1513 a vicar general of the bishop is said to have undertaken the visitation, while in 1507 and 1510 the citations were for either the bishop or his commissary to visit. Additionally, the register records the citation to a visitation by one John Bell, the vicar general of Giulio de' Medici, the perpetual administrator of the see of Worcester in 1521.⁷¹ And, perhaps most ominous for those who know the history of the order and its ending, is the record in the register of the citation to visitation by Cardinal Wolsey in 1524/5. In the citation, the cardinal reports that he is

reliably informed that, as recent priors of Llanthony have relaxed the rule, members of the community have put aside the fear of God and, in both areas of dress and in conduct, are behaving less honourably than they should to the ruin of their souls, the horror of the church, the disgrace of their order, the dishonour of clerks and the derogation and scandal of all.⁷²

He goes on to cite the canons to have their foundation charter, the grants of their chantries, benefices, appropriations and privileges, and inventories of all their goods, both movable and immovable, sent to Wolsey's registrar.⁷³ Such injunctions, while perhaps more severe to the ears of scholars today, who know the demise of the monastic

⁶⁷ *Reg Llanthony*, p. 68.

⁶⁸ *Ibid.*, p. 69

⁶⁹ *Ibid.*, p. 78.

⁷⁰ *Ibid.*, p. 110.

⁷¹ *Ibid.*, p. 163. The note on the same page states that he oversaw the diocese in lieu of a bishopric from 1521 to 1526 and was named pope as Clement VII in 1523.

⁷² *Ibid.*, pp. 184-5.

⁷³ *Ibid.*

estate in England only ten years on, were not, as will be demonstrated below, uncommon in the registers of the medieval bishops.

Most of the visitations receive only passing reference in the registers, the visits recorded simply by an entry in the register that the visitation took place. On other occasions a little more detail is given. In the register of Wolstan de Bransford, for instance, an entry dated 19 May 1340 tells that he stayed at the house of St. Augustine's Bristol for two days.⁷⁴ Another entry relates that Wolstan visited Cirencester on 28-29 May 1340. The register reveals that he made corrections, though it does not mention any details of said corrections, and it records that he received procurations in food and drink.⁷⁵ Similarly, the same register tells that he made visitation of Warwick St. Sepulchre on 12 June 1339, and received a procuracy of four marks.⁷⁶ Bishop Giffard's register discloses that on a visit to Lanthony Priory in 1290 the bishop visited, preached and stayed two nights at the cost of the house and one night at his own expense.⁷⁷ One entry in Giffard's register reveals that the house of St. Augustine's Bristol was in fine order, except that the abbot lived in his own manor outside the convent 'with his canon', and that Bogo de Clare had seized a church worth £100 annually to the monastery, which was contributing to the debt of £300 the abbey faced.⁷⁸

On the occasions where the bishops felt it necessary to commit to writing the corrections they made for the specific houses of canons, some of the most interesting reading material on conventual life in the Middle Ages results. It must be stated, and

⁷⁴ *Reg Bransford*, p 31. This is probably the visitation that prompted the lengthy upbraiding of the monastery in his register, which is an undated entry.

⁷⁵ *Ibid.*, p. 29.

⁷⁶ *Ibid.*, p. 23.

⁷⁷ *Reg Giffard*, p. 381. The number of nights the bishop paid for his own boarding is frequently noted in entries that relate the length of a stay.

⁷⁸ *Ibid.*, p. 233.

cannot be stated strongly enough, that the records of the shortcomings of the monasteries cannot be taken as 'normal' conduct in medieval monastic communities. Notwithstanding that these are inspections, much akin to an accreditation visit for schools and colleges today, and that the reprimands leveled against the convents were likely fair and true, they do not relate anything positive about the visits. Only the things needing correction are revealed, and praise is, as one might expect with communities who at least ideologically favored humility, austerity, and simplicity, given out only very sparingly. The silence recorded in the vast majority of visitations should be enough to counter-balance the negativity of the lengthy visitation records that are extant.

On the interpretation of visitation documents much work has been done. As one scholar notes:

Of the visitations of which there is record in the Episcopal registers, an overwhelming proportion are simply mentioned as taking place; no decrees of reformation... are given. This is not conclusive evidence that in the course of such a visitation the bishop found no need of giving directions aimed at improving conditions. Such directions may have been given and not recorded in the register. The presumption would seem to be, however, that it was the grave and unusual cases which were placed in the record.⁷⁹

To this we can add the words of Coulton: 'With few exceptions, each injunction was founded upon observation; but each observation was by no means necessarily followed by an injunction.'⁸⁰ In other words, these 'glossed' visitations could have been much worse than recorded, but were likely not occurrences when the bishops found seriously grave breeches of the rule. In times where major corrections were required, bishops freely and dutifully noted them.

⁷⁹ Sweet, 'English Benedictines', p. 572.

⁸⁰ G. G. Coulton, 'The Interpretation of Visitation Documents', *The English Historical Review*, 29 (1914), 16-40.

Great amounts of evidence from visitations exist for a few of the houses in Worcester. Most of these records have been recorded in some detail in the *VCH* for the counties of Warwickshire and Gloucester, and little here needs to be added to those records. For the purposes of this study, it is enough to note that the bishops, when they noted injunctions in their register, were severe in their rebukes. For example, to the house of St. Augustine's Bristol, Godfrey Giffard addressed almost every area of the monastic life, from the sale of corrodies to keeping silence appropriately, from injunctions to the abbot not to hold 'sumptuous banquets' to the brothers to abstain from filthy language and removing to the infirmary to practice drunkenness!⁸¹ Clearly Giffard took his responsibility to correct the house seriously.

Other bishops followed this pattern accordingly. Wolstan de Bransford, in his visitation of the same monastery,⁸² records injunctions related to 'divine work', with orders that any brother who is absent from either the day or night hours was not to leave the cloister for an equivalent amount of time.⁸³ He also gave injunctions regarding keeping confidence in the chapter, not provoking one another to wrath and even the language they ought to speak. Bransford prescribed Latin or French as the acceptable languages 'while at work or at other lawful time(s)'.⁸⁴ Likewise, Henry Wakefield issued numerous injunctions to the house of Cirencester on his visitation there in 1378. His inspection of the monastery touched on many diverse topics as well, with reproofs

⁸¹ *Reg Giffard*, pp. 100-102.

⁸² St. Augustine's seems to have a plentiful record of visitations in the thirteenth and fourteenth century.

⁸³ *Reg Bransford*, pp. 26-7 and 509-511.

⁸⁴ *Ibid.*

covering everything from divine worship to the number of offices an obedientary might hold.⁸⁵

It is clear from these and other records that the bishops maintained a degree of oversight over the monasteries in their diocese. Though the abbots or priors were supposed to be the head and authority for their respective houses, the bishops were able, at least at the times of visitation, to step in and curtail any and all activities, from improprieties in worship to the sale or acquisition of property. Frequently the only injunctions that directly required the future actions of the bishops involved the sale of corrodies. It was very common, especially in Giffard's register, to see injunctions against the sale of any corrodies for a given house without the permission of the bishop.⁸⁶

Another visitation, that of the house of Lanthony in 1276, appears to be similar. Most of the injunctions given cover the same essential ground as those noted above, namely that the conduct of the brothers and the priors should be free from drunkenness and carousing and the like.⁸⁷ However, the end of the bishop's injunctions reveals some of the nature of the authority the bishop played in the running of the priory. The bishop writes:

It is ordered that they (the brothers) be obedient to those put over them, and principally to the prior and sub-prior, in those things which are of God, and if by chance it happen to go against the tenour and substance of their rule, notwithstanding appeal made to the Bishop which he may think frivolous, they be punished according to the tenour of their rule, and if by chance they should not obey the Bishop that they receive condign punishment, in which case the bishop will not spare the greater nor the less, so, God willing, the punishment of one will be the fear of many. It is ordered that if any of the brothers wish to come to the

⁸⁵ *Reg Wakefield*, pp. 155-157.

⁸⁶ It should be noted that the king seems to have had the right to impose corrodies at his leisure. The Close Rolls reveal that the king presented three corrodians to St. Augustine's Bristol during Giffard's reign and maintained at least two corrodians in the abbey constantly from at least 1320 until the time of the king's own scathing injunctions in the 1370s. *CCR*, Edw I-Edw III. See above, pp. 115-125, for a more complete discussion of the king and his placement of corrodians in the monasteries in question.

⁸⁷ *Reg Giffard*, pp. 87-89.

bishop for any reason they be not impeded by the sub-prior, but such brothers be provided according to distance with horses and victuals.⁸⁸

Clearly the bishops had a role in the management of the house – it seems here likely in settling disputes – even when not at a visitation. One can venture what may have caused such a blunt statement of right, but it seems that the bishop believed himself to be able to intervene in matters of discipline of individual canons when it was so requested. Indeed, at this and several of the other visitations where lengthy injunctions resulted, the bishop frequently deposed obedientiaries from their posts in the monasteries.⁸⁹

One other incident worth noting reveals again the nature of the bishop's role in the governance of the monasteries in his see. The register of Thomas de Cobham retells a very sticky situation in which, through a long voidance of the house, rival claims to the priorate ensued. Ultimately, Cobham had to bring in the bishop of Winchester to settle the dispute, and the canons were finally put at peace – one of the colluding canons being sent to a monastery in Dublin to restore peace and order.⁹⁰

These visitations reveal, perhaps more than any single other aspect of ecclesiastical life, the extent of the bishops' authority over the monasteries in their dioceses. They did indeed have some influence over the running of the house, the officers of the houses, and the conduct of the canons and their worship, though it seems that the bishops only exerted their authority in limited ways. The bishops settled disputes when necessary and even called in other diocesans when the situation warranted. Such meddling with the monasteries only amplifies the desirability of exemption. Not to have to face such inquiry could only have been seen as welcome to the monks or canons. A

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ This event is recorded in Cobham's register and is summarized in *VCH Glouc*, p. 89.

house that ran, for most of its existence, free from outside interference could conceivably have, and at times clearly did, face the prospect of the bishop undertaking visitation and making sweeping changes in conventual life. Such was the circumstance that all houses of canons in the Worcester diocese faced. As part of the 'ordinary machinery of the church' or at least as those brothers most under the authority of the bishops, the Augustinian canons all lived with the reality of episcopal visitation.

Visitations of the Priors of Worcester 'sede vacante'

While the visitations of the diocesan were unavoidable and hence generally tolerated, if unhappily, such was not the case when the see was vacant. In Worcester, as in several dioceses in England, the cathedral had a monastic priory attached to it.⁹¹ The prior of Worcester was, when the see was vacant, canonically entitled to undertake the duties of the bishop and control the spiritualities of the bishopric on behalf of the archbishop of Canterbury, and did so.⁹² The *sede vacante* register for Worcester covers the period between 1301 (the end of the episcopacy of Godfrey Giffard) and 1435 and contains specific details of the acts of the priors of Worcester serving in the stead of the bishops. It is very clear that, with regard to visitation, more conflict was present during the times of vacancy of the see than when a duly appointed bishop ruled. Several entries in the

⁹¹ Barrie Dobson, 'The English Monastic Cathedrals in the Fifteenth Century', *TRHS*, 6th Series, 1 (1991), 151-172. Dobson notes eight monastic cathedrals, seven of which were Benedictine, Carlisle the lone Augustinian monastic cathedral. The other dioceses had colleges of secular canons attached to them.

⁹² Rose Graham, 'Administration of the Diocese of Ely During the Vacancies of the See, 1298-9 and 1302-03', *TRHS*, 4th Series, 12 (1929), 49-74. Graham notes that agreements over who would administer the diocese during a vacancy were made for four dioceses during the archbishopric of Boniface of Savoy (1245-1270): London, Lincoln, Salisbury and Worcester. Worcester had agreed that the prior of the cathedral monastery would oversee the spiritualities during a vacancy. The other diocese had differing agreements. The agreement included that the archbishop would receive 2/3 of all revenues collected and the priors would receive the remaining 1/3.

register reveal a distaste or even disdain for the visitation of the priors of Worcester, and, almost without exception, the priors wielded their right to visit.

Appendix 4-1 reveals with what regularity the priors exercised their right to visitation during a vacancy. Of the 20 vacancies in the see from 1301 to 1435, there are extant records for 16, and of those 16, on 14 occasions the priors or Worcester undertook a visitation of the monasteries in the diocese. For St. Augustine's Bristol alone, eleven visits by the prior of Worcester were undertaken between 1301 and 1433. Cirencester and Lanthony were visited eight times each. Seven visits are recorded for Studley and six at the very small priory of St. Sepulchre Warwick.⁹³ These visitations by the priors of Worcester were most contentious to the canons, probably because the see was never vacant too long at any one time.⁹⁴ It is likely that the priors issued letters of intent to visit almost immediately upon the death or transference of the bishop. This kindled the ire of the canons, who were compelled to allow the visitation and pay the accompanying procurations unless they could prove exemption, which, as previously stated, none of them could.

One might imagine a devoted canon would be willing to endure such frequent visitation by the priors if their ends were indeed for the advancing of the worship of God. Being accountable for one's own spiritual and communal life, though perhaps uncomfortable, was at least justifiable, and if such inspections were undertaken by one who modeled and encouraged piety and holiness, it might even have been welcomed by those who had chosen the religious life. As Coulton notes, however, 'records of *sede*

⁹³ Most of the dates correspond in each case, the dates for visitation by the priors being 1301, 1307-8, 1338-9, 1349, 1373, 1395, 1401, 1418 and 1433. St. Augustine's also has 1352 and 1407 visitations listed as well. See *Reg SV*, passim.

⁹⁴ For the 19 vacancies, only five lasted certainly over one year; most were between five and eight months, the shortest being only one month. *Reg SV*, pp. ix-x.

vacante visitations show much formality and little moral earnestness; the occasion was a lucrative windfall... the main object... was to visit so as to secure the right of future visitation, and to collect the statutory procurations.⁹⁵ It seems that very little real concern was displayed for the pastoral aspects of the visitation; money and the right to future money, seem to have been the common motivations. Not surprisingly then, the priors of Worcester frequently faced opposition to their attempted visitations.

Numerous instances reveal the kind of opposition the priors of Worcester faced while seeking to perform visitations of the monasteries of Augustinian canons in their diocese. Cirencester Abbey, the largest house in the diocese and the wealthiest Augustinian house at the time of the Dissolution, frequently fought against the prior when he tried to exercise his right. Cirencester resisted the visitation of the prior, John de la Wyke, in 1301, claiming to have just been visited by Bishop Godfrey Giffard and Archbishop Robert Winchelsey, as in fact they had.⁹⁶ Just six years later, in 1307, the prior again tried to visit Cirencester and again met resistance trying to carry out the visitation.⁹⁷ Cirencester went so far as to claim exemption from visitation in 1313, a right it did not possess. The abbot failed to appear in court when pursuing the claim, most likely due to the fact that he knew he could not substantiate his case, and the register records the intent of the prior to visit.⁹⁸ Abbot Hereward did obedience and conceded to visitation in 1338,⁹⁹ but the contentious issue was not settled even then. It was not until December 1349 that the matter was finally resolved. A letter was composed by the prior

⁹⁵ Coulton, 'Interpretation,' pp. 16-40. He notes particularly the registers of the priory of Worcester as a clear example of this.

⁹⁶ *Reg. SV*, p. 68.

⁹⁷ *Ibid.*, p. 121.

⁹⁸ *Ibid.*, p. 126.

⁹⁹ *Ibid.*, p. 269.

of Worcester and signed by the abbot and convent, and then ultimately confirmed by the incoming bishop, John Thoresby, and Archbishop Islip, wherein the abbot and convent agreed to a visitation by the prior of the cathedral church of Worcester or the sub-prior in the time when the prior was dead or indisposed. The lengthy letter includes several details about what may be expected in the case of the visitation at Cirencester. No more than one monk was allowed to accompany the prior, a four mark proxy was to be paid, with nothing additional for food or drink, and the prior was to 'by no means lodge with his household and carriages in the same monastery'. The prior was allowed to preach if he so desired and see to any corrections in conventual life or divine worship as the bishop normally would during a visitation regarding *only* two articles: whether or not the mass of Blessed Virgin was being said daily and whether or not the chapter was held every day. Additionally, any rebukes or corrections the prior believed ought to be handed down were to be given to the abbot of Cirencester, for him to enforce.¹⁰⁰ With this agreement, the issue of visitation was finally put to rest at Cirencester, and no conflicts were recorded in the *sede vacante* register for the visitations in 1373, 1395, 1401, 1407, 1418 or 1433.¹⁰¹

Along with the resistance by the abbots and convent of Cirencester, other houses, too, bristled at the prospect of visitation by the priors of Worcester. The small house of Horsley resisted visitation in 1307, and not until the prior of Worcester appealed to Canterbury did the convent yield.¹⁰² During the visitation of 1364, the register records

¹⁰⁰ Ibid., pp. 253-55. *VCH* notes this same instance. Cirencester's cartulary also contains the agreement and the confirmations of the bishop and archbishop. *Cir Cart*, vol. ii, nos 384-386. This agreement only appears to be binding for the prior and the convent of Cirencester. The register records no such agreements for other monasteries in the diocese.

¹⁰¹ It is striking that no other house in the diocese seems to have received the same limitations upon the power of the prior when visiting. Perhaps this shows the power of the abbot of Cirencester as compared to that of the other smaller houses. Whatever the reason, only Cirencester seems to have received this right after years of struggle.

¹⁰² *Reg SV*, p.120.

that at Studley Priory ‘many men with bows and diverse other arms met the prior at his attempted visitation’. Some men intervened and things died down, the situation eventually ending with the prior receiving no money payment, but instead meat and drink.¹⁰³ Far and away the most intriguing and elaborate case of resistance to the visitation of the priors of Worcester, however, concerns the abbot and convent of St. Augustine’s Bristol, and the attempted visitation of 1307.¹⁰⁴

In 1307 the prior of Worcester sought visitation of the abbey. However, the prior himself was not able to attend and sent in his stead two brothers as commissaries along with ‘certain clerks’.¹⁰⁵ The day before the visitation was to take place, the commissaries had read the statute of Boniface, former archbishop of Canterbury,¹⁰⁶ granting the right to the prior of Worcester to visit churches in the bishop’s stead. On the next day, the commissaries sent one Adam de Stivinton to the monastery to prepare the place for them to come and make visitation. Adam was told by the porter at the gate that neither the abbot nor the prior were at home. Waiting a bit, Adam met the almoner, who is described in the register as ‘one of the elder and more discreet canons’, who would not even answer him about the impending visitation. Whereupon, Adam left. Later on the same day, Adam returned with other men; they were refused admittance again but were this time told that the abbot and prior were in fact inside the gates of the abbey.

¹⁰³ *Ibid.*, p. 220.

¹⁰⁴ This seems to have been a particularly contentious visitation, as there is resistance noted for three of the monasteries, Cirencester, Horsley and St. Augustine’s, in 1307. Ironically, it is almost the only visitation for which there are any injunctions issued; see the case of Studley below.

¹⁰⁵ *Reg SV*, pp. 117ff. One wonders if perhaps the real problem here was that the prior did not come himself but rather sent two officials in his stead. It seems from the other instances that the prior received no more respect than the officials did in this case, but one wonders if the abbey felt more emboldened in the presence of the representatives of the prior of Worcester than the prior himself.

¹⁰⁶ This is Boniface of Savoy, archbishop of Canterbury from 1245 to 1270. See Rose Graham, ‘The Metropolitan Visitation of the Diocese of Worcester by Archbishop Winchelsey in 1301’, *TRHS*, 4th series, 2 (1919), 59-93 (pp. 59ff.) for her discussion of Boniface and his role in securing the right of procurations for archiepiscopal visitations.

The next day the commissaries came again to the gates of the abbey but were again refused admittance. When this occurred, they read to the porter the commission that gave them permission to visit, and gave the papers to the proctor of the abbey, who was outside the gate. Then, as described in the register, 'a great multitude' was outside the abbey when a public warning was given in writing to the proctor who stood at the gate. He still refused admittance, whereupon the abbot, prior and 'the others' were excommunicated, and a letter was written to the dean of Christianity at Bristol to cite the abbot to appear on Thursday in the church of St. Augustine.

Not surprisingly, the abbot did not appear. So, the whole troupe assigned to try to settle the problem made their way again to the abbey. There were at the gate again the porter and 'many others of the household'. They offered to remove the sentence of excommunication and requested to see the appeal of the abbot, if there was any. The commissaries tried to give the members of the abbey the written compositions touching the case but they were again refused, 'with scornful words'. A letter was then sent, one week later, to the dean of Bristol, reciting all that had transpired, requesting him to go to the abbey and work the situation out. The dean took up the charge, but when he went to the house, he too was refused admittance and was not able to see anyone from the abbey, nor to speak with anyone, but he cited them to appear in the church of Tetbury the Tuesday after. To the surprise of none, the abbot again did not show up at the requested summons.

The story ends with the prior of Worcester sending to the courts of Rome and Canterbury for a decision, but due to a mistake on the part of the prior, the abbot of St. Augustine's succeeded in his defense, and the register ends with the telling phrase,

‘litigation is still pending in the Court of Canterbury on the principal issue’.¹⁰⁷ After all the struggle to visit, it must be assumed that St. Augustine’s ended up victorious in the courts for no other visitation around this time was recorded, nor is the record of any fine or punishment levied against the abbey known.

As noted earlier, Coulton concluded that the primary reason for the visitations of the priors of Worcester was monetary gain and the attempt to maintain their right to future visitation. Though it cannot be assumed to be the case that because no corrections were recorded for a visit that the only motivation for the priors to visit was money – perhaps no corrections were needed – it is striking that, given the number of visitations undertaken by the priors, and given the immediacy with which they issued their intention to visit upon the death or transference of a bishop, there is little evidence that the priors were actually seeking to make any corrections at the monasteries they did visit. With two exceptions, there are no corrections for any of the visitations extant in the *sede vacante* register.

A letter to the priory of Studley, dated 1308, contains corrections based upon the visitation carried out by the prior.¹⁰⁸ Among the corrections made by the prior was the call to better observance of silence in service and a prohibition against sending any food out of the monastery without consent of the ‘president’. The prior himself was corrected, the visitor telling him to be more discreet in rebuking the brothers. The house was also warned to do nothing to the detriment of alms and to restore a canon, one Thomas

¹⁰⁷ All the preceding comes from *Reg SV*, pp. 117-120.

¹⁰⁸ Likely the visitation in 1307.

Wateleye, who had for a long time been kept in prison for his disobedience and excesses.¹⁰⁹

There is one other visitation record from the prior of Worcester in the fourteenth century for which corrections are recorded. This however seems to be an abnormal visitation during a vacancy. The reason may well be that this visitation was ordered by Edward III acting as patron of the monastery in question, St. Augustine's Bristol.¹¹⁰ In September 1371, the king sent several of his own men to inspect the abbey and found its estates to have been pillaged by then abbot,¹¹¹ Henry de Shallingford. Several canons, 'for fear of his malice and for want of proper maintenance' had fled the abbey's precincts and were living away from it.¹¹² The king sent letter to William (Lane), bishop of Worcester, to make visitation of the abbey, but if Lane did visit, he certainly did not make any substantial improvements in the life of the abbey, because the lengthy decree from the prior of Worcester to the abbot and convent of St. Augustine's Bristol, dated 1374, contains many injunctions the prior gave to the abbey after his visit. This looks to be the prior fulfilling the duty of the previous bishop *sede vacante*, because the prior sent a notice of intent to visit to several monasteries at the end of 1373,¹¹³ St. Augustine's included, but no record of the visitations occurring actually exists. It most certainly stretches credibility to think that the prior could have, without substantial contest, visited any monastery twice during his brief stand-in for a duly appointed bishop.

¹⁰⁹ *Reg SV*, p. 126.

¹¹⁰ *CCR*, Edw III, 1369-74, p. 259.

¹¹¹ He is listed as abbot in *MA*, but is referred to as the 'head' (*presidens*) in an entry in the *Cal Inq. Misc.*

See also, *HRH*, vol. ii, p. 348.

¹¹² *CIM*, Edw III, no. 808.

¹¹³ *Reg SV*, p. 311.

From the evidence available, it seems that the bishops and priors were, in most cases, able to visit the monasteries at their will, so far as canonical law allowed. It also seems that the Augustinians were clearly much more averse to the visitations of the priors during a vacancy of the see than to the visitations of the bishops themselves, offering substantial, sometimes even armed resistance, to the priors or their representatives in their attempts to visit. Clearly, the bishops carried a great deal more authority within the diocese than did the priors. But what was the real source of such conflict? Why the frustration of the canons toward the priors of Worcester in their attempts to do what was canonically in their power to do?

On the surface it appears that this may be evidence for strained relations between differing orders, evidence that the regular canons and the Benedictines did not carry on well with one another, that a Benedictine prior – and all cathedral priories except Carlisle were Benedictine – was not seen as worthy to visit a house of Augustinian canons. Based on the evidence, such a thesis must be rejected. A fascinating agreement was reached in the early fourteenth century that shines some light on the relations between the monasteries of different orders at this time.

A charter preserved in the cartulary of Cirencester Abbey¹¹⁴ provides some indication of the relations between the canons and some of the other monasteries in the diocese. The charter, drawn up in 1315, was an agreement made between the houses of Cirencester, St. Peter's Gloucester, Lanthony, and Worcester Cathedral Priory, refusing to allow any official or minister of the bishop who was holding court on or near the grounds of the monasteries to expect hospitality or any procurations from the

¹¹⁴ This is also preserved in the *Liber Albus* of the Worcester Cathedral Priory, f. 5v. See Rose Graham, 'Metropolitain Visitation', p. 86.

monasteries, or to otherwise extract anything from them. The four monasteries not only bound themselves to this agreement, they committed to assisting one another in defense of the declaration, even pledging money for legal fees to defend their liberties against any who would try to molest them.¹¹⁵ This agreement was made by the two largest Augustinian and two of the largest and most influential Benedictine houses in the diocese, including the prior of Worcester himself. This certainly seems to be a testimony to the willingness of the monasteries to work together when they had the same goals, and it certainly seems to work against any idea that there was a deep-seated antipathy between the orders. Additionally, the agreement was made in 1315, two years after the abbey of Cirencester feigned exemption from the prior's visitation, so it even seems unlikely that such resistance to visitation was due to a personal grudge or disagreement on the part of the abbot of Cirencester and the prior of Worcester.¹¹⁶

There would then seem to be two possible explanations for the conflicts that arose during the visitations *see vacante*, and both may be at work here. First, during the archbishopric of Boniface of Savoy (1245-70) four dioceses agreed to terms with the archbishop regarding the oversight of their diocese in times of a vacancy, London, Lincoln, Salisbury, and Worcester.¹¹⁷ In Lincoln, it is known that the prior was allowed to visit only two monasteries in each archdeaconry. It is possible that the canons and other monasteries in the adjacent Worcester diocese were aware of such an agreement and were

¹¹⁵ *Cir Cart*, vol. ii, no. 387.

¹¹⁶ The editor of the *Reg SV* seems to suggest that the members of differing orders might not have objected to the visitation as much as the Benedictines because the houses of the order had already been under the visitation of some of the great abbots of the order, often Malmesbury and Westminster, and if that were the case they might actually resent the visitation of the prior of Worcester far more. See *Reg SV*, p. liv.

¹¹⁷ Graham, 'The Administration of Ely', pp. 49-74.

bristling about it, as might be expected. Such an apparent injustice might have sparked the resistance faced by the priors in their attempted visitations.

It also seems that the answer must be that the canons simply had to draw a line on what was reasonable visitation and what was not. If it is accepted that the Augustinian canons were in fact *ordo canonicus*, as both Dickinson and Thompson argue, then it must also be accepted that they were in some way part of the church under the diocesan oversight and, to use Dickinson's phrase, part of the 'ordinary machinery of the church'. As such, they knew they were not exempt from the visitation of the bishops or archbishops and did not, as far as can be detected, ever try to avoid such inquiries. And of course, none could claim exemption from papal jurisdiction. Additionally, the canons had to endure visitation every three years by members of their own order as well, as decreed by Innocent III at the Fourth Lateran Council.¹¹⁸ But, and this is especially apparent in the early fourteenth century when Worcester had been visited recently by both Bishop Giffard and Archbishop Winchelsey, the canons simply did not want to be considered under the secondary authority of the prior or his representatives. This seems to be the point at which the convents did not want to yield. To be visited by another prior of a different order, who did not observe the same rule, who had no more authority, and in some ways less autonomy than the prior or the abbot of the monasteries being visited, was simply too much to endure. The cost was burdensome, the purposes and goals of the visit were dubious at best, and the indignity perhaps just too much to bear. To answer to one's superior is reasonable; to answer to one's peer, who is temporarily assuming authority and exploiting it for personal gain and self-aggrandizement, is insufferable. It

¹¹⁸ See H. E. Salter, ed., *Chapters of Augustinian Canons* (Oxford, The Clarendon Press, 1922), pp. ix ff., for details of these visitations and the Lateran decree so ordering them.

seems that this was the reason that the canons resisted the visitations of the priors of Worcester so frequently and so forcefully. Though the resistance seemed to wane as the fourteenth century progressed, the obstinate pattern exhibited by the canons in the earlier part of the fourteenth century seems to reveal that the canons had put their collective foot down and resolved not to give in to the attempts to wield episcopal power on the part of the priors of Worcester. Though only a few of the houses carried their obstinacy further than public resistance to visitation – and it does seem quite strange that other houses did not seek the same limitations on the priors that the abbot of Cirencester attained – there was clear aversion to the greed displayed during the visitations of the priors of Worcester.

Excursus: The Curious Case of St. Oswald's Gloucester

As noted above, visitation of the bishops and priors was generally tolerated if not welcomed. One house in particular, the priory of St. Oswald's Gloucester, proved a particular bane to the bishops' existence. St. Oswald's had the great misfortune of being a royal free chapel, a particular possession of the archbishop of York, located in the diocese of Worcester in the province of Canterbury, thus calling into serious question just who exactly had visitation rights to it. Consequently, the prior and canons found enemies in the wrong places, and as the following analysis of the conflict between themselves, Godfrey Giffard, and Archbishop Peckham will reveal, conflicts between priories and bishops, often centered on visitation, led to many problems for all parties involved. A worthy excursus into the status and existence of St. Oswald's will elucidate some of the challenges the priory faced in relation to the bishops of England.

The priory of St. Oswald in Gloucester was a unique foundation among the houses in Worcester diocese. The regular canons who resided in St. Oswald owed their existence to Henry Murdac, the archbishop of York. In 1153, while disbanding the secular college then in residence, Murdac established in their place Augustinian canons. He placed as prior, Humphrey, a canon from Lanthony, and from the time of its conversion to a house of regular canons on it existed as a peculiar possession of the northern archbishop in the southwestern diocese of Worcester.¹¹⁹ This peculiar possession became a fighting point for the house, the crown, and several bishops for many years.

The ties between the bishops of Worcester and York are many and longstanding. Beginning with St. Oswald, the companion of Ealdwulf and Dunstan in the tenth century reform, he and his two immediate successors, Ealdwulf and Wulfstan held both the sees of York and Worcester contemporaneously, from 961 to 1023.¹²⁰ In 1040 Aelfric Puttoc was consecrated bishop of Worcester; he had been installed at York in 1023, removed from York in 1041, and restored to the same see in 1042. His tenure in Worcester lasted only one year, as Lyfing was appointed to the see in 1041.¹²¹ Ealdred was the last bishop to hold both sees at the same time, appointed to Worcester in 1046 and to York in 1061. It was a writ of Pope Nicholas II that outlawed such dual possession, refusing to consecrate Ealdred to York until he resigned the see of Worcester. Though these are the only men to hold the sees jointly, there were still substantial ties between the two

¹¹⁹ *MA*, vol. vi, pp. 82-83.

¹²⁰ Leofsige was consecrated bishop of Worcester in 1016, but Hamilton suggests that Leofsige served as coadjutor to Wulfstan until the latter's death in 1023. An alternative view, that he ruled in his own right from 1016, is suggested in Hamilton's footnote on p. 86 of A. H. Thompson, 'The Jurisdiction of the Archbishops of York in Gloucestershire', *TBGAS*, 42 (1921), 84-180.

¹²¹ Lists of the bishops can be found in E. B. Fryde et al., eds., *Handbook of British Chronology*, 3rd ed (London: Royal Historical Society), 1986.

dioceses after the Conquest. Walter de Gray, bishop of Worcester in 1214, proceeded to York in 1216. John de Thoresby, consecrated at Worcester in 1349, followed his tenure there with a 22-year stay as archbishop of York, and Nicholas Heath, the last pre-Elizabethan archbishop of York (1555-79), preceded that episcopate with a two-year stay at Worcester. Beyond that, Godfrey Giffard, the long-tenured bishop of Worcester (1268-1301), was ruling his see at the same time his brother, William Giffard, oversaw the archdiocese of York (1266-79). Such ties helped establish the right of the archbishop to hold peculiar territory in Worcester. As Hamilton notes, it was Ealdred, who in 1062, 'kept back for himself twelve vills which were part of the estates of the church of Worcester', thus establishing the primary origin of the particular jurisdiction of York in Gloucestershire.¹²²

The priory of St. Oswald in Gloucester was not named for the bishop of Worcester of the same name, but rather for the Northumbrian king who fell in battle at Maserfield. His head was taken and buried at Lindisfarne, later moved to Durham in the coffin of St. Cuthbert, and his hands were preserved in a reliquary at St. Peter's Bamburgh.¹²³ The priory dedicated to him was said to have been erected by Mexwald and his wife Domneva, in about 660,¹²⁴ though a more certain claim ties the dedication and perhaps the building of the priory to King Aethelred and Ethelfelda, the daughter of King Alfred, in or about 909.¹²⁵ It is likely that, at its foundation or shortly after 909, the

¹²² *Ibid.*, p. 87.

¹²³ For a short account of the life of Oswald, see Henry Medland, 'St. Oswald's Priory, Gloucester', *TBGAS*, 10 (1888-9), 118-129. Many miracles were said to have occurred at the place where he fell.

¹²⁴ *MA*, vol. vi, p. 82. This is quoting Fosbrooke's *History of Gloucester*, though Medland as well as A. H. Thompson say that this is an unlikely and tenuous claim with little evidence to support it. See Medland, 'St. Oswald's', and A. H. Thompson, 'Jurisdiction', pp. 84-180.

¹²⁵ Medland, Dugdale and Thompson all mention this year as the translation of Oswald's relics from Bamburgh. According to Thompson, citing William of Malmesbury, this priory had been erected 'some years earlier' by the king and queen.

monastery was populated by monks who lived rather as a secular minster or college of secular canons.¹²⁶ The possessions of the monastery were of varying types, as recorded in Domesday, but it clear that most of the possessions were in the hand of Thomas of Bayeux, archbishop of York.¹²⁷ Interesting, however, was the status of the church as a royal free chapel, likely so ordained by its close ties with the kings of Mercia, noted above.¹²⁸ However, according to Thompson, 'St. Oswald's, in fact, ceased to be a free chapel in the patronage of the Crown and became, with its spiritual dependencies, an integral part of the diocese of York.'¹²⁹ Nonetheless, it maintained its status of a royal free chapel for the length of its existence, and as will be argued below, this status became a central issue for the kings, and the bishops of Worcester, Canterbury, and York throughout the medieval period.

It was not only that the house was a particular possession of the archbishop of York that caused problems for Giffard, but also that it had the status as a free chapel. For St. Oswald's, this defense was taken up directly by Edward I in 1303, after a quarrel over the disputed right of the archbishop of Canterbury to visit had begun more than twenty years earlier.¹³⁰ The conflict concerning the primacy of York over the priory came to a head in 1280. In that year, Archbishop Peckham of Canterbury flouted the long-standing

¹²⁶ See Thompson, *ibid.*, for a thorough discussion of the likelihood of William of Malmesbury's account. Also, see *MA*, vol. vi, p. 82, for a brief statement of the same conclusion. W. R. Jones, supposedly citing Thompson's later work, states that St. Oswald's was a priory of Benedictine monks. W. R. Jones, 'Patronage and Administration: The King's Free Chapels in Medieval England', *The Journal of British Studies*, 9 (1969), 1-23.

¹²⁷ See Thompson, 'Jurisdiction', for a breakdown of these properties.

¹²⁸ So *MA*, vol. vi, p. 82. Thompson makes no direct statement regarding the reason it was accorded a free chapel of the crown, but that it was so he does not question. Thompson, 'Jurisdiction', p. 90.

¹²⁹ Thompson, 'Jurisdiction', p. 98. This was exactly what archbishop of Canterbury John Peckham was to claim in the later thirteenth century. His claim did not stand, and the king maintained its status as a royal free chapel.

¹³⁰ Jones, 'Patronage', p. 3, claims that St. Oswald's, along with St. Mary's in Hastings Castle, were, in the reign of Edward I, 'added' to a list issued in 1295 that named 14 chapels exempt from diocesan authority as royal free chapels.

policies within the diocese of Worcester and summoned the priory to his visitation.¹³¹

The prior did not appear and Peckham ordered Godfrey Giffard, then bishop of Worcester, to issue a writ of excommunication against the convent.¹³² Giffard complied. His register records the excommunication with little fanfare, citing the reason as ‘contempt in not appearing at the citation of the Archbishop of Canterbury’.¹³³ It is most interesting to note that this warrant and Giffard’s compliance came only one year after the death of archbishop of York, William Giffard, Godfrey’s brother. It is a fair question to ask what would have transpired if the brothers had still been holding the seats of their respective dioceses in 1280 when Peckham issued his order. The convenience of the date seems to imply that, though Peckham and Godfrey Giffard were not on good terms prior to William Giffard’s death, the primate of Canterbury, perhaps out of deference for the relationship between the brother bishops, left the priory alone.

Though St. Oswald’s quickly became a bane to Godfrey’s tenure, it was not the only house giving Godfrey Giffard troubles. His register records a letter to Archbishop Peckham touching the sequestration of churches not exempt, appropriated to exempt monasteries. Giffard had ‘caused a sentence of suspension to be pronounced against the priors of Great Malvern and St. Mark of Billeswyk, Bristol, for their contumacy’.¹³⁴ He also sequestered the profits of several churches belonging to the exempt houses in his diocese, namely Evesham, Bordesley, Hailes, Halesowen, and St. Oswald’s Gloucester –

¹³¹ This was nothing new for Peckham, who aggressively sought to end pluralism and nonresidence. In so doing he entered into similar conflicts with several free chapels in Coventry diocese. See Jones, ‘Patronage’, p. 7.

¹³² *Reg Peckham*, p. 244.

¹³³ *Reg Giffard*, p. 122.

¹³⁴ *Reg Giffard*, pp. 138-9.

with a comment concerning St. Oswald's churches that 'the same prior pretends are exempt'.¹³⁵

But the troubles for St. Oswald's were just beginning, as they soon found themselves embroiled in the middle of a conflict between Giffard and Peckham, two men who had neither legal right over the house nor vested interest in its success or prosperity.¹³⁶ In 1282, two years after Peckham's power play over visitation, the prior of St. Oswald's was named a papal judge-delegate and pronounced a settlement in a dispute between the abbot of Winchcombe and Simon de Wymondham, in favor of the abbey. This angered Peckham because Wymondham had appealed to the court of Canterbury, alleging negligence on Giffard's part, and Peckham was angered at the exertion of power by a papal judge-delegate over his own archdiocese.¹³⁷ Peckham, angered by the decision, ordered Giffard to excommunicate the prior of St. Oswald's. Giffard promptly disallowed the order to be carried out.¹³⁸ The bishop added to that same injunction a statement that several of the deans of the area could keep the profits of the church of Dry Marston as per the decision of the prior.¹³⁹ This then led Peckham to respond by citing the bishop to appear before the archbishop in the court of Arches, alleging that the prior of St. Oswald's and the prior of Winchcombe were somehow plotting together against Simon de Wymondham, issuing unlawful sentences of suspension and excommunication,

¹³⁵ Ibid.

¹³⁶ The battles between Archbishop Peckham and Giffard, along with the other suffragans in England during his tenure, are well-recounted in Decima L. Douie, *Archbishop Peckham* (Oxford, The Clarendon Press, 1952).

¹³⁷ Douie, *Peckham*, p. 232. Douie notes that the bishops of Hereford and Worcester found the prior of St. Oswald's independence from their metropolitan particularly appealing when looking for judges-delegate to settle conflicts.

¹³⁸ *Reg Giffard*, pp. 154-55.

¹³⁹ Ibid., p. 155.

which thereupon brought the greater excommunication upon themselves.¹⁴⁰ Final resolution to this issue is not recorded in the registers, but the conflicts between Peckham, Giffard and St. Oswald's do not end there.

The priory of St. Oswald continued to be in the middle of the two great bishops for a few more years. The priory of Great Malvern, a dependent priory of Westminster, which claimed all the rights of exemption claimed by its mother house of Westminster, brought the ire of Giffard down upon it. Not surprisingly, Giffard appointed the prior of St. Oswald's as one of the judges in the case between himself and the priory of Great Malvern.¹⁴¹ This action necessarily brought the bishop into disagreement with Peckham again, since the suit involved the very powerful Westminster, a 'flagship' monastery in Canterbury's province, and Giffard, who as suffragan, sought control over Great Malvern. Here again, St. Oswald's found itself in the middle of two powerful bishops, neither of whom had any real authority over the house. An entry in Giffard's register reveals that the archbishop forbade any prejudicial action to be taken against Great Malvern until the case was heard by the papal judges delegate, one of whom was the prior of St. Oswald's, thus heightening the conflict. One month later, the archbishop ordered the 'prior, sub-prior, precentor, sacristan, cellarer, chamberlain, and brother Thomas, called Oye' along with several from Great Malvern, to be excommunicated for contumacy.¹⁴² Ultimately, the bishop and archbishop came to agreement and excommunicated a number of men from Great Malvern, placing them under interdict.¹⁴³ On yet another occasion, St. Oswald's was called in between the bishop and archbishop.

¹⁴⁰ *Ibid.*, p. 157.

¹⁴¹ Apparently, one William de Wickwayne was, with three other monks of Great Malvern, imprisoned at Westminster and greatly beaten. See *Reg Giffard*, p. 189.

¹⁴² *Reg Giffard*, p. 192.

¹⁴³ *Reg Giffard*, p. 203. One man was even punished for communicating with the priory, see *ibid.*, p. 211.

As in 1284, Bishop Giffard accused Archbishop Peckham of appointing in his diocese illegally, and called the prior of St. Oswald's as one of the witnesses.¹⁴⁴

Though the particular issues noted above between Peckham and Giffard faded, the conflict between St. Oswald's, Giffard and the archbishops of Canterbury (Peckham was archbishop until 1292; Winchelsey acceded in 1294) continued to escalate. The Close Rolls reveal the extent of the action that Giffard had taken against the priory. In an entry dated 28 October 1300, Edward I wrote to the bishop that he knew 'that the bishop had publicly and inhumanly prohibited... anyone from buying or selling bread, wine, ale, or any victuals necessary for maintenance from or to the prior and canons... under pain of excommunication'. He went on to state his surprise at such action, as it was an insult to the crown. He also reprimanded Godfrey from issuing such an injunction again, and ordered him 'to cause to be revoked speedily any (like sentences) that he may have made or any sentences of excommunication that he may have pronounced' because of such a decree.¹⁴⁵ Giffard's register reveals that sometime in 1300 he again excommunicated the prior, sub-prior, sacrist, precentor, cellarer and other elders for refusing to admit the bishop of Llandaff to celebrate orders – claiming to be exempt.¹⁴⁶

It was at this time that the priory appealed to their patron, Archbishop Corbridge of York, who called upon the king, Edward I, who claimed the priory as a royal free chapel.¹⁴⁷ Archbishop Winchelsey of Canterbury denounced the claim, arguing that once the church had been alienated into the hands of the archbishop it ceased to be a free

¹⁴⁴ Ibid., p. 223.

¹⁴⁵ CCR, Edw I, 1296-1302, p. 411.

¹⁴⁶ *Reg Giffard*, p. 532.

¹⁴⁷ Thompson makes reference to a comment in the register of Thomas Corbridge that Edward and his predecessors had prior to this time aided the convent. Thompson, 'Jurisdictions', p. 145. The Close Rolls do not mention that St. Oswald's is a free chapel until May of 1303.

chapel of the crown and so fell under the jurisdiction of the diocesan of Worcester and archiepiscopal see of Canterbury. The king, however, standing on ancient custom, sided with the priory and defended its right against the archbishop of Canterbury, claiming St. Oswald's as a free chapel of the crown. 'St. Oswald at Gloucester, which was founded of the alms of the king's progenitors... was from of old a free chapel... wholly exempt and immune from all jurisdiction of the ordinary.'¹⁴⁸ He went on to indicate that only the archbishop of York had any claim on the church as for visitation, and that Winchelsey, in pursuing visitation and excommunicating the prior and the canons had violated that privilege, even though the canons had appealed to Rome.¹⁴⁹ This dispute eventually freed St. Oswald from the battle over visitation once and for all, but not before much grief was brought to the house. The Close Rolls contain several mandates to both the bishops of Worcester and the archbishops of Canterbury, one of which goes so far as to threaten a summons of the archbishop if he did not desist from taking actions against the priory. Apparently the actions of the bishops had cost the priory as much as £200 – a sizeable sum for any monastery, especially one the size of St. Oswald's.¹⁵⁰ Indeed, a telling conclusion to this story stands in Giffard's register, where it is recorded that Robert de Kidderminster, a canon of the house, 'publicly declared that the bishop had done so much evil to them this year, causing them to be so straitened that the greater part of the convent had incurred various illnesses'.¹⁵¹

The concern of the king for the health of the house was significant, for as Hamilton Thompson notes, 'subsequent archbishops of Canterbury seem to have left the

¹⁴⁸ *CCR*, Edw I, 1302-1307, p. 87.

¹⁴⁹ *Ibid.*

¹⁵⁰ *CCR*, Edw I, 1302-1207, p. 191.

¹⁵¹ *Reg Giffard*, p. 543.

house alone'.¹⁵² The bishops fought vociferously to overcome the status of monasteries like St. Oswald's, which were free of episcopal visitation, a right all bishops bristled against. St. Oswald's had the particular misfortune of being not only a free chapel of the king, but also a particular of the archbishop of York in the province of Canterbury. And, as this excursus has shown, found itself embattled between two powerful bishops, each of whom laid claim to particular rights that neither of them truly possessed. This led to many travails for the priory and much wrangling among the bishops, only ultimately to be settled by the king, who had the most powerful claim over the monastery.

Conflicts like this one were not altogether uncommon, though few stretched on for such a length of time or involved so many prominent ecclesiastics. But, conflict was one of the main points of interaction between the bishops and the monasteries in their diocese. The churches and monasteries regularly had disputes that needed to be settled, and the bishop frequently needed judges to settle the cases. Though St. Oswald's was often called to this duty by Godfrey Giffard, owing to their relatively untethered status in the diocese, other priors and houses, too, were summoned to serve as arbiters in legal proceedings within the diocese.

Bishops, Canons and Disputes in the Diocese

One of the roles of all diocesan bishops was to settle disputes between laymen, clergy, churches, and monasteries in their diocese. All bishops held court on a regular basis and heard varieties of cases, from infractions in moral law, commonly called their 'office'

¹⁵² Thompson, 'Jurisdiction', p. 152. It did not, however, stop the bishops of Worcester from trying to exercise their rights of visitation and oversight. See Thompson for further details of later bishops.

jurisdiction, to what would today be known as civil law, also known as ‘instance’ cases.¹⁵³ By the middle of the thirteenth century the bishops had appointed ‘officials’ to sit for them and hear the majority of the ‘instance’ cases in what became known as the consistory court.¹⁵⁴ Frequently, however, the bishops of Worcester called upon the houses of canons and other regulars to assist in the settling of disputes. The variety of the cases was pronounced. Some cases were between lay people of the diocese, some of them were between monasteries and laymen, some between two other monasteries. Whatever the case, it seems that the canons participated regularly in the hearing of disputes within the diocesan courts.

Several entries in the bishops’ registers provide clues for the kinds of things that the bishops asked of the canons. Many entries are simple: ‘commission to the prior of Lanthony... to hear a cause between Thomas Rosselin, a layman, and Margery de Newent, a woman of the diocese of Hereford’.¹⁵⁵ No additional details are included, and nothing of note ever is heard of this situation again. But it is interesting to note that the canons were here called upon to adjudicate between (apparently) two laypeople. Another example found in Giffard’s register shows that the canons also were called upon to settle disputes between ecclesiastics and laymen. ‘Commission to the prior of Cirencester and the precentor of the same to hear a suit between the master and brethren of the Knights Templars (sic) in England against John de Spinele, executor of the will of Robert de Gateswyk, deceased.’¹⁵⁶ The abbot of St. Augustine’s Bristol was called upon to ‘induce

¹⁵³ Colin Morris, ‘A Consistory Court in the Middle Ages’, *JEH*, 14 (1969), 150-159. See also by the same author, ‘From Synod to Consistory: The Bishops’ Courts in England, 1150-1250’, *JEH*, 22 (1971), 115-123.

¹⁵⁴ *Ibid.*

¹⁵⁵ *Reg Giffard*, p. 34.

¹⁵⁶ *Ibid.*, p. 13.

a man to pay a fine' to the bishop.¹⁵⁷ Sometimes the canons were called upon to settle disputes entirely centered upon the church. The prior and precentor of St. Oswald's Gloucester were appointed to settle a dispute concerning the augmentation of a vicarage between the convent of Halesowen and the vicar of the church of Walsall.¹⁵⁸ Other duties assigned to the canons were to hear and confirm the elections of masters to other monastic institutions. Bishop Giffard called on St. Augustine's Bristol to do just that in 1275. The hospital of St. Bartholomew and the house of Augustinian canonesses of St. Mary Magdalene in Bristol had each appointed, and the prior was to hear and confirm the elections.¹⁵⁹ Similarly, the abbot of Cirencester was enlisted to hear the matter concerning the presentation of John de Bradewas to the church at Himbleton, apparently doing the job of confirming the credentials and ordination of the presentee.¹⁶⁰

One example of how the canons were charged with assisting to maintain order in the diocese was when Bishop Geynesburgh requested that the abbot of St. Augustine's Bristol inquire into the prior of the house of Longbridge, who was said to be squandering the money of the house. Longbridge was in the bishop's patronage, and it is likely that the abbot of St. Augustine's was asked to serve in this capacity because Longbridge was founded by the Fitzhardings, and as such had a natural link to St. Augustine's. The abbot was to inquire into the situation, report back, and appoint the dean of Dorsley as the coadjutor if needed.¹⁶¹

¹⁵⁷ Ibid., p. 226.

¹⁵⁸ Ibid., p. 107.

¹⁵⁹ Ibid., p. 76. Interestingly, the house Augustinian canonesses of St. Mary Magdalene in Bristol was founded by Eva Fitzharding, the wife of Robert, founder of St. Augustine's Bristol. See *VCH Glouc*, p. 93.

¹⁶⁰ Ibid., p. 539.

¹⁶¹ *Reg Geynesburgh*, p. 122.

The previously noted battle between Archbishop Peckham and Godfrey Giffard led to several disputes that needed arbiters. The sub-prior of Lanthony was called in to settle the dispute between the archbishop and his diocesan.¹⁶² The beleaguered prior of St. Oswald's was also drawn into a specific dispute in which Giffard contested the appointment of the archbishop in his diocese.¹⁶³ The prior of Kenilworth also featured prominently, both as judges and claimants, in several disputes that are illustrative of the machinations of the ecclesiastical courts. In 1283, Bishop Giffard was embroiled in a dispute with the priory of Great Malvern, to which the prior of Kenilworth was summoned to be a judge.¹⁶⁴ Kenilworth, a convent that technically lay in the diocese of Coventry and Lichfield, was involved in a dispute over the payment of procurations to Bishop Giffard for churches geographically in Worcester diocese. The priory did not want to pay procurations to Giffard or allow visitation of the churches in Worcester, claiming instead to be in the diocese of Coventry. The bishop wrote a letter appealing to the pope to settle the dispute.¹⁶⁵ Though the settlement is not recorded in Giffard's register, the pope did respond by appointing the prior and archdeacon of Coventry and the precentor of Wells to decide the dispute between the canons and the bishop, further illustrating the use of regulars in the ecclesiastical courts.¹⁶⁶

Service to the bishop and his court was not a one-way street however. Several times the bishop came to the aid of the priories and abbeys in their diocese as well. An entry in Giffard's register, dated 1285, involved the earl of Gloucester and Hereford, Gilbert de Clare, his brother, Bogo de Clare, and Robert de Veel, all of whom were

¹⁶² *Reg Giffard*, p. 209.

¹⁶³ *Ibid.*, p. 223.

¹⁶⁴ *Ibid.*, p. 189.

¹⁶⁵ *Ibid.*, p. 248.

¹⁶⁶ *Ibid.*, p. 275.

accused of holding the abbot of St. Augustine in prison in Cardiff. The bishop enlisted the secular arm, including the sheriff of Gloucester, to retrieve him.¹⁶⁷ This particular story also made it into the Patent Rolls, the culprit being listed as Bogo de Clare.¹⁶⁸ This of course is not surprising action for Bogo, as he was reported to hold more than thirty rectorships in his lifetime. Indeed, in 1285, he was named treasurer of the cathedral of York, though it is doubtful that he was even ordained. Bogo's power and that of his family made this act all the more difficult for not only the abbot but also the bishop, though on this occasion, the king stood against Bogo, something that it seems he rarely did.¹⁶⁹ Another time the abbey appears to have been molested by its patron, Maurice de Berkeley, and the bishop ordered an inquiry by the dean of Westbury to the grievances put forth.¹⁷⁰ Likewise, the priory of St. Sepulchre needed the bishop's intervention in 1280, where apparently several of the canons had attacked and locked up Brother William Bereford, who was later to become prior.¹⁷¹ Apparently William had letters for the removal of the prior and they had not taken the news as befitting the order! The guilty canons were to be excommunicated for their actions.¹⁷² At Cirencester a priest had, it was alleged, gone mad and was causing havoc for the abbey; the bishop called upon the dean of Cirencester to handle the situation.¹⁷³ The oft-imperiled canons at the priory of St. Oswald, surely relieved at the passing of Bishop Giffard who had caused them so much

¹⁶⁷ Ibid., p. 271. A prior entry noted that Bogo had illegally seized a church worth £100 which contributed to the heavy debts of the priory. It seems only likely that the imprisonment was in some way tied to the church illegally seized.

¹⁶⁸ CPR, Edward I, 1281-92, p. 212. Interestingly, this notice follows closely upon an entry that tells of the heavy debts of the abbey at this time. See *ibid.* p. 198.

¹⁶⁹ See Henry Summerson, 'Clare, Bogo de (1248-1294)', in *Oxford Dictionary of National Biography*, (Oxford University Press, Sept 2004; online edn, Jan 2008)

<<http://www.oxforddnb.com/view/article/50346>> [accessed 13 Jan 2009]

¹⁷⁰ *Reg Giffard*, p. 20.

¹⁷¹ *HRH*, vol. ii, p. 481.

¹⁷² *Ibid.*, p. 126.

¹⁷³ *Ibid.*, p. 264.

concern, were likely encouraged when his successor, Bishop Geynesburgh, summoned many clerks to appear before the sheriff, on behalf of the king, for refusing to sell food to the priory.¹⁷⁴ Finally, the canons of St. Oswald were free from the zealotry of the bishop causing them duress.

The bishops' legal activities occasionally brought them into conflict with the secular arm of the law in England, and here again the abbeys and priories entered the picture to assist the bishops in fulfilling their role in the diocese. Members of the clergy who committed a crime were tried not in the secular courts but in ecclesiastical courts, though often the secular courts would try to impinge upon the rights of the church and clergy and prosecute criminals in the secular courts. Bishops Geynesburgh and Reynolds, at the very beginning of the fourteenth century, requested that the canons retrieve or secure clerks who were being held in secular courts. Between 1303 and 1305 the priory of Lanthony received five requests from Bishop Geynesburgh to demand clerks being imprisoned in Gloucester.¹⁷⁵ Geynesburgh also demanded the same from the priory of St. Sepulchre Warwick.¹⁷⁶ St. Sepulchre received the same request from Walter Reynolds on four different occasions between 1310 and 1312.¹⁷⁷

These are some of the ways that the monasteries and their heads participated in the life of the diocese. Whether caught in the midst of ecclesiastical disputes over visitation or participating in the courts of the bishop or pope, the canons had significant interactions with the church at large in legal disputes.

¹⁷⁴ *Reg Geynesburgh*, pp. 204-5.

¹⁷⁵ *Ibid.*, p. 10, 14, 118, 120, 146. Entries nos 14 and 118 both deal with one John Foun of Tutbury, who also appears in a similar context in the *Reg SV* at about the same time. See *Reg SV*, p. 31.

¹⁷⁶ *Ibid.*, pp. 18, 27.

¹⁷⁷ *Reg Reynolds*, pp. 17, 20, 31, 41.

Requests of the Bishops for Canons to act in Parochial Duties

It was not only in the instances of conflict, election or visitation that the priories and the bishops converged, however. The registers reveal that the bishop frequently enlisted the monasteries, and in particular the heads of the monasteries, to carry out much work within the diocese. Far from out of touch with the parish world on their doorsteps, the monasteries were in close contact with the parishes and parishioners outside the gates of their convents.

The register of William Geynesburgh, which begins in 1302, records the first requests for what might be deemed parochial, or at the very least, religious, services performed by the canons. Geynesburgh's register records that the abbot of St. Augustine's and the abbot of Kenilworth were witnesses to a marriage settlement.¹⁷⁸ Bishop Reynolds, who succeeded Geynesburgh to the see, also called upon the canons to perform religious duties. In 1311 the bishop requested that the abbot of Cirencester reconcile the church of St. John, Cirencester, by sprinkling holy water in the church, a standard practice when a church had been defiled by bloodshed.¹⁷⁹ In the same year, 1311, the priory of St. Sepulchre was called upon 'to reconcile the cemetery of the church of St. Mary, defiled by bloodshed, according to privilege from the apostolic see'.¹⁸⁰ St. Augustine's Bristol, received the same request for the cemetery of the chapel of Westerleigh.¹⁸¹ In 1318 Thomas de Cobham requested the same act of Kenilworth Priory

¹⁷⁸ *Reg Geynesburgh*, p. 48.

¹⁷⁹ *Reg Reynolds*, p. 23.

¹⁸⁰ *Ibid.*, p. 34.

¹⁸¹ *Ibid.*, p. 28. These requests for reconciliation of the cemeteries due to bloodshed do not appear to be related or traceable to any one specific conflict, though 1311-12 marked the height of the conflict between Edward II and the Barons, specifically over the favoritism shown to Piers Gaveston, whom the king named earl of Cornwall in mid 1311.

for the church of Kineton.¹⁸² These instances are noteworthy not only because they are specific instances of the abbots and priors performing religious duties, but they were acts normally done by the diocesan. As Sweet notes, ‘normally, to reconcile churches and cemeteries was a function performed by the diocesan; and there was good reason why it should not be permitted to others... Innocent VI mentioned the reason: because the episcopal income was largely dependent on such reconciliations.’¹⁸³ He notes that the duty was welcomed for the twin reasons of elevating the abbatial (or priorate) status as well as earning the income that came along with the action.¹⁸⁴

Other religious duties recorded in the registers are as follows. Wolstan de Bransford’s register recounts that a canon of Cirencester, John de Pyriton, was commissioned to serve as penitentiary within Cirencester deanery,¹⁸⁵ and Horsley Priory was granted the church of Nympsfield for four years while the rector, Dean Peter, was away at university following the burning of his house. This entry specifically notes that ‘the cure of souls is not to be neglected’, implying that canons were either to serve the house themselves or at very least be responsible for the provisioning of a parish priest to serve as vicar though this is unusual language for prescription of a vicarage.¹⁸⁶ These few requests seem to be the extent of what might be considered explicitly religious duties the canons performed at the behest of the bishops. However, the canons also served several other functions for the diocese in the fourteenth and fifteenth centuries.

The bishops and kings recruited the abbots and priors of the canons to collect tithes requested by the popes and taxes levied by the kings of England. Bishop Giffard

¹⁸² *Reg Cobham*, p. 12.

¹⁸³ A. H. Sweet, ‘The Apostolic See and English Religious Houses’, *Speculum*, 28 (1953), 468-484.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Reg Bransford*, p. 105.

¹⁸⁶ *Ibid.*, p. 124.

enlisted the prior of St. Oswald's Gloucester, and the prior of St. Peter's to collect the tithe for the holy land in 1275.¹⁸⁷ Walter Reynolds' register records the appointment of the abbot and convent of Cirencester to be collectors for the archdeaconry of Gloucester to raise money for the Crusade called by Clement V against the Saracens in the Holy Land. The fee was a tithe on all ecclesiastical revenues for six years.¹⁸⁸ In 1339 Wolstan de Bransford called upon the abbot of Cirencester to collect the procurations for the papal nuncios,¹⁸⁹ and then, only three days later, deputized him to collect the triennial tenth for Edward III's war effort in France, which had been granted in 1337. The specifics of those who still owed are recorded, but the entry in the register finally reads that 'the writ was received so late that nothing could be done'.¹⁹⁰ In November of the same year, the bishop's register again records a request for the delivery of the collection, but this time provides details about how he is to go about doing such. The commission states that 'the collectors are... given full power, by means of ecclesiastical censure and the sequestration of the fruits of benefices, to exact such arrears, as well as to proceed summarily against the recalcitrant and to punish them'.¹⁹¹ Here the Close Rolls confirm the details, as the records of the king have three entries between December of 1339 and January of 1341 requesting the collection be turned in.¹⁹² One entry even states that if those appointed to do so did not turn the collection in soon the crown would levy the balance against the abbey itself.¹⁹³ Several other terse entries in the bishop's register note that the abbot of Cirencester was still having difficulty collecting the tenth. In one of

¹⁸⁷ *Reg Giffard*, p. 80.

¹⁸⁸ *Reg Reynolds*, p. 71.

¹⁸⁹ *Reg Bransford*, p. 3.

¹⁹⁰ *Ibid.*, p. 4.

¹⁹¹ *Ibid.*, p. 37.

¹⁹² *CCR*, Edw III, 1339-1341. p. 318, 503 and 611.

¹⁹³ *Ibid.*, p. 503. Though interestingly, they are apparently owed what amounts to a refund of the same money for overpayment. See *CCR*, Edw III, 1341-43, p. 165.

these it is revealed that the abbot had appointed a 'sub-collector' who had collected a fair portion of the money but had not delivered it to the abbot. Clearly, the service of collection, such as it was, brought with it a whole series of difficulties and frustrating interactions with other members of religious orders as well as the secular clergy who held portions in the many parish churches of Worcester diocese.

It also appears that Cirencester was called upon to be the collector of the tax of wool levied by the king in the Parliament of 1339. The prior was charged by the bishop to investigate who still owed wool for the king, how much had been paid and to whom, and whether answer had been made to the king or not.¹⁹⁴ The abbot reported back on the amount of wool that he had collected, from whom, and that he had said wool in his possession. Interestingly, he mentions specifically the abbot of Evesham, whom 'he cannot coerce because of his immunity'. This seems to be a clear example of how exemption could be a real and practical thorn in the side of the bishops and other ecclesiastics.¹⁹⁵

Studley Priory was likewise compelled to serve as collector of the 'triennial tithe' for the archdeaconry of Worcester in 1344. The bishop did state that 'so as not to burden them excessively, he intends to depute other collectors for the second and third years'.¹⁹⁶ Tewkesbury's abbot was chosen for the archdeaconry of Gloucester but, as is noted in one entry, he was 'too old and enfeebled, and he and his house (we)re inadequate for the collection for the tenth and any arrears'.¹⁹⁷ Other houses too were granted this

¹⁹⁴ *Reg Bransford*, p. 281.

¹⁹⁵ *Ibid.*, pp. 281-2.

¹⁹⁶ *Reg Bransford*, p. 311.

¹⁹⁷ *Ibid.*, p. 311, 315 and 316. Tewkesbury was a fairly large monastery, and whatever it might mean that the house was inadequate for the collection is hard to make sense of, especially since Studley was surely not as grand.

responsibility. The register of Henry Wakefield records an instance where the prior of Lanthony was also called upon to be a collector, this time of the tenth levied at St. Paul's in 1386.¹⁹⁸ And, Bishop Clifford's register records that the prior of St. Oswald's Gloucester was also called upon as a collector of the tenth and half-tenth in the archdeaconry of Gloucester in 1403.¹⁹⁹ St. Oswald's Priory was, however, allowed an exemption from collection by Richard II. A letter in the Close Rolls explains in some detail how the priory was founded 'by the alms of former kings' and was a royal free chapel, free of all diocesan and metropolitan jurisdiction, subjected only to the archbishop of York by a charter of William II. It had come to the king's attention that bishop had appointed them to be a collector of a moiety of a tenth in certain deaneries of the archdeanery of Gloucester. The king simply stated that 'it (wa)s the king's will that this time they be exempted'.²⁰⁰ The grant is curious, because the modern reader is confounded as to why the canons did not seek this right all the time. Nevertheless, on this occasion at least, the canons were exempted from the collection, owing once again to their exempt status as a royal free chapel. This again gives some insight into what exemption really meant – exemption from all episcopal oversight and control, not merely exemption from visitation. It is no wonder that the bishops quailed about such rights and resisted them being granted.

The rolls of the kings provide other examples of the priors acting as collectors of the tithes. The prior of Kenilworth was called to be the collector of the tithe in 1334 in

¹⁹⁸ *Reg Wakefield*, no. 819.

¹⁹⁹ *Reg Clifford*, pp. 223-4. It is here noted that a few 'poor nunneries' and the hospitals for the poor are exempted from the tax, but otherwise, it seems that all other monasteries were compelled to participate.

²⁰⁰ *CCR, Ric II*, 1381-85, p. 367.

Warwick.²⁰¹ He had earlier been sub-collector in the diocese of Coventry and Lichfield in 1309,²⁰² and a collector of taxes in 1294.²⁰³ 1337 seems to have been a bad year for the prior of Kenilworth as collector of the tenth for the king's uses; the Close Rolls record four entries that year for the prior to pay up to the king.²⁰⁴ The prior of Lanthony was called to be the collector of the tenth granted in 5 Henry IV (1404) by Richard (Clifford), bishop of Worcester, for the archdeaconry of Gloucester, and by Robert (Mascall), bishop of Hereford, in the diocese of Hereford.²⁰⁵ The prior also served as sub-collectors for St. David's diocese in 1318.²⁰⁶ The abbot of St. Augustine's Bristol was also summoned to be a collector for the king, for the 'urgent needs of the defense of the realm' in 1406.²⁰⁷

A very detailed entry in the register of John Heyward, prior of Lanthony from 1457 to 1466, shows the prior's accounts for the 'tenth granted to the king at a convocation of Canterbury province in St. Paul's cathedral, London, on 15 July 1 Edw IV (1461)'.²⁰⁸ The entry not only records that the prior was called upon to be the collector of the tenth for the archdeaconry of Hereford but the specifics of that collection as well. The register records that the tenth of the spiritualities and temporalities of the archdeaconry, excluding benefices under six marks, was valued at £350 2s 7d. The detail here shows the diligence and the expense necessary to carry out such a collection, leaving little surprise that occasionally abbots and priors sought to opt out of being collectors, usually citing old age or infirmity as the main reason. Interestingly enough, during the reign of Henry

²⁰¹ *CPR*, Edw III, 1334-38, p. 39.

²⁰² *CPR*, Edw II, 1307-1313, p. 99. See also *CCR*, Edw II, 1307-13, p. 227, where we learn that this was for the war in Scotland.

²⁰³ *CPR*, Edw I, 1292-1301, p. 89. See also, *CCR*, vol. iii, 1288-96, p. 396.

²⁰⁴ *CCR*, Edw III, p. 34, 81, 91, 155.

²⁰⁵ *CPR*, Henry IV, 1405-09, p. 90.

²⁰⁶ *CCR*, Edw II, 1318-23, p. 103.

²⁰⁷ *CCR*, Henry IV, 1400-12, vol. iii, p. 58.

²⁰⁸ *Reg Lanthony*, pp. 35-36.

V, the prior of Lanthony was himself excused from serving as a collector anywhere except the diocese of Worcester. The stated reason was because the priory of Lanthony was founded by the progenitors of the king and had collected many times in the past.²⁰⁹ This privilege was confirmed during the reign of Henry VI.²¹⁰ Edward IV reiterated this right, though makes no mention of the precedent that was set by Henry V.²¹¹ From these instances, it is clear that as collectors, too, the monasteries were engaged with the world outside the gates, both in service to the church at large or the realm of England. The bishops regularly employed the Augustinian houses in Worcester diocese to collect both tithes and taxes. There seems to be no systemic response from the canons. Rarely did a direct conflict arise over these duties, though it is clear that canons sought and occasionally achieved freedom from such responsibilities.

The Papacy and the Canons in the diocese of Worcester

In addition to the duties owed to and the oversight of the bishops of Worcester, the canons also owed allegiance to and were subject to the papacy. From the time of the Gregorian reforms onward, the power and primacy of the bishops of Rome grew increasingly great, culminating perhaps in Innocent III's reign in the early thirteenth century. One consequence of this ascendance was that none in the church, regulars included, could escape the oversight of the powerful medieval popes. For the houses of Augustinian canons, this was generally a good thing. The rights of the monasteries under the papacy were protected, and all abbots and priors knew that they had recourse against

²⁰⁹ *CPR*, Henry V, 1413-16, p. 109. Cirencester was granted the same privilege, see *CPR*, Henry VI, 1436-41, p. 294.

²¹⁰ *CPR*, Henry VI, 1429-36, p. 177.

²¹¹ *CPR*, Edw IV and Henry VI, 1467-77, p. 520.

overzealous bishops by the right of appeal to the See of Peter. The papacy served as a grantor of rights and protections to the monasteries, allowing them to safeguard their possessions against all challengers. And, the papacy extended to the heads of religious houses noble duties and grants that allowed them to take an important role in the governance of ecclesiastical affairs, or at very least, to display the glory of the church in the pontificalia. Sometimes this brought the houses into conflict with the bishops, and on occasion with the king, but for most of the monasteries, the relationships between the monasteries and the papacy were very favorable for regulars.

The relationship between the English churches and the papacy has been much studied, and only a few key observations need to be clarified before this study can proceed with the examples of the canons in Worcester. Jane Sayers has noted in her studies that the right to appeal to the pope in ecclesiastical matters, while an ancient Roman right,²¹² flourished and expanded in the time of the Gregory VII and onward. ‘No period was more influential in determining the subsequent course of the history of the papacy as an institution of government than the pontificate of Gregory VII.’²¹³ This exertion of primacy was, she notes, ‘the foundation of the appeal system as it was known in the twelfth century’.²¹⁴ This power of ecclesiastical appeal, and ultimately in the twelfth century the development of first-instance jurisdiction, led in fact to widespread appeal to Rome and to the extension of that power by the use of the papal judge-delegate system, much to the ire of the kings. In fact, as Sayers notes, ‘Although these extensions were welcomed by the litigants, they were not welcomed by the secular rulers, who had

²¹² Jane Sayers, *Papal Judges Delegate in the Province of Canterbury 1198-1254* (Oxford: Oxford University Press, 1971), p. 2.

²¹³ *Ibid.*, p. 1.

²¹⁴ *Ibid.*

their own jurisdictions to build up and maintain.²¹⁵ The history of the England is pockmarked by attempts by the crown to end the practice of appealing to Rome altogether. The Constitutions of Clarendon under the reign of Henry II, the Second Statute of Praemunire in 1393 and the Act of Restraint of Appeals to Rome at the Reformation were all such attempts.²¹⁶ Despite these efforts, and in view of the power of the medieval papacy, the monasteries and other ecclesiastics had the right to seek the pope's assistance in disputes and served as judges-delegate when called upon.

Appeals to Rome, or even first-instance litigation, are commonplace in the records of medieval England. In this, the canons of Worcester are no different. Though here the bishops' registers offer little assistance, the Calendar of Papal Letters and surviving cartulary data, particularly that of the monastery of Cirencester, fill in many details. Many types of assistance from the apostolic see were requested, and many diverse papal mandates exist in the registers of the popes illustrating these. Beginning prior to the thrust of this study, but illustrative of the interactions of the papacy and the monasteries nonetheless, the interventions in the papal registers become frequent at the beginning of Innocent III's reign in 1198.²¹⁷ The diversity of the entries is noteworthy and important for this study of how the papacy interacted with the monasteries.

²¹⁵ Ibid., p. 8.

²¹⁶ Ibid., p. xix, 8.

²¹⁷ This is also the beginning date for Sayers's work, though she makes clear that the influence of the popes was felt on the churches of England beginning as early as the pontificate of Gregory VII and grew increasingly strong under Alexander III (1159-81). See also Z. N. Brooke, *The English Church and the Papacy* (Cambridge, 1931) for a detailed discussion of the relations between the two nominal powers up to the Innocent III and John's submission to him.

The Papacy's Interventions Concerning Disputes in the diocese of Worcester

Frequently, the heads of the religious houses were called upon to partner with the bishops, at the order of the papacy, to settle disputes among other monasteries, not only of their own order, but also between monasteries of divergent orders as well. As early as 1199 the abbot of Cirencester was summoned, along with the archbishop of Canterbury and the abbot of Chertsey, to 'compel the abbot of Waltham to observe the constitution confirmed by the apostolic see to keep the money of the abbey in a bag in the custody of two or three canons'.²¹⁸ Here is an injunction for the canons to assist in enforcing discipline within the order, not unlike an ordinance given by a diocesan at a visitation. Honorius III issued another 'internal' mandate in 1217 to four monastic heads in Worcester diocese, 'the abbots of Cirencester and St. Augustine's, and the priors of Bristol and Studley'.²¹⁹ In this instance they were called upon to assist the prior of Lanthony, who had petitioned the pope concerning discipline in his house. Apparently, the late archbishop (Hubert Walter) had found that many of the brothers had departed the common table, took meat in unseemly areas of the monastery and had left the refectory almost deserted, which led to quarrels and breaches of the rule. The archbishop had issued injunctions at his visitation, but 'some of them (canons) grumbling, the old abuses returned in greater force than before. The pope therefore orders the observance of the archbishop's decree'.²²⁰ These simple examples demonstrate that the papacy's reach extended even into the internal workings of a monastery, the day-to-day managing of religious institutions.

²¹⁸ *CPL*, vol. i, p. 8.

²¹⁹ The 'prior of Bristol' here is probably the prior of Bristol Priory, a small Benedictine priory in the city of the same name. Oddly it was the only Benedictine monastery called upon by the pope in this request.

²²⁰ *CPL*, vol. i, p. 42.

Many of the requests of the papacy for the canons to settle disputes involved the Augustinians interacting with monasteries of another order. One such entry is found in the register of John XXII, which records that the abbots of Abingdon, Malmesbury and St. Augustine's Bristol were given the mandate not to suffer the abbot and convent of Glastonbury 'to be molested touching their possessions and privileges'.²²¹ The mandate was made at the request of King Edward and Queen Philippa. The implication is *that* the other abbots could somehow enforce, or at least help enforce, these decrees. What precisely these entries communicate about interactions between the monasteries themselves is hard to discern, but clearly the heads of the religious houses in a geographical area, regardless of order, partnered together to enforce the decrees of the pope.

A whole series of entries in the registers are recorded for the priors and abbots to participate in the restoration of fellow religious who, having left their monastery apostate, wanted to return.²²² These injunctions also involve diverse orders working together to accomplish the papal intents. The recipients of the mandates were called upon 'to execute the ordinances touching apostates'.²²³ The prior of Studley received such a mandate in 1341 from Benedict XII concerning a Cistercian monk from the nearby monastery of Bordesley.²²⁴ A similar mandate was written to, among others, the abbot of Evesham and the archdeacon to Nottingham, to restore a canon of the small Augustinian house of Dodford. He had come to the pope with permission, but left his order, and now wanted to

²²¹ *CPL*, vol. ii, p. 380. This is the third in a list of concurrent mandates to various monasteries around England.

²²² The editor of the calendar notes that such entries proliferated since many religious left their houses to travel to Rome for the Jubilee indulgences of 1350. *CPL*, vol. iii, p. vi.

²²³ For an excellent discussion of the readmission rights for apostates and penances and discipline placed upon them, see Logan, *Runaway Religious*, pp. 145-155.

²²⁴ *CPL*, vol. ii, p. 550.

be restored.²²⁵ Similarly, one Henry de Quenton left the priory of Kenilworth and was to be restored according to the ordinances touching apostates,²²⁶ as was one Adam de Codintone of Lanthony Priory.²²⁷ Not to be outdone was the canon of St. Sepulchre Warwick, who in 1343 'broke out of the prison of the priory, and now desires to be reconciled'.²²⁸

Another example of how fellow abbots and priors, this time all of them Augustinian, were to function among one another is recorded in the register of Gregory XI. In a letter to the bishop of Worcester, the abbot of Cirencester, and the prior of Studley, mandate was given to assist in the resignation of the prior of Llanthony Prima in Wales. The register retells of how Nicholas, the prior, 'after ruling the priory well for eleven years, was, while saying the office of the dead, thrown to the ground, and had both his eyes torn out by the sons of iniquity... canons of the same, who also killed his brother John.'²²⁹ The pope states that the prior had not dared reside within 40 miles of the priory and, in a moment of understatement, declares that the prior was 'ready to resign'! The bishop, abbot, and prior were to accept his resignation, see to the election of a new prior and that a pension was given to him from the revenues of the convent. The pope also ordered strict punishments for the offenders.²³⁰ Though clearly too late to help the assaulted prior, the pope stepped in when called upon to settle the dispute, using members of the local ecclesiastical structures, including monasteries from the same order, to set the situation right. This is merely one more example of how the canons were connected to the

²²⁵ *CPL*, vol. iii, p. 607.

²²⁶ *CPL*, vol. iii, p. 461.

²²⁷ *CPL*, vol. iii, p. 170.

²²⁸ *CPL*, vol. iii, p. 117.

²²⁹ *CPL*, vol. iv, p. 223. John was actually his real brother, both bearing the last name Trimbeve.

²³⁰ *Ibid.*

overall ecclesiastical structure of the diocese and the church at large and specifically directed by the pope to satisfy disputes within the monastic community.

Two other examples of how the heads of Augustinian houses worked within the diocese to settle disputes and conflicts at papal requests will suffice for illustration of the variety and frequency of such requests. In 1225, the prior of Kenilworth was called to compel the convent of St. Mary's York, to produce 'all their indults and privileges, suspected by the archbishop and some skilled lawyers to be false'.²³¹ Likewise, the same prior was requested to assist in rectifying the folly of another monastery. Along with the dean of Lichfield, he was to restore to the abbot and convent of Burton the manor they granted in fee to Philip Marci, a layman, for 100 marks, owing to heavy indebtedness. Apparently the convent bound itself under pain of excommunication if they annulled the grant, and the agreement on the manor, worth only 20 marks per year in rents, had left them 'grievously injured'. The convent was to be assigned a penance for such folly, and Philip was to be satisfied for his expenses in the revocation of the grant.²³² This action shows not only the power of the Roman pontiff over the people of Christendom but also the power to conscript the monasteries into service.

A final instance of a time when a monastic head was called upon to settle a dispute involving another monastic community is found in the register of Boniface IX. The pope heard the cries of his people in the parish of St. Helen's Abingdon, concerning the lack of a cemetery. For want of appropriate ground, the parish church had no cemetery, and the monastery of Abingdon, to which the church was appropriated, had been the site for the funerals. However, the vicar of the church had been taking all the

²³¹ *CPL*, vol. i, p. 102.

²³² *Ibid.*, p. 104.

dues, leading the abbot and convent to refuse burial of a body for three days and three nights. 'Moreover, the said gates being carelessly not kept shut, pigs have gotten into the cemetery and dug up the corpses; the monks, likewise, without consent of friends and executors, remove, sell, and appropriate to their own use the costly tombstones.'²³³ The pope, therefore, called upon the prior of Lanthony to require Abingdon to provide a cemetery for the parish of St. Helen's, adjacent to the church and appropriated to the convent. One full year later, Lanthony was summoned again to enforce the injunction of the pope. However, Abingdon had called in a papal chaplain to their defense, citing that they had not been cited themselves and so were not bound by the pope's mandate. Here, the pope conscripts the prior of Lanthony to compel the abbot of Abingdon to obey.²³⁴

This again offers some insight into the interactions between the monasteries of different orders. Though no clear pattern emerges, it seems that the orders viewed one another as having substantial enough authority that when one of them had orders from the papacy to compel another to obey, such an order was usually obeyed, without, it would seem, any sort of appeal to a superior, the diocesan or another member of the order. In this instance, the abbot of Abingdon called in one of the pope's own chaplains to try and resist an order from the papacy. Unfortunately, no record of the resolution of the matter can be found.

Canons Called to Settle Disputes in Official Legal Capacities

It was not only between monastic communities that the canons were called to adjudicate. Several instances of the heads of monastic houses officially functioning in the courts of

²³³ *CPL*, vol. iv, p. 371.

²³⁴ *Ibid.*, p. 439.

the pope are recorded in the papal registers. Frequently, as Sayers notes, the bishops were called upon by the papacy to act as judges. 'The part played by the bishops in the extension of the papal judge-delegate system has not gone unrecognized. By about 1130 the bishops were called upon to fulfill this new function.'²³⁵ By the end of the twelfth century, the burden of hearing all the appeals, and they did proliferate greatly in the 1100s, fell to many others. 'Delegation to abbots and lesser dignitaries became common once the bishops had set up the system, so that by the 1180s the bishops were no longer the only ecclesiastic to act as judges-delegate.'²³⁶ Sayers also notes that by the time of Innocent II, (1130-43) subdelegation had become possible, so that the bishops could pass off cases to others, particularly regulars.²³⁷

One such entry touching the canons in Worcester as subdelegate is recorded in 1205 in the *regesta* of Innocent III. The prior of St. Sepulchre, along with the abbot of Bordesley, was to proceed in a cause between R. the rector of St. Aldate's and Thomas, the rector of the chapel of St. John in Gloucester. The dispute was over parish rights, and the register states explicitly that the case 'had been committed to the bishop of Worcester and his fellow judges'.²³⁸ Here is clear evidence that the bishop had handed over the case to others in his diocese.

Another record of subdelegation touching the diocese involved Cirencester. In a dispute between them and their tenants of Milborne over tithes, the prior and convent received a decision in their favor from the subdelegates of the priors of Malmesbury and

²³⁵ Sayers, *Papal Judges Delegate*, p. 9.

²³⁶ *Ibid.*, p. 10.

²³⁷ *Ibid.*

²³⁸ *CPL*, vol. i, p. 24. Apparently, however, the bishop had admitted R (presumably R, the rector of St. Aldate's, since it is stated without clarification) to his household, and the cause may not have been able to be heard by the bishop, as the entry ends 'unless the suit was begun after such admission'.

Bradenstoke, Robert de Seagry, rector of Kemble, and J., chaplain of the same. Gregory IX had charged the priors of Malmesbury and Bradenstoke to be delegates of the Roman See, and they in turn delegated to the lesser clergy.²³⁹ The text explicitly lists them as '*vices de Bradenstok' et de Malmesb' priorum domini pape Gregorii noni delegatorum*'. These men were subdelegates not of the bishops, but of local priors of other convents. This event, recorded in 1229, reflects how the practice described by Sayers continued and developed into the thirteenth century.

It was not only the papacy requesting the bishops to adjudicate in disputes between religious houses, occasionally the religious houses were to aid the diocesan as well. An interesting request was made by John XXII in 1327. The pope called upon the abbots of Evesham and Dore and the prior of Lanthony to 'do justice to the manors and buildings belonging to the income of the bishop of Hereford'. Apparently, during the rule of current bishop of Worcester, Adam (Orleton), formerly bishop of Hereford, the properties were lessened in value due to the negligence of the 'secular power, and malice of the ministers who detained the temporalities of Hereford'. Adam was not to be molested because of the 'dilapidations'.²⁴⁰ This is a very uncommon case wherein the pope called the heads of religious houses to the defense of the ordinary. This seems to be a request for loyalty among men of the church against the secular powers when those powers did damage to the church in any of its manifestations. A similar act in favor of bishops, this one perhaps against two monasteries, is recorded in the same register. Pope John XXII called upon the bishop of Armagh to calculate the value of the benefices and churches belonging to the two Lanthonys (in Wales and in Gloucester) that lay within the

²³⁹ *Cir Cart*, vol. ii, no. 593.

²⁴⁰ *CPL*, vol. ii, p. 280.

diocese of Armagh and Meath, so that they might be counted to the income of the archbishop of Armagh, who was said to be reduced to poverty and burdened with debt.²⁴¹ Whether or not the income of the priories was added to the income of the bishop of Armagh, and for however long this situation may have persisted, this seems a rather remarkable request by the pope. Though no record of dispute is known, it is difficult to imagine any religious institution tacitly accepting such a request.

Sayers notes that when religious were called upon to serve as papal judges delegate, the Augustinians performed this function more than any other order. Reporting on the late twelfth and thirteenth centuries, she states, 'The main burden of the delegated judicial work seems to have been borne by the Augustinians. Some 420 mandates were sent to them in the southern province between 1198 and 1254, involving abbots, priors, subpriors, precentors, and canons of ninety-four houses.'²⁴² These numbers compare to 300 for the Benedictines, 130 mandates to Cistercians, and only about 10 Cluniac priors received the same summons.²⁴³ The situation may have changed for the later medieval period however, for only a few such cases appear after 1254 in the diocese of Worcester as recorded in the papal registers. This pattern would seem to indicate, as Dickinson has noted, that the canons were seen in a different light than the other regulars, that they were of the 'ordinary machinery of the church', and that they were in some manner different than the monks. Examples of the canons in Worcester being so-called to serve are numerous.

²⁴¹ Ibid., p. 255.

²⁴² Sayers, *Papal Judges Delegate*, p. 120.

²⁴³ Ibid., pp. 122-125. Unfortunately, these do not seem to be recorded in the papal registers, and are mentioned only in passing in the bishops registers for the diocese of Worcester, so the number of those that fall in the Worcester diocese is unknown.

Nicholas, abbot of Cirencester, was called upon to settle a civil case between John, bishop of Bath and Wells, and Stephen Pempel, the dean of Wells, over jurisdiction in the city and suburb of Wells.²⁴⁴ Earlier, Abbot Richard of Cirencester had been appointed as a papal judge-delegate and commissioner by Celestine III.²⁴⁵ The prior of Studley was also called upon to settle a dispute along with the priors of Tutbury and Repton. The dispute was between the abbot of St. Mary Alcester and three men who claimed that the convent was obliged to keep a clerk and a number of candles burning in the church. The men, alleging that the convent had failed in its duties, called the canons before the court of the bishop of Worcester, who pronounced a sentence of excommunication. The abbot, claiming the sentence to be unjust, appealed to the Roman See, which in turn called upon the priors to settle the dispute with binding authority and without appeal.²⁴⁶ This instance reveals that even the bishops' decisions were not impervious to the power of the papacy – manifested in the person of a prior. It can easily be seen how such acts of service could lead to conflict within a diocese.

As noted earlier, the register of Godfrey Giffard provides several examples of the canons functioning as papal judges-delegate in disputes within the diocese of Worcester. The sub-prior of Lanthony was named as judge in the dispute between Bishop Giffard and Archbishop Peckham in 1283.²⁴⁷ Kenilworth was called in the same year, along with the prior of St. Oswald, to settle the dispute between the bishop of Worcester and the priory of Great Malvern.²⁴⁸ As noted above, the prior of St. Oswald was a favorite to

²⁴⁴ *CPL*, vol. vii, p. 55. This entry is recorded substantially after the fact, as the case continued to be contentious even after the death of Nicholas, abbot of Cirencester. The recorded date for the case is 1378, and the letter in the register is 1418.

²⁴⁵ Evans, 'Heyday', pp. 115-142.

²⁴⁶ *CPL*, vol. xii, pp. 557-8.

²⁴⁷ *Reg Giffard*, p. 209.

²⁴⁸ *Ibid.*, p. 189.

serve as a judge-delegate in the late thirteenth century. Aside from the dispute just mentioned, the prior also was called to serve as judge in a dispute over the vicarage of Hales in 1279.²⁴⁹ Richard of Bathampton, prior from 1281 to 1289, settled a dispute against one man for £70, and forbade the bishop to carry out mandates he had ordered in 1282.²⁵⁰ On at least four occasions, as previously described, the priors' decisions brought the ire of the diocesan and the archbishop, bringing upon their own heads the sentence of excommunication.²⁵¹ These few instances record the nature of the cases the canons faced when serving as judges-delegate for the popes. Though clearly an honored position, the difficulties the responsibility of serving as judge brought upon the house were numerous, and more likely than not, unwanted.

The Canons' Use of Papal Judge Delegates for Settlement

There are abundant records to indicate that the canons of Worcester not only served as papal judges delegate throughout the medieval period, but that they also benefited from the papal courts and the judge-delegate system. Surviving cartulary evidence seems to preserve the most complete record of the use of papal judges delegate by the canons. Many of these instances are from before the specific focus for the time of this study, but nonetheless illustrate that the canons were in fact using their recourse to the papacy to get their disputes settled when resolution could not be found on British soil.

The canons of St. Augustine's Bristol recorded in their cartulary a few instances in which they had appealed to the pope for settlement of legal struggles. One case that raged for years, the battle between St. Augustine's and Reading Abbey over the churches

²⁴⁹ Ibid., p. 107.

²⁵⁰ Ibid., p. 152, 154.

²⁵¹ Ibid., p. 122, 157, 192, 532.

of Berkeley Hernesse, was ultimately settled by papal judges delegate.²⁵² In this case the people appointed to settle the case were Robert, bishop of Hereford and Simon, abbot of St. Albans. The settlement in this long-standing dispute was attested by a veritable 'who's who' of twelfth-century English ecclesiastical life, including the archbishop of Canterbury and six other bishops.²⁵³ Another time it was recorded in their cartulary that the abbot of St. Augustine's Bristol came to terms with St. Peter's Gloucester, and Walter de Cam, concerning a prebend of Berkeley. In this instance, a charter of Roger de Berkeley records that he accepted the decision of the papal judge-delegate. '*Noverit universitas vestra quod ratam habeo et gratam compositionem illam que facta est auctoritate judicum a sede apostolorum delegatorum inter abbatem et conventum de Gloucestr' ... et abbatem et conventum Sancti Augustini de Brist.*'²⁵⁴ The canons again needed the assistance of papal judges delegate in a dispute with their patron family, the Berkeleys, in 1237. This time the canons of St. Augustine were in a dispute with Thomas de Berkeley over tithes of various types, land, rights of way and rents. The judge-delegate settled the dispute, disclosing the terms, and both parties bound themselves to the bishop of Worcester to see that the dispute was honored in perpetuity: '*in posterum fideliter observetur pars utraque se subjecit jurisdictioni domini Wigorn.*'²⁵⁵

Not all of St. Augustine's involvement with the episcopal see favored the canons. One notable example of this is recorded in the papal register of Paul II. In 1470 one William Gyan, rector of the free chapel of Tockington in Worcester diocese, brought an appeal against the canons of St. Augustine's Bristol alleging that the canons were

²⁵² See above, pp. 75-79.

²⁵³ *Cart. St. Aug, Bristol*, no. 11, pp. 7-8.

²⁵⁴ *Ibid.*, no. 150, p. 93. The possible dates given for this agreement are between 1191 and 1220.

²⁵⁵ *Ibid.*, no. 159, pp. 99-100.

claiming tithes of the chapel that were within the bounds of the parish of Almondsbury, a possession of the abbey. William sought a settlement in the court of the auditor of the archbishop, who decided in favor of the canons. William then appealed to Rome, seeking a redress. The case had been directed to the abbot of Beaulieu, the prior of Leonard Stanley, and John Stratton, a canon of Salisbury, to 'confirm or quash the said sentence'.²⁵⁶

By far the greatest number of cases for which surviving evidence allows an inspection to be made of those times when the canons sought the assistance of Rome in settling their disputes comes in the house of Cirencester. The cartulary of Cirencester Abbey has many entries in which delegates of the pope were dispatched to settle disputes. In total there are 25 entries in the cartulary that record intervention of papal judges delegate in disputes involving the monastery directly or their possessions. The dates of these records stretch from 1174 to 1301. The distribution of the cases is uneven, with 11 being settled between 1174 and 1200, three between 1201 and 1225, nine between 1226 and 1250, and two after 1250 – one in 1283 and the other in 1301.²⁵⁷ The disputes in question range over a wide array of matters.

One entry, dated c.1215, records that Henry, son of Geoffrey fitzPeter, late earl of Essex, resigned all right to the church of Preston. It had come to Henry's attention that the church had been appropriated to the abbot and convent: '*dicti abbas et conventus eandem ecclesiam de Preton' auctoritate domini Wygonr' episcopi in proprios usus*

²⁵⁶ *CPL*, vol. xii, p. 803.

²⁵⁷ There seems to be no correlation between the dates of the entries and the priors of the house, the bishops of Worcester at the time, the popes or kings of England. It seems indeed that the abbots of the house made the appeals to the pontiff at times of need, not only in certain times of leadership or opposition.

perpetuo possidendam canonice fuerant consecuti,²⁵⁸ and so he resigned all claim to it. In another case, the archdeacon of Gloucester had made claims to procurations from a church and chapel held by the canons of Cirencester. In this case, the judges delegate declared the abbey not liable for the said procurations.²⁵⁹ Four entries dated between 1174 and 1186 deal with the canons' church of Cheltenham and one Reginald the priest of the said church, particularly touching the vicarage of the church. No fewer than four bishops, one of them the archbishop, and one abbot were called to serve as judges delegate in settling this dispute.²⁶⁰

Some cases involve other houses of canons in the diocese as judges delegate. One case dealing with burials of the bodies of villeins and 'men of servile condition' (*hominum servilis condicionis*), was settled by the priors of Winchcombe and St. Oswald's Gloucester.²⁶¹ The same two judges had, four years earlier, found in favor of the convent against one Hamo of Beckhampton, concerning tithes of the church of Avebury.²⁶² Another case, a dispute between the abbot and two clerks over churches in Northamptonshire, was settled by the abbot of Evesham and the prior of Kenilworth. Still one more dispute in the cartulary reveals how the canons were utilized as judges delegate as the prior and sub-prior of Lanthony, who was acting in place of the abbot of Gloucester, '*subprior, abbatis Gloucestrie vices gerens ad totam causam*', decided in favor of Cirencester against a priest who was seeking a change in the terms of the vicarage.²⁶³

²⁵⁸ *Cir Cart*, vol. ii, no. 377.

²⁵⁹ *Ibid.*, no. 418, pp. 375-6.

²⁶⁰ *Ibid.*, nos 421-4, pp. 378-81.

²⁶¹ *Ibid.*, no. 486, pp. 427-8.

²⁶² *Ibid.*, no. 488, pp. 430-1.

²⁶³ *Ibid.*, no. 728, pp. 599-602.

The records reveal a startling success rate for the abbey in its appeals. Almost all of the decisions of the judges delegate came out in favor of the abbey. Perhaps this is the editors' choice – only to leave in the cartulary the decisions favorable to the monastery. Or, perhaps the canons were simply that successful in their appeals to the papacy. Most all of the cartulary records reveal that in the case of appeal the convent almost always received a judgment in their favor or what appears to be, from the facts available, a reasonable settlement. Two decisions, however, stand out among the many as particularly unusual and gracious on the part of the convent.

In 1229 Jordan, the perpetual vicar of the church of Winterbourne, sought a redress for a vicarage that he claimed did not support him, '*ipse de residuo nequit commode sustenari*'. Jordan had appealed to the papal authority for an augmentation of his vicarage. The case, being heard by Robert, bishop of Salisbury, and William, archdeacon of Berkshire, ended with the convent granting, for peace between them and Jordan (*pro bono pacis*) and as an extension of grace, the tithes of hay and a quarter of wheat yearly as long as Jordan was vicar.²⁶⁴ A second rather remarkable entry in the cartulary reads similarly. In 1283 the canons won a case arbitrated by prior of Malmesbury, in which the tithes of the chapel of Fair oak were granted to them. However, for the sake of peace between them and the claimants, Thomas of Egford, the chaplain, and Robert Malherbe, knight and patron of the chapel, the canons conceded portions of the tithes to the chapel. Doubtless there were other benefits that came along with such a concession, but as the perception of monasteries as land-grabbing, financially-strapped enterprises persists in the minds of many, this stands as a fairly remarkable concession.²⁶⁵

²⁶⁴ Ibid., no. 489, pp. 431-2.

²⁶⁵ Ibid., no. 628, pp. 532-3.

From these few citations, it can be seen that the appeal to the court of Rome was quite commonly used, and it stands to reason that if more complete records could be found for the other houses in the diocese, more evidence could be marshaled for appeals to the papal courts. Papal judges delegate were not the only ways in which the papacy could settle disputes for canons, however. Sometimes, direct intervention was granted from the apostolic see.

The Papacy's Actions in Defense of the Canons

On many occasions, the papacy would act on behalf of the canons against other religious, secular clerks, and even diocesans. One such instance is recorded in the papal registers to Kenilworth. Apparently, the canons had petitioned the Roman see against their ordinary, clearly alleging that he brought seculars into the 'enclosure' (likely the cloister) on his visitations. The pope ordered the bishop not to continue in that practice and to refrain from bringing any more than two or three of his canons 'in fitting habit'.²⁶⁶ Another curious entry, 6 March 1235, records that the priory of Lanthony, which was bound to pay pensions to certain clerks while they were awaiting benefices, was absolved of doing so if, as was reported and confirmed by the abbot and convent of Tewkesbury, the said clerks refused benefices when they were provided, preferring instead the pensions of the priory.²⁶⁷ Another entry in which the pope took action, or at least urged action in favor of a monastery, is recorded for Cirencester regarding the church of Hagbourne, of which they were patrons. The bishop of Salisbury was requested to take action concerning the

²⁶⁶ CPL, vol. i, p. 514.

²⁶⁷ CPL, vol. i, p. 144.

removal of one Walter de Thorp, who had been deputed by the bishop during the voidance of the church.²⁶⁸

One very strange entry in the papal register, dated 8 July 1310, reveals how Clement V came to the defense of canons from Kenilworth and the prior of Brooke when they were assaulted unlawfully by the bishop of Lincoln, John de Dalderby, at a visitation. Stephen, the prior of Brooke, had, for a reason that is unstated, appealed to the archbishop of Canterbury, Robert Winchelsey, and during the visitation of his house, the bishop of Lincoln, ‘in order to hinder his appeal’, dragged him from before the high altar in the monastery of Torkesey, ‘where he had been placed by the bishop’, and along with two canons from Kenilworth, who had been staying in the house, imprisoned the prior and the canons. While in prison, they were ‘forced to confess that they had betrayed him; they were deprived of their religious profession, and silence was imposed on them’. The canons, the register reveals, got away and fled to the pope. The pope, coming to the defense of the canons, ordered Stephen, ‘if he is still alive... to be liberated, and the three admitted into other monasteries of the same order’.²⁶⁹ Here again can be seen not only the potentially virulent nature of visitation, but also the willingness of the popes to step in to defend the monastic orders when warranted – even against the primate of England. To complete what little bit of humor, and irony, this story might provide, John, the bishop of Lincoln in question, so the Catholic Encyclopedia states, is ‘popularly regarded as a saint’! His saintliness was likely not based upon this particular visitation.

One story as recorded in the papal registers seems to sum up well the interactions of the monasteries with the legal machinery of medieval ecclesiastical courts. In this

²⁶⁸ *CPL*, vol. ii, p. 46.

²⁶⁹ All citations from *CPL*, vol. ii, p. 77.

instance, almost all aspects of the church structures are involved, and so it offers a fitting end-piece to this study on the canons and the episcopal powers for the settling of disputes in their diocese.

Pope Nicholas V enjoined the prior of Kenilworth and the bishop of Coventry and Lichfield to settle a dispute concerning the prior of the convent of Stone in 1450. At issue was the archbishop of Canterbury's attempt to dictate the life of the monastery. At the instance of three canons of the monastery, the archbishop's auditor imposed several injunctions upon the prior of Stone, which he claimed to be for the welfare and government of the monastery itself. The auditor compelled the prior of Stone to swear an oath to observe the injunctions put into place. When the prior did not observe the injunctions imposed, he was duly excommunicated, though the prior stated that the injunctions were contrary to the statutes and customs of the monastery. Additionally, he was accused of perjury, for which the prior appealed to the apostolic see. The prior of Kenilworth and the bishop were called upon to look into the charges. The prior and bishop had the power to enforce the mandates of the auditor if they found the claims just, to absolve him of the sentence and from observance of the oath to the auditor, and 'to hear both sides and decide what is just without appeal, causing their decision to be observed by ecclesiastical censure'.²⁷⁰ Here all the arms of the ecclesiastical courts can be seen functioning together. The archbishop had been sought by the canons of Stone against their own prior. The archbishop issued, through his auditor, injunctions and due penalties for failure to implement them. The prior then exerted his right to appeal to the papacy, and the pope appointed papal judges delegate, with binding authority – a local prior and the ordinary for the house involved – to settle the dispute. This single episode

²⁷⁰ *CPL*, vol. x, pp. 467-8.

represents in miniature the rights, responsibilities and powers of clergy of every sort in Medieval England. The only missing detail – as is so often the case – is the data on the resolution of the situation.

Grants and Privileges to Canons by the Papacy

One other area in which the papacy functioned quite directly with the Augustinian canons in England was in the granting of privileges to both monasteries and individual canons. Several privileges were granted by the papacy to religious houses in the medieval period. Some of them appear to be mere formalities, but some carried with them real rights carrying real benefits, either spiritual or temporal.²⁷¹ Several times the monasteries were granted the right to a relaxation in penance for those who visited the churches on certain feast days. In 1291 St. Augustine's Bristol was extended the right of a relaxation of one year and 40 days penance for penitents who 'visit the church of the monastery on the feast day of St. Augustine, on that of the nativity of the Blessed Virgin, in their octaves, and on the anniversary of the dedication of the church'.²⁷² A similar relaxation had been extended a year earlier to those who visited the monastery of Kenilworth on the feast of the Blessed Virgin and of St. Augustine, for whom the monastery had been built.²⁷³ Cirencester received a similar grant in 1292, from Nicholas IV, a relaxation of penance for those that visited on the feast of St. Mary and Sts. Peter and Paul.²⁷⁴ A similar grant of relaxation of penance for penitents at Cirencester was issued in 1351. However, only

²⁷¹ Many of them are confirmations of churches or possessions, and as such, they will be dealt with in other sections of this study, particularly those focusing on parish churches and temporal possessions of the monasteries in question.

²⁷² *CPL*, vol. i, p. 539. They in fact received this privilege twice in the same year from Nicholas IV, once it is recorded on 5 Nones of July (2 July), 1291, and again on 2 Ides of September (11 September), 1291. See also p. 542.

²⁷³ *CPL*, vol. i, p. 512.

²⁷⁴ *Cir Cart*, vol. i, no. 171.

those 'penitents who give helping hands to the abbot and convent of Cirencester for the rebuilding of their church' would receive the enjoining of their penance.²⁷⁵

Many grants to individuals were issued in the papal registers that allotted spiritual privileges. Chief among these were the rights to choose one's confessor at death and the provision of a benefice.²⁷⁶ The right to choose one's confessor at death seems quite minor to the contemporary person, Christian or otherwise, but it was clearly a sought-after declaration as even a cursory glance at the papal registers reveals. The preface to the calendar offers that the right of plenary indulgence at death increased dramatically in the plague years, from 1345 to 1362. Accordingly, so the editor states, the pope 'granted such remissions to whole dioceses at once as the plague spread'.²⁷⁷ Four canons and Abbot Ralph of Cirencester received the right to choose their confessors at death between 1350 and 1355.²⁷⁸ John de Peyto, prior of Kenilworth, received such a grant, oddly enough, twice.²⁷⁹ The prior of Lanthony was also granted such a privilege in 1348.²⁸⁰ Some evidence that this grant was not only tied to the plague exists in a grant made to William Weston of Kenilworth Priory in 1423.²⁸¹

Other grants show up with some frequency in the papal registers as well. One made to a few of the canons was the grant of a portable altar. John Wyche, prior of

²⁷⁵ *CPL*, vol. iii, p. 456.

²⁷⁶ The preface to the papal register notes that the many, many provisions made by Clement VI were done according to his promise that all poor clerks who came to Avignon within the first two months of his papacy would be granted benefices. Reportedly over 10,000 came and were appointed benefices, though many surely, and even knowingly on the part of the pope, went unfulfilled. See *CPL*, vol. iii, p. vi.

²⁷⁷ *CPL*, vol. iii, p. vi.

²⁷⁸ *CPL*, vol. iii, p. 328, 369, 492, 529, 577.

²⁷⁹ *CPL*, vol. iii, p. 403, 527 Perhaps the first brush with the plague did not claim his life, and he thought he ought to have the right reinstated!

²⁸⁰ *CPL*, vol. iii, p. 307.

²⁸¹ *CPL*, vol. vii, p. 301.

Lanthon, received such a grant on two occasions in 1425 and 1426.²⁸² Thomas de Chiltenham, a canon of Cirencester, was granted the same in 1426.²⁸³ The abbot of Cirencester, Willam Wotton, was also granted a portable altar in 1431.²⁸⁴

Another, and surely more valued, grant was the honor of being named papal chaplain. Though this sounds on the surface to be an honor granted to a religious who has distinguished himself in the service of God, it was, according to one scholar, actually more of an escape from the religious life. As F. Donald Logan notes, 'the granting of an honorary papal chaplaincy with all its privileges... exempted the holder from the regular life and from obedience to religious superiors.'²⁸⁵ Logan calculates that as many as 325 religious had taken the 'loophole' by 1415, 83 of them Augustinians. Boniface IX was the leading culprit of the traffic in such grants, all of which brought money to the beleaguered popes during the schism.²⁸⁶ Between the years of 1392 and 1400, several Augustinian canons from the diocese of Worcester were so named, all of them from the largest houses of canons, Cirencester, Lanthon, and Kenilworth. Thomas Merston, from Kenilworth, was granted the right in 1392 from Pope Boniface IX.²⁸⁷ Henry Blackwelle of Kenilworth, in 1400, and Thomas Burford of Lanthon in 1396, received the same grant from the same pope.²⁸⁸ Thomas Lydyard of Cirencester, in 1394, received the same grant, noted twice in the register, the second with an interesting description that matches quite well with the description Logan offers. He was granted the 'dignity of papal chaplain, with the enjoyment of all indulgences, immunities, exemptions, liberties and

²⁸² *CPL*, vol. vii, p. 430, 434.

²⁸³ *Ibid.*, p. 534.

²⁸⁴ *CPL*, vol. viii, p. 365.

²⁸⁵ Logan, *Runaway Religious*, p. 51.

²⁸⁶ *Ibid.* All of the papal chaplaincies recorded for the canons in Worcester diocese were granted under Boniface IX.

²⁸⁷ *CPL*, vol. iv, p. 284.

²⁸⁸ *Ibid.*, p. 311.

privileges granted by John XXII, and Clement VI, to papal chaplains; the restrictions by Innocent VI, Urban V, Gregory XI and Urban VI notwithstanding'.²⁸⁹ Precisely what the papal chaplains did is difficult to discern, but clearly this was a powerful grant, for in 1426, the register of Martin V records the following:

(Upon information that a number of religious, including mendicants, take advantage of their having been made papal chaplains to refuse obedience and without their superiors' license to leave their houses and in some cases to go to Roman court under pretext of their privileges as papal chaplains) that all religious of all, even mendicant orders, who are and shall be papal chaplains, shall be in all respects subject to their superiors, as if they were not papal chaplains, notwithstanding past or future grants, general or personal, to papal chaplains of exemptions and other privileges.²⁹⁰

It would seem that the rights granted to papal chaplains were being abused, and it is likely that the canons regular were no exception. Logan notes several instances where the priors and abbots of monasteries in England complained to the popes of the actions being taken by the professed chaplains. Usually, a stock reply was sent by the popes, telling the brothers to obey the superior, but clearly, as noted above, the orders were not being obeyed.²⁹¹ Other entries in the papal registers, however, even from later times, indicate that the papal chaplains were in fact being utilized by the popes for certain tasks within the church.

Though the bestowing of the honor of papal chaplaincies ended abruptly in 1415,²⁹² another grant, begun in the late fourteenth century, soon took its place as a way out of religious life, or at the very least, a controversial grant to professed religious by the pope. Logan claims that the innocuous looking grant in the papal registers that typically reads 'standard dispensation' to a member of a religious order, was, for all intent and

²⁸⁹ Ibid., pp. 290, 527-8.

²⁹⁰ CPL, vol. v, p. 458.

²⁹¹ Logan, *Runaway Religious*, pp. 51-53.

²⁹² Ibid., p. 54.

purposes, freedom from the profession of the order altogether. The first granted dispensation for the canons in Worcester was granted to a canon of Studley, Richard Upton, at the rather late date of 1453.²⁹³ Logan notes that from 1395 to 1513 no less than '810 dispensations had been granted to English religious to leave their religious houses without committing the crime of apostasy'.²⁹⁴ Upton's grant was a good representative of these. He was granted the right 'to hold for life any benefice with cure wont to be governed by secular clerks, etc'.²⁹⁵ The full grant accorded in such privileges typically stipulated that the benefice was to be held with or without cure for life, even a benefice held by secular clerks, even of lay patronage, accompanied by the right to transfer benefices at will.²⁹⁶ Thus, the grants of the pope essentially released the religious from their religious life, making them almost identical to seculars.²⁹⁷ Of course these grants were only potentially freeing, for the canons or monks would have to actually secure a benefice in order to put them into effect. Logan claims that the sheer volume of the grants alone indicates the desire of the professed to be relieved from their order.²⁹⁸ Altogether, nine canons in the diocese of Worcester were granted such indults.

Some of these grants, however, may have been licenses for pluralism rather than a right to flee the order. Three such indults were in fact made to priors, one to Henry Deane (Dean), of Lanthony Priory in 1481.²⁹⁹ Deane was granted, according to standard

²⁹³ *CPL*, vol. x, p. 134.

²⁹⁴ Logan, *Runaway Religious*, pp. 54-5.

²⁹⁵ *CPL*, vol. x, p. 134.

²⁹⁶ Logan, *Runaway Religious*, p. 55.

²⁹⁷ Logan notes the many instances of abbots and priors trying to get around the bulls, since frequently the canons, friars or monks who received these indults began to dress in non-conforming habits, leave the monasteries, and in most ways carry on like seculars. *Ibid.*, pp. 56-9.

²⁹⁸ It is interesting that Innocent III, perhaps the most powerful of all popes in medieval times, declared that even the pope was unable to free the religious from their vows. And yet, only twenty years later, his namesake, Innocent IV, overturned his decree. See *Ibid.*, p. 42, for a discussion of this.

²⁹⁹ *CPL*, vol. xiii, pt. 2, p. 800.

language in such grants, the right to 'receive and retain for life, with the said or any other priory of the said or any other order, even if he resign it, any benefice, etc'.³⁰⁰ Deane went on to maintain the priory of Lanthony until 1501, when he was appointed archbishop of Canterbury under Henry VII. It seems unlikely, then, that this grant was only given to one trying to flee the order. Likewise, two priors of Studley, Richard and Thomas Atwode, were granted the same indulgences.³⁰¹ The last grant of such type discernable from the papal registers was made to a canon of Kenilworth in 1505.³⁰² Whether these grants were in fact allotments for the canons and other professed religious to get out of their monasteries, as in some cases they clearly were,³⁰³ or allowances for canons and priors to hold one or more benefices while maintaining some semblance of religious life, many, many such grants were made by the popes on behalf of religious in England in the fourteenth and fifteenth centuries. In this, the Augustinian canons in the diocese of Worcester were no exceptions.

Conclusion: Interactions with the Bishops and Ecclesiastical Powers

From the above study, it is clear that the canons in the diocese of Worcester were intricately involved in the ecclesiastical life of the diocese. The bishops of Worcester, while not possessing direct oversight privileges, did on multiple occasions intervene in the functioning of the monastery. Some of these interactions were planned and expected; elections and visitations came at regular if unpredictable times and carried with them a rather set procedure. Frequently it seems that these interactions were peaceful and carried

³⁰⁰ Ibid.

³⁰¹ Ibid., p. 524, 713 respectively. The dates for the priors are listed in *MA*, vol. vi, pp. 185-6, as Richard Wode, 8 March 1454, and Thomas Wode, 1493.

³⁰² *CPL*, vol. xviii, p. 502.

³⁰³ See Logan, *Runaway Religious*, pp. 56-8.

out with little or no conflict or fanfare. There were multiple occasions, however, when the bishops, or the priors of Worcester in their stead, came into sharp conflict with the monasteries. In these times, the bishops flexed all their ecclesiastical muscles to impose their will upon the regulars. On occasion the archbishops too entered the fray, making life for certain houses caught in the middle of the conflicts between the ordinaries and the primates miserable. Though the relations between the canons and bishops were sometimes strained, it did not put an end to the requests of the bishops for the canons to perform parochial, religious, and legal duties for the diocesans. Some of the canons seemed to be favorites for collections, serving as judges in disputes, and even on occasion performing parish duties normally carried out by seculars.

Beyond the canons' obligations and submission to the ordinaries, the papacy, reaching its zenith under strong reforming popes from the eleventh to the thirteenth centuries, were also closely involved with the religious houses in England. The right of appeal to the pope and the strengthening of the apostolic courts in this period greatly influenced the lives of the canons. From appealing to papal judges delegate to direct papal interaction, the ever-present power of the papacy to intervene in disputes between religious houses and other members of the clergy or laity led to a ready source of defense for the canons – one to which the larger houses of canons were known to appeal. Additionally, the papacy was generous in its grants of privilege to monasteries and individual religious in the later Middle Ages, leading ever-increasing numbers of religious either to increase their interaction with the world beyond the monasteries or to abdicate their profession altogether.

Such a portrait can leave one with little doubt that the monasteries, far from retreating into an enclave of meditation divorced from the normal ecclesiastical structures of England, were in fact active members in their parochial and wider ecclesiastical communities. As centers of agricultural and parochial and real property concentration, the canons regular not only had a hand in the economic world of many towns and boroughs, they also played a central role in the function of the ecclesiastical power structures of the day, garnering the frequent attention of the ordinaries, the archiepiscopal powers and the vicars of the See of Peter. In these interactions the machinery of the medieval church can be seen in action, with all sectors – secular, regular, episcopal and papal all working together to advance the earthly and spiritual power of the kingdom of God on earth.

Chapter 5

The Augustinian Canons and their Parish Churches

The Augustinian canons and their relationships to the parish churches in medieval England has been the subject of much debate. It is clear from any simple study of the possessions of the canons that their success, indeed their very survival, was dependent upon the possession of churches and the income derived from them. This income, commonly called spiritualities, made up a substantial portion of the total income of the Augustinian canons from the time of their foundation right up until the Dissolution. That many houses of Augustinian canons were dependent upon spiritualities is not a major source of dispute. Indeed, it is widely known. But the broader issues surrounding this phenomenon are many, and they get to the heart of the distinctiveness and characteristics of the order itself. In this chapter, the many questions related to the canons and their possession of parish churches will be analyzed.

The first issue to be explored will be the importance of parish churches for the order. Simply put, many houses of Augustinian canons received numerous parish churches at their foundation which generated almost as much, and sometimes more, income than their landed estates. This is, in this author's opinion, one of the hallmarks of the order itself. Why this phenomenon presents itself with such regularity is of great consequence for this study as it demonstrates the nature of the Augustinian order and

sheds great light into its *raison d'être*. The substantial amount of spiritual income affected the canons' interaction with local lords and ecclesiastical powers of medieval England, and it shaped how they would pursue their endowments and manage their estates. -

The value of the churches in the monasteries' possession can be displayed in many compelling case studies available in Worcester diocese. Houses small and large went to great lengths to acquire and retain their parish churches, even in some cases preferring to possess parish churches over temporal properties. Several monasteries fought to appropriate and protect their churches, and some even falsified records to try essentially to steal churches that belonged to other monasteries. For various reasons and in manifold ways, the canons displayed how significant parish churches were to their existence. At the same time, several monasteries showed a striking ambivalence toward their churches, failing to protect them and so losing control of them altogether, or failing to take possession of them when license to appropriate was granted. In both situations the cost to the monasteries was very high.

Another key question centering on the canons and the parish churches, which gets to the heart of the reason for their possession of them and to the very nature of the order, is the question of whether or not the canons undertook the cure of souls in the parish churches in their possession. This has been perhaps the greatest source of debate regarding the canons. Generally speaking, the pendulum has swung in this argument, from an assertion that the canons had in fact served the majority of the churches in their possession, to the opposite view, which seems dominant today, that they undertook

almost no parish work in their communities.¹ The sources that provide answers to this question are rather sparse; the canons apparently rarely stated what they did on a daily basis. The records that are available are only indirectly related to this question and cover the full time period of the canons' existence, from roughly 1100 to the Dissolution. Nonetheless, the question of the canons and their active role in the parishes of their day is an important and intriguing one for this and any study of the Augustinian canons and their interactions with the world around them.

The Canons and the Possession of Parish Churches

When approaching the phenomenon of the Augustinian canons and their possession of parish churches and *spiritualia*, the first question that needs to be addressed is why they were the beneficiaries of so much patronage in the form of churches rather than the large landed estates of their older and established Benedictine brothers. Though the Benedictines certainly controlled a number of churches, any comparison of the total endowment of the Augustinians and Benedictines leaves one with the clear impression that the spiritual income of the regular canons was far more significant than the same category for the Benedictines. A statistical analysis follows below, but first an exploration of the likely causes of such a disparity is in order.

The incomes of monasteries are frequently divided into temporalities and spiritualities. Temporalities, or income derived from lands independent of benefices, were lucrative possessions, and the sprawling landed estates in the hands of the monasteries and the episcopal leaders in England were the source of much consternation for the English monarchs throughout the middle ages and beyond. Grand and lucrative

¹ See below, pp. 343ff.

though these might have been, they were not the only possessions of the monastic foundations, and indeed, as the eleventh and twelfth centuries wore on, they were not even perhaps the possessions religious institutions most sought after. As the reforming popes of the eleventh century ascended and sought to redeem the church from the hands of the laity, the possession of tithes and parish churches became a viable option for monasteries of every order, but particularly for the Augustinian canons.

The question of whether or not monasteries could legally possess tithes or *altaria*, the gifts of the altar, was a hotly debated and contentious issue in the era of the Gregorian Reform. As the church unanimously came to the conclusion that the possession of churches and their fruits by the laity, which was rampant in the ninth through eleventh centuries, was unlawful and disgraceful,² consensus over whether the monasteries were legally allowed to possess the spiritual income of the parish churches was slow in coming. As Giles Constable has eloquently discussed in great detail, the debate raged for nearly a century. The list of names of those who opposed the possession of tithes by monks is considerable, and includes such important medieval ecclesiastics as Abelard, Abbot Odo of St. Martin, and St. Robert of Molesme, among others.³ Constable cites what is perhaps the strongest denunciation of the right of monks to own tithes in a letter of Theobald de Etampes, who wrote thus to Archbishop Thurstan of York ca. 1124:

The church is one thing and a monastery is another, for the church is the convocation of the faithful but a monastery is the home and prison of the damned, that is of monks who have damned themselves in the hope of avoiding eternal damnation... No tithes or churches properly belong to them... they should live from the labour of their hands and from the common lot, which is God.⁴

² Giles Constable, *Monastic Tithes: From their Origins to the Twelfth Century* (Cambridge: Cambridge University Press, 1964), pp. 83ff. Constable's lucid study of tithing in the medieval church is invaluable for this study and provides much of the framework for this discussion.

³ *Ibid.*, pp. 136-165.

⁴ *Ibid.*, p. 153.

Other opponents of monasteries owning tithes were more moderate in their stance, stating that only if monks or regular canons actually served at the altar should they be allowed the *altaria* of the parish churches.⁵

Other powerful voices were in favor of monastic possession of tithes. Among them were Ivo of Chartres, Anselm of Canterbury, Peter the Venerable and Gratian.⁶ Some of the most-cited (or invented) reasons for such a defense were the rights of monks to perform pastoral work⁷ and the more unusual assertion that the portion of the tithes that had historically gone to the care of the poor could legally belong to the monks, who were the poor of Christ (*pauperes Christi*).⁸ In the end, Constable notes, those who supported the possession of spiritualities won out, not because their arguments were more cogent, but because to refuse the monasteries a practice that had some degree of precedent and solved the larger problem of lay possession of tithes was more pragmatic, tolerable, and in line with the larger agenda of the reforming church.⁹ Indeed, Constable sizes up the situation well when he states: ‘The refusal of the monastic reformers to accept any clerical revenues was unrealistic and radical in the strict sense of the word... aimed... not towards the future but toward a golden vision of the past.’¹⁰

As will be explored below, the regular canons, relatively new on the scene at this time, posed still another challenge to the question, ‘to whom does the tithe belong?’ The problem was one of definition. What precisely were the canons regular: monks, priests or

⁵ See Constable’s discussion of Gerhoh of Rechersberg in Constable, *Monastic Tithes*, pp. 162-4. See also Marjorie Chibnall, ‘Monks and Pastoral work: A problem in Anglo Norman History’, *Journal of Ecclesiastical History*, 18 (1967), 165-171.

⁶ Constable, *Monastic Tithes*, pp. 165ff.

⁷ *Ibid.*, p. 165.

⁸ *Ibid.*, p. 182, 185.

⁹ *Ibid.*, p. 186.

¹⁰ *Ibid.*

something other altogether? Though not unanimously in this period,¹¹ the canons generally argued for their fundamental right to possess the tithe. Though they clearly lived a monastic, or at the very least a quasi-monastic life, their priestly status and their occasional performance of the *cura animarum* meant that they could lay some claim to the fourth-part of the tithe reserved for those who served the altar.¹² It is clear that from the time they became established in England, the Augustinians were allowed and freely accepted tithes and parish churches as part of their endowment.

The summary of this debate is important for this study for a number of reasons. Most importantly, the origin of the regular canons in the eleventh century, as part of the program of the Gregorian Reform,¹³ is essential to understanding why the Augustinian canons received so many churches as part of the endowment, frequently at their foundation, and why the possession of parish churches is inextricably linked to the order's identity. From the time of the great reforming popes onward, the regular canons became an important part of the monastic landscape. As Dickinson has seminally demonstrated in his work, and as has been previously discussed, the Augustinian canons swept into England in the twelfth century, benefiting from the favor and patronage of the crown and the support of Archbishop Anselm and other important ecclesiastical leaders. In the process, the canons benefited from the reformers' desire to wrest the church from the hands of the laity, and they were more than willing and eager to receive the tithes from the parish churches in the fiefs of the English nobility. In the twelfth century, as the

¹¹ Ibid., p. 157.

¹² For the traditional and oft-disputed distribution of the tithes in the Middle Ages, see *ibid.*, pp. 9-98.

¹³ As Dickinson begins his seminal work, 'Amidst much that is obscure in the early history of the regular canons, their fundamental connection with the Gregorian Reform stands out as clear as a buoy in a sunlit sea.' Dickinson, *Origins*, p. 26. Scholars seem to be in complete agreement upon on this point. See Thompson, *Bolton Priory*, pp. 6-8, for a similar opinion, written before Dickinson's work.

debate was settling and the monasteries were triumphing in the struggle over whether they could own tithes, the Augustinian canons enjoyed a brief window wherein they faced little competition for patronage (at least concerning new monastic foundations) and were for a period of about fifty years, the only new monastic option that would willingly receive spiritualities.

The 'new orders', as they are typically referred to as a collective body, the Cistercians, Premonstratensians, and Augustinians, each have a significant and powerful history in England. The Cistercians, however, did not enter England until 1128, and when they did, founded as they were as an attempt to restore the appropriate discipline and austerity that characterized early Benedictinism, they would not accept as part of the sustenance of their communities the tithes from churches, nor would they accept them *in toto*.¹⁴ Since 'neither in the rule nor in the life of St. Benedict (can it be found) that he had possessed churches, *altaria*, oblations, burial rights, the tithes from other men, ovens, mills, manors, or peasants', the Cistercians, from their inception, 'renounced these things'.¹⁵ They were not alone in this. The Carthusian order too forbade the possession of tithes, churches and most other offerings that were not a part of their hermitages.¹⁶ The less pervasive order of the Grandmontines and the Premonstratensians, founded by St. Norbert of Xanten, who was highly influenced by St. Bernard of Clairvaux, were also forbidden from possessing parish churches. Though the Cistercians and the Premonstratensian Canons both changed their position on this by mid-century,¹⁷ the first

¹⁴ Constable cites *Orderic Vitalis*, the *Carta Caritatum* and *Exordium Parvum*, among other documents to substantiate this idea. See Constable, *Monastic Tithes*, pp. 137ff. See also C. Waddell, *Narrative and Legislative Texts from Early Cîteaux*, (Brecht: *Cîteaux Commentarii Cistercienses*, 1999).

¹⁵ *Exordium parvum* cited in Constable *Monastic Tithes*, p. 139.

¹⁶ *Ibid.*, p. 140.

¹⁷ Constable cites Colvin in stating that the rule against possessing churches was a 'dead letter' by the mid-twelfth century, and states that, 'After 1150, examples of Cistercian possession of tithes are common,

half of the twelfth century, with its flurry of monastic foundations, saw Augustinian canons as the primary option if one wanted to found a new monastery and endow it with parish churches.¹⁸ Indeed, by the time that the white monks and white canons were frequently accepting spiritualities as part of their foundation or endowments, the largest Augustinian houses were already well-established and thriving.¹⁹

This, then, in large part, reveals the reason behind the nature of the endowments of the Augustinian canons, with their substantial dependence upon parish churches and spiritualities. The time when monasteries were just being allowed legally to possess tithes, free of opposition, was the very time the Augustinian canons entered an England full of ecclesiastical zeal. They were a fashionable new order that wealthy landowners, the episcopate, and the crown could all endow with not only their lands but also and especially their churches, ecclesiastical possessions of little use and of virtually no profit in the lay hands.

One measure of the significance of parish churches for the Augustinian canons in Worcester can be expressed in terms of the percentage of their income derived from spiritualities. The difficulty discerning such information lies in attaining reliable data for not only the income of the monasteries in question but also the percentage of that income

particularly in England.' Constable, *Monastic Tithes*, pp. 190-192. Constable also cites Gerald of Wales, who noted that the Grandmontines, in their willingness to accept ecclesiastical benefices, though without the cure of souls, resembled the Cluniacs and the Carthusians. He also noted that the order of Cîteaux had recently been willing to receive parish churches, and in this resembled the Cluniacs and the Grandmontines. Hartridge seems to indicate that from the earliest days, the Premonstratensians were in fact serving in churches, even claiming that they, 'were, of all regulars, most justified in accepting the cure of souls.' R. A. Hartridge, *A History of Vicarages in the Middle Ages* (New York: Barnes and Noble Press, 1968), p. 168.

¹⁸ It is true that Cluniac houses would accept spiritualities at this time, but comparatively few Cluniac houses were founded in England in this period.

¹⁹ The largest and most prosperous houses of the order were, almost without exception founded before 1135. See Dickinson, *Origins*, pp. 139-142.

derived from spiritualities.²⁰ For the purposes of our study, the data from the *Valor Ecclesiasticus* will be used as the main source, with two notable exceptions, the abbey of St. Augustine's Bristol and Cirencester Abbey. For these two houses, supplemental data will be used, as their records are missing from the *Valor* (St. Augustine) or spiritualities cannot clearly be discerned (Cirencester) from it. Luckily, in both cases the data can be fairly confidently ascertained through the Ministers' Accounts as printed in Dugdale's *Monasticon* and the cartularies of both houses.

Appendix 5-1 displays the total income of the houses of all male monasteries in the diocese of Worcester, grouped by order, as found in the *Valor Ecclesiasticus*, along with a breakdown into temporalities and spiritualities, in both nominal values and as percents of the whole. The data reveal the situation in fairly sharp relief. The Augustinian monasteries, listed by order of income, greatest to least, betray a pattern: the larger houses show a greater dependence upon spiritualities than the smaller houses. The most notable exception here is Gloucester St. Oswald's, which had the highest percentage of income derived from spiritualities of any Augustinian house in the diocese. This deviation might be explainable, however, by its unique status. As explained more fully elsewhere,²¹ St. Oswald's was a royal free chapel in the patronage and under the full control of the archbishop of York, who failed to endow the house adequately from its earliest times.²² Its link to the northern primate seems to have limited its local patronage

²⁰ For a brief discussion of the data sets involved, see the chapter on Post-Mortmain acquisitions, wherein the *Taxatio* and *Valor* along with the Ministers' Accounts are all utilized and discussed as to their relative accuracy. Many other studies on this topic have been undertaken as well, see particularly the work of Jeffery Denton on the *Taxatio*, including his online *Taxatio* project, <http://www.hrionline.ac.uk/taxatio/info.html>, as well as Rose Graham, 'The Taxation of Pope Nichols IV', *EHR*, 23 (1908), 434-454, and E. S. Lindley, 'A Short Study in *Valor Ecclesiasticus*', *TBGAS*, 76 (1958 for 1957), 98-117.

²¹ See above, pp. 241-250, for an excursus on St. Oswald's.

²² *EEA, York, 1070-1154*, no. 117.

and caused it to struggle for most of its existence.²³ Cirencester also had a lower percentage of its income derived from spiritualities than the other larger houses in the order, but still had almost a third of its income derived from spiritualities. Otherwise, for the diocese of Worcester, there is a clear pattern of greater dependence upon spiritual income for the canons of the larger monasteries than for the smaller.

This pattern seems to hold true when one considers the Augustinian order as a whole. Appendix 5-2 shows that, as a percentage of their income, the wealthier monasteries tended to draw more income from spiritualities than their smaller brothers, but not overwhelmingly so. Wealthier houses, and there were several – about 20 monasteries had a clear income of over £400 at the time of the *Valor* – were unlikely to derive less than 25% of their income from spiritualities; only one third of monasteries with an income of over £100 did so. Only 21% of monasteries with an income over £200 did so. Poorer monasteries were more likely to derive less than 25% of their total income from spiritualities. Twenty-seven out of 54, fully half, of the monasteries with an income of less than £100 derived less than one fourth of their income from spiritualities. Surprisingly, however, a roughly equivalent number of monasteries, 26% of those above and 24% of those below the £100 income level derived more than 50% of their income from spiritualities. Though the very richest houses do not show any clear pattern, 14 of the 20 wealthiest houses in the order drew more than 35% of their income from their spiritual possessions, and only 6 of the top 35 houses in the order earned less than 25% of their income from spiritualities. It is also true that when spiritual income is stated as a percentage, the playing field looks far more level than it actually was. Plympton Priory

²³ See A. H. Thompson, 'The Jurisdiction of the Archbishops of York in Gloucestershire, with Some Notes On the History of the Priory of St. Oswald at Gloucester', *TBGAS*, 43 (1921), 85-180, for a fairly comprehensive study of this house and its peculiarities.

(Devon), if it only had its spiritual income, which totaled a full 50% of their £912 per annum, would still rank among the top fifteen wealthiest houses in the order.

So it seems that while, according to Robinson, the average income for houses of Augustinian canons was roughly £187, 37% of which, or £68 12s, was derived from spiritualities, the median income would in fact have been considerably lower, closer to £108 with 30% of that being derived from spiritualities.²⁴ The smaller monasteries probably held fewer spiritual possessions, but whether this was due to their endowment at the time of their foundation or slender patronage after their foundation is impossible to discern without substantially more research into each house. If the canons in the diocese of Worcester are any sort of a guide, it is likely that both were true. Smaller houses likely received less at their foundation and were, perhaps due to their size or the status of their patron or founder, unable to acquire more churches or chapels in their later years.

More striking is the comparison between the houses of Augustinian canons and those of other orders in the same diocese. The Benedictine abbeys of Tewkesbury, Evesham, St. Peter's Gloucester, and Winchcombe all derived less than 20% of their income from spiritualities, lower than the lowest of Augustinian houses, that of Warwick. Only Worcester Cathedral Priory, Pershore, and Great Malvern drew over 20% of their income from their spiritual possessions, with the obvious anomaly of Leonard Stanley, which had 67% of their income from its churches, though almost all of this, £70 of £83 total, came from one single rectory. Not surprisingly, the Cistercian houses are little

²⁴ Robinson's study includes roughly 27 houses for which the detailed breakdown cannot be determined. With those houses figured in, the average income of the canons increases to approximately £203. The median would surely decrease however, since of the 18 of the houses where a breakdown cannot be determined fall under the average of £187. And, notably absent from Robinson's broken down calculations are Cirencester, Waltham, Osney, St. Osyth's, St. Augustine's Bristol and London St. Bartholomew's, all of which had income of over £600. Also, my numbers will differ slightly from Robinson's in that I did include Cirencester and St. Augustine's Bristol, as I have done a careful enough study to place them comfortably in the broad categories under discussion.

different. Flaxley Abbey shows no evidence of any spiritual possessions in the *Valor*, Bordesley registers 13%, roughly comparable to many Benedictine houses in the diocese, while Hailes has a surprisingly high number, 34%, of its income derived from spiritualities. Perhaps most surprising is that Halesowen, the lone Premonstratensian house in the diocese, registered only 13% of its income as coming from spiritualities. In real numbers, Worcester Cathedral Priory, Tewkesbury, and St. Peter's Gloucester are almost identical to Bristol, Lanthony, and Kenilworth, respectively, when it comes to spiritual income. This means that the canons, though surely smaller in terms of landed estates and perhaps real power and influence, had almost as much control over ecclesiastical property as did the very largest of the Benedictine monasteries in their diocese. Such statistics should not surprise any who have studied the monastic orders, but real comparative data are difficult to come by. This small illustration serves to show just how significant the spiritualities of the Augustinians were, both in real and relative terms, for the welfare of the order.

Given their dependency upon the spiritualities in their possession, it would not be surprising to find the canons and their struggles to acquire and maintain their parish churches plentiful in the historical record. Indeed this is precisely what is found. Among houses large and small are many colorful and intriguing stories that reveal the mindset and the wherewithal of the canons in their attempts to exploit their endowments. These case studies show not only how the monasteries labored to secure their churches but also how their spiritual possessions brought them into contact and conflict with those outside their walls, from kings to popes, from other monasteries to local barons, and their own patrons. The record also reveals that when the canons were negligent to oversee their

possessions, they frequently ended up in protracted struggles to recover or maintain what had been granted to them.

The Importance of Parish Churches – Case Studies

While it may be true that the larger houses of canons had, in general, a higher percentage of their income derived from spiritualities than the smaller houses of the order, a single church was likely to be of greater significance to a smaller monastery than to a large one, as it would have made up a greater percentage of its income than any single church, or even a single property in most instances, of a larger monastery. Holding far fewer lands than their larger brothers and substantially smaller landed endowments than the Benedictines, the importance of a single rectory to a small house of canons is hard to overstate. There is good evidence with two smaller Augustinian monasteries in Worcester of the importance of appropriating and holding even a single parish church for the canons. The case studies that follow, detailing major episodes in the histories of St. Sepulchre Warwick and Studley Priory, reveal several key themes that present themselves to the historian trying to discover the reasons the Augustinian canons strove to obtain and hold parish churches.

The Priory of Warwick St. Sepulchre and the church of Snitterfield

The priory of St. Sepulchre in Warwick has scant amounts of extant information to inform one of the life and history of the canons who lived therein. The ruins of the priory are all but non-existent. The site of Warwick Priory, where now stands the Warwickshire County Record Office, presents only a small, virtually empty trench and one wall of the

former priory to testify to its original site. Situated in the outskirts of Warwick, not more than half a mile from its medieval 'rival' St. Mary's Warwick, the favored church of the powerful Beauchamps, the earls of Warwick, the priory of St. Sepulchre played a comparatively minor role in the life of the West Midlands town. Its buildings survived *in situ*, though with later additions and augmentations, until the twentieth century, when they were purchased by an American entrepreneur and moved to Virginia, much to the chagrin and outrage of local historians and residents. The records of this priory exist only in piecemeal fashion, with few references in bishops' registers, Patent Rolls and occasional charters. All, that is, except for the records pertaining to one church.

At its dissolution in 1536 the monastery apparently possessed only two churches, the churches of Snitterfield in Warwickshire and Gretham in Rutland. The records for the church of Snitterfield are, when compared with all other information about the house, bounteous. Not only can the complex process of appropriation be reconstructed, the sacrifices the priory was willing to make, the major players in the appropriation, and, perhaps most interesting, the attitude of the bishop at the time of the appropriation, Thomas de Cobham, bishop from 1317 to 1327, can be determined. Several letters from Thomas de Cobham, wherein he expressed his attitude toward appropriation in general, and in specific with regard to the church of Snitterfield, have been preserved in his surviving register. Additionally, several charters and letters pertaining to the church survive in a handful of manuscripts in the National Archives.²⁵ From these sources one can begin to ascertain the importance of the church of Snitterfield to the canons of St. Sepulchre and illustrate the overall importance of the parish churches to the prosperity and success of small houses of canons in late medieval England.

²⁵ TNA E328/21/i-xv.

According to the *Valor* and the Ministers' Accounts of the 1530s, the income from Snitterfield amounted to approximately 15% of the convent's total income. The tithes of the church were valued at £7, and the annual temporal income from lands held at Snitterfield amounted to 6s 3d. With the total annual gross income of the monastery just over £49, Snitterfield was obviously a significant piece of the economic puzzle of the house, the second most valuable possession behind only the rents from lands and tenements held in Warwick and Hatton.²⁶ Based on other evidence, however, the £7 of income listed in the *Valor* seems to be a fabricated number, and it is widely agreed that the valuation in the tax records of medieval England are commonly recorded as the lowest possible amount for which a church or rectory could be farmed. A detailed inquisition of the church's possessions, made for the purposes of augmenting the vicarage of Snitterfield in 1331, is found in Orleton's register. In that list, the church's total worth is over £23 annually, with the vicar's portion being around £6 or so.²⁷ It is likely that in any average year, the church of Snitterfield brought the canons in the neighborhood of £14-17. Nevertheless, without explicit evidence to the contrary, it can be assumed that all possessions of the canons were likely undervalued for taxation purposes, so that the relative percentage of income drawn from Snitterfield would likely be essentially unchanged, approximately 15% of the church's total income.

When the canons of St. Sepulchre first came in possession of the church of Snitterfield is not entirely clear. The *Taxatio*, while a notoriously unreliable source for the value of monastic possessions, nevertheless provides a valuable landmark of time of possession. From the *Taxatio* it is clear that the house possessed in 1291 a pension from

²⁶ *Valor*, vol. iii, p. 86.

²⁷ *Reg Orleton*, no. 136, no. 804.

the church of Snitterfield of 13s 4d.²⁸ The *VCH*, citing Dugdale's *Antiquities of Warwickshire*, states that Snitterfield was among the 'chief early benefactions' of the monastery.²⁹ In *Monasticon*, Dugdale printed the charter granting Snitterfield to the house. Hugh son of Richard and Margaret, his wife and their children (*fili*i), granted '*pro salute animarum nostrarum, et praedecessorum et successorum nostrorum*' the church of 'Snithenefeld' in canonical alms, '*canonice in elemosinam*', along with all things adjacent to it, to whatever was legal for them to give, '*concessisse quicquid nostri juris in ea erat*'.³⁰ This was apparently a pension from the church, as listed in the *Taxatio*, for it was not until later that the canons acquired the advowson to the church.³¹ The advowson of the church, as best as can be discerned, had been in the hands of the bishop of Exeter. In fact, the entire process of the appropriation of the church of Snitterfield is tied quite closely to the bishops of Exeter.

The monastery held, fairly early on, property in London – some interest in the parish church of St. Clement Danes and lands and tenements in the parish of St. Peter. The Curia Regis Rolls reveal that for much of the middle third of the thirteenth century the canons had worked to acquire this property in the city of Westminster. On at least four different occasions between 1227 and 1243 the canons were involved in suits

²⁸ *Taxatio*, p. 228.

²⁹ *VCH Warw*, p. 97.

³⁰ *MA*, vol. vi, p. 603.

³¹ Dugdale, however, seems to see the charter of Hugh son of Richard as a grant of the advowson. He indicates that Hugh at some time alienated the property or that the title of Richard was no good, and so Hugh had to again acquire the advowson of the church from the bishop of Exeter. See Dugdale, *Antiquities of Warwickshire*, (Dugdale, William, Sir. *The antiquities of Warwickshire, illustrated. From records, leiger-books, manuscripts, charters, evidences, tombes and armes. Beautified with maps, prospects, and portraictures. By William Dugdale. This edition is carefully copied from the old one, published in the year 1656; ...* vol. ii. Coventry, 1765. 4 vols *Eighteenth Century Collections Online*. Gale Group. <http://galenet.galegroup.com/servlet/ECCO> WU microform p. 364.

surrounding the property in London, and were for the most part successful.³² The result was that they possessed, in 1324, five messuages, one carucate of land, rents valued at 10s 10d and the advowson of the church of St. Clement Danes in the city of Westminster.³³ The church had been in the hands of the Templars in 1219, and the canons of St. Sepulchre may have received them from the Templars directly at some point in the thirteenth century, though when exactly is uncertain.³⁴ The priory eventually held one large and four smaller messuages around the Temple area. In 1280 William de Braose, bishop of Llandaff, was granted the right to have his inn in the inn of the canons opposite St. Clements without the bar of the Temple whenever he came to London, probably a reference to the tenements mentioned above.³⁵ This London property, of reasonable though by no means outstanding value, became the bartering chip for the monastery in the appropriation of Snitterfield church. Though difficult to calculate precisely, the messuages, rents and advowson of St. Clement Danes appears to have been worth approximately £9-10 yearly for the canons.³⁶

Letters patent of Edward II, dated 6 March 1324, allowed for the alienation by St. Sepulchre to Walter Stapledon, bishop of Exeter, of the messuages, land, rents and advowson of the church of St. Clement Danes in exchange for 8 acres of land in Snitterfield, the advowson and right to appropriate the church of Snitterfield.³⁷ The exchange seems to be a fairly equal one, monetarily, but the transaction seems surprising

³² See *Curia Regis Rolls*, XIII no. 973, 2442; XVI no. 1018, 1123; XVII no. 1008.

³³ *CPR*, Edw I, 1271-1281, p. 371.

³⁴ *VCH* Middlesex,

<<http://www.englishpastforeveryone.org.uk/resources/assets/S/St_Clement_Danes_1594.pdf>>

³⁵ *CPR*, Edw I, 1271-1281, p. 371. This may have been the 'hospitalium' of St. Clement's that Edmund the earl of Leicester had given into the custody of the priory sometime before 1278. See *VCH* Middlesex, *ibid*.

³⁶ *VCH* Middlesex,

<<http://www.englishpastforeveryone.org.uk/resources/assets/S/St_Clement_Danes_1594.pdf>>

³⁷ *CPR*, Edw II, 1321-24, p.390. *VCH* Warw, p. 97 has 1323 listed as the date.

given that for most of the preceding century, the canons had been fighting for the very same property they freely alienated in 1324. Just why they decided to participate in the exchange at this particular time is unclear. Though there are numerous potential reasons for the exchange, these are, lacking any written evidence, mere speculation.

It could be that the priory simply had not had the opportunity to make such an exchange earlier. Since the canons' intentions prior to the actual transaction are not known, it could be that the priory had been attempting to consolidate its holdings for some time to no avail. David Robinson has demonstrated that the canons regular held the majority of their properties quite near their priory or abbey.³⁸ This pattern also fits with what can be determined in the patterns of acquisitions after the Statute of Mortmain, that most of the houses which did in fact acquire any new lands or churches did so in areas where they already held property. It is not surprising that the canons of St. Sepulchre would seek to gain property near their own house. Perhaps the priory had had difficulty in collecting the rents from London. It is possible, though seemingly unlikely given the location of the Westminster property, that the priory felt that the Snitterfield land and church was simply better property. What is clear is that the house took the opportunity to consolidate its holdings, trading away its only property outside of Warwickshire except the church of Gretham in Rutland.³⁹ And, the canons traded away lands and tenements of some worth in favor of a parish church and little more – the eight acres of land in Snitterfield only show in the Ministers' Accounts and *Valor* as 6s of annual income for

³⁸ See Robinson, *Geography*, appendix 25, for data relating to geographic structure of estates of Augustinian canons.

³⁹ It is unclear, even to Dugdale, when the house acquired Gretham, but the *VCH* confirms that the church was appropriated during the reign of Edward III, the advowson having been granted during the reign of Henry III. This would make the appropriation of Snitterfield before the appropriation of Gretham. See *VCH Warw*, p. 98. The identified source in the *VCH* is Wright, *Rutland* (1686), p. 67, which is likely James Wright, *The history and antiquities of the County of Rutland: collected from records, ancient manuscripts, monuments on the place, and other authorities* (London, Printed for B. Griffin [etc.], 1684).

the priory; the tithes of the rectory were valued at £7.⁴⁰ Here it seems that the priory was favoring the possession of a church in the West Midlands over the possession of urban property in London.

Perhaps even more interesting, however, is the information this transaction reveals about the nature of appropriation itself. The surviving records provide not only the mechanics of the appropriation, but also the actions and attitudes of the parties involved in this transaction. The small house of Warwick was none too kind or patient with Bishop Cobham in pressing him to get the appropriation completed. As will be seen, on one occasion Cobham even remarked in a letter to the bishop of Exeter, who was himself pressuring Cobham to expedite the appropriation, that, 'The prior of St. Sepulchre, going from bad to worse, has troubled us in many ways in the Court of Arches and elsewhere.'⁴¹

Through the happy fortunes of history, a series of charters and documents that relate the story of the appropriation of the church have survived. In 1318 Snitterfield was in the hands of John de Cantilupe and eventually ended up in the possession of the priory of St. Sepulchre in 1325. In 1318 John de Cantilupe gave the advowson of the church to his brother, Walter de Cantilupe.⁴² In 16 Edward II (1323), Walter de Cantilupe in turn granted the advowson of the church, plus land, '*unam placeam*', in Snitterfield called Linscombe to Walter de Stapledon, bishop of Exeter.⁴³ From Stapledon's register, it can

⁴⁰ See *MA*, vol. vi, p. 603 and *Valor*, vol. iii, p.86.

⁴¹ *Reg Cobham*, p. 187. From this letter we learn that Walter de Stapledon, Bishop of Exeter, was also the king's treasurer. It is no surprise then that the king was also active in pressuring Cobham to finalize the appropriation.

⁴² TNA E328/21/i. This charter is the first in a long roll of charters and other documents, 17 in all, dealing with Snitterfield, dating from 1318 to 1328. The second in the roll is a quitclaim from the same to the same, dated the same year, TNA E328/21/ii.

⁴³ TNA E328/21/iii. This is followed by a quitclaim from John de Cantilupe to Walter de Stapledon of the same. TNA E 328/21/iv.

be determined that this occurred by charter on 5 April 1323.⁴⁴ Thus, it is clear that the bishop had only just come into possession of the advowson of the church before he turned it over to William de Coderugge, prior of St. Sepulchre, in 1323.⁴⁵ TNA E328/21/v is a letter of attorney from Walter de Stapledon to William de Coderugge, granting him full seisin of the advowson of the church. However, it seems that this swapping of the church between the respective parties came with what appears to be a behind-the-scenes deal, as on 7 June 1323 Walter de Stapledon, bishop of Exeter, presented Walter de Cantilupe (who had only two months before granted the church to the bishop of Exeter) to Bishop Thomas de Cobham for institution in the church of Snitterfield.⁴⁶

The next document that appears on the roll concerning the church of Snitterfield is the document from Edward II, granting the appropriation of the church of Snitterfield from Walter, bishop of Exeter, to the priory of St. Sepulchre.⁴⁷ In it, the exchange of the London property for the land in Snitterfield and the advowson are included. The church then had to pass through the hands of John de Clynton, in whose fief it lay. He granted the church and land to Walter de Stapledon in 18 Edward II,⁴⁸ who promptly confirmed again to William de Coderugge the advowson of the church of Snitterfield.⁴⁹ The

⁴⁴ *Reg Stapledon*, pp. 5-7. There are two entries in Stapledon's register that retell the story, as the presentation was challenged by Thomas West and his wife, Eleanor.

⁴⁵ *HRH*, vol. ii, p. 481.

⁴⁶ TNA E328/21/vi. The letter of induction follows immediately, bearing the same date. TNA E328/21/vii. There are no details given, and since the church was not yet in monastic hands, it is likely that Cantilupe served as a stipendiary chaplain for the church at this time.

⁴⁷ TNA E328/21/viii.

⁴⁸ TNA E328/21/ix.

⁴⁹ TNA E328/21/x. One can only wonder at this turn of events, since the first grant (E328/21/v) seems to have gone for naught.

appropriation of the church was then completed by assent of the bishop,⁵⁰ an act also repeated in Cobham's register.⁵¹

These are merely the facts of the case: the parties involved, the dates of exchange, etc. From Cobham's register, the driving factors for such an exchange and Cobham's attitude toward the appropriation can be uncovered. Cobham's register tells that the canons requested the appropriation of the Snitterfield. The stated reasons for request for the appropriation of the church of Snitterfield will be familiar to any who have studied medieval monasticism. A letter, arguably the nicest in tone of all Cobham's correspondence regarding this issue, dated 11 June 1325, lists the reasons given by the priory for their requested appropriation. Apparently the canons were in serious financial need, stemming most acutely from a 'sudden fire which was not due to any negligence of the inmates'.⁵² Much property had also apparently been stolen by thieves at night and considerable sums had been spent repairing and re-erecting the church and buildings, and they 'will need to spend still more'.⁵³ The priory also claimed its debt was due in no small part to the burdens of hospitality. This is very common in requests for appropriation though slightly ironic in this instance: the canons of the Holy Sepulchre were originally organized for the support of those taking the cross and defending the faith in the Crusades. The burden of hospitality now, however, seems not to be owed to religious persons or Crusaders, but rather to the popularity of the township in which they were settled. Claiming to be 'situated in a public place and in a famous township' they

⁵⁰ TNA E328/21/xiii.

⁵¹ See *Reg Cobham*, pp. 187-8.

⁵² *Ibid.*, p. 188.

⁵³ *Ibid.*

had to face 'the multitudes thronging thither from all parts of the world'.⁵⁴ Overstated though this might be, it seems clear enough that the burdens of hospitality either were in fact or in perception weighing heavily upon the priory. The net result:

Burdened with debt, and exposed to the extortion of its enemies and all kinds of disaster, the priory is in this position that, unless its poverty and distress are relieved by some salutary remedy, it will be obliged to give up its hospitality and its care for divine worship... owing to the diminution in its number of canons.⁵⁵

Cobham took the brief opportunity in the midst of this report to add his feelings about the necessity of maintaining divine worship, adding parenthetically in the above comment, that 'in our (sic) times we should rather see (divine worship) increased and advanced'.⁵⁶ Though it may be simply an innocuous aside from the bishop, it seems rather to belie what he feels about appropriation of churches to monastic houses, and perhaps towards monastic discipline itself.

Cobham reports that he had called in Walter de Cantilupe, the rector of the church of Snitterfield, along with 'all other interested parties', and found the allegations substantiated.⁵⁷ Apparently, though there is no other record of the travails of the priory, the canons were in dire need, and they saw that the best route to alleviation of their problems was the appropriation of the church of Snitterfield, of which they were already patrons. Were this the only correspondence available regarding this church and the monastery, it might fairly be concluded that it was a smooth transaction, a neat exchange that caused little rancor or disturbance. As has been already seen in brief and will soon be seen in detail, such was not the case.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

There are in Cobham's register several telling letters between Cobham and William de Stapledon, bishop of Exeter, wherein Stapledon urged the bishop of Worcester to hurry the process of appropriation. Cobham agreed but declared quite openly his reservations over the appropriation. The correspondence in Cobham's register opens with a kind letter from Cobham, reminding Stapledon that 'the appropriation of churches is a slow process and cannot be hurried'. Yet, as Cobham pointed out, he was going to assent and use his influence to get his chapter to use theirs.⁵⁸ The next that is heard is from Stapledon, who, 'in order to bring the business to completion' sent Master William de Wolleghe, his and the king's clerk, to the bishop of Worcester so that anything further could be explained'.⁵⁹ Cobham's response was less than cordial. He vented his many difficulties with the appropriation as follows.

Cobham did not believe that the monastery would be able to meet the needs of the poor, even if the canons appropriated the church, since they had not been able to fulfil this obligation with the resources of the property in London, which they had held for some time. Cobham also indicated that though the prelate had agreed to the appropriation, several scholars and men of the clerical court had reported adversely about the effects of such an act. Additionally, he added that once such an agreement had been made, the bishop would be deprived of some of the fruits and profits reserved to him, by custom or by law, and that the church and the house fell to the discretion and power of the rector to lighten their load or offer the poor any help. These things, he believed, weighed against the appropriation of the church.⁶⁰

⁵⁸ *Reg Cobham*, p. 183.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*, p. 184.

Stapledon received Cobham's letter with more than a little indignation.

Apparently, the bishop had told the clerk that he would assent to the appropriation, yet his letter was, in Stapledon's words, filled with 'far-fetched and precise reasons, (that) by no means agree with the clerk's message, and indeed, are clean contrary to it'.⁶¹ He proceeded to state that he, the king, who had taken an active role in this issue, and the king's council, 'having heard the clerk and learned the purport of your replies, were a little astonished'.⁶² He then again admonished Cobham to expedite the affair as the clerk, who was being sent again, had reported. Cobham replied back that he would indeed agree to the appropriation, urge the chapter of Worcester to do the same, and 'ha(d) done all we properly can to expedite the matter'.⁶³ He did acknowledge the inconsistency between his verbal and written replies, and offered in his defense that he hoped to explain the situation in full when he met Stapledon in London, and the following seemingly encoded message: 'You need not be surprised if in these changeful times the decisions and counsels of men about affairs that suddenly emerge and depend upon the action of others seem to be equally changeful.'⁶⁴ Here again, as with his other editorializing, Cobham seemed displeased with his own times.

As noted earlier, Cobham did go on to appropriate the church, but instituted a very highly priced vicarage and collated the vicarage to the bishop of Worcester not to the priory of St. Sepulchre, essentially stealing the advowson from the canons.⁶⁵ This led to further problems between the canons of St. Sepulchre and the bishop of Worcester, both Cobham and his successor, Adam de Orleton.

⁶¹ Ibid., p. 186.

⁶² Ibid.

⁶³ Ibid., p. 187.

⁶⁴ Ibid.

⁶⁵ Ibid., p. 206.

During Orleton's tenure, the vicarage of the church of the Snitterfield caused trouble for the bishop, the priory, and several vicars. The primary cause of the problem was Thomas de Cobham's collation of the vicarage of Snitterfield to the bishop of Worcester (himself) instead of the prior and canons of St. Sepulchre, or, as the bishop would have seen it, the failure of the canons to comply with the collation, for, though the bishop reserved for himself the collation of the vicarage, the prior and canons of St. Sepulchre presented Robert de Griswold contrary to the bishop's injunction.⁶⁶ Robert de Griswold was not confirmed by Bishop Cobham, and as the canons had appealed to the see of Canterbury that the portion of the vicarage was too excessive, the continued ire of the bishop was directed toward them, as Cobham's register indicates.⁶⁷ Cobham refused to collate the vicarage to Griswold and instead appointed Philip de Hambury in December of 1326. E326/8921 in the National Archives, dated 27 May 1328, contains the agreement between the prior and canons and Philip de Hambury, collating the vicarage to him.⁶⁸ He served the church for no more than a few years however, as Bishop Orleton, in December 1330 appointed William de Lemynon to the vicarage.⁶⁹ From Orleton's register, it is clear that Griswold did not give up his claim without a fight, as it was not until 25 November 1330 that he resigned all his rights to the vicarage and the appeal to Canterbury.⁷⁰

⁶⁶ *Ibid.*, pp. 206-7. The exact date of this presentation is unclear, though in December of 1326, Cobham denounced Robert de Griswold and appointed one Phillip de Hambury to the vicarage. See also *Reg Orleton*, no. 136, wherein the story is retold in brief.

⁶⁷ *Ibid.*

⁶⁸ TNA E326/8921. This is one in a series of documents relating to a dispute of this priory. See also E326/8922 and E326/8925.

⁶⁹ *Reg Orleton*, no. 132. See also TNA E326/8922 for a copy of this presentation.

⁷⁰ *Ibid.*, no. 126. Orleton's register is a bit unclear here, as it says that Griswold was unwilling to undertake the cure of souls. Why he ever would have been expected to without being collated to the vicarage is unclear.

The canons fought for the right of presentation even after the establishment of the vicarage, as they thought it was unjust and unfair. Orleton's register even claims explicitly that they declared untruthfully the presentation to be their own when they presented Griswold, and though the vicarage was established in 1325-6, it was not until 16 July 1329 that the canons of St. Sepulchre finally renounced all right to presentation, and this only after the prior of Canons Ashby, serving as papal judge-delegate for the case, declared them to be in the wrong and the collation of the vicarage to belong to the bishop of Worcester.⁷¹

Wrangling over property is nothing new to any scholar or even introductory student to medieval monasticism; for just these details this case is certainly not spectacular, saving perhaps the obvious conflict between the bishops and the convent and the politics clearly visible surrounding the appropriation. But, what makes this so intriguing is the lengths to which the prior and canons were willing to go for one modest parish church. In December 1330 the church was surveyed in detail and found to be taxed at 21 marks (£14).⁷² Of that, the church is likely to have kept only at most £10 per annum. This was indeed a significant amount of income for a convent of this size, and surely any monastery would have been more than happy to receive such income. It is the other actions surrounding this appropriation that put into context the importance of even a single parish church for a smaller convent. The strife the canons caused Bishop Cobham

⁷¹ See TNA E 326/8925 for the decision. See also *Reg Orleton*, no. 136 for a copy of the letters patent of the priory conceding to the ordained vicarage.

⁷² This is a curious figure, though it is known that for taxation purposes generally only the lowest farmable amount was used. Even so, it is clear that the church was worth far more than £14. The summary of the vicarage in Orleton's register states that the total sum of the church's income was £17 14s 9d. This is itself a strange figure since the very detailed breakdown of the tithes listed in the same register entry, when added, total over £23. This taxation total does not equal the income less the vicar's portion, for as Orleton sets out in his register elsewhere, the vicar's portion (lesser tithes and all arable land – 165 acres) did not exceed £6 9d. See *Reg Orleton*, no. 804 for detailed assessment and no. 136 for vicar's portion. In addition to this, Stapledon's register records that the church was valued at 40*m* in 1325. *Reg Stapledon*, pp. 5-7.

to get the church appropriated seems quite remarkable. That only one side of the story exists must be borne in mind, but it is clear that Cobham was less than pleased to have so many different people pressuring him to do something that was to him unwise. All this surely caused at least in part the extensive provision for the vicar and the reservation of the collation of the vicarage to the bishop. It seems that the convent was never willing to assent to the bishop's design, and it was not until a papal court ordered the canons to renounce their rights that they did so, and this was more than two years after Bishop Cobham was gone from the see of Worcester. Even more remarkable is the fact that the canons would lie about the right of presentation to the church. The advowson was important but brought no financial gain for the house, so the desire for control of the church must be seen as more than a quest for money. One can only conclude that complete control of Snitterfield was the goal of the priory. Perhaps this was what was expected or even promised by the bishop of Exeter in the mid 1320s when the exchange of Snitterfield for London property and messuages began. Whatever the hopes or expectations of the canons in acquiring Snitterfield may have been, it is clear that for almost a decade the acquisition and rights surrounding this one parish church was at the forefront of their attention and interaction with the bishops of Worcester.

Studley and the church of Aston Cantlowe

The Augustinian Priory of Studley, in Warwickshire, provides another compelling picture of the importance of a single parish church to a smaller priory. Though by no means destitute, the priory of Studley was one of the many houses that fell to the earlier

Dissolution, its annual net income at the time of the *Valor* being only £117 7d.⁷³ For them, as for the canons of Warwick detailed above, the possession of a single parish church was of great significance as shall be seen from the apparently deceptive practices they employed attempting to re-acquire this parish church they had lost. Their actions were so severe they earned the prior and convent excommunication and a threat of being branded heretics. The dispute in question centred of the parish church of Aston Cantlowe, and it involved the canons of Studley and another Augustinian house in Warwickshire, Maxstoke Priory.

Maxstoke Priory was a later Augustinian foundation, being founded in 1336 or 1337.⁷⁴ In 1331 its founder, Sir William de Clinton, granted lands and rents in free alms to a group of chantry priests at the parish church of Maxstoke, where he held the advowson. Ultimately, he decided to begin the conventual life under the Augustinian rule, and the house came into existence.⁷⁵ Like most other houses of Augustinian canons, Maxstoke was granted several churches, many of them at their foundation, which made up the majority of its total yearly income. At the time of the *Valor*, the house's clear income was just over £81, making it a modest though by no means impoverished house, and there were seven canons along with the prior and 26 dependents of the monastery.⁷⁶

The two houses became intertwined around the church of Aston Cantlowe in the late fourteenth and early fifteenth century, though the story begins much earlier than that. In the end, Maxstoke prevailed and possessed the church at the time of the Dissolution,

⁷³ *Valor*, vol. iii, pp. 86-7.

⁷⁴ *VCH Warw*, p. 91 claims the house was founded in 1336, citing a grant in 10 Edw III [25 January 1336 – 24 January 1337]. However, the foundation charter clearly states the date of foundation as 2 April 1337, 'Datum Heywode quarto nones Aprilis, anno Domini millesimo trecentesimo trigesimo septimo'. *MA*, vol. vi, pp. 524-6. *MRH*, p. 166.

⁷⁵ *VCH Warw*, p. 91. See also the long explanation of his foundation in *MA* vol. vi, pp. 524-6.

⁷⁶ *Ibid.*, p. 94. Citing Aug. Off. Misc. Bks. clxiv, 131.

though the protracted battle over this church was very costly; it is reported in the *VCH* that Maxstoke priory spent over £254 between the years of 1399 and 1404 in the dispute.⁷⁷ For a priory of its size and resources, this seems an enormous sum. In order to obtain this amount of money, they took loans and sold jewels valued at over £200.⁷⁸ This is quite an astounding picture of the importance of the church of Aston Cantlowe to Maxstoke. A priory of only a handful of canons was willing to spend perhaps more than twice its (estimated) annual income in order to acquire or maintain the possession of one parish church. This fact alone reveals, as it did with the priory of Warwick and their labors to acquire Snitterfield, how important even a single parish church could be for a small house of canons. The expense the priory of Studley bore in the same dispute is not known, but one can easily reason that it would be fairly comparable with the expenses the priory of Maxstoke encountered.

Aston Cantlowe was granted to the canons of Studley, as clearly as can be discerned, in 1242. In that year, William Cantilupe, son of William, then patron of the house, granted land in Aston Cantlowe worth £10 to the priory of Studley.⁷⁹ A charter dated 8 May 46 Henry III (1262) indicates that the grant was made specifically for the support of a hospital at the gate of the priory.⁸⁰ The same charter confirms the grant of the advowson of the church of Aston by the same William.⁸¹ This grant is recorded in

⁷⁷ *Ibid.*, p. 94 states, 'The money necessary to carry on the suit was raised from loans and by sale of certain of the treasures of the house. In 1399 the prior received from loans and from the sale of jewels £205 2s. 9d. In 1400 three books and a silver basin were sold for £7. In 1404 the prior pledged a cope to Lady Elizabeth Clinton for the great sum of £25, and sold jewels to the amount of £17 13s. 6d.' A source for such information is not cited.

⁷⁸ *Ibid.*

⁷⁹ *Cal Charter Rolls*, vol. i, p. 264. There are two dates in the register, 26 December and 22 December 26 Henry III.

⁸⁰ *Cal Charter Rolls*, vol. iv, p. 60.

⁸¹ *Ibid.* Dugdale *MA* includes a charter written in 1 Edward III (1327), where a grant by 'Willelmus de Cantilupo filius et haeres de Williel. De Cantilupo' of various lands 'cum advocacione ecclesiae de Aston

Dugdale's *Antiquities of Warwickshire* as occurring in 26 Henry III, or approximately 1243.⁸² It seems probable that the grant of the advowson would have come in 1243, since in 1253 William Cantilupe III, the patron of the house, granted the full appropriation of the church of Aston Cantlowe to Studley Priory, as recorded in *English Episcopal Acta* for Walter de Cantilupe, bishop of Worcester.⁸³ The church was clearly in the hands of the canons of Studley from 1253, a point which would become especially important to them in their defense of their ownership of the church later on.

When William Cantilupe III died in 1254, the patronage of the house passed to his son, George Cantilupe, who was at the time only three years of age. George was a ward of Queen Eleanor, wife of Henry III and mother of Edward I, and though she is reported to have exploited his lands,⁸⁴ he seems to have reached his majority with his father's estates essentially intact. However, he died childless shortly after entering into his inheritance, in 1273. On his death, his estate passed into the hands of his sisters, Joan, who had married Henry Hastings, and Millicent, who married Eudo la Zouche. The partitioning out of George's estates is known in some detail, and it is here that the fate of Studley Priory, and by extension, the church of Aston Cantlowe, can be constructed. Upon George's death, his estates were divided among his sisters and their male counterparts. John de Hastings, son of Joan de (Cantilupe) Hastings, received George's vast estate in Bergavenny and, among many other grants, his estates in Aston,

cum pertinentiis'. This is very likely the same charter printed in English in the *Cal. Charter Rolls*, vol. iv, p. 60.

⁸² Dugdale, *Antiquities*, p. 556. Since the grants of land and the advowson of the church were listed together on a charter roll of 1 Edward III, it is possible that the two grants were confused, or that the advowson of the church was not noted properly in the grant of 1242-3.

⁸³ *EEA, Worcester, 1218-1268*, no. 150.

⁸⁴ Nicholas Vincent, 'Cantilupe, Sir George de (1251-1273)', *Oxford Dictionary of National Biography* (Oxford University Press, 2004) [<http://www.oxforddnb.com/view/article/4566>, accessed 12 Feb 2008]. This entry records that Matthew Paris reported that she dealt severely with his lands while they were in her hands.

Warwickshire, valued at £59 4s 2d.⁸⁵ Millicent (Cantilupe) and Eudo La Zouche were granted many of George's other estates, and in another entry in the Close Rolls it is discovered that they were also granted the advowson of Studley Priory.⁸⁶ This change in hands of the patronage of the priory changed the fortunes of the priory dramatically, for as will be seen, shortly after this the priory was not in possession of the church of Aston Cantlowe.

Precisely what happened to the church of Aston Cantlowe is not known since it is not identified explicitly in the partitioning of the estate of George Cantilupe. It is possible but not certain that Eleanor seized the advowson while it was in the wardship of George or of John de Hastings. It seems most likely that it passed with the Cantilupe estates in Aston to John Hastings, for in 1296 Edward I granted license after an inspection *ad quod damnum* to 'John de Hastyng, tenant in chief, to assign in mortmain to the prior and convent of Stodeleye the advowson of the church of Aston Caunteleue in exchange for land there of the value of £13 yearly which they hold of him in frank almain'.⁸⁷ The advowson of the church, which had been appropriated in full to the canons in 1253, now had to be repurchased with the lands around the estate. How did this happen? It is possible that the appropriation was never finalized. Studley would certainly not have been the only Augustinian monastery not to take advantage of a grant to appropriate.⁸⁸ It could have been the death of their patron so soon after the appropriation that caused things to get muddled. It would seem perhaps as likely, if not more likely, that the new patrons, Eudo and Millicent La Zouche, were lax in protecting their priory. Having been

⁸⁵ CCR, Edw I, 1272-79, pp. 114-115.

⁸⁶ Ibid., p. 295.

⁸⁷ CPR, Edw I, 1292-1301, p. 210.

⁸⁸ See discussion on St. Oswald's, Cirencester, et al, below, pp. 329-341.

granted the advowson of the priory but not the Aston estates could have led to confusion over precisely who possessed the legal right to the church, and though both the Zouche family and the Hastings were nobility, the closeness of John Hastings with the crown during his life could have led to either a concession or a collusive act to wrest the church from the priory. Whatever the case might have been, John Hastings ended up in possession of the church, and the priory had to buy back the advowson in 1296. It seems here that the priory was wanting in terms of good leadership, from both its patrons and its priors, as no record of presentation to the church on the part of the priory exists, even when they had the advowson in hand in the late thirteenth century.

All this transpired before Maxstoke was even founded, however. The failed leadership became even more pointed as the priory was in complete chaos in and around 1319-1320, as Bishop Cobham's register recounts. During this time the priory clearly failed to make its possession of the advowson known, as there is no record of those who presented to the vicarage of the church of Aston Cantlowe before 1329.⁸⁹ Subsequently, the possession of the church passed through the Hastings family until it came to the earl of Huntingdon, William de Clinton, the founder of Maxstoke Priory. The register of Wolstan de Bransford reports that in 1345 Clinton, wishing to strengthen his foundation at Maxstoke, appropriated the church of Aston Cantlowe to the priory. Apparently the canons already had the patronage of the church, but at their request, since the house had grown to 19 canons, the church was fully appropriated.⁹⁰ Shortly thereafter, in 1349, Maxstoke Priory presented a vicar to the church and began to enjoy the fruits of it. In all of this, the priory of Studley is not even mentioned. It is difficult to know how the canons

⁸⁹ *Reg Clifford*, p. 113.

⁹⁰ *Reg Bransford*, pp. 126-127.

allowed such a possession to slip out of their hands without any resistance whatsoever, but a later generation of canons would – perhaps because they discovered some old charters, perhaps because they were feeling their own impoverishment – try to reclaim Aston Cantlowe as their own and cause Maxstoke tremendous trouble in the process.

The documents relating to the struggle for the church reveal that the quarrels began in earnest around the beginning of the fifteenth century. From the records in the papal registers, the Patent Rolls and the registers of the bishops of Worcester, along with many manuscripts that survive in the National Archives, the conflict between the priories over the church can be constructed in detail. It began when in December 1400 the canons of Studley petitioned the pope to annul the grant of the church of Aston Cantlowe to Maxstoke, citing that ‘the Augustinian prior and convent of Maxstok... procured from the late William Clynton... whom they falsely pretended to be the patron, a grant of the said patronage, and, making no mention of the appropriation to Stodeley, obtained surreptitious confirmation by papal authority’.⁹¹ Studley claimed that after litigation they recovered the possession of the church, and they requested that the original donation and appropriation to Studley be confirmed, the grant of the same to Maxstoke, made by Clement VI, annulled, and appropriation anew be made to Studley, ‘so that on resignation or death of the vicar they might have it served by a canon, being a priest of Stodeley, or other secular priest appointed and removed by the prior and convent’.⁹² Not only was the request bold, even brash, it was untrue. The canons had failed to mention the fact that they had had to purchase the advowson back from John de Hastings, and the claim that they had received the church back into their possession was not at all true.

⁹¹ *CPL*, vol. v, 1396-1404, p. 359.

⁹² *Ibid.* Interestingly for the discussion that follows (see below, pp. 343ff.), the canons requested the right to appoint their own canons to serve the church, should they get their way.

A patent letter of Henry IV reveals how the canons went about trying to reclaim the church. When the church of Aston Cantlowe became vacant, John, prior of Studley, sued in the king's court for the right to present, which was countered by the king, who won the case and presented to the vicarage one Thomas Burdet, on 25 June 1402.⁹³ Shortly thereafter, the king requested the names of all who had been presented to Aston Cantlowe since the time of Henry III. Bishop Clifford's register contains the reply to that letter, and it shows that Maxstoke had presented five times since 1349, and that only two candidates had been presented before that date, though by whom, the records did not indicate.⁹⁴ Though Maxstoke had lost the presentation in 1402, it seemed that the prior and convent of Studley would be done with the fight for good. However, the king's presentee, Thomas Burdet, died soon after being presented, and on 22 May 1403, the prior and convent of Studley's candidate, Thomas Shelford, was admitted and instituted to the vicarage of Aston Cantlowe.⁹⁵ Such an act did not go unchallenged, however, and King Henry IV granted anew the advowson and license to appropriate in full the church of Aston Cantlowe to Maxstoke, in exchange for prayers for himself and his progenitors. This right however cost the priory of Maxstoke the very considerable amount of £71 11s.⁹⁶

Remarkably, the prior and convent of Studley did not stop even there. Instead, they took their suit to the archbishop and the pope, and here several miscellaneous ecclesiastical Exchequer documents in the National Archives fill in some of the details.⁹⁷

⁹³ *Reg Clifford*, p. 58.

⁹⁴ *Ibid.*, p. 113.

⁹⁵ *Ibid.*, p. 64.

⁹⁶ *CPR*, Henry IV, vol. iii, pp. 399-400.

⁹⁷ The Series pertaining to the struggle between Studley and Maxstoke concerning the church of Aston Cantlowe includes 20 documents catalogued as miscellaneous ecclesiastical documents, E135/23/1-18, and E135/4/6 and E327/133.

One such manuscript, catalogued in the archives as E 135/23/18, is a 26-line letter from the prior of Maxstoke describing the conflict between them and the canons of Studley. The letter, written in English, begins ‘this is the answer of the prior of Maxstoke to the [] of Studley to the [church?] of Aston’.⁹⁸ The prior claims that one John Hastyng was seised of the manor of Aston, then presenting one Silas Bugesnor to the church as ordinary. John Hastyng at some point passed the manor, to which the advowson of the church was now appended, to Laurence Hastyng, ‘as cousin and heir’.⁹⁹ Laurence gave the same to William de Clinton, who was seised ‘that is to say of the same [Rode Land?] in his demesne as of fee and of the said advowson as of fee and right’.¹⁰⁰ He then goes on the state that ‘the same advowson was then appended to one Robard the prior of the said house of M[axstoke] to have to him and to his successors’.¹⁰¹ Robard then apparently presented to the church, after the death of the aforementioned Silas, one Adam Entoy(?), his clerk. The letter then claims that,

after the said advowson and church of Aston to the said Robard the prior of M[axstoke]... with all things thereto necessary and requested was lawfully appropriated to have and to hold to him and his successors in proprios use [sic], with force whereof the said Robard, then prior of M, was seised of the said church of Aston as of fee.¹⁰²

Regarding the prior of Studley, the letter of the prior of Maxstoke claims that the church of Aston was in the possession of Maxstoke continually until the time the said prior of Studley ‘to the said church of Aston hath made his said feigned and pretended title without cause... the said William de Cantilupe in the title of the said prior of Studley

⁹⁸ TNA E135/23/18. For the purposes of clarity I have used contemporary English spellings in all references except for names that appear in the manuscript. The edges of the manuscript are torn and some words are illegible, but the intention of the document is clear.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid. Curiously, none of the names of the presentees in this manuscript seem to match with the register of Bishop Clifford.

specified, was enfeoffed of the said manor with the advowson in his demesne'. The letter asserts that the said William presented one Thomas de Cantilupe, claiming that the church was lawfully appropriated to the house of Studley 'in proprios use [sic]'. And, it indicates that the claim of the prior of Studley is that they were at some point seised as of fee of the church of Aston.

Another document in the same series,¹⁰³ written in French, traces the lineage of the church and manor of Aston through much the same lines as the claims of the prior of Maxstoke, that is, through the line of John de Hastyns. According to this long and detailed document, the church and manor went from William de Cantilupe, in the time of Henry III, to John Cantilupe, to George Cantilupe in 27 Edward I. Somehow, the manor and church then passed from the Cantilupes to the Hastings, which John de Hastings was entitled to. John de Hastings passed it to his son and heir, John de Hastings, who passed it eventually to Laurence de Hastings, who gave it to William de Clinton, who eventually granted it to the priory of Maxstoke.¹⁰⁴ This anonymous document seems to affirm the testimony of the prior of Maxstoke right down to the presentation of Adam, clerk, to the church of Aston Cantlowe.¹⁰⁵ Another document details essentially the same order of possessors and transactions of the same church, as Maxstoke continued to make the case that they had been in possession of the church since the gift of William de Clinton to them.¹⁰⁶ These manuscripts must reflect only the side of the story told by Maxstoke, and surely the canons of Studley continued to tell their own version of the events, for they

¹⁰³ TNA E135/23/16. This document has no identifier as to the purpose for which it was written or who wrote it. It begins straightaway with the history of the transmission of the church of Aston Cantlowe.

¹⁰⁴ TNA E135/23/16.

¹⁰⁵ Ibid.

¹⁰⁶ TNA E135/23/13, This French manuscript, though partially damaged, offers little more evidence than does the previous, but confirms the story was at least often-told.

continued to pursue the case, petitioning the pope again in 1410, now a full decade after the fight for the church began.

The *Regesta* of 1 John XXIII (1410) recounts the first petition to Boniface IX, and references the more recent petition, to John XXIII, by the prior of Studley. Apparently, after the first petition, Maxstoke wasted no time in going to the archdeacon of Worcester, who in turn secured royal writs to seize the church from Studley 'by force of arms'. The prior of Studley and several canons were brought before secular judges and detained 'until under heavy pains they promised not to proceed with the cause without the realm'. Maxstoke then sought and obtained papal sentences to strip Studley of the church and secure condemnation in fruits and costs, all of which was done in ignorance of the church of Studley. The canons of Maxstoke then went to the archbishop of Canterbury, who ordered writs of excommunication, suspension, and interdict for the prior and canons of Studley. Studley, protesting all these actions, sought again papal interaction to free them from excommunication and inquire *de novo* about the right owner of the church claiming that they could prove their right to the church.¹⁰⁷ A papal letter of 1412, written to the archbishop of Canterbury and the bishops of Lincoln and Hereford, relates again the story and the consequences for the prior and canons of Studley. Having been found guilty by the archbishop, the canons had been stripped of the church and ordered to pay back 100m worth of corn they had taken from the manse of the church. Having refused to pay back the corn, though giving up claim to the church, the priory was excommunicated and placed under suspension and interdict. Finally, while still defying the archbishop, the pope ordered all three men to 'take the usual proceedings and aggravate them, invoking if necessary the secular arm'. And, the resolution of the matter: 'If the said prior and

¹⁰⁷ *CPL*, vol. vi, 1404-1415, pp. 236-7.

convent remain contumacious for more than a year, they are to be cited as suspect of heresy, and if they fail to clear themselves are to be declared heretics.’¹⁰⁸ At this, the priory of Studley seemed to give up the fight for the church, accepting at long last the fate that they likely knew was coming. One last document, however, reveals the lethargy of the canons in formalizing the entire circumstance. It was not until 1493 that the canons finally renounced any and all claims the church of Aston Cantlowe and declared the canons of Maxstoke to own it completely and peacefully, nearly 100 years after Studley caused conflict over the church.¹⁰⁹

Such a case is quite extraordinary with regard to the lengths that the priories went to obtain one parish church of modest size. The case apparently not only took many years to solve, but required petitions to the papal see on multiple occasions and the crown as well. The cost spent, as noted earlier, far exceeded the clear annual value of either of the monasteries, by any measure, and yet the case was carried on for many years. It could be that modern minds struggle with the slowness of medieval time. In a day of instant messages, data, and voice communication, it is difficult to imagine that it would take several years for something like the possession of a church to be resolved. And, to give some perspective, the time span from the first known complaint about the church to the final document of release of the church was roughly the time of the present day in relation to World War I – at least three generations removed.

This sheds light into the mindset of the priories and churches of the medieval period. It is clear that though they might not have been perceived to be fulfilling their purpose in the society spiritually, they clearly understood one of the main reasons for

¹⁰⁸ *CPL*, vol. vi, pp. 279-80.

¹⁰⁹ TNA E327/133 This charter marks the complete end of the struggle, as Studley finally released all rights to the church.

their existence: the undying institution of the church. From the beginning of the Gregorian Reform movement in the eleventh century, a clear attempt was made to wrest the church out of the hands of laymen and to get the churches into the 'Mortmain' of the church. This example shows quite clearly that the priories of late medieval England, especially those smaller houses whose livelihood was heavily dependent upon even one single parish church, understood the struggle was not for the present year or even the following year, but the struggles over lands and the possession of churches was really about an ongoing, undying source of life for the monastic communities. Without the ability to collect the tithes of the churches, the monasteries would not exist. The struggle over the small parish church of Aston Cantlowe between priories of Maxstoke and Studley exemplifies this pressing need. And it should not be lost in the details that both of these houses were of the same order, Augustinian canons, those for whom the possession of parish churches was of utmost importance.

This episode emphasizes several common themes among houses of canons regular. First, the canons of Studley, in the effort to reclaim the church that had been granted to them, exchanged lands for a church, much like the canons of Warwick did for the church in Snitterfield. More strikingly, however, is that they exchanged land in the same town as the church, for the advowson of the church. Obviously, the canons knew they had lost some of their endowment when John Hastings ended up with the lands of Aston and the church along with it, but rather than hold onto land worth £13 per year, they traded the land for the advowson of the church, no doubt hoping that one day they might reclaim the church in full. Clearly, it was more desirable in the minds of the canons to hold the advowson of the church, probably with a full eye toward complete

appropriation, than it was to have lands in the same town. And, having lost the advowson of the church, and along with it any hope of future appropriation, they were willing to fight – two generations later – to reclaim what they believed to be theirs, at great cost to the house and the individuals involved.

A second common factor in the struggles to acquire and control parish churches in dispute was the appeal to the papacy. For the canons of Warwick, the appeal came at the time of the institution of the vicarage, when a papal judge-delegate of another house had ultimately to quell the debate. For Studley, their quest to reclaim a church that had been theirs in the distant past rested almost entirely in papal hands. Without the papal support their attempts to launch an inquiry would likely have fallen on deaf ears. They not only earned excommunication for their struggle, they also flirted with charges of heresy on account of their contumacy.

The story of Studley Priory also reveals the importance of the relationship that a monastery had with its patron. If its patron was neglectful, as the Corbezons were initially with Studley Priory, the monastery struggled. However, when strong patrons came to the house, as the Cantilupe family did in the thirteenth century, prosperity followed. On the death of a patron, if the monastery fell into the hands of those who did not found the house, or if the succession of the house and/or its possessions was in question, trouble could ensue. In the case of Studley Priory, William La Zouche took the advowson of the house, and he contributed to the endowment of the monastery. Nonetheless, the priory lost some of its possessions in the process, having later to buy back the advowson to a church that had previously been theirs. And, whether through negligence or ineptitude, they had the grave misfortune to have a competing claim to the same church ultimately

be validated, allowing another monastery to abscond with the church altogether. Clearly, the fate of a priory, and again here a smaller priory likely was more vulnerable than their larger cousins, depended in no small part upon its patrons.

Ambivalence Towards Parish Churches

As has been argued, these accounts indicate that parish churches were of utmost significance to the Augustinian canons. Yet, there are a curious number of episodes that display the ambivalence of the canons toward churches, or perhaps carelessness when it comes to governing or exploiting their rights in the churches in their possession. This is apparent enough in the case of Studley above. Whether the canons or their patron were negligent in publishing their patronage and possession of Aston Cantlowe, or whether it was deceitfully usurped from them, it is clear that by their own lassitude they lost control of the church in the late thirteenth or early fourteenth century, only strenuously to pursue its re-appropriation at the beginning of the fifteenth at great cost to their priory and another of their order. Similarly, one church in the possession of the abbey of Cirencester was, through negligence, this time perhaps more of the criminal variety, lost and regained.

The church of Ampney St. Mary, in Gloucestershire, was part of the original endowment of the house. The 1133 foundation charter of Henry I lists it as part of the possessions of Regenbald, '*totam tenuram Reinbadi presbituri in terris et ecclesiis et ceteris*', which were granted to the abbey at its establishment.¹¹⁰ In the charter, the abbey was granted '*In Amenel iiii hydas et i virgatam et ecclesiam ville*'.¹¹¹ Though it is unclear

¹¹⁰ *Cir Cart*, vol. i, no. 28.

¹¹¹ *Ibid.*

precisely what part of the church they were granted, it seems that, along with most of the churches formerly held of Regenbald (19 in all) they would have obtained full possession of the church. This can be supported by the numerous papal confirmations obtained by the abbey in the twelfth century. Innocent II lists the church among the possessions of the abbey, utilizing the same wording as Henry I in his confirmation charter of 21 December 1136.¹¹² Lucius III followed suit in 1185.¹¹³ Celestine III also confirmed the church to the monastery in 1195, but his charter grants '*ad sustentacionem hospitalitatis domus vestre ecclesias de (Milborne, Ampney, Passenham et de Oxendin) cum eas vacare contigerit*'.¹¹⁴ Though this does not settle the issue of the portion of the church possessed by the abbey, it clearly shows they had more than the advowson as they were drawing income from it. Gregory IX, too, confirmed the church as among the possessions of the abbey, listing it without distinction along with several other churches that belonged, in their totality, to the abbey, on 29 March 1229.¹¹⁵

Sometime between the bull of Gregory and 1249, the abbey seems to have lost full possession of the church. A charter of Thomas, archdeacon of Gloucester, dated 1249, records that the abbey held only the advowson of the church of Ampney.¹¹⁶ It would seem that sometime between 1229 and 1249 the abbey lost at least part of their control over the church. This would likely make the culprit in this situation Abbot Hugh of Bampnett, whose abbacy likely spanned from 1230 to 1250, conveniently almost the exact time period in which the church was likely to have been lost. However, it ought to be noted that another church, that of Driffield, was listed in the 1229 charter along with

¹¹² Ibid., nos 145/77, p. 140.

¹¹³ Ibid., no. 152, p. 150.

¹¹⁴ Ibid., no. 154, p. 154. Modern place names were employed.

¹¹⁵ Ibid., no. 168.

¹¹⁶ Ibid., no. 329.

Ampney and others with no specified annual income listed, and the 1249 charter shows that the abbey drew only a pension of a half-mark from it.¹¹⁷ So, it is possible that the abbey possessed only the advowson of the Ampney in 1229 though it seems unlikely. It is clear that the abbey was not drawing any income from the church in the later thirteenth century, as the 1254 Valuation of Norwich, registered in the abbey's cartulary, makes no mention of any spiritualities from Ampney St. Mary, though it does list the temporal income of six marks drawn from lands in Ampney.¹¹⁸ At some point between 1254 and 1290, however, the abbey regained some of the income of the church, for a charter of Pope Nicholas IV, dated 1290, listed the four hides and one virgate like Henry I's original charter did, but added '*et ecclesiam quam habetis ibidem cum pertinenciis suis*'.¹¹⁹ The *Taxatio*, ordered by the same pope, records a pension of 10s from the church.¹²⁰

It is clear from the cartulary and the register of Godfrey Giffard (1268-1301), however, that a ten-shilling pension was not sufficient for then-abbot, Henry of Hampnett. During Henry's abbacy, Cirencester sought the reclamation of the church in full, and luckily it was in the hands of a conciliatory rector, Walter de Cheltenham, who just also happened to be a close associate of the abbot and a significant patron of the monastery.¹²¹ Walter, who first appears in the abbey's records in 1269 as rector of

¹¹⁷ The abbey's spiritualities in 1254 include the ½ mark pension from Driffield. See *Cir Cart*, vol. ii, no. 459.

¹¹⁸ *Cir Cart*, vol. ii, no. 460.

¹¹⁹ *Cir Cart*, vol. i, no. 144, p. 137. However, a charter of Robert Kilwardby, archbishop of Canterbury, dated 9 December 1277 surveying their appropriated churches, does not include Ampney St. Mary, so it may be presumed that the recovery of that portion was acquired after this time. See *Cir Cart*, vol. iii, no. 310.

¹²⁰ Robinson, *Geography*, appendix 10, p. 371.

¹²¹ Walter de Cheltenham first appeared in the cartulary in 1269 as rector of Ampney St. Mary, and served the abbot and monastery as witness, grantor and grantee with some frequency before his death in 1306. See *Cir Cart*, vol. iii, no. 195n.

Ampney St. Mary, was willing to return the church to the abbey in 1298. The cartulary records the proceedings of the transaction. Godfrey Giffard, then bishop of Worcester, granted, upon request of the abbey of Cirencester, and with the consent of Walter, that the church be returned to the abbey. A former abbot had apparently granted the church surreptitiously to his own nephew: *'quidam abbas vestri monasterii sigillum vestrum commune surripiens quendam nepotem suum parsonum secularem absque consensu vestri conventus'*.¹²² The rector had presented and the candidate was admitted to the benefice to the great harm of the monastery, *'in grave prejudicium et enormem vestri monasterii lesionem'*.¹²³ The letter claims that Giffard's predecessor, *'predecessori nostro Wygorn' episcopo'*, confirmed the candidate. If predecessor here means the bishop immediately before Giffard, then it would be a man named Nicholas who occupied the see of Worcester for a very brief time, from about 1266 to 1268. More likely it would be referring to one of the two long-lived bishops who preceded Giffard, either William of Blois (1218-37) or William de Cantilupe (1237-64). Without naming the said abbot or his nephew, it cannot be certainly known by whom or to whom it was given, but Giffard did restore the church to the abbey, stating that the church had been appropriated to the abbey from its foundation: *'Henrici senioris quondam regis Angl' tunc patroni ecclesie de Amenel' sancte Marie, nostre diocesis, donacione juris patronatus ipsius ecclesie per ipsum regem vobis in fundacione vestri monasterii prius facta in usus proprios pleno.'*¹²⁴

¹²² *Cir Cart*, vol. iii, no. 410.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

The charter goes on to say that Walter acknowledged such claims to be true, and that the abbey was to have the church back in its possession.¹²⁵

Walter may not have been overly willing to make the change, however, as a separate charter reveals that three years later the abbey petitioned Pope Boniface VIII to confirm the judgment given by the bishop of Worcester. The pope upheld Giffard's decision, and in a letter dated 13 January 1301, ordered the abbot of Evesham to make certain that the decision was 'firmly observed'. '*Quocirca discretioni tue per apostolica scripta mandamus quatinus sentenciam ipsam sicut facias per censuram ecclesiasticam appellacione remota firmiter observari.*'¹²⁶ At last, on 15 November 1301, at a hearing before the prior of Malmesbury, the issue was settled and the decision of Bishop Giffard was confirmed.¹²⁷ The king, notably absent amid all of these perturbations, was not to go completely silent in all this. In 1314, a full thirteen years after the resolution of the case, Edward II fined the abbey £20 for an illegal acquisition in Mortmain of the church of Ampney St. Mary.¹²⁸ Nevertheless it appears that the church was then able to hold the church in hand until the Dissolution, as the Ministers' Accounts for the abbey recorded the value of the church of Ampney, which was at farm, at £11.¹²⁹

Cirencester, one of the largest, wealthiest houses in the Augustinian order, through deceit on behalf of its own abbot and apparently without the knowledge of the rest of the monastery, lost the fruits of a fairly valuable parish church for perhaps 70 years. As much as is known about the debts incurred by the monasteries and their

¹²⁵ The charter goes on to grant the right to the abbey to have the church served by its own canons or by seculars per the charter of Alexander III, referring to his letter preserved in *Cir Cart*, vol. i, no. 150, dated 5 May 1178. Giffard's register contains the said agreement, see *Reg Giffard*, p. 508, 551.

¹²⁶ *Cir Cart*, vol. iii, no. 113.

¹²⁷ *Ibid.*, no. 411.

¹²⁸ *Cir Cart*, vol. i, no. 95 and *CPR*, Edw II, 1313-17, p. 103.

¹²⁹ *MA*, vol. vi, p. 179.

notorious money-grubbing image, it is almost inconceivable that a monastery such as Cirencester, which kept diligent records over its possessions – as evidenced by their cartulary and the protracted struggles with the town of Cirencester throughout their existence – allowed such a valuable possession to slip out of their control. Whatever their initial status regarding the church of Ampney was, they allowed one of the churches granted to them at their foundation to be in the hands of others throughout most of the thirteenth century. Is it because the abbey was so large that such an oversight or deception could take place? Surely one cannot imagine a smaller monastery making the same mistake. One wonders what other kinds of deceptive practices may have entered into the monastic life in abbeys of this and larger size.¹³⁰ It may indeed have been the size of the monastery that played directly into the laxity of oversight for the monastic possessions, because Cirencester was involved in another curious case of relative ambivalence regarding one of its parish churches.

The church of Hagbourne in Berkshire, in the diocese of Salisbury, presents a similar type of scenario, though some of the pieces to the story are missing. Like Ampney St. Mary, it was granted, at least in part, to the canons at their foundation. Henry's 1133 charter states that the canons received eleven hides and three virgates of land '*et ecclesiam eiusdem ville cum capella et decimas alterius Hackeburne*'.¹³¹ The canons received several papal confirmations for this church as well. Innocent II in 1136 confirmed the grant,¹³² as did Lucius III in 1182 and 1185.¹³³ Celestine III confirmed

¹³⁰ Cirencester, though large by Augustinian standards, likely never had more than 40-45 canons, far smaller than some of the largest Benedictine abbeys. One wonders what might have gone on inside a monastery housing 100 or so monks.

¹³¹ *Cir Cart*, vol. i, no. 28.

¹³² *Ibid.*, no. 145.

¹³³ *Ibid.*, nos 152, 153.

their possession of it twice in 1195,¹³⁴ and Gregory IX also confirmed their possession of Hagbourne on 29 March 1229.¹³⁵ They maintained possession of the church, it seems, throughout the thirteenth century; the Valuation of Norwich records the church in their possession, the abbey claiming £11 of income and tithing 22s.¹³⁶ The *Taxatio* however records that the abbey held only a portion of the church, though a substantial portion, valued at £13 6s 8d.¹³⁷ Precisely when the portion of the church was granted to another was unclear, though Ross, citing the register of Simon de Gandavo, claims that in 1278 Robert Wickhampton, bishop of Salisbury, in making an ordinance for the apportionment of tithes in the parish, remarked that the abbot and convent, '*a privilegio et concessione huiusmodi per simplicitatem recedentes*', had assigned the church to secular persons, and it had remained a rectory.¹³⁸ This is consistent with the timeline of the change, after the 1254 Valuation yet before the *Taxatio*, though why the canons would make such a choice is rather hard to ascertain. The abbot at this time, Henry de Mundene (1267-81), must not have considered the church worth the trouble or effort to maintain. Whatever the reason for retiring from the church, it was not to be a permanent situation. This reclamation project was not undertaken by Henry de Hampnett, who secured the return of Ampney, but was begun by Richard de Charlton, abbot from 1320 to 1325.

Nearly fifty years after the canons all but abandoned the church of Hagbourne, they decided to attempt to reclaim it. On 1 June 1322 the canons received a license to appropriate in mortmain a moiety of the church of Hagbourne. In allowing the appropriation, King Edward II appointed his clerk, Thomas Springehouse, to the

¹³⁴ Ibid., nos 154, 157.

¹³⁵ Ibid., no. 168.

¹³⁶ *Cir Cart*, vol. ii, no. 459.

¹³⁷ Robinson, *Geography*, appendix 10, p. 371.

¹³⁸ *Cir Cart*, vol. i, xxix. I am unable to locate this register.

rectory.¹³⁹ This caused upheaval in the church, for Robert de Ayleston was already the rector there. Perhaps in an attempt to quell the conflict, the convent then presented a vicar, William of Ampney, in 1323.¹⁴⁰ Roger Martival, bishop of Salisbury, did not leave his church undefended, however. Since the living of the church was a rectory and no vicarage had been ordained, the convent had no right to appoint a vicar, though they had so appointed anyway. In 1324 Roger commissioned Robert de Preston, the vicar of the church of Latton, to collect and hold the rectorial fruits of the moiety of Hagbourne, which was still in dispute between the abbot and convent and the then rector, Robert de Ayleston.¹⁴¹ The dispute went on for some time until in 1325, apparently conceding that the church was indeed still a rectory, the abbey appointed William de Ayleston (Robert's brother, perhaps, in place of the retiring Robert?) to the rectory of Hagbourne, and nothing is heard of the church in relation to the abbey again for almost 35 years.¹⁴²

Then, on 2 November 1359, the canons took decisive action under Abbot William of Martley. Commissioning one of their own, they sent Nicholas de Ampney,¹⁴³ their proctor, to take possession of the church of Hagbourne. The charter grants virtually complete and total power to Nicholas to direct the church, what today might be compared to a hostile takeover of the church.¹⁴⁴ Clearly the abbey was intending to make a play for complete control over the church, for in January 1360, one of their brothers, Henry of Shallingford '*tempore guerre inter regnum Anglie et regnum Francie velut Christi fortis*

¹³⁹ Ibid., vol. i, no. 99. See also, *CPR*, Edw II, 1321-24, p. 123. Interestingly the patent roll claims that Thomas Sprenghouse was the king's clerk who requested that the abbey appropriate the moiety of Hagebourne, which was said to be of the abbey's advowson. It also indicates that the king would lose the right to present in a voidance, but during the reign of Edward III, the king did present in a voidance. See *CPR* Edw III, 1334-38, p. 175.

¹⁴⁰ *Reg Martival*, p. 243.

¹⁴¹ Ibid., p. 463.

¹⁴² Ibid., p. 282.

¹⁴³ Nicholas would become abbot in 1363.

¹⁴⁴ *Cir Cart*, vol. i, no. 141.

athleta intrepide ad partes adiit transmarinas...et invento ibidem rege Anglie cum exercitu suo negocia subscripta feliciter et pro libito expedivit'.¹⁴⁵ Likely bearing the next-transcribed request in hand, a petition from the abbot for a license to appropriate in mortmain the church of Hagbourne, the highly praised brother completed his task, presenting his charter to Edward III in Pogny-sur-Marne. The letter that he bore, written in French, requests that another license in Mortmain be granted because the first license, issued by his father, Edward II, was not executed due to 'certain ambiguities and doubts' (*pur ascunes abiguites et doutes*) concerning it.¹⁴⁶ The king responded by writ on 26 January 1360, ordering the chancellor to grant a license in mortmain.¹⁴⁷

The Mortmain license as transcribed in the cartulary is quite instructive. Edward III recounts how his father had granted the moiety of the church to the abbot and convent, but the other moiety had remained with the rectors of the church because of ambiguities and doubts over the license as granted by Edward II. Clearly, the king had accepted the story of the abbey, and proceeded to grant in full the church of Hagbourne to the abbot and convent, 'for their greater security of the now abbot and convent and their successors in the future' (*pro majori securitate ipsorum nunc abbatis et conventus et successorum suorum in futuram*).¹⁴⁸ The king granted this appropriation 'of his special grace' (*de gracia nostra speciali*) and for £20 paid in the hanaper. The king left no doubt that the entirety of the church was to go to the abbot and convent of Cirencester from this point forward. Perhaps most interesting of all, however, is that the next charter in the cartulary is the confirmation of the appropriation by the bishop of Salisbury. Consent to the

¹⁴⁵ Ibid., no. 135.

¹⁴⁶ Ibid., no. 136.

¹⁴⁷ Ibid., no. 137.

¹⁴⁸ Ibid., no. 139.

appropriation was granted, at least in part, because Cirencester had granted Edward, the Black Prince, a chantry in their abbey. The Black Prince appealed to the bishop of Salisbury to grant the appropriation, commenting that the abbey was situated on a street that was highly traveled by the king and also by the poor, and that the burdens on the house were great. He also commended the abbey to the bishop because of the chantry, and because of these things, the bishop assented to the appropriation.¹⁴⁹ The canons presented their candidate to the vicarage, duly ordained by Robert, bishop of Salisbury,¹⁵⁰ and paid a £2 pension that had been negotiated between the bishop and the abbot and convent, to the dean and chapter of Salisbury, in recompense for the lost rectory.¹⁵¹

This episode reveals many curious features about the canons. First, it again shows the apparent laxity with which the canons of this large and prosperous monastery handled their spiritualities. Though according to the Ministers' Accounts the manor and tithes at Hagbourne brought the convent nearly £100 annually, the canons were seemingly more than happy in the late thirteenth century to concede away a church that they had owned since their foundation. Here again, the canons lost substantial amounts of income for nearly 80 years because of their unwillingness to work for or ignorance of what they owned. More surprising are the lengths to which the canons would go to reclaim the church. In what can only be seen as a calculated move, the canons sent one of their own overseas to get a license to appropriate, attained the license and used a chantry for the king's son as leverage against the bishop of Salisbury, a known friend of Isabella and

¹⁴⁹ Ibid., no. 140.

¹⁵⁰ Ibid., no. 142.

¹⁵¹ Ibid., no. 143.

Mortimer's regime, into acquiescence.¹⁵² It seems pretty clear that the abbey had finally grown weary of the situation and took great strides to regain what had been theirs. They spent only just over three months acquiring the church – from the time they first sent their proctor to seize the church until they received the bishop's assent to the appropriation – sending one of their own on a personal overseas visit to the king in France in order to obtain the mortmain license. Though it may have been their own poor management that lost them their share in the church in the first place, it was their tenacity and cunning that repossessed it.

One smaller monastery, too, seemed to be lax in its stewardship of a church in its possession, or at least potentially in its possession. The records for the priory of St. Oswald's Gloucester reveal the curious situation of a monastery receiving a license to appropriate a single church on three different occasions. On 16 December 1399 the canons received from Richard II a license to appropriate in mortmain the church of Minsterworth in Gloucester. The stated reason was 'both because they are destitute of wood for fuel and their necessary expenses, and also of common of pasture for their beasts, and also because they have bound themselves to celebrate on the anniversary of the king and his present queen when dead, and of the late queen Anne'.¹⁵³ The advowson of the church and the license to appropriate the church were granted in the record, provided that an appropriate amount was set aside for a vicarage. The church, which had been in the king's patronage, fulfilled their £10 per annum mortmain license and cost

¹⁵² Little seems to be written about Robert Wyville, though one article, J. R. L. Highfield, 'The English Hierarchy in the Reign of Edward III', *Transactions of the Royal Historical Society*, 5th Ser., vol. vi (1956), 115-138, claims that he alone of the bishops during the reign of Edward III was influenced by Mortimer and Isabella. It may be too much to claim that this had effects at this late date, but clearly to have remained in one bishopric for 45 years, he was either much loved by or much beholden to Edward for his position.

¹⁵³ *CPR*, Ric II, 1396-99, p. 477.

them an additional 40m paid into the hanaper.¹⁵⁴ For some reason that is not clear, the canons failed to execute this license, and some nine years later had to acquire another license, this time from Henry IV. His grant of a license is explicitly 'in consideration of a fine paid for letters patent of Richard II not yet executed, and for 10m paid in the hanaper by the prior and convent of St. Oswald's Gloucester'.¹⁵⁵

Having at that point paid 50m one would expect that the canons would indeed follow through and begin to reap some of the fruits of the church, but they again failed to execute the license granted by the king. So, once again, on 1 July 1418, they acquired a third license to appropriate the church in Mortmain, this from Henry V. For this they paid another 10m in the hanaper. Henry stipulated that the license was granted 'provided that they cause the church to be appropriated within a year and that a vicarage be sufficiently endowed', etc.¹⁵⁶ It seems that even Henry was growing weary of the delay. At some point the priory did in fact appropriate the church, for in the *Valor*, the church is listed among their possessions, valued at £7 12s 4d.¹⁵⁷ Since the church was in the patronage of the king, and Edward III did present to the church in 1339 and 1349, there seems to be little reason that a dispute over the right to possess the church would ensue, such as was seen above in the case of Hagbourne church. Perhaps it was the turnover in the priorate that caused the delay. Thomas Dick was elected prior in 1398, John Players in 1404 and John de Shipton in 1408. It may be that each of these men intended to move forward with the full appropriation of the church and was for whatever reason unable, each needing to

¹⁵⁴ Ibid.

¹⁵⁵ *CPR*, Henry IV, 1405-09, p. 380.

¹⁵⁶ *CPR*, Henry V, 1416-22, pp. 169-70. All the licenses had stipulated that a vicarage suitable to the ordinary be ordained and a portion, also approved by the ordinary, be distributed among the poor of the parish.

¹⁵⁷ *Valor*, vol. ii, p. 487. The Ministers' Accounts list the value of the rectory at £9.

seek a new license from the king.¹⁵⁸ John de Shipton seems to have been the prior for nearly 25 years and may have brought some much needed stability to the house.

Whatever the case, a monastery that was never particularly wealthy, its total income at the Dissolution being £90 10s 2d,¹⁵⁹ failed to execute a license to appropriate a church that would be worth nearly 10 % of their total income for almost 20 years.

Is it possible that these instances of seeming ambivalence are rare cases? Surely the evidence to substantiate the kind of gross neglect or deceit found at Cirencester or Studley is not plentiful. It is, however, notable that these Augustinian houses that would not have existed without the many valuable parish churches in their endowments were so inept at managing their affairs. The zealotry with which the monasteries went about seeking confirmations of their possessions by kings, popes, and patrons¹⁶⁰ belies the monasteries' state of mind; they knew the importance of maintaining detailed, accurate records to protect their endowments. And yet, in at least four cases in the later medieval period, the priories and abbeys lost control of or delayed the appropriation of churches legally granted to them through their own apparent negligence or outright abdication. In almost all of these cases, the cost of regaining that which had been lost was substantial. In the case of Gloucester, St. Oswald's, the canons paid 60m for three licenses to appropriate the same church, the cost was nearly half of the priory's annual income at the time of the Dissolution. This type of negligence reveals the expense of inept leadership.

Those priors and abbots who trespassed against their own houses, either through

¹⁵⁸ There seems to be no indication of the time limits put on licenses to appropriate. Perhaps it was with the death of a king that a new license had to be obtained. This may have caused the first license to expire, but the second license was granted approximately nine years before Henry IV was succeeded by his son.

¹⁵⁹ Interestingly, the church of Minsterworth was the only one listed in the *Valor* for St. Oswald's that had a perpetual vicarage attached to it. No other churches list such an expense in the entry for the house. See *Valor*, vol. ii, p. 487.

¹⁶⁰ Karen Stöber illustrates the interactions with the monasteries and their patrons well. Stöber, *Late Medieval Monasteries*, pp. 76-80.

ambivalence or deceit, brought nothing but trouble to their monasteries that often were facing economic hardship and lack of patronage.

The Canons and the Cura Animarum: an essential question of the Augustinian identity

One essential question, alluded to earlier in this chapter, is whether or not the Augustinian canons performed the cure of souls in the churches in their possession. As noted earlier, this question gets to the very heart of the order's identity and purpose and cannot go without discussion in a study such as this. The difficulty in such a study is the nature of the evidence itself. As with most medieval records, the documents available for study tend to be legal in nature. The various rolls of the crown, the bishops' registers, the charters collected by individual monasteries, these are, with few exceptions, 'business' documents. They recount the legal activities of the monasteries with an eye for protecting and defending the rights of the priory and its possessions; they do little to answer the questions of the day-to-day activities of the canons. Rarely is the life of the canon regular discussed, and few accounts even exist that state clearly what the standard observances of the monasteries were. The Rule of St. Augustine, with its questionable status and its general nature, particularly as a 'handbook of detailed regulations on the minutiae of the religious life', make certainty for the monastic practices of the houses dubious.¹⁶¹ The question might in some senses start with one's assumptions: is it assumed that the canons regular were essentially monastic or essentially clerical in their nature? Should it be assumed that canons regular served at the altars of their churches unless it is documented otherwise? Are there grounds for considering the canons regular to be essentially an

¹⁶¹ Dickinson, *Origins*, pp. 163-166. Dickinson discusses not only the origins and authenticity of the rule but also the observances in use within the order in his work.

active rather than contemplative order? These assumptions and others are integral for understanding the order and their behaviors, and in particular shape one's view toward the nature of the canons' parochial service.

Early studies in the Augustinian canons chose to make the assumption that the canons did in fact serve their churches as a matter of their identity. That is, it was assumed that the canons were essentially a clerical order, and as such, they were not monastic but essentially parochial. Two early voices in support of the view that the canons were essentially clerical and served their churches were those of Canon Holmes and Dr. Frere. Holmes stated that 'churches were given [to the Augustinian canons] not as a means of enrichment, but to be scenes of ministerial work... these churches are either in the vicinity of the priory or grouped round some mother church where one of the Canons of the priory had been settled for the purpose of work'.¹⁶² Citing the number of churches granted to them at their foundation and the general proximity of the churches to the site of the priory, Holmes concluded that the canons clearly were expected to serve the churches in their possession.¹⁶³ Dr. Frere likewise observed the locales of the canons' possessions and concluded that 'it seems as though the natural plan to be adopted by the new Norman lord... was to entrust the spiritual care of them to a body of Regular Canons'.¹⁶⁴ This position did not go unchallenged, however.

Egerton Beck's numerous responses to these inferences are perhaps all worthy of citation, if for no other reason than to illustrate to the novice the potentially colorful and

¹⁶² T. Scott Holmes, 'The Austin Canons in England in the Twelfth Century', *JTS*, 3 (1904) 343-356. This quote is cited in Egerton Beck, 'Regulars and the Parochial System in Medieval England,' *Dublin Review*, 127 (1923), 235-251.

¹⁶³ Beck, 'Regulars'.

¹⁶⁴ Frere cited in *ibid.* Frere, Walter Howard, 1863-1938. 'The early history of canons regular as illustrated by the foundation of Barnwell priory.' *In Fasciculus Ioanni Willis Clark dicatus* (Cambridge, 1909), 186-216.

passionate nature of historical research. Two alone shall be noted. Beck states that scholars 'have maintained that they (Augustinian canons) have served their churches *de jure* and as a matter of course; a statement which by force of constant repetition has been accepted as an axiom, so that the very elect have been led astray; for the theory is absolutely devoid of any foundation in fact'.¹⁶⁵ He also states that 'it can only be said with deep regret that this idyllic picture of Twelfth Century England is, in the opinion of the present writer, absolutely unsupported by facts'.¹⁶⁶ Beck, after so accusing his fellow scholars, proceeds to demonstrate that the canons served very few of their churches in the thirteenth century. Using the bishops' registers, he notes that 'if there had been anything approaching a general service of appropriated churches there would certainly have been more than seventeen presentations of Canons out of the 670 made to vacant vicarages: that, however, is the number recorded, less than 2 ½ per cent'.¹⁶⁷

Beck's work, published in 1923, written so forcefully and with seemingly good scholarship to support it, would seem to have overturned the former view of the canons regular and their parochial service. But at about the same time, A. Hamilton Thompson's work on Bolton Priory put forward an opposing hypothesis. He noted the conversion of several secular minsters to houses of Augustinian canons and the numerous churches granted to new foundations of regular canons and stated:

If seculars were ousted from certain churches, the canons regular who took their place succeeded to their parochial responsibilities, and from the grants of churches made to newly-founded houses, we may infer that the ideal contemplated in the earlier churches was maintained in their successors.¹⁶⁸

¹⁶⁵ Beck, 'Regulars', p. 239. Isn't it always somewhat humorous when scholars resort to clear biblical allusion to attack their fellows.

¹⁶⁶ *Ibid.*, pp. 240-1.

¹⁶⁷ *Ibid.*, p. 242.

¹⁶⁸ Thompson, *Bolton Priory*, p. 17.

Noting the restrictions placed on the canons and monastic service of parochial ministry in the later twelfth and early thirteenth century, Thompson recognizes the assimilation of the canonical and monastic systems.¹⁶⁹ However, noting the resurgence of service to churches after the mid-fourteenth century, his conclusion is that ‘while the parochial ministrations of canons regular were checked for a time, they were never wholly suppressed, even in the face of canon law’.¹⁷⁰ Ultimately, Thompson believed that the nature of the order lent itself to the service of the church. ‘An Augustinian canon, in undertaking a cure of souls, might reasonably plead that in so doing he was fulfilling the intentions of St. Austin himself’, no matter what the later popes had decreed.¹⁷¹ Such a view made the case that the cure of souls, though at times only undertaken by a seemingly negligible number of canons, was essential to the order and was always present in their ethos.¹⁷² Thompson’s view seemed to win the day, and until the work of John Dickinson, the view that Beck propounded with so much vitriol seemed to go unheeded.

Dickinson’s work, still the seminal undertaking in the studies of the canons, contended quite clearly that the canons regular in general did not undertake the cure of souls. Though the finer points of his argument will be spelled out in more detail in the pages that follow, the position that he has taken, and that has become rather influential in the field, is as follows: ‘so far as the vast majority of houses at least were concerned, there was never any intention that the early inmates should undertake the care of most or

¹⁶⁹ Ibid., p. 18.

¹⁷⁰ Ibid., p. 19.

¹⁷¹ Ibid.

¹⁷² Ibid., p. 18 n.1. Thompson has a discussion of the relevant decrees of the Lateran councils of 1179 and 1214 wherein the possibility of a regular vicar is maintained, even if it was not universal practice.

all of the parishes given to them.’¹⁷³ Dickinson’s work is focused primarily on the development of the order up until about the Fourth Lateran Council, and his statement attempts to present the conclusions of his work predominantly from the twelfth and early thirteenth century. It does appear to some scholars, notably Thompson, that the situation changed in the later medieval period. Still, Dickinson does identify a number of pieces of evidence for monasteries that served at least one church in their possession in the twelfth century.¹⁷⁴ Dickinson’s conclusion, though, does not stand alone in his work. He offers a couple of important caveats to his statement that the ‘vast majority’ never intended to undertake parochial work, and these provisos are essential to the question of the original identity of the order.

After assenting that the actual number of regular canons who served in parish churches will never likely be ascertained with accuracy, he states, ‘We may take it as certain that (parochial service) was always very far from universal and very much commoner in the century before the Council of 1179 than in the century after it.’¹⁷⁵ He then states his conviction that the canons in England likely served far fewer of their churches than their continental brethren, mostly due to their smaller size. Then, as through gritted teeth, he offers this less-than-transparent comment:

It is not unlikely that a far from negligible minority of the houses founded in the first half of the twelfth century at least entertained the possibility of serving by members of their house a large proportion of their dependent churches. This practice, however, was probably short-lived in all but a few cases and has left next to no trace in the admittedly highly defective documents of the time. The vast majority of houses of regular canons probably originally served only a few of their cells, these being either poor ones near at hand or the better endowed ones,

¹⁷³ Dickinson, *Origins*, p. 239.

¹⁷⁴ Nearly two dozen are named in Dickinson, *Origins*, p. 238.

¹⁷⁵ Dickinson, *Origins*, p. 240.

whose distance from the mother-houses brought into play economic factors favouring such a step.¹⁷⁶

Dickinson here assents what is for this part of the discussion in this chapter a key point, namely that the monasteries were *in their earliest days* looked to for parochial ministry. Constable's citations above and the claims of the canons to be legally allowed to receive the tithes and their actual early practice seem to ally. Not only were the canons a new order and something of a hybrid between the secular clergy and the monastic order, they were clearly identified, at least at first, as instruments of the clergy, not the monks.¹⁷⁷

Dickinson's broad perspective, that the canons rarely undertook the cure of souls in the majority of their churches, seems to have carried the day on modern scholars focusing specifically on the Augustinian order, though some still state otherwise. Allison Fizzard, in her research on Plympton Priory, traces similar discussions of the canons and their service in churches, implying that scholars such as Brett, Postels, Brooke, and Burton are out of step with current research when they assert that the canons undertook parish work.¹⁷⁸ Fizzard claims that the foundation charters spell out the purpose for their grants, namely that the bishops desired for a more orderly and proper worship, for the battles over clerical celibacy, or more commonly, for the 'standard' purpose of grants to monastic foundations, for the prayers of the souls of the founder and their family. She concludes that 'rarely – if ever – do the founders specify that they are establishing a house of Augustinian canons in order to foster pastoral care in their communities'.¹⁷⁹ The

¹⁷⁶ Ibid., pp. 240-1.

¹⁷⁷ See Dickinson's discussion about this in *Origins*, pp. 198-201.

¹⁷⁸ Fizzard, 'Plympton', p. 42. In it she challenges the work of Martin Brett, *The English Church Under Henry I* (Oxford: Oxford University Press, 1975); David Postels, 'Austin Canons', pp. 1-20; Christopher Brooke, 'Monk and Canon', p. 125; Janet Burton, *Monastic and Religious Orders in Britain, 1000-1300*, pp. 48-49, and 'Monasteries and Parish Churches in eleventh- and twelfth-Century Yorkshire', *Northern History*, 23 (1987), 39-50.

¹⁷⁹ Fizzard, 'Plympton', p. 51.

question comes again back to assumptions, however. Can it be assumed that the canons, at least at their inception, served their churches, or must it be borne out by documentary evidence? This is where the discussion of the nature of the order itself figures in quite directly.

Though modern scholars cannot always agree on the distinction between the canons regular and the monks,¹⁸⁰ and indeed studies on regular canons are considered as consonantal with monastic studies, the canons regular of the twelfth century did not consider themselves monks and vice versa. Though they lived a common life, shared similar habitats,¹⁸¹ even followed somewhat similar patterns of religious observance,¹⁸² the canons and monks saw themselves as distinct. Here the small, and, for its time, unusually friendly, *Libellus de Diversis Ordinibus*, sheds some valuable light. It is clear from the author of this 'little book' that there were very real and conscientious distinctions between the canons and the monks, and that they were significant enough for him to exposit carefully the precise differences. Though this amicable, almost ecumenical, book finds room in God's plan and working for both monk and canon, they are clearly not to be conceived as one and the same.¹⁸³

Not all discussions about the differences between monks and canons in medieval England are nearly so cordial however. Throughout the Middle Ages one can and does

¹⁸⁰ See Christopher Brooke, *Monastic World*, pp. 133-134, for a discussion of the similarities and differences that seem to us trivial if even existent.

¹⁸¹ Here Brooke has shown well the similarities in the orders. See *Monastic World*, and 'Monk and Canon' for treatments of similarities in dwellings.

¹⁸² See Dickinson, *Origins*, pp. 163-176, for a discussion of this relatively untouched area of research.

¹⁸³ Interestingly, Brooke uses this book in defense of his position, finding that the friendly outlook of the book offers more support that there was little to distinguish the orders rather than that there were differences of note. See Brooke, 'Monk and Canon', pp. 162-3. Also, see again Chibnall in her discussion of the *Libellus* specifically to the question of whether monks served parish churches. Her conclusion is that the *Libellus*' treatment of the monks and canons and their serving at altars makes parish ministry a much more prevalent aspect of the canons but one that is likely only happening in the conventual church for the monks, Chibnall, 'Monks and Pastoral Work', p. 167.

find polemical and even spiteful tracts being disseminated from monk to canon and canon to monk.¹⁸⁴ In commenting on the ‘ill-tempered and ill-informed tract the *Dialogus inter Cluniacensem monachum et Cisterciensem*’ written in 1156, which sees all living a common life as monks,¹⁸⁵ Dickinson claims that ‘it cannot be too strongly emphasized that, in claiming the canons to be monks, the writer was setting a very lonely course against the great tide of contemporary opinion, both popular and official’.¹⁸⁶ He goes on to illustrate that regular canons explicitly denied they were monks,¹⁸⁷ and that those outside the order saw a ‘fundamental distinction’ between monk and canon, wherein the canon regular was ranked among the secular clergy and not the monks.¹⁸⁸ Dickinson does acknowledge that the differences in practice seemed to fade as time passed¹⁸⁹ and that the outward trappings of the monks and canons appear very similar in many ways.

From a survey of twelfth-century monasteries, it appears that the Augustinian canons held sway over the Benedictines when it came to episcopal patronage. Diocesan bishops of several significant sees and the archbishops of both Canterbury and York played key roles in the earliest foundation of several houses of canons. Why would the bishops so support the order? Though there were no doubt both political and economic factors involved, there are likely parochial reasons for episcopal support of regular canons over monks as well. If the bishops and other patrons believed that the canons could and would undertake parochial ministry in some of the many churches granted and appropriated to them, they may very well have willingly supported the order.

¹⁸⁴ See Dickinson, *Origins*, pp. 201-208, for a discussion of these writings and the conflicts they fueled.

¹⁸⁵ *Ibid.*, p. 198.

¹⁸⁶ *Ibid.*, p. 199.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*, pp. 200-01. Of course, if one grants this position, one cannot but assent that the canons regular were essentially parochial. After all, what did the secular clergy do if not parish ministry?

¹⁸⁹ *Ibid.*, pp. 201-3.

Interestingly, after the time of King Stephen, episcopal patronage almost entirely ceased.¹⁹⁰ This corroborates the thesis that the reason for initial foundations was due in part to the perception that the canons would indeed be a different and more 'active' order than either the Benedictines or Cistercians.

The bishops had to be concerned with the parish churches in their diocese.

Whether or not they were devoutly religious and were overly concerned with the quality of parochial ministry provided, the bishops had to have regard for the health of the parishes and the priests serving them. To that end, it would behoove a bishop to maintain as much control over the churches in their diocese as possible. As canons of the church, the Augustinians were, in theory at least, under the control of the bishop. And, as one author puts it they could be seen by the diocesan bishops as an auxiliary ministry to the secular clerk.¹⁹¹ The 'active' ministry of the canons and their priestly rather than monastic status put them under the control of the diocesan rather than an independent abbot. As Knowles, Dickinson, and Barlow all point out, the desire of the bishops to avoid the complete independence from episcopal control that some Benedictine and all Cistercian abbeys possessed would seem to be an important factor in the support of bishops.¹⁹² Dickinson too notes that 'complete control of the local bishop of the parish churches of his diocese was... scrupulously safeguarded', and that 'from an early date privileges to houses of regular canons stipulated that brethren whom they nominated to churches must be presented to the diocesan for institution and be responsible to him in

¹⁹⁰ Ibid., p. 253.

¹⁹¹ Frank Barlow, *The English Church 1066-1154* (London and New York: Longman, 1979), p. 212.

¹⁹² See Knowles, *MO*, pp. 597ff.; Barlow, *English Church*, pp. 208ff.

spiritual matters'.¹⁹³ The Augustinians, as a canonical order rather than a monastic one, were not only under their abbot or prior but also the diocesan bishop.

One specific way that bishops supported the order early on was through the transformation of minster churches from secular canons to Augustinian priories. As Allison Fizzard has shown, in the case of William Warelwast at least, the desire for a more devout clergy was a significant motivation for just such a switch.¹⁹⁴ In the case of Stephen of Blois, the transformation of the minster of Twynham had at its heart a similar motivation.¹⁹⁵ While it cannot be said that the conversion of all minster churches from secular clerks to regulars was due to impious secular clerks, it must be regarded as significant that many of the foundations of convents of regular canons were transformed minster churches. Martin Brett has also pointed out that in the time of Henry I a secular minster in the patronage of a bishop was likely to end up as a house of Augustinian canons.¹⁹⁶ In all there were fourteen houses of Augustinian canons that were converted secular minsters, two in the diocese of Worcester, Cirencester, founded by Henry I, and St. Oswald's, founded by the archbishop of York, Henry Murdac.¹⁹⁷

Another main goal in introducing regular canons into a diocese was the problem stemming from lay possession of churches and tithes in the Middle Ages. What was surely the main thrust of the Gregorian Reform, the wresting of the church from lay

¹⁹³ Dickinson, *Origins*, p. 221. See also the many instances in Holtzmann where just such a stipulation is presented. Holtzmann, *PUE*, passim.

¹⁹⁴ Fizzard, 'Plympton' pp. 42-45.

¹⁹⁵ Michael Franklin, 'The Bishops of Winchester and the Monastic Revolution', *Anglo-Norman Studies*, 12 (1989-90), 47-65 (p. 55). Specifically, the evils of hereditary tenure are expounded.

¹⁹⁶ Brett, *English Church*, p. 139.

¹⁹⁷ Dickinson lists fourteen, which it must be said is not too many more than the number of hermitages or eremitical sites of Austin canons, but the list of priories and abbeys that make up these fourteen are much more significant than the hermitages: Cirencester, Waltham, Hexham, Bruton, Plympton, Launceston, and St. Frideswide's all were converted minsters. It must also be noted that there were not many minsters in England at the turn of the twelfth century from which to draw, making the percentage that much more significant. See Dickinson, *Origins*, pp. 144-5, for a listing of the converted minsters.

hands, spawned controversy all over Europe. Attempts by church leaders to regain control over the parish churches, which had begun locally in the ninth and tenth centuries, became the plan of attack throughout the whole of Christendom under the Gregorian reformers. As Constable puts it, the 'program to redeem the property of the church was taken over and intensified by the Papacy in the middle of the eleventh century'.¹⁹⁸ In order to end the lay control of local churches, the papacy put into practice what had been law in the church forever, namely, that tithes of the church were not to go to laymen. The discussion over to whom tithes went was heated and longstanding,¹⁹⁹ but one clear consequence over the fight for the possession of churches was that the monastic houses became prime recipients of the tithes of churches. This practice, which became known as appropriation, was enormously important in the life of all monastic groups in the age of reform.

As noted above in the survey of Constable's work, the canons, at least frequently, considered themselves worthy of the possession of parish churches, because they were distinct from monks and because they actively participated in parochial ministry. Along with the preceding discussion, the case can be made that there was, to the twelfth-century mind, a distinction between monks and canons, and that at least some of that distinction lay precisely in the facet of parish ministry. Cardinal Henry of Susa, a thirteenth-century lawyer puts it plainly, stating, 'a cure of souls is more easily granted to a canon regular than a monk, and that canons regular serve a less rigid rule: for they differ with regard to

¹⁹⁸ Giles Constable, 'Monastic Possession of Churches and Spiritualia in the Age of Reform', in *Il Monachesimo e la Riforma ecclesiastica (1049-1122)*, Atti della Quarta Settimana internazionale di studio, 1968. Milan: Vita e pensiero, 1971, pp. 304-335 (318).

¹⁹⁹ See Constable, *Monastic Tithes*, for the most complete discussion of this topic. See also the discussion above, pp. 292ff.

flesh-eating, and dress, and in certain other matters as all men may see and know.'²⁰⁰

While some monks also undertook parochial ministry, it was certainly the minority.

Though seemingly all scholars agree that as the twelfth century turned into the thirteenth and fourteenth and the lines between monks and regular canons blurred, at their inception, the likelihood or at least possibility of the canons undertaking active parish ministry was indeed a motivating factor for the foundation and endowment of religious houses, and perhaps the key hallmark of the order. Even Dickinson, the leading voice away from the 'active ministry' position in Augustinian studies, assents this to be the case.

If it can be agreed by the likes of Thompson, Dickinson, and Brooke that the canons became more monastic and less parochially minded as the medieval period went on, the question for this study must be whether or not the houses of canons in Worcester can add anything to this discussion, and, whether or not the situation changed in the later Middle Ages. A. Hamilton Thompson states without comment that after the Black Death in the mid-fourteenth century the canons regular returned to the cure of souls in parish ministry with a greater frequency,²⁰¹ and Dickinson states it bluntly: 'There is no doubt... that after the Black Death the regular canons served churches which they had not done before, the growing financial difficulties of religious houses... suggesting this practice as one of the few by which the house could increase its income without diminishing its reputation.'²⁰² But rare indeed is the study of the canons and pastoral care in the later Middle Ages. The remainder of this study will try to identify evidence that suggests that the canons in the diocese of Worcester performed parochial work in their churches,

²⁰⁰ Quoted in Hartridge, *Vicarages*, p. 165.

²⁰¹ Thompson, *Bolton Priory*, p. 19.

²⁰² Dickinson, *Origins*, p. 227.

giving eye to the twelfth century to corroborate the findings noted above, but focusing on the later medieval period, where fewer studies have been done to corroborate the conclusions of Dickinson, Thompson, and others.

The Canons in Worcester Diocese and their Service in Parish Churches

When looking for specific evidence for the *cura animarum* undertaken by the canons in Worcester, several sources become of interest. Perhaps the simplest positive evidence of all would be the lists of presentations to benefices in the bishops' registers. The catalogues of entries of each bishop make a useful list of the monasteries that presented to benefices and those who were presented, secular or religious. The clearest evidence for parochial ministry would be if one of the known canons turned up in these lists.

Unfortunately, no Augustinian canon is discernable in any of the lists of presentations in the bishops' registers for the diocese of Worcester. Whereas the ordination lists in the same registers identify those being ordained as canon of a certain house, or at least as regular canon, none of the presentations to benefices in the bishops' registers identifies the appointee as being a canon of any of the houses of the monasteries in the diocese.

This source leaves us with no positive evidence for the exercise of the cure of souls in Worcester diocese.²⁰³ This evidence alone, however, does not completely close the case. It is clear from the lists of the institutions to benefices in the bishops' registers that these lists are not exhaustive. Indeed, the register of such a bishop as Wolstan de Bransford (1339-1349), one who was known for his pastoral care and spiritual oversight of his diocese, records 277 total institutions over the period of 1339-1348, with only 15 and 17

²⁰³ It was from this evidence that Beck came to the conclusion that canons served less than 2% of the churches they possessed. Beck, 'Regulars', p. 248.

institutions to benefices in 1346 and 1347 respectively.²⁰⁴ In the fateful year of 1349, there were 217 institutions between 1 January and 6 August. There were surely more benefices in Worcester than presentations being recorded. Lacking such evidence, one must turn to other sources for positive evidence of the canons serving in their parochial churches.

Other potential data sources are the papal letters to the canons in England. In them are several grants of the right for the canons to appropriate the vicarages of the churches in their possession and place their canons in such churches. Three monasteries received such grants. On 26 April 1399 Boniface IX granted the canons of St. Augustine's Abbey in Bristol the following: 'Appropriation *motu proprio* of the perpetual vicarage, value not exceeding 43 marks, of the parish church, long held to their uses, of Berkeley... Upon resignation or death of the vicar they may have the vicarage served by one of their canons regular or by a secular priest, appointed and removed at the pleasure of the abbot.'²⁰⁵ Twelve days earlier the pope had granted the same abbey the same rights in the vicarage of St. Nicholas, Bristol.²⁰⁶ The canons of Lanthony also appropriated three vicarages and were granted the right to present their own canons to them. In 1395 Boniface IX appropriated Painswick, Prestbury, and St. Owen to the priory, worth together 80 marks, and granted the prior the sole right to appoint and remove the canons from service.²⁰⁷ The prior and convent of Studley received even greater *carte blanche* for service in their churches. In 1402, the same pope granted them the right to serve any of the perpetual

²⁰⁴ *Reg Bransford*, p. xxxiii.

²⁰⁵ *CPL*, vol. v, p. 101.

²⁰⁶ *Ibid.*

²⁰⁷ *CPL*, 1362-1402, p. 520.

vicarages in their parish churches by canons from their own house.²⁰⁸ These licenses would seem to indicate that the canons did in fact have the right to serve their churches, and many more could be added to the list if other dioceses were considered.²⁰⁹ The clear pattern of appropriations in the late fourteenth century is indeed that the canons had the right to present a canon of their own house to the vicarages in the churches appropriated to them.

But does the appropriation of vicarages equate to actual parochial ministry? That is, are these indults to appoint a canon in their appropriated vicarages positive evidence that they in fact did so? Hartridge states that ‘Austin canon vicars were not common in the thirteenth century in England, but from 1300 onwards the movement towards making them general gained momentum, especially during the Great Schism’.²¹⁰ Hartridge notes that the evidence is ‘necessarily imperfect and “patchy”’ compared to that of the Premonstratensian order, owing primarily to the less systematized oversight of their houses.²¹¹ He does offer several examples and anecdotes of the canons, both English and other, to confirm his conclusion that they did in fact serve in their churches, and that the rules about the numbers that had to be attendant in a parish church, discussed briefly below, was the most frequently broken of all the monastic rules, implying that the monasteries were in fact sending their canons to serve in their churches.²¹² Hartridge makes clear that in cases where a vicarage was ordained, one cannot assume that it was

²⁰⁸ *CPL*, vol. v, p. 511.

²⁰⁹ Indeed, a comprehensive survey of the indults granted to the regular canons and the monks of other orders would be very instructive to see if there exists a substantive quantitative difference in the grants made to each. Such a survey is unfortunately beyond the scope of this thesis.

²¹⁰ Hartridge, *Vicarages*, p. 176. This would seem to align with the views of Dickinson, Brooke, et al.

²¹¹ *Ibid.*, p. 182.

²¹² This is, however, a note from Archbishop Odo Rigaldi, of the archdiocese of Rouen, and must be used with circumspection, as it is widely believed that the canons in France undertook much more parish ministry than in England.

necessarily served by a secular, and in cases where a church is appropriated and a vicarage not ordained, that is the church was being served by a stipendiary chaplain or a non-perpetual vicar, it may certainly be the case that a canon was serving there.²¹³ He even notes times when Premonstratensian canons were in fact *perpetual* vicars in some of their churches.²¹⁴ If this is to be taken as in any way normative, then even a church with a perpetual vicar might be served by canons. Here again, however, one is left with the question of assumptions, as there is veritable silence on positive evidence for canons being presented to known benefices. The canons of Llanthony, who, as noted above, appropriated the three vicarages of Painswick, Prestbury, and St. Owen, show no trace of ever presenting a canon to the churches, but rather seculars.²¹⁵ Nonetheless, the right to appoint canons to the churches and vicarages in their possession was granted frequently in the later Middle Ages, particularly during the Great Schism.²¹⁶

One of the more interesting entries in the papal registers, though outside the diocese, is that recording the grant to the prior and convent of the Augustinian priory of Spinney, in Norwich diocese. They had been recently granted lands and meadows for the sustenance of four canons, two to say mass in the priory, and two to serve the church of Wicken. The register records the following: ‘As the divine offices, day and night, are sung, though with difficulty, in the church of the priory, in which there are at present, besides the prior, eight canons only, it is prayed that all the canons should be present at

²¹³ This is certainly important for that situation at Cirencester, where, as discussed below (p. 359), they sought and attained approval not to have vicarages set up without their own consent.

²¹⁴ Hartridge, *Vicarages*, p. 170.

²¹⁵ See *Reg Llanthony*. Several entries in the register name the presentees of the priory in the later medieval period, none of whom are canons.

²¹⁶ It here ought to be noted that the Great Schism produced much controversy, as the succeeding popes continued to annul one another’s appropriations, causing some to seek the appropriation time and again. And, the council of Constance tried to annul all appropriations made during the Schism, but without success, as it became impossible to enforce such a massive redistribution of churches, tithes and advowsons. See Hartridge, *Vicarages*, p. 117.

them, that the said parish church should be served by secular priests, and that the two canons should be sent back to the priory.'²¹⁷ This entry offers much insight into the workings of the priories of canons and the expectations upon them. First, the grantor of lands to the priory specifically asked for two canons to serve the parish church. This implies that it was known to benefactors that canons could at least be expected to serve a church if so requested. Second, this grant shows that the divine offices were being sung in the priory, and that eight canons seemed in the pope's mind to be a small enough number to render such work difficult. And third, it shows that to this particular pope monastic observance of the canons was, at least in this case, more important than the service of the parish church, which could be done by seculars.

In granting to Augustinian houses the right to serve the churches in their possession, the popes of the later fourteenth century were really only echoing the same rights granted by their predecessors in the See of Peter. In the twelfth century, several monasteries sought out and received papal confirmations for their possessions, specifically their spiritualities. In this, the canons of Worcester are no different. The cartulary of Cirencester contains several of these confirmations, which, beginning in the latter part of the twelfth century, contain a clause that allows the canons to place some of their own number into the churches to serve them. The first charter in the cartulary to contain this phrase dates from 5 May 1178, during the pontificate of Alexander III. Alexander confirmed the possessions of the abbey and then stated, '*Liceat eciam vobis in ecclesiis vestris vacantibus iiii vel tres de vestris fratribus ponere quorum unus diocesano representetur episcopo ut ab eo curam recipiat animarum*'.²¹⁸ In doing so he allowed the

²¹⁷ *CPL*, vol. v, p. 511.

²¹⁸ *Cir Cart*, vol. i, no. 150.

canons to present one of their own to the cure of souls in the churches in their possession. This right was confirmed by Lucius III in 1185 and Celestine III in 1195.²¹⁹ Several later popes, while not mentioning the particular privilege to serve the churches in its possession, confirm the privileges extended to the abbey by their predecessors. One conflict the church had with the vicar of Cheltenham led the abbey to seek and attain papal privilege from Gregory IX against the institution of new and undue vicarages against the will of the abbey.²²⁰ Celestine's grant of 1195 even contains the right to appropriate the vicarages of several of their churches. If this is so, then this clearly means that they would not only control the terms of the vicarage but likely serve the vicarages as well.²²¹

However much the canons actually placed their own canons in their churches, and there is little evidence in the cartulary that they in fact did so,²²² what is clearly granted to the canons is the right to serve if they so chose. This right was granted to many houses of canons in the twelfth century.²²³ Dickinson and others have dismissed those who interpret the gift of churches and the right of the canons to serve them for evidence that they in fact *did* serve them as lacking a contextual understanding of the word *ecclesiam* and the real setting at the time. It is true, as Dickinson says, that if the canons sent two canons to each

²¹⁹ *Ibid.*, nos 152 and 154 respectively.

²²⁰ *Cir Cart*, no. 167. Ross sees this as Cirencester's attempt to maintain control over their vicars rather than allowing the diocesan to determine the specifics of the vicarage system. See *ibid.*, pp. xxix-xxxiii.

²²¹ Ross sees this as a potentially falsified document, as this language is virtually unknown until the later fourteenth century.

²²² Ross notes only two cases where the canons are known to have served the churches though he does admit that if we knew more of the names of the canons, we might know better if they served or not. See *Cir Cart*, pp. xxix-xxxiii. However, there is evidence that the canons of Cirencester did serve as the 'warden' of the church of Cheltenham at various times, whatever that might mean. See *Reg Llanthony*, no. 236, p. 98.

²²³ See Holtzmann, *PUE...* for several other examples of houses of canons receiving the very same grants to serve. See also Dickinson for a discussion of these letters. Dickinson, *Origins*, pp. 224-241.

church they possessed, there would be no one left in the monastery.²²⁴ It does seem, as he notes, that the church at large was moving toward a restriction upon monks and canons serving churches. In 1179 the Lateran Council decreed that there should not be only one canon or monk serving at a chapel,²²⁵ and it would appear that the necessity to choose three or four canons to serve in parochial churches would be limiting the field even more. So, papal permission alone does not necessarily mean that the canons actually undertook the cure of souls, but it does mean that the Augustinian order was clearly connected to it and had the right to undertake it.²²⁶

Evidence that this right was taken seriously and safeguarded by the canons comes to us from Cirencester's cartulary. In the restoration of Ampney St. Mary to the canons, explained above, the bishop confirmed the church back into the hands of the canons with the rights they had previously. The letter includes the following phrase: *'provisio quod eidem ecclesie per aliquem de vestris canonicis vel alium secularem presbiterum honestum secundum formam privilegii a bone memorie domino Alexandro papa tercio vobis super concessi.'*²²⁷ This charter clearly shows that at the date of 1298, the very time when according to most scholars of the order the canons were likely serving the fewest churches, they were aware enough to safeguard the right to serve the church if they so desired based on the grant given more than a century before. This again does not offer positive proof that the canons were carrying on parish ministry, but that they certainly had the right to do so and sought to protect that right.

²²⁴ Dickinson, *Origins*, pp. 224-241. Though, as noted above, this rule was oft broken.

²²⁵ Quoted and discussed in Dickinson, *Origins*, pp. 221-223.

²²⁶ Few, if any, Benedictines were granted such a right. I could not locate a single charter a Benedictine monastery in Worcester diocese granting the right to place their monks in their churches, though I did not undertake a comprehensive survey of this in Holtzmann's collections. Hartridge also mentions no such grants, and explicitly mentions a grant wherein the monks of St. Mary's Abbey, York, were allowed their churches to be served 'by "chaplains", that is, removable secular vicars.' See Hartridge, *Vicarages*, p. 185.

²²⁷ *Cir Cart*, vol. iii, no. 410.

These grants stand in relief to those made to houses of monks. Though it is true that the Benedictines and other houses of monks were granted the right to serve some of their appropriated churches with a monk, far more common are entries similar to the following examples. A grant was made to the Cistercian Abbey of St. Mary's, Woburn, to which the church of Wychurch was appropriated. It was stated that upon the resignation or death of the rector, 'they may have the church served by a secular priest appointed and removed at the pleasure of the abbot'.²²⁸ Likewise, the prior and chapter of Coventry appropriated the vicarage of the parish church of St. Michael the Archangel, Coventry, and were granted the right to 'have the church served by a secular priest' at their pleasure.²²⁹ These few examples are not enough to make a definitive case that the regular canons were carrying on parish ministry in ways that monks were not, but they are illustrative of the general trend in the twelfth and thirteenth centuries, and of the papal registers.²³⁰ Hartridge notes that with only one exception, he is unable to find an example of the monks serving their churches in England in the thirteenth century.²³¹ Most of the vicarages appropriated by the pope to houses of Augustinian canons were so granted with the explicit provision that the priories or abbeys could place one of their own canons in the church to serve them. Such entries do exist for monks as well, however. The Benedictine prior and convent of St. Mary's Worcester, received the appropriation of the

²²⁸ *CPL*, vol. v, p. 511. It is true that this is listed as the appropriation of a church with a rectory and not a vicarage, but it seems likely that the situation would be little different. However, the Cistercian abbey does not receive the right to present one of their own.

²²⁹ *Ibid.*, p. 190.

²³⁰ Hartridge notes that by the fifteenth century, perhaps 50 houses of monks had received the right to present one of their own. Hartridge, *Vicarages*, p. 185.

²³¹ *Ibid.*

church of Homulton for increase in their hospitality and were granted the right to appoint their monks or a secular priest to serve it.²³²

One other telling piece of evidence touching the question of how much the canons may or may not have been serving the churches and vicarages in their possession is the number of churches at farm in the *Valor*. If a church was held at farm, it can only be assumed that the monastery was at best presenting the vicar and paying him his stipend out of the monies collected by the farmer of the church. If this is true, then there is no question that at least by the sixteenth century when the *Valor* and Ministers' Accounts were compiled, some of the houses of canons were indeed serving few of their churches.²³³ As can be clearly seen from Appendix 5-3, several of the houses of canons had all of their rectories at farm. Kenilworth and Cirencester were the most frequent at this practice. Interestingly, the *Valor* for Kenilworth only lists three perpetual vicarages and five augmentations to vicarages. It would appear that the canons would have simply employed stipendiary chaplains in their other churches, even to the Dissolution. Cirencester's data is indecipherable on this point. Among the smaller monasteries, Studley and Warwick both held all of their appropriated churches at farm. The *Valor* for Studley records six of seven perpetual vicarages ordained in their churches, Warwick only one.²³⁴ In Lanthony's case, of the three vicarages they appropriated in the late fourteenth century, Painswick, Prestbury, and St. Owen, two were at farm and the third is

²³² *CPL*, vol. iv, 1362-1402, p. 519. This is but one example, though the majority of the entries granted to monks do not contain this provision, while almost all to regular canons do.

²³³ It should be here noted that there is almost no way to determine when the canons let their properties to farm. It could be that the churches in question were at farm for decades or even centuries, though it would be impossible to determine with accuracy. One must only think of the extreme number of leases entered in to by the priories on the eve of the Dissolution to understand the dangers of reading backward in time the circumstances of the sixteenth century.

²³⁴ But, see pp. 363-4 above, where Studley was granted in 1402 the right to serve any perpetual vicarages in their possession.

not listed. Only St. Augustine's Bristol, among the larger monasteries, did not have most of the churches at farm in the sixteenth century.²³⁵

Excursus: Horsley Priory – a miniscule priory and the Cure of Souls

One interesting case study in the canons and the cure of souls is the curious case of Horsley Priory in Gloucestershire. Horsley's story seems to raise more questions than it answers, in some respects, as it not only counters most of the evidence that can be marshaled with regard to the cure of souls by regular canons, it also begs the question of what precisely constituted a priory in the thirteenth century, for though it was termed a priory, it seems hardly ever to have been more than two canons serving a couple of churches on behalf of Bruton Priory in Somerset. But the story of Horsley does not begin with Bruton, it begins with another monastery, Troarn, in France.

Troarn was a Benedictine monastery in Normandy that received generous benefaction from William I and other Norman lords in England after the Conquest.²³⁶ William's sons continued to protect the rights of this church, as many charters confirm their possessions and grants. Specific to this study, a charter of William II, written between 1094 and 1098, declared that Horsley in Gloucester belonged to St. Martin's, Troarn.²³⁷ In a charter dated between 1100 and 1103, King Henry I confirmed, among many other things, Horsley, having been given to Troarn from Roger, earl of Salisbury.²³⁸

²³⁵ This puts the canons in Worcester ahead of the average number of churches at farm, according to David Robinson, who has calculated that out of a total of 971 churches possessed by the Augustinian canons at the time of the *Valor* and the Ministers' Accounts, roughly 55%, 535, of those were at farm. Most interesting is that the percentage of churches at farm does not increase substantially as the distance from the monastery increases, implying that the canons were as likely to farm churches within 10 miles of their monastery as those that lay 100+ miles away. See Robinson, *Geography*, appendix 25.

²³⁶ See J. H. Round, ed., *Calendar of Documents Preserved in France*, (London: HMSO, 1967), pp. 164ff.

²³⁷ *Ibid.*, p. 167 no. 468.

²³⁸ *Ibid.*, no. 470. See also *VCH Glouc*, p. 91. See also, *MA* vol. vi, pp.1030-31.

A charter of Henry II, dated between 1155 and 1158, also confirmed the gift.²³⁹ For the next hundred years, little evidence concerning Horsley can be identified, though it is believed that there was a small Benedictine priory built in the parish. The *VCH* states that a church, dedicated to St. Martin, had been erected by 1105,²⁴⁰ and a charter from Henry I stated that the parish and *monasterium* of Horsley were to be free from subjection to the parish of Avening.²⁴¹ Little evidence testifies to the scope of the monastic life in Horsley before 1260, though one charter, dated 4 June 1369, states, ‘The priory of Horsley is of the foundation of the king’s progenitors, who gave it to the abbot and convent of Troarn on condition of finding a prior, a monk, and a parish chaplain to celebrate for the king and his progenitors’.²⁴² If this can be accepted, the priory would have housed about two monks at any given time. Given what is known of the Augustinian history of the priory, this sounds reasonable enough, for Horsley never appears to have grown beyond this size. That the priory was of royal foundation is nowhere explicitly stated in any charter, but it seems to have been the accepted story in the mid-fourteenth century.

In 1260, however, the church of Horsley and the vill of the manor were given to the priory of Bruton, a modestly endowed Augustinian house in Bath and Wells diocese.²⁴³ The Cartulary of Bruton clearly states that the two houses, Bruton and Troarn, were exchanging alien property. ‘The abbot and convent of Trowarn [sic] shall retain nothing in England except what they have in Helinge, nor the prior and convent of Bruton any things which are in Normandy. The churches which the prior and convent have in

²³⁹ *ibid.*, no. 480.

²⁴⁰ *VCH Glouc*, vol. xi, pp. 182-3, citing *RRAN* vol. ii, no. 719.

²⁴¹ *RRAN*, vol. ii, no. 719.

²⁴² *CIM*, vol. iii, 1348-77, p. 275, no. 729.

²⁴³ *Two Cartularies of the Augustinian Priory of Bruton and the Cluniac Priory of Montacute in the county of Somerset* (London: printed for the Somerset Record Society by Harrison and sons, 1894), nos 310-313.

Normandy they shall transfer to the abbot and convent of Trowarn.²⁴⁴ The new churches coming to Bruton were the churches of Whitehurst, Horsley, and Rungeton.²⁴⁵ Many charters confirm this transfer in 1260. The aforementioned charter of Henry I explains that Troarn held the church of St. Andrew in Whitehurst, given by one Robert de Romeliolo, along with the whole tithes of the fee of the earl of Hereford in the town and the church of Horsley with tithes of the same, and the manor.²⁴⁶

Not long after this grant the priory of Bruton decided to change the Benedictine alien cell at Horsley into a priory of Augustinian canons. In 1261, Walter de Vienne, the bishop's official, was commanded by then bishop Walter de Cantilupe to appoint whomever the priory of Bruton chose to serve as prior.²⁴⁷ Bruton chose Stephen, one of its own canons, to serve as the first prior; Bishop Cantilupe confirmed the appointment in 1262.²⁴⁸ With that, the Augustinian priory of Horsley began its life. Like other Augustinian houses in the diocese, Horsley could claim royal patronage, but these claims are superficial at best and closer to fiction than reality. Horsley was also in the unusual position of being a wholly dependent Augustinian house. Very few Augustinian houses in England were dependencies; even a house like Dodford, with an almost unknown history and of miniscule size maintained its complete independence for nearly 300 years. Horsley, however, was always dependent on Bruton; the only rival claimant to Horsley was the king.²⁴⁹

²⁴⁴ *Bruton and Montacute*, p.76, no. 310.

²⁴⁵ *Ibid.*, no. 312.

²⁴⁶ See *Ibid.*, no. 313 and especially no. 329.

²⁴⁷ *EEA, Worcester, 1218-1268*, no. 160.

²⁴⁸ See *ibid.*, no. 114; *Bruton and Montacute*, no. 316.

²⁴⁹ See *Bruton and Montacute* for instances when the crown attempted to seize the temporalities and various agreements reached between Bruton and the kings. *Bruton and Montacute*, pp. 95ff.

Horsley's uncommon origins are only one aspect of its existence that alters the conception of what an Augustinian house was, however. Though it was as small as any priory could have been, the priory's main task seems to have been the cure of souls. From almost the time it became Augustinian, the prior and resident canon had charge of the cure of souls of the churches of Horsley and Whitehurst. An entry in the Bruton cartulary makes it clear that the prior of Horsley, at the current time and in the future, was to have the cure of souls of both Horsley and Whitehurst.²⁵⁰ Bishop Godfrey Giffard approved the arrangement in 1276.²⁵¹ That this ministry continued is evidenced by the register of Henry Wakefield, bishop of Worcester from 1375 to 1395. An entry in his register describes the cure of souls of Horsley and Wheatenhurst as annexed to the priory.²⁵² For a four-year period beginning in 1345, Horsley was also granted the church of Nympsfield while the rector was away studying. The same record states that the cure of souls was not to be neglected during this time.²⁵³ Whatever the real goal of having a priory at Horsley and not merely a vicar in charge of the parish may have been, the clear evidence is that the prior and his fellow canon were to be in charge of the cure of souls. Several later episodes reveal that this was in fact the driving purpose of the monastery throughout its existence.

Even in the midst of difficulties, the priory's role as parochial ministers was maintained. In 1276, just sixteen years after its founding, Godfrey Giffard found the house so impoverished that Walter de Horwode, then the prior, was to be taken back into

²⁵⁰ *Ibid.*, no. 322.

²⁵¹ *Ibid.*

²⁵² *Reg Wakefield*, no. 42.

²⁵³ *Reg Bransford*, p. 124.

Bruton or provided for somewhere else.²⁵⁴ Maintaining a convent, however small, must have been more costly than simply instituting a vicarage, and it seems unusual to put one whose position was so tenuous in charge of the parish churches connected with the monastery, especially with the full knowledge of the diocesan, who it is assumed, cared more than any about the maintenance of adequate ministry to the flock. Nonetheless, this is precisely what happened. And this impoverishment did not change immediately. When Bishop Giffard visited the house in 1283 he found it terribly impoverished as well. On this occasion he chose to censure the priors of Bruton, rebuking them not to take more than their share of the income of the house.²⁵⁵ Giffard visited the house three more times in the next five years, receiving procurations each time.²⁵⁶ Likewise the house was taken under the protection of Henry III twice shortly after its foundation, in 1265 and again in 1268.²⁵⁷

Though it was known to be poor, the specific income of the house is very difficult to gauge. The *Taxatio* of 1291 lists the temporalities for the house at £5 16s.²⁵⁸ The spiritualities of the house would likely have encompassed only the churches of Horsley and Whitehurst; there is no evidence that the house held any other *spiritualia*. Given what is known about the size of the priory and its obligations for charity and hospitality – the

²⁵⁴ *Reg Giffard*, p. 46. Interestingly, this entry was made at the behest of the William Giffard, archbishop of York, brother of Godfrey Giffard, bishop of Worcester. One wonders exactly how the archbishop had come to know anything of Horsley at all, for it hardly held any particularly prestigious place, even locally. It may be that he had heard of the priory through his own possession, St. Oswald's, though this is clearly conjecture.

²⁵⁵ *Ibid.*, p. 216. Giffard also recorded that the income of the house had been put to 'strange and alien uses', though his failure to elaborate leaves us, eight centuries later, wondering precisely what may have been going on at Horsley.

²⁵⁶ *Ibid.*, p. 234, 394, 434.

²⁵⁷ *CPR*, 1258-66, p.438; 1266-72, p.224. The first time the prior is taken under protection; the second time a 'parson' is taken under protection. Perhaps this indicates that there was a secular in charge of the cure prior to the 1271 institution of Giffard.

²⁵⁸ *Taxatio*, p. 237.

house was expected to keep ‘honourable hospitality’²⁵⁹ and was known to entertain six poor persons for breakfast daily – this income of two parish churches seems more than reasonable for the two or perhaps three brethren when compared with the income of other ‘small houses. Early in the fourteenth century, there are hints that the priory fared well enough to be considered stable, for Robert de Holland, the prior of Studley, who was facing serious problems at his monastery, was sent for a time to Horsley until things could be settled.²⁶⁰ It is unlikely that the bishop would place an extra resident in a house that could not support itself. Another clue that the priory had enough land and wealth to provide for itself involves one of the several scandals that led to this convent’s dissolution.

In the 1350s Henry de Lyle was named as prior, presumably by the presentation of Bruton. Henry was, as can be deciphered from the recorded incidents of his life, not a very honest man. It was levied against him that he had despoiled the priory of substantial revenues, to the harm of hospitality, the abbey of Bruton, and the king, who was to possess the temporalities of the priory in a voidance. Henry was accused of felling trees and selling the wood for £100 profit, selling sheep, cows, and oxen valued together at £40, and traveling to Rome and Venice and back without leave of the prior of Bruton, at the cost of an additional £60.²⁶¹ Letters patent of Edward III claim that Henry was removed from the house, but that he had presented papers to the king demonstrating that the removal was in violation of the parliamentary act requiring due process before one

²⁵⁹ *CIM*, vol. iii, 274. See also *Bruton and Montacute*, no. 363, p. 94.

²⁶⁰ *Reg Cobham*, p. 38.

²⁶¹ *CIM*, vol. iii, p.73, no. 190. A conflicting account occurs in the *sede vacante* register, where in 1349, Henry was granted license to undertake ‘the pilgrimage of Peter and Paul’ having been granted leave of the prior of Bruton. Whether Henry had fabricated permission or the prior of Worcester mistakenly thought permission had been granted is left to our imagination. Given the other faults of Henry, it does not seem unlikely that he may have indeed misrepresented his overseers permission to make the pilgrimage. *Reg SV*, p. 245.

could be removed from land.²⁶² Apparently Henry won the day, for he resigned in 1357.²⁶³ This event alone shows that the priory had possessions significant enough for the prior, should he so desire (and Henry de Lyle did!) to raise nearly £200 from the land and chattels of the priory. However strapped for money the priory may have been in the late thirteenth century, Horsley was clearly not bankrupt in the fourteenth century.

This scandal was not the only one that hastened the end of Horsley. The real trouble for the priory occurred under the tenure of William Cary, who served as prior from 1368 to 1375.²⁶⁴ Cary, it seems, flouted all the mandates of the house, namely to maintain residence, to provide alms for the poor and to serve breakfast to six poor persons daily.²⁶⁵ Additionally, the fruits of the priory were to revert to the king during a vacancy, but twice in the previous fifteen years the priory had come vacant and the fruits had gone to Bruton. For this, the king order inquisition and sequestration of the fruits of the house in 1369.²⁶⁶ The ultimate decision was that Bruton could hold the churches of Horsley and Whitehurst, but that the king should hold the manor of Horsley,²⁶⁷ which the prior of Bruton had ‘pretended’ constituted the priory.²⁶⁸ Cary, who had withheld hospitality for seven years and ‘squandered’ the revenues of the priory, crossed his own Rubicon in 1375 when he left the priory contrary to the prior of Bruton’s express prohibition, moving into what he thought was the relative safety of the jurisdiction of the

²⁶² *CPR*, Edw III, 1354-8, p. 244 and 266.

²⁶³ *VCH Glouc*, p. 92, citing the Register of Bishop Bryan (1353-61), fol. 22d. See also, *HRH* vol. ii, p. 393.

²⁶⁴ See *HRH*, vol. ii, p. 393, for the listing of one Richard Cary in 1375, noted as a possible error for William.

²⁶⁵ See *CIM*, vol. iii, 1348-77, p. 274, no. 729 and *Bruton and Montacute*, p. 95, no. 366. Interestingly it does not state that he was lax in his parochial duties.

²⁶⁶ Part of the problem was that Cary had granted the manor of Horsley to Bruton without the consent of the king.

²⁶⁷ *Bruton and Montacute*, p. 97, no. 369.

²⁶⁸ *Ibid.*, p.96, no. 369.

bishop of Worcester. For this move, Cary was excommunicated.²⁶⁹ Wakefield sequestrated the fruits of the priory, committing them to the dean of Stonehouse, noting that the priory had long been vacant, hospitality had completely ceased, the fruits of the priory wasted and the cure of souls completely neglected.²⁷⁰ Here the vacancy of the priory is clearly associated with the diminution of the cure of souls, clear evidence that canons were expected to undertake such parochial duties. The mismanagement of the house eventually caused Bruton to desire to dissolve the priory altogether.

According to the cartulary of Bruton, in an inquisition of the king in 1371, the abbey was given the right to present secular vicars to the churches of Horsley and Whitehurst, so that henceforth no canon of Bruton had to be presented as prior of Horsley.²⁷¹ Surprisingly, it appears that Bruton did not immediately follow through with this grant, since Cary, hardly the model prior, remained until his excommunication in 1375. Why this delay occurred is unknowable, yet, it was clear that by the end of Cary's tenure, Bruton had had enough of trying to manage the dependent priory. At their express request, Henry Wakefield drew up a formal agreement regarding the relation between Bruton and Horsley. Bruton was granted the right to appoint and to recall the prior of Horsley. Except in spiritual matters, where he was accountable to the bishop of Worcester, the prior of Horsley was fully answerable to the prior of Bruton. The churches (Horsley and Whitehurst) were to be served by secular vicars if the prior was recalled, though as the churches were annexed to the priory, the prior was still to have cure if the prior of Bruton so deigned it.²⁷² There is no evidence that Bruton ever named another

²⁶⁹ *Reg Wakefield*, p. 6, no. 41.

²⁷⁰ *Ibid.*, no. 42.

²⁷¹ *Bruton and Montacute*, p. 97, no. 369.

²⁷² *Reg Wakefield*, no. 43, p.7

prior, and in 1380, the canons requested that the bishop ordain a vicarage.²⁷³ The vicar was to be paid £12 plus other provisions.²⁷⁴ That the vicarage persisted is clear, as the benefice was exchanged with the vicar of Norton in 1393.²⁷⁵ Thus, Horsley Priory, however it may have been run and maintained, ceased to be an Augustinian priory in 1380, lapsing instead into a vicarage of the two parish churches long connected with it, Horsley and Whitehurst.

Horsley provides an interesting picture of a house of canons regular. Often the houses of canons were small, though the meagerness of Horsley presses the very definition of a monastery to its absolute limit. What kind of conventual life could be had with only two canons? As previously noted, one pope at least thought that eight canons led to difficulties singing the divine office – how could it be even possible with only two? Perhaps even more difficult to answer is the nature of life in the monastery when the express purpose of the only residents was to undertake the cure of souls for two parish churches. One common objection to monks engaging in parish ministry was the very fact that the divine office and the work of prayer and worship would be interrupted by ministry in the parish. Yet here there was a small monastery doing just that. Perhaps the humble size was intentional. Perhaps it was not lack of patronage available that forced the priory to be small but the intention of the parent monastery, in this instance Bruton, to undertake parish ministry in a semi-monastic setting. At any rate, the ‘experiment’ ended in what can only be described as failure, with corrupt canons serving as priors despoiling the house, neglecting the hospitality and regular life to which they had covenanted, and ultimately being replaced by a vicarage.

²⁷³ See *Ibid.*, nos 847-8, and *VCH Glouc.*, p. 92.

²⁷⁴ *Reg Wakefield*, nos 847-8.

²⁷⁵ *Ibid.*, no. 721.

Perhaps another way of looking at this situation, however, is proof positive of the possibility and indeed likelihood of parish ministry by regular canons. It has been clearly demonstrated that houses of this nature were, if ever common, never numerous. But there is no clear reason why Bruton would pursue such an effort to serve its churches with its own canons if it was not part of the character of the order to do so. Surely no Benedictine Cistercian or Cluniac house would have – or legally could have – undertaken such an enterprise. Indeed the First Lateran Council ‘expressly forbade the serving of parish churches by monks’.²⁷⁶ It would be striking as well if the bishop of Worcester were to allow Bruton the opportunity to explore such an endeavor if it were wholly novel. Clearly the bishops allowed such an arrangement; it persisted for nearly 120 years. In Horsley, though it is certainly an anomaly, there is, for the diocese of Worcester, perhaps the strongest example of the canons undertaking the cure of souls in a manner that many envisaged when they consider the order – not as an occasional or emergency act, but as an essential, indeed central *raison d’être*.

²⁷⁶ B. R. Kemp, ‘Monastic Possession of Parish Churches’, *JEH*, 31 (1980), 133-160.

Conclusion

The Augustinian canons were an important part of the religious landscape of late medieval England. Beginning with their arrival in the early twelfth century, the canons proliferated and garnered the patronage of the crown, the bishops and many important baronial families in England. Additionally, the canons were important members of the towns and villages in which their monasteries resided. This thesis has been an attempt to elucidate the many ways in which the canons related to those outside their walls, particularly those in power.

The Augustinian canons received substantial patronage from the lay nobility in England, most importantly at the time of their founding. Several houses, in particular the larger ones, received much of their wealth from either the patronage of the kings or of one of their close confidants. In particular, Henry I and his closest allies, and Henry II and those loyal to him and the Empress before him, were instrumental in the foundation of the largest houses in the diocese, Cirencester, Lanthony, and St. Augustine's Bristol. Such benefaction demonstrates well the many ways in which monastic patronage was far more than a pious and private endeavor. Though surely many monasteries were founded and many grants made to the monasteries out of a genuine love for God and desire for the security of a rich nobleman's soul, it is clear that patronage, at least in the early and mid twelfth century, was also a political endeavor and a way to demonstrate one's allegiance.

The web of patronage surrounding the several Augustinian houses in and around Gloucester, and particularly the timing of the grants made to the various monasteries, demonstrates that patronage was changeable with political winds and an expected practice by those wishing to be in the graces of the sitting and ascending kings. *

Connections with the royalty and upper nobility of the realm brought consequences that extended far beyond merely a wealthy foundation – and even that was not always guaranteed, as can be seen in the case of Dodford Priory. Many monasteries enjoyed the favors of the crown and locally powerful families, and those houses exploited those connections whenever possible. Cirencester Abbey’s control of the borough of Cirencester and the ensuing struggles with the townsmen, Lanthony Priory’s connections with the castle of Gloucester and the earldom of Hereford, and the abbey of St. Augustine’s long and deep ties with the Berkeley’s all proved instrumental to their ongoing prosperity and rights to build, fish and carry on the regular life with little obstruction from those outside. These benefits included freedom from tolls, rights to natural resources and the means of production, and rights to hold their temporalities during a voidance. These rights were enjoyed most explicitly by the larger houses of the diocese, though some small houses too enjoyed special privileges due to their connections with those in power. Studley Priory and their connection with Studley Castle, and the priory of St. Oswald’s Gloucester with its status of royal free chapel, both received protection and rights that they otherwise would not have had, solely because of their close ties with those in power around their monasteries.

The hand of the king was never far from the canons and their houses, as the chapter focusing on the Statute of Mortmain and its effects demonstrates. As a careful

study of the Mortmain legislation as it was expressed in the houses of canons in Worcester, this thesis has confirmed much about what was known about Mortmain. This analysis does add considerably to the studied evidence to show vividly how Mortmain affected, or did not affect, the monasteries in England. The houses of canons approached Mortmain very differently. Some, like Cirencester Abbey, seem to have ignored the statute and received heavy fines for their transgressions. Some houses were very inactive after the statute, adding virtually nothing to their assets, like St. Augustine's Bristol. Lanthony Priory and others continued to add substantially to their possessions, both spiritual and temporal, though this would seem to be the exception to the rule, and as with the patronage of the nobility, the larger houses seemed to fare better in adding later benefaction than did the small monasteries.

The royalty and nobility were not the only powers in medieval England, however, and one of the main aims of this thesis has been to clarify the relationship between the canons and the church, both in relation to the ecclesiastical powers and the overall parochial structure. The canons regular have been thought to be something of a hybrid, priest-monks who made a new kind of religious life, perhaps even a bridge between the monastic way of life and the mendicant way that was to follow quickly on the heels of the regular canons' conception. To determine if this is an accurate conception, this thesis has sought to explicate the many connections between the ecclesiastical powers and the canonical houses. The bishops and the canons had many interactions, none perhaps more fascinating than the conflicts that arose when the see was vacant and the prior of Worcester stood in the bishop's place. The lack of exemption so pronounced in the order came to be a source of severe conflict between the canons and the priors, and on several

occasions brought out the very worst in monastic life. Other major sources of conflict centered on the settling of disputes in the bishops' courts, where the appeal to Roman See was an almost constant aspect of the canons' lives as they sought to live free of episcopal influence. The many ways in which the papal judge-delegate system touched the canons shows their deep entrenchment in diocesan life among both the monastic and lay population.

Many canons also received rights to perform parochial duties in the diocese of Worcester. Such action leads to what motivated the thesis from its inception, namely the question of whether or not the canons were involved in the parochial ministry of the medieval period. The concluding chapter focused particularly on how the canons approached their spiritual possessions and whether or not they served the churches in their possession. This hotly debated topic provides an interesting window into the mind of the medieval church and its attempts to adapt to changing political and economic circumstances. The canons, whose true origin lies in the Gregorian Reform, betray their most dominant characteristic in this question. The canons in Worcester clearly support what is known about the canons, namely that they were heavily dependent upon their spiritualities for their survival. The actions of the canons on several occasions, in houses both large and small, reveal their overt desire to possess spiritualities over temporalities, and their own self-understanding – namely that they had the right to undertake the cure of souls if they so desired.

The last section of this thesis, touching the cure of souls and the regular canons, is in this author's opinion, the way to most clearly identify the canons as a unique order in the monastic landscape. Though it cannot be demonstrated from the diocese of Worcester

that the canons did in fact undertake the cure of souls frequently during the Middle Ages, there are many signs that reveal the canons clearly understood themselves to be those who could, and did on occasion, undertake such action. The priory of Horsley is the most significant in this conversation, but several other houses, Studley Priory, St. Augustine's Bristol, Cirencester Abbey, and Lanthony Priory most explicitly, through the appropriation of vicarages and through the request for and receipt of the right to serve their churches, offer evidence that the canons did in fact understand themselves to be an order that was both monastic and parochial. It is the contention of this author that further study in other dioceses will reveal as much if not more evidence that the canons had such an understanding; the example of the small Augustinian house of Spinney, in Cambridgeshire, would seem to indicate as much. The Augustinian canons in the diocese of Worcester, did not allow for such a broad study of this hypothesis, and the question of the canons and the cure of souls in medieval England remains without definitive answer.

To speak of the Augustinian canons as a distinct order with its own clearly recognizable identity that can be meaningfully studied as a collectivity is a challenge. The order, in its rich diversity, resists generalization, as this thesis has revealed. The available evidence for study and interpretation is uneven, and as is the case in most monastic studies, skewed in favor of the great and against the small. But, amid the challenges lies the enigmatic and alluring fact that this little-studied order flourished in a time of great competition and revival, an instrument of the great reforming popes of the twelfth century, and endured until the utter destruction of Catholic monasticism in England at the Dissolution wrought by King Henry VIII. This alone makes the canons worthy of further attention and carefully study, so that their history can be told in full.



Appendix 1-1: Houses of Monks and Canons in Worcester Diocese

The table is structured first by order then by the date of the foundation of the monasteries.

Name of House	Order	Dates	Valor Income / known numbers of residents
Cirencester Abbey	Aug. Canon	1117-1539	£1051, up to 40, P+20 at D
St. Sepulchre, Warwick	Aug. Canon	1119-1536	£41, 5-8 canons
Kenilworth Priory/Abbey	Aug. Canon	1125-1539	£538, 26 tops, P+16 at Diss.
Lanthony Priory	Aug. Canon	1136-1539	£648, 27 at found, P+23
St. Augustine's Bristol	Aug. Canon	1140-1539	£670, about 20 canon avg.
St. Oswald's Gloucester	Aug. Canon	1147-1536	£90, 7 canons likely
Studley Priory	Aug. Canon	ca.1154	£117, 8-10 canons
Dodford Priory	Aug. Canon	1184-1464	combined with Halesowen
Horsley Priory	Aug. Canon	1262-1380	To Bruton 1260, 1380 vicar
Pershore	Benedictine	972-1540	£643, 20-30 monks
Winchcombe	Benedictine	972-1539	£759, 25-60 monks
Worcester Cath.	Benedictine	974-1540	£1290, 45-50 monks
Tewkesbury	Benedictine	980-1540	£1598, 35-50 monks
Evesham	Benedictine	989-1539	£1183, 30-60 monks avg.
Gloucester Abbey	Benedictine	1017-1540	£1430, 35-50, 100? C.1104
Deerhurst	Benedictine	1059-1540	£134, cell of Tewk, 4 monk
Westbury upon Trym	Benedictine	1086-1112	963, monks here, transferred to Ramsey. 1086 to Worc.
Great Malvern	Benedictine	1090-1539	£308, 26 monks
Bristol Priory	Benedictine	1137-1540	£57, 3-4 monks
Leonard Stanley	Benedictine	1146-1538	£106, ACs to Ben., 3atD
Little Malvern	Benedictine	1171-1537	£98, 12 monks, P+7 at D.
Bordesley	Cistercian	1138-1538	£388; 33 monks
Kingswood	Cistercian	1149-1538	£232, 12-15 monks
Flaxley	Cistercian	1151-1536	£112, ~13, 7 at D.
Stoneleigh	Cistercian	1141-1536	£151, 15+ monks
Hailes	Cistercian	1246-1539	£357, 22 monks
Hazelton	<i>Cistercian</i>		<i>See Kingswood/Tetbury</i>
Tetbury	<i>Cistercian</i>	<i>1148</i>	<i>Kingswood here 1 yr.</i>
Poulton	<i>Cistercian</i>	<i>1153</i>	<i>To Dieulacres c.1214</i>
Halesowen	Premonstratensian	1215-1538	£280, 13-35? Canons
Dudley	Cluniac	1149-1539	£33

Data for this table drawn from MRH.

Appendix 3-1: Number of Mortmain licenses granted to Houses of Augustinian canons in Worcester Diocese from Edward I – Henry VIII

Monarch (Years of reign)	Mortmain Licenses
Edward I (35)	12
Edward II (20)	22
Edward III (50)	57
Richard II (22)	10
Henry IV (14)	3
Henry V (9)	3
Henry VI (40)	2
Edward IV (21)	2
Henry VII (24)	3
Henry VIII (38)	1

Appendix 3-2: Augustinian Incomes in the Later Middle Ages

Summaries of possessions and valuations, taken largely from appendices 12 and 14 of David Robinson, *The Geography of Augustinian Settlement in Medieval England* and the Ministers' Accounts as recorded in Dugdale's *Monasticon*.

<i>House</i>	<i>Taxatio of 1291</i>	<i>Valor of 1535</i>
Bristol	S = £8, 10s, 4d T = £110, 13s, 4d Total = £119, 4s, 3d	S = ~£321, 8s, 1d (47%) T = ~ £358, 6s, 0d (53%) £679, 14s, 1d (Ministers' Accts)
Cirencester	S = £74, 4s, 6d T = £168, 2s, 2d Total = £242, 6s, 8d	S = ~£303, 7s, 2d (29%) T = ~£747, 19s, 11d (71%) £1051, 7s, 1d / £1131, 1s, 5d (Min. Accts.)
Dodford	Total = £4, 17s, 0d	N/A
Gloucester, St. Oswald's	S = £1, 8s, 0d T = £23, 13s, 9d Total = £25, 1s, 9d	S = £54, 10s, 2d (60%) T = £37, 0s, 1d (40%) Total = £91, 10s, 3d
Horsley	Total = £5, 16s, 0d	N/A
Kenilworth	S = £112, 11s, 0d T = £121, 0s, 6d Total = £233, 11s, 6d	S = £190, 3s, 2d (35%) T = £348, 16s, 3d (65%) Total = £538, 19s, 5d
Lanthony	S = £7, 3s, 2d T = £98, 11s, 10d Total = £105, 15s, 0d	S = £240, 1s, 7d (37%) T = £408, 3s, 4d (63%) Total = £648, 19s, 11d
Studley	S = £6, 6s, 8d T = £18, 10s, 9d Total = £24, 17s, 5d	S = £33, 15s, 4d (29%) T = £83, 6s, 2d (71%) Total = £117, 1s, 6d
Warwick, St. Sepulchre	S = £3, 6s, 0d T = £4, 3s, 0d Total = £7, 9s, 0d	S = £7, 18s, 2d (19%) T = £33, 12s, 0d (81%) Total = £41, 10s, 2d

Appendix 3-3: Gloucester, St. Oswald

Temporalities in the *Taxatio* (p. 233)

Colewell and Northton	£4 14s 7 ³ / ₄ d
1 carucate in each, 30s, 40s, respectively	
Parthon	£6 7s
3 carucates and molendin	
Compton and Havenpenn	£2 10s
1 carucate and 3 virgates	
Ellesworth and Aston	£10 2s 1d
2 carucates	
Total Temporalities	£23 13s 8 ³/₄d

Valor Ecclesiasticus (vol. ii, p. 487) and Ministers' Accounts – *Monasticon*, p. 82-3

<i>Temporalities</i>	<i>Valor</i>	<i>Ministers' Accounts</i>
Manor of Perton	£10, 17s, 7d	£11, 19s, 10d
Manor of Norton	£10, 14s, 8d	£11, 19s, 6d
Manor of Tulwell	£4, 15s, 10d	£6
Eyleworth	31s, 8d	£1, 6s, 8d
Coldaston	11s, 8d	£1
Naunton	29s, 4d	£1, 19s, 10d
Wotton	19s, 0d	£1, 10s, 8d
Havenpen'	23s, 2d	£4
Slybrugge	2s, 1d	2s, 1d
Vill of Gloucester	£4	£33, 9s
Total Temporalities	£36 5s 0d	£73, 7s, 7d

<i>Churches and chapels</i>	<i>Valor</i>	<i>Ministers' Accounts</i>
St. Oswald's	£4, 5s, 8d	£7, 5s, 4d
Chapel of Churesdon	£14, 5s, 8d	£16, 13s, 4d
Chapel Norton	£11, 12s, 2d	£13, 6s, 8d
Chapel of Santhurst	£7, 19s, 4d	£10, 14s,
Chapel of Compton Abdale	£6, 5s, 4d	£9
Church of Minsterworth (Heref?)	£7, 12s, 4d	£9
Hoculcote rectory	Not listed	£9, 13s, 4d
Total	£52, 0s, 6d	£75 ,12s ,8d
Pensions and Portions		
Cernerey (portion)	23s, 4d	£1, 3s, 4d
Pension of Witcombe	13s, 4d	13s, 4d
Pension of Lassendon	8s	8s
Total	£2, 4s 8d	£2, 4s, 8d
Total Spiritualities (Net)	£54 5s. 2d.	£77, 17s, 4d

Appendix 3-4: Cirencester Abbey Spiritualities

Church	Norwich 1254	Taxatio 1291	Valor of 1535 (i)	Ministers' Accts. 1539
'Bybur'		0,6,8 (P)		
'Certre'	5,0,0 (P)			
Ampney, St. Mary		0,10,0 (P)		11,0,0
Avebury	14,0,0 (with Winterbourne)	13,6,8		4,0,0
Benefield	0,6,8 (Pe)	0,6,8 (pe)		
Boycott	0,10,0 (P)			
Bray	26,13,4			43,0,0
Brigstock	8,0,0			16,0,0 (a)
Cheltenham	13,6,8			67,0,8
Cirencester	20,0,0			22,11,8 (b)
Clendon	1,0,0 (Pe)			
Cookham	26,13,4	28,0,0		22,0,0
Cotes	0,3,4 (h)	0,4,2 (P)		
Driffield	0,6,8 (P)	0,6,8 (P)		8,6,8
Eisey	4,6,8 (P)	4,6,8		7,0,0 (Water Etton)
Farleigh Hungerford		0,4,0 (Pe)		
Frome	20,0,0	1,0,0 (Pe)		22,8,4
Hackbourne	11,0,0	13,6,8 (P)		58,10,0
Holewall	2,10,0 (Pe)			
Latton	10,0,0			23,7,8
Leckhampton		0,2,0 (P)		
Lodington	2,0,0 (Pe)	2,0,0 (Pe)		7,3,4 (Pe)(c)
Merstone	2,0,0 (Pe)			2,0,0 (Pe)(d)
Middleton	14,0,0			18,0,0 (Milton)
Milborne Port	20,0,0			18,1,0
Otendon		0,1,0 (P)		
Oxendon	2,0,0 (Pe)	2,0,0 (Pe)		
Passenham	2,13, 4 (Pe)	2,13,4 (Pe)		
Preston	2,13,4 (P)			13,1,8
Pulham	0,6,8 (Pe)			0,6,8 (Pe)
Rothwell	35,6,8			28,0,0 (e)
Shrivenham	38,0,5			46,18,8 (f)
Skipton (Slipton?)		0,10,0 (Pe)		
Standerwick	0,10,0 (Pe)			0,10,0 (Pe) (d)
Walle				4,1,8
Wellowe	20,0,0			36,12,0
Winterbourne	(g)	5,0,0		
Total	£303 7s 1d	£74 4s 6d	£303, 7s, 2d	£480 10s 0d

- (a) = Includes 5,6,8 from tithes of Stanyarn, included in Brigstock in MA
- (b) = Includes portions in Chesterton, Bawdington, Wiggewold and Archebandes, listed in Cirencester, worth 9,5,0.
- (c) = This amount reflects pensions in Lodington, Oxendon, Passenham and the Hospital of St. John's, all in Northampton, totaled together.
- (d) = Office of Foreign Baliliff includes pensions of Marston (Merston?) and Standerwick among other items listed, which total to 7,4,0. It is reasonable to conclude that these are the same pensions.
- (e) = This amount includes Rothwell and Overton and Thorpp, listed as parts of Rothwell in Ministers' Accounts.
- (f) = Totals for Shrivenham include the tithes of Burton, Becote, Langcote and Wachingfield, all included as 'members' of Shrivenham; and a 2s pension Langcote chapel
- (g) = Winterbourne was included with the Avebury valuation in 1254.
- (h) = Listed as Fulconis Cockerel in 1254 Valuation. This appears to be in Coates (Cotes above), see *Cir. Cart*, vol. i #329.
- (i) = This number is culled from the difficult recording of the monastery in the *Valor*. The record orders the house's income by obedientiaries and then by property, without drawing a clear distinction between spiritualities and temporalities. This number was arrived at by totaling all numbers that represented rectories, pensions, portions and entries listed as tithes in a location where the monastery was known to possess a church. This gross number was then reduced by the sum of the expenses paid on those same entries, including pensions vicarages. This then should be reasonably close to the correct number for the net spiritual income of the monastery.

- Data for Norwich Valuation from *Cirencester Cartulary*, vol. ii, #459.
- Data for *Taxatio* from Robinson, *Geography of Augustinian Settlement*, appendix 10.
- Data from Ministers' Accounts from *Monasticon*, vol. vi, p. 178-9.
- Data from *Valor Ecclesiasticus*.

Appendix 4-1: The Visitations of Bishops and Priors of Worcester

Beginning of Bishops' Tenure	Priors of Worcester and <i>Sede Vacante</i> Visitations
Godfrey de Giffard 1268 (visited)	
	1301 - John de la Wyke
William de Geynesburgh 1301	
	1307
Walter Reynolds 1307	
	1313
Walter de Maydenston 1313	
Thomas Cobham 1317 (visited)	
	No records - Wolstan de Bransford
Adam de Orleton 1327	
	No records
Simon de Montecute 1333	
	No records
Thomas Hemenhale 1337	
	1338-9
Wolstan de Bransford 1339 (visited)	
	1349 - John de Evesham
John de Thoresby 1349	
	1352
Reginald Brian 1352	
	1361
John Barnet 1362	
William Wittlesey 1363	
	1364-5
William Lynn 1368	
	1373-4 - Walter Leigh
Henry Wakefield 1375 (visited)	
	1395 - John de Malvern
Tideman de Winchcomb 1395	
	1401
Richard Clifford 1401	
	1407
Thomas Peverell 1407	
	1418
Philip Morgan 1419	
	No records - John Fordham
Thomas Poulton 1425	
	1433
Thomas Bouchier 1434	

**Appendix 5-1: Spiritualities as a Percentage of Total Income for
Monasteries in the Diocese of Worcester**

<i>Order</i>	<i>Name of Monastery</i>	<i>Valor of 1535 (unless otherwise noted)</i>
Augustinian canons	Cirencester ^a	S = ~£303, 7s, 2d (29%) T = ~£747, 19s, 11d (71%) Total = £1051, 7s, 1d
	St. Augustine's Bristol (Ministers' Acct.)	S = ~£321, 8s, 1d (47%) T = ~£358, 6s, 0d (53%) Total = £679, 14s, 1d
	Lanthon by Gloucester	S = £240, 1s, 7d (37%) T = £408, 3s, 4d (63%) Total = £648, 19s, 11d
	Kenilworth	S = £190, 3s, 2d (35%) T = £348, 16s, 3d (65%) Total = £538, 19s, 5d
	Studley	S = £33, 15s, 4d (29%) T = £83, 6s, 2d (71%) Total = £117, 1s, 6d
	St. Oswald's Gloucester	S = £54, 10s, 2d (60%) T = £37, 0s, 1d (40%) Total = £91, 10s, 3d
	Warwick, St. Sepulchre	S = £7, 18s, 2d (19%) T = £33, 12s, 0d (81%) Total = £41, 10s, 2d
Premonstratensian Canons	Halesowen ^b	S = £43, 5s, 4d (13%) T = £294, 10s, 2d (87%) Total = £337, 15s, 6d
Benedictine Monks	Tewksbury ^c	S = ~£242, 7s, 3d (15%) T = ~£1355, 13s, 3d (85%) Total = £1598, 0s, 6d
	St. Peter's, Gloucester	S = £193, 8s, 10d (13%) T = £1325, 4s, 2d (87%) Total = £1518, 13s, 0d
	Worcester Cathedral Priory ^b	S = £332, 10s, 5d (23%) T = £1053, 19s, 3d (77%) Total = £1386, 9s, 8d
	Evesham ^b	S = £218, 18s, 8d (17%) T = £1055, 11s, 0d (83%) Total = £1274, 9s, 9d

Benedictine Monks	Winchcombe ^c	S = ~£62, 8s, 0d (8%) T = ~£697, 3s, 9d (92%) Total = £759, 11s, 9d
	Pershore ^b	S = £148, 9s, 1d (22%) T = £527, 14s, 5d (78%) Total = £676, 3s, 6d
	Great Malvern Priory ^b	S = £117, 0s, 15d (31%) T = £257, 19s, 3d (69%) Total = £375, 0s, 6d
	Leonard Stanley	S = £83, 18s, 0d (67%) T = £42, 2s, 8d (33%) Total = £126, 0s, 8d
	Little Malvern ^b	S = £17, 18s, 3d (17%) T = £84, 12s, 6d (83%) Total = £102, 10s, 9d
Cistercian Monks	Bordesley ^b	S = £50, 0s, 1d (13%) T = £347, 15s, 1d (87%) Total = £397, 15s, 2d
	Hailes ^c	S = ~£124, 18s, 4d (34%) T = ~£242, 9s, 4d (66%) Total = £367, 7s, 8d
	Flaxley	S = N/A (0%) T = £112, 3s, 1d (100%) Total = £112, 3s, 1d

^a This number is culled from the difficult recording of the monastery in the *Valor*. The record orders the house's income by obedientiaries and then by property, without drawing a clear distinction between spiritualities and temporalities. This number was arrived at by totaling all numbers that represented rectories, pensions, portions and entries listed as tithes in a location where the monastery was known to possess a church. This gross number was then reduced by the sum of the expenses paid on those same entries, including pensions vicarages. This then should be reasonably close to the correct number for the net spiritual income of the monastery.

^b All incomes listed are gross values. The *Valor* for these houses lists all the assets of the abbey or priory first, with spiritualities and temporalities separated, then lists all of the liabilities of the house, without distinction. In every case, the difference in the percentage of income derived from each type if the spiritual income were taken as a percentage of the net income would change only nominally, approximately 1-3%, and reduction in the net income for things that would apply to spiritual income would need also to be reduced proportionally, likely making the difference altogether negligible. By comparison, the same method of calculation for each of the Augustinian houses using gross values inflates their percentage, some of them substantially (Studley almost 20%).

^c The spiritual income derived from the *Valor* for Hailes, Winchcombe and Tewksbury were done using the same method as Cirencester above and must, as such, be seen as tentative.

Appendix 5-2: Augustinian Monasteries and their Spiritualities as a Percentage of their Total Income according to the Valor Ecclesiasticus

69 Monasteries with income over £100 and their percentage of income derived from spiritualities. Monasteries given in **bold** had income over £200.

<i>Monastery</i>	<i>Income</i>	<i>% Spir.</i>
1. Cirencester	£1051, 7, 1	35%
2. Merton	£963, 16, 6	26%
3. Plympton	£912, 12, 9	50%
4. Bristol	£679, 14, 1	47%
5. Lanthony	£648, 19, 11	37%
6. Guisborough	£628, 6, 8	40%
7. Walsingham	£625, 5, 0	48%
8. Southwark	£624, 6, 6	30%
9. Thornton	£591, 0, 3	12%
10. Bridlington	£547, 7, 0	46%
11. Kenilworth	£538, 19, 5	35%
12. Nostell	£492, 18, 3	54%
13. Bruton	£439, 6, 8	30%
14. Notley	£437, 6, 8	23%
15. Keynsham	£419, 10, 4	8%
16. Carlisle	£418, 3, 5	70%
17. Launde	£399, 3, 3	38%
18. Newburgh	£367, 8, 4	54%
19. Leeds	£362, 7, 8	79%
20. Launceston	£354, 0, 11	40%
21. Dunstable	£344, 7, 4	20%
22. Butley	£318, 17, 3	34%
23. Hartland	£306, 3, 2	55%
24. Taunton	£286, 8, 11	18%
25. Newnham	£284, 13, 0	57%
26. Kirkham	£269, 5, 9	42%
27. Thurgarton	£259, 19, 5	28%
28. Missenden	£261, 14, 6	30%
29. Bodmin	£270, 0, 11	26%
30. West Acre	£260, 13, 8	11%
31. Wigmore	£267, 2, 11	43%
32. Haughmond	£259, 13, 8	18%
33. Darley	£258, 13, 6	26%
34. Newark	£258, 12, 0	26%
35. Worksop	£239, 5, 5	50%

<i>Monastery</i>	<i>Income</i>	<i>% Spir.</i>
36. St. Germans	£227, 4, 4	52%
37. Lilleshall	£229, 3, 2	16%
38. Dorchester	£190, 2, 5	66%
39. Ixworth	£168, 19, 8	20%
40. Norton	£180, 7, 7	54%
41. Bourne	£167, 14, 7	39%
42. Northampton	£175, 8, 3	19%
43. Newstead	£167, 17, 0	12%
44. Pentney	£170, 5, 6	17%
45. Michelam	£160, 12, 7	20%
46. Owston	£161, 14, 2	15%
47. Carlisle	£164, 0, 4	79%
48. Marton	£151, 5, 4	15%
49. Kirby Bellers	£142, 10, 4	36%
50. Baswich	£141, 13, 3	18%
51. Haverfordwest	£133, 11, 1	78%
52. Frithelstock	£132, 12, 1	46%
53. Markby	£130, 13, 11	10%
54. Coxford	£121, 18, 11	27%
55. Ivychurch	£121, 18, 7	52%
56. Stone	£119, 14, 11	57%
57. Repton	£118, 8, 1	51%
58. Studley	£117, 1, 6	29%
59. Bambergh	£116, 12, 5	88%
60. Shelford	£116, 12, 2	56%
61. Canons Ashby	£109, 0, 5	31%
62. Buckenham	£108, 10, 3	17%
63. Caldwell	£108, 8, 5	44%
64. Trentham	£106, 3, 9	6%
65. Thornholme	£105, 13, 1	25%
66. Hickling	£101, 18, 8	33%
67. Kyme	£101, 0, 4	21%
68. Rocester	£100, 2, 11	39%
69. Haltemprice	£100, 0, 4	18%

The same 69 monasteries ranked according to their percentage of income derived from spiritualities.

<i>Monastery</i>	<i>Income</i>	<i>% Spir.</i>
1. Bamburgh	£116, 12, 5	88%
2. Leeds	£362, 7, 8	79%
3. Carlisle	£164, 0, 4	79%
4. Haverfordwest	£133, 11, 1	78%
5. Carlisle	£418, 3, 5	70%
6. Dorchester	£190, 2, 5	66%
7. Newnham	£284, 13, 0	57%
8. Stone	£119, 14, 11	57%
9. Shelford	£116, 12, 2	56%
10. Hartland	£306, 3, 2	55%
11. Nostell	£492, 18, 3	54%
12. Newburgh	£367, 8, 4	54%
13. Norton	£180, 7, 7	54%
14. St. Germans	£227, 4, 4	52%
15. Ivychurch	£121, 18, 7	52%
16. Repton	£118, 8, 1	51%
17. Plympton	£912, 12, 9	50%
18. Worksop	£239, 5, 5	50%
19. Walsingham	£625, 5, 0	48%
20. Bristol	£679, 14, 1	47%
21. Bridlington	£547, 7, 0	46%
22. Frithelstock	£132, 12, 1	46%
23. Caldwell	£108, 8, 5	44%
24. Wigmore	£267, 2, 11	43%
25. Kirkham	£269, 5, 9	42%
26. Guisborough	£628, 6, 8	40%
27. Launceston	£354, 0, 11	40%
28. Bourne	£167, 14, 7	39%
29. Rocester	£100, 2, 11	39%
30. Launde	£399, 3, 3	38%
31. Lanthony	£648, 19, 11	37%
32. Kirby Bellers	£142, 10, 4	36%
33. Cirencester	£1051, 7, 1	35%
34. Kenilworth	£538, 19, 5	35%
35. Butley	£318, 17, 3	34%

<i>Monastery</i>	<i>Income</i>	<i>% Spir.</i>
36. Hickling	£101, 18, 8	33%
37. Canons Ashby	£109, 0, 5	31%
38. Southwark	£624, 6, 6	30%
39. Bruton	£439, 6, 8	30%
40. Missenden	£261, 14, 6	30%
41. Studley	£117, 1, 6	29%
42. Thurgarton	£259, 19, 5	28%
43. Coxford	£121, 18, 11	27%
44. Merton	£963, 16, 6	26%
45. Bodmin	£270, 0, 11	26%
46. Darley	£258, 13, 6	26%
47. Newark	£258, 12, 0	26%
48. Thornholme	£105, 13, 1	25%
49. Notley	£437, 6, 8	23%
50. Kyme	£101, 0, 4	21%
51. Dunstable	£344, 7, 4	20%
52. Ixworth	£168, 19, 8	20%
53. Michelam	£160, 12, 7	20%
54. Northampton	£175, 8, 3	19%
55. Taunton	£286, 8, 11	18%
56. Haughmond	£259, 13, 8	18%
57. Baswich	£141, 13, 3	18%
58. Haltemprice	£100, 0, 4	18%
59. Pentney	£170, 5, 6	17%
60. Buckenham	£108, 10, 3	17%
61. Lilleshall	£229, 3, 2	16%
62. Owston	£161, 14, 2	15%
63. Marton	£151, 5, 4	15%
64. Thornton	£591, 0, 3	12%
65. Newstead	£167, 17, 0	12%
66. West Acre	£260, 13, 8	11%
67. Markby	£130, 13, 11	10%
68. Keynsham	£419, 10, 4	8%
69. Trentham	£106, 3, 9	6%

54 monasteries with income under £100 at the Dissolution and their spiritualities as a percentage of their total income. Monasteries given in **bold** have income above £60.

	Monastery	<i>Income</i>	<i>% Spir.</i>
1.	Barlinch	£98, 14, 8	34%
2.	Conishead	£97, 0, 2	55%
3.	Wellow	£95, 6, 1	49%
4.	Arbury	£94, 6, 1	55%
5.	Drax	£92, 7, 6	51%
6.	Gloucester	£91, 10, 3	60%
7.	Cartmel	£91, 6, 3	25%
8.	Ranton	£90, 2, 11	44%
9.	Ipswich HT	£88, 6, 9	21%
10.	Woodspring	£87, 2, 11	3%
11.	Chacombe	£83, 18, 10	32%
12.	Ulverscroft	£83, 10, 6	21%
13.	Wormsley	£83, 10, 2	49%
14.	Maxstoke	£81, 13, 8	63%
15.	Tandridge	£81, 7, 4	33%
16.	Bilsington	£81, 1, 6	0%
17.	Combwell	£80, 17, 6	42%
18.	Burscough	£80, 7, 6	44%
19.	Wroxton	£78, 14, 3	22%
20.	Lanercost	£77, 11, 11	65%
21.	Tortington	£75, 12, 4	9%
22.	Shulbred	£72, 15, 11	22%
23.	Bushmead	£71, 13, 9	0%
24.	Beddgelert	£70, 3, 8	90%
25.	Elsham	£70, 0, 8	29%
26.	Reigate	£68, 16, 7	25%
27.	Healagh	£67, 3, 11	11%

	Monastery	<i>Income</i>	<i>% Spir.</i>
28.	Chirbury	£66, 8, 8	87%
29.	Wombridge	£65, 7, 4	10%
30.	N. Ferriby	£60, 1, 2	0%
31.	Fineshade	£56, 10, 11	6%
32.	Fritcham	£55, 5, 7	22%
33.	Hastings	£51, 9, 6	25%
34.	Woodbridge	£50, 3, 6	18%
35.	St. Olave's	£49, 11, 7	10%
36.	Blythburgh	£48, 8, 10	53%
37.	Bardsey	£46, 1, 5	55%
38.	Stonely	£45, 0, 6	45%
39.	Nocton	£43, 3, 8	11%
40.	Warwick	£41, 10, 2	19%
41.	Felley	£40, 19, 1	16%
42.	Penmon	£40, 17, 9	71%
43.	Thetford	£39, 6, 8	30%
44.	Newstead	£37, 6, 0	0%
45.	Hempton	£32, 14, 8	9%
46.	Ch. Gresley	£32, 6, 0	25%
47.	Letheringham	£26, 18, 5	71%
48.	Weybourne	£24, 19, 7	47%
49.	Breedon	£24, 10, 4	67%
50.	Bradley	£20, 3, 4	3%
51.	Flanesford	£14, 8, 9	0%
52.	Torksey	£14, 1, 4	19%
53.	Breadsall	£10, 17, 9	48%
54.	St.Kynemark	£8, 4, 8	40%

The same 54 smaller monasteries ranked according to their percentage of income drawn from spiritualities.

	Monastery	<i>Income</i>	<i>% Spir.</i>
1.	Beddgelert	£70, 3, 8	90%
2.	Chirbury	£66, 8, 8	87%
3.	Penmon	£40, 17, 9	71%
4.	Letheringham	£26, 18, 5	71%
5.	Breedon	£24, 10, 4	67%
6.	Lanercost	£77, 11, 11	65%
7.	Maxstoke	£81, 13, 8	63%
8.	Gloucester	£91, 10, 3	60%
9.	Conishead	£97, 0, 2	55%
10.	Arbury	£94, 6, 1	55%
11.	Bardsey	£46, 1, 5	55%
12.	Blythburgh	£48, 8, 10	53%
13.	Drax	£92, 7, 6	51%
14.	Wellow	£95, 6, 1	49%
15.	Wormsley	£83, 10, 2	49%
16.	Breadsall	£10, 17, 9	48%
17.	Weybourne	£24, 19, 7	47%
18.	Stonely	£45, 0, 6	45%
19.	Ranton	£90, 2, 11	44%
20.	Burscough	£80, 7, 6	44%
21.	Combwell	£80, 17, 6	42%
22.	St.Kynemark	£8, 4, 8	40%
23.	Barlinch	£98, 14, 8	34%
24.	Tandridge	£81, 7, 4	33%
25.	Chacombe	£83, 18, 10	32%
26.	Thetford	£39, 6, 8	30%
27.	Elsham	£70, 0, 8	29%

	Monastery	<i>Income</i>	<i>% Spir.</i>
28.	Cartmel	£91, 6, 3	25%
29.	Reigate	£68, 16, 7	25%
30.	Hastings	£51, 9, 6	25%
31.	Ch. Gresley	£32, 6, 0	25%
32.	Wroxton	£78, 14, 3	22%
33.	Shulbred	£72, 15, 11	22%
34.	Fritcham	£55, 5, 7	22%
35.	Ipswich HT	£88, 6, 9	21%
36.	Ulverscroft	£83, 10, 6	21%
37.	Warwick	£41, 10, 2	19%
38.	Torksey	£14, 1, 4	19%
39.	Woodbridge	£50, 3, 6	18%
40.	Felley	£40, 19, 1	16%
41.	Healaugh	£67, 3, 11	11%
42.	Nocton	£43, 3, 8	11%
43.	Wombridge	£65, 7, 4	10%
44.	St. Olave's	£49, 11, 7	10%
45.	Tortington	£75, 12, 4	9%
46.	Hempton	£32, 14, 8	9%
47.	Fineshade	£56, 10, 11	6%
48.	Woodspring	£87, 2, 11	3%
49.	Bradley	£20, 3, 4	3%
50.	Bilsington	£81, 1, 6	0%
51.	Bushmead	£71, 13, 9	0%
52.	N. Ferriby	£60, 1, 2	0%
53.	Newstead	£37, 6, 0	0%
54.	Flanesford	£14, 8, 9	0%

All data in Appendix 1 derived from Robinson *Geography of Augustinian Settlement*, appendix 14.

**Appendix 5-3: Rectories and Churches at farm in the Valor and/or
Ministers' Accounts**

Monastery	Total Possessed (R/Ch)	Total at Farm (R/Ch)
Bristol	11/0	1/0
Cirencester	15/2	15/0
Gloucester, St. Oswald	0/7	0/1
Kenilworth	21/0	21/0
*Lanthony	31/0	13/0
Studley	7/0	7/0
Warwick, St. Sepulchre	2/0	2/0
Total	67/9	49/1

*Lanthony's data are the numbers for both Lanthony I and Lanthony II as recorded in Robinson.

Derived from David Robinson, *Geography of Augustinian Settlement*, Appendix 24.

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