

THE ADMINISTRATION OF THE DIOCESE
OF ST. ANDREWS
1202 - 1328

by
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ABBREVIATED TITLES

The titles contained in the List of Abbreviated Titles of the Printed Sources of Scottish History to 1560 (Supplement to SHR, 1963) are used in this thesis, with the following additions:-

Adv. MS(S) or Chrs.	..	..	Advocates MS(S) or Charter(s).
Barlow, <u>Peculiars</u>	..	..	F. Barlow, <u>Durham Jurisdictional Peculiars</u> (London, 1950).
Barrow, "Border"	..	..	G.W.S. Barrow, <u>The Border</u> (Durham, 1962).
Barrow, <u>Bruce</u>	..	..	----- <u>Robert Bruce</u> (London, 1965).
Barrow, "Clergy"	..	..	----- "Scottish Clergy and the War of Independence," <u>SHR</u> 41 (1962).
Barrow, "Culdees"	..	..	----- "Cathedral Chapter of St. Andrews and the Culdees," <u>JEH</u> iii (1952).
Barrow, "Justiciar"	..	..	----- "Scottish Justiciar in the Twelfth and Thirteenth Centuries," <u>Juridical Rev.</u> (1971).
Barrow, "Kinninmonths"	..	..	----- "Early Charters of the Family of Kinninmonth of that Ilk," <u>Study of Medieval Records</u> (Oxford, 1971).
Barrow, "Rural Settlement"	..	..	----- "Rural Settlement in Central and Eastern Scotland," <u>SS</u> vi (1962).
Barrow, "Tax Collector"	..	..	----- "A Bogus Tax Collector in Lothian, 1306-7," <u>The Stewarts</u> iv (1954).
Barrow, thesis	..	..	----- <u>Scottish Royal Ecclesiastical Policy 1107-1214</u> , unpub. Oxford University B.Litt. thesis (1950).
Bernham, <u>Pontifical</u>	..	..	<u>Pontificale Ecclesiae S. Andreae</u> , ed. C. Wordsworth (Edinburgh, 1885).
BM	..	..	British Museum
C or CC	..	..	Reference to constitution(s) of the Scottish church as printed in <u>Patrick, Statutes</u> .
Cheney, <u>Chanceries</u>	..	..	C.R. Cheney, <u>English Bishops' Chanceries</u> (Manchester, 1950).
Cheney, <u>Eng. Church</u>	..	..	----- <u>English Church from Becket to Langton</u> (Manchester, 1956).
Cheney, <u>Visitation</u>	..	..	----- <u>Episcopal Visitation of Monasteries in the Thirteenth Century</u> (Manchester, 1931).
Cowan, <u>Parishes</u>	..	..	I.B. Cowan, <u>Parishes of Medieval Scotland</u> (SRS, Edinburgh, 1967).
Cowan, "Parochial System"	..	..	----- "Development of the Parochial System in Medieval Scotland," <u>SHR</u> 40 (1961).
Cruden, "Cathedral"	..	..	S. Cruden, <u>St. Andrews Cathedral</u> (HMSO, Edinburgh, 1950).
Dickinson, "Justice"	W.C. Dickinson, "Administration of Justice in Medieval Scotland," <u>Aberd. Univ. Rev.</u> 36 (1952).

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- Durham Annals Durham Annals and Documents, ed. F. Barlow (Surtees Society, 1945).
- Durham D. and C. Durham Dean and Chapter
EHR English Historical Review
- Fliche and Martin, Histoire A. Fliche and V. Martin, Histoire de l'église (Paris, 1946-).
- Fournier, Officialités P. Fournier, Les Officialités au moyen âge (Paris, 1880).
- GD General Deposits, SRO, Edinburgh.
- Gibbs and Lang, Bishops M. Gibbs and J. Lang, Bishops and Reform, 1215-1272 (Oxford, 1934).
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- Martine, Reliquiae G. Martine, Reliquiae Divi Andreae (St. Andrews, 1797).
- Lunt, Fin. Rel. W.E. Lunt, Financial Relations of the Papacy with England to 1327 (Cambridge, Mass., 1939).
- Migne, PL Patrologiae Cursus Completus: Series Latina, ed. J.P. Migne (Paris, 1844-1864).
- MC Miscellaneous Charter.
- Moorman, Ch. Life J.R.H. Moorman, Church Life in England in the Thirteenth Century (Cambridge, 1945).
- Morgan, "Organization" M. Morgan, "The Organization of the Scottish Church in the Twelfth Century," TRHS (1947).
- NLS National Library of Scotland.
- NRA National Register of Archives (reports).
- no(s). number(s).
- n(n). note(s).

- Powicke and Cheney, Councils . F.H. Powicke and C.R. Cheney, Councils and Synods with other documents relating to the English Church ii (Oxford, 1964).
- PRO Public Record Office, London.
- RH Register House Charters.
- Scammell, "Rural Chapters" .. J. Scammell, "The Rural Chapter in England from the Eleventh to the Fourteenth Century," EHR 86 (1971).
- SRO Scottish Record Office, Edinburgh.
- Spottiswoode, History J. Spottiswoode, History of the Church of Scotland (London, 1668).
- Stones, Relations Anglo-Scottish Relations 1174-1328, ed. E.L.G. Stones (London, 1965).
- Thompson, "Diocesan Organization" A.H. Thompson, "Diocesan Organization in the Middle Ages: Archdeacons and Rural Deans," Proceedings of the British Academy 29 (1943).
- TRHS Transactions of the Royal Historical Society.
- Watt, Fasti D. E. R. Watt, Fasti Ecclesiae Scoticae Medii Aevi (St. Andrews, 1969).
- Watt, "Minority" - - - - - "Minority of Alexander III of Scotland," TRHS (1971).

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INTRODUCTION

This thesis is an attempt to discover the administrative procedures employed in Scotland's premier, largest, and wealthiest see under seven bishops holding office between 1202 and 1328. The period under consideration opens with the climax of the great innovative period of the twelfth century, which saw the transformation of the Scottish church from a decentralised Celtic institution, maintaining tenuous or intermittent links with England and the continent, to a national and "western" church sharing common institutions, attitudes, personnel and language with the rest of western Christendom. William Malvoisin (1202-1238) stands at the end of a line of reformist bishops beginning with the episcopate of "Scotland's Lanfranc", Bishop Robert (1127-1153). The Frenchman Malvoisin was succeeded by the first native-born bishop of St. Andrews since the last of the Celtic line of bishops, Fothad (d. 1093). In many ways the episcopate of Bishop David Bernham is the most interesting of the seven which are the subject of this study, for in this man's career it is possible to see the channelling into Scotland of many of the reforms initiated by the third and fourth Lateran councils and the Council of London in 1237. Bernham may fairly be described as Scotland's Grosseteste.

In a sense Bernham's episcopate marks a climax in the history of the diocese. The rest of the century evidences an increasing political emphasis in the careers of the bishops and the affairs of the diocese. This is partially the outgrowth of the careers of the men who succeeded Bernham as bishop, obtaining the office largely through royal and family patronage and political self-seeking. The height of this trend is reached in the career of William Wishart (1270-1279), but before this bishop there had been two pontificates which came about due to the

political machinations surrounding the young king Alexander III. In a sense, this use of the premier see in the Kingdom as a partisan or political sinecure was an outgrowth of the close relationship between royal authority and the church which had been a part of the fabric of life in Scotland since the mission of Columba. The extent of crown influence over the church and the episcopate in Scotland might have shocked Gregorian reformers (if they ever heard of it), but it was an important and accepted part of the exercise of kingship in Scotland. By the twelfth and thirteenth centuries it was too ancient to allow serious modification. The Comyns in providing their candidates, Abel (1254) and Gamelin (1255-1271), to the see were thus following in a long-established tradition.

The last two bishops to be studied, William Fraser (1279-1297) and William Lambertson (1297-1328) represent a new "nationalist" phase in the Scottish episcopate. Both men, from minor baronial and knightly families, were caught up in one of the first "nationalist" wars in European history, the Scottish war of independence. It is perhaps superficially ironic that they, as members of an international church, should be consistent supporters of Scottish claims to independence. This dichotomy is more apparent than real, for the national self-consciousness of the Scottish church was itself a product of the twelfth-century integration of the Scottish church with western Christendom: a consciousness forced upon the leaders of the church by the failure of David I to obtain metropolitan status for St. Andrews and the repeated attempts of the English church to claim superiority over the Ecclesia Scoticana. Fraser and Lambertson were inheritors of this tradition. The military and political struggle against England represented for them the consummation of a long struggle against the claims of both English archbishoprics to have jurisdiction in Scotland.

It can be seen from this brief outline of the careers of the seven bishops that the general trend of the history of the diocese, with the possible exception of the outbreak of the wars with England, differs little from what was probably the common experience of other dioceses in the same period. Why then study St. Andrews? There are two major answers to this question. First St. Andrews is important because it was Scotland's premier see, enjoying a national prestige roughly analogous to Canterbury in England. Its bishops had anciently borne the title Ardescop Alban (High Bishop of Alba) and continued to bear the title of Episcopus Scottorum as an alternative to the more usual title of St. Andrews until the late thirteenth century. The bishop of St. Andrews was in many respects the ecclesiastical counterpart of the king of Scots: he was the chief pontiff of the shrine of the national saint and therefore had the right to join the earls of Fife in the enthronement ceremony of the kings of Scots. King and bishop represented two aspects of a common ancient national identity. The second reason for studying St. Andrews diocese is that it was the largest and wealthiest in medieval Scotland. Its borders coincided with the area of most complete and effective royal control. It was also geographically most open to southern influences. Thus to gain some idea of the administration of this see would provide a key to the study of other contemporary Scottish dioceses.

It might seem that with its openness to southern influences the diocese of St. Andrews would have presented a northern mirror to southern practices. In some respects this was the case. For example the introduction of territorial archdeacons into the northern and southern halves of the diocese was an innovation which was clearly modelled on Durham prototypes, but the areas which the two archdeacons served were the two major traditional subdivisions within the diocese:

Scotia and Lothian. Thus in this change as in so many others there remained a traditional background to innovation and these innovations, which were alien in origin in many cases, remained alien in their new Scottish context. The twelfth-century definition of the parish was in many instances, especially north of the Forth, fitted into an ancient and traditional geographical system. Thus in this area the parish often corresponded with thanages. Deaneries north of the Forth take their name, and apparently their boundaries as well, from the number of the eponymous regions of southern Pictland.¹ There can be no other explanation for the fact that the churches of Edzell and Dunlappie and the chapel of Dalbog, although geographically contiguous with the deanery of the Mearns, continued to be listed as part of the deanery of Angus, or indeed that a distinction should be made between the two areas when the deaneries were never held except by the same person.²

Such geographical traditionalism is the most obvious of the survivals which must have shaped the administration which was created and exercised by the medieval bishops of St. Andrews. Now it is only possible to suggest that the role of traditional forms and practices was far greater than the surviving evidence may indicate. The most obvious barrier to obtaining a fuller understanding of the influence of such survivals is language. Along with a common set of institutions the Scottish church of the twelfth century also received a common language, Latin, employing common formulae to describe a wide variety of situations. Obviously these generalised formulae are impressive evidence of the integration of the Scottish church into the commonity of the medieval church, but at the same time they form a barrier between

1. See Map I and Chron. Picts-Scots, 135-7.

2. Watt, Fasti, 317-19, and Map IV.

the student and the actual event. In Scotland this difficulty is perhaps greater than it would be, for example, in France, for the alien language is describing traditional Scottish social and political forms, which owed nothing to the administrative landscape left by the Roman empire. Occasionally the documents allow glimpses of the underlying facts, for example in the taking over and Latinising of the traditional Celtic renders of cain (food payments to the lord) and conveth (hospitality to the lord). More often, however, it is only possible to attempt a kind of imperfect extrapolation from the generalised picture presented by charters and other written accounts of a particular underlying reality.

The major difficulty in the study of the diocese of St. Andrews in the medieval period is the relative lack of evidence. Not only is this scarcity striking by comparison with the rich survivals of records of the medieval dioceses of England, but it is also apparent with regard to several of St. Andrews' Scottish neighbours, notably Glasgow, Brechin, Aberdeen and Moray for which diocesan registers or other collections of medieval material survive. The Great Register of St. Andrews survived until the late seventeenth century¹ but is now known only by a list of its contents which, among other places, is printed in the introduction to the Bannatyne Club edition of the priory register. Many of the entries in the Lost Great Register survive as original charters or can be partially reconstructed on the basis of other survivals, but the loss of the entries on history or the account of the dedication of the cathedral in 1318 can never be fully made good. There is no direct evidence that the thirteenth-century bishops kept any sort of record-book or register, but it would have been extraordinary if they had not.

1. Pinkerton, Enquiry i, 451 n. 1.

Evidence has recently come to light that the dean of Christianity in Fife and Forthriff kept such a book by the late thirteenth century.¹ There is, moreover, abundant evidence of a highly developed and elaborate episcopal household and chancery which would have been responsible for and dependent on some kind of efficient diocesan archive.

What sort of materials are available for the study of St. Andrews diocese during this decisive period? Above all, there is the surviving priory register, printed by the Bannatyne Club in 1841.² Then there are the diocesan records and monastic cartularies printed by the Scottish publishing clubs of the nineteenth century and by the Scottish History Society. So far as is known the only unprinted monastic cartulary is the Arbroath Register in the British Museum.³ By far the largest collection of original MSS used in the preparation of this thesis are the Coldingham Charters in the Prior's Kitchen, Durham. Smaller collections are to be found in Edinburgh in the Register House collection of charters and various collections in the National Library of Scotland, notably the Sir James Balfour of Denmilne collection.

Still, by English standards this collection of material is scant, as the entries in Appendices II-IV make clear. Paradoxically, this situation made for some of the excitement of the research for this thesis, for every new discovery seemed proportionally greatly to increase the amount of information available. A case in point was the notice of the charter printed in the NRA (Scotland) Report 153, which mentioned forinsec service owed to the king and the bishop: the first explicit reference I found to military service being owed by episcopal

1. NLS Acc. 3958.

2. The original is SRO GD 45/27/8.

3. BM MS 33245.

tenants. This charter led me to the Makgill of Makgill charters in the Scottish Record Office¹ and provided me with about a quarter of all the information I have been able to find about the nature of secular feudalism on episcopal demesne.

Besides the survival of documentary material, there are other sources available for study, most notably the shape of Scotland itself. It becomes obvious to anyone looking at a physical map of the country that geography must be a force in shaping the growth of the Scottish nation. The diocese of St. Andrews is subdivided by the two great firths of the Tay and the Forth. The northern extent of the diocese was determined by the barrier of the Mounth; to the south the political and geographical border with England also defined the diocesan boundary. Within these limits and two subdivisions, however, were the eponymous tribal regions of the southern Picts, and the smaller enclaves such as thanages and the precincts of monasteries and cult sites, such as the Boar's Raik and St. Andrews itself. These pre-existing subdivisions determined in large measure the twelfth-century reorganization of the land into secular fiefs, parishes and deaneries. Geography becomes, therefore, a determining feature of the ecclesiastical landscape, shaping it and naming it and in the end outliving it. Many of the geographical anomalies of the medieval church were taken over into the secular subdivisions of the medieval Scottish state and survived virtually intact until the late nineteenth-century boundary reforms.

Despite these striking evidences of geographical continuity there has been little or no attempt to discover the territorial origins of the diocese. This lack is all the more surprising when it is considered against the background of the relative wealth of writing on the

1. SRO GD 82, nos. 1-4.

background of rural settlement, parish origins and the feudal settlement of the diocesan area.¹ Even more remarkable is the long silence about the early history of St. Andrews itself, the origins of the cult of St. Andrew and the subsequent history of royal patronage and encouragement of the cult of the apostle. Since W.F. Skene's article on the early history of St. Andrews in the Proceedings of the Society of Antiquaries of Scotland in 1863 no new assessment of the history of Celtic St. Andrews has been attempted: but this century of silence is soon to be broken by Mrs. Marjorie Anderson.²

The lack of work on the early history of St. Andrews is indicative of the kind of problems awaiting the student of medieval Scottish history. It has recently been remarked that the study of the medieval history of Scotland is entering its Pollock and Maitland period. This is an exciting background against which to work, but it can also be a frustrating and time-consuming one. On the one hand the "underdeveloped" state of Scottish medieval studies engenders a kind of pioneer spirit amongst its practitioners, which has been one of the personal delights of the research for this thesis. The mutual help and encouragement among Scottish medievalists was one of the unexpected dividends of my work. On the other hand there have been constant and time-consuming delays. Until the publication of the second draft of D.E.R. Watt's Fasti Ecclesiae Scoticae Medii Aevi it was necessary to work on the basis of a crude card-index of witnesses to charters, cathedral and diocesan officials and benefice-holders which had, nevertheless, taken

1. See G.W.S. Barrow, "Northern English Society in the Twelfth and Thirteenth Centuries," Northern History iv, and "Rural Settlement in Central and Eastern Scotland: the Medieval Evidence," SS vi (1962); Cowan, "Parishes,"; Morgan, "Organization".

2. In an essay on "St. Andrews before the Normans," in a volume in honour of R.G. Cant (forthcoming).

several months to compile. Another serious lack is that of even a hand-list of the acts of King Robert I: doubtless my understanding of Bishop Lamberton's national and political role would have been greater if I had at least known where to look for the acts of his royal friend and ally.

In the course of my work it has become clear that there are a number of specialist studies which must shortly be undertaken before anything like a comprehensive understanding of the history of the medi-
eval church in Scotland can be obtained. It is obvious that Scottish-
papal relations in the twelfth and thirteenth centuries are of crucial
importance, for it was the papacy which provided the Scottish church
with its curious acephalous national government, and made that church
its special daughter, and then, too late, created not one but two
archbishoprics in Scotland. No systematic study has been made of the
relations of Scotland with the papacy in the twelfth and thirteenth
centuries. This means that such questions as the history of papal
judges delegate, papal taxation, and reforms have had to be dealt with
in a scanty and rather uncritical fashion.

The material for a history of papal taxation in Scotland is avail-
able, but it was beyond the scope of this thesis to attempt, for
example, to relate the different assessments contained in various
monastic cartularies and determine to what period of collection they
belong. Instead I have had to deal with them as a kind of revealed
truth: by and large I have based my discussion on the figures con-
tained in the St. Andrews Liber and the rolls of the collector, "Bagi-
mond", active in Scotland in the 1270s and 1280s.

Another lack is the study of the origins of the legislation of the
Scottish church. In the course of this thesis I have referred, again
uncritically, to the statutes printed in Robertson's Concilia and in

translation in Patrick's Statutes. The debt of the Scottish church to English church legislation and English example is obvious, but as yet not fully understood. Even the dates of this legislation are uncertain. I have tried to put the thirteenth-century statutes contained in these collections into some kind of chronological framework: the first time this has been attempted so far as I am aware since Lord Hailes's attempt in the late eighteenth century. My chronology is intended as a kind of interim framework, not a definitive statement. A more systematic analysis will have to be done, following the lead of C.R. Cheney and others in tracing the sources of the legislation of the English church.

Given these and other lacks it may seem, therefore, that an attempt to understand the administration of the diocese of St. Andrews is an act of historical presumption which only a rash foreigner would attempt to carry out. Here is a diocese with only one surviving register and a scattering of other documentary remains. Furthermore, what survivals there are are almost entirely those dealing with the upper reaches of the diocesan hierarchy. Evidences of life at the literal parish pump are virtually non-existent.

Yet in the end the enterprise is justified. Enough survives and enough is known of conditions elsewhere to reconstruct, if only in broad outline and in primary colours, a picture of administrative procedures. The reconstruction instead of being an act of presumption is more an act of faith: a start must be made somewhere in assessing and understanding one of the most obscure aspects of Scotland's very obscure "golden age" of the thirteenth century and the "age of lead" which followed it. It has been suggested that the thirteenth century is called "golden" precisely because nothing is known about it. In some senses this is so. It is also true that in comparison with

some of the innovations of the twelfth century and the violence of the centuries which followed, it was a period of peace, assimilation and consolidation. If this generality is true of the secular history of the century, it was also true of the church. This thesis is a study of how Scotland's premier see used this time of repose to build a system of diocesan government which would be tested in the most trying conditions of invasion, disruption, and civil war; and which would prevail.

PART ONE

THE BISHOPS OF ST. ANDREWS

1202-1328

CHAPTER I

CHAPTER I

WILLIAM MALVOISIN, 1202-1238

The episcopate of Bishop William Malvoisin at St. Andrews coincided with one of the major innovative periods of the medieval church.¹ Malvoisin was a contemporary of the greatest of medieval popes, Innocent III, and his important successors, Honorius III and Gregory IX. He attended the fourth Lateran council, and made one other journey to the papal court during his long pontificate. There was regular contact between the bishop and the papal court, for questions were referred to the Curia for advice and the papacy delegated specific questions to the bishop and his associates to be dealt with at local level.

The early thirteenth century was also a time of religious and aesthetic innovation and unrest. Scotland, with England, was spared the problem of widespread heresy which was so marked a feature of religious and social life on the continent, although Malvoisin's French relations were involved in Simon de Montfort's Albigensian crusade. Instead Scotland reaped some of the benefits which resulted from innovations which were initially intended to deal with these problems. During Malvoisin's episcopate both the major mendicant orders were introduced into Scotland, as well as the austere

1. The "modern" form of the bishop's surname is used throughout this thesis, since it is the form most widely known and used. In contemporary or near contemporary documents, when the surname is used at all, it usually appeared as Mauvaisin (for example in Lawrie, Annals, 319; St. A. Lib., 339) or Malvaisin (Lawrie, Annals, 322), Malveisin (Melr. Lib., i, nos. 42, 69, 93; Glas. Reg., i, no. 97) or Malevicinus (see Lawrie, Annals, 314, 319, 343; Melr. Lib., i, no. 121).

Valiscaulian order.¹ The bishop himself was probably responsible for the completion of the choir of his cathedral church, which had been begun by Bishop Arnold. It may be that it was his personal taste which determined the transitional Gothic of the triforium and clere-story as well as the shafted choir piers.²

The bishop and his diocese were to play a part not only in the political history of Scotland but in that of England and France as well. In the end, however, Malvoisin's greatest influence was to be as a diocesan and premier bishop of the Scottish province: this is reflected in his brief biography written by the seventeenth-century St. Andrews historian, George Martine:

William Malvoisin recovered the rents of this see being alienated by his predecessors, advanced the fabrick of the cathedrall, and suffered none to usurp upon the church and its possessions. He was chancellor of the kingdome, and crowned [sic] King Alexander the second; and christened him also, sayes some. He brought home out of France some Dominicans, Franciscans, Jacobines [sic], and of the monks called Vallis Umbrosae [sic], not known here before, who by their craft and pretensions to ane austere life, supplanted the credit of the priests, and were upheld by the Pope, whose designs they advanced. This bishop founded the hospitall of Lochlevin, called Scotland Well, dedicated to God and the blessed virgine, for the maintenance of poor people resorting thereto, cum terris, decimis, obventionibus, oblationibus et omnibus aliis ad eandem ecclesiam Urch-hitihumenesin (the kirk of Moonzie) pertinentibus (salvis nobis et successoribus nostris synodalibus) sayes the foundation, which was about the year 1230.³

Malvoisin was a Frenchman. He probably came from the lower Seine valley between Paris and Rouen where a family of that name had held the castellanship of Mantes in the twelfth century.⁴ A layman

1. Martine, Reliquiae, 225-6; Easson, Religious Houses, 98-102, 105, 108, 70-1. See below, p. 25.

2. Cruden, "Cathedral," 11.

3. Martine, Reliquiae, 225-6.

4. Barrow, thesis, 238 and n. Alternatively, it has been suggested that Malvoisin came from the Leicestershire branch of the family. I am indebted to D.E.R. Watt for this suggestion. For family background see Appendix VI.

of the name witnessed several charters of Henry II, c.1175-8, in company with Saer de Quincy, brother of Robert de Quincy, a justiciar in Scotland between 1171 and 1178.¹ It was probably through the de Quincy connection that Malvoisin, and at least one other member of his family, came to Scotland.² He was a member of the royal chancery by the latter part of the 1180s.

Malvoisin may have been trained at a cathedral school or university, possibly at the school of Rheims which had a strong family connection. In an age which was becoming increasingly exact in the use of the title magister to indicate a university-trained person, Malvoisin is only once so designated, in a Durham charter.³ The posthumous statement by John le Romeyn that Malvoisin was learned in the law may indicate some formal training in the subject, but after three decades and more in the episcopate it would have been remarkable if a man of Malvoisin's propensities had not gained a thorough working practical legal knowledge.⁴ Whatever his early training, there can be no doubt of his ability and conscientiousness in asserting and protecting his jurisdictional rights. The 1201 letter to him from John de Belesme, former archbishop of Lyons, offered the kind of practical advice needed by a newly-consecrated bishop who, although without formal training in the law, was certainly aware of the legal and jurisdictional problems he was likely to have to face.⁵

Malvoisin's rise in royal service was commensurate with his

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1. G.G. Simpson, An Anglo-Scottish Baron of the Thirteenth Century, unpublished Edinburgh University Ph.D. thesis (1965), 10.
 2. A Ralph Malvoisin was a canon of Glasgow in 1215. Vet. Mon., no. 29.
 3. Durham D. and C. MC 764 (copied in Cart. Vet. f. 112 v(vii) and printed ND, no. 116).
 4. HMC XIV, Appendix 3, 184.
 5. Patrick, Statutes, 288-92.

abilities and his family and personal connections. By 1189-94 he had become archdeacon of Lothian,¹ and in September 1199 he was created chancellor of the realm.² He remained archdeacon until he was provided to the see of Glasgow in October 1199 and retained the chancellorship until his translation to St. Andrews.³ His provision to Glasgow followed the death on 10 July 1199 of his fellow St. Andrews archdeacon and chancery associate, M. Hugh of Roxburgh, bishop-elect.⁴

Malvoisin owed his elevation to the episcopate to royal favour, and at this and several other points his career may seem to parallel that of the man he succeeded at St. Andrews, Roger (of Leicester). There is, however, an almost indefinable difference between the two men. If there is one word to characterise Malvoisin's episcopal career it must be "conscientious". His episcopate forms a bridge between the pioneering period of the twelfth-century reformed Scottish church and the consolidative period of the thirteenth. The impression which emerges of the man and his career is that of a well-trained and thorough man of ability, motivated not so much by religious feeling as by a desire for order and the restoration and maintenance of his position and rights.

The slightly less than two years during which he was bishop of Glasgow form a prologue to his later career. He must have reached Scotland from his consecration at Lyons on 23 September 1200⁵ some time in the spring of 1201, to be faced with a long-standing dispute between the dean and chapter of Glasgow and the vicars choral. The

1. Watt, Fasti, 309.

2. HBC, 173.

3. Ibid.

4. Ibid., 292; Watt, Fasti, 145.

5. Lawrie, Annals, 322.

latter had emerged as a distinct group under Bishop Joscelin (1174-99) and were now claiming a share in cathedral business.¹ The other influence on Malvoisin during his Glasgow period was the legation of the reformist Cardinal John of St. Stephen ^{on} the Caelian^(Hill Mount). Malvoisin attended the legatine council at Perth in December 1201 which determined the controversy between himself, the bishop of St. Andrews and the abbey of Kelso,² in addition to enacting the "observance of many constitutions".³ The agreement between the bishop and Kelso Abbey, as well as the legate's other activities in Scotland, show the influence of the canons of the third Lateran council, especially those providing for the service and visitation of parish churches.

Thus several of the themes which were to dominate the history of Malvoisin's long episcopate were apparent within two years of his elevation to the episcopal office. They included the definition of respective jurisdictions: temporal and religious, capitular and monastic. Coupled with this was the bishop's pastoral concern for the proper serving of parish churches, the maintenance of parish priests, and the avoidance of long vacancies.

Malvoisin's provision to St. Andrews was again by royal appointment, perhaps validated by capitular election or consent.⁴ His translation was probably carried out by Cardinal John, on his return from Ireland to Scotland.⁵ Soon the new bishop set about reasserting his jurisdiction over possessions and rights which had been alienated or had lapsed during previous pontificates:

1. Glas. Reg. i, no. 97.

2. Ibid., no. 93; Kel. Lib. ii, no. 427.

3. Chron. Fluscarden i, 41-2.

4. For a fuller discussion of this point see below, p. 238.

5. Dowden, Bishops, 12-13.

The Rents alienated by his predecessors, or lost by their negligence, he recovered to his See ... and furthered no man ... to usurp upon the Church or possessions of it.¹

The first major act of his pontificate was the negotiation of a new agreement with Durham and Coldingham priories over their churches and rights in Lothian. In this his aims were in marked contrast to those of his predecessor. On 8 August 1204 a settlement was reached with Durham which was almost entirely in Malvoisin's favour and which reversed the trend of the last decades of the twelfth century during which Durham had succeeded in heightening its influence in its Lothian franchise.²

These Lothian lands were the result of Scottish royal and noble devotion to the cult of St. Cuthbert. As early as 1095 King Edgar had granted the manor of Coldingham and its appurtenances to Durham, and this donation was supplemented throughout the following century by subsequent endowments of lands and churches. Its central focus became the Benedictine priory at Coldingham, in existence at some time before 1139, on the site of the Northumbrian monastery.³

By the late twelfth century, therefore, the Lothian franchise fell into two fairly distinct categories: the cell of Coldingham with its lands, churches and chapels, and the churches and lands which had been gifted directly to Durham. Towards the end of the twelfth century there was a trend on the part of Durham to gain greater control over those of their churches in Lothian which had hitherto been subject to the normal diocesan administration of the bishop of St. Andrews, with a view to creating a separate franchise in the area.⁴ The two

1. Spottiswoode, History, 41.

2. Barlow, Peculiars, 130ff.

3. Easson, Religious Houses, 49.

4. Barlow, Peculiars, 122ff.

agreements made by Bishop Roger did little to reverse this trend.

The first agreement, reached in the court of King William on 2 February 1193/4, was an almost complete victory for the strong prior and chapter at Durham.¹ The second agreement, which was drawn up after Roger had been consecrated, followed the lines of the first agreement and its provisions were largely in favour of Durham.² By 1204, however, the situation had changed. Durham was involved not only in domestic but in national squabbles. St. Andrews was now under the rule of a legalistic prelate, strongly influenced by the provisions of the third Lateran council for the proper serving and maintenance of parish churches.

The Durham agreement of 1204 was recognised by its framers to be something out of the ordinary, and this is reflected in the final copy of the agreement with its strong papal influence upon calligraphy, syntax and form.³ But the difference between this agreement and those of the 1190s goes beyond diplomatic conventions. The preambles of Bishop Roger's agreements speak only generally of the questions at issue between St. Andrews and Durham. Malvoisin's introductory clause sets an explicit framework for the provisions of the agreement by stating that the subjects at issue between himself, Durham and Coldingham were cain and conveth, procurations, hospitality, custodies, institution and visitation to franchisal churches. The agreement of 1193/4 and the 1199 agreement were between the bishop and Durham only. The 1204

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1. Durham D. and C. MC 1309 (printed ND, no. 462).
 2. Durham D. and C. MC 1341 (printed ND, no. 467).
 3. Durham D. and C. MC 1308 (printed ND, no. 473). The hand of this document is also found in several charters of the last years of Roger's episcopate. It is characterised by its extremely high ascenders in the first line of the charter. In MC 1308 ferial dating is used and the seals of the bishop and chapter are affixed on woven silk tags which are crossed over through four slits in the folded foot of the document. See frontispiece.

agreement raises Coldingham to the status of a separate party to the agreement, which was reached in the considerably less neutral atmosphere of the cathedral city of St. Andrews. In the spring of the following year the royal assent was obtained, while the king was staying in the episcopal barony of Wedale.¹

Malvoisin clearly had as his model the agreement which had been made with Kelso at the legatine council of 1201, but the Durham agreement went beyond this. By granting Coldingham Priory a separate status he was probably attempting to create an independent position for the cell. In ecclesiastical affairs divide and conquer can be a useful rule of thumb. This agreement, therefore, was the first successful step in a long episcopal campaign to assert control over the priory. Both Durham and Coldingham were treated as equals as far as their responsibilities to the bishop were concerned:

q.c. Et quando commune auxilium per totum Episcopatum sancti Andr' poni contigerit? prefati monachi Dunelmen' de predictis Ecclesiis suis parrochialibus nobis et successoribus nostris respondebunt . sicut aliquis Abbas vel Prior qui liberius tenet in Episcopatu sancti Andr' faciet de suis. Et cum Ecclesias in Episcopatu sancti Andr' ad prefatos monachos Dunelmēn' pertinentes . que a bone memorie Rogero predecessore nostro . sibi ad Christi pauperum et hospitem sustentationem in usus proprios sunt concesse vacare contigerit? eas sua propria autoritate . sine aliqua contradictione et difficultate? libere ingrediantur . easque in usus proprios pro voluntate sua convertant . et in manu sua pacifice possideant .² sl

The agreement went on to provide for the serving of these churches by suitable persons, a question not dealt with explicitly in the 1193/4 agreement. Further, the bishop stipulated that when his officials

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1. Durham D. and C. MC 586 (printed ND, no. 53, and RRS ii, no. 460). The agreement was also copied into Durham Cart. Vet. f. 103v (xx). It was issued on the same day as MC 590 (ND, no. 54; RRS ii, no. 461). All are in the hand of Gilbert of Stirling, royal scribe Df (RRS ii, 90).
 2. Durham D. and C. MC 1308 (printed in ND, no. 473). The churches granted by Bishop Roger were Coldingham, Berwick, Edrom, Lamberton, Fishwick, Oldcambus, Earlston. Durham D. and C. MC 951 (printed ND, no. 469).

went on visitation they were to be received in parish churches at least once a year with an entourage of three to five horses. This arrangement applied to all but three churches; Oldcambus, Lamberton and Fishwick were to be immune from procurations during the bishop's lifetime. The obvious intention was to protect the small and poor parishes from the often ruinous necessity of receiving episcopal representatives on visitation, in accordance with the provisions of the third Lateran council.¹

The bishop was to be able to visit Coldingham Priory and its churches without receiving procurations. This came to be a jealously guarded exemption and a number of subsequent bishops issued letters to this effect when staying at the monastery. The first such surviving letter was issued by Bishop David Bernham on 18 October 1240.² By the time of Bishop William Fraser this arrangement had obtained for over eighty years, and the letters which he issued upon his reception at Coldingham said he had been received:

l.c. non ratione procuracionis vel alicuius visitationis Episcopalis unde ne Compositioni . Jnter antecessores nostros Episcopos Sancti Andr' et nos et ipsos habite in aliquo preiudicetur ³

The 1204 agreement reasserted the control of the bishop of St. Andrews over an ecclesiastical enclave situated in a part of the diocese where episcopal influence had always been weak, and clearly established the principle "that churches were subject to the ordinary jurisdiction of the diocesan and burdened with its expenses".⁴ In 1193/4 Durham

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1. At the time of the drawing up of the parochial evaluations contained in the St. Andrews priory register these three churches were still significantly below the average assessment of fifty-three merks for churches pertaining to Durham. St. A. Lib., 31.
 2. Durham D. and C. MC 1320 (printed ND, no. 479). See Plate I.
 3. Durham D. and C. MC 740 (printed ND, no. 486).
 4. Barlow, Peculiars, 137.

had only conceded the chapel of Nenthorn which pertained to their church of Edrom, and in 1204 another of its chapels, Newton, was granted to St. Andrews. As Frank Barlow has remarked, they were given "in return for freedom from episcopal procurations, [but] after the concordats the only real franchise left to the parish churches was freedom from cana and conveth".¹

As befitted such an important agreement the bishop's chancery made elaborate arrangements to ensure that its provisions became widely known throughout the diocese and the Scottish province. A letter was drawn up to the two archdeacons, the abbots of Dunfermline, Lindores and Arbroath, and the prior and chapter of St. Andrews, asking them to seal the document to which they had been witnesses.² The concordat had also been witnessed by the bishops of Dunkeld, Aberdeen and Moray, who also witnessed and sealed secondary copies belonging to Durham along with recipients of MC 1333.³ A separate capitular confirmation was issued.⁴ It seems likely that the bishop may have followed the practice of Bishop Roger and sent letters to his archdeacons ordering them to see that local clergy were notified of the agreement.⁵

The Durham agreement of 1204 was a decisive achievement. Not only did it regularise relations between the bishop and the monasteries of Durham and Coldingham and their churches for the rest of the century, but it provided a model for a series of similar agreements with other religious houses within the diocese. The greatest religious house in the diocese, in terms of its possessions and wealth, was the royal

1. Barlow, Peculiars, 137-8.

2. Durham D. and C. MC 1333 (printed ND, no. 474).

3. Durham D. and C. MC 1301 and 1317 (printed ND, nos. 276-7).

4. Durham D. and C. MC 1304 (printed ND, no. 475).

5. Durham D. and C. MC 1344 (printed ND, no. 471).

monastery of Arbroath which within the lifetime of its founder, William the Lion, was endowed by him and other benefactors with twenty-four churches. Most of these were situated close to the monastery itself and formed a compact group in or close to the "shire of Arbroath". Such a geographical situation presented serious problems to the bishops of St. Andrews.

As with Durham there was a prior agreement to the one negotiated by Malvoisin some time previous to 1209. Bishop Roger's agreement, reached between 15 December 1189 and mid-March of the following year, freed Arbroath's churches from episcopal cain and conveth, except for the church lands of Abirlot and Nigg.¹ The abbey granted the church of Benholm to the bishops, perhaps in exchange for the church of St. Vigeans.² Then the bishop issued a general confirmation of churches which specifically exempted the archdeacons and officials of the diocese from any jurisdiction over Arbroath's rights of presentation to their churches.³

Unlike the Durham agreement, the settlement of the status and obligations of Arbroath Abbey's churches was necessitated by the newness of the monastery's foundation. Arbroath was established at a time when St. Andrews had been embroiled in the disputed election of Bishop Hugh, who only issued a general confirmation to the abbey.⁴ The lack of a strong central authority in the diocese in the thirty or so years since the abbey's foundation allowed many anomalies to arise which a conscientious prelate could not overlook. Even so, the status of Arbroath and its churches was never completely settled, and throughout

1. Arb. Lib. i, no. 148.

2. Ibid., nos. 148, 146.

3. Ibid., no. 147.

4. Ibid., no. 145.

his episcopate Malvoisin repeatedly had to attempt to settle particular problems.

The first agreement with Arbroath (1202x1209) concerned presentation to vicarages and the payment of procurations.¹ The monks agreed to present perpetual vicars to all their churches in the diocese. These vicars were to be responsible to the bishop for the cure of souls and the payment of episcopal dues:

. scilicet . de sinodalibus . et auxiliis et procuracionibus .
secundum quod continetur in lateranensi concilio .²

Again the agreement stipulated that certain poorer parishes could join together to pay these fees. Further detailed arrangements were made for the bishop to stay at the abbey when on visitation of nearby churches, and if he were able to visit the two neighbouring churches of Inverkeillor and Inverlunan on the same day he was to receive only one procuration payment. St. Vigean was exempt from episcopal jurisdiction and confirmed separately.³

Despite the detail of this agreement it did not lead to lasting peace. Unlike Durham, Arbroath was a resident landlord, governing its possessions from a centralised and strong position. This fact may explain the extraordinary series of individual confirmations of churches which Malvoisin made to the monastery between 1214 and 1222x5.⁴ About 1225x1231 further minor readjustments were made in the traditional renders of cain and conveth due to the bishop from certain abbey lands,⁵ and the church of Ethie was returned to abbey jurisdiction.⁶ It was

1. Arb. Lib. 1, no. 167.

2. Ibid.

3. Ibid., no. 150.

4. Ibid., nos. 153-164.

5. Ibid., no. 169.

6. Ibid., no. 151.

after this last readjustment that the chapter of St. Andrews issued its ratifications of the bishop's first general confirmation of churches,¹ the 1202x1209 agreement,² and the donation of the churches of St. Vigeans and Ethie.³

Thus within a few years of becoming bishop Malvoisin had achieved working relationships with two of the largest appropriators in his diocese. These essentially practical concordats were given added force by the bishop obtaining a papal bull in 1206 which took the church under papal protection and confirmed the bishop's right to recover lost or alienated possessions and goods pertaining to the church of St. Andrews.⁴ During his visit to the papal court in 1207 Innocent III granted the bishop, after a personal interview, a further indulgence^t to make unilateral presentations to benefices wilfully left vacant.⁵

These pastoral concerns sprang not only from whatever conception the bishop may have had of his role as a shepherd to his flock, but even more from a well-developed sense of his jurisdictional prerogatives which were not solely concerned with respective rights in parish churches. With regard to his own cathedral chapter Malvoisin became involved in a series of controversies which called into question the whole nature of their relationship with one another. The bishop's jurisdictional superiority had been confirmed in the bull of 1206.⁶ The episcopate of Malvoisin and his immediate predecessors witnessed a gradual divorce of interest between the bishops and the Augustinian chapter. The latter were experiencing a period of relative weakness

1. Arb. Lib. i, no. 166.

2. Ibid., no. 168.

3. Ibid., no. 152.

4. Migne, PL, 215, nos. 1264-6, col. 175 (calendared CPL, i, 30).

5. Migne, PL, 215, no. 1248, col. 150.

6. Ibid., no. 1265, col. 175.

and were internally divided between the canons and a reformist prior, Thomas.¹

In general the controversy was over respective jurisdictional rights within the cathedral and the diocese, but it centred on, among other things, Malvoisin's efforts to secure a patrimony for the archdeacon of St. Andrews and a recognised position for the reformed "Culdees".² Bishop Roger was probably responsible for making the initial moves towards transforming this ancient Celtic body into what became the earliest collegiate church in Scotland.³ He had had as his model similar changes which had been attempted at Canterbury and at Dublin, where the attempt was ultimately successful.

The Celtic Célidé of St. Andrews in the second half of the twelfth century had been gradually losing their ecclesiastical position and rights. In 1198-9 the chapter of St. Andrews confirmed to the Culdees the rights to their lands south of the city except for the parochial revenues due from them.⁴ In fact the Culdees, in accordance with the wishes of Bishop Roger, thereby obtained title to a consolidated bloc of territory, an event which marked "the beginning of the process by which the old culdean community became a secular collegiate church".⁵

By some time prior to his departure for England and Rome in 1215 Bishop Malvoisin had absolved the Culdees of a sentence of excommunication which had been passed upon them by papal judges delegate, at the instigation of the chapter.⁶ The split between the bishop and his

1. See below, pp. 221-2, for a fuller discussion.

2. For the creation of the archdeacon's patrimony, see below, pp. 269 ff.

3. Barrow, "Culdees," 36-7.

4. St. A. Lib., 318-19.

5. Barrow, "Culdees," 33.

6. Vet. Mon., no. 6.

chapter which is indicated by the details of this incident. led to a series of charges being raised against the bishop at the papal court in 1216 by Eustace, canon of St. Andrews.¹ As part of the charges the chapter accused the bishop, the Culdees and several seculars of a number of injuries to churches, possessions, rents and other rights.² The case was delegated by the pope to his legate in Scotland in 1220, but it is not known whether the case was ever brought to judgement.³ What is more certain is that the middle decades of the thirteenth century may be called the golden age of the reformed Culdees, when they successfully asserted their right to take part in several episcopal elections, and had themselves and their possessions put under papal protection. Their numbers included several extremely distinguished churchmen, including one bishop of St. Andrews.⁴

In his first four or five years as bishop Malvoisin set about reasserting and defining his rights over not only a number of ecclesiastical corporations within the diocese, but over his own temporal demesne. The best-documented example of this process was the inquest at Perth by a diocesan synod into the bishop's rights in the kirk town of Arbuthnott.⁵ This first period of intense activity was ended for a time by Malvoisin's first visit to Rome in 1207. It seems possible that Malvoisin had been in England in the summer of 1205 to settle a dispute over the seizure of some Scottish ships by the English.⁶ This

1. Vet. Mon., no. 6.

2. For a fuller discussion of the charges raised by Eustace, see below, pp. 22ff.

3. Vet. Mon., no. 37.

4. Barrow, "Culdees," 26-9. See below, p. 43 and Chapter V.

5. Spalding Misc. v, 209-13. For a full discussion of this case see below, pp. 216-17.

6. ES ii, 365-6 and n. 2.

incident was a part of the deepening crisis between the two countries, and between England and the papacy, which formed the background to the bishop's visit to the papal court. The disputed election to Canterbury was a European affair in which the English king and the pope made their separate provisions to the see. After two quashed elections, X the pope reserved the provision to himself, and appointed the English cardinal, Stephen Langton, late in 1206. He was consecrated on 17 June 1207. Malvoisin was almost certainly in Rome during this period X when he would have met the new primate.

The immediate reason for Malvoisin's visit, however, was to obtain advice and help for the resettlement of the diocese. As a result of a number of questions raised by the bishop the papal chancery issued a series of letters which clarified and strengthened his position.¹ In the long run, however, it was probably as a result of Malvoisin's visit that the strong Scottish allegiance to the papacy in the Langton controversy was forged. This was a natural outgrowth of the growing political enmity between the kings of Scotland and England. Thus it was that when King John moved against Langton and his family the primate's father, Henry Langton, found refuge in St. Andrews Priory, "ubi ob amorem ac reverentiam domini Cantuariensis satis honorifice est exhibitus", and there he died.²

For nearly a decade after this visit to Rome Malvoisin's career must be considered within the context of the growing conflict in England between the crown, the church, and the baronage. Following the bishop's return to Scotland, the threat of a joint rebellion in Ireland and Scotland led King John to demand a meeting with King

1. Migne, PL, 215, cols. 1138-9, no. 46 and col. 1248, no. 150.

2. Historical Works of Gervase of Canterbury ii, ed. W. Stubbs (Rolls Series, 1880), lxxi-iii.

William in April 1209.¹ Following this meeting a royal council was held at Stirling on 17 May 1209 to consider further steps. As a result, the bishops of St. Andrews and Glasgow, the justiciar of Scotia, and the royal chamberlain were sent on an abortive embassy to the English king.² John marched north and the two kings met at Norham on 7 August 1209.

Thus Malvoisin was one of the framers of the unsatisfactory peace agreement reached at Norham. The king of Scots handed over his daughters to the English king on the undertaking that they would be married to John's sons, and agreed to pay 15,000 merks over two years in order to have John's good will.³

In 1210 two of the exiled English bishops, Salisbury and Rochester, sought refuge in Scotland.⁴ In the next year the leaders of the revolt in Ireland against King John were given a brief sanctuary in Scotland before they were captured by Duncan of Carrick and handed over to the English.⁵ But these isolated acts show the essentially weak and equivocal position of Scotland vis-à-vis England.⁶ The serious revolt of Guthred MacWilliam in 1211 led to a further meeting between the kings at Durham early in 1212 at which the Scottish king reconfirmed the 1209 agreement and apparently gained English help against the rebels.⁷ The bishop was a witness to this new agreement.⁸

1. Lawrie, Annals, 361-2.

2. Ibid., 363.

3. ES ii, 375-6. For the background to this period see G.W.S. Barrow, "The Reign of William the Lion, King of Scotland," Historical Studies vii, ed. J.C. Becket (London, 1969), 38ff. 5/

4. ES ii, 377 and n. 2.

5. Ibid., 384-5.

6. See Barrow, "Reign of William the Lion," 38.

7. Ibid., 40.

8. Lawrie, Annals, 379-81.

In June the two kings had their final meeting on a cross-country journey from Carlisle to Durham, during which Malvoisin acted as regent with Queen Ermengarde.¹

By the second half of 1212 the king had returned to Scotland and Malvoisin was able to go to France to visit his family, perhaps Robert Malvoisin, the crusader, who had fallen seriously ill in the summer.² It may be that during this visit the bishop had a second encounter with Stephen Langton, for the primate was in France during this period and had been appointed legate a latere to preach a crusade.³ Certainly upon his return to Scotland Malvoisin, probably acting as legate with Bishop Walter of Glasgow, convoked a council at Perth for the preaching of a crusade.⁴ This council included laymen as well as clergy and the two bishops conferred the cross on a large number of persons.⁵

As a consequence of the calling of a crusade Scotland became subject, perhaps for the first time, to systematic papal collection. There may have been little collecting done until after the fourth Lateran council, although the bishops of St. Andrews and Glasgow had been appointed collectors in 1213.⁶ A collection was certainly made after the council, for Cardinal Giles of Torres, apostolic nuncio, received money for the Holy Land at a council in Scotland in 1220.⁷

On 4 December 1214 the old king died and Malvoisin, acting in his traditional role as bishop of the Scots, accompanied the young

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1. Barrow, "Reign of William the Lion," 41; Dunf. Reg., nos. 211, 166.
 2. Lawrie, Annals, 383; Historia Albigensis i, ed. Pascal Guérin and Ernest Lyon (Société de l'histoire de France, Paris, 1926), 133, n. 1.
 3. ES ii, 390 and n. 2.
 4. Lawrie, Annals, 393-4.
 5. Ibid.
 6. CPL i, 38.
 7. Dowden, Med. Ch., 241.

king to Scone and installed him as king on 5 December 1214.¹ In the following year the bishop with other envoys was sent on an embassy to the English court, probably to deal with the unfulfilled provisions of the treaty of 1209.² The mission was not conclusive and in the following year the outstanding grievances of the king of Scots were promised redress in cap. 59 of Magna Carta.³

By November 1215 Malvoisin was in Rome to attend the Lateran council, along with the bishops of Moray and Caithness and the abbot of Kelso.⁴ Unlike his fellow delegates, however, Malvoisin remained abroad for three years. Although the bishop's actions during this period are almost completely obscure there can be little doubt that his decision not to return to Britain was dictated by the political situation in England and Scotland. The Magna Carta crisis had a profound influence on Anglo-Scottish relations and Malvoisin, like Stephen Langton, elected to remain abroad probably as a permanent Scottish agent at the papal court. In the event this decision was justified. In July 1216 Innocent III died and was succeeded by Honorius III. The close reliance of the Scottish church on the papacy was to be continued and extended. The bishop helped to build a relationship which was to culminate in the reissue of Cum Universi in 1218 and the bull Quidam vestrum of 1225 which allowed the acephalous Scottish province to hold annual provincial councils.⁵

More immediately, however, England, Scotland and the papacy were

1. ES ii, 398-400 and nn.

2. Ibid., 404 n. 10; CDS i, no. 629.

3. For the background to this, see Stones, Relations, xlvi-vii.

4. ES ii, 405. For the bishop of Caithness' presence at the council see J. Werner, "Die Teilnehmerliste des Laterankonzils vom Jahre 1215," Neues Archiv für ältere deutsche Geschichtskunde xxxi (1906), 587. I am indebted to G.W.S. Barrow for this reference.

5. Robertson, Concilia ii, 3.

caught up with the invasion of England by Prince Louis in May 1216. The legate Gualo on 29 May excommunicated Louis and his followers, who included the king of Scots.¹ This act did not have much influence in Scotland, but in the following year, after the legate's commission to act in England, Scotland and Wales was reinforced, papal letters were sent to the king of Scots ordering him to return to loyalty to the king of England and the church.² It was only in the autumn of 1217, however, that Scotland was placed under interdict, following the reconciliation of Louis and Henry III and the prince's penance and absolution by the legate.³ According to the Cistercian Chronicle of Melrose the "whole Scottish church ... ceased from divine praises, excepting the white monks".⁴ Alexander and his mother, however, obtained absolution at Berwick at the beginning of December.⁵

Early in January 1218 Malvoisin returned to Scotland.⁶ His most pressing personal reason for returning may have been to deal with the charges which had been brought before the pope by Eustace, canon of St. Andrews. It is more likely, however, that he had been sent to gather information for the papacy. Malvoisin, with the bishops of Dunkeld and Caithness, sent a copy of the (?)1209 treaty between William and John to the pope, who in 1218 ordered his new legate in England, Pandolf, to use it as he wished in order to bring about a new agreement between the kings.⁷

The terms of the (?)1209 agreement may have been conveyed to the

1. ES ii, 411ff. and n. 4.

2. Ibid., 416 n. 5.

3. Ibid., 423-5.

4. Ibid., 425-6.

5. Ibid., 425.

6. Ibid., 431.

7. Vet. Mon., no. 40.

papal court by the bishops of Caithness, Glasgow and Moray who journeyed there to seek absolution and an end to the traffic in special absolutions carried on by Gualo and his delegates.¹ Malvoisin's return to Scotland had been followed rapidly by the first meeting held by the prior of Durham and the archdeacon of the West Riding, sent by Gualo to Scotland to give absolution to Scottish clergy.² The two delegates also attempted to interfere with the Cistercian exemption from interdict, following the example set by Gualo in England.³ At Berwick on 8 April 1218 they issued an excommunication against the order, which then appealed to the pope. The order was eventually absolved by Malvoisin, acting on behalf of the legate, until a final judgement could be reached.⁴

It is ironic that the first contact Scotland had with papal representatives after the greatest of medieval reforming ecumenical councils should have left a bitter memory. Speaking of the meeting at Northallerton between the Scottish hierarchy and Gualo on 15 April 1218 Fordun says that the legate was only appeased by large sums of money: "They [the prelates] felt this man's tyrrany and learnt thenceforth to struggle willingly to guard their privileges and the liberties of the kingdom."⁵

The disruption of the years between 1215 and 1218 had allowed the chapters of a number of Scottish cathedral churches to bring charges against their bishops, in a kind of open season on diocesans. In January 1219 the papal chancery ordered an investigation into the

1. Hailes, Annals, 174-5; CPL i, no. 55; Vet. Mon., nos. 14, 16, 20.

2. ES ii, 431-3.

3. Ibid., 433.

4. Ibid.

5. Chron. Fordun ii, 283.

charges of the chapter of Moray against their bishop.¹ At the end of that year the chapter of Glasgow charged that their bishop had obtained his office by bribes paid to the royal chamberlain and that no canonical election had been held.²

It is against this background that the full range of charges raised by Eustace, acting on behalf of the chapter of St. Andrews, should be seen. The list of charges represents a rag-bag of grievances going back to the bishop's first entry into the see.³ In chronological order the complaints ranged from a claim that before his postulation to St. Andrews had been confirmed by the pope the bishop had undertaken both spiritual and temporal administration, to a charge of irregularities in Malvoisin's consecrations of the bishops of Brechin and Caithness in 1214. Of the former's consecration it was charged that the elect was the son of a priest and that the consecration had been carried out without obtaining papal dispensation. Malvoisin was said to have refused to take an oath of loyalty to the pope from the bishop of Caithness.

It seems odd that the chapter should wait fourteen years before charging the bishop with maladministration, or that they should concern themselves unduly with the regularity of episcopal consecrations. There was certainly substance to the charge of maladministration.⁴ The real heart of the charges is found, however, in the remaining two points which the proctor raised at the papal court. They alleged that Malvoisin had usurped their vill of Clerkington and that Malvoisin

1. Vet. Mon., no. 22.

2. Ibid., no. 29. Pandolf was ordered to hold an enquiry which apparently came to nothing. ES ii, 435ff. and n. 5.

3. Vet. Mon., no. 6.

4. Dowden, Bishops, 12.

absolved the Culdees from the sentence of excommunication promulgated by the papal judges delegate. Here it is clear that the chapter had real grievances, for Clerkington had been joined to the capitular church of Haddington and had been subsequently confirmed and reconfirmed by popes, kings and bishops.¹ That the bishop did attempt to annex the land is shown by its inclusion on the list of lands confirmed by Innocent III as belonging to the bishop's temporal demesne.² They were still so listed in a confirmation by Honorius III in 1218, but by 1228 they had returned to capitular possession.³

The eventual history of these charges can only be gleaned by such survivals as the papal confirmation of 1218 but it is clear that the case soon became bound up with the wider problem of the settlement of the Scottish church following the Lateran council and the period of interdict. The Council led to the more widespread use of provincial councils as reforming agents.⁴ For the acephalous Scottish church the means of summoning and holding such meetings was unclear. One solution was periodic legatine councils, held by a local prelate or a delegated foreigner acting as papal representative. The business of such councils was essentially ad hoc, as was shown by the legation of Cardinal James of St. Victor in 1221.⁵ Among the duties which he was delegated to deal with was the continuing controversy between the bishop and Culdees and the chapter, in addition to some further charges made against the bishop by a canon, Henry of Dundee.⁶ The legate also held

1. St. A. Lib., 181-2, 191-2, 122, 63, 68, 72, 77, 99, 135, 146.

2. CPL i, 30.

3. Ibid., 61 (printed in Vet. Mon., no. 20); St. A. Lib., 232. By mid-century Clerkington had achieved parochial status. Cowan, Parishes, 31.

4. Gibbs and Lang, Bishops, 98.

5. Vet. Mon., no. 35.

6. Ibid., no. 39.

a council at Perth 9-12 February 1221 which is known to have dealt with a case of consanguinity and possibly other questions as well.¹

In 1225, however, the Scottish province was given the right to hold annual provincial councils in order to give effect to canons 6 and 30 of the fourth Lateran council and to enact local reformist legislation.² The problem of how to hold these meetings was dealt with by the prelates themselves: the bishops were to hold the office of conservator of the council in rotation, beginning with St. Andrews, and an order of procedure was eventually drawn up.³

There is little evidence to suggest that Scottish provincial councils were initially used as reforming councils. The first great impetus towards the holding of reforming provincial councils in Scotland, however, was the legation of Cardinal Otto to England and Scotland in 1237-9.⁴ Instead, the earliest evidence for the activities of this newly-created body shows it functioning in a more mundane way. At a meeting of the council held in Dundee in 1230 the church of Barry was leased by Arbroath Abbey to the house of Balmerino.⁵ The record of this transaction was witnessed by six bishops, two abbots, the archdeacons of St. Andrews and Dunkeld, and two of Malvoisin's magistri.

Besides this one instance there are no other surviving evidences of meetings of Scottish councils until the last year of Malvoisin's life. There was, however, the extremely close connection of royal and ecclesiastical authority which still allowed cases similar to that

1. Robertson, Concilia, xlii-iii; ES ii, 444 and n. 2.

2. Patrick, Statutes, 1.

3. CC 2-4, 8-9. These arrangements may have been written down later. See below, p. 38.

4. See below, pp. 31ff.

5. SHS Misc. viii (1951), 5-8 and nn.

of the church of Barry to be dealt with by a royal court. An example of this was the agreement between Newbattle and Holyrood Abbeys determined by the king's court on 29 May, 1223,¹ or the agreement between Malvoisin and David Hay of Errol over the patronage of Errol which was reached in the presence of King William and confirmed by Alexander II.² Such an arrangement may have been becoming less and less acceptable to both the church and the state, but it could never be completely abandoned. By the early fourteenth century provincial councils were held as extensions of the royal parliament.³

What evidence there is for the last years of Malvoisin's life indicates a falling off of activities and powers. The bishop must have been an old man by the fourth decade of the century. It has been claimed that in his last decade he was a major agent in the introduction of mendicants to Scotland, but this view must be somewhat modified. A man of Malvoisin's connections and interests was probably sympathetic to the friars, but these orders depended little on such patronage as the bishop could give.⁴ Indeed, patronising mendicants must have been one of the less financially burdensome pieties open to king, prelate or magnate.

The Blackfriars, as well as the austere monastic order of the Valliscaulians, came to Scotland in 1230, followed by the Franciscans in the following year.⁵ Spottiswoode claims that Malvoisin introduced the Blackfriars, Jacobins (sic) and Franciscans and the order of Vallus Umbrosae (sic) following his return from the council in 1219.⁶ This

1. APS i, 75.

2. Spalding Misc. ii, 306.

3. See below, pp. 125, 170-1.

4. Cf. Moorman, Ch. Life, 366.

5. ES ii, 470, 479.

6. Spottiswoode, History, 43.

statement is manifestly inaccurate in several respects, but by giving the Dominicans their French name he seems to indicate that this order was introduced directly from France, unlike the Franciscans who probably came from England.¹ If the bishop did not have a leading part to play in the settlement of the mendicants, he did consecrate Brother Clement, perhaps the most outstanding member of the Dominican order in Scotland, bishop of Dunblane in 1233.²

Malvoisin died at his manor-house of Inchmurdo on 9 July 1238. The last years of his life were marked by failing health, for among the witnesses to an episcopal charter of 30 January 1235 was Duncan, the physician, our clerk.³ Yet there is evidence that the administrative machinery built up by the bishop continued to function during his last years. In 1235 he was involved in the agreement between his chapter and his former clerk, Andrew of Moray, who was now bishop of that diocese, over the church of Rothes.⁴ His last surviving act, dated 27 December 1237, was a vicarage settlement of Perth, a fitting conclusion to the bishop's long career as a pastoral bishop concerned with the proper maintenance and serving of parishes within his diocese.⁵ By the last year of his life Malvoisin was probably too infirm to travel and was therefore absent from the meeting between the kings of Scots and England and the legate Otto held at York in the autumn of 1237.⁶

1. The French origin of the Blackfriars may be indicated by Dempster's story that their original number included a Scot, Simon Taylor, who was trained in music. This dubious story is repeated in Analecta sacri ordinis Fratrum Praedicatorum (1896), 485.

2. ES ii, 490.

3. Dunf. Reg., no. 107. He may be the M. Duncan who appears elsewhere, St. A. Lib., 158-9, and as rector of Laurencekirk, Dunf. Reg., no. 108.

4. Moray Reg., no. 111; St. A. Lib., 326-7.

5. Dunf. Reg., no. 108.

6. ES ii, 502.

By July of the following year he was on his deathbed and unable to attend the provincial council held at Perth on 1 July.¹ Malvoisin was buried in the choir of the cathedral church which he had ruled for thirty-six years.²

1. Robertson, Concilia i, lv and n.

2. Dowden, Bishops, 13.

CHAPTER II

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DAVID BERNHAM, 1239-1252

If the episcopate of Malvoisin was one of assimilation and the development of a distinctive Scottish church within western Christendom, the pontificate of his successor David Bernham marked that church's coming of age. The Scottish church was now open to and staffed by native-born men of ability who were aware of developments in the western church and were able to translate these changes into Scottish circumstances. In a real sense Bernham stands as a personification of this new and self-assured national church.

The future bishop came from a burgh family of Berwick, whose rise in importance paralleled David's career in royal and ecclesiastical service. The bishop's brother, Robert, was mayor of Berwick by 1238.¹ David himself, following a career at university, whether at Oxford and/or Paris is not known, entered the household of Bishop Malvoisin c.1225. He was made vicar of Haddington at some time between 1225 and 1235: the seal which he bore as vicar remained in use as the bishop's secretum in the early years of his episcopate.² The future bishop had probably been trained in law, for he is found acting as a judicial delegate for Holyrood Abbey c.1230.³ In 1235 he became royal chamberlain.⁴ By c.1238 he had become precentor of Glasgow

1. Durham D. and C. MC 619 (printed in ND, no. 72).

2. Stevenson, Illustrations, no. 17; Greenwell and Blair, Seals, nos. 3643 and 3620: an antique gem with the legend "+ memento domine David".

3. Greenwell and Blair, Seals, no. 3643. (Durham D. and C. MC 1017).

4. HBC, 178.

Cathedral.¹ His brother Robert, describing himself as the chamberlain's brother, granted a fishing-net to Melrose Abbey.² Thus the family fortunes rose with those of brother David. They married into the knightly family of Lindsay,³ and in 1249 Robert Bernham was one of the twelve Scottish knights who met with English representatives to draw up the border laws between the two countries.⁴ After Bernham's death the family continued in their tradition of piety. In 1268 Robert Bernham, perhaps the son and namesake of the mayor, granted a stone of wax or forty pence per annum to Arbroath Abbey.⁵ Another descendant of the family, Agnes Bernham, swore fealty to Edward I in 1291 as prioress of North Berwick.⁶

Bernham's advancement in the church opened up a similar career for at least one other member of the family. One of the witnesses to the bishop's earliest surviving act was William Bernham.⁷ He was almost certainly the nephew of the bishop who, after being provided to the benefices of Inchtute and Kinness within the diocese, became a student at the universities of Oxford and Paris.⁸

Bernham's provision to St. Andrews in 1239 was essentially a royal appointment. The independent postulation by the chapter of Geoffrey, bishop of Dunkeld, was disallowed by Gregory IX and a new election ordered.⁹ This second election went to the royal nominee,

1. Glas. Reg. i, no. 171; Watt, Fasti, 157.

2. Melr. Lib. i, no. 178.

3. Ker and Pantin, "Letters," no. 17.

4. APS i, 83. Robert and other members of the family appear in a number of Coldstream charters: see Cold. Cart., nos. 48-52.

X 5. BM Add. MS 33245. X

6. CDS iii, no. 508.

7. SRO B 65/1/1 f. xxxv r., no. 3 (Black Book of St. Andrews).

8. Ker and Pantin, "Letters," 473ff.

9. Vet. Mon., no. 98; CPL i, 178.

Bernham. Proctors were sent to the papal court to secure approval, but only one of the three delegates reached Rome alive. The pope, therefore, ordered the bishops of Glasgow, Caithness and Brechin to enquire into the election.¹ The bishop of Glasgow consecrated Bernham on 22 January 1240.²

In the background of this disputed election was the continuing conflict between the chapter of St. Andrews and the Culdees. The latter claimed a voice in the election of a successor to Malvoisin and were allowed to take part in the second election which chose Bernham.³ This election created the precedent for future claims by the culdean community to vote in episcopal elections. One of their number, Richard Weyrement, was the proctor who reached Rome with the news of Bernham's election.⁴

While still elect, however, Bernham was already involved in a number of events which foreshadowed several of the major concerns of his pontificate. One of the outstanding problems left undecided at the death of his predecessor was the status of the church of Aberlemno, which was appropriated to Jedburgh Abbey.⁵ Gregory IX had apparently ordered the abbey to present one of his clerks to a secular vicarage but the request had been ignored and the provision was opposed by the proctors for the bishop-elect and the abbey, who appeared before John le Romeyn, sub-dean of York, who had been delegated by the pope to settle the dispute. The bishop-elect's representatives claimed that the living, situated within episcopal demesne, was in the bishop's gift

1. Vet. Mon., no. 100; CPL i, 178.

2. ES ii, 516.

3. Barrow, "Culdees," 27, 34.

4. Ibid., 28.

5. HMC xiv, appendix 3, 183-4. See also RRS ii, no. 525.

and had been so confirmed by various popes. Decision, however, was
X rendered in favour of the pope, and the living was adjudged to belong
to Jedburgh.

The question of absentee foreigners being presented to Scottish benefices was just one aspect of the pastoral concerns which were to be dominant features of Bernham's episcopate. While still elect Bernham probably attended the legatine council held in Edinburgh on 19 October 1239 by Cardinal Otto, legate to England and Scotland.¹ It is not known for certain what the business of the council was, but it is probable that among the subjects raised was the papal campaign against the Emperor Frederick II, and the reissuance of all or part of the legate's London constitutions of 1237. The first provision of the London constitutions had been to ensure that churches were properly consecrated.² In the late spring of 1240 the new bishop embarked on his first visitation of his diocese and carried out the first of the long series of church dedications which were to occupy him intermittently for the next decade. At the end of this period he had dedicated over half the churches in his diocese.³

It is unlikely that all these churches had been undedicated before this time, but rather that in many cases, knowledge of their dedication was uncertain or lost. The problem of recording church dedications was a serious one, as is shown by the number of early thirteenth-century English statutes which stipulate that the dedication of a church must be known and displayed in a fitting manner within the church.⁴

1. Robertson, Concilia i, lvii; ES ii, 515.

2. Powicke and Cheney, Councils, 245-6.

3. They are listed in Bernham, Pontifical, x-xx.

4. Powicke and Cheney, Councils, 172, 211.

The survival of Bernham's book of pontifical offices used in his dedicatory activities, which contains a list of all the churches he dedicated, is a fortunate circumstance. However, the book has tended to be taken to represent almost the whole of the bishop's interests, obscuring his regular activities as diocesan and his involvement in national affairs.¹ The dedications were undertaken usually as part of diocesan visitation: certainly this was the case in Bernham's first year as bishop where the clear example of Bishop Grosseteste's first visitation of his scattered diocese is apparent. If Bernham had studied at Oxford he must have known the future bishop of Lincoln.

× His activities as bishop show that he certainly knew him by reputation. But there is an even closer link between the two men, for among the magistri to appear in Bernham's household in its early years was M. Peter Ramsay, the man who had succeeded Grosseteste as rector of the Franciscans at Oxford.²

Bernham's first circuit about his diocese also saw the settlement of a number of outstanding problems which had to be cleared up before the bishop could leave Scotland to attend the council at Rome scheduled for the late spring of 1241. By the end of 1240, or early in the following year, the bishop was on his way to the council. The journey was fraught with danger since Frederick II controlled land

1. For example, see W. Lockhart, The Church of Scotland in the Thirteenth Century, 2nd edn. (Edinburgh, 1892), or D.E. Easson, "Church dedications in Scotland seven hundred years ago," TSES.xiii (1939-40), 21-4.

2. "When divine providence ordained that Master Robert should be promoted from his chair as professor to an episcopal throne, he was succeeded as lecturer by Brother Peter who later became a bishop in Scotland." Thomas of Eccleston, De Adventu Fratrum Minorum in Angliam (London, 1964), 41. There is no other contemporary bishop Peter in Scotland (Watt, Fasti, 1-2). M. Peter appears at St. Andrews in Arb. Lib. i, no. 172, St. A. Lib., 44, 163, 165-7, 282, 308 (in the last as a canon of Dunkeld).

access to Rome. The papacy had arranged with the Genoese to transport delegates to Rome by sea, but it seems that Bernham did not join the ill-fated flotilla:

... Sir William, the bishop of Glasgow and sir David, the bishop of St. Andrews returned to their country ... first having made an appeal against the legates who had been their conductors: for they declared that they were unable to reach the apostolic see without danger of death. Therefore when they returned to their country, their legates, along with many other great men of religion, took the route by sea ...¹

The fleet was captured off Elba on 4 May. On 26 June Bernham was probably at Durham where he granted an indulgence of twenty days to Finchale Priory.² In August he had returned to Scotland and had again taken up the work of dedication.

It was in the period between his return from the abortive council and setting out for the council of Lyons in the later part of 1245 that Bernham's first extremely busy period of diocesan and provincial activity took place. In addition to dedication and visitation he issued the set of reforming constitutions for the archdeaconry of Lothian in May 1242.³ The final provision of the statutes makes it plain that these were to apply only to the southern archdeaconry, but it would be remarkable if they had not been paralleled by a similar set for the archdeaconry of St. Andrews, for the statutes were copied into the Lost Great Register of St. Andrews as Constitutiones Davidis episcopi de regendo clero.⁴ Furthermore, the Lothian constitutions seem to have a direct relationship to the constitutions which were probably

1. ES ii, 527, from Chron. Melrose. This represents a genuine event, unlike the confused claims that Bernham was captured in Germany by the Emperor Frederick. See Spottiswoode, History, 44, and Martine, Reliquiae, 226.

2. Priory of Finchale, ed. J. Raine (SS, 1837), no. 183.

3. Robertson, Concilia ii, nos. 109-39; Patrick, Statutes, nos. 109-39.

4. St. A. Lib. xxvi, no. 19.

promulgated at the provincial council held at Perth within a month of the archidecanal meeting at Musselburgh. Many of the Musselburgh constitutions dealt with particular problems which were expressed in generalised terms by the Perth constitutions. The archidecanal statutes were the product not only of Bernham's practical experience, but also almost certainly of a precognition of the Perth legislation.

In order to understand the relationship of the two sets of legislation it is necessary to discuss them in some detail. The Lothian constitutions were a pragmatic set of rules for the reform of the church, but they derive much of their inspiration from previous reformist legislation, as the preamble made clear:

Inde est quod ex hiis que ex antiquis patribus statuta sunt quedam ad presens revocamus ad memoriam aliqua de novo adicientes ne officium nostrum quod absit contempnere videamur .¹

It is possible to trace a number of influences in the thirty-one Musselburgh constitutions. The preamble borrows the papal phrase "Ad pastorale spectat officium ..." ² Variants of this phrase had long since found their way into English episcopal acts and had a long history at St. Andrews as well. ³ The most recent exemplar, however, had been Grosseteste's letter to his archdeacons following his visitation of his diocese:

Quia ad pastoris spectat officium hiis qui ignorant et errant condolere et gregem sibi commissum pervigilare .⁴

The other major influence on the Musselburgh constitutions was the legislation of Cardinal Otto, as evidenced in the provisions for the reform of the life of clergy and their proper maintenance. ⁵ Otto's

1. Robertson, Concilia ii, 53.

2. Ibid.

3. Cheney, Chanceries, 72-3; St. A. Lib., 129-30 (Arnold), 132-3, 141 (Richard), 144, 147 (Hugh), 149 (Roger) and 155 (William).

4. Powicke and Cheney, Councils, 203.

5. CC 111, 113, 114, 115.

constitutions were explicitly cited in the provision for the residence of rectors and the proper serving of parish churches.¹

Beyond these major influences the constitutions borrowed from the whole corpus of English and probably continental, ecclesiastical legislation. The first Musselburgh constitution, for the enclosure of churchyards, had been preceded inter alia by similar provisions at Winchester, Worcester and Coventry.² The provisions for the maintenance of churches and their furnishings had been anticipated by the highly influential constitutions of Richard Poore at Salisbury.³

The Musselburgh constitutions divide roughly into two groups: statutes intended for the correction of general abuses found throughout the church and those particular problems which the bishop probably had discovered in the course of his travels about Lothian. An example of the latter seems to be the provision for dealing with fugitive monks.⁴ This does not seem to have been a problem in the English church where the standard of living in the monasteries was generally too high to encourage desertion,⁵ but in Scotland it was a period of financial contraction for the monasteries; Dryburgh, for example, was bankrupt by 1255.⁶

The constitutions concerned with more general abuses fall into two categories: the proper serving of churches by rectors, vicars and chaplains, and the maintenance of churches and their services. The first group dealt with the common abuses of pluralism and non-residence and the proper training of parish clergy. Rectors and vicars were to

1. C 134 derives from C 10 of the 1237 Council of London.

2. Powicke and Cheney, Councils, 128, 172, 211.

3. Ibid., 68ff.

4. C 125.

5. Moorman, Church Life, 349.

6. CPL i, 309.

be resident and not to leave their parishes without reason or the bishop's permission.¹ If the rector did not reside in person he was to find a suitable vicar and become resident himself within five years.² The vicar was to hold the benefice for at least a year and was to be resident and an ordained priest.³ The rector of the parish was at least to be in minor orders, in which case his church was to be served by an ordained priest, otherwise the rector himself was to be ordained.⁴

If the chaplain serving a church within the diocese had been ordained in another diocese he was not to be employed by the rector without written evidence of his ordination and good behaviour.⁵ No chaplain was to celebrate until he had taken an oath of canonical obedience to the bishop, especially if he said masses for the dead or resided with a knight and served his private chapel.⁶ No rector or vicar was to leave his parish and reside in a burgh.⁷ No clerics were to hold secular office, engage in trade or dictate sentences which entailed the shedding of blood.⁸

If these provisions indicate how close and yet undefined might be the connection between churchmen and secular affairs, there was the concomitant danger of the secularisation of the parochial unit itself. Bernham therefore decreed that no church or benefice was to be leased without his consent, especially if more than one benefice was involved or if the lease was to a lay person.⁹

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1. C 123.
 2. C 129, 135.
 3. CC 131, 134.
 4. CC 136-7.
 5. C 130.
 6. C 133.
 7. C 123.
 8. CC 127-8.
 9. C 132.

The correction and punishment of malefactors was also dealt with. A general sentence of excommunication was to be issued four times a year.¹ Archdeacons or deans were to make regular visitation of churches at least once a year and report in writing any deficiencies in the fabric, ornaments or clerical behaviour to the bishop. The diocesan was then to give instructions for reforms, which the archdeacon was to carry out.²

The constitutions were to be published in every church in the archdeaconry, so that within eight months of the meeting no-one could claim ignorance as a reason for not complying with their provisions.³ Bernham, therefore, visited his southern archdeaconry at the end of the year probably to see if the provisions had been carried out.

Immediately, however, the bishop was concerned with the provincial council summoned at Perth on 2 June 1242. There the prelates, "with the king's consent and in his presence made good acts for the reforming of abuses and securing the clergie in their possessions and rights".⁴ Among the complaints dealt with by the king and his council of bishops was that of lay interference with tiends and ecclesiastical immunities.⁵ Sir David Dalrymple claimed that:

The canons of the councils of 1242 and 1269 are those preserved in the Chartulary of Aberdeen and from that Chartulary printed by Wilkins. None of the writers on our law ever perused them; and yet they are the only thing that can deserve the title of the ancient ecclesiastical code of Scotland.⁶

Some of these eighty-four canons may, in fact, belong to the council of Edinburgh of (?)1250, but it seems probable that most if not

1. C 122.

2. C 112.

3. C. 139.

4. Martine, Reliquiae, 226.

5. Chron. Bower ii, 72-3.

6. Hailes, Annals i, 218.

all of the first twenty-five statutes of the Scottish church were those enacted in 1242. A number of these represent expanded generalised versions of the Musselburgh constitutions, but the preamble and first three statutes dealt with the method of holding a provincial council. These three statutes may represent a writing down of conciliar procedures which had been developed in the seventeen years since the issuance of Quidam Vestrum. The remaining twenty-two statutes fall into two categories, paralleling the two concerns of the council: the reform of the church and the definition of ecclesiastical jurisdiction. Thus provision was made for the proper and fitting celebration of masses,¹ the building and maintenance of churches and chapels,² the residence, maintenance and good repute of the clergy,³ the ordering of clerics ordained in other dioceses than those in which they serve,⁴ and the renting of ecclesiastical possessions to lay persons.⁵ The alienation of church goods to laity was forbidden,⁶ and two inhibitions against clerics and monks mixing in secular business were issued.⁷

Most of these provisions were reflected in practical terms in the Lothian constitutions, but there were further enactments at Perth which concerned the Scottish church as a whole. The stipend of vicars was fixed at ten merks,⁸ provision was made for clerics joining a monastic order,⁹ and for the appointment of confessors in rural deaneries

1. CC 4 and 7.

2. CC 5-6.

3. CC 8-10, 12, 18. The last was borrowed from C 16 of the 1237 Council of London.

4. C 14.

5. C 17 (from C 8 of the 1237 Council of London).

6. CC 19-21.

7. CC 22-3.

8. C 9.

9. C 15.

and cathedral churches.¹ Further it was ordained that no new assessments were to be imposed on the church, nor were the old ones to be increased.² No vicar or rector was to be intruded into a benefice without the consent of the diocesan or his official.³ The statutes conclude with two provisions dealing with special problems raised by exempt orders during periods of interdict and as executors of wills and legacies.⁴

Immediately after the conclusion of the Council of Perth Bernham was again occupied with the dedication of churches. He continued in this activity throughout the year, with occasional pauses at his manor-house of Inchmurdo and to meet the king at Scone.⁵ 1243 was an even busier year, with forty-nine dedications carried out compared with a total of fifty-nine in the previous two years. Thereafter the bishop's dedicatory activity declined. He dedicated fifteen churches in 1244, five in 1247, three in 1248 and 1249.

By the summer of 1245 Bernham had left the country for the council at Lyons. Summonses to the meeting had been sent out early in that year. Although the council issued reforming legislation its primary business was the papal conflict with the Emperor Frederick II.⁶ A crusade against the Hohenstaufen was discussed, as well as the relief of the Holy Land and defence against the Tartar threat. Bernham's seal, styling himself "Bishop of the Scots", was appended to the proceedings of the council issued at the final meeting on 17 July.⁷

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1. C 16, borrowed explicitly from C 5 of the 1237 Council of London.
 2. C 13.
 3. C 11.
 4. CC 24-5.
 5. Camb. Reg., no. 110; Glas. Reg. i, no. 181.
 6. Fliche and Martin, Histoire x, 242ff.
 7. C. Burns, "Scottish bishops at the General Councils of the late Middle Ages," Innes Review 16 (1965), 137.

As was usual by now, any Scottish delegation to the papal court brought with it various problems and requests to be dealt with by the pontiff and the Curia. A number of papal concessions to the Scottish church date from the period of the council of which the most important was the reissuance of the bull of Clement III which included the provision that papal judges delegate were to hear Scottish cases in Scotland, Durham or Carlisle dioceses, but not in York.¹ Among other matters dealt with at this time was the request that the abbot of Dunfermline become a mitred abbot,² and the confirmation of the church of Dull to St. Andrews Priory.³

In return Scotland was expected to aid the papal crusade against the Hohenstaufen and in the Holy Land. In the year following the council M. Marianus, papal chaplain, was empowered for three years to deduct for these purposes half of all revenues of benefices in England, Scotland and Wales in which the incumbent did not reside for at least six months.⁴ By 1247 the bishop of Dunkeld was delegated to collect a twentieth of church revenues for the crusade.⁵ In 1249 Bernham and the bishop of Glasgow were appointed collectors of the Holy Land subsidy,⁶ and by mid-century money was being disbursed to Scottish crusaders bound for the Holy Land.⁷ At the same time, however, a certain portion of the money collected in Scotland for the crusade was being diverted to Henry III's Sicilian ventures.⁸

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1. PRO PB 21 (21) [a] (printed in Foedera i, 263).
 2. Vet. Mon., no. 113; CPL i, 215. For further indulgences granted to Dunfermline at this time see ibid., 215-16.
 3. NLS 15.1.18, no. 94 (printed St. A. Lib., 95-6).
 4. PRO PB 21 (8).
 5. CPL i, 237
 6. Ibid., 243.
 7. Ibid., 261.
 8. Ibid., 263.

It is against this international background that the national role of the bishop must be seen. Bernham's relationship with his royal patron, Alexander II, was close. In the years between the council of Lyons and the death of the king in 1249 there were two projects in which king and bishop were closely associated. The first was the encouragement of a national royal cult of St. Margaret of Scotland, which was consummated by the canonization of the queen in September 1249.¹ The obtaining of the mitre for the abbot of the royal monastery was doubtless a preliminary step in the process which reached its climax in the great ceremony which marked the translation of the new saint on 19 June 1250 at which Bernham and the young King Alexander III were present.² The other project in which the two collaborated was in the final development of the Culdees into the collegiate church of St. Mary of the Rock.³

In order to understand the need to provide the Culdees with a corporation centred on a church outside the priory precinct, it is necessary to know something about the composition and background of Bernham's familia. The basis of the bishop's household was twofold: those men who like the bishop himself had served Bishop Malvoisin, and the new men who were attracted into Bernham's service, such as M. Peter Ramsay. Despite the continuity provided by the first group, episcopal administration and the shape of the household were undergoing considerable change.⁴ A place in the bishop's service and advancement within the church increasingly went to trained men, usually university

* 1. Dunf. Reg., nos. 290, 281, 285.

2. Chron. Wyntoun ii, 250.

3. Barrow, "Culdees," 27ff.

4. See below, Ch. VIII, for a fuller discussion of Bernham's familia.

educated. Besides M. Peter Ramsay the most remarkable of the "new men" was M. Adam Makerston, "one of the most prominent thirteenth century Scottish clergymen not to hold episcopal office".¹ Others in this new group included M. Alexander of Edinburgh,² Gilbert of Kent,³ Patrick Muckhart,⁴ Robert de Insula,⁵ and M. William Cunningham.⁶

These men expected rewards for their services. Some obtained rich benefices, for example Hugh of Stirling, who after service in the bishop's household in the 'forties and 'fifties became rector of Forgan.⁷ For others the rewards were more immediate. Baldwin was rector of Monymusk, an episcopal living, and Robert of Methven was rector of Methven.⁸ Important servants might expect more than presentation to a living. M. Adam Makerston held the church of Collessie, and following his resignation from that church in 1262 he became rector of Ceres.⁹ By c.1250, however, he had become provost of the new collegiate church, and by 1263 he had been made a papal chaplain.¹⁰ He held other churches than Ceres, for in the papal collection of 1275-6 he paid twenty-seven merks for all his churches and in the next year made a further payment

1. Barrow, "Culdees," 28.

2. He appears int. al. in Kel. Lib. ii, no. 419, Midl. Chrs., no. 30, and SRO RH 6/48.

3. Midl. Chrs., no. 30. He may be identified with Gilbert the chaplain, SRO B 65/1/1 and RH 6/48. In the latter he appears with another Gilbert, a clerk in Bernham's household. It cannot be said with certainty which of the two it was who had an interest in Dalmeny Church (SRO CH 2/86/19 no. 1) or which can be identified with Gilbert the Culdee (Barrow, "Culdees," 29), but it was probably Gilbert of Kent.

4. Barrow, "Culdees," 29.

5. Ibid.

6. He appears int. al. in SRO RH 6/48.

7. Camb. Reg., no. 110; St. A. Lib., 162-8, 171, 310.

8. Ibid., 306, 308.

9. Lind. Cart., nos. 91, 141-5; CPL i, 391.

10. NLS 15.1.18 no. 30; CPL i, 391.

of £20.¹

Makerston was perhaps an exceptional case. For other episcopal and royal servants sufficient reward was financial and personal security, such as might be provided by a prebend in the new collegiate foundation. By 1249 the Culdees had removed from the altar within the cathedral to the ancient church of Kirkheugh outside the cathedral precinct walls and had been taken under papal protection.² Adam Makerston was the new corporation's provost, but other important men were provided to prebends as well. Among them were men who had probably or certainly been members of the earlier culdean community, M. Hugh of Melburn and Richard Weyrement.³ Other members included at least two episcopal clerks, Robert de Insula and Patrick Muckhart and perhaps Gilbert of Kent as well.⁴ William Wishart who appears as a member of this new corporation may have been a royal nominee. By 1254 he had succeeded Abel as archdeacon of St. Andrews and five years later he became chancellor of the realm. In 1271 he became bishop of St. Andrews.⁵

It was impossible that this new foundation would go unchallenged by the cathedral chapter. Initially the priory's action was defensive. Following the papal protection issued to the college in 1249 the chapter obtained a papal letter to the effect that this protection in no way prejudiced their rights.⁶ The chapter then proceeded to attack

1. Dunlop, "Bagimond's Roll," 38, 65. See also Durham D. and C. MC 1252, and below, p. 303.

2. NLS 15.1.18 no. 32.

3. Hugh of Melburn had been a defendant in the case brought against the Culdees by the chapter in 1220: Vet. Mon., no. 37. In addition to being a proctor at the papal court following the election of Bernham, Richard Weyrement had served as the queen's chancellor and held the church of Tannadyce and at least one other benefice: CPL i, 220.

4. Barrow, "Culdees," 29; for Gilbert see above, p. 42 and n. 3.

5. Barrow, "Culdees," 29. See below, Chapter V.

6. NLS 15.1.18 no. 32.

the new corporation in their most vulnerable aspect, by obtaining a final reissue of the right granted by successive popes that vacant culdean prebends were to be filled by Augustinian canons.¹

Both sides clearly recognised that the establishment of the new corporation marked a decisive change. The new Culdees were closely allied to the bishop and king by training, outlook, and expectation. Bernham, moreover, was a man who had little time for regulars, an attitude characteristic of conscientious churchmen of the period. His support went rather to the mendicants: it was he who, despite capitular protests, introduced the Trinitarian friars to Scotlandwell c.1250.²

Early in 1250 a complaint was raised before the papal Curia regarding the culdean prebend left vacant by the death of Gilbert.³ The Culdees were said to have withheld the prebend from the chapter. The case was remitted to the priors of Kirkham and St. Oswalds, York diocese, who found in favour of the chapter.⁴ On 7 November 1250 at Inverkeithing the abbot of Dunfermline and the treasurer of Dunkeld confirmed and published this sentence and made further enquiries into the activities of the Culdees.⁵ Eventually a face-saving solution was found, which in fact was almost wholly in favour of the chapter. In 1251 Richard Weyrement acting on his own behalf appeared with the chapter's proctor before the English cardinal of St. Laurence in Lucina. There the Culdee, mindful of the favours which he had received from the chapter (doubtless including their church of Tannadyce which he held),

1. Vet. Mon., no. 145.

2. SRO RH 6/48; Easson, Religious Houses, 93.

3. Vet. Mon., no. 145.

4. This appears to be a contravention of the indulgence granted five years previously not to have cases heard in the diocese of York. See above, p. 40.

5. Vet. Mon., no. 145; NLS 15.1.18 no. 30.

resigned the vacant prebend to the cardinal, who in turn granted it with all of its rights to the chapter.¹

This was to be the first round in the continuing battle between the two corporations. In the next engagement the chapter was defeated by circumstance. The bishop and the provost of the Culdees were cited by the chapter to appear in person or by proxy before the pope by 13 July 1253 to answer yet another charge concerning vacant prebends and their fruits.² This action came to naught because Bernham died in the spring of 1253 and the case had to be prorogued. The struggle with the Culdees again reverted to electoral rights, which then became subsumed by the political disruption of the minority of Alexander III and the exile of Bishop Gamelin.

The death of King Alexander II on 8 July 1249 brought crisis, and doubtless unhappiness, to the last years of the bishop. Immediately following the king's death he performed his traditional role in enthroning the new monarch. An attempt was made to have the ceremony delayed until the king could receive the accolade of knighthood, presumably at the hands of Henry III. Bernham performed the ceremony on 13 July.³ The English king had requested the papacy that the new king of Scots should not be crowned or anointed (sic) without his consent, apparently as part of an attempt to gain de facto recognition of his superiority over the new king who was soon to marry his daughter.⁴ The marriage had been arranged in 1242 and took place in 1251. Henry unsuccessfully attempted to extract an oath of fealty for

1. Vet. Mon., no. 145; NLS 15.1.18 no. 30. See also Barrow, "Culdees," 28-9 and n. 2, and 29. Cardinal John's chaplain was Richard, a canon of St. Andrews: ES ii, 572, n. 6.

2. St. A. Lib., 26.

3. Hailes, Annals i, 194-5.

4. PRO PB 20(11) (calendared in CPL i, 270).

Scotland from his new son-in-law at the marriage celebrations at York, and Edward I was later to claim that such an oath had actually been given to his father and repeated to him.¹

By the time of the marriage the split in the factions surrounding the king was manifest. Indeed, the division stemmed from a long-standing private affair which was now transferred to national politics by competition for control of the person and actions of the king. It was only later that the parties were dignified by the misleading designations of the "patriotic" or Comyn party and the "English" or Durward party.² At the time of the marriage the former were in the ascendant and charges of treason were brought against the justiciar of Scotia, Alan Durward, who was married to a natural sister of the king.³ It was claimed that Durward had attempted to gain legitimization for his daughters so that they might succeed the young king.

Although Bernham was identified with the Comyn party and may have had a hand in the accusation against Durward and the king's refusal of the oath of fealty, his major concern must have been the effect of the minority on the church. For a man who had laboured long and in close association with his king for the creation of an independent church and nation with a strongly-defined sense of identity, the disruption of the minority was disheartening and disturbing. The translation of St. Margaret may have seemed to him a melancholy occasion, contrasting as it did with the issuance in the same year of the gravamina of the Scottish church to the king.

At some time during the first eighteen months of the new reign

1. ES ii, 569 and n. 5.

2. For a full discussion of the minority of Alexander III see Watt, "Minority."

3. Hailes, Annals i, 197; ES ii, 571.

a council of the Scottish church was held at Edinburgh. If it is not exactly known when this council was held, it is possible to know in some detail what its concerns were. Some time after, certainly by c.1250, Bernham, Albin bishop of Brechin, and M. Abel, archdeacon of St. Andrews, drew up a letter to the king which contained the complaints raised by the Scottish bishops before the king.¹ The gravamina, like its predecessors in England, was an expression of the church's concern with the conflict of jurisdiction between church and state.² The royal minority had undoubtedly led to the invasion of church property and prerogatives by seculars.

The council had produced a series of ordinances, although not all of them were written down.³ Yet it seems probable that some of the legislation found its way into the statutes of the Scottish church. In 1251 Innocent IV wrote to the bishops of Lincoln, Worcester and Lichfield retailing the complaints of the church against the king and his counsellors.⁴ The wrongs which are recited in the papal letter are couched in the generalised verbosity of papal style, yet it is remarkable how nearly every point which the letters make is given practical and explicit expression by CC 26 to 55.

The most basic question was that of respective jurisdiction and it is dealt with in CC 26-33. In addition to a general statement of the church's liberties,⁵ they include a strict definition of the

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1. NLS 15.1.18 no. 16 (printed in Robertson, Concilia ii, 241-2, and translated in Patrick, Statutes, 211-12); Barrow, "Justiciar," 104 ff.
 2. For England see W.R. Jones, "Bishops, politics and the two laws: the gravamina of the English clergy, 1237-1399," Speculum 41 (1966), 209-39.
 3. NLS 15.1.18 no. 16.
 4. Robertson, Concilia ii, 242-6; Patrick, Statutes, 212-17.
 5. C 30.

church's right to give sanctuary,¹ the conditions under which a cleric or crusader can be tried by a secular or ecclesiastical court,² and an ordinance that no secular courts are to be held on Sundays and major feasts, or to meet in ecclesiastical buildings.³ These provisions deal with many of those occasions referred to in the papal letter when clergy had been forced before secular courts and "were not listened to when they invoke public laws in their defence".⁴

The problem went beyond jurisdiction to the invasion and despoiling of church property by violent intrusions or unjust judgement. Thus the statutes include the provision that lay persons were not to take distraint on ecclesiastical goods and lands.⁵ This problem was especially serious with regard to the collection of garbal teinds and is reflected in the claim of the papal letter that the king's counsellors had forbidden teinds of hay, mill and pasture to be paid to the church and that when defaulters had been summoned before church courts to answer for these offences, edicts had been issued in the king's name to deter these courts from giving judgement.⁶ The statutes numbered 34 to 46 dealt with the proper rendering of garbal teinds and clarified a number of legal points about their regular collection. This series of constitutions concludes with a general excommunication against any who hinder the collection and payment of teinds.

The remaining nine statutes seem a curiously mixed group at first, after the two cohesive groups of statutes which preceded them. Yet underlying CC 47 to 55 is the need to deal with disorder within the

1. C 26.

2. CC 27-8, 31, 33.

3. C 29.

4. Patrick, Statutes, 213.

5. C 32.

6. Patrick, Statutes, 215.

church itself. All plotters against their bishops and other superiors are to be excommunicated.¹ Any excommunication pronounced by one diocesan must be upheld by the others.² Absolution from ecclesiastical sentences must not be pronounced by lay persons, nor were they to force the church to rescind sentences.³ All of these provisions are consistent with the complaint in the letter of Innocent IV that magistrates had forbidden people to be subject to ecclesiastical authority for offences against the church and that some clerics had formed alliances against their diocesans.⁴

Two statutes stand out from this final group as not being connected with the complaints in the papal letter. The first was the provision that pardoners were to be admitted to churches once a year, providing they had letters from the pope and ordinary, and this was coupled with provisions for raising money towards the building of Glasgow Cathedral.⁵ The second statute provided for the punishment of incest between parish priests and female parishioners.⁶ The building of Glasgow helps to date this provision to the (?)1250 council, for it probably refers to the construction of the choir carried out under Bishop Bondington (1233-1258). Bernham had already dealt with the question of fornication between priest and laity in his Lothian constitutions: it was a common enough sin and the prohibition could bear repetition.⁷

1. CC 47-8.

2. C 53.

3. C 55.

4. Patrick, Statutes, 215-16.

5. C 49.

6. C 54.

7. For English legislation dealing with pardoners, see Powicke and Cheney, Councils, 33-4, 85, 128, 352-3; for legislation against fornication, ibid., 26, 63, 229, 427.

The statutes conclude with provision for excommunication of those who overthrow the liberties of the church, as well as other wrongdoers and disturbers of the peace of the kingdom.¹

There is no evidence that the three English bishops ever carried out their commission to reform these abuses or indeed that the letter of Innocent IV ever reached them.² In 1251 political events had taken a turn in Bernham's favour with the rise in the political fortunes of the Comyn faction. By the end of the year the bishop was again counted among the counsellors of the king. The question of the invasion of the church's rights and possessions was not raised again in his lifetime.

Bernham was active in diocesan affairs up to his departure for the Christmastide marriage of the king at York. Thereafter no surviving evidence tells of his activities, yet he was still probably involved in visitation and travel about his diocese, for he died on 26 April 1253 at Nenthorn in the Merse and was buried at Kelso Abbey.³

The pontificate was one of crucial importance for the whole Scottish church. Just as the bishop was strongly influenced by many new forces and personalities within the church, so he was himself a channel for change and reform within Scotland. His Lothian constitutions became widely known, and eventually were borrowed in part for the 1350 Constitutions of Sodor and Man.⁴ Within his own diocese the influence is apparent in the streamlining of his household and administrative procedure. The changes brought about by this bishop are discussed more fully elsewhere, but it is possible to note in conclusion

1. CC 50-52.

2. Hailes, Annals i, 195-6.

3. Dowden, Bishops, 15.

4. Patrick, Statutes, 57 and n. 2.

¶ Nos epus fidelibus has litteras visuris et auditis. Quia pmissione dandi et est per Andree gmiss
Quintus Durham in dno scdm. Quia uniuscuique ista nos Anno dñi .cc. lxxv. die sabbati Lucas
et Angustine capite eius in domo de Sodingeha. Et per ipsorum contē compositionem in Bone
exmore. dñm. W. pdecessorem nrm et dñm Priorē et conventu de Sodingeha scdm postea aliquos
iudicium gmiss et contē emde dñm in scriptione thi. has litteras nras pteoras sigillo nro signatas.
Das pōri et conventui dñm concedendas. Valde uniuscuique ista semp in dno.
R



several of the more notable changes which occurred in the writing and authenticating of documents. The formulae of charters became standardised; for example the dating clause came into almost constant use. Witness lists become less elaborate and include usually only a small group of professional men in attendance on the bishop. In some cases witnesses were dispensed with and authentication given solely by the affixing of the bishop's seal. In 1240 Bernham issued the first surviving letters patent of a bishop of St. Andrews.¹ This standardisation was paralleled elsewhere in the western church. Too much may be made of the "unity" of medieval Christendom, but there can be no doubt that in the thirteenth-century church there was a unity of thought and action which was effected by an international aristocracy of talent. In the pontificate of David Bernham it is possible to see the workings of this freemasonry in Scotland.

1. Durham D. and C. MC 1320 (printed in ND, no. 479). See Plate I.

CHAPTER III

CHAPTER III

ABEL GULLANE, 1254

The career of M. Abel Gullane, bishop of St. Andrews for less than a year, exercises an interest out of proportion to the length of his episcopate. A good deal of the early part of his career in church and state may be traced in some detail, and it is the history of an essentially political and politic cleric. His first appearance is as a witness in 1228 to an ordinance over archidiaconal rights in the diocese of Glasgow.¹ When he next makes a datable appearance in 1235, he is designated Magister, so it appears that in the intervening seven years he had taken a university degree.²

From this time on his career is increasingly well documented. By 1237 he was a canon of Glasgow Cathedral.³ In June of that year he acted, with Sir William Lindsay and Henry Balliol, as ambassador to the court of Henry III to petition for the restitution of the earldom of Huntingdon to the king of Scots, following the recent death of John of Scotland.⁴ The embassy was successful, and on 14 June 1237 he and Lindsay were deputed to receive the castle of Fotheringay from the king's representative.⁵

1. Glas. Reg. i, no. 147.

2. Kel. Lib. ii, no. 418. It may have been soon after he took his degree that Abel left his name in the Durham Liber Vitae in company with a number of other Scottish graduates. Liber Vitae (SS, 1923) 57 (61r).

3. Melr. Lib. i, no. 274.

4. CDS i, nos. 1368, 1329.

5. Ibid., no. 1331.

By 1248 Abel had become a papal chaplain, probably as a result of his part in the royal embassy to the papal court in that year. Among the results of the embassy was the dispensation granted to the ailing king of Scots not to eat fish during Lent.¹ Other questions which were dealt with included the difficulties created by papal legations which coupled England and Scotland together. Thus the indulgence which had been granted to William the Lion that no legate should be sent to Scotland except by direct papal mandate was reissued.² As far as Abel was concerned the embassy also resulted in a dispensation to hold the church of Smailholm in the Merse, in addition to his other benefices, which by that time included Pottie in Gowrie, and Campsie.³

Smailholm is the first known institutional link Abel had with the diocese he was briefly to govern as bishop. By 1250 he had become archdeacon of St. Andrews, although he may have held the office in the previous year when the Culdees were transferred to their new church outside the precinct walls.⁴ He may have owed his advancement at St. Andrews to his Lindsay patrons who were related to Bishop Bernham by marriage. Certainly he had been provided to the church of Pottie by the bishop of St. Andrews and was acting on Bishop Bernham's behalf in raising several questions about churches belonging to religious houses in the diocese at the Curia.⁵

Thus far the career of Abel followed a pattern which was common enough in the medieval church, but from these survivals it is possible to glean little of the personal background of the man. It is known

1. Vet. Mon., no. 131 (calendared in CPL i, 243).

2. Ibid.

3. Ibid., no. 134, CPL i, 243, 245, Kel. Lib. i, nos. 230-231.

4. Barrow, "Culdees," 35-6; Watt, Fasti, 305.

5. CPL i, 245, 243; Vet. Mon., no. 136.

that during his period at the papal court in 1248 Abel had been granted a further dispensation to be ordained priest and elected bishop, notwithstanding the fact that he was the son of a priest.¹ It is this dispensation and Abel's surname which provide the major clues to his origins. The name Golyn (modern Gullane) is in his case probably a family name rather than a simple derivative: Abel's career provides a number of indications that he was connected with the Gullane family.

The Gullanes were tenants of the Vaux family, lords of Dirleton, by the end of the twelfth century. The family also held lands in Berwickshire. William Gullane, who may be identified with the later seneschal of the bishop of St. Andrews, had before 1205 granted the lands of Greater Lumsden to Durham and made a gift of money to Coldingham. In the second transaction he is styled rector of Gullane.³ His lands of Swinton which he held of Durham were granted to Coldingham after his death (c.1239-40) by his brother and heir, John of Stevenson.⁴

The Durham connection of the family may partially explain Abel's appearance in the Liber Vitae, and the issuance of his only surviving act as bishop, an indulgence to pilgrims visiting the shrine of St. Cuthbert at Durham.⁵ What seems more certain, however, is that he owed much of his early advancement at Glasgow and in royal service to the patronage of the Lindsay family, lords of Lamberton and sheriffs of Berwick. The Lindsays also owed service to Durham for their lands

1. CPL i, 244.

2. Durham D. and C. MC 590, 605 (printed ND, nos. 54, 55 and RRS ii, nos. 461, 444).

3. Durham D. and C. MC 1032 (printed ND, no. 425).

4. Durham D. and C. MC 1028 (printed ND, no. 426).

5. Durham D. and C. MC 818 (printed ND, no. 481).

in Coldinghamshire.¹

In 1235 Abel witnessed a charter of Bishop William Bondington in the company of William Lindsay, the future dean of Glasgow Cathedral.² Later he is found witnessing acts of Lindsay as dean.³ It is not known what the precise relationship of the dean was to the lords of Lamberton, but his connection is strongly suggested by the fact that he bore one of the family's common Christian names.⁴ Certainly it was in company with the head of the Lindsay family that Abel went as ambassador to England in 1237.

By building up his career on a solid basis of lay and ecclesiastical patronage, and a fair amount of self-seeking, Abel was ready when his chance came. Following the death of Bishop Bernham there was a disputed election. Spottiswoode gives an account of what ensued:

The Prior and Canons convening to elect a new Bishop, did all give their voices to Robert Stuteville, Dean of Dunkeld, a man of great virtue and learning. But this Election took no effect; Abel, Archdeacon of St. Andrews by the favour of some that ruled the Court, having procured an inhibition to the Bishop to proceed in the Consecration, with a Mandate to the Canons to make a new Election. The Chapter refusing made their appeal to Rome; and Abel posting thither, by the bribes he bestowed in that Court, got himself preferred and was consecrated by Pope Innocentius the Fourth.⁵

This was the fulfilment of Abel's desires which had been made manifest in the indulgence of 1248. His provision to St. Andrews was a skillfully managed mixture of good fortune and opportunism. The action of the chapter in unilaterally electing Stuteville allowed him to exploit court rivalries as well as the claim of the Culdees for a place in

1. Cold. Corr., no. 239.

2. Kel. Lib. ii, no. 418.

3. Melr. Lib. i, no. 143.

4. I am indebted to Dr. D.E.R. Watt for discussing with me the probable connection of the dean with the Lindsay family.

5. Spottiswoode, History, 44.

episcopal elections. Since both the Culdees and the archdeacon of St. Andrews had been barred from the first election Abel could appear at the papal court as the spokesman of a wronged corporation as well as on his own behalf. He was aided by the rivalries surrounding the king and by papal claims to have the right to present to all ecclesiastical benefices. The action of Innocent. IV in quashing the election of Stuteville and providing Abel was that of a legalistic pontiff acting within his self-proclaimed rights.¹

Abel's success was short-lived. On his way back to Scotland he stopped at Durham where he issued his only surviving act. It may be no accident that Abel, who was in every sense a partisan bishop, was the first to style himself on his seal as "Bishop of St. Andrews" rather than "Bishop of Scots".² He celebrated his first pontifical mass at St. Andrews on 29 June 1254.³ His only other appearance as bishop was as witness to a chirograph drawn up at Dunfermline in October.⁴

Abel died on the first day of December 1254.⁵ Spottiswoode retails an anecdote about his death which probably derives from capitular tradition, if not historical truth:

At his return to be revenged of the Prior and Canons, he behaved himself well insolently, calling them in question for every light occasion, and censuring them with great rigor; whereupon he became extremely hated. They [the chapter?] write of him that, in a vain-glorious humour, as he was walking in his Church one day, he did with a little Chalk draw this line upon the gate of the church,

1. The proceedings over the election at the papal court are given in the bull announcing Abel's provision. Vet. Mon., no. 162.

2. Greenwell and Blair, Seals, no. 3621.

3. Dowden, Bishops, 16.

4. Dunf. Reg., no. 309.

5. Dowden, Bishops, 16.

Haec mihi sunt tria, Lex, Canon, Philosophia;

bragging of his knowledge and skill in those Professions: and that going to the Church the next day, he found another line drawn beneath the former, which said;

Te levant absque tria, Fraus, Favor, Vanasophia.

This did so gall him as taking bed he died within a few days, having sate Bishop ten moneths and two days only.¹

1. Spottiswoode, History, 44.

CHAPTER IV

CHAPTER IV
GAMELIN, 1255-1271

Gamelin's pontificate began in a time of crisis and uncertainty for the Scottish state and ended on the eve of the long period of consolidation which followed the treaty with Norway in 1266. The bishop was to play an important role in the history of this period. It has been suggested that Gamelin was a Frenchman who came to Scotland in the train of Marie de Coucy, the second wife of Alexander II, some time after 1239.¹ A more likely suggestion seems to be, however, that he was an illegitimate member of the Comyn family.² About 1242x1247 a Gamelin appears as rector of Kilbucho in Glasgow diocese, in a charter issued by Christian, first cousin of Alexander Comyn, earl of Buchan.³ This family connection would explain Gamelin's rapid rise in royal service, which followed a pattern similar to that of another Comyn adherent, Abel Gullane.

Like Abel, his early career was spent at Glasgow, under the patronage of Bishop Bondington, chancellor of Scotland, who probably introduced Gamelin into royal service. At Lyons on 24 April 1245 M. Gamelin, clerk of King Alexander and canon of Glasgow, was granted a dispensation to hold an additional benefice.⁴ There is no direct evidence as to where or when Gamelin attended university, but his

1. Barrow, Bruce, 18.

2. I am indebted to D.E.R. Watt for this suggestion and supporting evidence.

3. Glas. Reg. i, no. 150.

4. CPL i, 215.

training may have been in law for he is found acting as delegate of Bishop Bondington and the dean of Glasgow c.1250x1253.¹

The consummation of Gamelin's career resulted from the baronial conflict of the minority of Alexander III which was, in fact, an extension into national politics of long-standing family feuds.² Alan Durward, because of his hereditary office and his marriage to the new king's bastard half-sister, was initially dominant, but by the time of the marriage of Alexander and Princess Margaret the Comyn faction was on the ascendant. The Comyn coup was carried out with the support of the king's father-in-law, Henry III.³ Gamelin obtained the office, but not immediately the title, of chancellor of the realm after its Durwardite incumbent had been forced from office.⁴ The great seal of the realm was broken up "in the sight of the people" and Gamelin put in charge of the smaller royal seal.⁵

At some time in 1253 Gamelin became chancellor in name. 1253 was the apogee of Comyn power, which allowed the presentation of M. Abel to St. Andrews early in the following year. It may have been as a result of Abel's journey to the papal court that Gamelin was created a papal chaplain on 13 February 1254.⁶ The long-standing association between the two men was continued during Abel's brief episcopate.⁷

The death of Abel posed a threat to the deteriorating Comyn

1. Kel. Lib. i, no. 148.

2. The origins of the feud may go back as far as Alan Durward's attempt to become lord of Galloway in 1233. A.A.M. Duncan, "A Medieval Murder," a talk given to the SHS, 7 December 1968. See also Watt, "Minority," 1 ff.

3. Ibid., 9-10.

4. Ibid., 10.

5. Chron. Fordun i, 296; Melr. Lib. i, no. 322.

6. Vet. Mon., no. 161.

7. Ibid., no. 170, and Dunf. Reg., no. 309.

position. On 14 February 1255, however, Gamelin was elected bishop of St. Andrews and was "confirmed in his episcopate by the king and his counsellors".¹ It seems probable that Gamelin's election had been arranged when he was present at the king's Christmas court at Scone.² The candidate and his backers cannot have been acceptable to the Durwardite cathedral chapter: two Culdees, members of the rival Comynite corporation, were admitted to the election ostensibly at the request of the king. Proctors were sent to Rome and the election was confirmed by the new pope, Alexander IV.³ Speed was necessary and Gamelin's proctors were given the right to contract a loan for £500 to pay their expenses, for which the bishop-elect and his chapter were to be responsible.⁴ Papal letters were sent to Gamelin's old mentor Bishop Bondington, ordering that two bishops were to carry out the consecration.⁵

By the middle of 1255 the position of the Comyns was perilous. The complaints of the young queen about her treatment by her guardians led Henry III to combine "what he described as the fulfilment of his long-felt desire to see his beloved daughter with a military demonstration".⁶ The Durward party gained control of the persons of the king and queen and by the end of August Henry was settled at Wark and had issued safe-conducts to his daughter and son-in-law to come to him.⁷ Safe-conducts were also issued for Walter Comyn, earl of Menteith, and

1. ES ii, 579 (from Chron. Melrose) and n. 1.

2. Dunf. Reg., nos. 82-3.

3. Vet. Mon., no. 177.

4. CPL i, 319.

5. Vet. Mon., no. 176.

6. M. Powicke, The Thirteenth Century (2nd edn., Oxford 1962), 590.

7. ES ii, 580-2 (Chron. Melrose) and nn.; CDS i, nos. 1996-8, 2001-2, 2004.

the earl of Mar, but there is no certain evidence that they came to meet Henry III at Sprouston.¹ There an order was drawn up which removed the Comyns, Gamelin and Bishop Bondington from Alexander's council.²

Gamelin's exile was not the immediate consequence of this coup. On 22 December the bishop-elect was at Dunfermline Abbey, in the company of one of his proctors at the papal court, Elias, a canon of St. Andrews.³ He was on his way to St. Andrews where, four days later, he was consecrated bishop by his fellow Comyn supporter, William Bondington of Glasgow.⁴

It was this act of defiance by the Comyns which led to the bishop's exile. The king was said to have forbidden the consecration.⁵ The anti-Durward Chronicle of Melrose claimed that the bishop's exile was due to the fact that "he would not acquiesce to their [the king's counsellors'] wicked designs, partly because he scorned to give a certain sum of money as if for the purchase of his bishopric".⁶ It seems likely that the temporalities of the diocese had reverted to the crown at the death of Bishop Abel and may have been administered by Gamelin while chancellor.⁷ The payment demanded of Gamelin was probably seen as a kind of relief. Such a payment would not only have implied the bishop's subjection to Alexander's new counsellors, but it is possible that he did not have the money to pay. Not only had there been the expenses of his election, but the diocese seems to have been impoverished

1. Ibid., 2003.

2. Ibid., no. 2013; Watt, "Minority," 11 ff.

3. Dunf. Reg., no. 206.

4. ES ii, 584.

5. Ibid.

6. Ibid., 585-6.

7. Donaldson, "Vacancies," 29; Vet. Mon., no. 101.

by the short but expensive episcopate of Abel, who had attempted to protect his temporal goods from the exercise of crown rights by obtaining a papal licence to make a will for their disposition.¹ Abel may have succeeded, for his benefice of Smailholm may have only reverted to Glasgow in 1265.² On 31 July 1255 Gamelin had received dispensation to hold all of his benefices for up to two years after his postulation because of the debts of his church and other expenses.³

The new bishop's refusal to pay the "certain sum" may have been as much due to poverty as to principle. At the beginning of his exile Gamelin was refused passage through England and so travelled to the papal court by way of France.⁴ After his departure the king's counsellors invaded the temporalities of the see.⁵ Ambassadors were sent to the papal court to ask for the deposition of Gamelin. The case was, apparently, heard by the pontiff who gave judgement in person that the charges were unfounded and that Gamelin's accusers were to be excommunicated.⁶

It seems extraordinary that Spottiswoode, Martine and Hailes attribute Gamelin's exile to the bishop's refusal to absolve Sir John Dunmore (Denmuir) of a sentence of excommunication for oppressing the chapter of St. Andrews. The circumstantial details of this claim do not fit the conditions of 1255-6, for the bishop would hardly have had time before his exile to consider such an action on behalf of his antipathetic chapter against a fellow Comyn adherent. It seems that

1. CPL i, 298.

2. NLS 15.1.19 no. 13, Lost Great Register, no. 61 (St. A. Lib. xxix).

3. CPL i, 320 (printed in Vet. Mon., no. 178). The Calendar entry is in error in saying that the time limit set was one year.

4. ES ii, 586.

5. Ibid.

6. Ibid., 588-9.

the confusion arises from the later conflict between the chapter and Dunmore over the lands of Turbreck in Fife which was initially settled in 1260, at a time when the bishop was on unknown business overseas.¹ By 1267 the chapter and Dunmore were again at odds with each other, perhaps over issues arising from the 1260 controversy. Gamelin did excommunicate Dunmore and when the king intervened on his behalf Gamelin excommunicated all the supporters of Dunmore except the king.² Eventually the knight capitulated and received absolution.

This confusion of three events has obscured the real reason for Gamelin's exile and the case raised against him at the Curia. The charges made against the bishop are fully rehearsed in the bull ordering Gamelin's restitution. It had been claimed by the royal representatives that when Gamelin had been a royal counsellor he had been guardian of the temporalities of the church of St. Andrews and had sent messengers to the chapter to threaten them with expulsion should they fail to elect him bishop. He was charged with unjustly alienating the goods of the church while acting as their custodian. Finally, he was alleged to have misused the king's seal while it was in his keeping.³ In fact all of these charges are entirely plausible, for such strong-arm methods were a dominant feature of Comyn power.⁴

Even if the charges had a factual basis it proved impossible to make them stick and the papal decision in Gamelin's favour may be said to mark the first step back on the road to Comyn recovery which ended in the seizure of the king and queen at Kinross on 29 October 1257.⁵

1. St. A. Lib., 384-5; CDS i, no. 2197.

2. Hailes, Annals i, 216.

3. Vet. Mon., no. 101.

4. Watt, "Minority," 9.

5. Chron. Fordun i, 297.

Gamelin returned to Scotland during the spring or early summer of 1258. Throughout the summer there were continuous negotiations between the two kingdoms, but at the same time it was becoming apparent that the relative position of Scotland and England was undergoing a change. Just as the king of Scots was growing to personal and political maturity, Henry of England was faced with the breakdown of his Sicilian plans and the first period of baronial reform. By the autumn there was a new order in England and it was with representatives of this new council that Alexander dealt at Roxburgh in September. In the end a Scottish council containing members of both factions was established and Henry III recognized this government in November.¹ The minority of Alexander III was, for all practical purposes, at an end.²

Gamelin was a member of this new council and although he remained an important national figure he was now able to turn his attention to the problems of his diocese. The most pressing question was that of resettlement following the disruptions of the previous four years. In one of his first actions he confirmed their churches of the Holy Trinity, St. Andrews, and Lathrisk and its chapel of Kettle.³

In the resettlement of the diocese recourse was had to the papacy, on behalf of the bishop and his chapter. In the course of 1259 at least four bulls were issued which dealt with difficulties encountered by the bishop and chapter in resettlement. The most important letter was that of 20 November 1259 which took the church of St. Andrews and its goods under papal protection.⁴ This bull set the seal on the practical problems dealt with by the other papal letters. The arch-

1. CDS i, nos. 2139-40.

2. Watt, "Minority," 17 ff.

3. St. A. Lib., 171-3.

4. NLS 15.1.19 no. 20 (printed Vet. Mon., no. 212).

deacon of Brechin had previously been delegated to deal with complaints raised by the chapter over the invasion of their possessions.¹ The bishop asked for the right to present to churches left vacant for more than four months.² At the end of the year the bishop of Dunkeld was delegated to enquire into the injuries done by David Lindsay, William of Brechin, Hugh Giffard, Robert Meyners and William Hay to the chapter of St. Andrews.³ Four of these men had been members of the Durward council, and William Hay was the younger brother of another of its members. The chapter, despite its Durwardite bias, had suffered from the anarchy of Gamelin's exile.

Early in 1260 Gamelin was preparing to go overseas, perhaps on a diplomatic mission connected with the Scottish royal visit to the court of Henry III in the autumn of that year. He may have gone abroad to the papal court in connection with the controversy between himself and his chapter over vicarage taxations which was eventually heard by a papal auditor in 1262.⁴

Both king and bishop were concerned in the 1260s with the question of national and ecclesiastical integrity. For the former the dominant concern was the threat posed by the Norwegian expedition of 1263 and its resolution in the treaty of 1266 which made the Scottish crown effective ruler of all of mainland Scotland and the Hebrides. But the king was also concerned with ecclesiastical integrity. One of his earliest independent actions had been to petition for the creation of a separate Franciscan province for Scotland, which since 1240 had been

1. NLS 15.1.19 no. 17.

2. NLS 15.1.19 no. 19.

3. NLS 15.1.19 no. 18.

4. NLS 15.1.18 no. 54.

administered as part of the English province.¹ The papal reply of 1260 was favourable, but the attempt to create a fully functioning new province foundered on English opposition.

At the same time Gamelin was involved in a controversy with Durham Cathedral chapter over the provision of a new prior to Coldingham. Basically the controversy was over the position of the cell itself within the jurisdictional framework of St. Andrews diocese. To a great extent the cell was under the control of Durham and its internal politics and history reflected those of the mother house. In 1258 at Durham, as a result of a power struggle, Bertram of Middleton resigned as prior and was succeeded by Hugh of Darlington.² Henry Silton, prior of Coldingham, had been an adherent of Bertram and had acted as his proctor for spiritual suits in Scotland.³ Following the accession of Hugh new proctors were appointed, including Henry of Horncaster, the ambitious sacrist of the cell.⁴ Soon after this Silton, in the presence of the chapter of Durham, asked to be relieved of his office of prior due to bodily infirmity.⁵

There seems to have been an element of coercion in this resignation. Following his confrontation with the chapter Henry went to Gamelin to enlist his aid in having his resignation withdrawn and quashed.⁶ Gamelin was amenable to his request for a variety of reasons, of which the dominant one was the opportunity it gave him to

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1. W.M. Mackenzie, "A prelude to the war of independence," SHR 27, 110. The bull of Alexander IV permitting the new province is printed in W.M. Bryce, Scottish Grey Friars ii (Edinburgh, 1909), 275.
 2. Durham Annals, 11, 33.
 3. Ibid., no. 36.
 4. Ibid., no. 37; dated 1258-c.1265 but probably issued soon after Hugh's election.
 5. Ibid., nos. 40-41, 43.
 6. Ibid., no. 42.

further extend his jurisdiction over this English cell. His action brought the unilateral right of Durham to elect and depose priors into question and it was met with a more than usually vitriolic paper barrage from the Durham chancery.¹

The new prior of Coldingham, German, was sent to the king and bishop for provision.² Gamelin attempted to raise difficulties over the oath required of the new prior by trying to gain recognition of a right to have regular jurisdiction not only over Durham and Coldingham's churches but over admission and institution of priors to Coldingham.³ Proctors appeared before the bishop in 1260 to reassert the freedom of the house from visitation and episcopal jurisdiction.⁴

It is not known exactly what was the outcome of this controversy. Certainly Gamelin does not seem to have made good his claims. By 1263, moreover, German had been replaced as prior by Roger, whose provision is not known to have raised any controversy. Gamelin's objections were important mainly in that they mark the first known attempt to widen the scope of episcopal jurisdiction over Coldingham, a process which was to reach initial success under Bishop Lamberton.

The threat to an increasingly self-conscious national church posed by Durham's control of their cell at Coldingham was paralleled at other levels of the diocesan structure, most notably by the provision of non-resident foreigners to Scottish benefices, of which the most notorious case was the provision of John Cheam to Glasgow in 1259.⁵

1. Durham Annals, no. 42.

2. Ibid., no. 44.

3. Ibid., no. 45.

4. Ibid., no. 46.

5. E.W.M. Balfour-Melville, "John de Cheam, bishop of Glasgow," SHR 27, 176-86.

In 1263 the bishop of Dunblane and Archdeacon Wishart of St. Andrews were ordered to provide two nephews of Cardinal Ubertus of St. Eustace to benefices.¹ Such provisions could mirror political events on the continent, for example the deprivation of a pro-Hohenstaufen absentee of his benefice of Kennoway.²

The growing papal conflict with the Hohenstaufen was, however, to have an even more decisive and long-range result for the church in Scotland. With the collapse of Henry III's Sicilian policies and the papal choice of Charles of Anjou as champion of the church and prospective king of Sicily in 1263, a new crusade and papal collection was launched. In October 1263 letters were sent to the bishop of St. Andrews ordering him to preach a crusade in Scotland and to collect a hundredth of all church revenues for five years.³ No special collector was sent to Scotland, as was done in England and Wales.⁴ There is no evidence that Gamelin was active in the collection of Holy Land subsidy. Within a few years it was evident that the money was to be misused, for in 1266 the papacy ordered that, if the king of Scots gave his assent, the tenth collected in Scotland was to be given to Henry III and applied to the debts of his queen.⁵ The king refused to allow payment and the debts were paid from another source.⁶

It was this attempted diversion of Scottish revenues which marked the turning-point in the relationship between Scotland and the legate Ottobon, who had arrived in England in 1265. He came delegated not

1. CPL i, 414.

2. Vet. Mon., no. 208.

3. CPL i, 394.

4. Ibid., 382-3. In one instance the collector is named as delegated to act in Scotland, but this is probably an error. Ibid., 385.

5. Ibid., 432-3.

6. Ibid., 434.

only to continue the collections carried out by Rostand Masson but also to reform the church in the British Isles. He arrived in England ten weeks after the defeat of de Montfort and was, therefore, initially involved in problems connected with the political settlement following Evesham. He was to be involved in this task for nearly two years, a fact which was to colour his initial relations with Scotland and helps to explain why his influence in the northern kingdom was essentially negative.

Soon after his arrival in England the legate wrote to the king of Scots, saying that the situation in England did not allow him to come in person to the kingdom, and asking the king to receive his representatives.¹ This first delegation was honourably received, although it was apparently during this embassy that a demand was made for a levy of four merks from every parish church and six from every cathedral.² Over 2,000 merks was collected but the king refused to send it to England and appealed to Rome.³

These facts explain the cooler reception which Ottobon's second representative, M. Maurice, received at the end of 1266.⁴ Not only had the money collected nearly been misappropriated, but the Scots doubtless knew that the collection was encountering difficulties in England where the clergy had refused to comply with a new levy of Clement IV until peace was restored in the realm.

As a result of these intensified papal demands a third messenger sent to Scotland was threatened with violence.⁵ The Scots were not

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1. R. Graham, "Letters of Cardinal Ottobon," EHR 15, no. 4 (90).
 2. Chron. Fordun i, 303.
 3. Ibid.
 4. Graham, "Letters," no. 7 (95-6).
 5. Ibid., no. 34 (117-18).

against crusades as such: a number had joined those led by the king of France and would join that of Edward, prince of Wales.¹ Resistance sprang from resentment at past attempts to misuse the money coupled with a renewed sense of national cohesion, the legacy of the recent treaty with Norway. When final refusal was made to papal demands for money to support the crusade the Scots claimed that they had sent forces instead and as much aid as the resources of the kingdom would bear.² The history of this period was doubtless the reason for the careful provision in future collections against the diversion of crusading money to English uses.³

If the king and his advisers were unsympathetic to demands for somewhat dubious crusading ventures, they were more open to projected reform of the church which was the other part of Ottobon's responsibility. By the end of 1267, soon after his representatives were denied admission to Scotland, the legate was at last able to turn his attention to holding a council for the reform of the church. In December summons were issued to the Scottish hierarchy to attend a council at St. Paul's, London, in April 1268. The episcopate sent the bishops of Dunkeld and Dunblane as their representatives and the rest of the clergy were represented by the abbot of Dunfermline and the prior of Lindores.⁴

The canons which were issued at the council have been described as "the most important single collection of local law for the English church".⁵ Yet Bower says, correctly it seems, that the king and clergy

1. ES ii, 663 and n. 2, and 666.

2. Chron. Bower ii, 109; Hailes, Annals i, 217.

3. Lunt, Fin. Rel. i, 292, 334, 337.

4. Powicke and Cheney, Councils, 738-9.

5. Ibid., 739.

of Scotland refused to observe the legate's constitutions.¹ The canons were never widely known in Scotland and the reason for this seems to be twofold. In many cases the constitutions were borrowed from the legislation of Otto and thus were already incorporated into Scottish church legislation. Secondly the distrust felt by the king and clergy for Ottobon would not dispose them to accept his canons.

It seems probable, however, that discussion of the legislation of the council formed part of the business of the Scottish provincial council of 1268. In the only known action of the council, Gamelin excommunicated the abbot and convent of Melrose for violating the sanctuary garth of Stow, slaying one clerk and wounding others.² Stow was an ancient holy site, a mensal church of the bishops of St. Andrews and situated in an episcopal barony. There had been a history of jurisdictional conflicts with Melrose in the past, but this particular confrontation may have been partly due to the election of the former Durwardite chancellor, Robert Kinleith, as abbot in 1268.³ The bloodshed at Stow may have stemmed from continuing personal animosities, as well as long-standing conflict over jurisdictions. If Kinleith were at the bottom of the trouble the speed and severity of Gamelin's reaction gives proof, if such were needed, that the Comyn-Durward conflict was still a factor in the political life of the country.⁴

About 1268 there begins to be a diminution in the activities of Gamelin as bishop and as a national figure. Up to this point there are consistent notices of his activities. He had baptised the heir to the

1. Powicke and Cheney, Councils, 739 n. 5; Dowden, Med. Ch., 228.

2. Ibid., 235; Robertson, Concilia i, lxiv.

3. ES ii, 660-1 and n. 8.

4. This conflict may have produced the Melrose forgery discussed in RRS ii, no. 253.

throne in 1264.¹ He was an exchequer auditor with the bishop of Dunkeld in 1265.² In 1264 he had acted as a papal delegate to enquire into the succession to the earldom of Menteith.³ He was present at the parliament which drew up the treaty with Norway in 1266.⁴ He was probably also involved in the establishment within his diocese of houses for two new orders of mendicants: the house of Carmelite friars established at Tullilum by the bishop of Dunkeld in 1262 and the house of the penitential Franciscans established at Berwick in 1267.⁵

These scattered evidences of widespread activity cease after the council of 1268. Thereafter there are only evidences of his activities as a diocesan bishop. Gamelin may have been in failing health, for towards the end of his life he was said to be bed-ridden.⁶ Furthermore, these years coincided with a long papal vacancy and with a period of political quiescence in Scotland and England.

In the fifteen years during which Gamelin had been in possession of his diocese and important in the councils of the realm, he had shown himself an able and conscientious prelate. It may be doubted if he deserved the first half of the epithet "holy and courageous" lavished upon him by Sir James Fergusson, but he certainly deserved the second.⁷ If the courage he displayed had less to do with matters of the faith than with defence of his rights and prerogatives, this is only to be expected in a man of Gamelin's political and family background. Within

1. ES ii, 643.

2. ER i, 11.

3. Vet. Mon., no. 237; Watt, "Minority," 22.

4. APS i, 79.

5. Easson, Religious Houses, 116, 119.

6. ES ii, 662 n. 3.

7. J. Fergusson, Alexander III (London, 1937), 147.

a fortnight of his death the ailing bishop was still active in diocesan affairs.¹ He died at his manor house of Inchmurdo on 29 April 1271 and was buried near the high altar of the cathedral.²

1. N.B. Chrs., no. 21. Spottiswoode and other writers err in claiming that Gamelin died immediately after returning from the dedication of the Cross church, Peebles. It had been dedicated a decade earlier, at a time when Gamelin was probably abroad. C.B. Gunn, Church and Monastery of the Holy Cross of Peebles (Selkirk, 1909), 1-2, 5.

2. Dowden, Bishops, 18.

CHAPTER V

CHAPTER V

WILLIAM WISHART, 1271-1279

William Wishart was the first of three consecutive bishops of St. Andrews of the same Christian name to come from knightly or baronial families, in this case the Wisharts of Pitarrow in the Mearns. His father may have been John Wishart, sheriff of the Mearns in the 1230s.¹ William was probably the uncle of Robert Wishart, bishop of Glasgow 1271-1316.² The manifold Wishart family and the advancement of a number of careers for its members within the church was to be a major concern of both Wishart bishops.

William Wishart's career up to his provision to St. Andrews in 1271 is well enough documented. He was probably born about the middle of the third decade of the thirteenth century and had graduated from either Oxford or Paris by 1247/8.³ Wishart was almost certainly maintained as a student by holding a benefice in Scotland, perhaps in St. Andrews diocese. Certainly by 1250 he was started on his noteworthy career as a pluralist by obtaining a prebend in the collegiate church of St. Mary of the Rock at St. Andrews.⁴ By the time of his elevation to St. Andrews he was alleged to hold twenty-two benefices,⁵ of which it is impossible to trace the majority. At the time Wishart became

1. Arb. Lib. i, nos. 138, 261. I am indebted to D.E.R. Watt for much of the information in this chapter relating to Wishart's background and early career.

2. DNB, 62, 255-6.

3. Ker and Pantin, "Letters," 473.

4. NLS 15.1.18 no. 30; Barrow, "Culdees," 27-29.

5. Chron. Bower ii, 113.

archdeacon of St. Andrews in 1254 he also obtained a papal dispensation to hold benefices in addition to the archdeaconry up to the value of one hundred merks.¹ At some time before 13 January 1267 he had become a papal chaplain, and was subsequently allowed to choose his own confessor.² Among his known prebends were a canonry of Glasgow Cathedral which he had obtained by 1266.³ He may have held a number of benefices in England, including Rudston in York diocese (by 1254) . and Ivinghoe in Lincoln diocese.⁴

Wishart owed his advancement not only to the patronage of Bishop Bernham but to Abel Gullane as well. Wishart and Gullane were co-members of a Scottish embassy to the papal court in 1248, where Wishart witnessed the papal confirmation of Abel's benefice of Pottie.⁵ Upon Abel's accession to St. Andrews Wishart was provided to the new bishop's vacant archdeaconry.⁶ From then on Wishart's career can be seen to be closely tied to the fortunes of the Comyn faction. He was one of the electors of Bishop Gamelin and on 20 September 1255 he, with the Comyns and their bishop, was removed from the council of the young king.⁷

It seems likely that Wishart attended the consecration of Gamelin at the end of 1255 and then accompanied the bishop into exile.⁸ Some time after the seizure of power by the Comyns in 1257 Wishart, having

1. NLS 15.1.19, no. 21 (calendared in CPL i, 296).

2. Ibid., 340.

3. Glas. Reg. i, no. 212.

4. Register, or Rolls, of Walter Gray, Lord Archbishop of York (SS, 1872), 120; Rotuli Ricardi Gravesend (Canterbury and York Society, 1925), 239.

5. CPL i, 245.

6. Watt, Fasti, 305.

7. Stones, Relations, no. 10 (31-2).

8. D.E.R. Watt has suggested that it was probably during this exile, which included a visit to the papal court, that Wishart became a papal chaplain.

returned to Scotland, was created chancellor of the realm in succession to Richard of Inverkeithing.¹

It was probably beginning during his period as chancellor that Wishart's influence and wealth allowed him to oversee the university careers of several of the multifarious Wishart family. The most important of his protégés was his nephew Robert who had graduated from a university by 1267x1271 when he was made archdeacon of Lothian.² There were a number of other Wisharts attending universities on the continent during the next few decades. A Master James Wishart was at the University of Bologna in 1270.³ Another, Thomas Wishart, appears at the same university in 1292; in the previous decade he had been provided to the deanery of Glasgow by Bishop Robert Wishart.⁴ A John Wishart held a prebend in Brechin diocese for which he made payment in Bagimond's roll for 1274-5.⁵

Perhaps the most egregious example of Wishart's family solicitude was the provisions which he made for his own children. It seems likely that the future bishop had at least two offspring, William and Mary, and may have fathered another child while bishop.⁶ William was trained at Bologna and by 1288 had been appointed archdeacon of Teviotdale in his cousin Robert's diocese of Glasgow.⁷ He and his sister were the motivation for Wishart's acquisition of certain lands during

1. HBC, 174.

2. Watt, Fasti, 310.

3. M. Sarti and M. Fattorini, De claris Archigymnasii Bononiensis professoribus ii (Bologna, 1888-96), 311.

4. Ibid., 331; Watt, Fasti, 153.

5. Dunlop, "Bagimond's Roll," 53.

6. This is based on a statement in Chron. Lanercost, an unsympathetic source, 93.

7. Watt, Fasti, 174-5. He was also a canon of Dunkeld. Vet. Mon., no. 306.

the 1260s and '70s. The lands included Glenshaugh, near Kincardine in the Mearns, and Turrin in Rescobie parish in Angus.¹ Mary brought these lands as dowry in her marriage to William Oliphant. Their son, William Oliphant of Aberlogie, and his heirs are found holding these lands before 1330.² Wishart may also have obtained those lands of Aberdalgie which were in the possession of his son in 1307.³

By the late 1260s, therefore, Wishart was in a position of power and influence. As bishop he was a man of such astuteness and ambition that it was said no Scottish magnate dared to quarrel with him or his church.⁴ It was Wishart's close identification with royal interests as well as his own ability which secured him a bishopric in 1270. Following the death of John of Cheam, bishop of Glasgow, Wishart may have been instrumental in securing the second election to that see of his close associate Nicholas Moffat, archdeacon of Teviotdale.⁵ Following Moffat's death while still elect, Wishart himself was provided to the office ad instanciam regis.⁶ He was still unconsecrated when on 3 June 1271 he was postulated to St. Andrews following the death of Gamelin. His election to this see was carried out per viam compromissi, the electors being the prior, John of Haddington, five canons and Robert Wishart, archdeacon of Lothian.⁷ It was said that the election was made more out of fear than love, a fair enough comment on an election validating family ambition and royal interest.⁸ It was

1. SP iv, 10-11; vi, 531, 534 and n. 7.

2. Ibid.; CDS ii, no. 839; iii, no. 205.

3. Ibid. ii, no. 1970.

4. Chron. Bower i, 361.

5. Glas. Reg. i, nos. 212, 218.

6. Dowden, Bishops, 306.

7. Ibid., 18; Moray Reg., no. 261.

8. Dowden, Med. Ch., 49.

probably at the bishop-elect's suggestion that Archdeacon Wishart was then provided to Glasgow, thus creating a family monopoly of the two largest and wealthiest sees in Scotland.

There are a number of obscure circumstances surrounding Wishart's election and confirmation to St. Andrews. The reason for his election is clear enough, but it seems remarkable that the election of the only member of the Culdean community ever to hold the see of St. Andrews should have been carried out without the participation of the Culdees or, so far as is known, without their raising a claim to participate in the election.

There was, nevertheless, difficulty in securing papal confirmation of the election. The customary notice of election was carried to the papal court by the bishop-elect of Glasgow, and there was an initial delay until the consecration of a new pope, Gregory X, on 27 March 1272. Then there were further delays, for serious doubts appear to have been raised over the election of both Wisharts, but especially over the St. Andrews election.¹ Robert Wishart received his confirmation at the end of the year but consideration of the charges which had been raised against his uncle continued. In the end he was said to have obtained confirmation "through the eye of a needle", on the recommendation of King Alexander's brother-in-law Edward I who was in Orvieto in the spring of 1273.²

It is impossible to know in detail what the charges against Wishart were or by whom they were raised. All that can be certain is that some of the charges related to his pluralism.³ It seems possible

1. During the delay two other Scottish bishops were consecrated at Rome, Hugh Benham to Aberdeen and Matthew to Ross. Watt, Fasti, 2, 267.

2. Chron. Bower ii, 120; F.M. Powicke, King Henry III and the Lord Edward ii (Oxford, 1947), 606.

3. Chron. Bower ii, 116.

that others related to his children. There is no evidence as to who raised the charges, but it seems likely that they were the outgrowth of continued baronial conflict surrounding the king.

In the end events worked in Wishart's favour. In the interests of Gregory X's proposed crusade it was necessary to fill as many as possible of the large number of vacant Scottish sees. On 15 March 1273 the pope sent letters to the bishops of Moray, Aberdeen and Argyll commanding them to enquire into Wishart's qualifications.¹ By this time it had become of immediate importance that the see be filled, for there was to be an ecumenical council at Lyons in the following year. The letters summoning the Scottish prelates to this council may have reached Scotland at about the same time as the mandate to enquire into the St. Andrews election, for at some time in 1273 a provincial council was held at Perth in which the encyclical announcing the council was read out.² On 15 October 1273 Wishart was eventually consecrated at Scone in the presence of the king.³

By March of the following year Wishart, with the majority of the Scottish episcopate, was on his way to Lyons. He travelled through England, for on 15 March 1274 he granted an indulgence of forty days to Durham.⁴ With the bishops of Glasgow, Argyll, Sodor (the Isles) and Dunblane he affixed his seal to the statutes of the second council of Lyons on 13 July 1274.⁵ In addition to reforming legislation a crusade was preached and arrangements were made for the collection of a crusading

1. Vet. Mon., no. 256 (calendared in CPL i, 445).

2. Robertson, Concilia i, lxiv-v.

3. Dowden, Bishops, 19.

4. Durham D. and C. MC 826.

5. C. Burns, "Scottish Bishops at the Councils of the Late Middle Ages," IR 16, 138-9. There were two other Scottish bishops at the council, Aberdeen and Ross. Dowden, Bishops, 107, 213.

tenth. In the autumn of 1274 Boaimund de Vitia was appointed collector general of the Holy Land tenth in Scotland.¹ "Bagimond" soon undertook his work in Scotland and almost immediately there was opposition, for he had been ordered to collect the tenth not according to the old valuation of benefices but on a new valuation bearing a closer relationship to the benefice's true worth. At a provincial council held at Perth in August 1275 the clergy of Scotland induced Bagimond to return to the pope to ask that the old valuation be accepted, in which seven years' collection counted as six.² Bagimond's embassy was unsuccessful and when he returned to Scotland he settled down to the business of establishing the new assessment and collecting. Soon there were further objections and problems. Some monasteries attempted to claim complete exemption from collection and increasingly the collector was faced with the claims of the English collector, M. Geoffrey de Vezzano, to oversee the Scottish collection as well.³

A new assessment had also been ordered in England, and it seems likely that the method of collection in Scotland was similar to that found in Lincoln diocese where the collectors began their activities before the new evaluation had been made. Payments were accepted on the understanding that if they were found to fall short of the new assessment the payer would be responsible for the balance. The second instalment also fell due before the assessment was completed, but the collectors were given new orders to collect on the basis of an estimated

1. Vet. Mon., no. 258 (calendared in CPL i, 449).

2. Dunlop, "Bagimond's Roll," 5.

3. Ibid., 8 ff. Originally exemption had been given to the Templars, Hospitallers, Teutonic knights, Augustinian enclosed orders and clerks pledged to go on crusade. Later the Cistercians were given exemption, at a cost. Lunt, Fin. Rel. i, 312-13. It was probably because of its position as an English cell that Coldingham raised a claim to be exempt from the collection. Durham D. and C. MC 1144.

new value.¹ Thus in the accounts of collectors for the second year in St. Andrews diocese it is possible to see similar steps being taken towards the working out of the new valuation. A number of churches were assessed and then reassessed per augmentum.²

Further it is possible to discern the growth of a recognized and efficient machinery for collection of monies. In England collectors were to carry out the levy with the consent and help of the diocesan and two reliable cathedral officials.³ A good deal of the initial collection in St. Andrews diocese appears to have been under the supervision of the bishop's official, M. John of Musselburgh.⁴ Sub-collectors in the localities were also appointed, but there is only scattered evidence for their activities in the years following the first two years' collection.⁵

The taxation rolls themselves illustrate the method of collection, which was based on the archdeaconry. At first this territorial subdivision seems to have been used as a convenient base for a general collection which could include churches, monasteries and individuals from outside the area. Later the archdeaconry became the basis for a much more exact and methodical collection. For example the first year's collection in Lothian, as mirrored in the form of the taxation rolls themselves, was an essentially ad hoc affair. It included payment from outside the area, payment by executors and fines for contumacy. The same year's collection in St. Andrews archdeaconry was much more organized and systematic. The collection for the second year in both

1. Lunt, Fin. Rel. i, 318.

2. Dunlop, "Bagimond's Roll," 38-40, 60.

3. CPL i, 452.

4. Dunlop, "Bagimond's Roll," 36 and n. 2; Watt, Fasti, 323.

5. Durham D. and C. MC 1048, 1049, 1051, 1052.

rural deaneries was still more orderly, with payment being made at two stipulated terms of the year, Christmas and the feast of St. John the Baptist. Churches were listed with their payments for each term.

Despite the administrative efficiency indicated by the taxation rolls, collection was not easy. By the early 1280s Bagimond was attempting to give up his collectorship, mostly due to his inability to collect the sums which the papacy claimed to be due from Scotland.¹ At the same time, however, the collector was arranging for the transmission of monies which he had collected to a firm of Florentine merchant bankers.² The period of collection agreed to at the council of Lyons was over and continued attempts at collection in Scotland became increasingly bound up with the overall question of Scotland's relations with England.

The period of Wishart's episcopate was filled with other incident connected with international and national affairs. The bishop was a Scottish ambassador to England in the summer of 1277, returning by the late autumn.³ It is probable that this embassy dealt with a number of questions, notably border administration and the coming visit of the king of Scots to England. Wishart, with Sir William de Soules, was again sent on embassy to England in the early months of 1278 to deal further with these two problems.⁴ Upon their return to Scotland the envoys wrote to the English king regarding a safe conduct for the Scottish king, which would not prejudice his rights, and King Edward complied to this request.⁵

1. CPL i, 465.

2. Ibid.

3. CDS ii, nos. 94-5.

4. Ibid., nos. 104, 107-9, 111, 119.

5. Ibid., nos. 120-2.

In the course of Wishart's second embassy Edward had written to the bishop of Durham, Robert of Holy Island, regarding Scottish incursions south of the Tweed. The bishop was ordered to do what he could to ensure peace on the borders.¹ In this the bishop of Durham was acting in his right (which St. Andrews shared with him) of being exempt from making personal oaths regarding injuries done on the march.² Their exempt status conferred on the bishops an independent role in the maintenance of peace on the border. There were a number of breaches of border laws in the early years of the reign of Edward I. For example, in 1276 the bishop of Durham was ordered to enquire into complaints that Scottish justiciars, bailiffs and men from Berwick had crossed into Northhamshire to hold courts and outlawries and had seized one of the bishop's servants and imprisoned him in Berwick.³

It was cases like this one, claimed by Fordun to have been engineered by Robert of Holy Island,⁴ which led to a meeting between the two sides at Berwick in mid-Lent 1278. The abortive meeting was attended by the bishops of St. Andrews, Glasgow and Dunblane, a number of earls and nobles for the Scots, and the bishops of Norwich, Durham, the sheriff of Newcastle and many knights and clerics for the English.⁵

As a result of the failure of this meeting Wishart was again delegated to go to England, after Easter 1279, to lay before King Edward evidence regarding the activities of English bailiffs on the Scottish march. On 10 April he and the bishop of Dunblane and Sir Patrick Graham were accredited to the earl of Cornwall who was acting

1. CDS ii, no. 111.

2. APS i, *85.

3. CDS ii, no. 82.

4. Chron. Fordun i, 306.

5. Ibid.

for the absent Edward.¹ The ambassadors did not set out immediately, for on 25 May at Selkirk a further letter in favour of the ambassadors was issued by King Alexander.² Three days later Wishart died unexpectedly at Morebattle.³

Only six charters issued by the bishop survive, but despite this sparse survival of diocesan acts it is possible to make some assessment of his episcopate. In the end, however, he left his greatest memorial not in ink and parchment but in stone. The shift in the design of the cathedral church from romanesque to gothic at the fifth window of the nave may be due to his rebuilding of the upper courses.⁴ This renovation was perhaps tied up with the rebuilding of the west gable of the cathedral church after it had been blown down in a gale.⁵ It was said that Wishart financed the rebuilding of the west front from his escheats.⁶

The west front as it now is may be the result of the rebuilding undertaken by Bishop Lamberton prior to the dedication of the cathedral. The blind arches bear a close resemblance to those of the pends and to the seats of the new chapter-house, both of which were built by that bishop. Wishart's rebuilding, of which only the present central door

1. CDS ii, no. 157.

2. Ibid., no. 159.

3. Dowden, Bishops, 19.

4. "Ewyn-owth the thryd pillare / Fra the chawncelare dure sene thare / Bath wndyre and owth that south part / And the northsyd awa westwart / and that wast gäwill alsua ..." Chron. Wyntoun ii, 258. If the first bay of the nave was occupied with a screen or organ loft, as suggested by R.G. Cant, then the third bay of the nave referred to in the poem would in fact be the fourth. Before Wishart's rebuilding the lower level of the windows had already been raised due to the building of the roof of the new cloister, necessitated by the building programme of Prior John White (1236-1258). Chron. Bower i, 368.

5. Ibid., 361.

6. Ibid.; Chron. Wyntoun ii, 258.

remains substantially intact, seems to have been a porch of three vaulted arches of which the outlines can still be traced in the west front and north side of the porch.¹ It was a simple and sensible design rather than an adventurous one which at best reduced the extremely long and unattractive nave of the original new church.

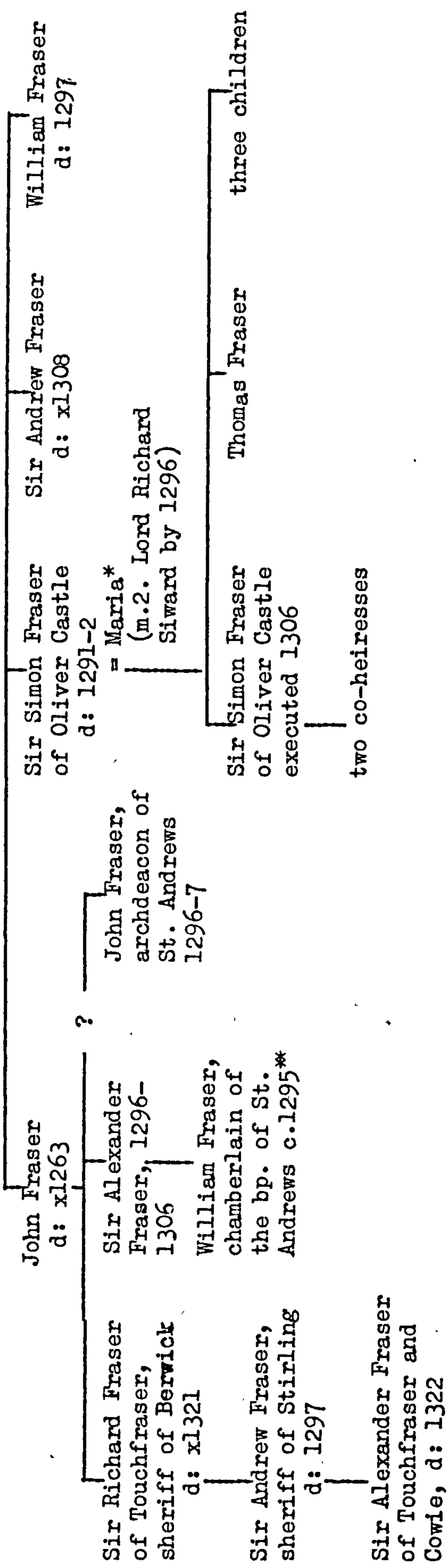
Obviously such an extensive rebuilding programme, carried out in a relatively short period of time, indicates a high degree of organization and affluence. Wyntoun indicated that the work had been paid for entirely out of the bishop's secular revenues which must have been considerable.² Certainly such generosity was likely to recommend itself to the cathedral chapter. This may be the reason why Wishart, unlike some of his predecessors, was apparently remembered with some affection by his cathedral corporation. Following his death his body was returned to the church and buried before the high altar.³ In the eyes of his chapter, doubtless, such an act was justified by the prestige and authority which he had brought to the church of St. Andrews. The virtues which a later member of the cathedral corporation, Andrew Wyntoun, ascribes to him are commensurate with this achievement: "Virtuous and of good manners, wise, honest and elegant, pleasing to God and man in all things."⁴

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1. A reconstruction drawing of the west front in the mid-fourteenth century may be found in TSES viii, part 2, Frontispiece and 93-4.
 2. For an estimate of the bishop's revenues see below, pp. 218 f.
 3. Chron. Bower i, 361.
 4. Chron. Wyntoun ii, 259.

CHAPTER VI

T H E F R A S E R S

Gilbert Fraser
 sheriff of Traquhair (1233-42)
 d: c.1263



* Stevenson, Hist. Docs. Scot. ii, no. 385 (93).

** Durham D. and C. MC 5035 (Greenwell and Blair, Seals, no. 2831 and n.).

CHAPTER VI

WILLIAM FRASER, 1279-1297

William Fraser was the second bishop of St. Andrews in succession to come from "a baronial family of the second rank".¹ The family held lands in south-eastern Scotland, Lothian, Tweeddale and Stirlingshire. The future bishop was the fourth son of Sir Gilbert Fraser of Philorth, sheriff of Traquhair and Peebles, and progenitor of the family of Fraser of Oliver Castle.² William Fraser was the brother of the first Sir Simon Fraser of Oliver Castle.³ Throughout his career there is evidence of close association between the two brothers and other members of the family. Simon and another brother, Andrew, were guarantors for the debt William incurred at the Curia for securing swift confirmation of his election to St. Andrews.⁴ Simon and Richard, the son of the bishop's eldest brother John, acted as William's representatives when as Guardian the bishop was involved in the litigation of the Bordeaux wine-merchant, John Mazun.⁵

In addition to their Scottish estates the family had a long association with Northumbria going back to the time of Earl Gospatrick.⁶ The bishop's nephew Richard Fraser of Touchfraser held, in

1. Barrow, Bruce, 90.

2. A. Fraser, History of the Frasers of Philorth i (Edinburgh, 1879), xiii.

3. Barrow, "Clergy," 5 and n. 4. This relationship seems more plausible than the claim that Fraser was the uncle of Simon Fraser of Oliver Castle. Barrow, Bruce, 90; SP vii, 423-5; Fraser, History, xiii.

4. Glas. Reg. i, no. 232.

5. Stevenson, Documents i, no. 51 (73).

6. Fraser, History, 9; Stevenson, Documents ii, nos. 358-9 (46, 49).

addition to his Scottish lands, those of Edderstone in the Scottish royal liberty of Tynedale.¹ Other members of the family maintained their interest in the area as well. Shortly before the bishop ceased to be royal chancellor a complaint was raised by the rector of Whitfield in Northumberland against Sir Simon Fraser who had been acting as justice in the Scottish royal lands in England, and his brother Andrew. The rector claimed that because William Fraser was chancellor he was unable to gain justice from the king of Scots for his violent dispossession from his benefice by the bishop's brothers.² Finally it was from this family connection with Northumberland that the bishop obtained a number of friends and servants, notably Stephen Muscamp, "familiar" of the bishop and erstwhile coroner of Northumberland,³ and John of Tynedale and Adam of Felton.⁴

Fraser was to help create a family tradition of adherence to the cause of Scotland in the struggle for independence. His support of John Balliol has sometimes blinded historians to his real worth:

... William Fraser ... died in 1297. He was little loss to Scotland, for his political judgement had been such as to move him to request the intervention of King Edward after the death of the Maid of Norway.⁵

Fraser's reputation has suffered because he displayed precisely those traits which were needed in the testing period of 1286 to 1296: moderation, consistency, and a strong sense of political realities. It may be that his greatest failure was to die where and when he did, before he had a chance to come to terms with the rebellion of Wallace.

1. Fraser, History, 38.

2. CDS ii, no. 290.

3. Ibid., no. 510; Northumberland Lay Subsidy Roll of 1296 (Society of Antiquaries of Newcastle upon Tyne, 1968), nos. 222, 307.

4. CDS ii, no. 463.

5. J. Fergusson, William Wallace (London, 1938), 109.

Fraser's early career, although sparsely documented, follows the familiar pattern for the rise of a gifted and well-connected man in royal and ecclesiastical service. By the 1260s he had entered royal service: when he witnessed a charter with Sir Walter Lindsay, sheriff of Berwick, in 1263, and Simon and Richard Fraser, he was already a university graduate.¹ By the next decade he was well-established in royal administrative circles and had been provided to a number of important benefices. He first appears as dean of Glasgow cathedral and ex officio rector of Cadzow, in 1273, probably at the time he succeeded William Wishart as chancellor of the realm.² By 1277 he also held the church of Ayr and was dispensed to hold another church with the cure of souls.³

The death of Bishop Wishart allowed his successor as chancellor to follow him to the see of St. Andrews. Fraser was elected bishop on 4 August 1279 per viam compromissi.⁴ The Culdees were excluded from the election and are not known to have raised a claim to take part.⁵ Proctors were sent to Rome, and in December Fraser entered into an obligation for a debt incurred by the chapter of Glasgow for negotiations at the Curia, presumably for expediting the bulls confirming his election.⁶

By early in 1280 Fraser himself was at Rome, for he was consecrated there on May 19 by three cardinals, Ordonius, bishop of

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1. Durham D. and C. MC 5978, 5979 (printed ND, no. 386).
 2. Watt, Fasti, 153; Dowden, Bishops, 19; HBC, 174.
 3. CPL i, 454.
 4. Bowden, Bishops, 20. The electors were the prior, John of Haddington, the subprior Randolph, four canons, Alexander of Haddington, William of Clatto, Hervey of Kinross and Thomas of Wedale, and Gregory, archdeacon of St. Andrews. Vet. Mon., no. 276.
 5. Martine, Reliquiae, 228.
 6. Glas. Reg. i, no. 232; Dowden, Bishops, 20.

Tusculum, G. priest of the church of the Twelve Apostles, and James deacon of St. Mary in Cosmedin.¹ The new bishop had probably returned to Scotland in time for the provincial council held at the Blackfriars' house at Perth on 27 August 1280.²

It is not clear when Fraser resigned the office of chancellor, but he had certainly done so by the end of 1285 or early in 1286 when his successor M. Thomas Charteris, formerly archdeacon of Lothian, is found holding that office.³ He must have resigned the deanery of Glasgow soon after his consecration.⁴

During the six years between his consecration and appointment as a Guardian of the Realm, following the death of King Alexander III, Fraser was involved in a wide range of diocesan activities. His role in national affairs may have been restricted to attendance at major state occasions, such as the council at Scone in February 1283 which settled the succession to the throne on the king's daughter, Margaret.⁵

The death of the king on 18-19 February 1286 led to the bishop's appointment as one of the six Guardians of the Realm at the Scone parliament of 28 April.⁶ The bishop thus returned to a major role in national and international politics, and this change was bound to have an effect on his role as a diocesan. Much of his time would be taken up with affairs of state, but so far as the surviving evidence allows judgement the bishop did not neglect his diocesan duties in the last

1. Vet. Mon., no. 276 (calendared CPL ii, 462).

2. Robertson, Concilia i, lxviii ff.

3. CDS ii, no. 290; HBC, 174.

4. Vet. Mon., no. 276.

5. APS i, 83.

6. Barrow, Bruce, 21-2.

decade of his episcopate. In several ways the bishop's new role may have heightened his effectiveness and authority as bishop, for he was able to attract able men into his household with the probability of future careers for them in royal service. Moreover, it was his new status which allowed him to purchase the priory on the Isle of May from Reading Abbey.

The national and diocesan aspects of the bishop's activities in this period impinged closely upon one another and this is clearly seen in the role played by various important members of the bishop's household and administration. Generally speaking these men would come to the fore after the bishop's death, but the experience they gained under a man who initially recognized and encouraged them laid the basis for their national careers.

At the heart of the bishop's judicial administration was his Official, his judicial deputy. The probable incumbent of this office during the major part of Fraser's episcopate was M. Baldred Bisset whose later career as a Scottish representative and propagandist at the papal court was distinguished:

... with the exception of Duns Scotus [he was] surely the most remarkable of all the Scottish clergy of this period below the rank of bishop.¹

The strong legalist tinge of Fraser's familia is reflected in the archidiaconate, particularly in the person of William Frere, arch-deacon of Lothian between 1285 and 1305. He had been a regent master x in law at the university of Paris who owed his provision to his office to Fraser's influence. He was to play an important role in the election of Fraser's successor at St. Andrews and was one of the

1. Barrow, "Clergy," 12. Much of the following discussion on Fraser's household is based on this article. As Official, see Camb. Reg., no. 3.

Scottish representatives, along with Bisset, at the papal court in 1301.¹

Associated with Frere as his Official was M. Nicholas of Balmyle (St. Andrews), who was to outstrip Frere in official rank and in the role he was to play in national affairs. This man had served three successive bishops of St. Andrews before his emergence into national politics as a protégé of Bishop Fraser. He appeared as a fellow Balliol auditor with the bishop in 1292 and later both were members of King John's first parliament in 1293.² With his long experience of diocesan affairs Balmyle was the obvious person to be appointed Official by the chapter following Fraser's death, and to undertake the position of custodian of the spiritualities of the see in the vacancy.³ In 1301 Balmyle became chancellor of Scotland and was provided to the see of Dunblane in 1307.⁴

Finally there is the career of M. Alpin of Strathearn, a graduate of the university of Bologna, who appears as archdeacon of St. Andrews in 1278.⁵ In 1289 he succeeded Baldred Bisset as Official.⁶ By the end of 1293 he is found filling the newly-created post of treasurer of Scotland.⁷ In the following year he acted as an agent of Bishop John Halton of Carlisle in collecting arrears of the papal tenth from sub-collectors in Argyll.⁸ In 1296 he was excommunicated for failing to carry out this duty, but was released from this penalty

1. Barrow, "Clergy," 11.

2. Ibid., 14; Glas. Reg. i, no. 239.

3. Ibid., 13-14; Barrow, Bruce, 169 and n. 6.

4. Dowden, Bishops, 201-2.

5. Watt, Fasti, 305.

6. Ibid., 323.

7. Barrow, Bruce, 69-70; Holy. Lib., no. 91 (81-2).

8. Reg. Halton i, xx, 34.

and was cited to appear before Halton at Jedburgh to explain his actions.¹ It is not known that he ever did so, but some time in the second half of that year M. Alpin was elected bishop of Dunblane and was consecrated on 16 October 1296.²

The bifurcated careers of these men reflected that of their master, but the influence of Fraser's dual role extended beyond the composition of his household. It led to a number of administrative changes aimed at simplifying administrative processes. The most notable of these changes, to judge by the surviving evidence, was the increased use of letters patent. Although this was a form used by Bishop Bernham there is little evidence of its further use by the bishops of St. Andrews until the occurrence of the four examples of Bishop Fraser, dating from 1286.³ In this case it seems likely that the increased use of this form of letter was inspired by its use by the Guardians themselves.⁴

Another innovation by Fraser, which was followed by a number of his protégés, was the use of deputies for the execution of regular administrative duties. This change is most notable in the employment of public notaries for example, in the case of the litigation between the nuns of North Berwick and David Cissor, burgess of Berwick.⁵ The case had originally been heard by the bishop's Official, but was finally determined before a public notary and a group of episcopal clerks at Holyrood Abbey on 4 December 1287. The agreement was then drawn up, sealed and published by the notary, Robert Garvald. This

1. Reg. Halton i, xx, 34.

2. Watt, Fasti, 76.

3. Durham D. and C. MC 740, 1296; Camb. Reg., nos. 114, 115.

4. ER i, 41-2, 46; Arb. Lib. i, Carte Orig. VII.

5. N.B. Chrs., no. 23.

case had been delegated to these deputies due to the pressure of national business on the bishop, for it was heard at a time when Fraser was almost certainly also in Edinburgh.¹

The period of greatest administrative innovation was when Fraser was abroad in France, from the early autumn of 1295 until his death at Paris on 20 August 1297. The bishop was one of the twelve councillors who had taken over the government of the realm after the Stirling parliament of July 1295. Four ambassadors, including two of the new councillors, Fraser and Bishop Matthew Crambeth of Dunkeld, were delegated to go to France to treat for an alliance which would be cemented by the marriage of Edward Balliol and a suitable French wife.

In fact the French embassy may have been mooted before the meeting at Stirling, for there is evidence that before the parliament Fraser was occupied in setting his diocese in order probably in anticipation of his coming absence. On 9 June 1295 he was at Dirleton where he issued an inspeximus of Bishop Malvoisin's concordat with Durham.² In the previous month he had overseen the vicarage union of Cambuskenneth Abbey's church of St. Ninians, Stirling.³ At the time of the Stirling meeting the bishop made arrangements for settling the long-standing dispute between North Berwick nunnery and the Bickerton family, lords of KinCraig.⁴

In addition to finishing outstanding business, Fraser also made arrangements for the administration of the diocese in his absence.

1. The bishop appears to have been in Edinburgh from November 11 to December 8. Stevenson, Documents i, nos. 22, 23; CDS ii, nos. 824-5.

2. Durham D. and C. MC 1308 (extracted in ND, no. 484).

3. Camb. Reg., nos. 115, 114, 111.

4. NLS MS Adv. 34/6/24, 217.

As vicars general he chose M. William of Kinghorn and M. Peter Champneys (de Campania), both men who had had long experience of diocesan and national affairs. M. William of Kinghorn, as his derivative implies, was from the heart of the diocese. By 1291 he was rector of the episcopal living of Kirkliston.¹ His national career had included acting as constable of Edinburgh Castle from 1288 to 1291 and attorney for William Sinclair, sheriff of Edinburgh.²

Peter Champneys had had a similar career. His family was settled in Galloway where the family could have come under the influence of the de Quincy family who had lands in Galloway, mainly acquired by marriage with the daughter and co-heiress of Alan of Galloway.³ By 1287 he held the de Quincy living of Leuchars.⁴ In 1291 he acted with John Druel to hear the case brought about by the assault in Lincolnshire on the representatives of Count Florence of Holland.⁵ About 1294 William Ferrers, heir to the De Quincy lands, resigned the patronage of Leuchars to the chapter.⁶ Shortly thereafter Peter Champneys obtained the living of Kinkell, presumably when its previous holder John Fraser became archdeacon of St. Andrews,⁷ and resigned Leuchars. It may be that Champneys' life-right in the capitular barony of Kirkness which was granted to him in partial payment of his pension as vicar general was also intended to compensate him for the loss of this benefice.⁸

1. RMS v, no. 2271.

2. ER i, 41; Stevenson, Documents i, no. 203.

3. Dryb. Lib., nos. 64, 65; ES ii, 492.

4. N.B. Chrs., no. 23.

5. Stevenson, Documents i, no. 148.

6. NLS 15.1.18, no. 8.

7. CDS ii, no. 823 (194); Watt, Fasti, 305.

8. St. A. Lib., 176-8.

To a certain extent Fraser's national activities must have limited the time which he could spend on diocesan affairs, yet in one major respect his national role allowed him to carry out something of a jurisdictional coup: the purchase of the priory of May from its mother house of Reading. The connection between Reading and its pendicle was a threat to the integrity of the diocese, for some of the priory's possessions were in the heart of the diocese. Any interference by the English house, therefore, could easily pose a threat to the authority of the bishop. There seems to have been conflict over the payment of procurations, c.1256.¹ In 1257 papal judges delegate were commissioned to decide the controversy. As early as the 1270s attempts were made to purchase the priory from Reading.²

The sale of the priory was effected at some time between 21 March and 27 May, 1288, for the sum of £1,000. The priory was annexed to the cathedral chapter and the Benedictine monks presumably returned to the mother house and were replaced by Augustinian canons from St. Andrews. For several years the purchase does not seem to have been called into question. Proctors for a newly-elected abbot of Reading appeared at King John's first parliament on 10 February 1293 to demand the return of the priory. The case soon became bound up with the overall question of appeals from Scottish courts into England.

Initially the complaint by Reading was that the transaction was invalid since Fraser was acting improperly in making the purchase while acting as Guardian. A second commission was sent to Balliol's second parliament in August 1293, but was forestalled by Fraser making an

1. Duncan, "May recs.," 61; Vet. Mon., no. 194.

2. Duncan, "May recs.," 61-2.

appeal to the papacy. At some time between July 1296 and September 1297 in the wake of the Edwardian conquest of Scotland the priory again passed into the possession of Reading, which was eventually dispossessed of the cell by Wallace. The subsequent fortunes of May Priory were closely tied to the fortunes of war and peace. By 1305 the cell was again in English possession, but passed irrevocably into Scottish possession by 1313. Shortly after, the island house was abandoned for Pittenweem.

Thus Fraser's purchase did not finally settle the status of the house; but the purchase had a symbolic significance for a church becoming increasingly aware of itself as a distinct national institution. In 1289 a papal indulgence was issued to allow only natives to be admitted to religious houses in Scotland and forbidding the appointment of foreigners to the rule of a house.¹ This drawing in upon itself by the Scottish church was not exclusively the result of the wars with England, although the trend was intensified by this conflict. It was the result of a long domestic historical process and parallels a similar general trend throughout the western church.

The continuing papal collection being carried on in Scotland at this time also became bound up with political events. Despite the practical difficulties of collection Boaimund de Vitia had remained active as collector in Scotland throughout the 1280s. In 1282 King Alexander III had refused to allow money collected from Scotland to be diverted to the uses of Edward I. This action led the English king to request the papacy that he be given the right to select those Scottish magnates to go on his crusade, supported by money collected in Scotland.² Following the death of Alexander III the English king

1. PRO PB 32(1) (calendared in CPL i, 497).

2. CPL i, 473-4, 479-80.

reopened negotiations with Pope Nicholas IV over his projected crusade.¹ In 1289 a tenth of church revenues for six years were assigned to the king from England, Scotland, Ireland and Wales.²

Increasingly Bagimond's activities were being taken over by the English collector, M. Geoffrey of Vezzano, dean of St. Paul's and arch-deacon of Middlesex. In 1287 Bagimond had appeared at the papal court to give an account of his collection. In the following year it is apparent that M. Geoffrey was in full charge of collecting activities in Scotland.

A good deal of M. Geoffrey's collecting methods can be ascertained. His deputy in southern Scotland was the prior of Coldingham. In 1288 the prior wrote to the Official of Glasgow ordering him to instruct the deans of Christianity to further the collection under pain of excommunication.³ In the following year the prior is found writing to the dean of the Merse ordering him to collect a debt of forty pounds owed by Sir David Graham which is to be applied to the Holy Land collection. The dean was to appear before the prior at the church of Holy Trinity, Berwick, to give account.⁴

Thus collection of crusading money was continuous throughout the 1280s, probably with decreasing returns after 1287.⁵ The death of Queen Margaret and Edward I's adjudication in favour of Balliol coincided with renewed plans for an English crusade. The granting of

1. Lunt, Fin. Rel. i, 338-9.

2. CPL i, 509.

3. Durham D. and C. MC 1053.

4. Durham D. and C. MC 1049. For a similar letter to this dean ordering the collection of arrears from rectors and vicars see Durham D. and C. MC 1048.

5. Lunt, Fin. Rel. i, 341. The Scottish total collected by this time was £17,884.

a new tenth to the English king in 1291 brought the whole question of collection in Scotland squarely into the sphere of politics. The money collected in Scotland was to be applied to Edward I's uses so that the tenth became part of the overall question of relations between England and Scotland during the reign of King John.

Early in 1292 the bishops of Carlisle and Caithness were appointed collectors of the new tax in Scotland.¹ The pro-English bishop of Caithness, Alan de St. Edmund, died in 1292 and he had no effective successor.² The see of Carlisle was also vacant until the election of John de Halton in the spring of 1292: he seems to have undertaken some of his collecting duties before his consecration in the autumn of that year. The collectors were ordered to collect on the basis of a new assessment.³ By the summer of 1292 there is evidence of local decanal meetings being held to work out the new valuation.⁴

Collection was soon under way, for in 1293 the bishop of Carlisle and his subcollectors were issuing receipts for money collected in the southern archdeaconry of St. Andrews.⁵ Almost immediately there were difficulties. Bishop Halton had to allow the bishops of St. Andrews and Glasgow to assess their own possessions at their own rate.⁶ Despite this apparent concession, by c.1294 Halton was threatening Bishop Fraser with punishment for non-payment of his part

1. CPL i, 552.

2. Watt, Fasti, 59; and information supplied by Dr. B.E. Crawford.

3. Vet. Mon., no. 329. See also Reg. Halton i, x.

4. NLS Acc. 3958. For a fuller discussion of this MS see below, pp. 293-6.

5. Durham D. and C. MC 662, 674.

6. Reg. Halton i, xvi, 156.

of the subsidy.¹

Considering the growing political difficulties it is remarkable that an effective machinery for collection was established between 1294 and 1295. Bishop Halton had his base at Kelso or Jedburgh Abbey.² Subcollectors were appointed in the various dioceses: in St. Andrews there were separate collectors for each archdeaconry, Dunfermline north of the Forth and Coldingham south of the Forth.³ There were agents in each locality, usually deans of Christianity, local clergy, or specially delegated collectors.⁴

In ordinary circumstances payment was made by the local collector to the subcollector at stipulated terms.⁵ The subcollector in turn was responsible for appearing before Halton at regular intervals, which were announced in advance, to give an account of his activities and make payment in money or by bills.⁶

By 1295 the political position between England and Scotland had deteriorated to such an extent that the collection had become a difficult, and perhaps dangerous, proceeding. The close connection between Edward I's policies and the collection can be seen in the attempt to divert revenues to Edward's projected crusade and his use of Bishop Halton as an English envoy to the Scottish court in the politically ominous winter of 1295.⁷ That year was to be the last in

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1. Ibid., 20. It is possible that the bishop never carried out his assessment, for the taxation roll for churches in Lothian compiled by Coldingham after the new assessment gives no value for episcopal lands and churches. Cold. Corr., no. 70 (cviii-cx).
 2. Reg. Halton i, xix; Durham D. and C. MC 662.
 3. Reg. Halton i, xix-xx.
 4. The earliest known collector was the dean of Linlithgow, appointed early in 1293. Durham D. and C. Loc. xix.19. See also Durham D. and C. MC 1048, 1047, 1053; Reg. Halton i, xx.
 5. For example, see Durham D. and C. MC 666, 4269.
 6. Durham D. and C. MC 4269, 662; Reg. Halton i, 16-17.
 7. Letters from Northern Registers (Rolls Series, 1872), no. 74.

which the bishop would carry out a systematic collection in Scotland. Even so there had been difficulties, notably the failure of Alpin of Strathearn and the abbot of Inchaffray to collect the arrears of sub-collectors in Argyll and the Isles.¹ With the outbreak of hostilities in 1296 the collection came to an end, although Halton did not give up his collectorship until 1301.² His last known act had been to make payment to a company of Italian bankers in August 1296.³

It only remains to consider briefly the bishop's national role between 1286 and 1296. The last ten years of his life were played out against the deepening crisis in the affairs of Scotland which led to the Edwardian invasion and conquest of 1296. It has been shown that the bishop's dual role had its effect on his diocese and the Scottish church as a whole, but his role in national affairs is more difficult to determine. The major distinguishing feature of the bishop's activities throughout this period was a consistent support of what he conceived to be the rightful government of Scotland. It was only in the end when King John's powerlessness and ineptitude brought the Scottish state to the verge of subjugation that Fraser changed his course by becoming part of the effective government of Scotland, the council of twelve.⁴

After Alexander's death Fraser and Bishop Wishart sent representatives to King Edward to ask for his good will.⁵ The bishop's position as premier Scottish bishop forced upon him a dominant role in national affairs, which was ratified by his appointment as one of

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1. Reg. Halton i, xx and 34.
 2. Ibid., xxi-ii, 150-61, 171.
 3. Ibid., 73-5.
 4. Barrow, Bruce, 89-90 and n. 2 (90).
 5. Stevenson, Documents i, no. 3.

the Guardians of the Realm. Fraser's appointment as Guardian meant that the bishop would be active in the embassies which would work out the future relations between Scotland and England, in addition to the regular domestic business of the Guardians. In the winter of 1288 he attempted to meet the English king in Gascony, but was arrested in Yorkshire at the instigation of Roger Mazun.¹ In the following year he was one of the Scottish plenipotentiaries who negotiated the terms of the treaty of Salisbury.² The carefully stipulated terms of the treaty which reserved the marriage of the young queen and the freedom of action of the Scottish envoys must have owed something to the concern of the bishop to maintain an independent role for his fellow Guardians. The treaty of Birgham of the following year, which provided for the marriage of Margaret and the Prince of Wales, contained even fuller guarantees of the integrity of the kingdom of Scotland.³

Almost immediately after the signing of the treaty there came the first rumours of the death of the Maid of Norway in Orkney. It fell to William Fraser to break the news to the king of England. His letter, written from Leuchars on 7 October 1290, displays not only the uncertainty of the bishop but his fears as well. In its retailing of rumour, the threat of baronial warfare and its request for the help of the English king, the fears and concerns of the bishop himself are revealed.⁴ It is as close as it is possible to come to the bishop's feelings and reactions to any of the events of this decisive decade.

1. Stevenson, Documents i, nos. 53, 84.

2. Ibid., no. 75.

3. Ibid., no. 108.

4. Nat. MSS. Scot. i, no. 70.

The request for Edward's aid with which the Leuchars letter ends has done much to sully Fraser's reputation with historians. Yet such a request must have seemed the only reasonable course to take in such an uncertain situation, for without some recognized authority it was impossible for the nation to avoid internal warfare between factions competing for the crown. It was for this reason that the bishop supported Edward's adjudication of the crown, and aided the king in such practical ways as helping to obtain oaths of fealty in the summer of 1292 from the leading men and women of the realm.¹

Fraser and his fellow Guardians in effect gave their authority into the hand of Edward by their resignation of 11 June 1291, despite the fact that the king reappointed them.² Two days later they, with a group of Scottish magnates, swore fealty to Edward as "superior and direct" lord of the Scottish kingdom.³ In the adjudication of the crown Fraser was one of the six episcopal Balliol auditors, a position completely consistent with all of his previous actions as Guardian, for Balliol's claim to the throne was the strongest.⁴ The bishop was with the new king at Newcastle early in 1293 when Balliol effectively freed Edward I from any undertakings he had made with the Guardians during the succession crisis and specifically abrogated the treaty of Birgham.⁵

Soon it became apparent that the legal and political integrity of Scotland, so far as Edward was concerned, had ceased to exist. The appeals of Roger Bartholomew, John Mazun and the abbot of Reading

1. Barrow, Bruce, 50.

2. Ibid., 49.

3. Ibid.

4. Ibid., 55-6.

5. Ibid., 72-3. See itinerary, Appendix I.

struck at the roots of the nation's independence. In the last-mentioned case the bishop managed to stave off the execution of a summons to King John to answer in person before the King's Bench by appealing to the papacy.¹ But such subterfuges could be used only rarely. In other cases Fraser seems to have been one of the king's main supporters in presenting a firm resistance to the legal aggressions of Edward, particularly in the Mazun case where Fraser may be said to have had more than a passing interest in seeing the termination of the wine-merchant's litigation.²

The final crisis was reached when the English king summoned King John and a following of magnates to do military service in Gascony late in 1294. Early in the following year it was decided to seek French aid. In order to give effect to this desire and to provide the country with something resembling dependable government, Balliol was relieved of exercising direct governance at a parliament held at Stirling and a council of twelve was chosen to act in his stead. This body appointed two of their number, Fraser and Bishop Crambeth of Dunkeld, to head a Scottish delegation to France to negotiate a formal treaty of alliance.³

The elaborate arrangements made by Fraser for the administration of his diocese during his absence suggest that he envisaged a prolonged absence, perhaps to act as a permanent Scottish representative on the continent. By the late summer of 1295 his vicars general were exercising their jurisdiction. On 20 April 1296 they deprived twenty-six Englishmen of their benefices within the diocese.⁴

1. Duncan, "May recs.," 63.

2. See above, p. 86, and Barrow, Bruce, 78-82.

3. Stevenson, Documents ii, no. 344.

4. Barrow, "Clergy," 6.

This deprivation is the only known action of the vicars general for by July both men had submitted to Edward I shortly before King John was stripped of his office in Stracathro churchyard.¹ New arrangements were made by the king of England for the administration of the diocese. The situation was straightforward enough: Fraser was abroad and had not submitted to the English king which placed him automatically out of Edward's peace.³ This fact made it impossible for Edward to recognise the bishop's surrogates. Instead he appointed William de Rue (Dru) as joint keeper with John Swinburn of the bishopric and the earldom of Fife.

Edward I's policy towards the Scottish church was an integral part of the system of national government which he proposed to establish. His regime was not repressive but rather it emphasised the normal running of administration and continuity. This statesmanlike plan was given little time or opportunity to establish itself. At St. Andrews Dru and his fellow keeper, John of Swinburn, were driven from office following the risings of Wallace and Moray in the summer of 1297. The death of Bishop Fraser in France a few days before the battle of Stirling Bridge meant that a suitable successor must be found for him. Immediately, however, the chapter entrusted the government of the diocese to M. Nicholas of Balmyle.⁴ On November 3 the chapter, acting on the instructions of Wallace, elected M. William Lambertson bishop of St. Andrews.

Modern historians, as has been said, have tended to regard Fraser with some suspicion because of his support for Balliol. Yet such a

1. CDS ii, no. 823 (194, 204, 211).

2. Ibid., no. 1027 (264).

3. Ibid.

4. Watt, Fasti, 323.

political attitude was the most honourable of a number of alternatives open to the bishop. At the time of his death armed revolution was taking place in Scotland in the name of Balliol. It was for the future to learn that the cause of Balliol was a futile and ultimately unworthy one. It is this fact which makes the judgement of contemporaries as to his worth a more truthful and valid yardstick by which to judge his career. It is, therefore, significant that his successor, Lamberton, had his heart brought from his burial place in the Dominican friary at Paris and buried in the wall of the cathedral close by the tomb of Bishop Gamelin.¹

1. Dowden, Bishops, 21.

CHAPTER VII

CHAPTER VII

WILLIAM LAMBERTON, 1297-1328

The "patriot bishop" of St. Andrews, although overshadowed in his devotion to the cause of Scottish independence by his contemporary, Bishop Wishart of Glasgow, nevertheless played a decisive role in the struggle with England in addition to an active career as diocesan. Lamberton came from a knightly family, originally from the parish of Lamberton in Berwickshire. By the end of the twelfth century, however, the family was settled at Bourtie in Aberdeenshire,¹ and at Linlathen in Monifieth parish, a few miles north of Broughty Ferry in Angus. This latter fief had been granted to Alexander Lamberton by King William for knight service.²

The two common names of the family were William and Alexander. The bishop was, therefore, the nephew or cousin of the Sir Alexander Lamberton who was a prisoner in Edinburgh Castle in 1304,³ and younger brother to that Sir Alexander Lamberton who witnessed a charter of the bishop in 1327.⁴ By his social background the bishop would have been disposed towards the "patriotic" side in the struggle which was emerging during the early years of his career. This social inheritance was reinforced by Lamberton's training and early experience.

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1. St. A. Lib., 235, 266-8. By 1263 a member of the family was also rector of Turriff. A.B. Ill. i, 561-2.
 2. Barrow, "Clergy," 6 and n. 2, and RRS ii, no. 564.
 3. Barrow, "Clergy," 6 and n. 2.
 4. Holy. Lib., no. 90.

He was university trained, probably in law, and may have owed his early advancement to the patronage of Bishop Wishart of Glasgow. By 1293 Lamberton was chancellor of Glasgow Cathedral: his first recorded appearance was at King John's first parliament when he acted as a proctor in a case between the chapter of Glasgow and William de Moravia, over the church of Smailholm.¹ Under the aegis of Wishart Lamberton entered a circle of able and ambitious clerics who were to play important roles in the coming struggle. A number of them were to form part of his administration when he became bishop, including his own brother Robert and William of Eaglesham.²

Lamberton at first supported King John, but in 1296 following Balliol's resignation he swore fealty to Edward I.³ Within a year of this submission, however, Lamberton was caught up in the campaign of Wallace. The victory of Stirling Bridge which coincided with Bishop Fraser's death raised the question of filling the vacant see with a suitably loyal bishop. Wallace was instrumental in ensuring Lamberton's election. A number of his electors were adherents and relations of Bishops Fraser and Wishart of Glasgow. Lamberton was elected on 5 November 1297, per viam compromissi, the electors being John Fraser, archdeacon of St. Andrews, William Frere, archdeacon of Lothian, the prior, the subprior (who was probably Adam Mauchan), and four canons.⁴ The provost of the Culdees, M. William Comyn, younger brother of the earl of Buchan who had recently joined Wallace, raised a complaint about the election, from which he had been excluded.⁵

1. Glas. Reg. i, no. 238.

2. Ibid., and Barrow, "Clergy," 9 ff.

3. CDS ii, no. 823 (212).

4. CPL i, 576 (printed Vet. Mon., no. 362).

5. Stevenson, Documents ii, no. 512.

In 1306 Edward I was to claim that Comyn had in fact been elected bishop and that this election had been superseded "par force et par destresce".¹ Comyn may have attempted to gain election in 1297 but the Lost Great Register of St. Andrews entry is only entitled: "Relatio quid acciderit de contraversia post mortem Willielmi Phraser Episcopi, et instrumentum de eo, 1209 [sic]." ² This tantalising scrap may mean that Comyn had been prevailed upon to withdraw his claim after Wallace's order that Lamberton be elected. It was only in 1306, when Scotland was occupied by the English and the earl of Buchan had once again returned to English allegiance, that Comyn claimed that he had actually been elected.³

After his election Lamberton journeyed to Rome with three members of the chapter and was consecrated there by Matthew, bishop of Porto, shortly before 17 June 1298.⁴ Within a few weeks of his consecration Wallace was defeated at Falkirk. The gradual deprivation of beneficed Englishmen in Scotland was abruptly halted.⁵ The defeat determined that the new bishop should remain abroad. At the time of his consecration he may have taken part in the negotiations which led to the issue of the bull Scimis fili on 29 June 1299.⁶ He certainly was involved in negotiations with King Philip of France and was considered dangerous enough by the English for orders to be issued for his capture following his return to Scotland in July or August of 1299.⁷

1. Palgrave, Docs. Hist. Scot. i, no. 149 (332).

2. St. A. Lib. xxv.

3. Palgrave, Docs. Hist. Scot. i, no. 149 (332, 337-8).

4. Vet. Mon., no. 362.

5. CDS ii, nos. 1017, 1023. Among the benefices to be filled by Englishmen had been the provostship of St. Mary of the Rock. Watt, Fasti, 371.

6. Stones, Relations, no. 28.

7. CDS ii, no. 1071; Barrow, Bruce, 135.

Immediately upon his return the bishop, following an explosive scene at Peebles which showed the deep divisions between the two existing Guardians, joined the earl of Carrick and John Comyn as co-Guardian and was made principal captain and keeper of all castles in Scottish hands.¹ Obviously it was hoped that by creating a triumvirate Guardianship Lamberton would mitigate the rivalries between Bruce and Comyn, and it may be due to the bishop's abilities that the Guardianship remained effective as long as it did. The bishop joined Bruce and Comyn on a raid into the English-held territories south of the Forth. The military campaign of 1299 culminated in the capture of Stirling Castle, a fact which greatly strengthened the Guardians' position. By the winter of 1299 they were writing to Edward I from the Torwood offering to cease hostilities on the mediation of the king of France.²

This show of unity on the part of the Guardians was soon broken. Between November 1299 and May of the following year Bruce resigned and the long-standing divisions between the earl of Carrick and Comyn came into the open at the Rutherglen parliament of 1300. Comyn refused to serve with Lamberton, who was a partisan of Bruce, but a compromise was eventually reached by which Comyn and Lamberton agreed to serve with Sir Ingram de Umfraville.³ The campaign of the summer of 1300 was indecisive and a truce was arranged in October. At the end of the year Lamberton, Comyn and Umfraville resigned as Guardians: the "last experiment in multiple or joint guardianship" was at an end.⁴ Instead a single Guardian, Sir John de Soules, was chosen.

1. Barrow, Bruce, 152-3.

2. CDS ii, no. 1109.

3. Barrow, Bruce, 156-8.

4. Ibid., 161.

For Lamberton this change in the Guardianship meant that he would be able to turn his attention to his diocese. On 12 December he was at Dunfermline Abbey where he issued a confirmation of the parish church to the house.¹ He spent the Christmas season in his cathedral town and on Christmas day issued an inspeximus of William Fraser's confirmation of the vicarage union of St. Ninians, Stirling.² On 1 February he confirmed to his chapter the church of Dairsie, including presentation rights.³ This charter makes it clear that the bishop was arranging to go on a diplomatic mission, for among its provisions was one that if the bishop were absent when the present rector of the church resigned the bishop's representatives had the right to admit the chapter's nominee to the church.

Lamberton's embassy to France occupied most of 1301. Little is known of the outcome of the journey beyond the anonymous report sent to Edward I after the bishop's return. In it the bishop was said to be "showing the people a letter under the king of France's seal ... asserting that there will be no peace between him and the king of England unless the Scots are included".⁴ This letter was only part of a propaganda offensive which both sides had mounted in the course of 1301. By 23 February 1302 a parliament at Scone issued a letter to the French king about maintaining the common truce with England. Behind this action was the well-justified fear that a separate peace treaty might be made between the English and the French which would leave the Scots to face the undivided attentions of Edward I.

The defeat of the French army by the Flemish citizen army at

1. Dunf. Reg., no. 121.

2. Camb. Reg., no. 116.

3. St. A. Lib., 120.

4. CDS ii, no. 1431.

rf Courtai was the unforeseen cause of the French withdrawal from their alliance with Scotland. The French defeat was the handwriting on the wall for the Scots, but they attempted to forestall the inevitable by sending Lamberton to Paris in the autumn of 1302 at the head of a large and impressive delegation.¹ The effort was in vain for on 20 May 1303 the Anglo-French treaty was signed and the Scottish envoys in Paris found themselves in enemy territory. Five days later they wrote what comfort they could to "the faithful of the community of the ... realm" in one of the most moving yet forlorn documents of the war.²

In a private letter to Wallace, written under his own seal, Lamberton urged him to continue the fight and promised him material support for his struggle.³ The advice and help were ineffectual, for Edward I's great invasion of 1303-4 was soon under way. Lamberton and the other ambassadors to Paris were allowed to return to Scotland, by way of England, early in 1304.⁴ By 4 May the bishop had sworn fealty to Edward at Stirling and was restored to his temporalities which he was to hold thenceforward of the English king. He further promised to be responsible for any issues previously drawn from them without the king's leave, a clear reference to his attempted support of Wallace.⁵

Lamberton's submission must have been irksome and degrading to the bishop. Certainly the conditions imposed by Edward on the bishop's administration of his temporalities went far beyond anything

1. Barrow, Bruce, 177.

2. CDS ii, no. 1363. It seems unlikely that this letter ever reached its destination. Stones, Relations, no. (12), xlix.

3. Palgrave, Docs. Hist. Scot. i, no. 149 (333).

4. CDS ii, nos. 1455, 1574.

5. Ibid., nos. 1529, 1531.

claimed by Scottish kings over episcopal temporalities. Yet the only reasonable course open to Lamberton in the situation that existed in Scotland in 1304 was to come into Edward's peace so as at least to be given the chance to resume his administrative duties within his diocese. His submission was prompted by other considerations as well. Just over a month later, whilst in the king's army at the siege of Stirling, Lamberton and Robert Bruce entered into a secret league of mutual friendship and alliance.¹ Lamberton had reached a turning-point, for his early patron, Wallace, was a hunted man and he must look elsewhere for support. His immediate concern must be to ensure that he was able to remain a free agent.

The following year was an active one for Lamberton. Towards its end, on 4 November, he met with his old mentor, Bishop Wishart of Glasgow, at Melrose where the two bishops issued a confirmation of the bulls of Boniface VIII to the abbey absolving it from paying teinds on their lands.² The two men must have discussed the state of Scotland at this meeting, for Edward's plans for the shape of the government of Scotland were becoming increasingly clear. The country was to be merged into a greater kingdom of Britain to be ruled by Edward and his heirs. The threat posed by this political system to the ecclesiastical integrity of Scotland was an obvious one. One straw in the wind had been the attempted unilateral presentation by Bishop Bek of Durham of his suffragan, the refugee bishop of Byblos, to the priorate of Durham.³ The question had been discussed at Edward's Lenten parliament of which Lamberton may have had direct knowledge through the Scottish intermediaries who were in London at that

1. Palgrave, Docs. Hist. Scot.¹, no. 146 (323-4).

2. Melr. Lib. i, no. 349.

3. C. Fraser, Antony Bek (Oxford, 1957), 163, 194.

time.¹

Lamberton had been present at Edward's second parliament of 1305 held at Westminster a few weeks after Wallace's trial and execution.² He was thus able to report to both Bruce and Wishart, who had not been present, on the English king's plans for the future government of Scotland.³ Perhaps at the Melrose meeting, or at about this same time, the three men began to discuss the possibility of revolution. Certainly Bruce's coup was planned in advance, but not the event which precipitated it. At the time of the murder of Comyn on 10 February 1306 both bishops were ready. Their immediate actions following the murder are a curious mixture of half-confused and half-planned action. Of the two Lamberton seems to have been caught more off guard for he was at Berwick at the time of the killing. He managed to reach Scone in order to take his traditional place in the enthronement ceremony: a ceremony which was repeated two days later with the Countess of Buchan as representative of the Clan MacDuff placing the new king on his throne.⁴ The day was Palm Sunday, and in the mass which Lamberton celebrated for the new king it seems certain that the obvious parallel was drawn between Christ's entry into Jerusalem and Bruce's entry into his kingdom.

By the beginning of April the revolt was known to the English king, who ordered his deputy in Scotland, Aymer de Valence, to suppress it and to capture those involved in Comyn's murder.⁵ At the same time

1. Memoranda de Parlamento (RS, 1893), xx.

2. Parliamentary Writs and Writs of Military Summons, Edward I and Edward II, i, ed. F. Palgrave (Record Commission, 1827), no. 59 (161).

3. Barrow, Bruce, 190 and n. 3.

4. Ibid., 210 ff.

5. CDS ii, nos. 1754-5.

Lamberton was attempting to enforce obedience to the new king among his subordinates and to deprive those whose loyalty was questionable, including William Comyn.¹ He sent his tenants to fight for Bruce.² By June, however, before Bruce's defeat at Methven Lamberton was making overtures for peace with the English.³ For perhaps the first time in his career Lamberton's foresightedness failed him. Before his letter could reach the English representative Bruce had been defeated. Since May Edward had been demanding Lamberton's capture along with the other supporters of Bruce.⁴ By June the bishop of Glasgow was in English hands.⁵ Although Lamberton had not yet been apprehended Edward's government was making arrangements for the administration of his diocese during his coming enforced absence.⁶ This time there would be no moderation: anything and anybody who had helped Bruce was to be destroyed, including the royal abbey of Scone, scene of Bruce's coronation.⁷

Lamberton was captured by the end of June. On the nineteenth of August at Newcastle he was faced with the documentary proof of his alliance with Bruce and his oath of allegiance to the English king.⁸ There was no need for a trial because in Edward's eyes the bishop was an erring feudatory who must "come to his faith and receive his due".⁹ From the account of the proceedings at Newcastle it seems that

1. Palgrave, Docs. Hist. Scot. i, no. 147.

2. Barrow, Bruce, 215.

3. Palgrave, Docs. Hist. Scot. i, no. 145; CDS ii, no. 1781.

4. Ibid., no. 1777.

5. Ibid., no. 1780.

6. Ibid. and nos. 1786, 1788.

7. PRO PB 10(32) and PB 11(10).

8. Stones, Relations, no. 35 (calendared in CDS ii, no. 1818).

9. CDS ii, 1777.

Lamberton shared this conception of himself. Aside from attempting to claim faulty memory as his excuse he made no attempt to exculpate himself. There was no need or reason to justify actions, for the penalty was a foregone conclusion. Two days before the bishop's confession was drawn up the king, at Durham, had laid down the conditions of Lamberton's imprisonment.¹

Ironically, it is possible to know more about the day-to-day conditions of Lamberton's existence in captivity than for any other time of his life. For the remaining period of Edward I's reign the conditions of imprisonment were severe, and the death of the old king on 1 July 1307 brought no immediate alleviation. Yet life in irons in a dungeon was at least an improvement on the hanging which the king was only prevented from carrying out because of Wishart's and Lamberton's order.² By 1308 the papacy demanded that the bishop was to be released.³ In May of that year Edward II had ordered the release of Lamberton, who was to remain within Northamptonshire.⁴ By 11 August Lamberton had sworn fealty to the English king and was permitted to move to Durham diocese where his custody was entrusted to Bishop Bek.⁵ His loyalty was secured by a bond for six thousand merks.⁶

Edward II hoped for Lamberton's support in his new offensive in Scotland and for several years the bishop was able to play a double role, dealing with both sides in conditions of trust. By the early part of 1309 Lamberton had returned to Scotland for a brief visit, perhaps as a

1. CDS ii, nos. 1812-14.

2. Ibid., no. 1786; Barrow, Bruce, 216.

3. PRO FB 11(16), FB 12(16).

4. CDS iii, no. 44.

5. Ibid., no. 50; Fraser, Antony Bek, 222-3.

6. CDS iii, no. 50.

negotiator for a truce between the English, French and Scots.¹ Soon afterwards he was summoned by Edward to attend a parliament at Stamford in Lincolnshire beginning on 25 July.²

It may have been intended that Lamberton should accompany the English invasion of Scotland planned for the autumn of 1309. The invasion was delayed and the bishop returned instead as the agent of Antony Bek who had been put in charge of enquiries into the conduct of the Templars in the British Isles.³ Shortly after the Stamford parliament both bishops had begun to make their preparations. Bek moved south to London where he met with the prelates who had been named by the papacy to carry out enquiries.⁴ At this London meeting letters were issued to the dean of Dunblane, the archdeacon of Brechin and John of Solario, canon of St. Radegund at Poitiers, ordering one or two of this number to carry out enquiries in Scotland with the bishop of St. Andrews.⁵

Lamberton made final arrangements to leave Durham.⁶ By the seventeenth of November he was at Holyrood Abbey where with John of Solario he held an inquest into the affairs of the Templars in Scotland.⁷ The evidence which was obtained at this enquiry was not acted upon in Scotland, "propter hostium incursus et guerrae continuam expectationem".⁸ This does not seem to be entirely the truth of the

1. Barrow, Bruce, 373-4 and n.

2. CDS iii, no. 94.

3. Fraser, Antony Bek, 219.

4. Records of Antony Bek (SS, 1953), no. 128.

5. Ibid., no. 144.

6. Durham D. and C. MC 1300 (printed in ND, no. 488), and MC 830.

7. Spottiswoode Misc. ii (Edinburgh, 1845), 3-16.

8. Ibid., 16.

situation. There were only two full members of the order remaining in Scotland and both were eventually tried and sentenced by the archbishop of York in 1311.¹

Lamberton turned almost immediately to the resettlement of his diocese. The period of his absence, although arrangements had been made for the administration of what Edward I had clearly regarded as a vacant see, had been a period of considerable disruption. The activities of the extortionist tax-collector in Lothian provide evidence of some of the problems which war could produce in the proper running of an enormous diocese like St. Andrews.² Immediately both the bishop and King Robert were concerned to restore the temporal jurisdiction exercised by the bishop in the diocese. At some time in 1309 Thomas Randolph, Guardian north of the Forth, had carried out an inquest into the respective jurisdictions of the bishop, chapter and Culdees within the Cursus Apri, the lands immediately about the cathedral city.³

It seems probable that Lamberton, in obtaining such a clear definition of his rights, had events which he had witnessed at Durham in mind. The bishop was almost certainly present in Durham diocese when the long-standing dispute between the bishop and his chapter over a number of jurisdictional points was finally ended with an episcopal victory in 1308. In effect Antony Bek obtained de facto recognition "that the bishop's court had a jurisdiction concurrent with and equal to that of the King's Bench".⁴ Randolph's enquiry determined that the bishop's jurisdiction in the Cursus Apri was superior to that of the

1. Register of William Greenfield, Lord Archbishop of York, iv (SS, 1937), 336 n. 2.

2. Barrow, "Tax Collector."

3. St. A. Lib., xxxi-ii, from SRO B 65/1/1 f. xxxiv.

4. Fraser, Antony Bek, 220.

other two corporations and that it included the right to hear the pleas of the crown. Bek's triumph had been sealed by the king issuing commissions of oyer et terminer to settle questions arising from the invasion of the bishop's possessions and jurisdiction. In St. Andrews this second stage was paralleled by the bishop and royal officials acting in concert to settle outstanding disputes: in the winter of 1309/10, for example, Lamberton and his Official witnessed an inquest by Sir Robert Keith, justiciar north of the Forth, into payments due to Lindores Abbey from the men of Newburgh.¹

By the summer of 1310 Lamberton was able to hold two synods in the continuing process of resettlement in his diocese.² Apparently the dominant question of the year was the status of Coldingham Priory. Lamberton had attempted to cite the prior of Durham to his synods probably in part to answer certain points which had been raised in the course of the bishop's visitation of the cell in 1310.³ The outbreak of war between England and Scotland had not only ended Coldingham Priory's "golden age" but had made the position of a Scottish cell of an English house an unacceptable anomaly. Lamberton knew that Antony Bek was ailing and too involved in national affairs to be able to give effective support to his chapter in their defence of their rights over the cell. The bishop claimed that the war had led to a reduction of payments made in lieu of procurations and demanded an annual payment of twenty pounds from Coldingham during the period of truce.⁴ A settlement, on unknown terms, was arranged

1. Lind. Lib., no. 10.

2. Durham D. and C. MC 1351 (calendared in ND, no. 489).

3. Durham D. and C. MC 957 (printed ND, no. 583). The reference to the truce seems to place its date before the invasion of the autumn of 1310.

4. Ibid. See also Barlow, Peculiars, 140 ff.

but can only have been in operation for a very short time before Edward II's invasion of September 1310.

The ostensible reason for citing the prior to appear at the synod was, however, because of Durham's churches in the Lothian franchise.¹ The letter issued by the Official of the archdeacon of Lothian claims that Edrom was the subject for discussion, but it is hard to escape the conclusion that this church, like the payments due to the bishop from Coldingham, was being used as a particular excuse on which to deal with a general question. Generally speaking the bishop seems to have been attempting to assert all the regular jurisdictional rights which he had over other churches and religious houses in his diocese over Durham's churches and cell. Thus the apparently unprecedented citation of a prior of Durham to a diocesan synod was deliberately made to seem part of regular diocesan practice.

It is not known in detail how successful Lamberton was in obtaining the rights he sought in the Durham franchise. The subsequent history of Coldingham is, however, probably an indication that on the whole his campaign was successful. By 1331-2 episcopal taxation formed a part of Coldingham's accounts, and in 1333 the dean of the Merse inducted the new prior. By 1340 the right of admission, institution and induction of new priors to Coldingham was formally admitted by Durham.²

Despite the apparent concern of the bishop for the restitution of his jurisdictional prerogatives, in which he did not scruple to use Scottish royal agents to achieve his ends, Lamberton remained a trusted English agent for another year after Edward II's invasion. He was

1. Durham D. and C. MC 1351.

2. Barlow, Peculiars, 141 ff.

allowed to remain in Scotland after the English king returned south in July 1311.¹ When the bishop was summoned to the council of Vienne Edward asked that he be excused from attending "to avoid the danger of souls which might chance in his absence".²

The most striking evidence of Lamberton's acceptability to both sides may be seen in his relations with the English hierarchy during this period. Some time in the autumn of 1311 he ordained two priests of Durham diocese, who were accepted by Bishop Bek's successor, Richard Kellawe.³ In the previous year Archbishop Greenfield had written to Lamberton asking him to enquire into the position of an English woman, Beatrix of Hodsoch, who had been a nun at Coldstream before leaving the house due to the threat of war. She was now living as an anchorite near Doncaster.⁴ Again Greenfield, writing from the council of Vienne, delegated to Lamberton, the prior of Hexham and the archdeacon of Cleveland the case between M. William Comyn of Buchan and Sir Henry Beaumont which doubtless concerned Comyn's attempt to claim the earldom of Buchan.⁵ Lamberton's appointment seems a curious choice for he was being asked to judge between the man who had claimed to be elected bishop in his stead and the man who had been given charge of the temporalities of St. Andrews during his captivity.⁶ It is not known if he was ever called upon to execute this commission.

By 1311 the bishop's position of mutual trust was becoming increasingly difficult to maintain. It may be that it was during this

1. CDS iii, no. 223.

2. Ibid.

3. Registrum Palatinum Dunelmense i (RS, 1873), 95, 102-3.

4. Letters from Northern Registers (RS, 1872), no. 123 and n.

5. Register of William Greenfield v (SS, 1940), no. 2635.

6. CDS ii, no. 1785.

period that the bishop was threatened by the garrison of English-occupied Berwick when he attempted to come there on the king of England's business.¹ Early in the following year the bishop entered Bruce's camp at Dundee and ended his period of equivocation.²

It was clear by this time that the initiative had passed to the Scots. Bruce's campaign in the north of England brought the horrors of war home to the enemy. Bishop Kellawe of Durham wrote to his former associate asking for his help; Lamberton, reminded of his past kindnesses and efforts for peace, was asked to receive ambassadors from the pope and the king of France on the marches and to help them expedite their business.³ The tone of the letter is indicative of the change which had taken place in the relationship between the two dioceses and their governors.

The years immediately before and after 1314 were busy ones for Lamberton. He had been an envoy to France in 1313.⁴ After Bannockburn he may have been sent abroad again on a short embassy.⁵ The removal of the threat of immediate English invasion meant that the years between 1314 and 1318 were to be ones of great activity within the diocese. Many of the surviving episcopal acts from the period are, not surprisingly, terminations of long-standing controversies. Many of them contain direct references to the effects of war.⁶ This aspect of the bishop's activities was mirrored by the king's donation of the church of Kinross and its chapel of Orwell to Dunfermline Abbey, which

1. CDS iii, no. 237.

2. Barrow, Bruce, 374 and n. 5.

3. Reg. Pal. Dunelmense, 339-40.

4. CDS iii, no. 346.

5. Ibid., no. 390.

6. See Newb. Reg., no. 161; Holy. Lib., no. 92; Kel. Lib., nos. 311-14.

was made not only because of the abbey's royal status but also because of the suffering caused to the house during the war.¹

The close association between the king and his premier bishop must have been of considerable political and ecclesiastical significance during this period. The relationship reached its climax in the dedication of the completed cathedral of St. Andrews on 5 July 1318. Both king and bishop clearly regarded the event as a symbolic occasion of the highest importance. Bruce was now the undisputed master of the whole kingdom, following the capture of Berwick early in the year. His brother Edward was king of Ireland. For Robert I the dedication was the seal on the restored prestige of his kingdom and the dynasty he hoped to found. For Lamberton the dedication was the physical expression of the restored position not only of his diocese but of the Scottish church as a whole. The cult centre of Scotland's patron saint was complete after a century and a half of building. The dedication was attended by seven bishops, fifteen abbots and a large group of nobility.² In the subsequent winter parliament at Scone the rights and freedoms of the Scottish church were confirmed in a political climax to the summer's ceremony.³

The ten years of life which remained to Lamberton and his king following the dedication were in many respects anticlimactic. Never again would the situation seem so assured as it had seemed in the summer of 1318. The first blow was the death of the king's brother in the autumn of the year. The integrity of the church was threatened in a less direct way by continued English attempts to interfere with

1. Dunf. Reg., no. 342.

2. Chron. Bower ii, 271-2. There is no full account of the ceremony surviving, although the Lost Great Register contained such an entry. St. A. Lib., xxvi.

3. APS i, 107.

its personnel,¹ and to reassert influence over English cells in Scotland. Edward II, for example, reissued his father's charter in confirmation of Coldingham's possessions.² Such actions did not, however, pose very serious threats. The poverty of English policy in this respect may be seen in the half-hearted attempt to unseat Lamberton by advancing the claims of yet another putative bishop. The pope was requested to depose Lamberton and "restore" an English candidate to the diocese. By the autumn of 1318 the pope had replied that there was no record of Thomas de Rivers' provision to the see that Lamberton was claimed to have usurped.³

The main significance of this frivolous plea was that it marked the opening of a more vitriolic phase in the relations between Scotland and the papacy. Pope John XXII was not prepared to allow secular rulers to act in areas which he conceived to pertain solely to papal interest. Increasingly the Avignon papacy attempted to gather such rights into its own hands, as evidenced by the papal provision of an English Franciscan, John de Eggescliffe, to succeed Bishop Wishart at Glasgow after the chapter had elected two successive candidates of their own to fill the vacant see.⁴ The Scottish response was to treat Glasgow as vacant until Eggescliffe was translated to Connor in 1323.

In 1317 Edward II had taken crusading vows and the collection carried on by Nicholas IV, Boniface VII^I and Clement V was revived. Such a collection became for the Scots a matter which touched on a number of political points, including the independent status of

1. CDS iii, no. 653.

2. Durham D. and C. MC 5990.

3. PRO PB 56 (2) (calendared in CPL ii, no. 421.

4. Watt, Fasti, 146-7.

Scotland and her church. The papal collector in England, Rigaud d'Assier, was in one instance used as an envoy to Scotland to arrange a peace with King Robert.¹ D'Assier, although delegated to collect in Scotland, made no attempt to do so.

All of these events form part of the background to the anomalous position of the Scottish church at this time: in papal eyes Bruce was an excommunicate. A decade of papal hostility to the king's cause, however, had brought about a new viewpoint among the Scottish hierarchy about their peculiar relationship with the papacy. They could no longer depend on or exploit papal support in defence of their independence as they had been able to do in the thirteenth century. Thus in the decade of life remaining to Bishop Lamberton the church began to work out the basis of a new relationship with the papacy more in accord with a new set of political realities.

In the year following the dedication of St. Andrews Cathedral the pope cited the king and the bishops of St. Andrews, Dunkeld, Aberdeen and Moray to appear before him by 1 May 1320.² The summons came at the end of the abortive two-year truce which the papacy had attempted to bring about between England and Scotland. During its term the Scots had recaptured Berwick and Bruce had refused to receive papal envoys unless they addressed him as king of Scots.³ At the end of 1319 a sentence of excommunication was issued against Bruce and his supporters and the king's subjects were absolved from any allegiance they owed him.⁴

1. W.E. Lunt and E.B. Graves, Accounts Rendered by Papal Collectors in England, 1317-1378 (Philadelphia, 1968), xxii.

2. CPL ii, 191.

3. Barrow, Bruce, 349-51

4. CPL ii, 191.

The immediate result of this offensive was the drawing up of the Declaration of Arbroath in April 1320 and the sending of a delegation to the papacy regarding Bruce's title as king of Scots.¹ Before the delegation reached the Curia the pope issued letters of excommunication against the king and bishops who had failed to appear before him, for their contumacy.² The pope's answers to letters sent to him by Lamberton following his excommunication were, unlike his evasive reply to the Declaration of Arbroath, startlingly direct. The bishop and his fellow-prelates were said to have ignored papal demands for too long and were to be compelled to return to wonted obedience by proceedings at the Curia.³

Like other unacceptable papal actions in this period the excommunications were generally ignored. In the midst of an acrimonious paper war between Scotland and the papacy Lamberton continued his extremely active career as a diocesan bishop and a national figure. Indeed, it was clear that now more than ever political and ecclesiastical integrity were but two aspects of the overriding question of recognition of Scotland's national independence. This fact achieved its fullest practical expression in the close working relationship between king and bishop⁴ and in the coincidental holding of parliaments and church councils.⁵

1. Barrow, Bruce, 426 and n. 1.

2. CPL ii, 199.

3. Ibid., 428 (printed Vet. Mon., no. 432).

4. The bishop was a frequent witness of royal charters. For example, SRO RH 6/68, 6/68c, 6/85, NLS MS adv. 34/6/24, 250, Newb. Reg., no. 58, A.B. Ill.iii, 211-12, Melr. Lib. ii, no. 361, Camb. Reg., no. 145, Scone Liber, no. 129, RMS i, nos. 84, 331, 485-7, 805, 839, Appendix One, nos. 19, 27, 31-2, 35, 92-4. As royal agent, see ER i, 58.

5. Robertson, Concilia i, lxxii-lxxvi (at Perth 9-10 July 1321 and at Scone 22-28 March 1325).

Lamberton continued to be active in diplomacy. In the spring and early summer of 1322 he was on an embassy to England.¹ Despite dangers on the journey, which included an assault on the bishop's servants, the mission was successful and a truce was drawn up at Berwick in June.² In 1324 Thomas Randolph, earl of Moray, and Lamberton again joined forces for an embassy to York to arrange for a final peace between England and Scotland.³ The negotiations were abortive and the bishop's last diplomatic journey ended in failure.

It was probably also in this last decade that the bishop was most fully involved in the physical rebuilding of his diocese. He is known to have built or restored a number of his residences throughout the diocese: St. Andrews Castle, Monimail, Torry, Dairsie, Inchmurdo, Muckhart, Kettins, Liston, Monymusk and Stow.⁴ This building programme was part of the general reorganization of the bishop's temporal administration. On its personal side, the bishop may have been the first to put the running of certain of his estates into the hands of local families who became hereditary baillies, notably the family of Lauder of the Bass.⁵

It is the consistent and tireless activities of the bishop in the reconstruction of the state, his diocese and its administration, which come closest to revealing the essential character of the man. He was certainly no saint, but his times demanded other qualities than sanctity. He was certainly a man of ambition and of fears. Unlike

1. CDS iii, nos. 809-10.

2. APS i, 119-21.

3. CDS iii, no. 851.

4. Martine, Reliquiae, 228. See also below,

5. T. M'Crie, The Bass Rock: Its Civil and Ecclesiastical History (Edinburgh, 1848), 41-2.

Bishop Wishart of Glasgow he was prepared to trim his sails to suit the political wind, yet in the end his achievement as a diocesan and as a major figure in the war of independence is impressive. In thirty years as a bishop and a public figure he achieved what he did by actions which were the expression of strong character. Martine says of him, "erat vir incredibili prudentia, genere autem illustris, sed doctrinae, virtutis et eruditionis nomine illustrior."¹

In his episcopate Lamberton not only rebuilt on the past but built for the future. Within a few years of his death the diocese was again to experience armed invasion. His successor, James Ben, died in exile and this was followed by a long vacancy. If proof were needed of the ultimate success of Lamberton's actions and policies it must be sought in the subsequent history of his diocese.

In a sense Lamberton's death well became the time at which it happened. He had lived to see the fruits of his labour and the labours of the king he served so well begin to take root. Two months before he died he was present at the signing of the final peace treaty with England.² Within weeks of his death he was involved in a visitation of Arbroath Abbey.³ He died on 20 May 1328 in the prior's chamber at St. Andrews: a fitting end for the man who had achieved a close and particularly harmonious relationship with his chapter and who had done so much to improve the priory, building a new chapter house and endowing the canons with new vestments and books for their library.⁴ He was buried on the north side of the altar in the cathedral church which he had seen brought to completion.⁵

1. Martine, Reliquiae, 229.

2. APS 1, 124-27.

3. Arb. Lib. 1, no. 358.

4. Chron. Bower 1, 361.

5. Dowden, Bishops, 21-3. Dowden includes a discussion of the problem of the long delay between the assumed date of the bishop's death and his burial on 7 July 1328.

PART TWO

ADMINISTRATION

CHAPTER VIII



CHAPTER VIII
EPISCOPAL ADMINISTRATION

1. The Household

The bishop of St. Andrews had a bifurcated role to play as an administrator. As the "Bishop of the Scots" he took precedence over all other bishops in Scotland in both secular and ecclesiastical affairs. Although he was not a metropolitan his prestige was analogous to that of a national archbishop and occasionally his actions matched his implied position: for example, in the consecration of other bishops, his initial primacy of the Scottish provincial council, or the role he played in the reorganization of the cathedral church of Moray in the early thirteenth century. In the twelfth and thirteenth centuries the bishop was hedged about with certain traditional functions which reflected his ancient pre-eminent status. In the early twelfth century the leaders of the bishop's army had a traditional right of judicature in cases involving the Culdees of Loch Leven.¹ In the border laws of the mid-thirteenth century the bishop was exempted from appearing in person and was represented by the priest of Stow, successor to the Black Priest of Wedale, one of the ancient judges of the Clan Macduff.²

Besides these survivals the bishop shared the rights and prerogatives of all other members of his order. Although details of his

1. St. A. Lib., 117.

2. APS 1, 85.

administration may differ in certain respects from practices elsewhere, in broad outline the duties of a diocesan were common throughout the western church. In this respect Scotland was well served by the canonists of the twelfth century for the reform of the Scottish church along western lines was contemporary with the period of definition, not only of the essentials of the faith but of the jurisdictional rights of the church. This change was reflected by the decline among the members of the Scottish episcopate of regulars and their replacement by trained seculars. In this St. Andrews was no exception, for after Robert and Arnold the see was filled by seculars who by the thirteenth century were university-trained men.

It was from the universities of the thirteenth century that there came the final theoretical definition of the administrative functions of the church. Thomas Aquinas saw all episcopal power as essentially spiritual, but divided into two aspects: sacramental and jurisdictional.¹ This distinction was central to the ordering of a diocese. By his unique status the bishop was responsible for all the life of his diocese. His sacramental position allowed him to create new members of the episcopal and priestly orders, as well as new members of the Christian community. He was responsible for overseeing the lives of his clergy and people, as well as the proper maintenance of churches and services. On the other hand the bishop was governor of a geographical area. In one sense the bishop was responsible for the territorial integrity of the entire diocese; in a more practical sense he was the patron or possessor of a number of ecclesiastical benefices and lord of an extensive temporal demesne located outside and within the diocese.

1. Fournier, Officialités, v.

In these two aspects of his jurisdiction the obligations of the bishop were similar. For both he represented absolute authority tempered and shaped by the personality and concerns of the man himself. The office required a practical sense of the realities upon which its theoretical rights were based. Thus early in the thirteenth century Radulf, bishop of Brechin, had refused to take procurations from particularly impoverished churches.¹ Several years earlier Bishop Roger had omitted to collect his cain of two dun cows from the kirktoon of Arbuthnott because of the poverty of the inhabitants.² It was this practical sense applied to the regular exercise of episcopal rights and obligations which lay at the basis of good diocesan government. Such regular government leaves few records, so knowledge of the administrative history of the diocese is almost entirely dependent upon the abnormal: records growing out of particular proceedings and controversies.

Central to the changes brought about by the twelfth-century reform of the Scottish church was the establishment of diocesan administrative systems based on English and continental models. For the bishop this entailed the creation of a western-style household or familia. There is no evidence of the administrative system which these innovations replaced, although the widespread territorial possessions of the bishops in the tenth and eleventh centuries imply some kind of governmental apparatus.³ When the change came to St. Andrews diocese it was almost totally dependent upon Bishop Robert's

1. Arb. Lib. i, no. 189.

2. Spalding Misc. v, 213.

3. A reflection of this earlier system in the later diocese of Moray may be found in the royal provision for sheriffs and thanes to help in the collection of ecclesiastical revenues. Moray Reg., no. 5.

innovations. In R.L.G. Ritchie's memorable passage:

He [Robert] had a Dapifer, a Chamberlain and several Norman chaplains and, whatever his parentage may have been, lived for thirty years as a French bishop of St. Andrews ... He was Scotland's Lanfranc.¹

By the end of his pontificate, Robert also had a chancellor, the head of his writing department, who in characteristic Norman fashion was probably a relation of the bishop and Archdeacon Matthew of St.

Andrews.² This man, John, was associated with his uncle and his two successors for at least eighteen years before being unsuccessfully elected to St. Andrews in 1178.³

In John's sole appearance as chancellor, as witness to Bishop Robert's confirmation of the right of free prioratial elections to his cathedral chapter,⁴ he was followed in the list by two magistri who were frequent witnesses to Bishop Robert's charters, Thomas and Herbert.⁵ Later they were joined by M. Andrew, who became archdeacon of Lothian c.1165-6.⁶ These three men represent the nascent episcopal chancery at St. Andrews. Evidence for the further sophistication of the episcopal household occurs in the brief but significant pontificate of Bishop Arnold. A new chancellor appears, Robert son of Seolf of Perth,⁷ as well as a number of new clerks,⁸ [cont. p. 132]

1. Ritchie, Normans, 198.

2. Barrow, "Kinninmonths," 112 ff. He may have been the son of Odo, the bishop's seneschal. Ibid., 114.

3. St. A. Lib., 124-5, 134, 136, 139-41, 255, 259-60, 295. He appears in Kel. Lib. ii, no. 448, again in the role of what Ritchie called "the semi-official career of bishop's nephew".

4. St. A. Lib., 126.

5. Ibid. and 15, 43, 124-5. Herbert alone appears, int. al., ibid., 124-5.

6. Ibid., 125; Watt, Fasti, 309.

7. St. A. Lib., 127-9, 133-41, 144, 338.

8. Stephen, ibid., 127, 132; Serlone, ibid., 129, 132; M. Herbert (who may possibly be identified with the chaplain of that name), ibid., 12-13, 133, 136-7, 139, 144, 179, 338; and M. Abraham, ibid., 12, 133-7, 139-41, 180, 338.

chaplains (cappelani),¹ and a priest.² There was also development in the bishop's temporal administration under Bishop Arnold. Among the witnesses to his charters there appear a steward,³ a doorward,⁴ and a marischal, Odo, nephew of the archdeacon of St. Andrews and progenitor of the family of Kinninmonth of that ilk.⁵

Richard was the first bishop to be provided to St. Andrews from royal service, and as might be expected he was responsible for increased elaborations in his household and administrative practices. He was already familiar with the division in royal administration between the chapel under the chancellor and the camera regis under the chamberlain. Thus subdivisions took place in episcopal administration intended to provide efficiency and continuity against the peregrinations and absences of the bishop. Central administration was systematized. The earliest reference to the episcopal chapel at St. Andrews occurs at this time in a charter confirming the church of Falkirk to Holyrood in 1166:

Sciant ... nos in plenario capitulo nostro ... dedisse et ... confirmasse ecclesie Sancte Crucis ... ecclesiam de Egglesbrec, quae Varia Capella dicitur et totam terram quam nos ibi habuimus vel aliquis antecessorum nostrorum cum omnibus ecclesie et terre prenominate juste pertinentibus ... in perpetuam elemosinam singulis annis reddendo de terra supradicta unam petram cere capelle nostre et successorum nostrorum ad pentecosten.⁶

It is possible that the distinction made in witness lists between clerici and clerici episcopi indicates a growing split between a permanent

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1. Alexander, ibid., 12-13, 133, 136-9, 179, 338; Albin, ibid., 134; William, ibid., 134-6, 138-41, (?)338.
 2. Philip, ibid., 127.
 3. Nigel, ibid., 127, 128.
 4. Gamel, ibid., 126.
 5. Barrow, "Kinninmonths," 112 ff.
 6. Stevenson, Illustrations, no. 6, and Holy. Lib., Appendix II, no. 4. The latter differs in some respects from the Harley charter printed by Stevenson and may come from a second MS.

staff of the chapel and those clerks who were closely associated with the bishop. Thus two clerks, Stephen and Michael, appear consistently as clerici, whilst another pair, Robert and William, are commonly designated clerici episcopi.¹

There was a corresponding elaboration among the temporal staff of the bishop. Under Richard two stewards appear, perhaps in charge of the two distinct areas of his demesne, north and south of the Forth.² Other temporal servants included William the chamberlain,³ William and Guido marischals,⁴ Hugh the butler,⁵ Gamel the doorward,⁶ M. Clement the doctor,⁷ Aldred the baker and Aldanus the cook,⁸ and Gillanders the brewer.⁹

It is difficult to determine if the long dispute which followed the death of Bishop Richard had any great effect on the administrative system he created. The surviving acta of Bishop Hugh indicate continuity of practice, for they are witnessed by clerks, episcopal clerks, chaplains, his chamberlain, stewards and other personal servants.¹⁰

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1. Stephen and Michael appear in St. A. Lib., 12-13, 135, 137, 140-1, 144, 179, 216; Robert and William, ibid., 138, 179.
 2. Odo appears in St. A. Lib., 12-13, 134-6, 138, 140-1; Galfrid in ibid., 134, 136, 138-41. Both appear in Scone Liber, no. 40. By the episcopate of Hugh, Odo may have become the priory's steward exclusively: see Barrow, "Kinninmonths," 112 and nn.
 3. St. A. Lib., 134-5, 141; Scone Liber, no. 40.
 4. St. A. Lib., 141, 135, 140.
 5. Ibid., 134-6, 138-41; Scone Liber, no. 40; NLS Minto Chrs. Box 30, Bdle 212 nos. 5 and 7.
 6. St. A. Lib., 134-5, 138-41; Scone Liber, no. 40.
 7. St. A. Lib., 141.
 8. Scone Liber, no. 40. Aldred also appears in NLS Minto Chrs., Box 30, Bdle 212 no. 7.
 9. NLS Minto Chrs. Box 212. See also Barrow, "Kinninmonths," 122-3.
 10. Among his clerks were Hugh brother of Michael, St. A. Lib., 147, 149; M. William (of Beningworth), ibid. and 290, and Scone Liber, nos. 41, 50. Chaplains included Alexander, St. A. Lib., 147, 149, /.....

If there was a diminution in administrative efficiency this seems to have been made good by Bishop Roger, whose elevation to the see marked the apogee of royal influence in the election of St. Andrews bishops. The overriding administrative trend of the last decade of the twelfth century at St. Andrews was increased professionalization. This was reflected in the large number of trained magistri who appear in the bishop's service by this time. Many of them came from the estates of the bishop's family, the earls of Leicester. His household also contained Scottish clerks, probably trained in the Scottish burgh and monastic schools and then in England or on the continent. The temporal side of the bishop's household displays considerable continuity from the staffs of his predecessors.¹

The most significant administrative change of Bishop Roger was the introduction of the office of Official, who appears in the diocese c.1193-4. This innovation may have been a direct continental importation, for the office did not become common in southern England until the last two decades of the century, and came perhaps slightly later to the north.² From the first the Official of St. Andrews was the bishop's judicial ordinary. The innovation was a deliberate one dictated by Roger's absenteeism which made a legal delegate an essential element in maintaining the administration of the diocese.³

290, and Scone Liber, nos. 41, 49, 50; Albin, St. A. Lib., 353; and William of Dairsie, ibid. and Scone Liber, no. 49 int. al. Three new stewards, Henry, William and Hugh (the last-named being the progenitor of the Nydie family of hereditary stewards) also appear: Barrow, "Kinninmonths," 112 and nn. Other servants included Gamel the doorward, Scone Liber, nos. 49, 50; and Henry the physician, St. A. Lib., 290.

1. For the household in this episcopate see Barrow, thesis, 228ff.
2. Cheney, Chanceries, 20-1 and nn. For its origins see Fournier, Officialités, 302.
3. For the activities of the first Official, Ranulf, see Barrow, thesis, 227-8, 291. See also below, pp. 165 ff.

Under Bishop Malvoisin, it becomes possible to see the bishop's household in its wider context as the centre of a complex administrative system and the setting for the early careers of a number of important royal and ecclesiastical servants.

Malvoisin made a number of changes and modifications in his administration. In one respect his innovations seem to mark a retrograde step, for no chancellor appears by name in the records of his episcopate. Bishop Roger's chancellor, Geoffrey of Cranford, had been responsible for a number of diplomatic innovations, such as full dating and the use of pontifical years, which were dropped when he left the St. Andrews chancery.¹ The distinction between clerici and capellani, on the other hand, seems to have become more marked. The latter were the more select group, priests in attendance on the bishop, while clerici were usually tonsured clerks employed in general clerical duties.²

Malvoisin's capellani performed a number of specialized duties. They served as the bishop's personal chaplains, oversaw the work of the chancery, and were delegated special jobs. Thus Simon, capellanus episcopi, acted with Archdeacon-Official Laurence and another episcopal servant, Steven of Lilliesleaf, as judges in a controversy between an episcopal clerk, Simon de Noisy, and Dunfermline Abbey over revenues due from the chapel of Kirkcaldy.³ Another chaplain, Robert of Methven, seems to have made something of a speciality out of enquiries into the sources and amounts of vicars' stipends.⁴

1. For Cranford see Barrow, thesis, 228-9, where it is suggested that the dating style employed by him was borrowed from English royal chancery practice. St. A. Lib., 153-4; Camb. Reg., no. 59.

2. Cheney, Chanceries, 9.

3. Dunf. Reg., no. 111.

4. St. A. Lib., 403, 158; Stevenson, Illustrations,^{no.} 17.

The bishop's capellani were men of special status. Throughout the whole of Malvoisin's episcopate there appear only eight men bearing this title. The most appearing at any one time seem to have been active in the bishop's service in the earlier part of the episcopate. Four appear together in a charter datable between 1202 and 1209.¹ In the second decade of Malvoisin's rule two more capellani make their appearance: Robert of Liston who came from the episcopal barony of Kirkliston, and Robert of Methven.² By the third decade of the century another chaplain, Simon, appears.³ He seems to have begun his career as a clerk in the bishop's chancery, or perhaps as a burghal scribe at St. Andrews.⁴

During the episcopate of Malvoisin over three dozen men appear described as clerici. It is impossible, however, to determine the size of the bishop's chancery staff at any given time. What is more certain is that many of these men used the chancery as a stepping-stone to other careers. Sixteen clerks are designated by the title magister, an indication of university training. These men had developed abilities useful beyond the general round of chancery business. One clerk, William of Gullane, served as episcopal seneschal in Lothian.⁵ Another clerk, Nicholas, may be identifiable with Nicholas of Coldingham, a

1. Arb. Lib. i, nos. 165-6. The four chaplains are Peter and Edward, Peter de Maule and William of Brechin. Peter may be the same as M. Peter, one of Malvoisin's Glasgow clerks. Glas. Reg. i, no. 93.

2. St. A. Lib., 159-60, 403; Dunf. Reg., no. 108.

3. SRO GD 90/1/16; C.A. Chrs., no. 26; Scone Liber, no. 117; Dunf. Reg., nos. 103, 111; St. A. Lib., 157, 161, 170; Holy. Lib., no. 47.

4. NLS 15.1.18 no. 33.

5. He appears in N.B. Chrs., no. 8; Arb. Lib. i, nos. 151, 153-67, 169; St. A. Lib., 161; and as seneschal in Midl. Chrs., nos. 18, 20, and Scone Liber, no. 117.

x member of the bishop's temporal staff.¹

This professional body was made up of men of differing background and origins. A number had come with the bishop from Glasgow, including Simon de Quincy, M. Peter, M. Michael,² and perhaps Radulf.³ Malvoisin also inherited a number of clerks from Bishop Roger, among the most important being M. Steven (? de Hedun),⁴ M. Isaac "the Scot",⁵ and William of Wiville.⁶ Some clerks came into Malvoisin's service through family connections, notably Simon de Quincy. The bishop's French family background attracted several clerks from France, including Simon de Noisy.⁷ Perhaps the most remarkable instance of this personal French connection was the appearance in the bishop's household of two members of the Néauflé family: men from a family which had been closely connected with the Malvoisins for over a century.⁸ The Malvoisins had also been associated with the de Maule family and two clerks bearing this name also appear in the familia, although there is no clear evidence whether they were members of the French or the Scottish branch of the

1. As clerk, N.B. Chrs., no. 8; and as Nicholas of Coldingham in Dunf. Reg., no. 102, and NLS 15.1.18 no. 14.

2. Glas. Reg. i, no. 93; and at St. Andrews, Camb. Reg., no. 46.

3. Glas. Reg. i, no. 93; and at St. Andrews in St. A. Lib., 156, and (?) Dunf. Reg., no. 110. This Radulf is distinct from Radulf Niger who came into Malvoisin's service from Bishop Roger's household. See St. A. Lib., 260, 156. Radulf may possibly be identified with the dean of Fife/Craill, 1212-1231, who first appears in 1212. Ibid., 315-16.

4. Ibid., 152, 156; Dunf. Reg., no. 110.

5. Arb. Lib. i, no. 147; Camb. Reg., no. 59; St. A. Lib., 154, 156, 315-16.

6. Ibid., 45, 154, 260; NLS 15.1.18 no. 20.

7. For the Noisy and Néauflé clerks see Barrow, thesis, 238-9. The names were derived from Noisy-le-roi west of Paris and seven miles from Néauflé-le-château. Simon appears in NLS 15.1.18 nos. 33, 42; Dunf. Reg., no. 111. His living at Dysart was apparently in the gift of the bishop.

8. For this family connection see Appendix VI. Gervase de Néauflé appears N.B. Chrs., no. 8; Dunf. Reg., no. 102; NLS 15.1.18, no. 14. He was vicar of Naughton, a priory living. St. A. Lib., 107. He appears with Galfrid de Néauflé in NLS 15.1.18 no. 20.

family.¹

By the second decade of the century there begins to be a notable increase in the proportion of clerks and servants of the bishop bearing Scottish surnames and territorial derivatives. This change may be more apparent than real, for many of the bishop's servants in the early part of the episcopate are known only by their Christian names. Still, by the 1220s there does seem to be an increasing number of native-born servants at St. Andrews, many of them university-trained. It was from among these "new men" that David Bernham, the first native-born bishop of St. Andrews since Bishop Fothad (d. 1093), was to come. Among the servants of Malvoisin by the second decade of the century were Richard of Kelso,² M. Peter of Dryburgh,³ M. Steven of Lilliesleaf,⁴ M. William of Greenlaw,⁵ in addition to Robert of Liston and Robert of Methven. In the next few years they were joined by William of Inverkeithing,⁶ G. of Lasswade,⁷ John of Haddington,⁸ William of Muckhart,⁹ and William of Nydie.¹⁰

William of Nydie represents a common feature of the history of Malvoisin's household, the use of a career in the bishop's household as

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1. See Appendix VI for family connection. Peter de Maule was an episcopal chaplain. Arb. Lib. i, nos. 165-6. John de Maule, clerk, appears in St. A. Lib., 158-60.
 2. Dunf. Reg., nos. 103, 108; SRO GD 90/1/16 (1209x1237-8).
 3. NLS 15.1.18 no. 20; C.A. Chrs., no. 26 (1208x1238).
 4. Ibid., no. 21; Arb. Lib. i, no. 167; (?)NLS 15.1.18 no. 20 (1212x1222-5).
 5. St. A. Lib., 316. He was rector of Dysart, Dunf. Reg., no. 111 (1212x1219).
 6. St. A. Lib., 158-60; Dunf. Reg., no. 108 (1224x1237-8).
 7. Scone Liber, no. 117 (1223-4x1237-8).
 8. St. A. Lib., 157 (1224x1237-8).
 9. Dunf. Reg., no. 103 (1225x1235).
 10. Arb. Lib. i, no. 151; C.A. Chrs. i, no. 26.

a stepping-stone to advancement in royal service. William came from the family of the bishop's hereditary seneschals of that name, and may have received his early training in the bishop's household as had other members of his family.¹ He entered the bishop's service c.1220-5 and remained there until entering royal service: he appears as a chancery clerk by 1230-1.²

Two other native-born clerks laid the basis for successful careers in Malvoisin's service: David Bernham and M. Andrew Moray. The latter, from the baronial family of Moray, joined the familia of the bishop early in the century and remained a member of it until his election to the see of Moray in 1222.³ He had been provided to the see of Ross c.1213 but had resigned without being consecrated.⁴ He held the family living of Duffus, which as part of his reform of the cathedral constitution of Moray he had erected into a prebend.⁵ It was Andrew who was responsible for the final move of the cathedral church of Moray to Elgin and the building there of the cathedral church of the Holy Trinity. In his erection of new prebends for his church, Bishop Andrew endowed one for prayers to be said for himself, his predecessors, successors, and William Malvoisin.⁶

Moray is representative of another group of clerks who entered episcopal service at St. Andrews in this period: members of important

1. NLS 15.1.18 no. 33.

2. Pais. Reg., 105; Arb. Lib. i, no. 117.

3. He appears in Dunf. Reg., nos. 101, 102, 110; Lind. Cart., no. 108; N.B. Chrs., no. 8; Scone Liber, no. 54; NLS 15.1.18 nos. 14, 33. For election to Moray, see Watt, Fasti, 214.

4. Ibid., 266.

5. Dowden, Bishops, 148. He also had an interest in lands in Lauder parish, which were given to Dryburgh Abbey at his election to Moray. Dryb. Lib., no. 88.

6. Moray Reg., no. 81.

baronial and knightly families. Moray himself was followed at St. Andrews by another member of his family, M. Edward Moray.¹ Probably the most important of this group of clerks, however, was Alexander of St. Martin, who came from a family holding lands of the Countess Ada in East Lothian.² By the third decade of the century he had become Official to the archdeacon of Lothian, the royal chancellor William de Bosco.³ Other such clerks included R. de Hay,⁴ two members of the Vaux family,⁵ and Simon de Quincy.

Simon represents the wider context of the bishop's administrative system, for after following Malvoisin to St. Andrews from Glasgow and being provided to the family living at Leuchars, he entered royal service.⁶ This move did not mean the end of his St. Andrews connection for he continued to witness family and episcopal charters for twenty years after entering royal service.⁷ The connection between the household of the bishop and the royal chancery could be extremely close. Not only were clerks like Robert of St. German seconded to royal service,⁸ but episcopal acta could be written by royal scribes such as Gilbert of Stirling.⁹

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1. Dunf. Reg., no. 103; St. A. Lib., 161.
 2. Ibid., 157-61; Dunf. Reg., nos. 103, 108; Holy. Lib., no. 47.
 3. Watt, Fasti, 327, 309.
 4. Arb. Lib. i, no. 150; St. A. Lib., 316.
 5. William de Vaux held part of the family living of Gullane, c.1221. Dryb. Lib., no. 37. A Griffende Vaux appears in Arb. Lib. i, no. 169.
 6. Glas. Reg. i, no. 93; Arb. Lib. i, no. 150; St. A. Lib., 350-1. He had two clerks c.1206, ibid., 256-7.
 7. Ibid., 107, 155, 256-7; Arb. Lib. i, no. 169; Camb. Reg., no. 71.
 8. St. A. Lib., 316; C.A. Chrs., no. 26. As a royal clerk, Arb. Lib. i, no. 1. He was an envoy with the bishop to England in 1215 (CDS i, no. 629), and went to Rome to gain absolution for his rebellion in 1218. Vet. Mon., no. 13; CDS i, no. 717.
 9. For the identification of the hand of Gilbert of Stirling see RRS ii, 90. The same hand appears in Durham D. and C. MC 1333, NLS 15.1.18 nos. 14, 20, and SRO RH 6/22.

The temporal side of the bishop's administration also represents a consolidation of earlier trends. To a certain extent temporal and ecclesiastical jurisdiction impinged upon each other and there was certainly an intermixing of personnel. In contrast to the bishop's chancellor, the existence of the bishop's chamberlain is well attested in the surviving record of Malvoisin's episcopate.¹ The careers of other temporal servants remain obscure. Such men as Robert of Upsettlington,² Richard Lidell,³ and Richard of Twyford⁴ do not appear outside witness lists. Malvoisin does not seem to have continued the practice of his predecessors of using the more menial of his temporal servants as witnesses to documents, but the marischal of his servants appears,⁵ as does his dispenser,⁶ and in his old age his doctor.⁷

By the end of Malvoisin's episcopate the structure of administration was fixed along lines which were to remain for the next three centuries. Changes which did occur were modifications or sophistications of the existing framework. Already, in the closing years of his life, some of these modifications were in evidence, notably the full dating of episcopal charters which seems to have begun some time during last seven or eight years of Malvoisin's rule.⁸ This was probably an innovation of the "new men", modelled on royal practice, and it became

1. Richard the chamberlain appears in SRO RH 6/22; NLS 15.1.18 no. 14; Dunf. Reg., nos. 101-2, 110-11; Scone Liber, no. 54; Camb. Reg., no. 46; C.A. Chrs., no. 26; St. A. Lib., 107, 155-7, 316.

2. N.B. Chrs., no. 8.

3. Ibid.; and C.A. Chrs., no. 26; Dunf. Reg., nos. 111, 225.

4. N.B. Chrs., no. 8.

5. John the marischal appears in ibid., and NLS 15.1.18 no. 33.

6. Ibid., Eutropius dispensator, probably represents the household bursar.

7. Dunf. Reg., no. 107.

8. Ibid., nos. 107-8.

the almost invariable practice of the chancery of Bishop David.

It was this bishop who was responsible for the streamlining of his household, which facilitated his administration but creates enormous problems for understanding the administrative history of the diocese in detail. The peripatetic role of the bishop demanded practical solutions to the problem of providing continuous and efficient diocesan administration. Indeed, the practical bent of the bishop may be indicated by the fact that initially he kept as his secretum his personal seal from his pre-pontifical days.¹

This concern for efficiency and effective diocesan government led to two major changes in the household under Bishop David. One was the creation of a small, relatively constant, group of professional servants in personal attendance on the bishop. The other change was the initial decline in the role of the capellani, until they became little more than personal chaplains of the bishop, and their apparent return to the more wide-ranging functions in the bishop's later years. The extent of what may be called Bernham's "inner circle" may be judged by the witnesses to one of the bishop's acts issued at Inchmurdo in the first year of his episcopate:

Hiis testibus . Magistro Petro de rameseya . Magistro Hugone de meleburne . Magistro Alexandro de sancto martino . Magistro Waltero de mortuomari . Domino Roberto persona de methfen . Rogero de suleby . Hugone de strivelin . Gilberto . Jacobo clericis nostris et multis alijs .²

Except for the omission of M. Alexander of Edinburgh, this list contains the basic personnel of the bishop's inner household, a group of men which displays remarkable continuity throughout the decade.³

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1. His seal as vicar of Haddington is the same as that described in Greenwell and Blair, Seals, as bishop (Nos. 1017, 3621). By 1250 he had obtained a new secretum, showing the virgin enthroned with a figure beneath kneeling in adoration. SRO RH 6/48.
 2. St. A. Lib., 164.
 3. Ibid., 165; Dunf. Reg., no. 117; Pais. Reg., 119.

It is difficult to extrapolate from the fragmentary and random survivals among the records of Bishop David's time, but it may not be entirely coincidental that the charters witnessed by this group of clerks fall almost entirely within the period 1240-1248.¹ This coincides with the most active period of the bishop's career as a diocesan, before he became caught up with the political controversies following the death of Alexander II. By 1250 a number of these clerks are found holding prebends in the new culdean church of St. Mary of the Rock: others may have been provided to benefices and offices elsewhere.²

Bernham himself was, doubtless, responsible for the new shape of his household. The new order is reflected in the clear hierarchy among episcopal servants shown in the witness lists of episcopal charters. Offices were created and filled for well-understood specific purposes. This is most clearly seen in the appointment of Officials, for the office was only brought into being at periods when the bishop was to be abroad: 1240-2 and 1245-8.³ Another instance of this efficiency in administration was the changing role of the capellani. In his confirmation of the freedoms of the burgh of St. Andrews which was probably issued during the early days of his pontificate, Richard and Gilbert appear as chaplains.⁴ They thereafter disappear from record until Gilbert alone reappears a decade later in somewhat changed circumstances.⁵

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1. The only exception is SRO RH 6/48. See next page for further discussion of this charter.
 2. Hugh Melburn, a member of the culdean community by at least 1220, may have died by 1248x9 for he does not appear among its members named in the monition of 1250. NLS 15.1.18 no. 30.
 3. Watt, Fasti, 323 and Itinerary, Appendix I.
 4. SRO B65/1/1 f. xxxv r., no. 3 (Black Book of St. Andrews).
 5. SRO RH 6/48.

Their place is taken by one of Malvoisin's old chaplains, Robert rector of Methven, who appears over the first eight years of Bernham's episcopate as episcopal chaplain and penitentiary.¹

This kind of simplification was necessary to a peripatetic bishop. It is only after the end of Bernham's active first eight years that the numbers of the bishop's "inner circle" apparently contract and the number of capellani increases. This move towards what may be termed a more "domestic" household is reflected in the witnesses to Bernham's grant of the hospital of Scotlandwell to the Trinitarian friars in 1250-1:

Magistris Willelmo de Cunningeham . Alexandro de Edeneburgh .
Dominis Roberto . Radulfo . Gilberto . Jacobo . Capellanis .
Galfrido . Waltero . Gilberto . clericis nostris .²

Bernham had other servants outside this group who commonly witness his charters, among whom was M. Hugh Picard, who entered the bishop's service c.1246 and appears as a clerk under Bishop Gamelin.³ It does seem, however, that about 1248-9 there was a contraction in the number of persons regularly attendant on the bishop, and this change set the style for administrative arrangements for the next eighty years.

Rarely again does more than one chaplain witness episcopal acts and the number of clerks is seldom more than three or four. An exception to this general rule is found in the newly-discovered feu charter of Walter Perchelay to William Avenel, issued in 1260, which is witnessed by a large number of Bishop Gamelin's clerks, including M. Adam Makerston, M. Thomas Charteris, M. Gilbert Herez, M. Thomas of

1. In the Black Book of St. Andrews he appears without designation, as also in St. A. Lib., 165. As chaplain he appears in Dunf. Reg., no. 117, Pais. Reg., 119. As penitentiary he appears in St. A. Lib., 169 (dated 1246).

2. SRO RH 6/48.

3. St. A. Lib., 169, 172.

Restalrig, William of Dalgarnoch, Adam of Anand, Richard of Stichlaw, William of Carmunnock and John of Cunningham.¹ Bishop Fraser's transcript of the resignation by William Ferrers of the patronage of Leuchars is witnessed by both archdeacons of the diocese, his Official, Peter the bishop's chaplain, Richard of Rait, Hugh of Rhynd, and Richard of Tynninghame episcopal clerks.² By the time of Bishop Lamberton the common form was for the archdeacon(s), Official and the bishop's clerk to witness documents, occasionally in conjunction with local worthies. This does not mean that the absolute numbers of the bishop's household were reduced, but rather that administrative procedures were more
X efficient.

Already by the time of Bishop Bernham, for example, certain kinds of administrative documents were being issued under the bishop's seal alone, occasionally as letters patent. These letters were commonly concerned with confirming existing rights, modifications of financial arrangements, or institution to benefices.³ By the time of Bishop Fraser there is evidence of private episcopal letters being authenticated by affixing the seal to the body of the letters.⁴

These kinds of changes indicate an efficient administration, run by an almost entirely anonymous chancery staff. The men who continue

1. NRA report 153 (additional). Papers in the possession of Mitchell and Baxter, WS: brown suitcase labelled J.T. MacDonald, Bdle. 2. Now in SRO, Edinburgh.

2. NLS 15.1.18 no. 8.

3. For example the bishop's letters to Coldingham after receiving hospitality at the priory during his visitation of their churches was issued under his own seal. Durham D. and C. MC 1320, 944. Bernham's general confirmation to Holyrood Abbey was witnessed, but his settlement of the vicarage portions of their churches was not. Holy. Lib., nos. 76, 75. Directions to local agents were also issued under the bishop's seal alone. For example, Kel. Lib. ii, no. 437.

4. CDS iv, Appendix I, no. 6. For private letters issued under the bishop's seal see PRO SC 1/7/189 and SC 1 2/69.

to appear as episcopal clerks in witness lists of the later thirteenth and early fourteenth century were highly trained specialists, too expensive to be used for the repetitive tasks of the chancery copyist. The men in attendance on the bishop expected and reaped rewards commensurate to their talents. In many cases they were related to the bishop by family ties or by patronage and personal friendship.¹

Perhaps the latest time at which it is possible to trace in some detail the benefices and subsequent careers of a majority of the bishop's inner circle occurs in the episcopate of Bishop Gamelin. Two of his clerks, Adam Gullane and Thomas Charteris, became archdeacons of Lothian.² Thomas Charteris became chancellor of Scotland in succession to William Fraser.³ William Mortimer held the living of Dunino and Adam of Anand, in addition to being a canon of Dunkeld, held Monimail by 1259.⁴ William of Dalgarnoch was rector of Rait by the same year.⁵ Richard Stichlaw became the bishop's seneschal.⁶

It becomes increasingly difficult to trace the benefices and later careers of subsequent episcopal clerks. It seems likely that episcopal service came increasingly to be an end in itself, not necessarily leading to major ecclesiastical benefices or royal patronage. Thus Lamberton's clerk, Simon of Crail, became succentor of Moray by 1343 and was unsuccessfully provided to the subdeanery in 1351,⁷ a somewhat undistinguished career when compared with those of a number of episcopal clerks a century before.

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1. Bishop Wishart's clerk, associated with him in negotiations with the English in 1277-8, is described as clerk and "socius". CDS ii, no. 119.
 2. Lind. Cart., no. 110; St. A. Lib., 172; Watt, Fasti, 310.
 3. HBC, 174.
 4. St. A. Lib., 172, 174. This was a mensal church.
 5. Ibid., 172.
 6. Ibid., 173.
 7. Holy. Lib., 88, 90; Watt, Fasti, 233, 231.

2. The Bishop and his Chapter

The jurisdictional centre of the diocese was the cathedral church and its clergy were the bishop's most important administrative advisers and agents. Relations between the bishop and his chapter were therefore of extreme importance, for bad relations could lead to administrative paralysis, as had happened a number of times at Durham in the thirteenth and fourteenth centuries. Although the chapter of St. Andrews was, like Durham's, a regular one, relations never became so strained as to break down completely. The reasons for this appear to be twofold. The ancient position of the Celtic bishops as members of a monastic corporation was retained to a certain extent. The bishop's implied position as abbot of the Augustinian house was reflected in his granting the chapter free prioratual elections and his position as jurisdictional superior of the priory's own patrimony, the Cursus Apri.¹

This is not to say that relations between the bishop and his chapter were wholly amicable, for they were not. But in such matters as the building of the cathedral the two were bound by a community of interest. Furthermore:

... acts which affected the permanent position of one party had to be ratified by the other: the chapter commonly retained a direct interest in the bishop's maintenance of diocesan jurisdiction because it claimed that sede vacante ...²

After 1162 the bishops ceased to be drawn from the regular clergy and from that time on there seems to have come about a divorce of interest between the bishop and the chapter which was accentuated by the long election dispute of 1178-1188. This change encouraged the chapter to attempt to create for themselves as distinct a sphere of jurisdiction

1. St. A. Lib., 126, 171, xxxi-ii.

2. Cheney, Chanceries, 138-9.

as possible, which involved among other things the first papal defini-
× tion of the priory's regalian rights.¹ The episcopal response to this
drawing apart was not only to attempt to reassert episcopal rights in
the late twelfth and early thirteenth centuries, but to introduce a
rival corporation of clergy into the cathedral city which would be
dependent upon episcopal and royal patronage for its existence.
Tradition was too strong for the bishops to attempt to replace the
Augustinian chapter completely, but the members of the new culdean
community took over a number of the functions previously performed by
members of the chapter, notably as members of the bishop's administra-
tive staff.

× The use of members of the cathedral chapter as agents of episco-
pal administration was a common practice in the English church in the
twelfth century, but was apparently less common at St. Andrews.² The
practice seems to have died out with the beginning of the line of
secular bishops in 1162.

There still remained the occasions when the bishop was required
to obtain capitular consent and help. The most common instance was
capitular assent to certain classes of episcopal acts, especially those
which in any way altered diocesan institutions such as changes in the
status of churches. The bulk of surviving capitular confirmations are
of appropriations of parish churches to monastic houses, an example of
this being the ratification of Bishop Bernham's charter granting
Dalmeny to Jedburgh Abbey:

1. St. A. Lib., 61, 65. See below, pp. 242 ff., for a fuller
discussion of this point.

2. Robert, a canon, is a witness to Scone Liber, no. 47. He is
probably to be identified with Bishop Robert's brother, who became
the first member of the Augustinian chapter at St. Andrews.

Omnibus christi fidelibus presens scriptum visuris vel auditoris .
Johannes dei gratia prior ecclesie sancti Andree in scotia et
eiusdem loci conventus eternam in domino salutem . Noverit
universitas vestra nos unanimiter et concorditer ratam et gratam
habere collacionem concessionem et confirmationem quam venerabilis
pater noster David dei gratia Episcopus sancti andree fecit abbati
et conventui de Jeddewrth super ecclesia de dunmanin cum omnibus
pertinentiis in usus proprios inperpetuum tenenda et
possidenda . sicut in carta dicti episcopi eisdem inde concessa ?
plenius continetur . In cuius rei testimonium huic scripto
sigillum capituli nostri apposuimus . Datum apud sancto Andream . un/
anno domini Millesimo . ducentesimo . Quadragesimo . septimo .
Sexto Non(arum) Julii.¹

Any modification in the service of a parish church was also sub-
ject to capitular approval and confirmation. In Malvoisin's pontifi-
cate, for example, the chapter confirmed a series of episcopal agree-
ments with Arbroath Abbey over the presentation and maintenance of
vicars in their churches, the payment of procurations, cain and conveth.²
The chapter similarly confirmed the conversion of Kelso Abbey's churches
of Howden and Simprim into stipendiary charges, served by a member of the
monastic community.³

The integrity of the parish itself was also subject to capitular
advice and consent. The most common threat to such integrity was the
creation of private chapels and oratories which an early canon of the
Scottish church had ordained were not to be built without the consent
of the diocesan.⁴ The process was closely supervised by the bishop
and chapter as is clear from the preamble to a charter relating to the
foundation of a chantry in the chapel of Lauriston Castle in the parish
of St. Cyrus in 1243:

Omnibus Hoc scriptum visuris vel auditoris Alexander de
strivelin : Salutem Eternam in domino ? Noveritis quod cum

-
1. SRO RH 6/37.
 2. Arb. Lib. i, nos. 168, 170.
 3. Kel. Lib. ii, no. 424.
 4. C 6.

l.c. venerabilis in christo pater David dei gratia Episcopus sancti Andree de Consensu prioris et conventus eiusdem Loci propter divini cultus augmentum et ad instanciam meam Capelle mee de Laurenciston Cantariam concessisset ? ¹

Occasionally the chapter was the initiating force in the creation of a chapel within one of their parishes, in which case the bishop's assent had to be gained:

Omnibus hoc scriptum visuris vel auditoris ? Johannes dei gracia prior sancti Andree et eiusdem loci conventus Humilis Eternam in domino Salutem . Noverit universitas vestra nos de assensu et auctoritate venerabilis patris nostri . David dei Gracia Episcopi sancti Andree Licenciam concessisse Duncanano de Ramesey et heredibus suis habendi Capellam in terra sua de clatyn. Infra parochiam nostram de Losresch . ²

Thus in many ways the bishop and chapter were joint custodians of the integrity of the see although the chapter alone was custodian of the gifts of lands, money and rights which were granted to the cathedral church of St. Andrews. Because of the early status of the church as a monastic bishopric, however, there seems to have been a good deal more overlapping of the rights of the bishop and chapter. Thus bishop Arnold's confirmation of a tenth of the revenues from all of his justice has a symbolic significance analogous to similar royal donations to such religious houses as Scone.³ In the maintenance of the integrity of the chapter's own patrimony, the Boar's Raik, the x bishop's jurisdiction was dominant. In 1309 the bishop's regalian rights within the Cursus Apri were confirmed.⁴ It had been Bishop Robert who had given the lands to the chapter c.1144, apparently somewhat unwillingly, after acting as custodian of them.⁵ To these lands

1. St. A. Lib., 280.

2. Ibid., 328.

3. Ibid., 131. ;

4. Ibid., xxxi-ii.

5. Chron. Picts-Scots, no. 31 (193).

the bishop had added others, such as the endowment area of the parish church of the Holy Trinity, in which he retained a number of rights including cain payments and carriage service.¹ Scattered throughout the Cursus Apri there were lands which were directly subject to the bishop's baronial jurisdiction.²

Thus the practical problems of day-to-day administration forced a working relationship on the bishop and his chapter. There were, moreover, special occasions when the bishop might go to his chapter for advice, such as the preparation of diocesan legislation or determining major disputes. Certainly the prior had a place in the earliest record of a diocesan synod at St. Andrews which confirmed Earl Gospatrick's grant of the churches of Edrom and Nesbit to Durham.³

By the thirteenth century there was another sphere in which the chapter had rights in the administration of the diocese: sede vacante and absentee jurisdiction. In both cases Scottish practice varied somewhat from English, for in Scotland the role of the crown was dominant. Not only was the crown able to exercise jurisdiction over all the temporal goods of a bishop during a vacancy, but this right could also be granted to a secular person appointed by the king.⁴ In theory this fitted in well with the rights of the chapter which were, ideally at least, more concerned with maintaining the essential features of the spiritual life of the diocese.⁵

Although no long vacancies occurred in the period under consideration, there were several periods when the bishop was absent from the

1. St. A. Lib., 123.

2. For a discussion of these, see below, p. 202 and Maps II and III.

3. Durham D. and C. MC 978, 5960 (printed in ND, no. 449, ESC, no. 213).

4. See Donaldson, "Vacancies." ER i, 137 ff.

5. Fournier, Officialités, xxv.

diocese. Before the thirteenth century administration was carried on by neighbouring bishops: this was clearly the case at St. Andrews during part of the time of the disputed election of the 1180s and the long period during which Roger remained elect. Bishop Matthew of Aberdeen, with his local knowledge, acted as locum tenens even though he was related to the unsuccessful candidate John the Scot and was sent into exile for some of the period 1178-1188.¹

The practice of using neighbouring bishops was a rather awkward one and by the thirteenth century there is evidence that the bishops themselves were making arrangements for absentee administration of the diocese. Although the chapter would continue to act as the regular administrative body, specially-delegated officials took over certain duties. Thus during Bishop Bernham's absence at the Council of Lyons in 1245 his Official, M. Andrew of Aberdeen, is found settling the controversy between the chapter of St. Andrews and the nuns of Haddington in a rural chapter held in Lauder Church.²

X Increasingly the regular and ad hoc sides of absentee administration were joined together by the bishop and chapter. During Bishop Fraser's absence in France the chapter gave a life interest in their

1. Barrow, "Kinninmonths," 113 ff. It must have been before the election of John that the king and archdeacon of St. Andrews requested Matthew to bless the new abbot of Arbroath. Arb. Lib. i, no. 2. Bishop Matthew was involved in the donation of Leuchars to St. Andrews, a transaction confirmed by Bishop Hugh c.1187. St. A. Lib., 287-8. During Roger's period as bishop-elect, Matthew is found acting a number of times. In addition to confirming the church of Bourtie in his own diocese (ibid., 299), he witnessed a grant of land by Orabill, daughter of Ness son of William (ibid., 290-91), a grant of lands and Scoonie church by Duncan, earl of Fife (ibid., 239, 241) and an infertment by Prior Walter to Alan son of Simon for the lands of Kedlock (ibid., 307). Matthew consecrated Roger bishop, at which time in a symbolic handing over of authority he witnessed the new bishop's general confirmation to his chapter and perhaps the agreement between the chapter and the Culdees as well (ibid., 152, 318).

2. Ibid., 329-31.

barony of Kirkness to one of the bishop's vicars general.¹ During Lamberton's captivity the prior, an episcopal partisan, acted on the bishop's behalf in the enquiries into the fake tax-collector's activities in Lothian.²

Finally, the interests of the bishop and the chapter coincided in the mutual activity of building the cathedral church. Although the cathedral was the seat of the bishop it was the chapter which was responsible for its maintenance. Generally speaking, however, the bishops were the architectural arbiters of the church while the chapter was similarly responsible for the conventual buildings. This distinction was blurred somewhat by the close working relationship which was achieved between Bishop Lamberton and his chapter, for it was the bishop who was responsible for the new chapter-house with its "curious seats" and ceilings and perhaps the pends entrance to the priory precinct as well.³

From the commencement of the building of the new cathedral under Bishop Arnold, the bishops granted successive privileges to the chapter to enable it to carry out the building of the cathedral church. The period of greatest capitular endowment coincided with the first phase of building under Bishop Richard, who gave lands to maintain the building effort as well as regulating the condition of the builders of the cathedral living in his burgh.⁴

The king and nobility followed suit in their endowment of the cathedral building. King William allowed the chapter to take wood from his forest at Banchory, as did the earl of Mar and Waldeve of

1. Ibid., 176-8.

2. Barrow, "Tax Collector," 324.

3. Cruden, "Cathedral," 20.

4. St.A. Lib., 141, 338.

Strachan.¹ The king also confirmed the annual merk pertaining to the Countess Ada's lands at Pitmillie to the building fund.² Saher de Quincy granted three merks from his mill at Leuchars, two of which were to be used for the lights and building, and one to the chapter's pittance "die aniversario predictorum predecessorum meorum".³

Despite these widespread lay donations it was the impetus provided by the bishop which was decisive in maintaining the construction of the cathedral church. The disputed election of the 1180s and Roger's long period as bishop-elect brought a slowing down of building activity. It was Bishop Malvoisin who brought about the completion of the "new wark" of the choir: but in order to see it through he had to make several new endowments. He converted Bishop Richard's grant of the revenues of all pentecostal processions to this end,⁴ as well as assigning the revenues from the church of Lathrisk and its chapel at Kettle.⁵ In addition he granted twenty merks from Scoonie to be used towards the general maintenance of the cathedral fabric.⁶ After Malvoisin's time detailed knowledge of building activities and episcopal financial support becomes almost non-existent. Bishop Wishart's rebuilding of the west front of the cathedral may indeed have been paid for out of the profits of his justice: it was perhaps in character if this were so. Just as he built a family dynasty so he built a monument in stone to

1. St. A. Lib., 227, 247, 277.

2. Ibid., 226, 209. When the building was completed, the money was to be used to maintain lights.

3. Ibid., 255-6.

4. Ibid., 133, 160-1. Pentecostals were traditionally paid during the annual visit of the clergy and people of the diocese to the cathedral. Cheney, Eng. Ch., 150. The obligation of annual visits to St. Andrews was used as a model for granting similar rights to Glasgow Cathedral. Glas. Reg. i, no. 21.

5. St. A. Lib., 156-7.

6. Ibid., 160.

his taste and power. By the early fourteenth century the completion of the cathedral had become a political act as much as a religious one, and the royal gift of several churches which followed the dedication of the cathedral may have been intended in part to repair capitular finances after a period of warfare, destruction, and rebuilding.¹ The basic weakness of the medieval church was financial: at St. Andrews this weakness transferred itself to the stone. The fabric was weak at several points and within two hundred and fifty years the cathedral and conventual buildings had become ruinous not so much through the agency of reforming zeal as by the double enemies of time and weather.

3. Central Administration

Besides his chapter, the bishop had other administrative agents centred on his cathedral city. The most important of these were his chancery and treasury. There was a certain amount of overlapping between the secretarial arrangements of the bishop and the chapter in the twelfth century, and this was probably true of their financial arrangements as well. With the decline in the identity of interest between bishop and chapter in the second half of the twelfth century there was a growing apart of administrative arrangements, although some aspects of the bishop's governmental arrangements remained centred in the cathedral. Certain of the bishop's courts continued to sit

1. Another expedient which seems to have come into use in the late thirteenth century to raise money for the building of the cathedral was the provision attached to certain agreements for fines to go to the building or maintenance of the cathedral fabric. For example, see Arb. Lib. i, no. 351 (1323).

there and the cathedral clearly remained the financial centre of the diocese as well.

Direct evidence of the location of the bishop's regularly functioning chancery in the period under consideration is virtually non-existent. Some sort of writing department must have remained at St. Andrews. By the time of Bishop Bernham, however, there is some evidence of a small chancery in operation at the episcopal manor of Inchmurdo, in addition to the "inner circle" of clerks in attendance on the bishop.¹ Such sophistication was necessary to cover the need of the bishop for both an executive and a record-keeping department. Certain records were, doubtless, kept in the cathedral treasury: records of permanent importance were deposited in the treasury at Glasgow in the fourteenth century.² There were other records which the bishop needed for more immediate use and reference. These included such matters as copies of leases of churches to laymen, which the legislation of the Scottish church ordained were to be kept by the bishop or his archdeacon.³ These administrative records, which probably included such things as notices of visitations, were kept in a readily accessible place, perhaps in one or more of the bishop's residences. Such a subdivision of archives was a common feature in the thirteenth-century church: Archbishop Pecham of Canterbury (1279-1292) had his archives at St. Gregory's, Canterbury, but kept certain administrative documents at Lambeth Palace or distributed them among certain of his administrative agents.⁴

1. Lind. Cart., no. 62.

2. Glas. Reg. i, no. 271.

3. C 17.

4. Cheney, Chanceries, 134-5.

Other more ad hoc or ephemeral records were also kept. Bishop Bernham kept a record of his dedications inside the covers of the book of offices which he used in the dedication ceremonies. There is, however, no surviving evidence for the keeping of an episcopal register at St. Andrews in the thirteenth and early fourteenth centuries. Given the complexity of episcopal administration in this period, the strong influence of southern administrative practices, and the certain existence of at least two capitular registers at St. Andrews, it would be extraordinary had the bishops not kept such a record book which has not survived.¹

On the financial side of the bishop's administration the general outlines of administrative procedures are somewhat clearer. By the early sixteenth century it is possible to determine in some detail the methods employed for the collection and accounting of revenues accruing to the bishop's ecclesiastical and temporal jurisdiction.² It seems probable that the outlines of this system were established by the thirteenth century, if not earlier. The bishop's chamberlain was in charge of accounts and in the early sixteenth century he commonly audited them at St. Andrews Castle. The moneys collected included the revenues of the bishop's regality, fermes, customs duties and feudal casualties, as well as such ecclesiastical revenues as procurations, synodals, first fruits and testamentary dues. The chamberlain disbursed payments to the bishop's local officials and to members of the episcopal household, for food, maintenance of the fabric and equipment of the bishop's household, and charitable payments to individuals and religious.

1. Besides the St. Andrews Liber and the Lost Great Register there is reference to what may be another great diocesan register in A.B. Ill. iii, 311-12.

2. See St. Andrews Rentale, and below, pp. 211 ff.

From the sixteenth century rental book it is clear that the method of local collection was based on a local administrative hierarchy which had not greatly changed since the thirteenth century. Such collections were commonly made by baillies for secular dues and by rural deans for ecclesiastical payments, although this distinction was not always maintained. As in so many other administrative matters convenience prevailed over any theoretical divisions between various aspects of the bishop's administration. Thus it had been thought suitable that the bishop's seneschal in Lothian should, if possible, take part in the assessment of the vicar of Haddington's stipend c.1225.¹ It was necessary to inform the local seneschal and baillies of the exchange of churches carried out between Bishop Lamberton and Kelso Abbey in 1317.²

Rural deans were clearly responsible for collecting episcopal procurations and synodals. Thus it was necessary for the bishop to notify this local official of any change in the amounts to be collected. This decanal responsibility applied to the collection of cain as well. In 1326 the dean of Angus received a notice from Bishop Lamberton announcing that he had granted three merks from his cain of Meathie to Coupar Angus Abbey. In future, therefore, the dean was only to receive two merks for the synodals and procurations of this church.³ It seems likely that deans of Christianity were expected to collect other traditional money payments due to the bishop as ecclesiastical superior, such as the "antique payment" made at Banchory mentioned in an Arbroath charter.⁴

x Collection within episcopal demesne was the responsibility of the

1. Stevenson, Illustrations, no. 17.

2. Kel. Lib. i, nos. 313-14.

3. C.A. Chrs. i, no. 109.

4. Arb. Lib. i, no. 169.

local baillie, sometimes aided by specially delegated episcopal agents or a local royal official. The baillie in turn was accountable to the local seneschal for his collection. By the time of the vacancy of 1329 these local officials were in turn rendering an account to two episcopal chamberlains, responsible for lands north and south of the Forth.¹ Thus by the early fourteenth century the essential features of episcopal financial administration were established: it was for the future to modify them to suit convenience, but not to change them in any fundamental way for two and a half centuries.

4. Judicial Administration

x The bishop's jurisdictional rights over his diocese were based upon the obligation to maintain its integrity: this included everything from overseeing the life of lay people to supervising the life and order of many of the religious corporations within the diocese. Thus, not only did the bishop have the right to hear cases regarding dowry, legitimacy or widow's terce, but he was also expected to confirm donations to religious houses and agreements and to oversee new foundations. All of these responsibilities sprang from the same unified conception of his office.

The office, if not its holder, was expected to guarantee and maintain the stability of the diocese, its members and constituent institutions. The sacramental aspects of the Scottish episcopate gave to their judicial apparatus an authority which not even royal justice

1. ER i, 109-10.

could rival until the thirteenth century. Throughout the twelfth and thirteenth centuries cases were brought before ecclesiastical courts which, strictly speaking, did not belong there. With the gradual definition and growth of royal justice there was a growing apart of the two judicial systems, one result being that by the thirteenth century it became common for the bishop to obtain explicit subjection to his authority by parties to agreements reached in his court. Thus in Bishop Bernham's ordinance in the controversy between his chapter and John son of Duncan of Inchyra over

X
terra de rossinclerach quam super iure patronatus ecclesie eiusdem loci coram nobis lis mota fuisset ? partes liti omnino renunciantes super premissis spontanee se nostre subiecerunt ordinacioni . sacramento utrinque se obligantes quod a nostra nullatenus resilirent ordinacione .¹

An extension of this general legal authority was the common episcopal role as guarantor of agreements. In the case of a lay donation to a religious corporation his assent was required. From being a personal responsibility and obligation this became a general legal one, so that by the thirteenth century it was enough to have the bishop's authenticating seal affixed to a document to ensure its legal validity.² The bishop's legal authority also meant that he had a more generalised role to play as a kind of deputy for agreements which, for example, involved persons or groups with little-known seals or no seals at all.³

Just as the theoretical and practical conception of the bishop's judicial authority was developed and changed, so were the means by which this authority was exercised. This change can be gauged by the

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1. St. A. Lib., 162. For a more elaborate form of subjection see ibid., 286.

2. For example, Newb. Reg., no. 160.

3. Lind. Cart., nos. 46-8; SHR ii (1905), no. 8 (173).

development of the machinery of diocesan justice in the twelfth and
x thirteenth centuries. Following English developments, major legal
decisions were sometimes reached in synods meeting under the bishop or
his deputy. These were assemblies of local clergy and dignitaries
summoned to hear proceedings or ratify decisions. The first recorded
x diocesan synod met at Berwick in 1150 under Bishop Robert to ratify the
appropriation of a church. Its membership included the priors of Scone,
St. Andrews and Jedburgh, a royal chaplain "et multorum aliorum nobiscum
residentium in synodo".¹

The obligation to attend these meetings was increasingly defined.
Usually the gathering was made up of clergy from near the venue of the
meeting, or those who might be expected to have an interest in the sub-
ject to be dealt with. This is clearly seen in the composition of the
synod which settled the status of the kirktoon of Arbuthnott in 1206:

Patricius de Dumfermelyn et Henricus de Aberbroth Reimbaldus de
Scone et Gunido [sic] de Lundores abbates et Thomas de Sancto
Andrea et Johannes de May et Berengarius de Rostinoth priores et
Ranulfus archidiaconus de Sancto Andrea et decani et clerici qui
interfuerunt sinodo apud Pert²

Unlike some of the more geographically compact Scottish dioceses,
a representative meeting of the clergy of the whole diocese of St.
Andrews was difficult to arrange. Indeed, there is no evidence that
such a meeting took place in the thirteenth century. Rather, the
common practice by the time of Bishop Bernham seems to have been to hold
separate synodal meetings in the two archdeaconries. This may have
been an innovation of this reform-minded bishop. Certainly as late as
1208-9 the bishop's Official and the archdeacon of St. Andrews, acting
in place of the pontiff, were using a synod as a kind of extended court

1. Durham D. and C. MC 978, 5960 (printed ND, no. 449, ESC, no. 213).
2. Spalding Misc. v, 209.

to settle a relatively minor dispute between Coupar Angus Abbey and a local church.¹

This meeting represents a curious mixture of synod and rural chapter: the latter being a system of swift local justice based on meetings in the local deanery.² From 1221 there is evidence for the periodic meetings of these alternative courts, usually sitting under the bishop's Official and/or archdeacon.³ Because of the flexible nature and wide scope of this local justice, in some lesser cases it came to
× be preferred to the more infrequent decisions rendered in episcopal synods. Thus it may not be entirely a coincidence that there is no evidence of diocesan synods meeting between the mid-thirteenth century and 1310, by which time the synod had taken on some of the flexibility of these local meetings and was being used as an agent of reform and restoration.⁴

This is not to say that diocesan synods were not held in the interval, for they almost certainly were, but the execution of justice, particularly the termination of major causes, was too important to be left to such periodic meetings. It became increasingly necessary to organize a regularly functioning court to supplement that of the bishop's presence or specially delegated hearings by subordinates. By the end of the thirteenth century the bishop had two consistory courts, based on the two divisions within the diocese. In the St. Andrews constitutions of the late fourteenth century the attendance, methods and duties of

1. Stevenson, Illustrations, no. 11.

2. See Scammell, "Rural chapters," for the activities and history of these courts in England.

3. Kel. Lib. 1, no. 259. This meeting may not be typical for the case was delegated to judges by a resident papal legate; but the subject of the dispute, a case between a monastery and a local landowner over land revenues, is typical of the business of these courts.

4. Durham D. and C. MC 1351 (printed ND, no. 489).

these meetings were clearly defined. One court met in the parish church of the Holy Trinity, St. Andrews, the other in St. Giles, Edinburgh.¹ As early as 1293 there is mention of a consistory meeting in St. Giles, to enforce a resignation of lands to Holyrood Abbey.² In 1304-5 the consistory court at St. Andrews met in the presence of the bishop of Brechin and the prior of St. Andrews to hear Baldred Bisset's case over the intrusion of an English clerk into his living of Kinghorn.³

The scope of the bishop's judicial rights and responsibilities was well understood by the thirteenth century. Bishop Dowden described them as

... matrimonial suits, including questions of legitimacy and bastardy and questions of dowry. To these were added the very important class of causes relating to testacy and intestacy, and the probate and interpretive construction of wills ... Moreover the canon lawyers sought to extend the jurisdiction of their courts to all cases of contract, which had been fortified by the oaths of the parties ... many suits arising out of the disputes as to patronage, and out of the non-payment of tithes or dues, and the interference with the property of the Church; and lastly, many petty cases ... such as assaults on ecclesiastical persons and assaults and brawling in sacred places.

Besides the causes which by general assent belonged to the jurisdiction of the bishop's court, a considerable amount of business came before this court by way of consent ... and contracts frequently contain a clause of submission to the jurisdiction and arbitrament of the bishop and his official.⁴

By the thirteenth century the outlines of this wide-ranging jurisdiction begin to emerge. In Regiam Majestatem all actions and cases regarding legitimacy, dowry and wills, as well as patronage, were reserved to ecclesiastical courts.⁵

The binding force of the bishop's legal jurisdiction was contained in the decision reached through judicial proceedings or hearings. This

1. CC 159-61.

2. Holy. Lib., no. 91 (81).

3. Nat. MSS Scot. ii, no. 12 (calendared CDS iv, no. 1807).

4. Dowden, Med. Ch., 287-8.

5. Regiam Maj., Book II, Ch. 51 and Book I, Ch. 2.

result could be contained in the verbal decision of the bishop or written down. In the twelfth century, agreements and orders were not always reduced to writing, so that a particularly memorable event could be chosen as a mnemonic device: Bishop Robert's grant of certain portions of the church of St. Mary to the nuns of Haddington was remembered for being done on that day the bishop had blessed the sisters' burial ground, and was apparently only reduced to writing under Bishop Richard.¹

Increased sophistication in record-keeping was necessary to support the growth of a more complex and comprehensive legal system. Instead of appealing to tradition or general practice to ensure an agreement, charters regularly refer to specific acts and agreements as precedent. This regular and continuous growth of record evidence reflects a parallel growth of a comprehensive system of episcopal justice. Synods and specially convened meetings were only the tip of the iceberg, for the bishop had always dispensed justice in his own person or assisted by a small gathering of his immediate servants: "assidentibus et assencientibus multis viris venerabilibus clericis et laicis ... ita disposuit."²

By the thirteenth century the bishop's judicial role had become an integral part of his general jurisdictional rights within the diocese. Thus administrative changes and modifications were reinforced by the judicial power of the bishop, for example in the modification of diocesan institutions and the correction of abuses drawn to his attention by his subordinates. The remedy, depending on the case in question, could be either pastoral, judicial, or a mixture of both. The most common instance of this type of situation occurs in the witnessing and confirming of agreements between individuals and corporations. All

1. St. A. Lib., 334.

2. Ibid., 320.

appropriations had to be confirmed by the bishop, as did short-term leases of churches such as that of the church of Airlie to Coupar Angus Abbey.¹ Maintenance of inter-diocesan agreements was guaranteed by subjection to the diocesans of both areas.²

The fact that, aside from such confirmations, the overwhelming majority of survivals from this period are judicial proceedings and decisions by the bishop or his deputy should not disguise the fact that by far the greatest concern of the bishop's administration was tied up with his position as guarantor rather than arbiter. Still the bishop had an important and continuing role to play as judicial ordinary. He must have heard numberless cases for which no record survives, "coram nobis auctoritate ordinaria".³

The history of the changes and elaborations of the judicial system in St. Andrews diocese, as elsewhere, was one of variations on basic forms, of which the earliest major innovation was the introduction of the Official. As early as 1194 Bishop Roger had introduced the Official to his diocese. At first the Official's function was to act as the bishop's judicial deputy. The office was not intended to supplant but to complement the duties of the archdeacons. The first Official, Ranulf, became the archdeacon of St. Andrews by 1199, and the second incumbent, Laurence, continued to act as Official after he in turn became archdeacon of St. Andrews in 1209.⁴

× | The Official's functions were essentially ad hoc: the position
| could be created or withdrawn at the will of the bishop. There are a
× number of occasions when the office was not filled and the duties

1. C.A. Chrs. i, no. 26.

2. For example, Kel. Lib. i, no. 149.

3. Melr. Lib. i, no. 320 (a case heard before the bishop of Glasgow).

4. Watt, Fasti, 323.

normally carried out by the Official were especially delegated to others. For example, Adam Makerston oversaw the furnishing of the chapel of
× Dunmore in 1253 several years before he became Official.¹ Alpin of Strathearn, a former Official, continued to act in a case brought before the bishop's consistory in 1293, after he had become treasurer of Scotland.² Another Official had already been appointed by this time, but Alpin was presumably asked to act in this case because the proceedings had been initiated while he was still the bishop's judicial ordinary.

Anything the bishop could do in the judicial sphere the Official, by delegation, could do also. He had the power of the bishop to maintain or enforce agreements,³ to oversee the leasing of churches to laymen or in plurality.⁴ He could receive oaths for the maintenance of agreements,⁵ or be delegated to make local enquiries into such matters as sanctuary rights⁶ or vicars' stipends.⁷ He could carry out other local duties such as ordering institutions to benefices,⁸ or act as a representative of the bishop at a meeting of a monastic court.⁹

By the end of the thirteenth century there is evidence for the
× regular functioning of an Official's court, as distinct from consistory, which also met in the parish church of St. Andrews. By 1313 the court was being held by specially delegated commissaries, indicating a stability and complexity of procedure which is obviously the outcome of a long

1. Lind. Cart., no. 64.

2. Holy. Lib., no. 91.

3. Balm. Lib., no. 13, 42; Newb. Reg., no. 148.

4. C 132.

5. Lind. Cart., no. 63.

6. C 26.

7. Arb. Lib. i, no. 351.

8. Camb. Reg., no. 3.

9. Durham D. and C. MC 5931.

but almost completely obscure development.¹ The Official, like his master before him, slowly grew away from a personalized exercise of authority to a complex and abstract one which is in part reflected by the change in title given to the office, from "our Official" or "Official of St. Andrews" to "Official of the Court of St. Andrews".²

The divisions which appear in the judicial machinery of the bishop do not imply that the various aspects were unique and separate. Rather they were mutually interchangeable with the court of the bishop's presence, generally recognized as the final authority. The case which was heard in consistory in 1293 began as a simple resignation of lands to Holyrood Abbey in 1257 and ended in a hearing before Bishop Lamberton at the parish church of Kirkliston in 1319. By this time the original donation of lands had been reinforced by a second charter issued by the donor's daughter and her husband in the 1293 meeting. On the day appointed for the determination of the controversy in 1319 Donoca failed to appear. The representatives of Holyrood Abbey appeared bearing documents proving their claim to the lands. These were quoted fully and the bishop then gave his final decision:

Nos igitur in dei nomine visis et auditis lectis et intellectis dictis instrumentis cum sigillis integris supra dictis coram nobis et pluribus fidedignis patrie per nos ad hoc specialiter vocatis . Recognoscenteque Magistro Johanne de Tinwald pluries coram nobis apud sanctam Crucem sigillum dicto instrumento appositum suum esse et de facto testimonium perhibente . Licet dicta donoca quantum de iure debuit expectata absens fuerit per contumaciam non obstante eius absentia . replente eandem ad representante divina presentia ac iusticia ? dictum Abbatem ab inpeticione dicte donoce absoluimus . et terram predictam Ecclesie Varie Capelle pronunciamus . et ad Abbatem et monasterium

1. Scone Liber, no. 148. By the fifteenth century the Official of St. Andrews had appellate jurisdiction over the officiality of Lothian which came into being in the late fourteenth century. By the late fifteenth century this jurisdiction was extended to include all the officialities of St. Andrews' suffragans and perhaps Glasgow diocese as well. Dowden, Med. Ch., 288.

2. Scone Liber, no. 148; Dunf. Reg., no. 347.

sancte Crucis pleno iure pertinere declaramus . Ipsique predicte donoce et heredibus suis super predicta terra perpetuum silencium imponimus infuturum . Datum et Acta in Ecclesia parochiali de Liston die mercurii proxima post dominicam qua cantatur Quasi modo geniti . Anno gracie m^o . ccc^o . nonodecimo.¹

Thus at least by the early fourteenth century, if not earlier, there appears a tripartite division in the judicial organization at St. Andrews which corresponds to that found elsewhere.² There was first the court of the bishop's presence or audience, secondly the "court of St. Andrews" meeting at a specific location and normally presided over by the Official or his representative, and finally the consistory court meeting at a fixed location and time. This court was commonly under the chairmanship of the Official as well, but could be delegated to special judges often trained in canon or civil law.³

The evidence is less explicit as to the relationship between these courts. As they all represented the bishop's authority virtually the only definitive sentence was that rendered by the bishop in person. The case of Donoca shows that a decision rendered in consistory was not necessarily binding or final, especially after a period of twenty-three years and intermittent warfare. It was probably for this reason that the controversy was finally determined by the bishop in person, who as part of his sentence imposed perpetual silence on the lady. There is even less evidence as to the channels of appeal from local decanal courts. Some cases did rise to episcopal courts from them, unless the dean or the bishop's delegate had been commanded to issue a definitive

1. Holy. Lib., no. 91 (82-3).

2. B.L. Woodcock, Medieval Ecclesiastical Courts in the Diocese of Canterbury (1952), 7.

3. Dowden, Med. Ch., 288. Although Dowden is referring to conditions in the fifteenth and sixteenth centuries, the proceedings of the 1293 consistory tend to support his statement. M. Alpin had probably been trained at Bologna (Barrow, Bruce, 377), and he was accompanied at the court by a teacher of civil law, M. John of Tinwald.

sentence in the local court.

The channels for extra-diocesan appeals were more obvious. For an acephalous national church the most common appellate court was that of the papacy. There were, however, lesser alternatives: royal justice, provincial councils acting in a judicial capacity, or a specially delegated bishop or group of bishops. Royal justice often impinged upon the jurisdiction of the church and the early thirteenth century witnessed some remarkable cases of controversies which normally pertained to courts Christian being settled before royal justice, notably the patronage dispute between the chapter of St. Andrews and Saher de Quincy over the churches of Leuchars and Lathrisk.¹

The Leuchars case occurred at a time when Bishop Malvoisin was attempting to reassert his jurisdictional prerogatives after the long period of weak or absentee government which preceded his translation to St. Andrews. From the first this bishop was concerned with the definition and recovery of his jurisdictional rights. As bishop of Glasgow and St. Andrews he had recourse to outside and expert advice about the administration and expedition of justice. After his consecration Malvoisin had written to a former archbishop of Lyons, John of Bellesmains, to ask his advice about the practical problems involved in being lord of a secular demesne, the administration of temporal justice by his seneschal, and the pursuit of cases by clerks before secular courts. Bellesmains' lament, "Alas ... we have replied ... by explaining not what ought to be done but what in fact we did," exemplifies the practical considerations which underlay the various aspects of the bishop's jurisdiction and the relationship which this jurisdiction had to

1. St. A. Lib., 350-2; RRS ii, no. 491 and n. For a discussion of this case see Barrow, "Justiciar," 103-4.

maintain with secular authority.¹ At the time of the Leuchars case the pope was replying to practical questions remitted to him by the bishop and his agents on such problems as the method of terminating different sorts of pleas and the verification of deeds produced in evidence, as well as questions over dowry and terce.²

All this definition could not exclude a strong royal role in the administration of ecclesiastical justice, although by the end of the thirteenth century royal involvement had been reduced. Instead the crown played a more passive but still important role as the maintainer and restorer of ecclesiastical rights. The provisions of Regiam Majestatem which defined aspects of the theoretical competence of ecclesiastical courts were complemented in a more practical way by such activities as the inquisition of Thomas Randolph which defined and restored the jurisdictional framework of the Cursus Apri in 1309.³ There was, moreover, the close connection between royal and ecclesiastical jurisdiction in the conciliar structure of the church. Royal representatives had a right to be present at the meetings of the Scottish church in the early fourteenth century,⁴ by which time the councils were commonly held in conjunction with parliaments. Thus in 1321, for example, an oath was taken to enforce lay sale of lands in both council and parliament.⁵

Provincial councils were commonly used as confirmatory and executive agents for judicial decisions. The 1268 meeting at Perth issued a sentence of excommunication against Melrose Abbey for the

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1. Patrick, Statutes, 291.
 2. Ibid., 199-200, 205-6.
 3. St. A. Lib., xxxi-ii.
 4. Patrick, Statutes, 208.
 5. Robertson, Concilia i, lxxii-iii.

invasion of the sanctuary garth of the bishop's mensal church at Stow.¹ The bishop of Moray excommunicated a layman at the provincial meeting of 1280.² In 1238 a meeting at Perth witnessed the sealing of an agreement between the bishop of Dunblane and the earl of Menteith.³

Decisions reached in provincial councils were not always final or binding. In 1221, before the establishment of the apparatus of national conciliar government for the church, a legate acting in a provincial council gave judgement on the validity of the marriage of Alan of Galloway. The case was then remitted to the papacy who appointed English judges delegate to determine the case.⁴

The judicial device of a panel of two or more bishops or other dignitaries to hear a case or maintain an agreement was most commonly used for interdiocesan compositions and donations. It was, of course, in the exercise of this interdiocesan jurisdiction that Lamberton and Wishart met at Melrose late in the autumn of 1305, ostensibly to inspect bulls of Boniface VIII to the monastery but more probably to discuss Bruce's projected revolt.⁵ In another instance, the case between Robert de Campania and Lindores Abbey over three merks from lands in Leicestershire was determined by papal judges delegate. The arrears were remitted and the three merks were transferred to the lands of Borgue in Galloway:

Suppono eciam me et heredes meos et assignatos ac tenentes meos dicte terre jurisdictioni venerabilium patrum Sancti Andree et Candide case episcoporum qui pro tempore fuerint.⁶

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1. Robertson, Concilia i, lxiv.
 2. Ibid., lxviii ff.
 3. Ibid., lv.
 4. Ibid., xliii and n. 2.
 5. See above, pp. 112-13.
 6. Lind. Cart., no. 113.

A more elaborate example of this form of subjection is found in the grant of the lands of Lennel to the nuns of Coldstream in 1273 in which P. the son of Walter called Edgar subjected himself and his heirs

jurisdiccioni dominorum episcoporum Santiandree [sic] et Glasguensis et eorum officialium archidiaconorum [sic] et diaconorum qui pro tempore fuerint quorum unus vel duo de predictis quemcunque vell [sic] quoscunque magister priorissa et conventus eligere voluerint possit vell possint nos compellere quamlicuit quum cohercitacione voluerint vel voluerit ... Renunciando in hac parte omni juris remedio et auxilio canonici vel civili et omnibus privilegiis indultis et indulgendis cruce signatis et aliis omnibus que contra presens scriptum aliquo modo obici possunt ...¹

Appeal to the papacy was the final possible step in obtaining judgement or ensuring the maintenance of agreements. Questions could either be sent to the Curia for a final confirmation, or for a hearing, or be remitted by the papacy to local papal judges delegate. The system of judges delegate, for which there is widespread evidence from the second half of the twelfth century, was a necessity for a national church without its own metropolitan, yet anxious to assert and maintain its independence. There is little evidence that the system was resisted or fitted uneasily into the judicial system which was growing up in the Scottish church of the time. Rather, by the early thirteenth century it was a recognized alternative to episcopal justice. During Malvoisin's visit to the papal court in 1207 the bishop seems to have requested that a case begun before himself and his two archdeacons as papal judges delegate and later inconclusively continued by three other judges, be finally determined by the bishop of Moray.²

A man of Malvoisin's concerns was not, however, prepared to allow papal judges delegate to exercise a jurisdiction which threatened his

1. Cold. Cart., no. 12.

2. Melr. Lib. i, nos. 101-5; APS i, 68-70; CPL i, 29. For a discussion of this case see Cooper, Select Cases, no. 6.

own authority. Thus the controversy between his clerk, Simon de Noisy rector of Dysart, and Dunfermline Abbey over the chapel of Kirkcaldy was determined by papal judges delegate acting in concert with several members of the bishop's staff.¹ Sentence was given only with the consent of the bishop, as diocesan and patron of Kirkcaldy. In the case between the bishop of Dunblane and Lindores Abbey over the church of Exmagirdle, the case was demitted by judges delegate to the bishop of St. Andrews, a proceeding which may have been partially the reason for the later claim that Malvoisin's decision had been unjust.²

By the end of the period under consideration, however, cases which might earlier have been heard by papal judges delegate were heard in episcopal courts. This trend was partially, of course, the result of the interconnected political history of the papacy, England and Scotland. An example of this shift, and of the changing relationship between papal, episcopal and royal authority, is found in the series of controversies between Holyrood and Newbattle Abbeys over the salt pans in the carse of Callendar and Prestongrange. Litigation between the two houses over their rights and obligations in these lands extended over almost exactly a century.

The lands in the carse had come to Newbattle Abbey by successive royal donations,³ lay gifts,⁴ and the acquisition in feu ferme of salt pans pertaining to Dunfermline, Kelso and the Templars of Balantrodach (Temple).⁵ Preston had been granted to the abbey by Robert de Quincy, between 1182 and 1189, and was confirmed by his successors and King

1. Dunf. Reg., no. 225.

2. Lind. Cart., nos. 42, 50.

3. Newb. Reg., nos. 162-4, 122.

4. Ibid., nos. 167, 170, Carte Orig., no. XII.

5. Ibid., nos. 168-9.

William.¹ By the early thirteenth century the abbey of Holyrood had also obtained some rights over the salt pans and lands of Preston for a dispute with Newbattle over the teinds due from these lands, among others, was settled in 1223 by the abbots of Coupar Angus, Dunfermline and Scone acting as papal judges delegate.² Their decision was reinforced by a royal confirmation issued at court and sealed by the bishop of St. Andrews and the chancellor-archdeacon of Lothian, William de Bosco.³

In 1234 the king granted to Holyrood all his lands in the carse, which may have given the abbey such a dominant position in the area that a new agreement with Newbattle became necessary.⁴ In 1237 Newbattle granted all their salt pans and lands in the carse to Holyrood, for a reddendo of sixty-five merks and twenty pennies and an annual supply of salt from the pans belonging to Dunfermline, Kelso and Balantrodoch.⁵ This new agreement was to be maintained by subjection to the bishops of St. Andrews and Glasgow, and the agreement bore their seals in addition to those of both parties and the abbots of Melrose, Coupar Angus, Dunfermline and Kelso.

For over sixty years this agreement remained in force. With the beginning of the wars with England, however, payment ceased, and in 1304 a second agreement was negotiated between the two houses by Bishop Lamberton, sitting in the chapel of the king's manor at Kinghorn. It was claimed that no payment had been made for seven years, but the bishop ordained that payment at the old rate at the two fixed terms

1. Newb. Reg., nos. 64-8.

2. Ibid., no. 127.

3. Ibid., no. 129, and Holy. Lib., no. 61. Malvoisin issued a separate confirmation, Newb. Reg., no. 128.

4. Holy. Lib., no. 65.

5. Newb. Reg., no. 160.

should recommence in the following year and that a proportion of the arrears should also be paid.¹ Whatever the intentions of the parties, the agreement broke down in the warfare that followed, so that by 1316 it was necessary for the bishop to oversee yet another agreement over the payments due from these lands. Newbattle's copy of the concordat speaks of the damage caused by the war which led to the breakdown of the 1304 agreement, and the terms of the agreement reinforce the doleful picture which is painted.² Although the ancient payment was to continue the money was to be raised from the teinds and other revenues of the church of Bathgate and the teinds of the grange and salt pans of Preston.³ It was thus that the church of Bathgate passed into the possession of Newbattle Abbey.⁴ Eleven years later Lamberton gave up the right which he had reserved to himself to receive episcopal procurations when visiting the church, in exchange for a fixed annual payment of sixteen merks.⁵

The 1316 agreement was not the final settlement of this long controversy. There were further disruptions of payments due perhaps to invasion and in 1322 another ordinance was drawn up by the bishop at Liston.⁶ It was claimed that Holyrood had not paid the render of four chalders of salt and £1/13/4 from two of the salt pans in the carse belonging to Newbattle. Lamberton's decree bespeaks a man whose patience with this long-standing dispute is at an end. The reddendo

1. Newb. Reg., no. 160, Carte Orig., no. XIII.

2. Ibid., no. 161.

3. This was apparently a reversal of the provision of the 1223 agreement in which Newbattle paid a twentieth of the garbal revenues of Preston to Holyrood.

4. Newb. Reg., no. 161; Cowan, Parishes, 15.

5. Newb. Reg., no. 159.

6. Ibid., no. 148.

was converted wholly to a money payment and provision was made for the Official to enforce payment by ecclesiastical censure or the seizure of the monastery's goods and men within the archdeaconry of Lothian.

The long controversy between Newbattle and Holyrood illustrates many of the judicial arrangements which were possible in the Scottish church. At the same time it illustrates some of the weaknesses of the judicial system. In the late thirteenth and early fourteenth centuries the Scottish church had to contend not only with financial problems which were common throughout the whole church, but with war and revolution as well. It is no wonder that Bishop Lambertson was eventually forced to the expedient of transferring possession of a church in lieu of money payments which had been made only intermittently in the previous decades. Yet the effect of this sort of expedient on the life of the church can only have been bad. It is an ironic comment on the growth in efficiency of the bishop's judicial machinery that such sophistication was often achieved at the cost of pastoral concerns.

5. Pastoral Administration

The bishop as diocesan was responsible for bringing the Christian message, its sacraments and services, to all the inhabitants of his diocese. Ultimately this meant that the bishop was responsible for the life of the parishes of his diocese: that is, each area served by a church and a parish priest who had the cure of souls and the right to administer the sacraments of baptism, penance, the eucharist, marriage and extreme unction. Despite these basic common characteristics the status of the medieval parish was as "unsystematic as the feudal

system".¹ Thus the actual rights which the bishop exercised over the parishes in his diocese were often more a function of local and traditional practices than of theoretical rights.

The bishop was responsible for seeing that the parish was properly served by a priest. This meant seeing not only that the priest himself was suitable and the church properly maintained and furnished but also that the parishioners were able to receive the sacraments freely and easily. These were problems which exercised a number of national and diocesan Scottish councils of the thirteenth century. Always, however, provision had to be made for peculiar local conditions and needs. An example of this practical pastoral concern is found in an ordinance by which Bishop Malvoisin, having taken the case over from papal judges delegate, regulated the obligations between the parish church of Gullane and the private chapel of Sir Walter Congalton. After securing the rights of the parish church over the chapel, the bishop went on to ordain

quod Willelmus rector ecclesie de Golyn inveniet capellanum suis sumptibus qui ministret in capella de Congilton quem amovere poterit cum viderit expedire et alium statuere . salvis matricis ecclesie de Golyn oblationibus et obventionibus et rectitudinibus omnimodis eam contingentibus ...

Si autem dictus miles aliquem capellanum circa se retinere voluerit . non celebrabit in capella de Congilton nisi prius facta fidelitate matrixi ecclesie de Golyn et ejusdem rectori de omni indemnitatem . qui si contra juramentum suum venire presumpserit statim amoveatur . Dictus autem miles et uxor ipsius et homines habentes domos in villa de Congilton cum ipsorum hominum familia venient ad matricem ecclesiam de Golyn tribus solemnibus diebus scilicet die sancti Andree et die natalis Domini et die Pasche ibidem divina audituri penitencias et ecclesiastica sacramenta percepturi . carucarii vero non habentes domos in villa de Congilton et pedisseque et garciferi de aula et senes et valetudinarii de villa audient divina in prefata capella de Congilton et ibidem confessi per capellanum matricis ecclesie de Golyn ecclesiastica percipient sacramenta et pueri in villa de Congilton oriundi in capella de Congilton baptizabuntur.²

1. Cheney, Eng. Ch., 125.

2. Dryb. Lib., no. 42.

In the case of a large or scattered parish chapels were often given quasi-parochial rights to serve the needs of parishioners living at a distance from the parish church. Such an instance was Bishop David's ordinance for the serving of the chapel of Glen Clova, part of the enormous parish of Glamis, and separated from its parish church by intervening parishes in the diocese of Brechin.¹

The fusion of the jurisdictional and pastoral in the bishop's administration of parish churches is perhaps most clearly seen in the rights and obligations attached to episcopal visitation. This right was a generally recognized one, but in St. Andrews perhaps to a greater extent than elsewhere the practice of monastic appropriation set up a countervailing force to the full exercise of visitation rights. The bishop had the right to exact an annual payment from every parish church within the diocese as a kind of general recognition of his jurisdictional superiority. This payment, the synodal or cathedraticum, was canonically set at two shillings per annum.² In Scotland this payment was supplemented by the traditional payments and renders of cain and conveth, due to the bishop from certain lands and parishes.³ An example of this was the four merks cain annually paid from Gullane, which were specifically reserved to the bishop when that church was appropriated to Dryburgh Abbey.⁴ Finally the bishop was able to collect procurations in the course of visitation. By the thirteenth century these payments were commonly made in money or in kind in lieu

1. Arb. Lib. i, no. 276. See Map IV.

2. Dowden, Med. Ch., 117.

3. Cain was a payment in money or in kind or a proportion of the produce of the parish or lands. Conveth was the obligation to provide hospitality and lodging for the bishop or the lord of the land. See MacKinnon, Const. Hist., 66.

4. Dryb. Lib., no. 27.

of the alternative of personal maintenance of the bishop and his servants. Bishop Dowden suggests that by the thirteenth century this payment averaged about two pounds per church.¹ Although there is no direct evidence for a figure for St. Andrews diocese in the thirteenth century, a slightly lower figure may perhaps be inferred by the ordinance which Bishop Malvoisin made c.1215 regarding the church of Exmagirdle in Dunblane diocese. In the settlement the church was made quit of all hospitality, procurations and episcopal dues except the cathedraticum and canonical justice for a payment of two merks per annum.²

The widespread appropriation of churches to monastic houses further modified the bishop's jurisdictional rights over parishes. Scone Abbey's churches represent an extreme case, for it was a royal foundation senior even to St. Andrews. Furthermore, it is probable that at first the monastic church at Scone and the parish church were the same, so that in an episcopal confirmation of Scone's churches there appears a fully developed hierarchy of degrees of exemption from episcopal jurisdiction:

Noverit ... nos concessisse et ... confirmasse in usus proprios Abbati et Canonicis de Scona omnes ecclesias quas habent in episcopatu Sanctiandree in liberam et perpetuam elemosinam viz. ecclesiam de Scon et eiusdem capellas scilicet de Kynfaunes de Cragis et de Rate ecclesiam de Lyff ecclesiam de Invergouerin ecclesiam de Logindunde ecclesiam de Cambusmichel ecclesiam de Lochworuert ecclesiam de Kerynton Has autem ecclesias cum capellis et omnibus pertinentiis suis a predecessoribus nostris confirmatas damus eis et confirmamus licentiam quoque eis concedimus capellanos quoscumque cum voluerint ydoneos in ipsis ecclesiis retinere et remove Salvis nobis et successoribus nostris episcopalibus de omnibus ecclesiis prefatis excepta ecclesia de Scon cum capellis suis que hucusque a prestatione sinodali et auxiliorum fuit immunis quas [sic] de cetero ab omnibus episcopalibus liberam volumus esse et immunem Salvo tamen in omnibus iure archidiaconi Sanctiandree³

1. Dowden, Med. Ch., 120.

2. Lind. Cart., no. 42.

3. Scone Liber, no. 54 (a confirmation issued by Bishop Malvoisin, 1202-1209).

Increasingly, monastic appropriators attempted to limit their liability for payment of procurations and vicars' stipends, so there developed in the early thirteenth century a struggle between the bishops and various monastic houses over the proper maintenance of vicars and the payment of visitation dues, which led by the middle of the thirteenth century to the widespread establishment of vicarages. The major concern was to ensure the proper maintenance of the vicars, for it was they who were responsible for the payment of synodals and procurations. The practical problem was twofold for the bishops of St. Andrews: to ensure that churches were served by adequately paid vicars and to maintain the right of episcopal visitation and correction in these appropriated churches.

Already by the end of Roger's pontificate the problem of ensuring the proper serving of parish churches was acute. The temptation for an appropriator to allow the benefice to remain vacant and retain its revenues led the bishop to obtain a bull from Innocent III forbidding this practice. Its provisions make it clear that the presentees commonly had no security of tenure and that "when they have put them in they burden them so heavily that the said vicars, in their excessive poverty, are unable either to serve their churches competently or to pay the bishop his dues or to give hospitality to wayfarers".¹ The Bishop was given the authority to present his own nominees if the appropriator failed to do so within a certain time. Apparently this was not enough to halt delays, for in 1207 the pope issued a further indulgence to Malvoisin, following a personal request from the bishop, allowing him to present to churches wilfully left vacant.² This

1. Quoted in G.G. Coulton, Scottish Abbeys and Social Life (1933), 262, from Migne, PL, 214, no. 5, col. 542. This answer was later incorporated into canon law.

2. Ibid., 215, no. 150, col. 1248.

privilege was later reinforced by the provision in Regiam Majestatem which allowed presentation to churches left vacant for over four months.¹

A few months earlier Innocent had issued a bull, in response to Malvoisin's request, which answered a series of questions which the bishop had put to him regarding his rights over appropriated churches. The answers reveal the fundamental nature of the conflict of interest between the bishop and appropriators, and also provided the guidelines for future episcopal policy towards these churches. To the question of whether the churches pertaining to a monastery were exempt from episcopal control the pope replied:

quod cum juxta canonicas sanctiones in religiosorum ecclesiis, quae ad eos pleno jure non pertinent, institui debeant sacerdotes, qui episcopis de plebis cura respondeant ...²

The bishop next asked about the provision of regulars to parish churches following the demission of the rector. The reply was:

quod nisi eis specialiter sit concessum ut cum vacaverint, per se ipsos ingrediantur easdem profecto in possessionem ipsarum, suo episcopo inconsulto, non est eis licitum introire. Quia vero nonnulliviri religiosi ecclesias parochiales tenentes episcopo parochiam visitanti procuracionem denegant exhibere ...³

The final problem was the apportionment of revenues to the appropriators: the temptation to obtain all revenues and "become, as it were, corporate rectors" was strong.⁴ Malvoisin wished to know if he could reduce the revenues of any monastery holding more than half the revenues of any parish. Innocent replied:

... respondemus, quod licet sit in canone diffinitum ut si quis episcoporum in parochia sua monasterium constituere forte voluerit, et hoc ex rebus Ecclesiae cui praesidet ipse ditare, non amplius ibidem quam quinquagesimam, Ecclesiae vero quam monasticis regulis informare vel pro suis magnificare voluerit sepulturis, non amplius quam centesimam partem census Ecclesiae cui praeest debeat elargiri.⁵

1. Regiam Maj., Book I, Ch. 2.

2. Migne, PL, 215, no. 45, col. 1138.

3. Ibid.

4. Cheney, Eng. Ch., 125.

5. Migne, PL, 215, no. 45, col. 1139.

By extension the bishop and the pope were dealing with the question of vicars' stipends, a question finally settled in C 32 of the fourth Lateran Council and by the fixing of the minimum stipend at ten merks in C 9 of the Scottish church.

The concern of Malvoisin to assert his jurisdictional rights over appropriated churches is also indicated by his emphasis on his right of institution. Scone Abbey's absolute right to present and remove vicars and chaplains in all their churches was exceptional. It was much more common for charters confirming monastic appropriations to contain a variant of the phrase:

predicti vero abbas et Conventus nobis et successoribus nostris vicarium perpetuum ad eandem ecclesiam presentabunt . qui nobis de spiritualibus illis respondeat de temporalibus.¹

The common practice on appropriation was for the rights of the current rector and/or vicar to be reserved for life, or until he demitted office. An example of this is found in Earl Malcolm of Fife's charter granting the church of Largo to the nunnery of North Berwick:

salva eiusdem ecclesie vicaria . magistro hugoni medico in vita sua . quo cedente vel decedente predictae moniales nobis vel successoribus nostris ad predictam vicariam ydoneum vicarium presentare tenebuntur.²

When a vacancy occurred the right of the bishop, as defined by C 11 of the Scottish church, was absolute. It was necessary to obtain his assent to any new presentee. Exradiocesan appropriators also had to ask for admission by the bishop for their newly-appointed vicars. A letter from Durham Priory to Bishop Gamelin provides a typical instance of this process at work, and incidentally sheds light on one expedient employed to provide a vicar's stipend:

1. Dunf. Reg., no. 101. A compromise situation is revealed in Midl. Chrs. no. 20, where provision was made for a probationary period for the new vicar of Strathdichtymartin (Mains).

2. N.B. Chrs., no. 8.

Littera procuratoria.

Reverendo patri in Christo, domino Gamelino dei gracia episcopo Sancti Andree, devoti sui Hugo prior et conventus Dunelmensis, ecclesie, salutem ... Venerabili paternitati vestre per presentes litteras nostras patentes presentamus dilectum et fidelem clericum nostrum, magistrum Patricum de Hertilpol' ad vicariam ecclesie nostre de Berwyc, videlicet ad decimam albi piscis provenientem de batellis maris, que quidem vicaria vacat per mortem magistri Iohannis de Barton' quondam vicarii eiusdem ecclesie et spectat ad presentacionem nostram ...¹

If the candidate were suitable the bishop received his oath of canonical obedience, gave him admission and issued letters to this effect:

Universis christi fidelibus ad quos littere presentes pervenerint .
G . miseracione divina sancti Andree minister humilis Salutem in domino Noveritis nos ad presentacionem dilectorum filiorum . . prioris et conventus dunelmensis admisisse Guillelmum de Tuggal clericum ad vicariam de Ersildon vacantem sicut eam alii vicarii predecessores sui hactenus tenuerunt . In cuius rei evidenciam sigillum nostrum apponi fecimus huic scripto . Datum apud tiningham . i . die Octobr̄ . anni gracie m^o . cc^o . lix^o .²

Implicit in the assertion of episcopal control over the maintenance and serving of parish churches was the problem of providing sufficient maintenance for vicars. Despite the fixing of the minimum vicar's stipend at ten merks "net and free of all burdens", the legislation of the Scottish church made it clear that this amount was only to be paid if the resources of the church were equal to it and that the stipend was to be proportionally lesser or greater in poorer or wealthier churches. Thus in the early years of the thirteenth century the bishop of St. Andrews was involved in assessing the vicarage stipends of a number of major churches in the diocese. The most complete instance of this process occurs c.1225 shortly after M. David of Berwick (Bernham) had been presented to the capitular living of Haddington at a stipend of

¹ Durham Annals, no. 115. M. Patrick was a student at Cambridge and appointed proctors to take possession of his benefice. Ibid., no. 116.

² Durham D. and C. MC 1297 (printed in ND, 482). Occasionally such presentees were not allowed by the bishop, an example being William Fraser's refusal to accept a candidate for Berwick. Durham D. and C. MC 652.

forty merks. In a letter to his dean of Liston (Lothian), a servant holding the episcopal living of Tynninghame, and the rector of Pencaitland, Malvoisin asked that they go in person to Haddington on St. Matthew's day to assess the sources of the stipend. If the bishop's seneschal was not able to come to this meeting, Robert the rector of Methven was delegated to act in his place.¹ The depositions of the witnesses provide a unique insight into the varied sources of the vicar's income, from which he was expected to pay synodals and episcopal dues. In a similar inquisition into the vicarage revenues of Perth it was determined that the vicar had the right to all gifts, testamentary dues, free will offerings, teinds and forty merks cash. From these sources he was obliged to pay fifty merks to Dunfermline Abbey and all episcopal dues.²

Under Bishop Bernham the concern to define the extent of vicars' stipends and obligations becomes even more marked. In 1251 the bishop reached an agreement with Holyrood Abbey over the sources and amounts of vicarage stipends in their churches.³ The stipend is never less than ten merks, and provision is made for supplementing the vicar's income up to the desired amount if altarage dues alone were insufficient. The churches of Mountlothian and Hamer were not wealthy enough to support vicars and were to be served by chaplains. Vicars were made responsible for all ordinary burdens, except procurations which were to be paid by the abbey.⁴

1. Stevenson, Illustrations, no. 17, from BM Cott. Ch xviii 26-7, xxi 16. Episcopal confirmation, St. A. Lib., 158. See below, pp. 307 ff., for a fuller discussion of this assessment.

2. Dunf. Reg., no. 108. For notice of a similar assessment carried out for Linlithgow, see St. A. Lib., 402-3.

3. Holy. Lib., no. 75.

4. When in 1250 Bernham's protégé, Peter Ramsay, attempted to limit the financial rights of monasteries in churches in his diocese of /.....

Pastoral concerns are very much in evidence in the vicarage settlements made or confirmed by Bishop David, and become explicit in the constitutions which he promulgated for the archdeaconry of Lothian in 1242. Their emphasis is strongly on the maintenance of the church, its clergy, the proper and fitting celebration of mass and the other sacraments. Even a man of Bernham's calibre could not, however, completely stem the tide. During his pontificate there is evidence of absentee Scots (including the bishop's own nephew) and foreigners holding benefices. Furthermore, the financial problems of the monasteries forced a number of compromises on the bishop. The agreement with Holyrood may have been the exception rather than the rule. The monasteries jealously guarded such rights as that not to have to give hospitality on visitation;¹ or as in the case of Kelso's church of Calder Clere (Midcalder) the obligation to give hospitality was explicitly made a responsibility of the vicar.²

The financial stringency of the monasteries went beyond such devices to attempts to provide stipendiary chaplains or members of the order to serve parish churches. Occasionally the bishop had to give way to such expedients. In 1251 Bishop Bernham allowed Kelso Abbey's churches of Simprim and Horndean to be served "non per vicarium sed honestum capellanum" who was, however, to be responsible to the bishop for spiritualities.³ Although provision was made for the maintenance of the chaplain, all other fruits of the church were to go to the abbey.

Aberdeen to a fixed annual pension, reserving the remainder of the parish revenues for the vicar, there was an appeal by Kelso, Arbroath, Lindores and St. Andrews to the papacy which, apparently, overturned this reform. Lind. Cart., nos. 105-6.

1. See for example Camb. Reg., no. 117, Durham D. and C. MC 1320, 944.
2. Kel. Lib. ii, no. 430.
3. Ibid., nos. 432, 421.

Early in his pontificate Bernham had arrived at a more admirable solution to a similar problem arising from Dryburgh Abbey's debts. The bishop allowed the canons to present one of their number to each of their churches in the diocese, who were to receive the cure of souls from the bishop and serve the church in company with a priest.¹ Such a moderate arrangement was only a stop-gap. By the end of the century parish churches were occasionally used by monasteries as sinecures. Thus in 1300, when the unification of the vicarage of Dunfermline took place, it was stipulated that the church was to be held by the sacristan of the abbey and served by a chaplain.²

The most complete record of the serving of monastic churches in the diocese occurs in the 1248 agreement between the bishop and Arbroath Abbey. The vicars had complained that they were insufficiently endowed by the monastery.³ The preamble to the bishop's ordinance speaks of Bernham's desire to strike a proper balance between the vicar and the appropriating corporation:

Nos igitur equa lance procedere cupientes / ut nec vicarii de insufficienti / nec monachi de superflua sustentacione vicariis assignata / materiam habeant de cetero conquerendi ? super taxatione vicariarum et procuracionibus faciendis tam episcopis et officialibus / quam archidiaconis et decanis ...⁴

naturally
The detailed description of the revenues and obligations attached to the monastery's churches shows that each case had been considered individually. The basis of the vicarage stipend were altarage dues, from which the vicars were commonly obliged to pay all episcopal exactions unless otherwise stipulated. Large churches such as Glamis were to find chaplains to serve subsidiary chapels. Small churches, such as Nigg

1. Dryb. Lib., nos. 38-9.

2. Dunf. Reg., nos. 121-2.

3. Arb. Lib. i, no. 236.

4. Ibid.

and Durrus, were to join together to pay procurations. The bishop was to receive procurations directly from the abbey for its parish church of St. Vigeans. All of the local variations in the ordinance indicate a close working knowledge of the area, probably based on the personal experience of the bishop himself which he may have gained in the course of his dedications. He may not have expected to be able to make personal visitation of all these churches in the future, but he carefully reserved the right to take a symbolic payment of procuration from the churches of Arbroath and Ethie. The rest of the abbey's churches were to be able to make their payments to the archdeacon, Official or dean.

If the role of the bishop in visitation was being increasingly carried out by deputies, this need not imply that the pastoral concerns of the bishop were lessening. In a sense the development of professional deputies meant that these local activities could be more effectively carried out. This can be seen in Bernham's concern with the maintenance of the fabric and furnishing of parish churches, subject of a large part of his Lothian constitutions. An example of the practical result of this concern may be found in the history of the private chapel of the Dunmore family in the parish of Abdie in north Fife. In 1248 the bishop had provided for the serving and maintenance of the chapel whose parish church pertained to Lindores Abbey. By this agreement the monastery was to pay twenty-five shillings a year for the maintenance of the chaplain and was to furnish the chapel with books, vestments and a chalice. Sir Henry Dunmore and his heirs were thereafter to maintain the building and its furnishings.¹ The intention of the agreement was clear and in conformity with the legislation of the Scottish church, but

1. Lind. Cart., no. 63.

the execution of this agreement was long delayed. Although both parties had taken an oath to the bishop's Official to see that the terms of the ordinance were carried out it was five years before M. Adam of Makerston oversaw its implementation. On 6 May 1253 at the church of Abdie Sir John received a silver chalice, a missal and vestments for his chapel.¹ A similar provision appears in Bishop Fraser's confirmation of the chapel of St. Nicholas in the parish of Fogo, which reserved the bishop's right to compel the abbey to maintain three monks or chaplains at their own expense in the chapel, as well as the ornaments, books and fabric of the building.²

The pontificate of Bishop Bernham marks an apogee of pastoral concern for the proper maintenance of the life of the parish. In this the bishop was clearly influenced by the example of Bishop Grosseteste of Lincoln. The peculiar pattern of development of the parochial system in Scotland and the high proportion of appropriation militated against any real or lasting reform. By the thirteenth century over fifty per cent of all churches in the archdeaconry of St. Andrews and nearly seventy per cent of all churches in Lothian were appropriated.³ The financial difficulties of monasteries in the thirteenth century compounded the problems of the diocesan, so that a reformist bishop such as Bernham had often to compromise. Ironically, in the long run, the increased administrative efficiency of the thirteenth century may have led to a loss of control over local affairs. Administration became increasingly self-functioning and the personal role of the bishop as

1. Lind. Cart., no. 64.

2. Kel. Lib. i, no. 308. In Bishop Lamberton's ordinance over Arbroath's churches in Brechin this obligation was given as: "Ita tamen quod ipsi Abbas et conventus predictas ecclesias reparabunt et competenter ornabunt." Arb. Lib. i, no. 244.

3. See Appendix VB.

source of authority and initiator of action became less. Thus early in the century the archdeacon and Official of St. Andrews, acting on behalf of Bishop Malvoisin, settled a controversy between Coupar Angus Abbey and the church of Blair over the annual payment made to the church from the teinds of certain monastery lands.¹ By the 1220s similar cases were commonly heard in ruridecanal chapters, acting as regular local courts. At some time between 1225 and 1235 Archdeacon Laurence, Alexander of St. Martin and Radulf, dean of Lothian, settled a dispute over the teinds of ships at Gullane:

Eapropter volumus ad omnium notitiam pervenire quod coram nobis non ex delegatione aliqua sed ordinaria jurisdictione ...²

In a dispute between Coupar Angus and Arbroath the judges in a ruridecanal chapter of Angus in 1246 were the Official, the archdeacon of St. Andrews and the dean of Angus.³ Oaths to ensure the agreement were given to the Official and subjection made to the archdeacon.

By the end of the century there are examples of administrative processes taking place which involved only nominal episcopal participation. This can be seen in the process of appropriation of the church of Arngask to Cambuskenneth Abbey in the 1280s. At some time before September 1281 Gilbert, lord of Fourgy, conferred the patronage of the church and certain lands on the abbey. In his confirmation of this transaction Bishop Wishart provided that on the death or resignation of the rector the canons were to enjoy full rights in the church.⁴ A year later the rector, Radulf lord of Simonburn (Northumberland), resigned at the same time as the chapter issued its confirmation.⁵

1. Stevenson, Illustrations, no. 11.

2. Dryb. Lib., no. 108.

3. Arb. Lib. i, no. 365.

4. Camb. Reg., no. 1.

5. Ibid., nos. 2, 4.

The letter of resignation is dated 13 October, but the letter of the Official to the dean of Fife and Forthriff announcing the resignation is dated the previous day.¹ These letters do not contain witness lists and are clearly chancery products whose dating clauses were included mainly for administrative convenience and clarity.

This self-perpetuating administration is impressive but it was also dangerous, for routine is not conducive to change or radical modification. Yet it was precisely this conservatism which was to be a major factor in facilitating the reorganization of the diocese after the wars with England. If conservatism meant that vicars' stipends became fixed in an age of inflation, it also meant that the skilled and legalistic men who served Bishop Lamberton had a well-understood administrative framework to reconstruct and use. On the one hand it allowed for continuity of the sort displayed in the retention of the ancient division in the revenues from Gullane of four merks each for procurations and cain,² or the recovery of overdue procuration payments from Arbroath Abbey by the acquisition of a life-rent from the church of Dunbog.³ On the other hand sophistication could lead to the kind of administrative unreality as shown in the penalty clause of the 1304 agreement between Arbroath and Brechin over the serving of the monastery's churches, which provided for a fine of £1,000 to be paid to the papal treasury if the agreement were not maintained.⁴

By the last decade of Lamberton's episcopate the bishop's rights over parish churches were clearly being used against the interests of the churches, in order to provide for the rehabilitation of the fortunes

1. Camb. Reg., no. 3.

2. Dryb. Lib., no. 294.

3. Arb. Lib. i, no. 267.

4. Ibid., no. 244.

of their monastic appropriators. This shift from the pastoral to the pecuniary in the exercise of episcopal rights over parish churches is not so reprehensible as it may seem, for it reflected a common European trend. In Scotland it was intensified by the effects of war. Harangues of charters often give the devastation caused by war as the reason for changes in the status quo, such as absolving churches from paying procurations.¹ Monasteries had suffered grievously: a picture of the extent of such damage is given in the preamble to the charter issued by the abbot of Scone in 1298:

... in monasterio de scon . per exercitum regis Anglie hostiliter distructo . Ac et rupto et confracto . tam in celaturis ecclesie . refectorii . dormitorii . claustrorum . camerarum . hostiis . fenestris . altarium . armariolis . quam in cistis . et scrineis ...²

Scone, of course, had been singled out for special vengeance by Edward I, but after twenty further years of war other houses had suffered to a similar extent.³ There is little evidence about destruction of parish churches, although by 1303-4 Edward himself spoke of the apparent depopulation of Fife.⁴ It is clear that war had brought about a contraction of arable farming, so that as land was brought back into cultivation new arrangements had to be negotiated over the teinds and revenues due from them.⁵

The obvious solution to many of the financial problems of the monasteries in the post-war period was further appropriation, or

1. For example, Newb. Reg., no. 159.

2. Scone Liber, no. 124.

3. The extent of damages inflicted on the nunnery of Coldstream was revealed by sworn inquest in 1296. CDS ii, no. 733. Coldingham made extensive payments for the repair and refitting of some of its churches in the 1320s, perhaps to reconstruct war damage. Cold. Corr., Appendix II-IV (ii-vi).

4. Stevenson, Documents ii, no. 632.

5. See for example Camb. Reg., no. 199.

modifications in the arrangements for serving churches already held. Thus there was a spate of appropriations to monastic houses with the return of peace. Robert I granted Kinross and its chapel of Orwell to Dunfermline Abbey in 1314.¹ He had granted the church of Fordoun to St. Andrews following the dedication of the cathedral in 1318.²

Churches which already pertained to monasteries had their vicarages converted to pensionary charges, as at Holyrood's church of Kinneil.³

Monastic corporations were given the right to present vicars of their choice,⁴ including members of their own corporation, allowing vicarage revenues to revert fully to the house.⁵ In some senses churches ceased to be regarded as pastoral units and became financial ones instead. The church of Bathgate was granted by Holyrood to Newbattle in lieu of payments due from the Augustinian house,⁶ and part of the garbal teinds of Abernethy were diverted to cover the expenses of Abbot Bernard de Linton's election to the bishopric of Sodor.⁷

Aside from his obligation to oversee the life of the parish, the bishop was obliged to undertake regular visitation of all the parish churches within his diocese to see that the churches and their services were properly maintained. The early history of visitation in Scotland is completely obscure, beyond the formalised clauses in charters which reserved episcopal procurations and other rights. By the final decades of the twelfth century such charters contain the phrase salvo jure

1. Dunf. Reg., nos. 341-3.

2. Chron. Pluscarden, Bk. IX, Ch. XIX.

3. Holy. Lib., no. 88; SRO RH 6/91.

4. Newb. Reg., no. 63; NLS 15.1.18 no. 23.

5. Newb. Reg., no. 61; NLS 16.1.18 no. 19.

6. Newb. Reg., no. 159. See above, p. 175.

7. Arb. Lib. i, no. 358.

episcopi, often saving the archdeacon's rights as well. This may indicate that to a certain extent the archdeacon had already taken over some of the bishop's duties of visitation and correction.¹ This phrase remains in fairly constant use throughout the following century and a half: the union of the vicarage of Kirkcubright (St. Ninians) in 1295 contained a clause saving the bishop and archdeacon's rights "in all things".² The exchange of Cranston and Nenthorn included a more elaborate clause:

Et si Episcopus vel Archidiaconus predictas Ecclesiam vel capellam visitare voluerint ? sumptibus suis propriis ipsas visitabunt . Salvis Episcopo et Archidiacono iuribus Episcopalibus et Archidiaconalibus in eisdem ...³

It is not clear by what time the archdeacon took over regular visitation, but this was clearly the practice in the diocese by the time of Bishop Bernham, if not by the end of Malvoisin's episcopate. The fourth provision of Bernham's Lothian statutes ordained that every church was to have a yearly visitation by the archdeacon or dean, who were to give notice in writing to the bishop of any deficiencies they had found.⁴

In common with other countries by the late twelfth century, visitation in Scotland was subject to abuse. Among the reforms which were introduced to Scotland by Cardinal John in 1201 were those provisions of the third Lateran council which limited the size of retinue allowed to bishops and other officials on visitation, and regulated the wealth and size churches must be to pay procurations and maintain

1. This process may be traced in the sequence of episcopal confirmations to Scone Abbey. Bishop Hugh reserved only his own rights (Scone Liber, no. 50), Malvoisin's early confirmation reserved his rights and those of his "officials" (ibid., no. 53), but by the end of his pontificate his rights and the archdeacon's are reserved (ibid., no. 54).

2. Camb. Reg., no. 116.

3. Kel. Lib. i, no. 310.

4. C 112.

visitors.¹ These provisions formed part of the background to the series of vicarage taxations carried out by Bishop Malvoisin, as well as the agreements which that bishop negotiated with Durham and Arbroath over their churches within the diocese. In the Durham agreement there occurs for the first time in the records of the diocese the provision that neighbouring small or poor churches may join together to pay procurations to the bishop or his deputy. Other churches were joined automatically because they were close together or close to the monastery where the bishop and his train could stay.

A difficulty of visitation was suitable accommodation. Thus the legislation of the Scottish church ordained that every church was to have a manse suitable for the reception of visiting bishops and archdeacons.² This represented an ideal which was not achieved in the thirteenth century, if ever. By the second half of the fourteenth century this problem again found its way into St. Andrews' legislation, when it was claimed that manses were so mean that they restricted the movement of the bishop and the execution of his duties.³

By the early fourteenth century there is clear evidence that regular local visitation in the bishop's name was carried out by the deans of Christianity. Thus in 1326 Lamberton wrote to his dean of Angus and the Mearns that, since he had granted three merks of the cain due to him from Meathie to Coupar Angus Abbey, the dean was only to
x collect the two merks for procurations and synodals in the future.⁴
In a diocese the size of St. Andrews such efficiency may have been necessary, but it meant that inevitably such payments came less and

1. Kel. Lib. ii, no. 427.

2. C 12.

3. C 142.

4. C.A. Chrs., no. 109.

less to represent pastoral rights and became instead financial expedients. Episcopal rights over parish churches, symbolized in the payment of synodals and procuration dues, had provided a certain protection to appropriated churches. By the early fourteenth century this aspect of episcopal authority was in eclipse, and was further reduced by the new appropriations made after the war with England.

Yet personal visitation was still carried out by the bishop, sometimes possibly more as a means of extending his own authority than out of a desire for maintaining local religious life. At some time between 1307 and 1313 Lamberton made a personal visitation of Coldingham's churches of Coldingham and Berwick.¹ Such an activity was not unprecedented, but it seems likely that this particular visitation was part of the bishop's attempt to gain greater control over the cell of Coldingham. If this is so it may well pre-date the series of synods held in the summer of 1310 to which Lamberton attempted to summon the prior of Durham.² Thus the correctional aspects of the bishop's administration could be used for jurisdictional gains at the expense of a weakened monastic corporation.

Episcopal rights over monasteries were clearly defined, except for the exempt orders of the Cistercians, Cluniacs, and Premonstratensians which in St. Andrews diocese involved the abbeys of Newbattle, Coupar Angus, Balmerino and Dryburgh. Durham's cell at Coldingham was not exempt, but was subject to visitation by the prior of Durham. A letter of Prior William in 1330 announcing his coming visitation provides the most complete account of visitation processes in St. Andrews diocese:

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1. Durham D. and C. MC 957 (printed ND, no. 583).
 2. Durham D. and C. MC 1351 (printed ND, no. 489).
 3. Cold. Corr., no. 16.

Disponentes, favente Altissimo, die lunae proxime ante festum beati Dionisii, ad domum nostram de Coldingham personaliter declinare, super statu monasterii, personarum, et rerum, prout nostro incumbit officio, inquisituri, ac ea, quae ibidem corrigenda reperiri continget, quatenus nobis datum fuerit desuper, debite correcturi, vobis mandamus, firmiter injungendo, quatenus, dicto die, nobis apud Coldingham in capitulo vestro occurratis, et quilibet vestrum occurrat; inquisitionem nostram visitatoriam humiliter subituri, facturique ulterius & recepturi, quod rationi congruerit et canonicis institutis.¹

Exemption did not, of course, extend to the monastery's churches or to the bishop's general right to receive and bless newly-elected priors and abbots. There are no contemporary instances of bishops of St. Andrews blessing new heads of religious houses, but it was clearly their right to do so. In 1178 Bishop Matthew of Aberdeen, acting at the request of the king and prior of St. Andrews, blessed the new abbot of Arbroath, St. Andrews being vacant.² Exempt orders were subject to the correctional machinery of their order and of the pope, who could delegate specific tasks to local bishops. Such an instance occurred when Lamberton was delegated to receive the penance of a Dryburgh canon who had been excommunicated for striking his abbot.³

The bishop's general obligation over all monastic corporations was to oversee and preserve the maintenance of their order. For example, among Bernham's Lothian constitutions there were two which enjoined fugitive monks and canons to return to their houses, and forbade the reception of new religious for money payments.⁴ It was to the diocesan that the king and local magnates and benefactors took oaths to protect and maintain the rights of local monasteries.⁴ If the obligations of

1. Cold. Corr., no. 16.

2. Arb. Lib. 1, no. 2.

3. CPL ii, 201.

4. CC I25-6. The first provision is said to be a reissue of one published by Bernham's predecessor.

5. For example, Inchaff. Chrs., no. 47.

bishops were clear, the means for obtaining these ends were less so. Among the questions which Malvoisin raised before Innocent III were several which concerned his rights over religious houses and their possessions.¹

A similar confusion obtained with regard to the right of episcopal visitation, although the process became increasingly defined in the thirteenth century. There are few examples of episcopal visitation in St. Andrews diocese, but the earliest is one of the most interesting for it illustrates a fusion of the generalised right of visitation with St. Andrews' traditional role as titular head of the célidé of Monymusk. The complaints which were brought by Bishop Malvoisin before the papacy about the Culdees' independent attempts to change their rule are those which would concern such a patron as the bishop. It was not so much that the bishop wished to thwart change, but that he wished to ensure that this change remained under his supervision: hence the strict definition of numbers and the provision for proper buildings and precinct, and the dominant role of the bishop in the choice of the head of the house. It is not surprising, therefore, that the agreement
× between the bishop and the Culdees, which was carried out by papal judges delegate, ended with a provision for the proper reception of the bishop on visitation:

Cum autem contingerit episcopum sancti Andree venire apud munemusc ? predicti kelledei recipient ipsum cum processione sollempniter.²

It is probable that the visitation provisions which the legate Otto issued at the council of London in 1237 were repeated at his

1. CPL i, 29. See above, p. 181.

2. St. A. Lib., 372. For a parallel see Hugh de Welles' visitation of Tickford in 1220: "hospitio ibi honorifice et cum processione sollempni susceptus est." Cheney, Visitation, 59.

Scottish council of 1239. It is known that other constitutions issued by that legate were received and used in Scotland, so that his provision for monastic visitation could not have been ignored by men of Bernham's stamp. The visitation process only emerges into surviving record, however, in exceptional cases. Particular problems or abuses in monasteries were often first dealt with by the papacy, who then delegated enquiries to the local diocesan.¹ Thus in 1290 two Arbroath monks complained at the Curia that their abbot, Henry, was despoiling the house. Not only was he alleged to have gained election unlawfully, but he was also said to be using the abbey lands for the benefit of his family by granting them lands outright and withholding rents. The abbot was claimed to be remiss in looking after his monks, which had forced many of them to leave the house.² Such charges were not particularly unusual: questions relating to similar cases were part of the regular business of such visitors as Archbishop Winchelsea.³ In this case Bishop Fraser was delegated to make visitation and to enquire into these charges and, if necessary, make reform. It is not known whether any action was taken: certainly the time was not propitious for the bishop to have the opportunity to deal with such cases.

A second instance of special visitation also concerns Arbroath. In the last weeks of his life Bishop Lamberton made a two-day visitation to the abbey to arrange for a pension to be paid from Abernethy to Abbot Bernard, to cover the expenses of his election to Sodor.⁴ Although the bishop appears to have begun the proceedings by making an enquiry into the abbot's rule of the house, his main concern was to procure the pension for his friend and associate. Still the fiction

1. Cheney, Visitation, 26.

2. CPL i, 520; Vet. Mon., no. 338.

3. Cheney, Visitation, 73-4.

4. Arb. Lib. i, no. 358.

was retained, for the ostensible reason for the abbot's pension was recompense for the labour and expense he had undergone as abbot of Arbroath and royal chancellor. Thus the right which the bishop had to enquire in the course of visitation into pensions and corrodies was here being used in a way far removed from original intentions.¹

The fact that visitation could be used or misused in such a way is, however, indirect evidence for the regular exercise of this general right. Doubtless most visitations were of the sort which leave no record, or only such casual mention as occurs in Bishop Lamberton's statement that he had received a gratuity of four merks at Restenneth "tempore visitacionis nostre singulis annis in prioratu suo".² The first full description of the general procedure to be followed in visitation does not occur until provisions regulating this activity were drawn up at a council of the Scottish church in 1549.³

6. Temporal Administration

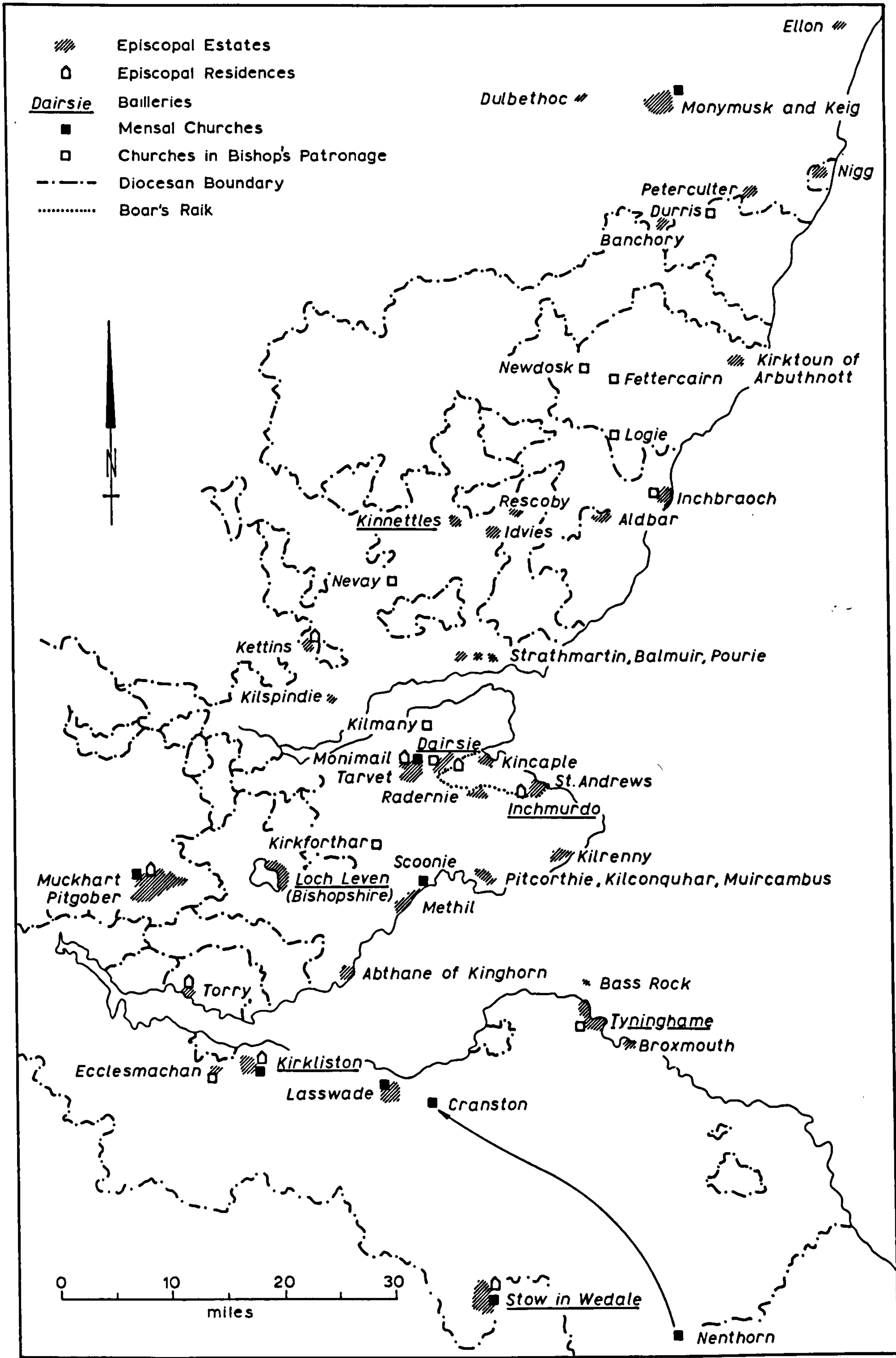
The bishop of St. Andrews was lord of a large, far-flung, temporal demesne. The only direct evidence for its total extent in the thirteenth century occurs in two papal confirmations of episcopal lands issued in the early years of the century.⁴ The lands given in the first of these confirmations issued by Innocent III in 1206 were Kilrimont with its whole shire, Dairsie, Moonzie, the island of Loch

1. For English examples of the right see Cheney, Visitation, 71-2.

2. HMC xiv, part 3, no. 22 (185-6).

3. C 182.

4. CPL i, 30, 61. See Map II.



Leven with its appendages, Monimail, Tarvet, Muircambus, Methill, Kilconquhar, Muckhart, Pitgober, with the church lands, Strathdichtymartin, Rescobie, Cas (unidentified), Dulbrudet (?Dalbog in Edzell), Rossie, Losse (unidentified), Longforgan, Monymusk, Culsalmond, Ellon with the lands of their churches and appurtenances; and in Lothian the lands of Liston, Ecclesmachan, Kinleith, Rait, Lasswade, Wedale, Clerkington, Tynninghame, Broxmouth with all their possessions and rents in cain and conveth.¹ The second confirmation, issued by Honorius III, added the lands of Kinkell, and Dyce.²

These letters were part of a general papal policy to encourage the recovery of ecclesiastical demesne rights.³ Culsalmond is, in fact, an example of lands which passed out of episcopal possession, for its church and many of its lands were granted to Lindores Abbey by David earl of Huntingdon c.1200-7, the bishop retaining only certain cain rights.⁴ Clerkington may be an example of the bishop attempting to extend his demesne at the expense of his chapter.⁵ Otherwise these papal confirmations provide an essentially accurate list of the extent of episcopal demesne.

A number of these lands appear to have been attached to the church of St. Andrews from a very early period: certainly Kilrimont and its shire, Monymusk, Loch Leven, Stow, Tynninghame and Broxmouth belonged to St. Andrews before 1100. Broxmouth and Tynninghame, in fact, provide striking evidence of the continuity of the territorial units which made up the episcopal demesne, for it was these lands which were

1. Migne, PL, 215, no. 175, cols. 1264-6.

2. Vet. Mon., no. 18.

3. F.R.H. DuBoulay, Lordship of Canterbury (1966), 204.

4. Lind. Cart., no. 5.

5. Vet. Mon., no. 6. See above, pp. 22-3.

the subject of an ineffectual donation by King Duncan II to Durham in 1094.¹ It seems possible that they had first come into the possession of St. Andrews as part of the extension of Scottish royal power into Lothian in the tenth and eleventh centuries.² Tynninghame and the lands about probably represented the centre of the territory of the Northumbrian monastery of Tynninghame, associated with St. Baldred of the Bass, to which Durham may have felt it had some ancient claim.³ The lands conveyed in the king's charter, "Tiningeham, Aldeham, Scuchale, Cnolle, Hatheruich et de Broccesmuthe omne servitium quod inde habuit Fodanus episcopus" correspond almost exactly with the lands of the episcopal barony of Tynninghame which were granted to the duke of Lennox in 1593.⁴

Such territorial continuity is not surprising for the lands did not pertain to the bishop himself but to his office, so that successive holders of the office were in a sense custodians rather than outright possessors of their demesne.⁵ The stability of ecclesiastical demesne was reinforced by the crown, for Regiam Majestatem forbade the alienation of these lands without royal assent, "quia eorum baroniae sunt de eleemosyna Domini Regis et antecessorum ejus".⁶

In the twelfth century the basis of a fixed manorial system was laid. Although the details of this administrative system only gradually become clear, it seems probable that the development of temporal government followed the same general lines found in the changes in ecclesiastical government: western forms and practices being implemented

1. ESC, no. 12.

2. See M.O. Anderson, "Lothian and the early Scottish kings," SHR 39.

3. A.A.M. Duncan, "Earliest Scottish Charters," SHR 37, 120.

4. RMS v, no. 2273. The lands are "terris de Knowis, Skowgall, Homeslandis, Auldhame et Broxmyth, cum cunicularibus et lacubus".

5. DuBoulay, Lordship, 195.

6. Regiam Maj., Book II, Ch. 23.

against an often anomalous traditional background.

The heart of the bishop's temporal demesne were the lands east of the traditional boundary established by King Hungist (Angus) in the St. Andrews Legend: that is, east of a line from Largo to Ceres to Naughton.¹ The centre of this parochia came to be the lands known as the Cursus Apri, which traditionally had been granted to the church of St. Andrews by King Alexander I, c.1126. The bishop, perhaps because of his ancient status as a monastic bishop, retained rights in these lands and was loath to part with them to endow the new Augustinian chapter in 1144. Even when they became priory lands the bishop retained a superior jurisdiction in them: a right which which was explicitly confirmed in Thomas Randolph's inquisition of 1309.

The Cursus Apri was sprinkled with and fringed by episcopal demesne lands.² Some of these appear in the thirteenth-century papal confirmations, while smaller estates appear first in the Golden Charter of 1452 and the fifteenth- and sixteenth-century rental books of the archbishops.³ It seems likely, however, that the situation revealed in these later records is one which had been substantially the same for two centuries or more. By the sixteenth century these lands in east Fife appear grouped together into baronies or lordships. To the north of St. Andrews the barony of Scotsraig and Tayport included the ferry service across the Tay, and to the south of St. Andrews the lordship of Byrehills contained the episcopal residence of Inchmurdo.⁴ To the

1. Chron. Picts-Scots, no. 31 (186).

2. A terrier of lands pertaining to the bishop and chapter in the Cursus Apri, c.1212-20, survives in a bad copy in the BM, Harl. MS 4628, 240 ff. It was badly printed in J. Pinkerton, Enquiry into the History of Scotland, 2nd edn., ii (1814), 469-70.

3. APS ii, 73-4 (also Martine, Reliquiae, 97-118, with notes).
St. A. Rent.

4. The ferry port does not appear as part of episcopal demesne before the /

west of the Boar's Raik were the baronies of Dairsie and Monimail. In the accounts of the chamberlain of the earl of Carrick, who held the temporalities of St. Andrews in the vacancy following the death of Lamberton, Inchmurdo (Boarhills), Monimail and Dairsie are clearly distinct manorial units each with their own baillies.¹

The ancient monastic site at Loch Leven formed the basis for another barony. This house had first come under the control of the bishops of St. Andrews when it was taken under their protection in the first half of the tenth century.² This act laid the basis of a distinct administrative territory subject to the bishops known as the barony of Loch Leven and later as "Bishopshire", which included lands and woods and lime-pits in a strip of territory to the east and north east of the loch.³ In 1329 it appears as Scotlandwell in the Exchequer Rolls with its own baillie, who was probably also responsible for the bishop's lands in Muckhartshire.⁴

Lamberton's well-known building programme was part of a reorganization and reconstruction of his demesne. He is known to have built a "palace" at Muckhart, which like his other buildings served as headquarters for his local agent. Certainly by the sixteenth century the two baronies of Loch Leven and Muckhart were administered jointly.⁵

Lamberton's building programme may also indicate a shift in episcopal preference away from Inchmurdo as a country residence to

the fifteenth century. The name Inchmurdo survives today in a group of council houses in the village of Boarhills, called Murtach Cottages.

1. ER i, 137-9, 145-8.

2. St. A. Lib., 113.

3. St. A. Rent., 89, 92 int. al.; RMS v, no. 2273.

4. ER i, 146-7. The mill of Muckhart seems to have been part of the barony of Loch Leven from a very early date. RMS v, no. 2273.

5. St. A. Rent., 89 ff.

Monimail, which by the later middle ages appears to have become the favourite residence of the bishops in Fife. By 1329 it had its own constable, and it may not be entirely coincidence that at the same time the manor of Inchmurdo had to be repaired before it could receive the earl and countess of Carrick.¹

There were three distinct episcopal baronies south of the Forth, two of them based on ancient ecclesiastical sites at Tynninghame and Stow. The origins of the third barony at Kirkliston are more obscure, but its previous status as a religious centre may be indicated by the important early Christian cemetery at the "Catstane".² It was perhaps the most important episcopal administrative centre south of the Forth and became for a time the seat of a rural dean holding the episcopal living of Kirkliston.³ Doubtless its central position made it a popular centre.

This tripartite division of the episcopal demesne in Lothian was, therefore, in existence from a very early date. Administrative details only become clear at the end of the thirteenth century. Distance could be a factor militating against effective episcopal control, and it seems likely that Stow for a time had passed into the control of a lay lord, Gilles of Wedale.⁴ It may be that as part of a general reorganization of the southern half of the diocese, which included the recovery of his rights in Stow, Malvoisin had promoted one of his servants, William Gullane, to the office of seneschal for the southern part of his diocese.⁵

1. ER i, 137.

2. C. Thomas, Early Christian Archeology of North Britain (1971), 53-4, 62-3 and fig. 21.

3. Watt, Fasti, 319.

4. Barrow, thesis, 243 n.

5. He appears int. al. in Midl. Chrs., nos. 18, 21.

Following the wars with England, Bishop Lambertton carried out a further reorganization of his southern estates which included the building of residences at Stow and Kirkliston. By 1317 there is evidence of the working relationship between the episcopal seneschal of Lothian, an episcopal clerk called Michael, and the local baillie of Stow, Henry Stulp. In that year the bishop wrote to Michael asking him to give Kelso Abbey possession of the church of Nenthorn, and the seneschal in turn ordered the baillie to carry out this order.¹ At Tynninghame, where there is no record of the building or reconstruction of an episcopal residence, Lambertton is known to have made Robert Lauder baillie of the lands: the family thus acquired the derivative "of the Bass" by their tenure of the bishop's portion of the Bass Rock.² The infertment of the Lauder family as baillies of Tynninghame is the earliest surviving instance of the creation of an important local family as hereditary baillies of an episcopal barony.

The nature and extent of episcopal demesne and its administration is more complex in the northern lands of the diocese. In Lothian, a non-Celtic area, the implementation of manorial organization was probably a relatively straightforward process, facilitated by the existing agricultural settlements of nucleated villages.³ Fife and Forthriff, Angus, Gowrie, the Mearns and Aberdeen present a much more fragmented geographical situation. Thus it is not surprising to find that certain temporal possessions of the bishop remained permanently outside large territorial groupings. Perhaps the most notable example

1. Kel. Lib. i, nos. 313-14.

2. T. M'Crie, The Bass Rock (1848), 41-2. This charter is now lost, Hist. Mon. Comm. (E. Lothian), xxii. For text see Appendix VII.

3. G.W.S. Barrow, "Rural Settlement in Central and Eastern Scotland: the Medieval Evidence," Scot. Stud. 6, 124 ff.

of this was the abthane of Kinghorn, which remained a distinct unit throughout the medieval period, administered by its own official.¹

North of the Tay the picture is even less clear for it was an area where the bishops had a large number of traditional rights in widely scattered lands. Thus in an agreement between the bishop and Arbroath Abbey over respective rights in certain lands in this area, the latter was agreed to have all revenues except

antiquo redditu de Monedin . scilicet . tribus
solidis et sex denariis . et porcione coneveti .
quam solebat facere apud Bencorin .²

Tradition must be at the root of the curious fact that the bishop's scattered demesne lands north of the Tay spilled across the Dee into the diocese of Aberdeen.³ These lands, which did not include Monymusk and Ellon, comprised a single administrative unit under a seneschal who, in the early fourteenth century, was a member of the Ogilvie family. The 1329 Exchequer accounts also mention two subsidiary officials in these lands, a baillie at Kinnettles and a mair at Rescobie.⁴ The presence of the judicial official at Rescobie represents another traditional survival, for in 1330 Lamberton's successor, James Ben, made an assedation of these lands to Restenneth Priory, reserving to himself and his heirs the place called "mons" where the pleas of his court were held.⁵ This description seems to be one of an ancient meeting-place like the mote hill at Scone or the

1. ER i, 146; St. A. Rent., 127; RMS v, no. 2273. The Melvilles were hereditary baillies by the early sixteenth century. St. A. Form., no. 441.

2. Arb. Lib. i, no. 169.

3. ER i, 109.

4. Ibid.

5. HMC xiv, part 3, no. 23 (186). Certain lands which apparently pertained to the mair were reserved.

earl of Buchan's hill at Ellon.¹

It is clear that the regular administrative procedures in the bishop's lands in Angus, the Mearns and beyond the Dee were the outcome of a fusion of feudal forms and a traditional social structure. The tenants of Rescobie might owe carriage service to their lord,² and the tenants of the kirktoon of Arbuthnott be thirled to the lord's mill or owe suit to the bishop's court,³ but the practical working out of these general obligations was conditioned by local practices.

The extent of the bishop's lands north of the Tay is difficult to establish in any detail. It is clear, however, that in addition to Kinnettles, Rescobie, Arbuthnott, they included a scattering of lands in the Dee valley which appear in various charters of the twelfth and thirteenth centuries.⁴ They were part of episcopal demesne before the foundation of the royal abbey of Arbroath, for a number of endowments to that house had to make exception for these lands.⁵ By 1593 these lands included the kirktoon of Durris and Banchory, Craigton near Peterculter, Cluny Banchory, Glescluny (unidentified), and the kirktoon of Nigg.⁶

Some of these lands belonged to the bishops because they represented an important cult site, such as St. Ternan the titular of Arbuthnott and Banchory. Other lands had been granted to the bishop out of royal lands, in many cases thanages. An instance which shows both processes at work occurs in the Arbuthnott inquest of 1206.⁷

1. The most likely candidate for the "mons" appears to be a hillock near Burnside Farm (National Grid Ref. NO 499504).

2. HMC xiv, part 3, no. 23 (186).

3. Spalding Misc. v, 209-13.

4. For example, Scone Liber, no. 83.

5. Arb. Lib. i, nos. 160, 165, 169.

6. RMS v, no. 2273.

7. Spalding Misc. v, 209-13.

The lands of Arbuthnott had belonged in part to the bishops from at least the early twelfth century, if not earlier, although the thanes apparently retained some rights in the kirkton. With the settlement of first the Olifards and then the Swinton (Arbuthnott) families in the fief of Arbuthnott it became imperative to determine the respective rights of the bishop and the secular lord. The witnesses make it clear that there was no resident episcopal agent, so that the thanes had probably been used instead as agents of episcopal administration.¹ The first witness, the former sheriff of the Mearns, swore that any questions arising between himself and the tenants of the kirkton had been dealt with by the bishop's baillie who came to the lands and repledged the parties by royal writ into the bishop's court.² Although the respective rights of lord and bishop were defined, the former had the advantage of being the resident authority.

Besides those baronies within the boundaries of his diocese the bishop had several important possessions in the diocese of Aberdeen. Culsalmond had passed to Lindores Abbey early in the thirteenth century, but the lands of Ellon and Monymusk remained distinct episcopal possessions until the Reformation. In the confirmation of Honorius III the lands of Kinkell and Dyce are also listed as episcopal possessions, but nothing further is known about this connection until the fourteenth century when the bishops of Aberdeen claimed the second teinds from these lands during vacancies at St. Andrews.³

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1. For the use of thanes as agents of episcopal and royal administration see Moray Reg., no. 5. In this royal charter thanes were to enforce the payment of teinds and other ecclesiastical dues, and if they failed to do so, the payment was to be enforced by the sheriff.
 2. Spalding Misc. v, 210.
 3. Abdn. Reg. i, 58. Dyce was a subsidiary chapel of Kinkell by the late thirteenth century and by the early fourteenth century the church pertained to Torphichen. Cowan, Parishes, 113.

Ellon may represent an ancient ecclesiastical site, for there were scolocs in the lands in the 1260s: certainly it was an ancient seat of the earls of Buchan.¹ Nothing is known in detail about the bishop's rights in these lands until Gamelin leased the scoloc's land to the earl of Buchan in 1265 for three generations.² The line of Comyn earls of Buchan ended in co-heiresses early in the following century, so that in 1387 the bishop held an inquest into the original status of his lands at Ellon. In this enquiry it was determined that the bishop had the right to put baillies on the land, to whose court all the tenants owed suit.³

The isolation of Ellon from the diocese and any other episcopal possession was at the root of the need for this thorough reorganization. The situation was roughly similar at Monymusk, but the administrative details there are better documented. The lands of Monymusk had traditionally been granted to the church of St. Andrews by King Malcolm III.⁴ Upon the reorganization of St. Andrews itself in the twelfth century a certain confusion developed over the respective rights of the bishop and chapter in the lands, parish, and monastery at Monymusk. W. Douglas Simpson claimed that the monastery stood in the same relationship to St. Andrews Priory as its cells at Loch Leven, Portmoak, May Island and Pittenweem.⁵ Yet these cells had been explicitly granted to the chapter and Monymusk was not. It seems likely, therefore, that the bishop retained his implied position as abbot and patron

1. Spalding Misc. v, 57 (Editor's preface).

2. A.B. Coll., 311-12.

3. Ibid., 310-11; Spalding Misc. v, 57-60 (Editor's preface).

4. W.M. Macpherson, Materials for a History of the Church and Priory of Monymusk (1895), 60 ff. For the traditional form of this donation, see RRS i, no. 47.

5. W.D. Simpson, "The Augustinian priory and parish church of Monymusk, Aberdeenshire," PSAS 59, 35.

of Monymusk Priory, perhaps in right of being its traditional founder.¹ The bishop was also lord of the territory of Monymusk and patron of its parish church. Thus when in the late twelfth century Gilchrist earl of Mar constructed new monastic buildings for the célidé it became essential for the bishop to assert his authority over the house and bring about a definition of his rights in the parish.²

By the early thirteenth century the bishop had clearly become the patron of the living of Monymusk, for the rector of the church made his appearance among the servants of Bishop David.³ This recovery of rights over the land and church had to be paralleled by a recovery of rights over the Culdees as well. Unless this were achieved the integrity of the whole demesne was at risk. Thus one of the themes of the 1211 agreement between the bishop and the Culdees was the separation and definition of the respective rights of the monastery, the parish and the bishop. The solution was fairly drastic: the bishop revoked the grant of the lands of Dolbethoc and Fornathy made by the earl of Buchan without episcopal consent.⁴ Instead the bishop granted the Culdees the neighbouring church of Keig.⁵

The recovery of control over the célidé was an integral part of recovery and redefinition of the bishop's secular jurisdiction over the barony of Monymusk. The threat of an independent monastic house in the centre of a compact bloc of episcopal demesne was a real one, for the natural tendency was for the resident authority to extend its

1. W.D. Simpson, "Monymusk", 44.

2. St. A. Lib., 374-5.

3. Ibid., 306.

4. Ibid., 370-2. Dolbethoc was again granted to Monymusk by Bishop David. Ibid., 369.

5. Ibid., 366.

power at the expense of the absentee. When eventually episcopal prerogatives were reduced at Monymusk it was, in fact, done not by the célidé but by the bishops of Aberdeen. By the fourteenth century Aberdeen had the right to all second teinds from the bishop's lands at Monymusk during vacancies.¹ By 1445 the parish church of Monymusk had been erected into a prebend of Aberdeen Cathedral.² The barony survived until the sixteenth century and was conveyed with all other episcopal lands to the duke of Lennox in 1593.

The overall administration of the episcopal demesne was in the hands of the bishop's chamberlain, an official who first appears under Bishop Robert.³ His local agents for the three major divisions of the diocese, Lothian, Fife and north of the Tay, were seneschals. This office makes its first appearance in the mid-twelfth century when Odo, brother of Archdeacon Matthew, appears in the office. The Nydie family soon joined the Kinninmonths as hereditary seneschals and they may have been given a general responsibility for lands outside the Cursus Apri. The witnesses in the Arbuthnott inquest claim to have witnessed a visit by Hugh the seneschal to the kirkton lands. By the early thirteenth century a third seneschal was active in Lothian, thus providing the earliest evidence of the tripartite division of the diocese which appears again in the 1329 Exchequer accounts.⁴

The bishop's demesne seems to have been a distinct regalian jurisdiction from very early times, although the term itself is first used in surviving evidence when Edward I ordered the restoration of the bishop's regality in 1304.⁵ This implies that the right

1. Abdn. Reg. i, 58, 359, 171.

2. Cowan, Parishes, 150.

3. St.A. Lib., 124.

4. ER i, 109.

5. CDS ii, no. 1529. The earliest use of the term regality appears to be in 1247: Arb. Lib. i, no. 243 (180).

pertained to the episcopal office rather than to particular lands, so that all episcopal demesne was subject to regalian jurisdiction. By the early fourteenth century the rights involved in such jurisdiction were clearly defined, notably in the 1309 inquest of Thomas Randolf:

infra Cursum Apri non sunt nisi tres baronie / videlicet baronia domini episcopi S. Andree / baronia domini prioris S. Andree / et baronia kalediorum / quequidem baronie cum inhabitantibus immediate sunt subjecte Episcopo S. Andree et ecclesie et nulli alio . Unde ratione dicte subjectionis / predicte baronie tam de jure quam de consuetudine approbata tenentur facere sectam curie dicti domini Episcopi et ibidem tam de visnetis et dictamentis interesse quam ad alia judicia de condempnatis facienda .

... Item inventum est quod si aliquis inhabitans predictas baronias captus sit extra Cursum Apri sive per ballivos domini Regis sive per alios / liberetur distrationaturus / et revocaturus est tantum per Justitiarium domini Episcopi vel ministros ejus ad regalitatem S. Andree / et non per aliquem ballivum dictarum baroniarum . Preterea inventum est ac solempniter dicto die publicatum quod dominus Episcopus sive ejus justitiarius habeat potestatem cognoscendi de omnibus querelis ad coronam domini Regis pertinentibus (vita) et membris infra Cursum Apri / et quod majus est ex plenitudine regie potestatis infra dictum Cursum Apri post judicium datum vitam et membra condempnatis dare potest dominus Episcopus S. Andree.¹

The scattered evidences of the administration of justice in episcopal lands confirm the impression that this exempt system had been in existence from earliest times. For example, by taking Loch Leven into episcopal protection in the mid-tenth century the bishops seem to have gained a judicial jurisdiction which was sufficiently well known for King David I c.1128 to demit a case regarding Loch Leven to a local court which included the leaders of the bishop's army.² The deposition of the former sheriff of the Mearns that the bishop's representatives had the right of repledging the bishop's Arbuthnott tenants from royal courts shows the distinct nature of the bishop's regalian jurisdiction by the second half of the twelfth century.³

The tenants of episcopal demesne remain an obscure body who

1. St. A. Lib., xxxi-ii.

2. Ibid., 117-18.

3. Spalding Misc. v, 210.

appear sporadically throughout the thirteenth century, most fully in the Ragman Roll of 1296 where they are given as

Alexander Fossarde of Tynninghame, David of Tymerham, Richard le Baker of Tynninghame, Gilbert fitz Henry of Tynninghame, William of Lasswade, Walter Scot, Robert del Brunhus, William le Keu, Gilbert le Messenger, Michael le Messenger, Adam le Carriz, Robert de Brunhus [?sic], Elys de Obrinkel and Thomas Walghope in Edinburghshire; Simon of Liston tenant in Linlithgow; John de Lascelles, M. Richard le Keu, Eude de Kinninmonth, Henry of Tarvet, Mark de Clapham, Andrew Fraser, Lambe fitz Austyn de Nithbrin, Malcolm of Kilspindy tenants in Fife; John de Morhalle tenant in Perth and William le Keu de Knolle tenant in Lanark.¹

This group of men is an interesting one, from a diversity of backgrounds. Some, as their names make clear, owed their position to the occupation of some ancestor. An independent example of this was a certain William, who held Bruckly in the barony of Dairsie in the late thirteenth century, for a reddendo of ten shillings per annum or service as baker in the bishop's household.² The bishop's marischal also had lands at Bruckly from at least the middle of the thirteenth century.³ Others held their lands as rewards for service: Simon of Liston, who appears in Ragman Roll, had served several bishops before he was pensioned off with the lands of Humbie in the barony of Liston in 1290.⁴ He held the lands "pro ejus homagio et servitio" paying a reddendo of three merks per annum which was to increase to six merks for his heirs and descendants. Although thirled to the bishop's mill he was exempted from paying multure dues, and he had the right of common pasture and freedom to gather fuel at the "Twa Lochs". Simon was to attend the three annual courts at Liston, but was exempted from ward and marriage duties.

1. CDS ii, no. 823 (205).

2. Ibid. i, no. 1350.

3. Ibid. and Balm. Lib., 46-7.

4. RMS v, no. 2271.

Other tenants were of a somewhat more exalted social position; from knightly or lesser baronial families. By far the best-known family of this group was that of Kinninmonth of that ilk, who is represented in Ragman Roll by a namesake of the progenitor of the family.¹ The obligations of such tenants were essentially the same as those of men like Simon of Liston, as is shown in a sequence of charters relating to episcopal tenants at Tarvet and Ceres in the thirteenth century. About 1260-1285 Walter de Pershay granted his lands at Tarvet and Gledney (Ceres) and two shillings from the thirty pence paid to him by Gilbert of Balass to Thomas Valence, for a reddendo of three pence at Pentecost and all due service, saving only the donor's rights of ward and relief, forinsec service to the king and bishop, eleven shillings from Tarvet, fifteen shillings from Gledney, and suit of court.²

Certain episcopal tenants held their lands in blenchferme tenure of which the best example was Bishop Lamberton's infeftment of Robert Lauder of his lands of the Bass Rock for the payment of a pound of wax each year.³ Although it is not explicitly stated in the terms of the charter, this infeftment was for Lauder's services as baillie of Tynninghame.

Lands held in lease from the bishop also required at least a generalised obligation on the part of the recipient, such as was given by the earl of Buchan when he obtained the lands of Ellon for three

1. See Barrow, 'Kinninmonths.'

2. SRO GD 82 no. 2. Tarvet had been granted by John de Wilton to his sister Matilda c.1220-8 for a reddendo of sixpence or a pair of gilt spurs and forinsec service due to the king and the bishop. Ibid., no. 1. For a similar charter of infeftment in episcopal lands see Malcolm of Kilspindie's grant of Kilspindie to Sir Nicholas Hay. Spalding Misc. ii, 312.

3. T. M'Crie, The Bass Rock, 41-2. For text see Appendix VII.

generations:

Et faciemus forinsicum servicium quantum pertinet ad eandem terram . erimusque fideles Episcopo et ecclesie Sancti Andree . et bonum eorum tanquam eorum fideles procurabimus . ¹

The bishop could claim such obligations as marriage payments, and on at least one occasion in the period under consideration exercised his right of wardship over a minor earl of Fife.² Tenants might be expected to make payment upon entry to their lands: in the case of Ellon the scolocs claimed that traditionally they were entered by the baillie without the necessity of a letter in inquisition, although Lady Anabell of Ledal claimed to have been entered into her lands by a letter of inquisition and to have given a sasine ox "secundum morem patrie".³ The only surviving record of such an inquest occurs in 1302-3 when Lamberton was absent in France. Sir John Cambo, lieutenant of the sheriff of Fife, empanelled a jury of local men to determine the extent of the lands held by William in Bruckley and Adam, the bishop's marschal, in Nydie and who their heirs were.⁴

Besides these incidents, some if not all of the bishop's free tenants owed military service to their lord. Such service never achieved the intricate pattern known on English ecclesiastical estates in the twelfth and thirteenth centuries. By the early twelfth century the bishop had two leaders of his army, one of whom held land of the bishop.⁵ This army seems to have formed part of the common or "Scottish army" of the king for in charters mentioning military obligations little or no differentiation is made between service owed to the

1. A.B. Coll., 311-12.

2. The rents of the minor, Earl Duncan, were paid to the English keepers of the see in 1296-7. CDS ii, no. 1027 (264).

3. A.B. Coll., 310.

4. CDS ii, no. 1350.

5. St. A. Lib., 117-18, 59, 145, 152.

crowns and that owed to the bishop. An example occurs in an early infeftment of the lands of Tarvet, witnessed by Bishop Malvoisin, which ends with the clause:

Salvo forinseco servitio domini mei Regi et domini
Episcopi Sancti Andree.¹

Simon of Liston promised for himself and his heirs:

fecerent pro dicto episcopo regi servitium debitum
et consuetum quantum pertinuit ad dictam terram.²

It seems likely that the usual military service owed to the bishop was a general obligation to perform such local duties as ward services in time of peace and active service in the king's army in time of national emergency. The thirteenth century was one of almost unbroken peace for Scotland and the earliest instance of the bishop actually using his tenants as a fighting force occurred in 1307 when Lamberton sent them to fight for the new king, Robert I.³

If the evidences of the life of the bishop's free tenants are scanty, those relating to his servile and semi-free tenants are even more so. But it was the neyfs, scolocs, cottars and others who lived and worked on the land and were the backbone of the manorial system. They tilled the soil and paid their dues in kind, money and personal service. Their labour allowed the whole system of episcopal government to exist: administrators, like armies, march on their stomachs. By far the most comprehensive evidence of the social structure and activities of an episcopal estate comes from the Arbuthnott inquest. Perhaps the most striking thing about the document is its description of the local blending of Celtic tradition and manorial practice. The

1. SRO GD 82 no. 1 (1220-1228). For a variant see ibid., no. 4.

2. RMS v, no. 2271.

3. Palgrave, Docs. Hist. Scot. i, nos. 148, 149 (337).

scolocs and personae were relics of an older social and ecclesiastical order.¹ A number of their obligations were also Celtic survivals. Of these, the obligations of cain and conveth were absorbed easily into feudal practice: cain especially came to be synonymous in some cases with feu duties.²

The agriculture of the kirktoon of Arbuthnott may be atypical, for the tenants were essentially pastoralists, who had houses, animals, pastures and fields in the kirktoon. They had once had a mill but because they did not depend on tillage for the bulk of their sustenance the mill had little business and fell into decay. The tenants used the lord of Arbuthnott's mill without, apparently, paying multure dues. They paid their rent in kind to the bishops and lord of Arbuthnott, and were obliged to give suit to the bishop's court in addition to rendering him cain and conveth.

The unmixed economy of the kirktoon may not have been typical of other episcopal estates, although some were certainly utilised for particular crops and livestock. Rescobie seems to have been used primarily for sheep and the fishing of the loch.³ Sheep remained the dominant feature of the agriculture of Wedale, as they had been in the time of the young St. Cuthbert, and the bishop also kept a large flock at Radernie.⁴ Among the other renders of the barony of Loch Leven

1. The scolocs, descendants of the Celtic student, are found elsewhere on the estates of the bishop, notably at Ellon. At Arbuthnott they are clearly distinct from the unfree neyfs. Like the personae, however, their status is obscure, but both seem to be free at least in some respects. Personae, although it has been suggested that the term describes descendants of priests, may simply imply persons with individual rights and legal status.

2. Cain and reddendo are used interchangeably to describe the fifteen shillings due each year from Ceres. SRO GD 82, nos. 2 and 3.

3. HMC xiv, part 3, no. 23 (186).

4. ER i, 225, 138, 147.

were eels, which were a feature of the coronation feast of David II.¹

The accounts of the chamberlain of the earl of Carrick in 1329 provide a fair picture of the range of products from episcopal estates in the heart of the diocese. Obviously a vacancy was not a normal period for administration and there is some evidence that the earl and his representatives were concerned more with what they could get from the lands than with acting as careful custodians, for Bishop Ben claimed that the lands of Monimail had been devastated by laymen in the inter-regnum.² It must also be remembered that the evidence of the 1329 accounts may be distorted as a result of warfare with England and the fact of Lamberton's death. Certainly the household expenses of the bishop from Pentecost to early June 1328 (£97/11/6) are inflated due to the cost of burial.³ But it still seems that the accounts can give a realistic idea of the wealth of the bishop, which was in large measure based on the produce of his estates: wheat, flour, oats, malt, sheep, squirrels, eels, cows and oxen.

The chamberlain of the bishop north of the Forth made payment of £110/-/8 from the ferme of lands in Angus, the Mearns, and north of the Dee; £28/12/- from assizes within the barony; £81/10/10 from the ferme of Fife and Forthriff, and £16/10/- from Perth.⁴ This was not the total intake from these lands, for among other things cain due at other terms of the year was not accounted for. The total intake was £224/2/10 against initial outgoings of £105/2/10.⁵ The chamberlain

1. ER i, 148, 226, 378.

2. CPL ii, 303.

3. ER i, 109.

4. Ibid. The next year the ferme payment from Robert dean of Gowrie was £108/-/8: ibid., 139.

5. Ibid., 109.

south of the Forth paid in £49/12/1 in ferme payments for only one term.¹

In addition to these revenues the bishop also had other economic rights, many of them connected with his burgh of St. Andrews. In 1329 the earl of Carrick's steward received £31/15/- from the custom duties of St. Andrews and £7/6/8 from the burgh fermes of the town.² Thus the total cash value of the episcopal demesne in 1329 was considerably in excess of £300 per annum. Added to this figure, however, were the revenues from lands outside the diocese, notably Monymusk and Ellon. It is not known what the value of Monymusk was, but that of Ellon was £20.³

Such an income placed the bishop of St. Andrews among the wealthiest magnates of the realm. But it was the case that wealth was not judged solely in terms of cash, but by the extent of his demesne and his jurisdiction. Doubtless the majority of available cash and a good deal of the bishop's agricultural renders went towards maintaining the bishop, his household, and a wide circle of dependants, as well as charity and other works. By the early fourteenth century there is evidence that the bishops were caught in an inflationary spiral, brought about largely by the disruption and devastation of war. A man of Lamberton's propensities may have wished to ignore this trend and may have succeeded in doing so to a certain extent. His successors could not afford such a luxury. In 1330 Bishop Ben's assedation of the lands of Rescobie to Restenneth Priory stipulated an annual rent of fourteen merks, which by 1354 had to be reduced to ten ostensibly

1. FR i, 110.

2. Ibid., 140. The bishop also had the right of cocket.

3. A.B. Coll., 310-11.

because of damages and difficulties suffered by the monastery.¹ At Ellon the ancient value of £20 had fallen to £15/3/4 by 1387.²

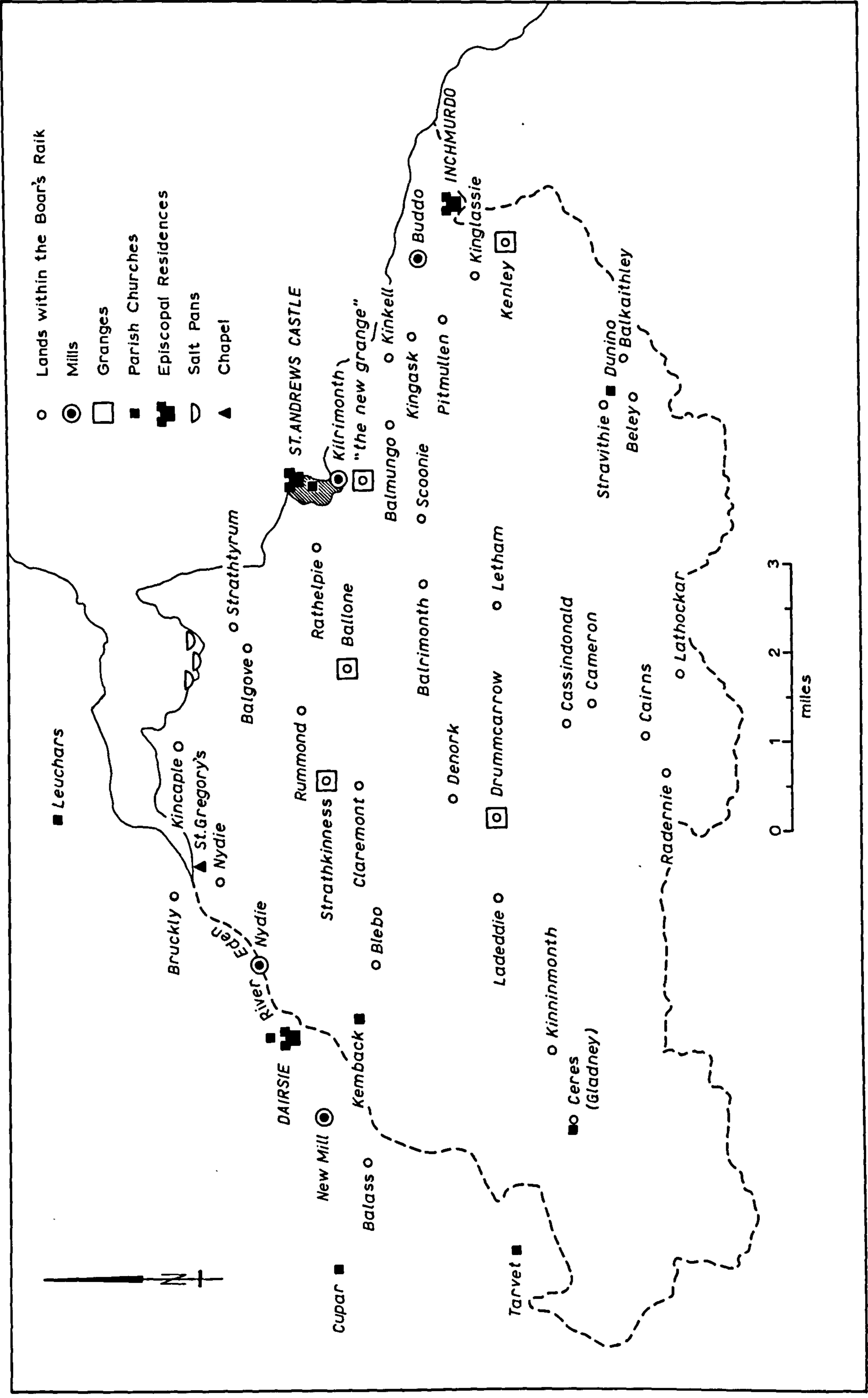
The total real value of the lands of the bishops in the thirteenth century must have been considerably in excess of a thousand pounds. In Bagimond's Roll for the first year of his collection the bishop paid £119/1/5 for all of his goods, and in the following year he paid £100.³ This figure may represent something like a tenth of the value of the bishop's lands and churches, but it cannot adequately represent the value of personal service, for example. In any case the figures recorded in Bagimond's Roll and the accounts of the earl of Carrick's seneschal are imperfect instruments for assessing the value of the bishop's patrimony. At their most basic the lands were valuable because they allowed the bishop to exist and to exercise his authority as bishop and lord. To conceive of the lands predominantly in terms of cash is to ignore their role as wealth in a much wider context. Land was, after all, a much more readily understood symbol of riches and power than cash: and it was both land and money together which allowed the bishop of St. Andrews to exist as the prince of the church he was.

1. HMC xiv, part 3, nos 23-4 (186-7).

2. A.B. Coll., 310-11.

3. Dunlop, "Bagimond's Roll," 34, 56. In a list of evaluations in the St. Andrews Liber which probably dates from the time of Bagimond the bishop's "goods" (probably meaning his moveable personal wealth) are assessed at £257/10/10. St. A. Lib., 39.

CHAPTER IX



CHAPTER IX
THE CATHEDRAL CHAPTER

1. The Chapter, 1200-1340

Despite a number of dating problems for the pre-1200 succession of St. Andrews priors, the dates for the period in office of priors after that date can be determined with almost complete accuracy:¹

Thomas, former subprior: 1200-1211 (resigned)
Simon, canon: 1211-1225 (resigned)
Henry of Norham, canon: 1225-1236 (resigned)
John White, canon: 21 May, 1236-17 July, 1258
Gilbert, former treasurer: 18 August, 1258 -d. x 17 March, 1264.
John of Haddington, former chamberlain: 7 April, 1264-3 July, 1304
Adam Mauchan, archdeacon of Lothian, ?former subprior: 27 July, 1304-14 August, 1313
John of Forfar, vicar of Lathrisk, canon and bishop's chamberlain: 29 August, 1313-23 September, 1321
John of Gowrie, former treasurer and chamberlain: 1321-8 December, 1340.

The election of the subprior, Thomas, in 1200 came during a period of capitular decline. The great period of endowment of the house, carried out primarily under Bishop Richard, was past and in the last decade of the twelfth century the priory had experienced a period of weakness under an ailing prior, Walter, followed by the short pontificate of Gilbert. Bower says of Thomas that he was "vir bonae conversationis, et totius religionis exemplar",² qualities which may have been at the root of his unpopularity with those members of the house who resisted his attempts to enforce the Augustinian rule. The Chronicle

1. For the twelfth-century succession of priors see draft monastic Fasti, to be published in 1972 under the editorship of I.B. Cowan.

2. Chron. Bower i, 367-8.

of Melrose claims he was forced to resign in 1211 because of the "wickedness" of the brethren.¹

This was not the sort of character required to guide the fortunes of the chapter in the early thirteenth century. The prior and Bishop Malvoisin can have had little sympathy with one another. The concern of the Bishop with the maintenance of his rights over churches and their proper serving rebounded on the priory and its possessions. This was the period when the chapter lost its patronage of the church of Leuchars, which reverted to the de Quincy family, who filled the benefice with a member of the family who had served in Malvoisin's household.² There was worse to come, for it was probably during Thomas's period that the chapter also lost whatever rights they had had in the church of Meigle,³ and probably Kinnedar in the diocese of Moray as well.⁴ This, following the priory's failure to establish their rights in the churches of Strathmiglo and Muckersie, which had been granted to the chapter in the late twelfth century, shows the seriousness of their position.⁵

Conditions did not improve greatly under Thomas's successor, Simon, "qui in fornace tribulationis decoctus quoniam dies mali erant, malignantium insidias et invidentium detractationes declinans, anno Domini MCCXXV curam et custodiam prioratus de quorundam consilio

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1. ES ii, 206 and n. 1. He apparently became a novice at Coupar Angus.
 2. St. A. Lib., 350-2, 256-7. See also RRS ii, no. 491 and n.
 3. Meigle had been granted to the priory by Simon of Meigle and confirmed by King William, but in 1207 the patronage rights were gained by the bishop of Dunkeld who applied the teinds to the common fund of his cathedral. Cowan, Parishes, 145.
 4. Kinnedar had been granted to St. Andrews by Bishop Simon of Moray, and continued to be confirmed to them by successive popes until 1248. By 1208-1215, however, the church formed part of the prebend of the treasurer of Moray. Ibid., 114.
 5. Cowan, Parishes, 191-2, 153. The chapter may also have lost Tealing. Ibid., 196.

dereliquit".¹ Simon retired to the relative peace of the priorate of Loch Leven. His priorate at St. Andrews had begun auspiciously enough with a series of agreements intended to define and extend the chapter's jurisdictional rights. In 1212 he had obtained concession of all of the lands and jurisdictional rights of the archdeacon of St. Andrews within the Cursus Apri in exchange for the former culdean lands of Strathtyrum and Balgove.² It was probably as part of this agreement that Archdeacon Laurence renounced his rights in cases arising from the chapter's lands.³ At about the same time the new prior also obtained an agreement with the archdeacon's subordinate, the ferlein (master), and scholars of St. Andrews over cain payments due to them from certain priory lands. The agreement clearly established the priory's right to such payments from all their lands:-

Quod si contingerit quod aliquae terrarum illarum quemodo sunt in dominio eorum date fuerint alicui in feodum cani exigantur a tenentibus illas sicut ab aliis feodatis . Similiter si aliquae terrarum illarum quemodo tenentur a feodatariis acciderint eis in dominium quocunque modo . cani terrarum illarum reddentur ab eisdem canonicis sicut solent reddi de aliis terris quas tenent in dominio . 4

This concern for definition bespeaks a new attitude on the part of the chapter, which in the long run would bring about a restoration of the fortunes of the house. Immediately, however, the chapter's energies were almost wholly devoted to the controversy with the bishops over the status of the Culdees. The threat posed by this rival corporation was, however, only part of the general capitular complaint to be "afflicted in spiritualities and temporalities". Thus in 1219 the chapter obtained a bull from Honorius III reconfirming their rights

1. Chron. Bower i, 368.

2. St. A. Lib., 315-16, 27. See also below, pp. 279-81.

3. Ibid., 347.

4. Ibid., 317.

over their churches, including the right to present three or four of their members to them. It went on to forbid

ne episcopi . archidiaconi vel eorum officiales a vobis vel ecclesiis vestris . seu etiam clericis preter antiquum et canonicum morem tallias . procuraciones . deportaciones . seu aliquam pecuniam . vel insolita et iniusta servitia exigere vel extorquere presumant. ¹

Obviously the chapter's basic weakness was financial. Not only did the corporation have to maintain itself on revenues from its estates, churches and jurisdictional rights, it was also responsible for the building of the cathedral. Thus it was probably in the 1220s that Bishop Malvoisin granted the priory an additional twenty merks from the church of Scoonie, as well as the revenues of all Pentecostal processions in the diocese, "to relieve their necessity", stipulating nevertheless that these revenues were to be used only for the new work on the cathedral.² The financial difficulties of the house were also reflected in the papal indulgence of 1228 which allowed the chapter, whenever possible, to revoke pensions of secular clerks and apply them to their own uses.³

The dangers of such weaknesses may be seen in the case of the church of Dull in the 1220s and 1230s. The church had been granted to the priory in the 1170s by Malcolm, earl of Atholl, and had been confirmed by his successors and the bishops of Dunkeld in whose diocese the church was situated.⁴ Early in the thirteenth century a more closely stipulated agreement was carried out with the bishops of Dunkeld, which reserved to the bishops the chapel of Glen Lyon and twenty shillings per annum from the abthain lands of Dull.⁵ The terms of the charter

1. St. A. Lib., 86-7.

2. Ibid., 160-1.

3. Vet. Mon., no. 66: CPL i, 120.

4. St. A. Lib., 245-6, 294-5.

5. Ibid., 295-6. A papal confirmation was issued on 25 May, 1232. Ibid., 88-9.

make it fairly clear that to a certain extent this new agreement reduced St. Andrews' rights in Dull. At some time shortly after this agreement, Bishop Hugh of Dunkeld confirmed an annual pension to be paid by the vicar, William Comyn, for the church of Dull during his lifetime.¹ By 1234, however, the chapter had come to a new agreement with Comyn, in which he promised to pay them sixty-eight merks per annum and to be responsible for synodals and episcopal dues.² Despite this agreement, Comyn appears to have attempted to gain full rectorial rights and it was only under Prior John White, who did so much to restore the chapter's fortunes, that this situation was rectified.³ In 1245 the chapter regained nearly all their rights in the parish. Although Dull did not go the way of other capitular churches it took a long struggle to gain all the rights which they claimed to have in the parish.

The priorate of White was the turning-point in the chapter's fortunes, yet nothing is known about the background of this man who was to rule the house for twenty-two years. White's main concerns were to carry out a reorganization of the priory's lands and possessions, and the building of additional conventual buildings at St. Andrews, including the canons' dormitory and refectory, as well as the great hall of the hospice.⁴ The core of White's reorganization was the redefinition of the corporation's rights. Thus a grant of lands to support the building of the new hall contained a carefully stipulated clause regulating the rights which the priory was to exercise in these lands, including the jurisdiction of the prior's court:

Excepto . quod si capitalia placita ibidem emergerint in curia domini prioris in eadem terra placitabuntur . et si debeat iusticia

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1. St. A. Lib., 297.
 2. NLS 15.1.18 no. 31.
 3. St. A. Lib., 307-8.
 4. Chron. Bower i, 368.

fieri in curia mea et heredum meorum fiet salvo dictis priori et conventui emolumento si quod de placito illo contingerit ¹

This concern with the definition of jurisdictional rights was characteristic of White and extended to the priory's lands in the Cursus Apri itself. The distinction between the cathedral precinct and the bishop's burgh was not well defined in the twelfth century, but the division between the two came to have greater importance with the growth of the town and the building of the cathedral. Thus White set about buying up some of the peripheral lands between the cathedral precinct and the burgh which had previously been held by the priory's tenants.²

White had less success in his attempt to define the respective rights of his chapter and the rival corporation of the Culdees. In 1248, in a general confirmation drawn up from a priory memorandum, Innocent IV reconfirmed for the last time the chapter's right to bring the Culdees under regular rule and to take over their prebends.³ This could no longer be the solution to the problem. Instead, at some time between 1248 and 1253 the Culdees moved from the corner of the cathedral church which they had hitherto occupied to their new church of St. Mary of the Rock, outside the cathedral precinct.⁴ Physical distance did not lessen the institutional threat posed by the college and at the time of Bernham's death the chapter was at litigation with the bishop and some of the Culdees, presumably over their claims to take part in episcopal elections.⁵

1. St. A. Lib., 277 (1235x9).

2. Ibid., 281, 284-5.

3. Ibid., 101. It had last previously been included in a papal confirmation by Innocent III in 1206. Ibid., 74.

4. Barrow, "Culdees," 36.

5. Ibid., 34 ff.

White was more successful in his definition and organization of the possessions of the chapter. This is reflected in the general confirmation issued by Innocent IV in 1248 which contains the earliest reference to the "new grange" of the priory built at a strategic point in the Cursus Apri slightly to the south of St. Andrews to serve as a central storehouse for the produce of the priory's estates.¹ A similar reorganization apparently took place for the lands of the hospice, for the same confirmation also contains the earliest reference to the hospital's grange at Kenley (Kellakin).²

These random evidences, coupled with White's later reputation as the restorer of the chapter's fortunes, are all that can be known about the process of reorganization and reform which this prior carried out. The work of Prior White was to be tested in the minority crisis of Alexander III, for despite their Durwardite bias the priory's possessions had also suffered despoliation in the years after 1249.³

The priorate of Gilbert, described as "vir religiosus et gratio-
sus in temporalibus, licet non evidenter literatus", forms a brief interlude before the long priorate of John of Haddington. Following Gilbert's death in 1263 there was a delay of nearly a year before Haddington was chosen, and it may be during this period that Gamelin reissued the charter confirming the priory's right of freely electing their priors.⁴ Haddington was to remain prior for nearly forty years.

1. St. A. Lib., 104. The name survives today, one mile to the south of St. Andrews.

2. Ibid., 103.

3. NLS 15.1.199 no. 12: A papal bull to judges delegate asking that all goods unjustly alienated be returned to the priory's possession. The despoliation of the priory is also mentioned in the gravamina of the Scottish church of c.1250. NLS 15.1.18 no. 16, printed Patrick, Statutes, 211-12.

4. St. A. Lib., 171. The lost St. Andrews register contained "Instrumentum electionis Johannis de Haddington in priorem S. Andree". Ibid., xxv.

Beyond his derivative surname and the fact that he was the priory's chamberlain before his election, nothing is known of his early life.¹

Haddington was to govern with energy and decisiveness. Shortly after his election he seems to have gone on an itinerary of the chapter's possessions for he is found at Dull receiving the homage of the leading men of the parish.² His experience as chamberlain had fitted him for a priorate which would see the administration of the chapter's churches and lands raised to a new level of efficiency.

An example of this process concerns the capitular barony of Kirkness and cell of Loch Leven. In May 1268 the chapter, with the consent of Bishop Gamelin, granted the island priory all the small teinds, obventions, mortuary dues and lands and buildings of the church of Portmoak, reserving only their rights to garbal teinds and the teinds of sheep.³ Further provision was made that, at the death or resignation of the prior of Loch Leven, Sir Robert, the vicar of the church was to have it served by a chaplain. Two and a half months later the chapter granted Loch Leven Priory extensive rights in their "barony" of Kirkness: the earliest instance that the lands are so described.⁴ The monastery was granted the island of St. Serf with fishings in the loch, the produce of Admore and Rialie and all the teinds of Portmoak except for garbal teinds, the cain of Bogie, Balchristie, Markinch and Auchmutie. The prior of Loch Leven was to have Portmoak served by a

1. He may have used his position to provide for other members of the family. In 1286 Robert of Haddington was presented to the living of Linlithgow. Ibid., 403. Alexander of Haddington, a canon, was an elector of William Fraser. Vet. Mon., no. 276.

2. St. A. Lib., 349.

3. St. Andrews University Muniments SL 110 . 01 and Plate III. The lands of Portmoak had been granted to St. Andrews by Bishop Robert and the church by Bishop Arnold: St. A. Lib., 43, 128, 145. The chapter are described as having the jus patronatus in a papal confirmation of 1246: ibid., 92.

4. St. A. Lib., 121-2.

Unius xpi fideles piores ludo cosimif s. f. Anduris. Jhesus p. p. q. z. d. u. e. s. t. a. l. i. d. i. s. a. l. i. m. e. t. i. a. i. d. i. o.
Affonit vniuersis vna nos exultare bonay potatus nri de Lochleuen cōspiciat de quicet f. m. z. c. a. n. o. i. c. o. z. u. i. d. e.
Ibidem comularancū caritate frua p. u. d. e. r. e. v. o. l. e. n. t. e. s. d. e. u. e. l. i. t. a. t. e. z. c. o. n. s. i. l. i. o. d. n. i. s. a. m. e. t. f. f. i. u. i. d. e. c. o. m. m. u.
cōsensu z assensu capiti nri. d. e. i. s. s. e. c. o. n. s. i. s. s. e. z. h. a. c. p. s. e. n. t. i. c. a. r. e. l. u. i. a. q. u. a. s. s. e. d. o. z. e. c. c. l. i. e. s. t. i. g. u. a. m. d. e.
loublyem. z ad usus suos caudicay ibidē dō sinenciū z i. p. e. t. u. i. t. a. m. o. i. u. s. d. e. c. i. m. a. s. m. i. n. i. m. i. s. o. b. i. t. e. c. o. e. s. e. t.
m. o. r. t. u. a. r. i. a. c. ū. c. i. a. z. e. d. i. f. i. c. i. a. s. e. c. c. l. i. e. n. r. e. d. e. p. o. r. t. h. m. o. h. o. c. i. n. p. a. m. z. p. p. e. t. u. a. e. l. e. m. o. s. i. n. a. s. a. l. u. s. u. o. t. z. m. o. n. a. s.
t. r. i. o. n. i. o. d. e. m. u. s. g. r. a. t. i. a. z. d. i. e. e. c. c. l. i. e. o. m. n. i. m. o. d. i. s. v. i. a. c. ū. d. e. c. i. m. u. s. d. u. g. u. i. l. l. a. g. u. o. s. a. b. a. n. t. i. q. q. u. i. g. e. n. t. i. b. y. p. r. i. o. r.
d. i. n. t. e. d. e. i. n. s. i. l. e. a. d. m. e. u. e. l. d. o. d. e. n. t. e. d. n. o. l. e. b. e. r. e. v. i. c. a. s. e. i. u. s. d. e. m. e. c. c. l. i. e. p. r. o. d. o. n. e. i. c. a. p. t. i. n. i. t. p. r. i. o. r. i. t. e. e. c. c. l. i. e.
d. e. p. o. r. t. m. o. h. o. c. h. o. n. e. s. t. e. f. a. c. i. e. t. d. e. d. u. i. i. d. e. d. e. c. u. r. a. a. n. t. i. z. e. o. i. m. i. b. y. h. o. m. i. b. y. c. d. i. u. r. i. s. d. e. c. i. m. e. c. t. u. m. q. u. i. g. e. n. t. i. b. y.
p. r. o. q. u. i. d. e. p. o. r. t. l. i. p. e. a. c. i. o. n. i. s. d. n. i. m. e. p. n. i. c. o. n. t. r. a. d. e. p. n. o. b. z. s. u. c. c. e. s. s. o. r. i. b. y. r. e. s. p. o. n. d. e. b. o. i. n. c. u. i. u. s. n. r. i. d. e. s. t. i. n. o.
n. r. i. p. s. e. n. t. i. a. c. r. i. p. t. o. o. i. g. i. s. t. r. i. c. o. m. m. u. n. e. c. a. p. i. t. i. n. r. i. a. p. p. o. s. i. t. u. m. v. e. s. t. e. c. a. p. i. t. o. n. r. o. b. a. t. a. p. u. d. a. c. t. u. m. l. i. n. d. e. d. e. i. o.
s. o. u. s. g. a. s. i. a. n. n. o. g. r. e. g. o. c. o. l. i. p. o. c. t. a. n. o.

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chaplain and to be responsible for the cure of souls, ordinary burdens, and episcopal procurations. The final provision of this charter makes it clear that Prior Haddington was not just concerned with reforming the temporal estates of his house, for he ordained that at the death of the prior of Loch Leven the chapter was to provide a new prior from among the chapter or the cell's membership, who was to be presented to the bishop for institution. The prior was to be answerable to the bishop for spiritualities and to the priory for temporalities and the maintenance of the Augustinian rule.

Much of the evidence of his period in office which survives in the St. Andrews Liber indicates a close attention to detail on Haddington's part, especially in the survival of lists of revenues due from lands pertaining to his house.¹ The most complete list is that of the churches within the diocese, and Aberdeen diocese as well, which were assessed as part of Bagimond's collection.² Haddington was also remembered at St. Andrews for his building programme, especially the construction of the great hall on the east side of the cloister.³

In the last fifteen years of his priorate Haddington entered into national politics. He acted as an auditor for Balliol in 1291,⁴ and after King John's abdication he swore fealty to Edward I.⁵ He soon became a partisan of Wallace and took part in the election of Lamberton in 1297.⁶ His last years were clouded by the devastation

1. St. A. Lib., 343-5, 378.

2. Ibid., 28-39, 355-8.

3. This room appears to be the area between the chapter house and the undercroft which, according to Cruden, was an insertion into the existing fabric of the building. Cruden, "Cathedral," 21.

4. Palgrave, Docs. Hist. Scot. i, 120, 18 (53).

5. CDS ii, no. 823 (196).

6. CPL i, 576.

of war. Not only was the regular administration of the chapter disrupted by invasion, but the fabric of the cathedral itself was damaged when lead was stripped from the roof to make bombs for English siege engines at Stirling in 1304.¹ The last year of the old prior's life began the process of reconstruction. The chapter petitioned Edward to order his bailiffs to restore their ancient rights to the cain of the ships of Perth and a silver merk from the ferme of Dundee.² It was only in 1305 that repayment began to be made for the cost of the lead taken from cathedral buildings.

Haddington's successor, Adam Mauchan, was to see the priory through an equally difficult period. He was probably the candidate of Bishop Lamberton: in the event the choice of new prior was well made. At the time of his election Mauchan was archdeacon of St. Andrews, and it seems possible to identify him with the subprior, Adam, who had been an elector of Lamberton in 1297. Mauchan probably continued to act as archdeacon for the rest of his life.³

Prior Adam's rule of just over nine years was carried out "inter varias angustias et precellas guerrarum".⁴ Little is known in detail of his activities beyond the fact that during Lamberton's captivity, which King Edward regarded as a period of episcopal vacancy, he acted as keeper of the spirituality of the diocese.⁵ He seems to have been forced to lease priory property to seculars, perhaps in lieu of payment

1. CDS ii, no. 1614.

2. Ibid., nos. 1654, 1687, 1704.

3. There is no named archdeacon of St. Andrews until Robert Lamberton appears c.1319. It seems likely that the unnamed archdeacon who appears in 1308 is Mauchan rather than Lamberton, as suggested in Watt, Fasti, 305.

4. Chron. Bower i, 369.

5. Barrow, "Tax Collector," 324.

of a debt.¹ His final years were more settled, however, and his last appearance at Scotlandwell early in 1313 is as a witness to King Robert's reconfirmation of a donation by Alexander II of wood from the royal forest to Arbroath.²

Mauchan's successor was also an episcopal servant. John of Forfar had been vicar of the priory living of Lathrisk as well as Lamberton's chamberlain. He was elected per viam Sancti Spiritus on 29 August, 1313.³ He built the prior's house and helped to oversee the completion and dedication of the cathedral. The dedication brought a number of new endowments to the chapter.⁴ Forfar's period as prior marked the consolidation of the changed relationship which had come about between the bishop and his chapter. The working relationship which had been forced upon both by war was continued into peacetime. The disruption of war had forced an identity of interest on the bishop and chapter, and this close relationship was not broken until the death of Lamberton. Thus a few weeks before the bishop's death Forfar's successor, John of Gowrie, made a visitation to Arbroath with the bishop.⁵ So by the end of the period, in a completely unforeseen manner, the bishop and chapter had achieved something like the working relationship which had been envisaged by the founders of the reformed see.

1. CDS iii, no. 159.

2. Arb. Lib. i, no. 287.

3. Chron. Bower i, 369.

4. Abercrombie, Furdon, and Kilgour were granted to the priory following the dedication. Cowan, Parishes, 2, 68, 100.

5. Arb. Lib. i, no. 358.

2. Capitular-Episcopal Relations

At St. Andrews the evidence for the functioning of the chapter as the institutional helpmate of the bishop is sparse and fragmentary. Thus most of the surviving capitular acts are confirmations of episcopal charters. It is possible, however, to set these fragmentary survivals into a general framework based on what can be known about episcopal-capitular relations elsewhere, and thus gain a general picture of the situation at St. Andrews.

The Augustinian chapter comprised the clergy in charge of the cathedral church and was the bishop's advisory and confirmatory body on diocesan affairs.¹ As such, the priory of St. Andrews was in charge of the round of cathedral services and the maintenance of the fabric of the church and shrine of the national saint. This gave to the chapter a unique status, which was recognised by the prior's being given precedence over all other heads of religious houses in Scotland.² Originally it had been planned that the bishops should be ex officio abbots, but this original conception was never wholly effected. Thus after the death of David I Bishop Robert granted the chapter the right of free election of their own priors, thereby giving the house effective corporate independence.³ This act may be said to mark the end of any

1. There is no reason to suppose that the chapter of St. Andrews was Arrouaisian, as has been recently claimed. L. Milis, L'Ordre des Chanoines Reguliers d'Arrouaise i (1969), 327-330. The confirmation issued by Lucius II in 1144 explicitly calls the new house Augustinian. St. A. Lib., 47-8.

2. Chron. Bower i, 367. This position was probably achieved by the thirteenth century, as indicated by the prior's position in witness lists, but was given official sanction by Pope Martin V in 1418 following a controversy with Kelso. The pope gave the prior the right to wear a mitre, pastoral ring and staff in synod and councils. St. A. Lib., 412-13.

3. St. A. Lib., 126 (1153x1159).

attempt to create a fully functioning monastic bishopric, such as had been tried at Durham.

Although the bishop's seat was in the cathedral church there is no evidence that at St. Andrews the bishop was ever a member of the chapter. Instead the archdeacon of St. Andrews, probably from the time that office was created, had membership in the capitular corporation.¹ It seems probable that the archdeacon of Lothian had a similar right.² This implies a difference between the priory as a religious corporation and the priory as a cathedral chapter: a distinction which was of some importance to understanding the administrative arrangements necessary to maintain the priory as both a monastic house and a capitular body.

The evidence for the officials of the cathedral chapter is extremely fragmentary. Most of the evidence on this point occurs when holders of various offices were elected to the priorate, or in scattered survivals of witness lists. In addition to the prior there was a subprior, and by at least the thirteenth century the prior of Loch Leven had become ex officio the third prior.³ A "G." third prior witnesses a charter of 1235, but there is no indication of whether he was also prior of Loch Leven.⁴ There were several former treasurers and chamberlains elected to the priorate of the house, and in 1162 the chantor was elected prior.⁵ A refectorer is mentioned in

1. Watt, Fasti, 301.

2. Ibid. For the existence of this office as a cathedral prebend by the early fourteenth century see CPL ii, 301.

3. Sibbald, Fife, 280. Certainly the chapter had the right to choose the prior of Loch Leven by 1268. St. A. Lib., 121-2, and above, p. 229.

4. Moray Reg., no. 111.

5. Chron. Bower i, 367. One thirteenth-century music book from St. Andrews has survived at Wolfenbüttele. It contains music in a late /.....

the late twelfth century.¹ The endowment of the chapter with lands and books and vestments indicates a well-developed household administration, but no evidence survives of its form or staffing methods.²

X The cathedral was the place where diocesan records were kept and it seems likely that in common with Glasgow Cathedral, for example, many records were preserved in the cathedral treasury.³ The existence and nature of the capitular writing department is also obscure. Originally there may have been a certain amount of sharing of personnel between the bishop and the chapter, but by the late twelfth century there is evidence of a growing away on the part of the episcopal chancery. Occasional prioratual charters were witnessed by an unnamed priory clerk or clerks.⁴

The bishop could not ignore his chapter. Although not a member of it, his implied position as jurisdictional superior of the priory and its possessions was unquestioned. The cathedral church was the centre of his diocese in many different senses. Administration was centred on it. As a cult site it was a pilgrimage centre for Scotland as well as England. The bishop's alternative title of bishop of the Scots tied him all the more closely to the shrine of the national saint; but above all he was tied to it by the nature of his office for it was usually the scene of his election, consecration and burial.

thirteenth-century hand of the late twelfth- and early thirteenth-century Notre Dame school of organum. It has been published in a collotype edition by J.H. Baxter, An Old St. Andrews Music Book (1931). Information supplied by Gilbert Reaney.

1. St. A. Lib., 154.

2. In 1235 the Premonstratensian chapter of Whithorn consisted of a prior, subprior, treasurer, provisor, cantor, ten canons who were priests, three who were deacons and two who were acolytes. Reg. Gray, 172-3.

3. Glas. Reg. i, no. 271 (233).

4. For example, St. A. Lib., 320.

The often violent controversies between bishop and chapter over privileges or jurisdiction which were so common a feature of the medieval church obscured the working relationship which had to exist between the two. At St. Andrews the early history of the diocese and the peculiar hegemony of the bishops meant that the position of the chapter remained more subordinate to episcopal authority than may have been common elsewhere. In the twelfth century the obligations of the chapter as the bishop's advisory body were being gradually defined so that by the thirteenth century it was recognised that there were certain occasions on which the bishop was required to obtain capitular consent for his actions.¹ These included the alienation of episcopal goods, obligations which were not part of regular episcopal administration, and institutional modifications such as the union of benefices or the creation of private chapels. In other words, any episcopal action which modified or changed the existing form of the diocese required capitular advice and consent.² There were other measures for which the bishop needed only the advice of his chapter: for example, the institution of heads of religious houses or holders of benefices not in the chapter's gift.

Finally, there were less formal but necessary contacts between the chapter, the bishop and other episcopal servants. The most common of these was for the prior to act as a papal judge delegate, normally

1. Le Bras, Institutions, première partie, livre i, 386.

2. For episcopal capitular relations in the creation of private chapels and oratories see above, pp. 149-50. In 1206 Innocent III had forbidden the creation of any new churches or oratories within parishes belonging to the chapter, without the bishop and chapter's assent. St. A. Lib., 85. This bull may have been the result of the erection of the chapels of Drem in Haddington and Ochiltree in Linlithgow, but it did not stop the creation of a number of other private chapels in the parishes. Ibid., 40, 322, 321-2. With the exception of Ochiltree all these creations seem to have been fully subject to capitular and episcopal control and assent. Ibid., 324-5, 169.

in conjunction with one or both of the archdeacons. The prior could also accompany the bishop on visitation or attend important national gatherings.

The most essential function of the chapter was, of course, the election of the bishop. Nothing is known of this process, if it existed at all, in the Celtic period. Royal provision perhaps coupled with some sort of ratification by local clergy and the people may have been the common mode of "election" before the twelfth century. This early tribal nature of the bishop was indicated in the common title of bishop of the Scots which complemented the royal title, king of Scots; and there was never any question that royal choice was dominant. By the twelfth century the electoral process becomes clearer. Eadmer claimed that both he and Turgot had been chosen by the king, the clergy and the people.¹ This description is a conventional one which at best may indicate the integrated nature of twelfth-century Scottish kingship and society, but is less likely to be an account of an actual process of election.

The royal role was decisive. This was clearly the case in the choice of Bishop Robert: "Four months before his death King Alexander caused Robert, the prior of Scone, to be elected of St. Andrews."² "Elected" here means chosen. Even after the creation of the chapter, voting procedures, if they occurred at all, were in effect a ratification of a royal choice. The nature of canonical election was only being defined in the second half of the twelfth century.³ Nevertheless, in 1147 Eugenius III had confirmed the chapter's right to elect

1. SAEC, 130, 141.

2. ES vii, 166, from the Chronicle of Melrose.

3. Gibbs and Lang, Bishops, 55 ff.

a successor at the death of Bishop Robert by a majority vote or the sanior pars.¹

Despite this bull, royal policy was dominant, and if royal interference in episcopal elections never seemed as egregious as in England it may be solely because this aspect of royal power fitted more closely into Scottish tradition. This may have been at the basis of Pope Alexander III's proviso in 1159 that the newly-appointed legate, the bishop of Moray, be elected to St. Andrews, but that if the choice should fall on someone else the legateship would devolve on him.² After a year's vacancy the king provided Arnold, abbot of Kelso. The consecration, which was carried out by the bishop of Moray, was attended by the king and magnates of the realm as a kind of extension of the king's Christmas court.³ After Arnold's brief episcopate the king provided his own chaplain, Richard, to the office. The election was carried out concorditer, the first evidence of the method in a St. Andrews election.⁴

The election of Bishop Richard's successor was to show how dominant the king's role could be. Roger Hoveden wrote:

Canonici enim de ecclesia S. Andreae elegerunt sibi in episcopum Magistrum Johannem cognomento Scottum: et Willelmus rex Scottorum elegit Hugonem capellanum suum et consecrari fecit ab episcopis regni sui, super appellationem a praedicto Johanne electo ad dominum papam factam.⁵

Even the king could not deny that John had been canonically elected, and it was this claim which was the basis of John's successful suit at the papal court, which was upheld by the Legate Alexius in 1180. The

1. St. A. Lib., 49.

2. SAEC, 240-1.

3. RRS i, 14-15; ES ii, 245, from the Chronicle of Melrose.

4. AMW, no. 53. See also RRS i, 17.

5. AMW, no. 68.

king was forced to concede momentarily and John was consecrated by a group of bishops.¹ In the end, however, the royal choice prevailed.

The provision of Hugh's successor, the king's kinsman and chancellor, Roger, was done at Perth in the presence of the bishops and magnates of the realm. The Chronicle of Melrose speaks of Roger's "election" meaning choice: Benedict of Peterborough says simply that the bishopric was given to Roger, which Wyntoun amplifies to "chosyn and blyssyd".² There is no evidence of any capitular action in this process, although some sort of assent may have been obtained to fulfil canonical requirements.

The provision of Roger marked a nadir in the chapter's electoral fortunes. The election of William Malvoisin was also atypical because he was already bishop of Glasgow and his translation was carried out by papal legate.³ If there was capitular ratification of this act, no record of it has survived.

It is no wonder, therefore, that following the death of Malvoisin the chapter seems to have been uncertain as to its electoral rights and procedures.⁴ There had not been what could be called a normal election since 1178, or perhaps even 1162. By the second half of the thirteenth century there was a recognised process of election: royal nomination followed by capitular election followed by papal ratification. With the exception of the attempted elections of Geoffrey de Liberatione in 1238 and Robert de Stuteville in 1253 and the papal provision of Abel, elections came to be carried out under royal directions,

1. SAEC, 303-4.

2. AMW, no. 120; Chron. Wyntoun, Bk. VII, Ch. VII, 2153.

3. AMW, 343 (Wyntoun).

4. For a slightly different account of the events leading up to the electoral dispute of 1238-9 see Watt, Fasti, 301.

usually by compromisarii. The only complete description of the electoral process in the thirteenth century, that of William Wishart in 1271, conforms to this pattern.¹

Election was followed either by a delegation's being sent to the papacy to seek confirmation or by the elect himself going to the papal court for confirmation and consecration. Papal claims to ratify X episcopal elections became increasingly explicit in the thirteenth and fourteenth centuries, so that capitular election became: a kind of X conditional act which had to have papal assent to become fully valid.

There was another point at which the chapter's rights impinged directly on episcopal functions: that is, the role which the chapter played during episcopal vacancies and absences. Bower said:

Et notandum est, quod jurisdictio sedis ipsa vacante, penes capitulum totaliter remansit.²

This was a right which only becomes clear in the course of the thirteenth century, although capitular duties and rights during vacancies were never clearly defined in canon law.³

Although the periods when the see of St. Andrews was vacant during the thirteenth century were short, several were of extreme importance. This was even more the case during the wars with England and during Lamberton's captivity in England when Edward I and Edward II treated the see as though it were vacant.⁴ There is no evidence of administrative procedures early in the thirteenth century, but by the end of the period the priory's duties were clearly understood and

1. Moray Reg., no. 261.

2. Chron. Bower i, 362.

3. Fournier, Officialités, xxviii, xxv.

4. Barrow, "Tax Collector," 324. Edward II wrote to the chapter as head of the diocese during Lamberton's captivity, asking them to keep the peace while he was in Gascony. CDS iii, no. 29.

exercised. During Fraser's absence in France in 1295 the chapter helped to maintain one of the vicars general by granting him a life rent in their barony of Kirkness.¹ After Fraser's death the chapter took over full responsibility for the administration of the diocese and appointed the bishop's former Official to exercise jurisdiction in their name throughout the diocese.² He bore the title of "Keeper of the Spirituality" and in at least one instance he is found issuing letters of presentation to a benefice within the diocese.³ Early in the next century it was the prior, Adam Mauchan himself, who bore the title of Keeper of the Spirituality during Lamberton's captivity.⁴

3. Priory Administration

The cathedral priory of St. Andrews had two jurisdictional spheres of activity, as a cathedral chapter and as a religious corporation. Its unique capitular rights and duties have already been considered; it remains to consider its jurisdiction as a monastic corporation. To a certain extent the features of this latter jurisdiction were common to all other religious houses in Scotland, except that St. Andrews' position as the cathedral chapter of the national

1. St. A. Lih., 176-8.

2. Barrow, "Scottish Clergy," 14.

3. CDS ii, no. 1023.

4. Barrow, "Tax Collector," 324. The best evidence for capitular methods of sede vacante administration occurs in the long vacancy which followed the death of Bishop Ben in 1332. The chapter then appointed William Comyn, archdeacon of Lothian, to act for them in his archdeaconry. Cold. Corr., no. 20. In 1336 the prior of Cambuskenneth notified St. Andrews chapter of the election of their new abbot and asked the prior to confirm the election since the see was vacant. Camb. Reg., no. 98.

cult centre and premier see added greatly to the rights and obligations of its jurisdiction. Not only was the chapter possessed of many churches and lands, it was the custodian of jurisdictional rights over these lands which were perhaps greater than any other religious corporation in the kingdom could claim. These rights were the direct result of St. Andrews' unique prestige, so that the two aspects of the corporation's authority were by no means mutually exclusive.

The practical result of this relationship may be seen in the early thirteenth-century grant of Waldeve of Strachan who endowed the priory with lands and timber from Goauch Wood to be used for the construction of the cathedral church and the canons' new hall.¹ The charter also conveyed hunting rights in the forest and stipulated the priory's judicial rights for the lands of Blaregerog. In return the chapter promised to the donor the services of one of their members to say his obit, and a place in the canons' cemetery for his body.

This blending of temporal and sacred concerns was, of course, a regular feature of the process of monastic endowment. In the first place most grants of churches, lands, gifts and rights were expressed in the common form of the feu-charter and could be enforced by secular and royal authority. Appropriation could be carried through by a ceremony similar to that of secular infeftment. The basic difference was that the services expected and rendered were usually non-temporal ones such as prayers for the donor's family or some similar office. The common tenure was frankalmoign.

The chapter and its possessions, however, had a well-understood role to play in the overall administrative structure of the Scottish state.² St. Andrews was perhaps not so closely associated with

1. St. A. Lib., 276-7.

2. See int. al. Fife Ct. Bk., 385-8.

royal administration as Scone Abbey, but Bishop Arnold's donation of the teinds of all revenues from his pleas and reliefs is roughly parallel to the royal endowment of Scone with revenues from royal justice.¹ The payment of dues to the chapter could, however, be enforced or carried out by secular or royal agents and the priory's members put under royal protection by the crown.² There was an even more direct connection with royal authority, for the priory's court, in common with all baronial courts, was recognised as franchisal with powers as wide as those granted to Scone.³ Generally speaking a baronial court had the right to hear all feudal pleas arising from the lands subject to the lord. At St. Andrews this understood jurisdiction was amplified by specific royal confirmations of freedom from distraint within priory lands and the right to recapture runaway serfs outside their estates.⁴

Thus from its foundation the priory court had a widely-defined jurisdiction, which from at least the late twelfth century was regalian in its scope. In this respect St. Andrews was similar to other important monastic corporations, such as Scone and Dunfermline.⁵ At St. Andrews it seems possible to determine the time at which this regalian jurisdiction became fully recognised. In 1183, during the long election dispute, Pope Lucius III issued a general confirmation of

1. Scone Liber, no. 7; St. A. Lib., 131.

2. St. A. Lib., 225-6 (dated 1170-1).

3. Dickinson, "Justice," 341; Scone Liber, nos. 4, 9, 31.

4. St. A. Lib., 183, 191, 199. For a parallel see Kel. Lib. i, no. 5, which provided that sheriffs were not to take distraints from the abbey unless asked to do so by the abbot or his ministers, or unless the abbey failed to do justice.

5. "Although the word 'regality' is not used as a term of feudal tenure in Scotland until the fourteenth century, that which it conveyed in the case of Dunfermline was as old as the Abbey itself." Dunfermline Court Bk., 3.

rights which included the prohibition:

ut infra septa curiarum vestrarum nullus rapinam . vel
furtum committere seu violentiam aliquam exercere
presumat .¹

Four years later a more explicit prohibition was issued by Pope Gregory VIII:

Prohibemus insuper ut infra septa curiarum vel grangiarum
vestrarum aliquis furtum rapinamue committere . ignem
apponere hominem capere vel interficere . seu aliquam
violentiam temere audeat exercere .²

The centre of the priory's jurisdiction was the ancient endowment area around St. Andrews itself, and in other more scattered territorial blocs, of which the best known was the barony of Kirkness. The lands of the Cursus Apri or Boar's Raik were those traditionally conveyed to the church of St. Andrew by Alexander I and are described by their constituent parts in the priory foundation charters issued by King David I and Bishop Robert.³ In time this territory came to be called Kilrimontshire, a term which was first used only to indicate the lands pertaining to the parish church of the Holy Trinity, St. Andrews, which was conveyed to the chapter by Bishop Arnold.⁴ A second administrative area or "shire" was added to the Boar's Raik in the resignation by Archdeacon Matthew of his lands of Kinninmonth to the priory c.1153-1159.⁵ This addition necessitated a further royal charter by Malcolm IV extending the right of the priory to recover fugitives from Kinninmonth.⁶ The family of Kinninmonth continued as tenants of these lands,

1. St. A. Lib., 61.

2. Ibid., 65.

3. Ibid., 122-3, 190.

4. Ibid., 132-3. For the organization of the shire see G.W.S. Barrow, "Northern English society in the twelfth and thirteenth centuries," Northern History iv (1969), 17.

5. St. A. Lib., 125.

6. Ibid., 199.

which by the early 1160s included a toft in the burgh as well.¹

Outside the Cursus Apris there is only one other large territorial possession of the priory which can be known in detail: the lands on the south-east side of Loch Leven which formed the barony of Kirkness. These lands were also an historic group, for they were part of the parochia of Loch Leven Priory, traditionally granted to the house by King Macbeth and Queen Gruoch,² and were conveyed to the chapter by Bishop Richard, 1165-1169.³ It is not clear how early the lands were organized as a distinct administrative unit, but this probably occurred in the twelfth century. The earliest explicit reference to the barony of Kirkness occurs in 1268, following a reorganization carried out by Prior Haddington.⁴ By the time the barony was conveyed to Peter Champneys in life-rent in 1295 the obligations arising from the lands are fully defined:

Noveritis nos ... dedisse concessisse . et hac presenti carta nostra confirmasse . domino petro de campania clerico pro servicio suo totam baroniam nostram de Kyrkness . cum molendino . cum decimis suis maioribus et minoribus cum croa anguillarum et piscium cum canis eciam de Marchinche . et de Admulty . Hurwarderec . balcristi . Bolgy admore . cum decima ville de admore . quantum pertinet ad prioratum . de insula . de Lochlevyn . et cum omnibus aliis et singulis appendiciis . exceptis mortuariis cum corporibus defunctorum . oblacionibus sponsalibus purificationibus baptistariis . Quam quidem Baroniam decimas canos . cum suis pertinenciis extendimus predicto domino petro pro quinquaginta tribus marcis sterlingorum infra summam centum librarum sterlingorum quas sibi debemus de annua pensione sibi ordinata . per dominum Willelmum ffraser episcopum nostrum Sanctiandree .⁵

The land was to be held by Peter, his heirs and assigns, until a year after Peter's death, with all its rights:

1. St. A. Lib., 131.

2. Ibid., 114.

3. Ibid., 175.

4. Ibid., 121. See above, pp. 228-9.

5. Ibid., 176-7.

... cum decimis eciam et canis . pratis pascuis et pasturis . moris marresiis petariis . aquis . stagnis et molendinis . placitis querelis . et escaetis . quibuscunque ad predictam baroniam . terras decimas . et canos pertinentibus seu quoquomodo pertinere valentibus . sine aliquo retinemento . et per easdem divisas et libertates per quas nos predictam baroniam cum pratis et terras canos ac (conveta) de iure tenuimus vel aliquo modo liberius tenere potuimus Reddendo inde annuatim nobis et successoribus nostris unum denarium tamen dictus petrus vel sui assignati die pentecostes in ecclesia cathedrali Sanctiandree pro omni servicio . consuetudine auxilio seculari vel ecclesiastica exactione et qualibet demanda .¹

This charter contains the fullest description of the nature and extent of the priory's baronial jurisdiction in the thirteenth century. It was a complex and rather incoherent group of rights and obligations which were given some semblance of order less by geographical conditions than by the fact that they were all subject to the jurisdiction of the priory's court.²

Where priory possessions were lands also subject to secular jurisdiction, the nature and extent of the priory's jurisdiction becomes even less clear. It was possible for lands pertaining to the chapter also to be subject to other authorities for specially stipulated or reserved rights. This may be seen in David I's donation of the church of Forgan:

cum decimis et consuetudinibus et rectitudinibus omnibus ecclesie pertinentibus de toto dominio meo et de omnibus hominibus meis de foregrund . et de foregrund seihire .³

The interrelationship between capitular and royal jurisdiction was even more marked in the priory's churches of Linlithgow and Haddington, both of which were also seats of royal sheriffs. David I had granted Linlithgow:

cum capellis et terris et omnibus aliis rectitudinibus predictae ecclesie pertinentibus . ad luminaria ecclesie sancti Andree ...⁴

1. St. A. Lib., 176-7.

2. Dickinson, "Justice," 341.

3. St. A. Lib., 187.

4. Ibid., 188.

Malcolm IV had added to this the teinds from his mill at Linlithgow.¹ Haddington presented a similar picture of endowment at the royal will, but the picture was further complicated by the existence of a rival and resident religious corporation, the house of Cistercian nuns at Haddington founded by Countess Ada before 1159.²

Not only was the nature and extent of the original endowment determined by the desires of the donor, but also certain rights could be reserved from it at the outset, or the nature of the tenure could be modified in subsequent years. This means that the general term "free alms" or frankalmoign is misleading if it implies that the nature of the tenure was common to all donations. It is the formulae of the charter conveying the lands which are common and immutable, not the obligations pertaining to the lands themselves. The commonest phrase was a variant on:

Quare volumus ut predicti canonici predictam terram habeant et possideant ita libere et quiete ab omni servicio et exactione seculari . sicut aliquam terram liberius et quocius tenent et possident in toto regno scocie .³

By the early thirteenth century it had become common to reinforce the donation by a warrandice clause:

Ego vero hugo et heredes mei . predictam terram cum omnibus iustis pertinenciis suis predictis canonicis contra omnes homines warantizabimus .⁴

If a reddendo was to be made by the donors or inhabitants of the lands, it tended to be a nominal one of a pound of cumin seed or pepper, or small amounts of money.⁵

1. St. A. Lib., 206.

2. Ibid., 222, 329-31, 334.

3. Ibid., 271. For variants see 264, 272-3.

4. Ibid., 284.

5. Ibid., 283, 286-7, 307, 314.

Despite the intermingling of jurisdictions, donations to monasteries created gaps in the fabric of secular society, for lands conveyed to religious houses became inalienable. Thus it was necessary to obtain the assent of the land's superior before the conveyance could be completed. By the end of the twelfth century such confirmations commonly included a phrase reserving any rights which the superior might have in the lands:

salvo nobis et heredibus nostris Redditu et servicio que
merleswain filius Waldevi et heredes sui nobis et heredibus
nostris debent de eadem terra.¹

For the crown, forinsec service arising from the lands was usually specifically reserved:

Ego autem predictus Simon et heredes mei de forinsecis . et
omnibus aliis serviciis secularibus et demandis pro eis
respondebimus inperpetuum .²

By the end of the twelfth century it became common in royal confirmations to add the general reservation "Salvo servicio nostro."³

Occasionally the forinsec service owed from lands being conveyed to the priory was transferred to other lands pertaining to the donor.⁴

The complexities of subinfeudation are well illustrated by the half-davach of land at Scotstun in the parish of Conveth (Laurencekirk) granted to St. Andrews Priory by its tenant, Roger Wyrfaud, c.1240-1245.⁵ The superior of the lands was the abbey of Arbroath, to whom they had been granted by the lord of Conveth, Humphrey de Berkeley, c.1198-9.⁶ De Berkeley had held them as a tenant-in-chief of the

1. St. A. Lib., 251-2.

2. Ibid., 292.

3. Ibid., 225. For a more elaborate variant, see ibid., 231.

4. Ibid., 310.

5. Ibid., 279.

6. Arb. Lib. i, no. 89.

crown, and the conveyance to the monastery was confirmed by King William.¹ The de Berkeleys and their tenants remained responsible for all secular obligations arising from the lands. Humphrey's heir was a daughter, Richende, who married Robert son of Warnbald. It was Richende and her husband who, with the consent of Arbroath, feued the half-davach of land at Scotstun, once held by Hugh son of Waldeve, to Roger at some time before 1242:

Cum communi pastura de scottistun cum merchetis et blodewitis et cum omnibus aliis iustis pertinenciis suis et asiamentis et eschatiis libere et quiete ab omni servicio ad me vel ad heredes meos pertinente salvo forinseco domini regis . de quo ipse et actornati sui respondebunt . videlicet quantum pertinet ad dimidium davauch et salva michi multura mea de terra illa que pertinet ad molendinum de Coneveth . Reddendo inde michi et heredibus meis ipse et actornati sui unam libram piperis ad pentecosten .²

The bishop and archdeacon were to be maintainers of this donation.

Probably about 1245 Roger granted these lands to St. Andrews, with the consent of the widowed Richende, and Arbroath.³ The transaction was confirmed by Alexander III on 9 March 1250/1.⁴ Richende was dead by 1261, leaving no heirs, so that Arbroath became the direct superior of Roger's lands. As a result Roger issued a further confirmation of the lands to St. Andrews,⁵ which was ratified by Arbroath:

Tenendam et habendam eisdem canonicis de nobis et successoribus nostris per rectas divisas suas in feodo et hereditate cum communi pastura de Scottistun et cum omnibus iustis pertinenciis suis libertatibus et asiamentis ad dictam terram spectantibus⁶

The essential obligation of the possessor of lands was to maintain their integrity, not only in a geographical sense, but judicially

1. Arb. Lib. i, no. 89 (bis).

2. St. A. Lib., 285-6.

3. Ibid., 285-6, 279-80. For the date by which Richende was widowed, see Arb. Lib. i, no. 263.

4. St. A. Lib., 334-5.

5. Ibid., 335.

6. Ibid., 286-7.

as well. Thus in 1347 the priory granted the half-davach of Scotstun to Andrew Gray in feu ferme, with the obligation being put on the tenant to build two houses on the land and to see that the boundaries and marches of the territory were maintained.¹

Special provision also had to be made for the exercise of justice in the distant lands of the priory. Thus when Henry Lovel (Lupellus) granted two bovates of land in Branxholm to the priory early in the thirteenth century, he added the proviso that

si aliquis eorum aut aliquis quem in predictam terram ponent in feodo meo michi forisfacit ? in curia eorum rectum michi faciant ut domino et cum elemosina .²

This obligation was more strictly defined when his son exchanged these lands for two bovates in Wauchope:

Si vero ita contingerit quod aliquis feodarius vel firmarius predictorum canonicorum in predicta terra degens michi vel meis forisfecerit in curia predictorum canonicorum infra predictum feodum de hauwic michi sedundum quod iustum fuerit emendabit³

The obligation to do justice in distant estates was a difficult one to perform, and there were complaints of delays in the execution of justice.⁴

Sometimes special arrangements were made to speed the process, as was done for the lands of Waldeve of Strachan:

si capitalia placita ibidem emergerint in curia domini prioris in eadem terra placitabuntur . et si debeat justicia fieri in curia mea et heredum meorum fiet salvo dictis priori et conventui emolumento si quod de placito illo contingerit .⁵

The ceremony attached to conveying lands to the chapter was as variable as the incidents of frankalmoign tenure. The most common method of conveyance, however, involved the appearance of the donor

1. St. A. Lib., 404.

2. Ibid., 261.

3. Ibid., 262.

4. For example, see CPL i, 88.

5. St. A. Lib., 277. For a similar arrangement, see C.A. Chrs. i, no. 35.

before the chapter, the drawing up of a written instrument recording the donation and its terms, and a symbolic act of resignation. Such a ceremony is described in the charter of the earl and countess of Mar granting the church of Tarland to the chapter, c.1165-1171:

Ego vero et Agnes comitissa sponsa mea suscepti sumus a conventu in capitulo suo in fraternitatem domus sancti Andree et dedimus et concessimus ut ubicunque in scocia obierimus ? corpora nostra ad sepelliendum ad sanctam Andream deferantur.¹

Lands could be leased to the priory for a period or bequeathed by will. William Hay leased the lands of Pitmillie to the priory for twenty years, at the end of which the chapter was to pay the donor a half-merk for all service due from the land.² Robert Bell willed lands to the chapter, but this proved to be a not very satisfactory method of conveyance, for Bell's heir raised an objection and had to be provided with a money payment and alternative lands in Aberdeen.³

Lands and rights, such as hunting or woodcutting, were not the only kinds of endowment possible. Money was occasionally granted to the chapter in the twelfth century, and had become a more popular endowment in the thirteenth century. This form of gift was, of course, especially popular among burgesses, such as Robert Bernham.⁴ The money could be raised from everything from brewhouses⁵ to churches,⁶ but the most common method was to divert revenues arising from lands belonging to the donor. A typical example is the grant of twelve pence from the ferme of Pitcollin belonging to John de Montfort:

1. St. A. Lib., 247.

2. Ibid., 313.

3. NLS 15.1.18 no. 37.

4. St. A. Lib., 272-3.

5. Ibid., 269.

6. Ibid., 333-4.

Sciunt omnes tam presentes quam futuri quod ego Johannes de monte forti dedi et concessi et hac mea carta confirmavi deo et operi sancti Andree in puram et perpetuam elemosinam pro salute anime mee et antecessorum meorum . xii . denarios recipiendos annuatim ad pascha de firma mea de petcollin . habendos inperpetuum de me et heredibus meis et ut hec donacio mea robur optineat inposterum presenti scripto sigillum meum apposui .¹

Such a donation was as inalienable as a grant of lands, but problems could arise if the tenants of the lands were to change. Thus it became the fairly common practice to add a clause safeguarding the donation against such a contingency.²

Some donations were made in general terms but others, such as John de Montfort's, were made for stipulated purposes, usually connected with the building of the cathedral. Saher de Quincy, for example, granted three merks from his mill at Leuchars to be paid by his miller, for certain specified uses:

specialiter in hunc modum assignavi . scilicet duas marcas ad fabricam ecclesie et ad luminaria . et terciam marcam ad pitanciam conventus die aniversario predictorum predecessorum meorum .³

There are instances of the chapter renegotiating donations of lands in favour of money payments. An example was the lands of Ballinbreich and a fishery on the Tay which were recovered by Laurence of Abernethy, the son of the donor, in return for an annual payment to the priory of ten shillings for the chapter's use at the feast of St. Andrew.⁴ Such agreements could be used to simplify administration of the priory. In 1245 the chapter resigned a diverse group of greater and lesser teinds due to them from lands about Haddington to the Cistercian nuns, in return for a fixed annual payment of twenty shillings from Falside in the parish of Crail.⁵

1. St. A. Lib., 277-8.

2. Ibid., 253, 269.

3. Ibid., 255-6.

4. Ibid., 268.

5. Ibid., 329-31.

Gifts to religious houses were a kind of conspicuous consumption for the greater nobility of the twelfth century, which often caused headaches for their thirteenth-century successors. Twelfth-century endowments were often subject to several modifications before both parties were satisfied. The best example of this process at St. Andrews concerns the churches of Tarland and Migvie, in Aberdeen diocese, which were granted to St. Andrews by the earl and countess of Mar, 1167-1171.¹ Tarland was clearly the more important of the two churches, which eventually came to be treated as a joint parish for administrative convenience.² Earl Morgrund obtained the right of sepulture at St. Andrews for himself and his wife by adding to his gift of the church and lands of Tarland the mill and another carucate of land, as well as

decimam totius redditus mei de tota terra mea videlicet de coriis de blado . de caseo . de farina de brais . de marches de multonibus . de porcis . et de meis venacionibus cum carne et coriis . et decimam de placitis et de relevis meis tam in denariis quam in ceteris adquisicionibus . Concedo eciam eis ut accipiant in nemoribus meis materiem ad edificia sua quantum eis necesse fuerit . et ut habeant communem pasturam ad pecunias suas cum pecuniis meis et cum pecuniis hominum meorum in terris meis sine omni disturbacione et inquietacione .³

The extent of the earl's endowment is quite unprecedented, but what may have seemed like a windfall for the priory at the time of donation came to be a not unmixed blessing later on. Although the chapter had a number of churches and lands in Aberdeen diocese, distance was a factor militating against effective administration in these remote possessions. By 1242 a new agreement was reached with Morgrund's heir, Duncan. The preamble indicates that the agreement was necessitated by the difficulties of making such an extensive endowment work:

1. St.A. Lib., 246-50.

2. The two were taxed as a single church. Ibid., 38, 355.

3. Ibid., 247. Royal confirmation of Tarland, saving forinsec service, ibid., 220-1.

Tandem propter plures importunitates et incommoditates
et dispendia que dictis priori et conventui Sancti
Andree . acciderant in dictarum decimarum percepcione .¹

Eventually the chapter resigned their "secular teinds" to the earl, while retaining their unquestioned rights to the lands and teinds pertaining to the two churches, plus an annual payment of ten merks per annum, "in loco ydoneo et certo dictis canonicis provideatur".² The agreement meant that in exchange for widespread but unobtainable rights the chapter had obtained a certain fixed annual revenue. To a man of Prior White's propensities, this financial bird in the hand must have seemed preferable to the difficulties and uncertainties which the priory's rights in the earl's lands had hitherto meant for his corporation. The new agreement was reinforced by the threat of ecclesiastical penalties should the earl fail to pay.

This agreement was not the end of the story. Present at the 1242 agreement had been Duncan's heir, William, who in 1267 brought about the final modification to his ancestor's donation. As in 1242 the agreement was one of the early actions of a reform-minded prior, John of Haddington, and involved the acceptance of a fixed money payment in exchange for distant lands or responsibilities. The earl added an acre for the manse of the vicar or chaplain of Migvie, and four acres to the lands for the vicar of Tarland and four merks per annum, in return for the extra lands with which Morgrund had endowed Tarland.³

In some senses this agreement represents a defeat for the priory; but it was a defeat based on a practical understanding of the problems which they faced in long-distance administration. In the case of

1. St. A. Lib., 332.

2. Ibid., 333.

3. Ibid., 311-13.

Tarland and Migvie, moreover, they were opposed by resident power: The lands which were granted to them and the vicar at Migvie in 1267 were described as being between the church and the castle, comment enough on the power structure of the parish. The chapter gained not only four merks, but also the addition of territory to the exempt land pertaining to the church, and by so doing placed the land forever beyond the power of secular authority.

Churches and their lands were a distinct category of capitular possession. Their status was more systematic and well-defined than that of other possessions. The existence of the parish church was the central and immutable fact in the process of appropriation. It stood at the centre of a cluster of rights and obligations, which were usually represented in the charter of conveyance by a variant on the phrase "cum decimis et oblacionibus omnibus rectitudinibus eidem ecclesie pertinentibus et terram que eidem ecclesie pertinet".¹

Essentially, the donation was of a church, usually situated in a bloc of territory (villa ecclesiastica or kirkton), with a seemingly well-known extent. Dowden claims that the kirkton was commonly a ploughgate in the south and two ploughgates or a half-davach in the north west.² In some cases and in some areas the extent of the kirkton was a deliberate creation. At some time between 1198 and 1214 William de Vieux Pont made up the territorial endowment of the church of Langton to a full ploughgate, which Kelso Abbey was to hold with all its rights "secundum asisam episcopatus".³ This assize seems to be the same one referred to in another charter relating to Langton as the

1. St. A. Lib., 246-7.

2. Dowden, Med. Ch., 155.

3. Kel. Lib. i, no. 139.

"assize of King David".¹ These charters provide evidence that it was in part royal policy which ensured the proper territorial endowment of parish churches, at least in those areas subject to widespread feudal settlement. It seems possible that a rather similar process can be seen in the additional endowment of a carucate of land made at Forgan in Fife by Alan de Lascelles,² and by Bishop Arnold at Dairsie,³ perhaps in order to bring the endowment lands up to a recognised extent.

The appropriation charters which survive rarely describe the extent of these lands. An exception is Forgan, which with its chapel at Naughton initially had a carucate of land,⁴ and Kennoway whose lands were described in great detail:

terris quas simeon presbyter liberas ab omni seculari servicio cum ecclesia tenuit . scilicet chlenoth et vallem ab spelunca . Mandrethin usque ad metam occidentalem ipsius vallis et pettendum . et pethcaschen . quam merleswanus eidem ecclesie obtulit . et quartam partem drumchathin et quartam partem fanclarachin⁵

In many cases the kirkton lands represent an ancient territory with traditional boundaries. The original lands pertaining to the chapel of Fowlis Easter, which by the early thirteenth century had become a parish church, were described in William Maule's original charter c.1163 as "terra que eidem capelle competebat antequam foulis esset michi data".⁶ A further confirmation of Fowlis described these lands more fully:

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1. Kel. Lib. i, no. 142. I am indebted to Prof. G.W.S. Barrow for drawing my attention to these two charters.
 2. NLS 15.1.18 no. 55.
 3. St. A. Lib., 154.
 4. Ibid., 260.
 5. Ibid., 258-9. Confirmed by the superiors of the lands, Margery countess of Buchan and her husband: ibid., 251, 253.!
 6. Ibid., 264. The chapel had traditionally been granted to Ge Maule after the battle of the Standard. Cowan, Parishes, 70-1.

a rivo qui descendit ad molendinum meum per viam adversus forfar usque ad quandam divisam que est in parte orientali de chutel et ita per prenominatam divisam usque ad lapidem sub minore prato et sic usque ad predictum rivum .¹

Such lands upon which the parish church was situated, and from which the parish priest would draw at least part of his sustenance, were recognized as being inseparable from the church itself. Once the church, its lands, revenues and rights were conveyed to St. Andrews they formed an integrated and inalienable group.

This fact did not deter some appropriators from maintaining a more than avuncular interest in their former possessions. In some cases the chapter did not obtain the right of patronage and a member of the family which had previously possessed the parish was often provided to the living. Thus William Maule provided his nephew, Thomas, to Fowlis and settled certain lands on him:

Concessi itaque decimam molendini mei et communem pasturam in moris . et in miris . in bosco . et in plano . in viis . et in semitis . in aquis . et in pratis . in pascuis . Concessi itaque predicte persone hanc predictam ecclesiam liberam et quietam ab omni consuetudine seculari quod ad me vel ad heredem meum pertinet cum decimis et oblacionibus et obvencionibus et cum omnibus directitudinibus eidem ecclesie pertinentibus . Reddendo annuatim unam marcam Canonicis sancti Andree ad festum sancti martini .²

Fowlis represents an extreme but by no means unusual case of the proprietary interest with which the Anglo-Norman settlers in Scotland regarded the parish.

Besides the totally exempt kirktoon lands, it became common for donors to make further grants of lands to capitular churches. These lands, although recognized as belonging to the total endowment of the parish church, remained separate, subject to distinctive and often secular obligations. At Kennoway, for example, the lands of the kirk-

1. St. A. Lib., 40.

2. Ibid., 41.

toun were held:

liberas et quietas ab omni servicio et exaccione seculari quantum ad me spectat ... sicut liberius et quiecius habent et possident ceteras elemosinas suas .¹

Merleswain made a further donation of lands in Kennowayshire, which were subject to confirmation by his superiors, Margery countess of Buchan and her husband William Comyn. The terms of their confirmation make it clear that these lands of Kilmux retained some secular services. Although the canons were confirmed in their full exempt possession of these lands, Merleswain continued to be responsible for certain secular obligations to the earls of Buchan:

salvo nobis et heredibus nostris Redditu et servicio que merleswain filius Waldevi et heredes sui nobis et heredibus nostris debent de eadem terra .²

It is not made clear what the obligations were which Merleswain owed, but it was the retention of separate secular obligations on this later endowment which ensured its continued distinction from the lands of the kirkton. A better-documented example of this process concerns the church and lands of Bourtie, in Aberdeen diocese, granted to St. Andrews by William Lamberton in the last quarter of the twelfth century.³ The donor soon added a further twelve acres of land, "iacentibus iuxta terram ecclesie versus occidentem ex altera parte vie versus aquilonem".⁴ In 1244 the terms of the vicarage settlement describe the lands as two carucates in extent, of which two bovates belong to the vicar where he had pasturage rights and a manse with a wall about it. The extra twelve acres maintain the lights of the church.⁵

1. St. A. Lib., 259.

2. Ibid., 251-2, 254.

3. Ibid., 266-7.

4. Ibid., 267.

5. Ibid., 303-4. They were specifically reserved in the bishop of Aberdeen's institution of his clerk to the vicarage. Ibid., 305-6.

The church and its priest were intended to serve all the people of the parish. Some large parishes had subsidiary chapels which were usually treated as an integral part of the parish church and its kirktoon. For example:

Ecclesiam de Miggil . cum capella ad eam pertinente .
et cum villa ecclesiastica . et redditibus quos Simon
dominus fundi . et antecessores eius annuatim inde
percipere solebant .¹

Forgan with its chapel at Naughton marking the northern boundary of the traditional parochia of St. Andrews was granted to the chapter by King David I and confirmed at the end of the twelfth century by Alan de Lascelles as

matricem ecclesiam fundi mei de adenachten scilicet
ecclesiam de forgrund cum capella de adhenachten ipsi
ecclesie adiacente et cum carucata terre eidem
ecclesie adiacente²

If chapels were distant from the parish church, provision was made for their service by chaplains. Thus following William Comyn's resignation of his rights in the church of Dull, the bishop of Dunkeld recovered for his chapter rights to the chapel of Glen Lyon and made provision for the payment of five merks to the chaplain of Foss.³ Not all such arrangements were so neat for in some cases there was doubt to which parish subsidiary chapels belonged. Kettle in Fife, which had been annexed directly to the priory by the earl of Fife, is the most striking instance of a chapel in search of a parish.⁴ By 1171-1178 the chapel was attached to the earl's former church of Markinch, and this was clearly the case by 1189-98, when it was referred to as

1. St. A. Lib., 59.

2. Ibid., 260.

3. Ibid., 308.

4. Ibid., 243-4.

ecclesiam de marchinche cum capella de Katel . et cum terra ad eandem capellam iuste pertinente et cum omnibus iustis pertinenciis eius .¹

By 1226 Kettle was no longer attached to Markinch,² and by the middle of the century it was attached to Lathrisk, a much more sensible geographic arrangement.³ This change may have been part of the re-organization of the priory's possessions carried out by Prior White.

Chapels were not just convenient administrative units within large parishes. Some had distinct positions as minor cult centres which ensured for them a kind of independence from the parish church to which they were notionally subordinate. This was certainly the case with the chapel of St. Regulus in St. Cyrus parish, which had an ancient status. This is indicated by the fact that from its first appearance it is referred to by its titular saint and had a separate territorial endowment:

ecclesiam de Eglesgirn ... cum capella sancti reguli . et cum dimidia carucata terre in qua eadem capella sita est per rectas et antiquas divisas suas⁴

By the thirteenth century it is clear that for administrative purposes these chapels were regarded as an integral part of the parish. It was of course a different matter with private chapels which threatened the integrity of the parish in which they were situated. The chapter had experience of one chapel asserting its right to almost complete independence and virtual parochial status at Torphichen c.1173-1178.⁵ The chapel served as the church of the Hospitallers

1. St. A. Lib., 230.

2. Ibid., 234.

3. Ibid., 336-7, 173.

4. Ibid., 229; see also 138.

5. St. A. Lib., 319. Torphichen was still regarded as a chapel in the early 13th century, but it had become a parish church by the 15th century. Ibid., 320; Cowan, Parishes, 198.

and in the late twelfth-century agreement it had the right of burial and teinds in return for the payment of one merk per annum to the mother church of Linlithgow. The priest serving the chapel was to receive the chrism from Linlithgow, and the cure of souls from the bishop. Torphichen was perhaps unusual for as the church of the Hospitallers it obtained a unique and exempt status.¹

Torphichen may be atypical, but the difference between it and private chapels was one of degree rather than kind. All chapels serving the interests of a private individual or a rival religious corporation represented a threat to the comprehensive rights which the chapter claimed over its parishes. In a general sense these chapels also struck at the roots of the bishop's theoretical rights to oversee the religious life of the whole of his diocese. It is not surprising, therefore, that following the bull of Innocent III of 1206, which forbade the unlicensed creation of chapels within the chapter's parishes, the bishop and chapter acted in concert to regulate and control the creation of new chapels.

At the core of the process of appropriation and endowment was the chapter's obligation to ensure the proper serving and maintenance of the parish church. The legal position which ideally the chapter obtained was that of rector of the church: "rectores ecclesie de marking . scilicet . priorem sancti Andree . conventum et eorum vicarium".² This represents a "classical" instance of appropriation, but in practice the chapter's position as rector was not always so clear and the practical rights and obligations which accrued to the

1. A late twelfth-century donation of land to St. Andrews was reinforced by the clause: "tenendam libere et quiete ab omni servicio et consuetudine et exaccione sicut fratres de hospitali et de templo ubique tenent ..." St. A. Lib., 264.

2. St. A. Lib., 327.

appropriator often had to be worked out through litigation and agreement. The most common kind of dispute and ambiguity concerned patronage rights to appropriated churches.

In a number of instances, Leuchars for example, the original possessor of the church retained his right to present to the living. At Lathrisk, another church first granted to the priory by Ness son of William,¹ the de Quincys were less successful in attempting to reassert patronage rights to the church. Nevertheless, at some time before 1257 Roger de Quincy tried to exercise patronage rights to the church "by right of being heir of the founder and being uncertain of the rights of the prior and chapter". The earl was eventually forced to withdraw the presentation he had made of his clerk, Robert of Strafford, and to issue a new charter confirming the chapter's rights to the church, "cum omnibus pertinenciis suis nominatim super jure patronatus dicte ecclesie".²

Not only did the chapter often have to defer to the wishes of resident patrons as at Fowlis or Bourtie, where by 1244-5 the bishop of Aberdeen had obtained the right to present to the vicarage,³ but they often had to defer to their own diocesan. At Dairsie, which had been granted to the chapter by Bishop Arnold, the bishops continued to exercise patronage rights throughout the thirteenth century.⁴ It was only in 1300 that Bishop Lamberton gave the chapter the explicit right to exercise patronage rights.⁵ At Forgan the bishops seem to have used the

1. St. A. Lib., 254-5, 224.

2. Ibid., 336-7.

3. Ibid., 305-6.

4. Ibid., 128, 306. This despite papal confirmation of priory patronage rights to Dairsie in 1246: ibid., 92.

5. Ibid., 120.

rectory and vicarage as a convenient sinecure for episcopal clerks in the thirteenth century,¹ despite the fact that the chapter's patronage rights had been upheld in an enquiry held by the archdeacon of St. Andrews.²

Occasionally the chapter exercised its right to present members of their own community to act as vicars in their churches. This was a right which had been confirmed by the papacy in 1183, with the proviso that the canon should receive the cure of souls from the bishop and be responsible to him for spiritualities and to the chapter for temporalities:

Preterea licitum sit vobis in ecclesiis vestris quatuor aut tres ad minus de canonicis vestris ponere ? quorum unus diocesano episcopo presentetur . ut ei curam animarum committat ...³

If it is possible to sketch in some detail the nature of the administrative and jurisdictional rights of the chapter in their lands and churches, it is more difficult to determine the details of the administration itself. This is especially the case in respect of the lands belonging to the priory. It is known that capitular administration sometimes coincided with royal jurisdiction, and that royal officers could be used to carry out capitular business, for example the collection of priory revenues due from royal burghs.⁴ Royal authority could also reinforce capitular rights, as when Falletach was compelled to resign his rights in Drumcarrow before a royal justiciary court at Perth in 1260.⁵

1. St. A. Lib., 107.

2. Ibid., 107-8.

3. Ibid., 61.

4. ER 1, 62-3, 65-6, 84, 88 ff.

5. St. A. Lib., 346.

The fact that three of the priors before 1340 were either former treasurers or chamberlains, and another a former episcopal chamberlain, indicates the importance of secular administrative ability for the holder of the highest capitular office. Beyond these incidental evidences, however, little more can be gleaned about the personnel of the chapter's administration. Within the Cursus Apri the creation of a system of granges indicates that these priory estates were under the direction of trained personnel.¹ The only evidence of the exact nature of these local arrangements comes in 1347 when Andrew Gray was not only made responsible for the maintenance of the boundaries of Half-Davach, but was also required to build two houses on the land, one sixty feet long and the other eighty.² Such buildings were probably intended for use as local collection and administrative centres, like the houses which the corporation maintained in such burghs as Berwick and at Rathelpie, immediately to the west of St. Andrews.³

Beyond using their local tenants, the chapter had a system of trained peripatetic agents such as their stewards, the Kinninmonths. A clue to the nature of their administration is found in the arrangements made between the chapter and Duncan, earl of Mar, in 1242 for a reddendo to be paid at a suitable place chosen by the priory.⁴ The most convenient places for such payments, or the holding of courts and local enquiries, were parish churches. Occasionally it was stipulated that certain annual payments should take place in a particular

1. C. Platt, Monastic Grange in Medieval England (1969), 76 ff. There is a reference to a chapel at the grange of Bowprrie, Dunkeld diocese, in 1320. Inchcolm Chrs., no. 32. In 1327 King Robert I confirmed St. Andrews' freedom in all their granges and protection to those who worked in them. NLS 15.1.18 no. 7.

2. St. A. Lib., 404.

3. Ibid., 378.

4. Ibid., 333.

church. Thus the agreement between the chapter and Newbattle over teinds pertaining to certain lands in the parish of Haddington ordained that the reddendo was to be paid at two terms at the parish church of Haddington:

Predicti vero abbas et conventus ad predictam solucionem fideliter loco et terminis predictis faciendam sub pena dimidie marce fabrice ecclesie sancti Andree solvende qualibet Ebdomada in qua post predictos terminos a dicta solucione defecerint ? se obligarunt .¹

The complexity of the financial rights which the priory had in its churches and lands may be gauged by the fragmentary remains of lists of revenues due to them from lands within the towns of Linlithgow, Berwick, Crail and Haddington, apparently dating from the 1280s.² The revenues were obtained from rents, feu duties, multures and fishing rights.

Obviously the tenants of the priory were the basis of the administrative system. Their obligations to their superior were strictly defined, based on the basic distinction between unfree and free. The neyfs on priory lands were priory property and could be conveyed to the chapter as part of the rights attaching to a particular piece of land or as an endowment on their own.³ The chapter's authority over their unfree and semi-free tenants was absolute, as the loan made of Gillemore, a scoloc of Tarland, to another landlord makes clear.⁴

Capitular authority over free tenants could vary enormously. In the case of their husbandmen, or "kindly tenants", their authority was hardly less absolute than that exercised over their servile tenants. An interesting case in point concerns Gellin son of Gillechrist

1. St. A. Lib., 339.

2. Ibid., 343-5, 378.

3. Ibid., 262-3, 278.

4. NLS 15.1.18 no. 27. For text see Appendix VII.

Maccussegerri who appears to have become a reliquary bearer to the church of St. Andrews.¹ Gellin had already been a tenant of two lands when c.1202-1209 he was induced to give up Scoonie in order to take up the office of bearer of the Morbrec, for which the priory promised to clothe and feed him for the rest of his life. Clearly Gellin is free in some respects for he is a party to a legally binding agreement. He seems to represent an early example of that class of tenant who held his lands only by lease or at the will of the lord, often for the performance of a stipulated service.²

The chapter seems to have treated other servants with slightly more common terms of tenure. The earliest surviving capitular feu charter comes from 1190-1194 when the chapter granted land in Kilrimont to their butler, Hugh of Nydie, for an annual payment of three shillings.³ It was probably these lands which Hugh and his nephew resigned in the early thirteenth century to the archdeacon of St. Andrews.⁴ The family continued to hold four perches of land in the burgh for an annual payment of a pound of cumin, until they were sold to the priory c.1245.⁵ The chapter granted Kinninmonth, c.1196-1198, to the family of Adam son of Odo, who were to hold the office of seneschal of the priory in return.⁶

The status of greater tenants is more clear-cut. The priory, as a monastic corporation, could offer complete security to their tenants. Like the bishop they were custodians of their patrimony, which meant

1. St. A. Lib., 329. I am grateful to Mrs. M. Anderson for discussing the charter with me.

2. Mackinnon, Const. Hist., 93.

3. St. Andrews University MS 30276. For text see Appendix VII.

4. NLS 1.1.18 no. 33.

5. St. A. Lib., 284-5.

6. Barrow, "Kinninmonths," 124-5.

that the extent of their lands and the obligations arising from them remained stable. This did not mean that conditions of tenure could not be altered. The family of Kinnear of that Ilk offer an example of the changes possible within the basic context of a grant of part of their lands in feu ferme to the chapter. C.1153-1165 Simon son of Michael granted the land of Kedlock to the priory, and the donation was confirmed by Malcolm IV.¹ King William's reconfirmation stipulates the lands and their extent:

In pratis . et moris et cum communi pastura xx^{ti} iiii animalium et lxxx . Bidentum ... Ita quod idem . Simon et heredes sui terram illam adquietabunt de exercitibus et operacionibus et de omnibus secularibus exaccionibus excepto quod idem hospitale adquietabit illam carucatum terre de Geldo regio quod communiter capiatur de terris et de elemosinis per regnum scocie .²

In the last decade of the twelfth century the chapter feued the lands back to Alan, Simon's son, for a reddendo of seven merks,³ and at some time before 1216 Simon's brother and heir was granted further lands in Kedlock by the priory.⁴

It is possible, however, that there was a difference of degree for St. Andrews' tenants as compared to tenants of secular landlords. G.G. Coulton in a characteristic pronouncement of the status of monastic tenants in Scotland has said:

As landlords, the monks were kinder, on the whole, than the lairds. The extravagant claims often made for them on this score will not bear examination; but for Europe in general I have ventured to suggest that it was perhaps about 5 per cent better to live on a monastic than on a lay estate; and, for Scotland, I shall be disposed to put the difference at rather a higher figure.⁵

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1. St. A. Lib., 195-6.
 2. Ibid., 212; RRS ii, no. 169.
 3. St. A. Lib., 306-7, 325.
 4. Ibid., 292-3, 294.
 5. Coulton, Scottish Abbeys, 124.

Even if it is impossible to accept such magisterial quantifications as fully today as when this was written, Coulton may well be right. At least he provides a generalised picture which does not conflict with the evidence available for the nature of capitular rights and administration of their widespread estates.

CHAPTER X

CHAPTER X

ARCHDEACONS, RURAL DEANS AND THE PARISH

1. The Geographical and Historical Background

Besides his agents at the centre of diocesan administration, the bishop had a hierarchy of local agents based on geographic subdivisions within the diocese: archdeaconries, rural deaneries and parishes. This tripartite division was common to the whole western church but in Scotland the growth and development of this system had followed a somewhat unusual course: these developments, and especially the creation of parishes, came relatively late to Scotland and, when they were established, had to be organized on the basis of a pre-existing ecclesiastical landscape.

The two archdeaconries of St. Andrews diocese, in existence by the middle of the twelfth century, were divided by the natural and traditional line of the firth of Forth and were based on the ancient Northumbrian area of Lothian and Scotia proper. The earliest appearance of the office of archdeacon in Scotland was in the diocese of Glasgow. Several decades after its appearance there the office is found in Lothian c.1144.¹ The office was a Northumbrian importation and its first incumbent, Thor, came from Lindisfarne.² In common with Northumbrian practice, the archdeacon appears at first to have exercised jurisdiction throughout the diocese and only later came to

1. Watt, Fasti, 170, 309.

2. Barrow, thesis, 300, from Reginald of Durham, Miracles of St. Cuthbert.

be confined to Lothian, after the appearance of a second archdeacon, Matthew, c.1147.¹

The introduction of two archdeacons to the diocese of St. Andrews displays striking parallels with Durham where the second, subordinate and secular archdeaconry was the creation of Bishop Ranulf Flambard.² The bishop's new creation was said to have been motivated by a desire to provide for a member of his family, as was Bishop Robert's erection of the second archdeaconry for his brother or nephew, Matthew.³ At first there does not seem to have been a strict territorial division between the two archdeaconries, but this had clearly come about by the late 1150s, apparently in advance of similar developments in the southern diocese.⁴ Lothian was at first generally recognized as the major archdeaconry, but by the time the territorial distinction between the two was hardening the superiority passed to St. Andrews.⁵

The dominance of the St. Andrews office was dictated not only by geography and administrative convenience, but doubtless by family loyalty as well. Matthew's territorial endowments show him to have been in effect a secular feudatory of the bishop. He had been given the abthain lands of Rossie by King David I, and received the lands of Kinninmonth from Bishop Robert.⁶ In contrast to Archdeacon Thor's

1. Watt, Fasti, 304.

2. H.S. Offler, "The early archdeacons in the diocese of Durham," Transactions of the Architectural and Archeological Society of Durham and Northumberland, XI, 205. Two members of the convent had held the post of archdeacon in 1104 (ibid., 194-5).

3. RRS ii, 6.

4. Offler, "Archdeacons," 206-7.

5. This conforms to the general European pattern of the superior archdeaconry taking the name of the church or diocese itself, and the subordinate ones taking a geographical designation. See Thompson, "Diocesan Organization," 159 ff.

6. St. A. Lib., 200.

life interest in lands at Simprim,¹ the lands of Archdeacon Matthew came to form an hereditary fief from which his family took their name. Matthew and his family were closely identified with St. Andrews, to the extent that they came near to establishing an ecclesiastical dynasty of the type well-known in England.²

The fusion of ecclesiastical innovation with ancient geographic boundaries is even more striking in the subdivision of St. Andrews diocese into rural deaneries. This feature is especially noticeable in Scotia, where rural deaneries took their names and, apparently, their boundaries as well from several of the traditional divisions of the Pictish kingdom. It was south of the Forth, however, in the lands bordering on Northumberland, that the office of rural dean first made its appearance in the diocese. Aiulf, the earliest recorded dean of Lothian, may have been provided to his office from Bishop Robert's household, but it seems clear that the office was again an importation from Durham where rural deans had appeared in the second half of the eleventh century.³ Aiulf owed his advancement to family ties, for he was related to Bishop John Scot, nephew of Bishop Robert and Archdeacon Matthew.⁴

The more northerly of the Lothian deaneries in the twelfth and early thirteenth centuries was closely tied to episcopal interest and patronage. Aiulf's immediate successors, Andrew and Radulf (Niger) were episcopal servants and for at least part of their careers held the episcopal livings of Tynninghame and Kirkliston.⁵ By about 1245

1. Kel. Lib. i, no. 273.

2. Barrow, "Kinninmonths," 109; see also the conjectural family tree, ibid., 116.

3. Barrow, thesis, 48.

4. RRS ii, 23, n. 33.

5. Barrow, thesis, 326-7.

this single deanery was divided into the rural deaneries of Linlithgow and East Lothian,¹ perhaps partially in response to the renewed emphasis on close local supervision by deans contained in Bishop Bernham's Lothian constitutions of 1242. The southern half of Lothian was served originally by Gamel, dean of Fogo, who appeared shortly after Aiulf. He was responsible for what was to become the rural deanery of the Merse.²

Like the first archdeacons, these early deans in the southern part of the diocese appear initially without a territorial designation. When they come to bear a designation it tends to be the name of the benefice they held. By the end of Aiulf's tenure of office, however, he is often styled dean of Lothian. In the second half of the thirteenth century the common form was for the deans, almost without exception, to take their designation from the districts they served.

North of the Forth geographical conservatism is very apparent in the growth of territorial deaneries. Almost without exception all the deaneries took their names from pre-existing territorial subdivisions. The conservatism of this process is indicated by the continued use of the names of the territorial groupings of Forthriff and the Mearns, although the rural deans responsible for these areas always held them in conjunction with Fife and Angus.³ Thus in the taxation figures preserved in the St. Andrews Liber Edzell, Dunlappie and Dalbog were listed as part of the rural deanery of Angus although they were geographically contiguous with the Mearns and separated from the rest of the churches in Angus by parishes in Brechin diocese.⁴

1. Watt, Fasti, 319-20.

2. Ibid., 319, 321.

3. Ibid., 314-16, 318-19.

4. St. A. Lib., 36. See Maps I and IV.

The office of dean appears somewhat later in the northern part of the diocese, the earliest being Gillecuthbert who first appears c.1165-1172.¹ The Gaelic and Anglian elements of his name make him symbolic of the fusion of traditional Scottish and Northumbrian forms which was the essential feature of the development of rural deaneries in Fife and north of the Tay. Gillecuthbert, along with the earliest dean of Gowrie,² appear under Bishop Richard and probably represent part of that bishop's extensive organization of his diocese. The dean of Angus first appears in the last decade of the twelfth century.³

In most cases the rural deanery coincided, or came to coincide, with secular jurisdictional divisions. This feature was more marked in the southern half of the diocese than in the north. In northern and eastern England there was a correspondence to hundreds and wapentakes.⁴ In St. Andrews diocese north of the Forth the correspondence to ancient subdivisions is taken over in the twelfth century by a correspondence in some cases to secular sheriffdoms as at Perth and Forfar. South of the Forth this relationship is even more direct: the rural deanery of the Merse corresponded to the sheriffdom of Berwick, east Lothian to Haddington and Linlithgow to Linlithgow.⁵

The third geographical subdivision of the diocese was the parish. Here again a number of historical forces helped to determine the nature and extent of the parishes within the diocese. Unlike the rural

1. Watt, Fasti, 314.

2. Ibid., 316.

3. Ibid., 317.

4. Thompson, "Diocesan Organization," 178-84.

5. At about the time the rural deanery of Lothian was splitting into two parts, the sheriffdoms of Haddington and Linlithgow were becoming subordinate to the sheriffdom of Edinburgh. See Fife Ct. Bk., 352-6.

deaneries or the overall geographical structure of the diocese, the origin and development of parishes in Scotland has been discussed by a number of scholars.¹ In common with the larger subdivisions of the diocese it is possible to differentiate between the origins and growth of parishes in Lothian and Scotia.

South of the Forth there had been a pre-existing system of large baptismal churches, analogous to the English minster, often associated with the lives or names of such saints as Ninian, Cuthbert, Ebba and Baldred of the Bass. These churches often had subsidiary chapels, so that the mother church often bore the name Eccles. Several examples survived into the Middle Ages: Eccles or Kirkton (St. Ninians, Stirling) with its chapels of Dunipace and Larbert; Eccles in the Merse (dedicated to St. Cuthbert) with chapels at Birgham, Leitholm and Mersington; and Eaglesbrec (Falkirk), known commonly as Varia Capella, which also had dependent chapels. Occasionally these ancient sites had a special status, most notably the sanctuary garth of Tynninghame and the parish of Stow in Wedale.

By the twelfth century this system of large territorial churches was being modified by the erection of churches on royal, episcopal and secular demesne.² The first evidence of this process of erection of "proprietary churches" was the church of Ednam founded and endowed by Thor Longus in the early years of the twelfth century.³ Thor, having received his land from the king and cleared it, built a church which he dedicated to St. Cuthbert and endowed with a carucate of land. Such a church was entirely the creation of its lord and thus regarded as private property, to be endowed, maintained, served and appropriated

1. Cowan, "Parochial System;" Morgan, "Organization."

2. Cowan, "Parochial System," 47 ff.

3. ESC, no. 24.

at will. Soon the bishops of St. Andrews were claiming wanted episcopal rights over these churches and had generally obtained them by mid-century.¹ The earliest surviving charter of Bishop Robert, which if not genuine itself probably represents a genuine tradition, is concerned with claims to exercise his jurisdiction over Durham's churches in Lothian.²

Outside the land pertaining directly to the church, and any other rights with which it may have been endowed by its founder or patron, the church had a wider geographical and social application as the church for all the residents of the locality or parish. To a certain extent the pre-existing Northumbrian pattern of nucleated villages allowed a close correspondence between existing settlement, the secular fief and the parish.³ This correspondence meant extensive control by secular lords and patrons over churches in the southern part of the diocese. Thus the proportion of unappropriated churches was more than double that north of the Forth. When churches were appropriated they tended to go to local religious corporations with whom the lord may have had connections. It was partially this continued close association of secular lords with parishes and the parish church which made for the large proportion of collegiate foundations in this area from the fourteenth century on.

x The fact of the relatively late development of parish churches in Lothian helps also to explain the discrepancy between church dedications in the two parts of the diocese. In the south the incidence of scriptural dedications is higher and non-scriptural lower

1. Morgan, "Organization," 137-9.

2. Durham D. and C. MC 1298 (printed in ESC, no. 73).

3. Morgan, "Organization," 141; Barrow, "Rural Settlement," 124.

than north of the Forth. In at least one instance, Gordon, there is evidence of a Northumbrian dedicatory being replaced by a scriptural one.¹ This close association of lay patron and church may partially explain the large percentage of "lost" dedications in Lothian, for if Thor Longus' charter represents a general practice the dedicatory saint was very much a matter of personal choice. It does seem that a high proportion of those churches whose dedications are now unknown remained in lay hands throughout the Middle Ages.

North of the Forth a different situation is revealed, one which has not been adequately dealt with by previous writers on the subject of parochial development and which is beyond the scope of this introduction. The geographical conservatism which was so marked a feature in the overall development of the diocese in this area is also evidenced in the growth and form of parishes. In the archdeaconry of St. Andrews the problem is indeed as Miss Morgan said a "specially obscure and difficult" one, although it seems she is not quite correct in positing development simply on the basis of older tribal churches.² "Tribal" is too grand an adjective to describe the nature of the local and often obscure cult-sites and chapels from which the medieval parishes of this area probably grew. Certain important ancient churches survived as parishes, notably Markinch and Arbuthnott. But the countryside of Fife, Angus and the Mearns was studded with smaller ecclesiastical sites usually bearing the names of very obscure local saints.

In the parishes north of the Tay especially, a reverse process to that found in Lothian took place. Here the parishes in many cases

1. See Appendix V. There are several instances of this change occurring in Scotia as well.

2. Morgan, "Organization," 141.

predated the feudal settlement of the area. Thus some parish boundaries, such as Glamis, corresponded to thanages. The settlement of feudal tenants in this area was largely accomplished by King William.¹ By the time the incomers were settled on their fiefs their lands may already have had some sort of ecclesiastical centre.

An illustration of this process is the case of Roger Mortimer who became lord of Fowlis Easter (which probably was a thanage) about 1189-1194.² He obtained the lands by marriage to the daughter of William Maule, who had traditionally been granted the lands after the Battle of the Standard. The lands contained a chapel, dedicated to St. Marnoch, which had traditional lands attached to it. The chapel, its lands, and an additional ten acres had been appropriated to St. Andrews by William Maule.³ By the time Roger Mortimer became lord of Fowlis the ecclesiastical centre of the demesne was well established and the only major change which would take place in this general situation was the erection of the chapel into a parish church early in the following century.⁴ Appropriation in the case of Fowlis did not convey the rectory to the priory, which remained in secular hands throughout the Middle Ages.

The different nature of the growth of parishes north of the Forth had its influence on the pattern of appropriations. Outside Fife itself much of the land was, or had been, royal demesne. The major religious corporations, besides St. Andrews itself, were royal foundations: Dunfermline, Coupar Angus and, above all, Arbroath. In the case of Arbroath the overwhelming number of its appropriated

1. G.W.S. Barrow, "Beginnings of feudalism in Scotland," BIHR 29, 11.

2. Ibid., 13-14; RRS ii, no. 302. See above, pp. 255-6.

3. St. A. Lib., 264-5.

4. Cowan, Parishes, 70-71.

churches had been royal benefactions made within a few years of the foundation. This same dominance of royal patronage is apparent in the endowment of St. Andrews and other religious houses in the area and helps to explain the extremely high number of appropriated parish churches in the archdeaconry of St. Andrews.

The influence of the past on the twelfth-century territorial innovations in the diocese of St. Andrews is clear. What is less clear, however, is the influence which this peculiar geography and history must have had on the administration exercised within these subdivisions. As usual the standardised formulae of documents hide wide variations in practice. In St. Andrews one is further limited by the relative lack of material relating to the local administration of the diocese.

2. Archdeacons and Deans of Christianity

The divorce of interest between the bishop and archdeacon which was a common feature on the continent was not so marked in England and Scotland.¹ There was, moreover, as marked a relationship between royal policy and the archidiaconate as there was between royal policy and the episcopate. Under King William, both St. Andrews archdeaconries were held by royal servants: Hugh of Roxburgh, the chancellor, held St. Andrews 1189x94-1199, and William Malvoisin held Lothian as a royal clerk before succeeding Roxburgh as chancellor.² During Malvoisin's episcopate the chancellor, William de Bosco, was also

1. Thompson, "Diocesan Organization," 155.

2. Watt, Fasti, 304, 309.

archdeacon of Lothian and later in the century William Wishart held the archdeaconry of St. Andrews whilst chancellor.¹ Thus Edward I followed a well-established trend when he attempted to provide one of his servants, Roger Kingston, to the St. Andrews archdeaconry in 1299.²

The original endowment of the office of archdeacon in St. Andrews diocese was essentially personal. The lands which belonged to Matthew pertained to the man and not to his office, with the possible exception of his rights in the parish church of St. Andrews.³ Similarly, Bishop Hugh granted the lands of Scoonie and Balkaithley and the land south of the town between the streams to Archdeacon Hugh of Roxburgh.⁴ This land passed to Roxburgh's nephew as his heir, but in the first decade of the thirteenth century he granted the lands to Archdeacon Ranulf since "by right they pertain to the archdeaconry of St. Andrews". This grant seems to mark the first steps in the creation of an "official" demesne for the archdeacons of St. Andrews. At the same time archdeacon Ranulf bought lands in the burgh of St. Andrews from Hugh of Nydie and his nephew Jordanus, described as being on the west side of the "new wark".⁵ This is almost certainly the land upon which the archdeacon's lodging came to be built, opposite the west door of the cathedral.

Scoonie was situated within the priory lands of the Cursus Apri, and it may be that within a few years the rights which the archdeacon

1. Watt, Fasti, 309-10.

2. CPL ii, 399.

3. St. A. Lib., 124, 200; RRS i, no. 120. See also Barrow, "Kinnin-months," 111 ff.

4. NLS 15.1.18 no. 47. It is not clear if the land between the two streams is a third piece of land, or Balkaithly itself which is between Kenly and Kilduncan burns.

5. NLS 15.1.18 no. 33. This charter is in the same hand as 15.1.18 no. 47, which may mean that they were executed at or near the same time.

claimed to exercise in the land created a jurisdictional threat to the cathedral chapter. By the second decade of the century Malvoisin had appointed his Official to the archdeaconry and the chapter was under the rule of a new prior, Simon. This led to a series of agreements between the archdeacon and the chapter over their respective rights in the Cursus Apri and the burgh. It may be that the initiating force behind these agreements was the bishop himself, for it was at the same time that Malvoisin granted the church of Tarvet, situated on episcopal demesne, to the archdeacon of St. Andrews.¹

The agreement between the archdeacon and the chapter over their respective rights in the Boar's Raik was an essentially practical arrangement.² The chapter obtained rights to all the lands which the archdeacon held in the Cursus Apri from the chapter and in return the archdeacon resigned all claims which he had against the chapter from these lands and from the two houses within the burgh next to the chapel of St. Peter.³ In recompense the archdeacon was given all the lands between the sea and the high road to Dairsie, including most of the lands of Strathtyrum and Balgove, the chapter only retaining its rights to the salt pan on the Eden and reserving the common grazing of the burgh. The archdeacon was given the right to take peats from the canons' cuttings "ad sustentacionem suam et proprie familie sue apud sanctum Andream".⁴ He was also given rights in the salt pans, and the right to all the garbal teinds of the lands of Strathtyrum, Kincapple.

1. NLS 15.1.18 no. 14; Watt, Fasti, 304, dates the endowment 1209x1212.

2. St. A. Lib., 315-16.

3. The chapel was apparently situated slightly to the east of the castle, perhaps on the side of the modern St. Gregory's. I am indebted to Mr. R.G. Cant for this information.

4. St. A. Lib., 315.

Bonde Nydie and Kirk Nydie.¹

The lands of Strathtyrum had come into the chapter's possession from the Culdees 1198x9-1202.² They were conveyed to the archdeacon and his successors in the 1212 agreement in life-rent: the priory remained the superior of the lands.³ Archdeacon Laurence obliged himself for the payment of a pound of cumin per annum for the lands, which were to revert to the chapter at his death or resignation.⁴ In another charter the archdeacon specifically resigned his judicial rights in the lands which now pertained to the chapter.⁵ Although it may seem that jurisdictionally the archdeacon came off worst in this agreement, in fact both sides seem to have shared advantages. The priory obtained integrated judicial rights over their parochia and the archdeacon obtained a large and conveniently situated territory which, the agreement makes clear, helped to support himself and his household in the style to which they were accustomed. The nature of the judicial rights enjoyed by the archdeacon and his predecessors in the Cursus Apris is obscure, but it seems probable that it was a secular jurisdiction perhaps deriving from the original endowment of archdeacons Matthew and Hugh. The essential nature of the archdeacon's judicial authority thus came to be official and personal, rather than territorially based.

1. The place-names of Bonde Nydie and Kirk Nydie do not survive, although it seems possible that the latter is identical with the land of "Nidin Ecclesie" given in the early thirteenth century terrier of priory lands (Pinkerton, Enquiry i, 470) and was associated with the chapel of St. Gregory at Nydie mentioned in Balm. Lib. 46. The lands which Bonde Nydie and Kirk Nydie comprised stretched from Kincaple to the boundary of Kemback.

2. St. A. Lib., 318-19.

3. Thus in the early fifteenth century these lands were feued for life to the archdeacon's seneschal. Ibid., 422-3.

4. Ibid., 27.

5. Ibid., 347.

The archdeacon of St. Andrews was ex officio ferlein of the schools of St. Andrews by the early thirteenth century and continued to exercise this responsibility until the sixteenth century.¹ As part of the general reorganization carried out between the archdeacon and the chapter certain lands from which the master and scholars of the burgh had received renders had passed into the chapter's possession. Acting on the orders of Innocent III, the bishop of Glasgow, the archdeacon of Glasgow and the abbot of Melrose oversaw the drawing up of a detailed account of the renders due to the schoolmaster and his students. Specific arrangements were made for the collection of their somewhat monotonous diet of barley, wheat, cheeses and the occasional sheep.²

Evidence for the endowment of the archdeacons of Lothian is almost entirely lacking. By at least 1297 their prebendal church was Kinleith (Currie),³ but it may well be that before the latter part of the thirteenth century the holders of this office were maintained by holding personal benefices. Certainly Thomas Charteris was given dispensation in 1262 to hold the churches of Fetteresso in the Mearns and also Whitchurch Canonorum in Salisbury diocese.⁴

Likewise there is no consistent evidence of the wealth of the two archdeacons. In Bagimond's Roll the archdeacon of St. Andrews made two payments of five merks each,⁵ apparently for his church of Tarvet.⁶ In the assessment contained in the St. Andrews Liber the

1. See C 210 of the statutes of the Scottish church which in 1549 made the archdeacon responsible for finding a suitable master for the grammar school of St. Andrews.

2. St. A. Lib., 316-18. Date 1212-1214/15.

3. Watt, Fasti, 309.

4. CPL i, 382.

5. Dunlop, "Bagimond's Roll," 62, 64.

6. It was assessed at ten merks in St. A. Lib., 34.

office is valued at twenty-one pounds.¹ No corresponding figure is given for the archdeacon of Lothian, and at the time of Bagimond's collection the office was, apparently, vacant.

By the end of the twelfth century the two archdeacons had assumed the position and administrative functions which would characterise them for the next several centuries. After the initial dominance of Lothian, St. Andrews came to be recognized as the major archdeaconry. Both archdeacons, however, remained much more subject to episcopal authority than was common elsewhere. It was only in their (ex officio) positions as members of the cathedral chapter that they were, theoretically at least, free of episcopal authority.²

The close association of the bishop and his archdeacons was an essentially practical one, deriving from the archdeacon's position as episcopal deputy. They could act during episcopal vacancies to see that certain episcopal functions were carried out. Thus in 1296 the archdeacon of Lothian was delegated to punish a chaplain who had pronounced an excommunication against Edward I.³ It was the archdeacon of St. Andrews who with the king petitioned Bishop Matthew of Aberdeen to bless the new abbot of Arbroath in 1178.⁴ The nature of the relationship which existed when the see was filled is indicated by a preamble to a charter of Bishop Malvoisin:

W . miseratione divina Ecclesie . Sancti . Andree minister
Humilis omnibus Has litteras visuris vel audituris eternam in
domino salutem ... nos de communi assensu et voluntate Capituli
nostri et archidiaconorum nostrorum ...⁵

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1. St. A. Lib., 34.
 2. Watt, Fasti, 301; and above, p. 233.
 3. CDS ii, no. 822.
 4. Arb. Lib. i, no. 2.
 5. Holy. Lib., no. 47.

The counsel and aid which the archdeacons could render might be essentially ad hoc, such as carrying out and overseeing local enquiries or perambulations.¹ Or it could stem from the growth of recognized official functions, such as visitation. Among the provisions of the Lateran Council of 1179 which were introduced into Scotland by the legation of 1201 was that one regulating the retinues of bishops and archdeacons on visitation. C 112 of the Scottish church, following Cardinal Otto's London constitutions of 1237, made the archdeacon responsible for bringing local matters, such as the furnishing and maintenance of churches, to the attention of his diocesan. Another outgrowth of the right of visitation was the archdeacon's rights over churches which were normally exempt from episcopal control. This may have been what was happening with respect to Scone Abbey's non-exempt churches in St. Andrews diocese, but there is no evidence of either archdeacon having absolute rights over any exempt churches in the diocese.²

"... the archdeacon's office was personal, deriving from his position as the bishop's deputy, not from association with any unit of government."³ Thus the archdeacon's authority paralleled that of his master, meaning that the essential function of the office was to ensure the integrity of the diocese by the exercise of his jurisdictional rights. The most important of these was the archdeacon's judicial role. In England archdeacons' courts were generally recognized as the lowest level ~~for appeal~~ in the diocesan hierarchy of courts.⁴ A teinds case which was called before papal judges delegate

1. For example, see St. A. Lib., 191-2, RRS 1, no. 168.

2. See above, pp. 179, 193 and n. 1.

3. Scammell, "Rural Chapters," 7.

4. I. Churchill, Canterbury Administration 1, 44.

in 1291 had begun before William Frere, archdeacon of Lothian.¹

Another common judicial function was the holding of local inquests, as for example that held by Robert Lamberton, archdeacon of St. Andrews in 1323, at which a panel of local clergy and laity gave evidence about the serving of the parish church of Lathrisk and its chapel of Kettle.²

"Court" may be too precise a word to describe the exercise of all the archdeacon's judicial functions, which could be executed in large gatherings presided over by the archdeacon himself acting on his own behalf or on specific delegation from superiors. Archidiaconal synods could be used for rendering a decision, as was a synod at Berwick c.1165-1179, which witnessed an agreement between Kelso Abbey and Gilbert son of Adam of Home over lands in Wedderley.³ Such meetings were for the publication of decisions, and on at least one occasion for the publication of reforming statutes.⁴ Like the diocesan synod, however, the use of such meetings for judicial purposes, or for the regular exercise of archidiaconal jurisdiction, gradually declined in the thirteenth century when they were found to be too cumbersome an instrument for the regular exercise of archidiaconal administration. Instead archdeacons often used rural chapters for their local judicial activities. Major cases went directly, or were appealed, to episcopal courts.⁵

1. Melr. Lib. i, no. 353.

2. NLS 15.1.18 no. 36. For another example of this type of inquest see SRO CH 2/86/19 no. 3. Text printed in Appendix VII.

3. Kel. Lib. i, no. 301. This charter is dated c.1250 (ibid. and Cowan, Parishes, 207), but it is clear that the date of the meeting must be the twelfth century by the appearance of Andrew, archdeacon of Lothian (Watt, Fasti, 309) and the appearance of Gilbert son of Adam of Home (SP iv, 441).

4. Patrick, Statutes, 67.

5. Scammell, "Rural Chapters," 9.

The growth and changes in archidiaconal administration necessitated the use of administrative agents. Almost from the first there is evidence of chaplains in attendance on the archdeacon.¹ By the early thirteenth century an official appears, first in Lothian 1219x34 where a member of a local baronial family, Alexander of St. Martin, acted as ordinary for the chancellor-archdeacon William de Bosco.² A similar official appears acting for the archdeacon of St. Andrews 1245/6.³ Like the bishop's Official, the archdeacon's deputy came to be recognized as the alternative to his master in such jurisdictional matters as the maintenance of agreements:

... si ego, contra prefatam litis cessionem, prestiti iuramenti observacionem et promissionem contravenire presumpsero, vel aliquis meorum contra premissa attemptare presumpserit, quod archidiaconus Sancti Andree vel eius Officialis, qui pro tempore fuerint quorum iurisdictioni me et meos subieci sub alternacione in hac parte ...⁴

In this and other evidences the archdeacon's official is found carrying out a wide number of functions on behalf of his master: taking his place in witnessing agreements relating to the archdeaconry⁵ or sealing an agreement on behalf of a party without a well-known seal.⁶

Although the role of the archdeacon in diocesan administration was fairly well understood by the end of the twelfth century, the thirteenth century did introduce a new element into the office's exercise. The emphasis which Bishop Bernham and his circle placed on the

1. Simon chaplain of Archdeacon Matthew appears 1165x9. NLS 15.1.18 no. 7. R. and Henry, chaplains of the archdeacon of Lothian, appear 1165/6. SRO RH 6/6; Cold. Cart., no. 46; and Stevenson, Illustrations, no. 6.

2. Newb. Reg., no. 68.

3. Watt, Fasti, 327.

4. Lind. Cart., no. 111.

5. Laing Chrs., no. 15; Kel. Lib. i, no. 291.

6. Kel. Lib. i, no. 132.

pastoral aspects of the episcopal office had a certain influence on the functions of the archdeacon. In the Aberdeen statutes promulgated by Bernham's protégé, Peter Ramsay, there occurs the fullest expression of what this new spirit meant in practical terms for the archdeacon:

De officio archidiaconi et eius residencia .

Et quia ad officium archidiaconi spectat provinciam pro corrigendis excessibus circumire statuimus quod ad nullam teneatur residenciam personalem nisi illis diebus quibus ratione officii sui in ecclesia cathedrali una cum episcopo tenetur personaliter interesse ut puta in capite Ieiunii et in die Cene cum conficitur crisma oleum sanctum et infirmorum seu aliis maioribus festis anni .¹

Inevitably that part of the archdeacon's jurisdiction which this new spirit affected most was his jurisdiction over parish churches: to see that presentation was carried out quickly and properly after a vacancy had occurred. Thus after the church of Forgan (Naughton) had been granted to the priory of St. Andrews by Alan Lascelles Archdeacon Laurence issued testamentary letters, laying special emphasis on the practical serving of the church.²

In the end the office of archdeacon depended on what its possessors made of it. To a certain extent St. Andrews' bishops seem to have attempted to bypass the office, especially in local administrative matters, and to deal directly with these problems through their Officials and local deans. The weakness of the archdeacon's position was that there were really no functions which were uniquely his. In the constitutions of the Scottish church virtually all the duties which he is delegated to exercise could also be carried out by another or other members of the ecclesiastical hierarchy. With the bishop he

1. Abdn. Reg. ii, 46.

2. St. A. Lib., 107-8.

shared the duty of visitation (C 12), overseeing stranger clerks (C 14), and issuing letters for clerks travelling to other dioceses (C 130). They oversaw the renting of churches and the keeping of records of such transactions (C 17). In concert with the rural dean he was responsible for maintaining legal immunity of clerics and crusaders (C 27), hearing complaints about lay appropriation of ecclesiastical goods (C 104), enquiring into the cohabitation of priests and women (C 18) and making reports of the results and findings of local conditions to the bishop (C 112). The archdeacon, rural dean and Official were all responsible for ensuring the tenure of stipendiary priests (C 131).

The development of rural deaneries and the office of dean of Christianity¹ does not differ in any marked way from the development of the office elsewhere in Europe, except for the fairly general early practice in the deaneries north of the Forth of taking their name from the ancient tribal divisions rather than from the benefice held by the individual dean. This slight variation was almost certainly due to the fact that the names were already applied to the districts and thus provided a convenient and well-understood designation for these new diocesan subdivisions.

From what is known about the early endowment of rural deans it seems likely that like the archdeacon they may have been initially supported by the bishop as a kind of ecclesiastical feudatory. This was clearly the case with Aiulf, dean of Lothian, and seems to have been so with Gillecuthbert as well, who was given lands in the burgh of St. Andrews.²

1. The title dean of Christianity remained in use in Scotland longer than it did in England. See Barrow, "Tax Collector," 325 and n. 2.

2. St. Andrews Univ. Lib. MS no. 30276. The text of this charter is given in Appendix VII. For the dean of Fogo see below, p. 299.

By the thirteenth century these personal connections had become of less importance and the rural dean was simply a parish priest, albeit one with special status and responsibilities exercised at the will of the bishop. There is no direct evidence as to how deans were chosen in St. Andrews diocese, although canon law ordained that they were to be chosen by the bishop and archdeacon acting together.¹ The choice had to fall on men of some ability, capable of carrying out a whole range of regular and specially delegated duties. The dean was often the holder of one of the larger benefices in the deanery. The early deans of Haddington were vicars of Musselburgh, and the dean of the Merse in 1268 held the vicarage of Swinton, which in the assessment contained in the St. Andrews Liber was valued at thirty-five merks.² Some of the early deans of Lothian held the episcopal livings of Tynninghame and Kirkliston.³ Other early deans were provided to their office from within the episcopal household or held episcopal offices. The dean of Gowrie in 1329 was vicar of Longforgan and episcopal chamberlain in Fife and north of the Tay.⁴

Although nominally subject to the archdeacon, a position reinforced by the Lateran constitutions of Innocent III,⁵ in Scotland deans were closely associated with the bishop. Still there were a number of instances when the functions of the archdeacon and dean were parallel or complementary. Thus the dean of Lothian witnessed with the archdeacon's official a charter conveying lands in Prestongrange

1. Scammell, "Rural Chapters," 12 and n. 3.

2. Watt, Fasti, 320, 322. The vicar of Swinton managed to pay only two merks to papal collectors in 1274-5. Dunlop, "Bagimond's Roll," 35, 58-9.

3. Watt, Fasti, 319.

4. ER i, 109, 139.

5. J. Priaulx, A Brief Account of the Nature, Rise and End of the Office of Dean Rural i, ed. W. Dansey (1832), 115-16.

to Newbattle Abbey,¹ the dean of Fife and archdeacon of St. Andrews were first witnesses to a charter conveying the lands of Kedlock to Balmerino Abbey.² In the thirteenth century, however, there is evidence that the local position of the dean, and his dependence on the bishop for his tenure of office, made the dean of Christianity an increasingly important and useful episcopal deputy.

There was no function unique to the dean, but he could be delegated to carry out a wide range of judicial, correctional and administrative duties. By far the largest group of surviving documents relating to the duties of the deans are letters from the bishop or his Official ordering the dean to oversee changes in local churches, such as the sequestration of the fruits of William Comyn's benefice of Ceres.³ The most common change was the institution of a new vicar or (the annexation) of a vicarage to a monastic rector, as was ordered by Bishop Lamberton to an unnamed dean of Christianity in Haddington:

... in prefatam vicariam auctoritate nostra institutis . et in corporalem possessionem eiusdem inducatis eosdem ... In signum vero institutionis per vos facte . traditeque possessionis sigillum vestrum presentibus apponatis penes predictos institutos perpetuo remansuris .⁴

The actual process of giving institution is described in a letter of the Official, Baldred Bisset, to the dean of Fife and Forthriff in 1282 after the grant of the church of Arngask to Cambuskenneth Abbey:

vobis in virtute obediencie firmiter precipiendo mandamus, quatenus adhibitis vobiscum duobus vel tribus capellanis vicinioribus, ac instanti die Marturii vel die Jouis sequenti, dictam ecclesiam de Arryngrosk adeatis et predictum abbatem

1. Newb. Reg., no. 68.

2. Balm. Lib., no. 39. This charter probably dates from the times Bishop Bernham was abroad attempting to reach the council at Rome (December 1240 to June 1241).

3. Palgrave, Docs. Hist. Scot. i, no. 147 (326-7).

4. Newb. Reg., no. 63.

de Cambuskynneth nomine ecclesie sue, in corporalem possessionem sepedicte ecclesie de Arryngrosk inducatis seu institutis ...¹

Such a ceremony was followed by the dean issuing letters, of which a single example survives from this period: those issued by Patrick dean of Linlithgow after he had instituted the abbey of Cambuskenneth to the vicarage of Kirktoun (St. Ninians) in May 1295.²

Institutions were only one of many local duties delegated to rural deans. As has already been shown, rural deans were the regular local agents for the collection of synodals, procurations and cain. Thus when a new assessment was negotiated for churches within the deanery, or certain revenues which the dean had been wont to collect were diverted to another beneficiary, letters had to be issued to the dean notifying him of these changes. The letter of Bishop Lamberton to the dean of Angus and the Mearns announcing the diversion of his cain from Meathie to Coupar Angus Abbey is an example.³ There are several similar letters to the dean of the Merse and Haddington.⁴

In some cases the rural dean was an agent in determining special local assessments, such as the determination of the sources of vicars' stipends,⁵ and the assessment of local churches for papal taxations.⁶

All these functions might be generally termed administrative, but the dean of Christianity could also act in a judicial capacity. This authority was not inherent in the office but could be conveyed by delegation. Thus rural deans could act as papal judges delegate,

1. Camb. Reg., no. 3. (For a similar mandate, see NLS 15.1.18 no. 23.)

2. Ibid., no. 111.

3. C.A. Chrs., no. 109.

4. Dryb. Reg., nos. 243, 294.

5. Stevenson, Illustrations, no. 17; St. A. Lib., 403.

6. See below, pp. 294 ff.

as did Radulf (Niger) dean of Lothian, in concert with the two archdeacons of the diocese, to determine a patronage dispute in Glasgow diocese.¹

By the early thirteenth century the meetings summoned by rural deans came to form a convenient local court of first instance in which the dean and other diocesan administrators, most commonly the archdeacon or his official, could act in a judicial capacity. The growth of the rural chapter in Scotland seems to follow the general trend of the institution's development in England. Little can be said of the process of development in detail, due not only to paucity of evidence but to some confusion of nomenclature as well. It seems possible that the rural chapter may have grown out of such meetings as the synod at Perth in which the bishop delegated the determination of a local land dispute to his Official and the archdeacon of St. Andrews.² Scone Liber, however, contains an account of a judicial proceeding which may represent a further step in the evolution of the rural chapter.³ At some time, probably early in Denis's tenure of the deanery of Forfar/Angus, a burghess of Perth granted a toft in the south street of Perth to Scone Abbey, "post multas querelas in capitulo Sancti Andree deductas coacti per christianitatem". The only St. Andrews official to appear in the account of the proceedings is the dean, who with a group of burghesses is the guarantor of the agreement. It was sealed by the dean, M. John of Perth, and also by the common seal of the burgh.

The earliest surviving account of a fully functioning rural chapter occurs in 1221 in the Merse, where the abbot of Dryburgh,

1. Glas. Reg. i, no. 100.

2. Stevenson, Illustrations, no. 11.

3. Scone Liber, no. 197.

prior of Coldingham and archdeacon of St. Andrews, acting on the delegation of a papal legate, settled a controversy between Kelso Abbey and Alan Montgomery:

... quod predictus A . de Mundegumery promisit in fide sua pro se et heredibus suis et etiam omnibus aliis suis coram nobis in pleno capitulo de merskes apud Edinham . die veneris proxima post dominicam qua cantatur . Letare ierusalem . constituto Anno ab incarnatione m^o/cc^o/xxi . se nunquam aliquam moturum controversiam erga dictos Abbatem et monachos . super exaccione decimarum terre sue . quam ipsi Abbas et monachi de Kalch' colere fecerunt de vasto in territorio de Inverwic ...¹

The proceedings were witnessed "toto capitulo de Merskes".

The rural chapter never came to have an inherent judicial capacity which explains why its use as a judicial body probably necessitated either special delegation to the rural dean or the appearance of an official who did have an ex officio judicial role, such as the archdeacon or Officials, who could act within their ordinary jurisdictional rights.² This helps to explain the use made of these meetings by archdeacons for judicial purposes, and the "classic" association of archdeacon's officials and rural deans in rural chapters.³

Ruridecanal chapters were only periodically used as courts. In theory at least the meetings of the clergy of the deanery took place monthly, or at regular intervals. It was their regularity which gave these meetings their value to the exercise of local administration for they could be used for all manner of administrative needs. Perhaps the earliest instance of their use in Scotland for a non-judicial purpose occurs in the provision of the general council of the Scottish church that money for the building of Glasgow Cathedral should be

1. Kel. Lib. i, no. 259 (216-17).

2. Dryb. Lib., no. 108.

3. Scammell, "Rural Chapters," 12-13. For an example of this association in a St. Andrews rural chapter see Arb. Lib. i, no. 365.

collected at decanal chapters.¹ The chapter meeting may have also provided the opportunity for local clergy to make their confession to the confessor whom the Scottish council enjoined should be appointed in every deanery.²

The chapter was above all a meeting at which information could be gathered from the locality to pass on to the archdeacon or bishop. An example of this occurs in the preamble to a charter of Bishop Gamelin in 1267, which states that the bishop had caused Robert, dean of Linlithgow, to make an inquiry into the status of Dunipace. The dean "in capitulo nostro eiusdem decanatus" had determined that Dunipace was a chapel of St. Ninians, Stirling, and not liable to pay episcopal procurations.³ In another instance, the prior of Coldingham ordered the dean of the Merse to summon various rectors and vicars to his chapter to pay arrears in the collection of the tenth in 1292.⁴

The composition of these decanal meetings appears to have been partially dictated by circumstances, especially the nature of the business to be dealt with. Thus the meetings of the rural chapters of Linlithgow and Haddington in 1306 which were summoned to provide a reply to Prior Adam's questions about the bogus tax-collector in Lothian were described as comprising rectors, vicars, parish priests and chaplains as well as laity of the deanery.⁵ The recent discovery of a leaf from a book kept by the rural dean of Fife and Forthriff has preserved accounts of the composition of several specially summoned decanal meetings concerned with the papal collection of

1. C 49.

2. C 16. And again in 14th-century St. Andrews statutes C 148.

3. Camb. Reg., no. 85.

4. Durham D. and C. MC 1048.

5. CDS iv, Appendix I no. 12, PRO SC 1/48/38.

1292-3.¹ Included in the MS is a summons by the dean, whose name is unfortunately obliterated, to "Omnes et singuli" in Forthriff to meet at In(?verkeithing) and all those of Fife to meet at Cupar. In a second letter the dean, reciting a letter of the deputies of the collector Alpin, Official of St. Andrews, and William, vicar of Garvock, ordering him to summon a meeting at Cupar consisting of all rectors and vicars, "et sex octo vel plures parochianos cuiuslibet ecclesie parochialis secundum quod parochia fuerit parva vel diffusa". Although the business of the specially constituted meeting is not stated it is likely that, on the evidence of contemporary English practice, the clerical assembly assessed the spiritual dues and the mixed assembly assessed temporalities.²

The survival of this single leaf from a rural dean's register is valuable for a number of reasons, not least of which is that it becomes possible to see the delegation and exercise of authority at several levels of the diocesan administrative hierarchy. Papal taxation cannot count as an aspect of "regular" diocesan administration, but the collection was dependent for its effectiveness on using regular agents of administration. Acting "una cum mandato dicti domini episcopi" (who was either the recently deceased bishop of Carlisle or the as yet unconsecrated John de Halton), the Official of St. Andrews and the vicar of Garvock ordered the dean of Fife and Forthriff to undertake the initial business of assessment.³

1. NLS Acc.3958. This leaf was recovered from the binding of a book purchased of Sothebys by the Bibliothèque Nationale, Brussels. I am grateful to Mr. R.N. Smart for drawing my attention to it, and to Dr. D.E.R. Watt upon whose notes and transcription of this badly worn leaf much of the following discussion is based.

2. Lunt, Fin. Rel. i, 348-9.

2. A similar procedure was followed in Glasgow diocese. Durham D. and C. MC 1053 is a letter of the Official of Glasgow acknowledging receipt of letters from deputy papal collectors ordering deans in the diocese to collect the subsidy. 20 April 1288.

There is scanty evidence as to the actual nature of the collection process following these meetings, but it was probably based on decanal meetings. After the initial assessment was made the dean, or his representative, may have pursued the actual collection in the course of his other duties. The Scottish National Library MS also includes a paragraph of detailed rules regarding the collection of gifts and legacies for crusades, a responsibility which was recognised as belonging to the rural dean.¹ Moreover on the dorso of the MS, which is badly defaced, there appears a receipt from, or mandate to pay to, the chaplain of Abdie for six merks sterling.

These various evidences show that by the thirteenth century the dean of Christianity had an important role to play in the administration of the diocese. In a sense deans were always a kind of de-personalised official; their seals were not personal ones and in many letters to them they are not addressed by name but by the title of their deanery. This does not mean, however, that their administrative procedures were equally anonymous. Enough survives to indicate that the rural dean had a small chancery to serve him, issuing letters under his official seal to announce meetings, visitation and the execution of local business. The survival of the National Library of Scotland MS indicates that by the late thirteenth century permanent record-books were kept, which included not only copies of letters issued from the decanal chancery but also rules on the rural dean's rights in the execution of papal collection and a graphic first-person account of the siege of Acre in 1291. It is hard to escape the

1. Lunt, Fin. Rel. i, 437, 443. Dr. Watt points out that the text is similar to instructions for Hereford diocese (Reg. Swinfield, 78-9) and Lincoln (Reg. Sutton iii, 157-8) down to line six from the foot of the MS, when the Hereford text ends and the Lincoln text continues differently.

conclusion that the account of the siege was included to be used as propaganda for urging contributions to the collection.

With the inquiries into the activities of the fake tax-collector the clearest picture emerges of the efficiency of the rural dean's chancery. In the reply of the dean of Haddington the derivative "de Donocastro" had originally been omitted following Brother Thomas's name, and had then been inserted above the line. Before adding the final dating clause the clerk wrote, "The interlineation of de Donocastro was made before the sealing of this letter."¹ In a sense the concern of this anonymous ruridecanal clerk is comment enough on the kind of efficiency and attention to detail which a conscientious rural dean could display and helps to explain the increased usefulness of this official in the thirteenth-century diocese of St. Andrews.

3. The Parish

All agents of diocesan government were theoretically directed towards the better ordering of Christian society, and it was on the level of the parish that the church touched the lives of people most intimately. The parish church, its officiating priest and the services he offered to, and expected from, his parishioners represent most vividly that curious amalgam of spiritual and temporal concerns which was characteristic of the medieval church. Of the two hundred and forty odd churches which served the estimated 88,000 inhabitants of the diocese of St. Andrews in the thirteenth century there was a

1. PRO SC 1/48/38; Barrow, "Tax Collector," 328 and n. 14.

wide variation in the serving of the parish and the nature of parish life.¹

The diocese included several of the most important urban centres of population in Scotland, including Berwick, Edinburgh, Stirling, Perth and St. Andrews itself. Yet most parishes were not urban but rural units, and were the end-product of a long historical development of which the introduction of western-style ecclesiastical and feudal forms was the most recent innovation. This twelfth-century ecclesiastical change was facilitated by the contemporaneous codification of canon law, which provided a theoretical framework for the functions of the parish.² The practical organization of the parish was aided by the taking over into the legislation of the Scottish church a number of the provisions of the third and fourth Lateran councils, as well as the legislation of some reforming English councils, most notably the provisions of Bishop Grosseteste of Lincoln.

It is not possible to describe an "average" parish in the diocese, due largely to their widely varying backgrounds. Some parochial units were based not on population centres, such as burghs, but on administrative units in the countryside, such as thanages or royal and secular estates. In the parishes of Inverkeillor and Inverlunan, for example, the rector was a royal clerk and physician, who took over the ecclesiastical rights of the thane.³ Durris, apparently a site of a royal residence by the thirteenth century, was described in 1298 when Edward I visited there, as "a manor among the

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1. Lord Cooper of Culross, "The numbers and distribution of the population of medieval Scotland," in Collected Papers (1957), 141.
 2. D.E.R. Watt, "Organization of the medieval diocese of Brechin," Book of the Society of Friends of Brechin Cathedral (1970), 12.
 3. Arb. Lib. i, no. 56 (1173x78). The agreement with the apparent thane of Inverlunan is printed in RRS ii, no. 590 (1189x95).

mountains".¹ Other parishes or their churches were the deliberate creation of secular lords, such as Lathrisk over which the heirs of the de Quincys claimed patronage by right of foundation.²

Other parishes were based on ancient cult sites, such as Arbuthnott and Kilconquhar. Some of these churches never developed centres of population, so that the ancient church of Markinch was described in Edward I's itinerary as "only the minster and three houses".³ Yet the parish was a wealthy one, its assessed value in the St. Andrews Liber roll being forty-five merks, among the highest in the deanery of Forthriff.⁴ Other parishes, most commonly south and east of the Forth, did have a population gathered about the parish church and the village green.⁵

Whatever its origins the centre of the parish was the parish church with its lands and associated rights. The church with its territorial endowment, "villa ecclesiastica" or kirktoon, were the essential features, but there could be wide variation in their creation and extent. The lands could represent an ancient ecclesiastical endowment, of which abthain (appin) lands were the most common. An example was the church of Megginch in Dunkeld diocese, conveyed to Holyrood Abbey by King William I:

cum terra que scotice vocatur Abthen . et cum terra
que vocatur petfrethin que iacet ex occidentali parte
ecclesie de Melginche ⁶

The neatest arrangement was for the lands(attached)to) the church to be

physically surrounding

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1. Stevenson, Documents ii, no. 352 (29).
 2. St. A. Lib., 336.
 3. Stevenson, Documents ii, no. 352 (30).
 4. St. A. Lib., 33.
 5. Barrow, "Rural Settlement," 124.
 6. Holy. Lib., no. 48.

the endowment lands, as were those of Ethie confirmed to Arbroath Abbey by Bishop Malvoisin, "cum terra in qua fundata est e/dem ecclesia".¹ *a/* But at Megginch and elsewhere the lands were not all near the church. King David I's grant of St. Cuthbert's church, Edinburgh, to Holyrood Abbey conveyed the church, with its parochia and all its pertinents, the kirktoon with its proper boundaries along with the land upon which the church was built and other lands below the castle.²

In addition to the lands, the church could be endowed with rights which were usually generally conveyed by variations on the phrase:

cum capellis / terris decimis / oblationibus omnimodis /
cum communi pastura et omnibus aliis aisiamentis / et
cum omnibus aliis ad predictas iuste pertinentibus / ³

These could include payments from subsidiary parochial chapels, teinds, the right to use lands in the parish for (the appropriator's) livestock, in addition to any other special rights which might be conveyed such as multure rights⁴ or renders from local salt pans.⁵

In the twelfth century, before wide-scale appropriation began and before the creation of a proper vicarage system, the lands and rights attached to the church were often held personally by the priest serving the church. Thus John, dean of Fogo, held the pertinents of the church of Fogo while he was dean.⁶ If a church was granted to a religious corporation, the incumbent's rights were usually reserved for his lifetime,⁷ or so long as he remained in secular life.⁸ Many

1. Arb. Lib. i, no. 151.

2. Holy. Lib., no. 1 (4).

3. Arb. Lib. i, no. 1 (5).

4. For example, at Kinnell. Holy. Lib., no. 13.

5. For example, at Airth. Ibid., and no. 2.

6. Kel. Lib. i, no. 303.

7. For example, Holy. Lib., no. 14.

8. Ibid., nos. 18, 19.

of these early priests were members of the patron's family and held their position in the nature of tenants of the lord of the parish, so their rights had to be safeguarded and maintained. Thus in an agreement between Durham and Walter Olifard over the church of Smailholm, it was agreed that the church was to pay a pension of two merks during the life of Olifard's brother Fulco, the priest, which would be raised to two and a half merks for his successors. Fulco promised to pay the money and it was ordained that his successors must swear to do so.¹

The increased legal definition of the parish and the process of appropriation inevitably brought about a decline of the personal nature of the parish. Despite this trend towards definition, appropriation was an unsystematic process. Generally speaking the donor conveyed all or some of the rights in the parish to the individual or corporation, who thereby usually became "rectors". But there could be a large number of variations on this basic transaction. In some cases the donor retained certain rights over the church, most commonly his right of advowson or patronage. The church of Dairsie, for example, was granted to the priory of St. Andrews by Bishop Arnold,² but the church continued to be served by episcopal presentees until Bishop Lamberton conveyed patronage rights to his chapter in 1301.³

At the other end of the scale there were monastic houses which obtained total rights over churches granted to them, which allowed them to be served by chaplains wholly dependent on the religious house

1. Durham D. and C. Cart Vet f. 113 r(1) and MC 712 (printed in ND, no. 157). For the relationship see SP, vi, 526.

2. St. A. Lib., 128.

3. Ibid., 120. For rector's resignation in 1304, see NLS 15.1.18 no. 23.

for their position and maintenance. The most notable example of this in St. Andrews diocese were the churches pertaining to Scone Abbey. Because Scone was an early royal foundation, pre-dating the reorganization of the diocese itself, the bishops had to be content with asserting their rights to visitation in these churches and very little else.¹

The obvious temptation of appropriation was to apply to the rector as many as possible of the rights pertaining to the church. The problem was that the parish church and its services were based on and supported by what was essentially an economic unit, so that appropriation itself was as much an act of economic benefaction as a religious one. Parishes were valuable for the lands, rights and revenues which pertained to them, a point strikingly made in the charters which conveyed churches to the wealthy Tironensian house at Kelso. The lands conveyed with or attached to the church are described in great detail, while the means of ensuring the maintenance and serving of the church were described in generalized formulae.² At one extreme was the use of the parish as a purely financial unit, most notably in the leasing of churches. Although this practice was strictly controlled, according to the legislation of the Scottish church, it could not be abolished.³ The best example of the process in the diocese concerned a lease apparently executed in the presence of Bishop Malvoisin by Sir Robert Hay of the church of Airlie to Coupar Angus Abbey.⁴ The monastery was to retain the church during

1. Scone Liber, no. 54, and above, p. 179.

2. See Kel. Lib. i, nos. 97, 140, 146-7, 291-9.

3. C 17, 79, 108; the last borrowed from Bishop Grosseteste's provisions.

4. C.A. Chrs., no. 26.

Hay's lifetime for the payment of forty merks per annum to the donor, of which the first four years' payment was to be made in advance.¹

If leasing was the most flagrant abuse of the parochial unit for financial purposes, the practice of holding such a benefice for the sake of its revenues was only slightly less blameworthy. By the thirteenth century wide variations in the serving of parish churches are apparent within the diocese: from fully resident and properly ordained rectors, through absentees, the leasing of such benefices, and appropriation, to the creation of vicarages and chaplaincies.² Unlike the English church in this period there are no surviving lists of ordinations and institutions for St. Andrews diocese in the thirteenth century. Consequently most of the evidence for the serving of parish churches comes either from papal sources or relates to churches pertaining to religious institutions. By the second half of the thirteenth century, however, there is considerable evidence of the provision of important royal, baronial and episcopal servants to benefices within the diocese. The seneschal of Patrick (III) earl of Dunbar was rector of Chirnside,³ Bishop David's penancer held Methven,⁴ and M. Baldred Bisset held Kinghorn.⁵

These positions were held for the revenues and rights they conveyed, and the collection of benefices was an obvious road to a competence if not affluence. William Wishart's successful career as

1. This agreement does not seem to have remained in effect for very long, if at all, for King Alexander II granted the church to the abbey, saving Sir Robert Hay's tenure in his lifetime, and assigned £20 from the church to go to the annual chapter of Cîteaux. Ibid., no. 27.

2. Cf. Moorman, Church Life, 24.

3. Cold. Cart., nos. 1-2.

4. St. A. Lib., 169.

5. Greenwell and Blair, Durham Seals, nos. 2763 and 2763a.

a pluralist has already been discussed. The actual financial results of pluralism may best be shown in the career of M. Adam Makerston, Official and archdeacon of St. Andrews, and later first provost of the collegiate church of St. Mary of the Rock.¹ Among the churches which he held was Collessie in Fife,² and in Bagimund's collection of 1275-6 he made a payment of twenty-seven merks "pro omnibus ecclesiis suis".³ In the next year he paid in £20, presumably for the same reason.⁴ Makerston's wealth was such that in 1280 a separate account had to be rendered by a deputy collector of the tenth for his benefices.⁵

The abuse of holding churches for financial gain was most egregious in the case of provision of absentee foreigners, which practice successive bishops attempted to stem throughout the thirteenth century. The provision of M. John de Civitate Antine to Aberlemno was resisted by David Bernham while still elect,⁶ and doubtless influenced that bishop's provisions for enforcing rectorial residence in his Lothian constitutions.⁷ Yet the provision of absentees to benefices had at least one beneficial use, which even Bernham did not scruple to use, in the maintenance of students at university by the revenues accruing to them as rector or vicar of a parish church.⁸

1. For his background, see Barrow, "Culdees," 28 and nn. 1-7.

2. Lind. Cart., no. 91.

3. Dunlop, "Bagimond's Roll," 36.

4. Ibid., 65.

5. Durham D. and C. MC 1052.

6. HMC xiv, part 3, nos. 18-21 (183-5).

7. CC 123, 129.

8. Ker and Pantin, "Letters," 473, and above, p. 29. A later example of this concerns an apparent relation of Archdeacon William of Eaglesham, Richard of Eaglesham, who had lost half of an index finger in a student fight at Paris. In 1325 he was dispensed in spite of this defect to hold a benefice. CPL ii, 243, 277.

The essential difficulty remained, however, that the basic reason for holding a benefice as an absentee was financial gain, so that some rectors managed to retain the revenues of benefices after they had officially ceased to hold them. Bishop Abel did this,¹ as did William, rector of Kinross, who was granted papal dispensation upon his election to Dunkeld to retain the revenues of his former benefice for two years.²

Increasingly the practice of holding benefices in commendam became a problem. By allowing an individual to obtain the fruits of a living without canonical institution, any responsibility for the possessor of a benefice to see that his church was properly maintained and served was destroyed. Despite papal attempts to control this abuse the practice grew and in Scotland, with its close association between secular interest and the parish, it fitted easily into the existing social and ecclesiastical structure. Thus in 1262 Bishop Gamelin's clerk, William of Dalgarnock, rector of Ratho, was allowed to hold an additional church in this manner.³

The growth of a legally defined vicarage system was in part an attempt to overcome many of the difficulties posed by the unsystematic nature of parishes and their serving in the twelfth century, and in part it was an attempt to cope with the problems raised by appropriation, absentee rectors and pluralism. The vicarage system has been dealt with in a general way by Hartridge in his chapter on Scotland in his History of Vicarages in the Middle Ages.⁴ He seemed to believe

1. See above, p. 52.

2. CPL ii, 96.

3. Ibid. i, 382.

4. P.A.R. Hartridge, History of Vicarages in the Middle Ages (1930), ch. VI.

that distance from the mainstream of ecclesiastical reform meant backwardness, and was therefore pleasantly surprised to find that in general the system which applied in Scotland was similar to that in England. This is not surprising since Scotland borrowed heavily from English and papal legislation to define the ideal obligations of vicars and rectors. It is from the statutes of the Scottish church that the clearest, most comprehensive, and most idealised picture emerges of the nature of the parish and the respective obligations of rector and vicar. At the core of the system were "the two foundation stones of the vicarage system ... security of tenure and a minimum wage".¹ C9 of the Scottish church ordained that the minimum stipend of the vicar should be ten merks per annum. This was reflected in Bishop Gamelin's general provision regarding the vicar of Lathrisk:

salva honesta (sustenta)cione vicario . qui curam
suscipiet animarum ? et honeste ecclesie faciet
deserviri .²

A number of vicarage taxations survive for churches appropriated for religious houses. For churches belonging to Holyrood Abbey in the diocese in 1251 the minimum stipend was ten merks, and two churches which were too poor to make up this amount were to be served by chaplains.³ Gamelin's taxation of Dunfermline's churches in 1268 again shows ten merks as the minimum stipend, although Gullane's vicar was to receive twelve merks and the vicar of Channelkirk (who was also responsible for the chapel of Lauder) was to receive £10.⁴ In 1285 Bishop Fraser confirmed the grant of the church^{of} Heriot to Newbattle

1. Moorman, Church Life, 45.

2. St. A. Lib., 173. Bishop Bernham used a similar saving clause in his confirmation of Rossie. Ibid., 163-4.

3. Holy. Lib., no. 75.

4. Dryb. Lib., no. 40. The monastery was to have the church served by two chaplains.

Abbey by an heiress of Roger de Quincy, reserving an annual pension for the vicar of £20 (to be paid by the monastery), and 20 acres of land.¹

The sources of vicars' stipends could be widely varied, as the Arbroath taxation of Bishop Bernham made clear. This taxation differs from the other two in that it only rarely mentions the actual stipend of the vicar, being more concerned with defining the sources of revenue.² Most vicars were to be maintained by altarage dues and their glebe, but some such as the vicar of Barry received the bulk of their stipend from the abbey. Others were obliged to pay a proportion of their income from the church to the abbey. The vicar of Inverkeillor had to pay five merks to Arbroath, which in 1328 was diverted to pension off Patrick of Ceres, an abbey servant.³

Such payments could be difficult to collect, especially following a period of warfare and disruption. In 1314 a case was heard before the consistory of St. Andrews in which Dunfermline claimed seventy merks arrears of the annual pension of twelve merks owed them by the vicar of Stirling. The vicar swore that he did not know that he owed this money. The arrears were remitted, and over the next six years the vicar was made to pay a gradually increased pension to bring it up to the full amount.⁴ In 1324 William of Eaglesham, Official of St. Andrews, heard a case in which Arbroath Abbey claimed that an annual pension of two merks (^{owed} paid) by the vicar of Arbirlot had not been paid for twenty years. Because of the destruction in the parish due to war, the arrears were remitted for nineteen of the twenty

1. Newb. Reg., no. 59.

2. Arb. Lib. i, no. 236.

3. Ibid., no. 361.

4. Dunf. Reg., no. 347.

Thomaldus Capellanus iurat dicit quod die pasche dicitur ualebat octones Decem de
Assumpcione .y. m. In Assumpcione .y. m. In die pasche .xxv. s. In quadrag.
Assumpcione .xxv. s. In omnes abuentones anni .x. m. De Capella de Carmel.
uy. s. De Capella de Drom. et de Drom non recolat. De Purificacione
uy. s. De Drom .uy. s. De ibz altaribus .uy. s. De
In feno .uy. s. In Curia .y. m. Summa .xxv. s. et .x. s. et .x. s.

Thomas Capellanus iurat dicit. De pasche .xxv. s. Die sancti .y. m.
Die Assumpcionis .uy. s. In quadrag. .uy. s. Curia .y. m. In omnes
abuentones anni .uy. s. De Purificacione .y. m. De tribz altaribus .uy. s.
De tribz Capellis .xxv. s. De feno .uy. s. De tribz dromis .uy. s.
Summa .xlv. s. et .x. s. et .x. s.

Alexander Capellanus iurat dicit quod die pasche dicitur .xv. s. et .x. s. Die
pasche .y. m. Die Assumpcionis .uy. s. In quadrag. .xxv. s. et .v. s.
In omnes abuentones anni .uy. s. In Curia .y. m. Die Purificacionis .y. m.
De tribz altaribus .uy. s. De tribz Capellis .uy. s. et .v. s. De dromis .uy. s.
De feno non recolat. De Tabernis .uy. s. Summa .xl. s. et .uy. s.

Hugo Capellanus iurat dicit quod eo anno quo tunc ad firmam annualem
portiones vicarie defuncti ualebat .xlv. s.

Johannes Oticus iurat dicit quod nescit specificare portiones sed dicit quod por
tio vicarie secundum estimationem suam ualeat .xl. s.

Radulfus Oticus iurat dicit quod omnes portiones vicarie ualeat .xl.
s. et .x. s. exceptis altaribus et Capella.

Thomas Oticus iurat dicit quod illo anno quo tunc portiones illam ad
firmam ualeat .xlv. s.

Willelmus iurat dicit quod ipse credit et sic accepit portiones
illam .xl. s.

Willelmus iurat dicit quod portio illa omnibus computatis ual
ere ualeat .xl. s.

years.¹

Some of the larger churches in the diocese had a vicar's stipend several times larger than the ten-merk minimum. Linlithgow was assessed at thirty merks by representatives of Bishop Malvoisin.² It was found as a result of the inquiry that the vicar was to be maintained by all of the gifts and obventions and lesser teinds pertaining to the church, and was to have the house attached to the church: the chapter of St. Andrews as rector retained rights to

omnibus terris extra burgum et infra . decimis . bladi . lane .
agnorum . molendinorum . pensionibus capellarum . et vivis
animalibus . cum corporibus defunctorum legatis .³

The fullest account of the respective rights of rector and vicar and the sources of the vicar's stipend occurs in the vicarage taxation carried out at Haddington by Malvoisin's representatives, presumably when David Bernham (described as David of Berwick in the proceedings) became vicar of this capitular church. The assessors found that in general the revenues were divided as follows:

Scilicet in oblacionibus oventionibus [sic] totius parochiae de vivis et mortuis, tam de capellis quam de matrici ecclesia, et de omnibus decimis negotiationis burgensium et aliorum negociatorum, omnium conductorum, et omnibus decimis curtilagiorum et pomeriorum infra burgum, cum medietate decimae foeni, easdem porciones sibi et successoribus suis nomine perpetuae vicariae percipiendis, auctoritate dicti domini Willelmi et patris nostri assignatis ad sustinendum omnia honera episcopalia et sinodalia dictam ecclesiam contingencia, salvis dominis priori et conventui sancti Andreae omnibus aliis minutis decimis et rebus ad dictam ecclesiam pervenientibus, cum decima bladi.⁴

The itemized accounts rendered by three chaplains⁵ indicate a wide

1. Arb. Lib. i, no. 351.

2. St. A. Lib., 402.

3. Ibid., 403.

4. Stevenson, Illustrations, no. 17.

5. See Plate IV.

variation in the amounts paid by parishioners in offerings on feast days, Christmas, Easter, the Assumption of the Blessed Virgin Mary (the church's titular), and Quadragesima, and their oblations which were paid entirely to the vicar. Reginald the chaplain said that oblations at Christmas were two merks, at the feast of the Assumption one merk, at Easter thirty-six shillings and at Quadragesima eighteen merks, and that oblations for the year totalled ten merks. In addition the chapel of Garleton paid seven shillings, but he could not recall how much Drem and Hepprige paid. Two stones of wheat had been paid at the feast of the Purification, 4/4 on Sundays, three shillings from the four altars of the church, a half merk from hay and one merk from curtilage dues. The total was thirty-six merks, ten shillings and tenpence. Thomas the chaplain said that thirty-seven shillings was paid at Easter, two merks at Christmas, fourteen shillings at the Assumption, eighteen merks at Quadragesima and one merk at the Purification. Three shillings was paid from the three altars, and thirty-two shillings from the three chapels, a half merk from hay and thirteen shillings on Sundays. The total was forty-two merks, ten shillings and tenpence. Alexander the chaplain said that 19/10 was paid at Christmas, two merks at Easter, fourteen shillings at the feast of the Assumption, seventeen merks and five shillings at Quadragesima and twelve merks for all obventions. One merk was paid from curtilage dues, one merk was paid at the feast of the Purification, three shillings was paid from the three altars, two merks and sixpence from the three chapels. He could not recall how much was paid from hay, but the taverns outside the burgh paid thirty-two pence and Sunday gifts amounted to thirteen shillings. The total was forty merks and four shillings.

These detailed accounts provide the only comprehensive picture

of the sources of revenues and teinds in a Scottish parish church of the thirteenth century. In one sense they may not be typical, for Haddington was a wealthy vicarage, worth forty merks, and because it was situated in a town the sources of some revenues were different from what they would have been for a country church and were paid mainly in money rather than in kind. It is clear that Quadragesima, not the feast of the Assumption, was the feast on which most of the payments of oblations were made, but other feasts in honour of the Virgin produced smaller payments in money and kind. The payment of obventions varied in amount from eighteen to thirteen and twelve merks. Free-will offerings on mass-days varied from 2/8 to thirteen shillings. The "mass penny" may have become a fixed obligation in the later medieval church, but it was clearly not obligatory in the thirteenth century.

Besides oblations, obventions and payments from the altars of the parish church and parochial chapels, the vicar's stipend at Haddington was based on agricultural teinds, or the money raised from them. C 35 of the Scottish church ordained that the teinds of gardens in burghs were to pertain to the vicar, and this had been confirmed by the assessors. The actual payment was, apparently, in coin. Agricultural teinds at Haddington seem to have formed a smaller part of the vicar's stipend than was perhaps the case elsewhere. The chapter had the right to all lesser teinds and the teinds of wheat, but some of these lesser teinds were later granted to the nuns of Haddington.¹ The vicar was left with the teinds of gardens, half the teind of hay, and apparently a teind from the tavern-keepers outside

1. St. A. Lib., 329-31. At the same time the master of the nuns was induced to resign his rights in the king's garden at Haddington to the chapter and their vicar. Ibid., 331.

the burgh.¹

Out of his stipend the vicar was expected to meet a number of obligations. Some, such as the vicar of Perth, were to obtain the stipend of forty merks out of the oblations, the lesser teinds, "et omnia testamenta et omnia que casibus fortuitis obvenire poterunt".² But the vicar of Perth's first obligation was to manage to pay fifty merks to Dunfermline Abbey as an annual payment.

The general obligation of the vicar to the rector for the temporalities of his church was a basic feature of the vicarage system. On the other hand the vicar was responsible to the bishop for his spiritual duties, which in tangible terms meant payment of synodals and visitation procurations. Thus William Malvoisin's confirmation of the vicarage of Musselburgh ordained that: "Sustinebit etiam prefatus Richardus omnia episcopalia ..."³ Increasingly, however, there seems to have been a general shift of the obligation to pay procurations on to the rector. This became common practice in mid-thirteenth-century vicarage settlements, an example of which is Bishop Bernham's vicarage settlement for Kirkcaldy which specifically made the rector, Dunfermline Abbey, responsible for providing hospitality to the bishop and for paying any extraordinary levies demanded by the papacy, legate or bishop.⁴ Where the church was some distance from the abbey to which it belonged it became common to make the rector explicitly responsible for procuration payments, as was Holyrood for its churches.⁵

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1. C 98 ordained a penny should be paid from each tavern-keeper to the rector or vicar.
 2. Dunf. Reg., no. 108.
 3. Ibid., no. 114.
 4. Ibid., no. 117.
 5. Holy. Lib., nos. 75, 76.

The vicar was responsible for other payments and obligations. The ideal arrangement of the rector being responsible for the repair of the chancel and the furnishing of the church (C 110) was not strictly maintained. Some rectors, such as Coldingham Priory, did oversee the repair and furnishing of their churches,¹ but in other cases this obligation was shifted on to the vicar. By the early fourteenth century the vicar of Inverkeithing was responsible for the maintenance of his choir,² and the vicar of Kinross and its chapel of Orwell was to maintain the choir of the church, the chapel, and to be responsible for providing both with books, vestments, and other ornaments, from his stipend of forty-five merks.³

The vicar was to have a suitable manse, which according to C 12 of the Scottish church was to be built by both rector and vicar in proportion to their incomes from the parish. Once built, however, the vicar was responsible for maintaining the building. This provision was by no means universally obeyed, and in the fourteenth century a statute of St. Andrews diocese (C 142) complained that because of the meanness of manses the bishop or his deputies could not be received on visitation. There is little concrete evidence as to the maintenance of manses in the thirteenth century, but in the course of Bishop Bernham's dedications he apparently found that the vicar of Kilrenny had no land on which to build a manse. He gave land to the south of the church containing two houses which he had enclosed to Dryburgh Abbey, for a reddendo of three merks per annum.⁴ At

1. Cold. Corr., Appendix II ff.

2. Dunf. Reg., no. 340.

3. NLS 15.1.18 no. 72; Dunf. Reg., no. 604.

4. Dryb. Reg., no. 19.

Collessie it was necessary for the rector, Adam of Makerston, to obtain clear title to the rector's lands and buildings next to his church.¹

The vicar was usually responsible for paying the stipends of chaplains serving in parochial chapels, although the vicarage taxation for Linlithgow provides an exception to this general rule.² Durham Priory in 1325 paid half a merk to the chaplain who gave the sacraments to the villeins of Westupsetlington.³ Two years previously, however, the vicar of Lathrisk had been found to be liable for the maintenance of a chaplain at Kettle and another for the parish church.⁴

In a sense the vicar's obligation to pay the stipends of parochial chaplains was an onerous burden, yet the activity had a symbolic value in asserting the superiority of the vicar and the parish church. Some chapels had extensive rights: several, such as Keith-Marischal, obtained parochial status.⁵ Others, such as the chapel of St. James which belonged to Dunfermline Abbey, were virtually parish churches.⁶ Bishop Bernham's provision for the chapel of Glen Clova gave it quasi-parochial status.⁷ The careful stipulation of Bernham's ordinances reflects the provision of C 6 of the Scottish church which, among other things, ordained that the rights of the parish church were

1. Lind. Cart., no. 91. An almost model vicarage settlement occurs in Aberdeen diocese in 1320. When Bishop Henry granted the church of Alva to Coupar Angus Abbey the vicar's stipend was £10, in addition to a manse, a toft, a croft and common grazing: C.A. Chrs., no. 101.

2. St. A. Lib., 403.

3. Cold. Corr., Appendix II and III (iii-iv).

4. NLS 15.1.18 no. 36.

5. Cowan, Parishes, 92.

6. Dunf. Reg., no. 367.

7. Arb. Lib. i, no. 276.

not to be prejudiced by local chapels.¹

Finally the vicar was usually responsible for the chaplains who served in his parish church and for parish clerks. Bishop Moorman's estimate of five chaplains and three clerks as the average complement for an important and wealthy parish in England in the thirteenth century may hold true for wealthier Scottish parishes as well.² Certainly the five chaplains and four clerks who were witnesses to the Haddington taxation inquest were almost certainly the full complement for that parish. It was in their interest, therefore, to see that the vicar's stipend was maintained at as high a figure as possible. Thus the two highest figures were provided by the clerics who apparently had been responsible for the collection of vicarage revenues since the death of the previous vicar. These men could live in the vicar's manse, although at Dalmeny they apparently lived on lands belonging to the rector, Jedburgh Abbey.³

If the majority of evidence as to the serving of parish churches is concerned with the creation and serving of vicarages this is because the majority of churches in the diocese were vicarages by the mid-thirteenth century.⁴ Other churches were served by stipendiary chaplains, in some cases totally dependent on the monastic appropriator. An early example was, of course, Scone's churches, but by the end of the thirteenth century there was a trend towards the annexation of

1. The chaplain of Dirleton, pertaining to Gullane, was to take an oath of fealty to the church, and could be removed by the rector if he acted against the church. Dryb. Lib., nos. 29-30. The original reddendo of a pound of frankincense was apparently changed to a more practical stone of wheat. Ibid., no. 31.

2. Moorman, Church Life, 53 ff.

3. SRO CH 2/86/19 no. 3. For text see Appendix VII, and below, p. 316.

4. See Appendix V, part A.

vicarages, for example St. Ninians at Stirling.¹ The charge was then served by a suitable chaplain. By 1293 North Berwick Nunnery's churches of Kilconquhar, North Berwick and Largo were all served by chaplains and their revenues attached directly to the monastery "to relieve its poverty".²

In some instances the service of parish churches by chaplains could be justified. At Coldingham the two chaplains serving the parish church were maintained ^{by} a slight variation of the system of corrody. In 1214 the prior of Durham ordained that there were to be two chaplains in Coldingham church.³ The major one was to be the parochial chaplain, responsible for serving the church and the parish. The other chaplain was to celebrate daily services for the dead, especially for the soul of M. Roger Melsanby and the monks of Coldingham. The two were to live together in a house with a glebe and were to receive three loaves of bread a day and the same amount of food as two monks, two just allowances of beer and two stones of salt at Easter. The second chaplain was also to receive inter alia ten shillings from the bakehouses at Oldcambus and four shillings from the toft which belonged to Christian Corbet.

Despite such national safeguards as the attempt to ensure that chaplains held their positions for at least a year (C 86), and were paid a decent stipend (C 106), the use of chaplains in parochial charges was subject to abuse. Apparently the greatest problem was to ensure that stipendiary chaplains were qualified to hold their charges. The problem was particularly acute if the putative chaplain came from

1. Camb. Reg., nos. 114-16.

2. N.B. Chrs., no. 24.

3. Cold. Corr., no. 238.

outside the diocese. Thus Bishop Bernham and Bishop Ramsay of Aberdeen both made strict provision for the licensing of chaplains (CC 86, 130).

The difficulty of ensuring the suitable maintenance of chaplains was not peculiar to that office, but was shared by vicars as well. The problem rounded on the fact that the parish church and its services were supported by an economic unit which, at its most basic, could be seen solely in terms of its monetary and agricultural value. Whatever the theoretical position of the parish, it was practical considerations which determined how much the rector or vicar or stipendiary priest or chaplain received. When Bishop Ramsay of Aberdeen attempted to control the taking of new or increased exactions from parishes and to fix the revenues due to appropriators, leaving the remainder of parish revenues for vicars' stipends, the aggrieved monasteries successfully appealed to the papacy against him.¹ The only way to get to grips with the problem was by the practical working out on an individual basis of the respective rights and responsibilities of all the various interests represented in the parish.

Despite every good intention, however, conflicts were inevitable. In the early fourteenth century a conflict grew up between the vicar of Dalmeny, Robert Gardner, and Jedburgh Abbey which was settled before the archdeacon of Lothian and a panel of parishioners. The land at issue was the toft lying next to the church, and the jurors swore that it was divided as follows:

scilicet . quod a Gabello orientali antique aule que fuit
quondam vacarii . descendendo linealiter versus boream usque
ad gardinum antiquum / et sic per medium gardini subtus
contigui et per medium crofti inferius iacentis subtus

1. Lind. Cart., nos. 105, 106.

gardinum ? hoc tantum erit rectoris et antiquitus fuit rectoris usque in murum cimiterii . versus orientem / et reliqua pars dicti tofti prout se extendit versus occidentem linealiter ab orientali gabello aule supradicto remanebit vicario dicunt dicti iurati quod unum toftum iacens versus extremam (lim)itatem dicte ville iuxta terram templariorum est totaliter ipsius rectoris in quo tofto clerici ecclesie predicte inhabitare solebant ante [... t e a r ...] cacionem rectoris . de quo tofto licet dicto rectori facere velle suum . ¹

A month later, on 7 November 1323, the vicar and the abbot of Jedburgh appeared before Bishop Lamberton at his residence at Torry. After all the misdeeds of the vicar had been explained to the bishop the unfortunate vicar's sentence was decided. He was fined £40, of which the abbey relaxed forty merks at the request of the bishop.²

It would be interesting to know just what the "various injuries, damages and excesses" were that the vicar had caused to the rector of his church and his lands. An attempt to extend one's glebe land or to gain control of land to which the title was perhaps obscure does not seem to justify the humiliation and the severity of the sentence imposed, if not executed, on Robert Gardner.

In the end, of course, the real question was whether the labourer was worthy of his hire, for if the parish was not well served the church failed to perform its most essential function. Evidence about the qualifications of the rectors, vicars and chaplains who actively served in their parishes is almost totally lacking, but because so much else corresponds to English conditions it may be possible to accept Bishop Moorman's estimate that something less than twenty-five per cent of all presentees were ordained priests.³ It may be that David of Berwick actively served his charge, and that the experiences gained at Haddington gave to his synodal constitutions their essential common

1. SRO CH 2/86/19 no. 3. For full text see Appendix VII.

2. Ibid., no. 4.

3. Moorman, Church Life, 34-7.

sense. In this he may be contrasted with his protégé, Peter Ramsay, whose essential qualifications were academic and whose reforms at Aberdeen represent a rather idealistic and legalistic conception of his pastoral functions. Until the end of the period under consideration there is scattered, but recurring, evidence that the serving of parish churches was not all that it might be. The Scottish church ordained again and again that every rector and vicar of a parish church was to be in a position to discharge his duties either in person or through a suitable deputy (CC 8, 108, 137). Yet in 1305 the rector of Yester, who was also a canon of Glasgow holding the prebend of Old Roxburgh, was ordered to be ordained within the year.¹

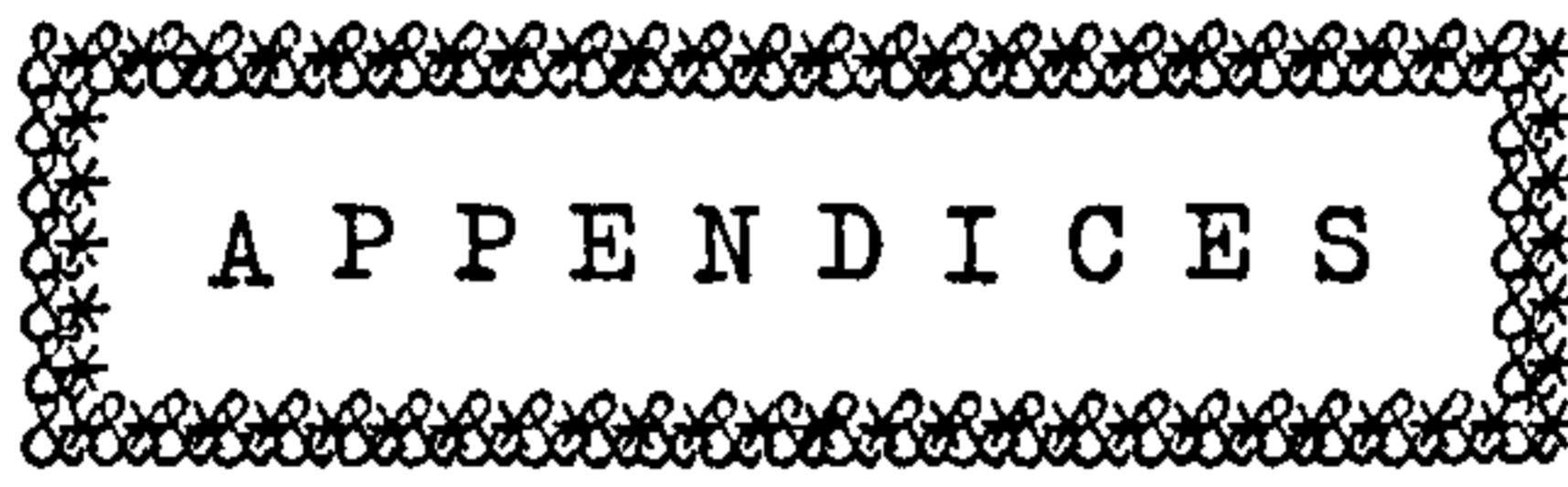
In the end evidence for the serving of parish churches and the nature of parish life comes almost entirely from the legislation of the Scottish church. It is a commonplace that such negative evidence has only a limited value if any. In Scotland this initial caveat has a corollary in the fact that much of the legislation was borrowed wholesale, and often word for word, from English legislation. Thus C 108, described by David Patrick as "a small code in itself", is in fact a copy of the table of contents of the 1238 constitutions of Bishop Grosseteste.² David Bernham specifically cited the tenth canon of Cardinal Otto's legatine council at London in 1237 enforcing residence and ordination of vicars (C 134). But because these and other provisions are borrowed it does not necessarily follow that their usefulness as Scottish evidence is completely vitiated. The church was, in the end, an international institution with international problems.

1. CPL ii, 9-10.

2. Patrick, Statutes, 54, n. 2.

In the last analysis, however, it is ironic that the men and women for whom this vast edifice was created in order to bring them to salvation should remain almost totally anonymous. It is possible to imagine something of the daily and yearly round of their lives, of feasts and fairs, of the appearance of pardoners and even dubious papal collectors among them, of the burden of paying teind in good years and the impossibility of paying in bad, or after the devastation brought by war. The church was intended to touch their lives at every important point in them, birth, death, illness. If it failed to do so in the thirteenth-century diocese of St. Andrews it was not an institutional failure but a personal one.





A P P E N D I C E S

Appendix One

EPISCOPAL ITINERARIES

A. William Malvoisin, 1202-1238

1202	18 (or 20) September	?Scone, postulated to St. Andrews. <u>Vet. Mon.</u> , no. 6; Dowden, <u>Bishops</u> , 12.
	21 September	?Scone or St. Andrews, carried out an ordination. <u>Vet. Mon.</u> , no.6.
1203		
1204	18 August	St. Andrews. Durham D. and C. MC 1308.
1205	?16 May	Wedale, with King William. Durham D. and C. MC 1333, 586, 690: <u>RRS</u> ii, no. 461.
	19 July	Stirling. <u>Ibid.</u> , no. 464.
	summer	?Envoy to King John. <u>AMW</u> , 347-8.
1206	11 April	Perth, synod. <u>Spalding Misc.</u> v, 209-13.
1207		"Beyond the sea," <u>ES</u> ii, 370. Part of this time at Rome. <u>AMW</u> , 252-5; <u>DNB</u> , 34, 9.
1208	10 September	Dryburgh, dedicated burial ground. <u>ES</u> ii, 371.
1209	17 May x	To England, then returned to king at Forfar before being sent on a second embassy. Returned to the king at Traquhair, probably late in July, and then sent again to meet the English king. <u>AMW</u> , 353-5.
	2 August	Bamburgh. <u>Ibid.</u> , 365; <u>ES</u> ii, 374 and n.4.
	7 August	Norham. <u>CDS</u> i, no. 453; <u>RRS</u> ii, no. 488.
1210	20 May	Stirling. <u>RRS</u> ii, no. 491 and nn.
1211		
1212	2 February	Norham. <u>AMW</u> , 379-81.
	31 May	Edinburgh. <u>Dunf. Reg.</u> , no. 211.
	1 July	Edinburgh. <u>Ibid.</u> , no. 166. Had leave to visit relatives in France. <u>AMW</u> , 383-4. After return held council at Perth. Robertson, <u>Concilia</u> i, xli-ii.
1213	11 May	?St. Andrews. <u>ES</u> ii, 396.

- 1214 4 December ?Stirling, death of King William. ES ii, 400 and n. 1.
5 December To Scone. Ibid.
6 December Scone, installation of king. Ibid.
(Probably with King Alexander II in next few days.)
7 December Scone. Ibid.
8 December To Perth. Ibid.
10 December Arbroath, burial of King William. Ibid.
1215 6 January Stirling. Ibid.
7 July x Ambassador to England. CDS i, no. 629;
ES ii, 404 and n. 10.
?Goes from England directly to Rome.
7-30 November Rome, fourth Lateran Council. ES ii, 405.
1216 Remains abroad, ?at Rome. Ibid.
1217 Remains abroad. Ibid.
May x Prevented from returning to Scotland from France by warfare in England. Chron. Fordun, xxxviii.
1218 early January Returns to Scotland. ES ii, 431.
8-9 April ?Northallerton. Chron. Fordun, xxxix.
1219
1220 11-15 June York. CDS i, no. 762.
1221 9-12 February Perth, council held by legate James. ES ii, 444.
18 June York. CDS i, no. 808.
1222
1223 19 May ?Newbattle. Glas. Reg. i, no. 128.
21 May Musselburgh. Ibid., no. 127.
1224 5 July Musselburgh. Moray Reg., no. 26.
1225
1226
1227
1228
1229 10 March Edinburgh. CDS i, no. 1113.
1230 ? Dundee, council. Moray Chrs. Box 32, Div. V, Bdle. 1, no. 17.
18 October Stirling. APS i, 69-70.
1231
1232
1233 4 September Wedale. ES ii, 490.

- 1234
1235 5 February Dairsie. Dunf. Reg., no. 107.
1236
1237
1238 9 July Inchmurdo, died. Dowden, Bishops, 12.

B. David Bernham, 1239-1253

- 1239 19 October ?Edinburgh for legatine council. Robert-
son, Concilia i, lviii and nn.
1240 22 January ?St. Andrews, consecration. Dowden,
Bishops, 14.
 7 May Lasswade. Ded.*
 13 May Dominicans' Church, Perth. Ded.
 8 July St. Nicholas' Chapel, Berwick. Ded.
 18 October Coldingham. Durham D. and C. MC 1320.
 8 November Inchmurdo. Dunf. Reg., no. 117.
 10 November Inchmurdo. St. A. Lib., 163-4.
 30 November St. Andrews. Kel. Lib. ii, no. 419.
 20 December Tynninghame. St. A. Lib., 166, 167-8.
 SRO RH 6/51^A; Holy. Lib., no. 76.
 21 December Tynninghame. Dunf. Reg., no. 119.
1241 To council at Rome, but turned back (per-
haps at Genoa) before embarking in the
Genoese fleet. ES ii, 527.
 26 June Durham or Finchale. Priory of Finchale,
no. 183 (171-2).
 16 August Kirkcoun (St. Ninians, Stirling). Ded.
 Then dedicated Mertoun, Yester, Linton
 and Forteviot. Ded.
 4 November Lossie. St. A. Lib., 168.
 11 November Kinnettles. Ded.
1242 11 Jan. Edinburgh. Glas. Reg. i, no. 183.
 14 March Midcalder. Ded.
 16 March St. Cuthberts, Edinburgh. Ded.
 23 March Channelkirk. Ded.

* All places followed by "Ded." are churches dedicated by Bernham and Bishop Wishart, as contained in Bernham, Pontifical.

1242	28 March	Gordon, Berwickshire. Ded.
	30 March	Stichill, Roxburghshire. Ded.
	2 April	Private chapel at Fogo. Ded.
	4 April	Greenlaw. Ded.
	6 April	Langton. Ded.
	7 April	Polwarth. Ded.
	10 April	Chirnside. Ded.
	15 April	Holy Trinity, Berwick, reconciled after bloodshed. Ded.
	20 April	Coldingham. Durham D. and C. MC 944.
	22 April	Tuninghame. <u>Dryb. Lib.</u> , no. 38.
	24 April	Bara in Garvald. Ded.
	1 May	Pencaitland. Ded.
	4 May	Cockpen. Ded.
	5 May	Musselburgh. Patrick, <u>Statutes</u> , 67.
	22 May	Linlithgow. Ded.
	2 June	?Perth for council. Robertson, <u>Concilia</u> i, lix and n. 1.
	4 June	Collace, Fife. Ded.
	12 June	Falkirk. Ded.
	16 June	Strachan. Ded.
	7 July	Inchmurdo. <u>Camb. Reg.</u> , no. 110.
	30 July	Nigg. Ded.
	?3 August	Arbuthnott. Ded.
	5 August	Kinneff. Ded.
	7 August	Ecclesgreig (St. Cyrus). Ded.
	9 August	Marykirk, Kincardine. Ded.
	11 August	Tannadyce. Ded.
	17 August	Inverkeillor. Ded.
	19 August	St. Vigeans (near Arbroath). Ded.
	21 August	Aberlemno. Ded.
	23 August	Forfar. Ded. (See also <u>HMC</u> xiv, pt. 3, 185.)
	25 August	Glamis. Ded.
	27 August	Airlie. Ded.
	29 August	Newtyle. Ded.
	31 August	Fowlis Easter. Ded.
	5 September	Perth. Ded.
	7 September	Abdie and Flisk. Ded.
	4 October	Woolmet. Ded.

1242	6 October	Seaton in Haddington. Ded.
	8 October	Gullane. Ded.
	10 October	North Berwick, the conventual church of the nuns. Ded.
	17 October	Innerwick. Ded.
	19 October	Oldhamstocks. Ded.
	30 October	Legerwood. Ded.
	3 November	Stow, Wedale. Ded.
1243	20 March	Earlston. Ded.
	27 March	Kelso. Ded.
	29 March	Fogo. Ded.
	31 March	Lennel beside Coldstream. Ded.
	2 April	Hilton. Ded.
	4 April	Horndean. Ded.
	6 April	Hutton. Ded.
	23 April	Aldham in Whitekirk. Ded.
	29 April	Smailholm. Ded.
	2 May	Carrington. Ded.
	5 May	Ratho. Ded.
	7 May	Carriden. Ded.
	10 May	Airth. Ded.
	17 May	Kinghorn. Ded.
	19 May	Burntisland (Parva Kinghorn). Ded.
	27 May	Kinglassie. Ded.
	30 May	Scoonie. Ded.
	9 June	Edinburgh. <u>Glas. Reg.</u> , i, no. 185.
	17 June	Holy Trinity, St. Andrews. Ded.
	19 June	Kellie. Ded.
	21 June	Crail. Ded.
	26 June	Kilrenny. Ded.
	28 June	Anstruther. Ded.
	12 July	Kilconquhar. Ded.
	15 July	Newburn. Ded.
	17 July	Largo. Ded.
	19 July	Markinch. Ded.
	23 July	Portmoak. Ded.
	26 July	Kilgourie (now Falkland). Ded.
	28 July	Lathrisk. Ded.
	30 July	Collessie. Ded.

1243	2 August	Dairsie. Ded.
	8 August	Cults. Ded.
	9 August	Errol. Ded.
	11 August	Inchture. Ded.
	13 August	Rossiclerach. Ded.
	18 August	Barry. Ded.
	23 August	Craig. Ded.
	25 August	Logie Pert. Ded.
	27 August	Aldbar. Ded.
	30 August	Restenneth. Ded.
	1 September	Kirkden. Ded.
	3 September	Meathie Lour. Ded.
	6 September	Inverarity. Ded.
	9 September	Benvie. Ded.
	11 September	Logie. Ded.
	13 September	Blairgowrie. Ded.
	27 September	Auchterderran. Ded.
	30 September	Livingston. Ded.
	6 October	St. Giles, Edinburgh. Ded.
	5 December	Ormiston. NLS 15.1.18 no. 28
1244	1 January	Tynninghame. <u>St. A. Lib.</u> , 164-5.
	11 March	Ellam. Ded.
	7 April	Athelstaneford. Ded.
	11 April	Tranent. Ded.
	17 April	Cranston. Ded.
	21 April	Saltoun. Ded.
	6 May	Church of minorite friars, Berwick. Ded.
	26 August	Inverkeithing. Ded.
	4 September	Leuchars. Ded.
	6 September	Kemback. Ded.
	11 September	Kirkliston. Ded.
	13 September	Ecclesmachan, West Lothian. Ded.
	18 September	Bolton. Ded.
	2 October	Scotlandwell. Ded.
	17 October	Fordoun. Ded.
	19 October	Conveth (Laurencekirk). Ded.
	13 November	Inchmurdo. <u>St. A. Lib.</u> , 165.

- 1245 15 February ?Edinburgh. APS i, 73.
6 March Heriot. Ded.
9 March Morham. Ded.
21 March Kirkcaldy. Ded.
26 March Dysart. Ded.
28 March Strathmiglo. Ded.
31 March Auchtermuchty. Ded.
3 April Scotstarvit. Ded.
5 April Moonzie. Ded.
7 May Whittingham.
To council at Lyons.
28 June-17 July Lyons. C. Burns, "Scottish Bishops at the General Councils of the Late Middle Ages," IR 16, 137.
- 1246 6 May Eassie. Ded.
25 May Fetteresso. Ded.
27 June Kinross. Ded.
31 July Hirsell, Coldstream. Ded.
- 1247 23 May Gogar. Ded.
31 May East Calder. Ded.
25 June Simprim. Ded.
26 June Kelso. Kel. Lib. ii, no. 437.
25 August Methven. Ded.
24 October Abercrombie. Ded.
28 Nov. Holyrood. Pais. Reg., 119.
- 1248 28 April Stirling. SRO CH 2/86/19 no. 1.
2 June Perth, synod. Lind. Cart., no. 63.
27 September Hailes in Colinton. Ded.
4 October Eccles. Ded.
6 October Coldstream. Ded.
- 1249 18 April Kettins. Ded.
18 May Strathmartin. Ded.
13 July Scone, coronation of Alexander III.
ES ii, 559.
- 1250 19 June Dunfermline, translation of St. Margaret.
ES ii, 87 n.
- 1251 2 January Lossie. SRO RH 6/48.
29 March Tynninghame. Holy. Lib., no. 75.
6 August Inchmurdo. Camb. Reg., no. 117.

- 1251 8 September ?Kelso. Kel. Lib. i, no. 277, and ibid. ii, no. 432, ?421.
- 1252
- 1253 26 April Nenthorn, death. Buried at Kelso. Dowden, Bishops, 15.

C. Abel Gullane, 1254

- 1254 1 March Rome, consecration. Vet. Mon., no. 164; Dowden, Bishops, 16.
- 2 June Durham. Durham D. and C. MC 818.
- 29 June St. Andrews. Dowden, Bishops, 16.
- October Dunfermline. Dunf. Reg., no. 309.
- 1 December ?St. Andrews, death. Dowden, Bishops, 16.

D. Gamelin, 1255-1271

- 1255 20 September ?Sprouston, APS i, 77-8; CDS i, no. 2013.
- 22 December Dunfermline. Dunf. Reg., nos. 206, ?203.
- 26 December St. Andrews, consecration. Dowden, Bishops, 17.
- 1256 Early in this year banished from Scotland. ES ii, 585-6.
- x 27 September At papal court, Viterbo. PRO PB 3(13).
- 1257 Remained on continent.
- 1258 late summer/early autumn Returned to Scotland. CDS i, nos. 2139-40.
- 1259 2 February St. Andrews. St. A. Lib., 173.
- 1 October Tynninghame. Durham D. and C. MC 1297.
- 20 December Lindores. Lind. Cart., no. 110.
- 1260 30 May Berwick. NRA (Scotland) report, 153. Mitchell and Baxter, WS, MSS.
- 17 August x To England (?and continent). CDS i, no. 2197.

1261		
1262	9 January	?Tynninghame. SRO GD 82 no. 4.
	11 January	Tynninghame. <u>Midl. Chrs.</u> , no. 40.
	5 June	Dairsie. <u>Lind. Cart.</u> , no. 142.
	21 December	Forfar. <u>A.B. Ill.</u> iv, 697-8.
1263	25 December	Linlithgow. <u>Lind. Cart.</u> , no. 132.
1264		
1265		
1266	3 April	Inchmurdo. <u>Dryb. Lib.</u> , no. 19.
	1 June	Kelso. <u>Kel. Lib.</u> i, no. 345.
	2 July	Perth. <u>APS</u> i, 78-9.
1267	29 January	Dairsie. <u>St. A. Lib.</u> , 310-11.
	20 February	?Kilconquhar. <u>N.B. Chrs.</u> , nos. 19, 20.
	6 April	Inchmurdo. <u>Camb. Reg.</u> , no. 85.
1268	20 June	St. Andrews. <u>Dryb. Lib.</u> , no. 11.
	28 June	Loch Leven. SRO RH 6/56. <u>Holy. Lib.</u> , no. 77.
	4 October	Inchmurdo. <u>St. A. Lib.</u> , 178-9.
	?	Perth, provincial council. Robertson, <u>Concilia</u> i, lxiv.
1269	19 March	Inchmurdo. <u>Dryb. Lib.</u> , no. 40.
1270	19 March	Inchmurdo. <u>St. A. Lib.</u> , 174.
	27 May	St. Andrews. <u>Kel. Lib.</u> i, 429.
1271	11 April	Inchmurdo. SRO CH 2/86/19 no. 2.
	14 April	Inchmurdo. <u>N.B. Chrs.</u> , no. 21.
	29 April	Inchmurdo, death. Dowden, <u>Bishops</u> , 18.

E. William Wishart, 1271-1279

1271	3 June	?St. Andrews, election. <u>Moray Reg.</u> , no. 261. ?To Rome for confirmation.
1272		
1273	?	Perth, provincial council. Robertson, <u>Concilia</u> i, lxiv-v.
	15 October	Scone, consecration. Dowden, <u>Bishops</u> , 19.

- 1274 15 March Durham. Durham D. and C. MC 826.
7 May-16 July Lyons, council. C. Burns, "Scottish Bishops at the General Councils of the Late Middle Ages," IR 16, 138.
- 1275 6 August Perth, council. Robertson, Concilia i, lxvi.
- 1276 22 April Crail. Scone Liber, no. 115.
15 May Dunnottar. Ded.
22 May Cowrie, Fetteresso Parish. Ded.
- 1277 10 July ?Cupar. CDS ii, no. 94.
22 July Durham. Priory of Finchale, no. 201 (187-8).
1 August Birkenhead. CDS ii, no. 95.
14 October Durham. Durham D. and C. MC 819.
- 1278 7 January Monimail. Lind. Cart., no. 145.
20 February ?Scone. CDS ii, no. 104.
x 20 March Down Ampney, Glosc. Ibid., no. 111.
24 May Yester. Ibid., nos. 119, 120.
2 October Roxburgh. Dunf. Reg., no. 87.
- 1279 mid Lent Berwick. Chron. Bower ii, 124.
10 April ?Edinburgh. CDS ii, no. 157.
25 May ?Selkirk. Ibid., no. 159.
28 May Morebattle, death. Dowden, Bishops, 19.
2 June Buried at St. Andrews. Ibid.

F. William Fraser, 1279-1297

- 1279 4 August ?St. Andrews, election. Ibid., 20.
6 December Glasgow. Glas. Reg. i, no. 232.
- 1280 19 May ?Rome, consecration. Dowden, Bishops, 20.
27 August Perth, council. Robertson, Concilia i, lxviii.
- 1281 25 January ?Lindores — St. Andrews. Lind. Cart., no. 125.
17 July Lauder. Dryb. Lib., no. 152.
17 September Wedale. Camb. Reg., no. 1.

1281	27 September	Newton. <u>Dryb. Lib.</u> , nos. 20, 21.
1282		
1283	24 September	Monimail. <u>Arb. Lib. i</u> , no. 316.
1284	5 February	Scone. <u>APS i</u> , 82.
1285	10 June	Holyrood. <u>Newb. Reg.</u> , no. 59.
1286	5 February	Cupar, Fife. <u>St. A. Lib.</u> , 386.
	29 March	Dunfermline, funeral of King Alexander III. <u>CDS ii</u> , no. 292.
	6 April	Inchmurdo. <u>St. A. Lib.</u> , 403.
	9 May	Coldingham. Durham D. and C. MC 740.
	10 May	Berwick. <u>Ibid.</u>
	25 September	Edinburgh. <u>Arb. Lib. i</u> , <u>Carte Orig. VII.</u>
	11 November	Haddington. Stevenson, <u>Documents i</u> , no. 15.*
	27 November	?Stirling. <u>Arb. Lib. i</u> , no. 293.
1287	7 December	Edinburgh. Stevenson, <u>Documents i</u> , no. 22.
	8 December	Edinburgh. <u>Ibid.</u> , no. 23.
1288	12 May	Lindores. <u>CDS iv</u> , no. 1764, Appendix i, no. 6.
	13 May	Edinburgh. Stevenson, <u>Documents i</u> , no. 27.
	1 June	Edinburgh. <u>Ibid.</u> , no. 28.
	2 July	Perth. <u>Ibid.</u> , no. 30.
	1 September	Edinburgh. <u>Ibid.</u> , no. 34.
	6 September	Edinburgh. <u>Ibid.</u> , no. 36.
	19 November	Edinburgh. <u>Ibid.</u> , no. 42.
	?20 November	Edinburgh. <u>Ibid.</u> , no. 44.
	winter	Sent to Gascony but arrested in Yorkshire. <u>Ibid.</u> , nos. 53, 84.
1289	12 February	Coldingham. Durham D. and C. MC 1296.
	7 April	Edinburgh. Stevenson, <u>Documents i</u> no. 58.
	29 April	Edinburgh. <u>Ibid.</u> , no. 60.
	10 July	Linlithgow. <u>Ibid.</u> , no. 68.

* The appearance of the bishop's name among the Guardians is no certain indication of his presence at the time and the place indicated in the dating clause, but the charters to which his name is attached as Guardian do give an idea of the extent of his movements during this period and are therefore included in this itinerary.

- 1289 12 September Perth. Ibid., no. 73.
3 October ?Melrose, meeting of Guardians at which Fraser was accredited to treat with the ambassadors of the king of Norway. CDS ii, no. 386.
6 November Salisbury. Stevenson, Documents i, no. 75.
- 1290 15 February Haddington. Ibid., no. 82.
14 March Birgham. Ibid., no. 92.
17 March Birgham. APS i, 85-6.
18 March Roxburgh. Stevenson, Documents i, nos. 94-5.
12 July Sprouston. CDS ii, no. 441.
31 July Kelso. Ibid., no. 442.
30 September Perth. Powicke, Thirteenth Century, 600.
7 October Leuchars. National MSS Scot. i, no. 70.
15 October Edinburgh. Stevenson, Documents i, no. 123.
- 1291 17 March St. Andrews. FMS v, no. 2271.
4 May x To Norham. Stevenson, Documents i, no. 137.
11 June Norham. CDS ii, no. 496.
12 June Upsettlington. Ibid., no. 498.
13 June Norham. Ibid.
12 July Stirling. Ibid., no. 508.
12 August Berwick. Palgrave, Docs. Hist. Scot. i, no. 10 (35-6).
18 August Berwick. Stevenson, Documents i, no. 156.
September Berwick. Palgrave, Docs. Hist. Scot. i, no. 14 (50-1).
- 1292 28 February Stirling. Stevenson, Documents i, nos. 208, 209.
24 March Edinburgh. Ibid., no. 219.
21 June Berwick. Ibid., no. 258.
30 November ?Scone, Balliol's enthronement.
- 1293 2-4 January ?Newcastle, seal on general resignation to Edward I by King John. Rot. Scot. i, 15.
27 January St. Andrews. NLS 15.1.18 no. 18.
10 February Scone. APS i, 89-92.
14 June Scotlandwell. N.B. Chrs., no. 24.

- 1293 3 August ?Stirling. APS i, 92-3.
24 August Dryburgh. Dryb. Lib., no. 243.
27 December ?Inchmurdo. Durham D. And C. MC 652.
1294 May ?Scone, parliament. CDS ii, no. 687.
1295 13 February Inchmurdo. NLS 15.1.18 no. 8.
16 May Falkland. Camb. Reg., nos. 114, 115.
9 June Dirleton. Durham D. and C. MC 1305.
3-5 July Stirling. NLS 34.6.24, 247-8.
22-3 October Paris. Stevenson, Documents ii, no. 344.
1296 Abroad. CDS ii, no. 1027.
1297 20 August Auteuil, death; buried in the Dominicans' church at Paris. Dowden, Bishops, 21.

G. William Lamberton, 1297-1328

- 1297 5 November ?St. Andrews, election. Vet. Mon., no. 362.
1298 x 17 June Rome, consecration. Ibid.; Dowden, Bishops, 21.
Remained abroad throughout the year.
1299 8 July Returning to Scotland through Flanders; embarked at or near Dam. CDS ii, 1071.
12 August Peebles, chosen Guardian and joins in a raid south of the Forth, to Torwood and the outskirts of Edinburgh. CDS ii, no. 1978.
13 November Torwood. Ibid., no. 1109.
1300 10 May Rutherglen. G.O. Sayles, "Parliament at Rutherglen in 1300," SHR 24, 246.
12 December Dunfermline. Dunf. Reg., no. 121.
25 December St. Andrews. Camb. Reg., no. 116.
1301 26 January St. Andrews. St. A. Lib., 120.
To France; returned by end of the year. APS i, 98; Barrow, Bruce, 177.
1302 23 February Scone. APS i, 98.
29 September Durham. Durham D. and C. MC 810.
To France. Barrow, Bruce, 177.
1303 25 May Paris. APS i, 98-9.

- 1304 17 February x Returning to Scotland through England. CDS ii, nos. 1455, 1574.
- 4-5 May Stirling. Ibid., nos. 1529, 1531.
- 11 June Cambuskenneth. Palgrave, Docs. Hist. Scot. i, no. 146.
- 21 October Arbroath. Arb. Lib. i, no. 244.
- 12 December Inchmurdo. NLS 15.1.18 no. 23.
- 21 December Kinghorn. Newb. Reg., Carte Orig., XIII.
- 1305 25 April Durham. Durham D. and C. MC 825.
- 15 September Westminster. Parliamentary Writs i, no. 59.
- 4 November Melrose. Melr. Lib. i, no. 349.
- 1306 x 25 March Berwick. Palgrave, Docs. Hist. Scot. i, no. 149 (335-6).
- 25-7 March Scone, Bruce's coronation. Stones, Relations, no. 35.
- 16 April Inchmurdo. Palgrave, Docs. Hist. Scot. i, no. 147 (327).
- 9 June Scotlandwell. Ibid., no. 145.
- July/August Captured and conveyed to Newcastle.
- 9 August Newcastle-upon-Tyne. Stones, Relations, no. 35; CDS ii, no. 1818.
- 10 August Lanchester. Ibid.
- 11 August ?Northallerton. Ibid.
- 12 August Richmond, Yorks. Ibid.
- 13 August Knaresborough. Ibid.
- 14 August Pontefract. Ibid.
- 15 August Tickhill. Ibid.
- 16 August Clipstone. Ibid.
- 17-19 August Nottingham. Ibid.
- 20 August Leicester. Ibid.
- 21 August Daventry. Ibid.
- 22 August Eynsham. Ibid.
- 23 August Newbury. Ibid.
- 24 August Winchester. Ibid.
- 1307 Winchester, in close confinement. CDS iii, no. 24.
- 1308 23 May Released from Winchester with guarantee to remain in Northamptonshire. Ibid., no. 44.
- 11-12 August Northampton, takes oath to Edward II and

- allowed to live in Durham diocese. Ibid., no. 50.
- 1309 17 March ?St. Andrews, seal on proceeding of parliament. EM Harl. MS 4694, f. 5v.
- 19 April Arbroath. Arb. Lib. i, no. 267.
- spring Returned to Durham.
- x 15 June Summoned to parliament at Stamford. CDS ii, no. 94.
- 27 July-early August Stamford. Ibid.
- 15 August Durham. Durham D. and C. MC 1300.
- 17 August Durham. Durham D. and C. MC 830.
- 26 August Coldingham. Durham D. and C. MC 672.
- 5 October Dunkeld. NLS 29.4.2, ix, 114r.
- 17 November Holyrood. Spottiswoode Misc. ii, 1-16.
- 21 November Newbattle. Newb. Reg., nos. 61, 63.
- 1310 20 February Lindores. Lind. Lib., no. 10.
- 11 June St. Andrews, synod. Durham D. and C. MC 1351.
- 12 June St. Andrews. Ibid.
- summer ?On visitation in southern diocese.
- 27 July Holyrood, synod. Durham D. and C. MC 1351.
- 1311 July ?Berwick. CDS ii, no. 223.
- 1 September Wedale. Melr. Lib. ii, 414.
- 1312 spring Dundee, enters Scottish camp. Barrow, Bruce, 374, citing Duncan MS.
- 7 April ?Inchture. Ibid.
- 12 April Dundee. SRO RH 6/72A.
- 28 August Coldingham. Durham D. and C. MC 1294.
- 17 October Arbroath. Arb. Lib. i, no. 334.
- 1313 1 March Scotlandwell. Ibid. ii, Carte Orig., nos. II and ?III. Also ibid. i, no. 287.
- 2-5 December Scone. Abdn. Reg. i, 44-5.
- 1314 c. September ?Short embassy to France. CDS iii, nos. 346, 390.
- 6 November Cambuskenneth. APS i, 104; EM Harl. MS 4694 f. 5v.
- 18 November Torry. Dunf. Reg., no. 343.
- 1315 27 April Ayr. APS i, 104-5; BM Harl. MS 4694, f. 28v.

- 1315 11 June Dairsie. G.S.C. Swinton, "Six Early Charters," SHR ii, no. 8 (173).
- 1316 4 March Edinburgh. Mort. Reg., no. 20.
14 March Newbattle. Ibid., no. 24.
4 June Wedale. T. M'Crie, The Bass Rock, 41-2.
15 July Dairsie. SRO RH 6/82; Holy. Lib., no. 92.
16 July Dairsie. Newb. Reg., no. 161.
11 December Dryburgh. Dryb. Reg., no. 294.
- 1317 2 February Cranston. Kel. Lib. i, no. 310.
Edinburgh. Mort. Reg. ii, no. 20.
9 March Edinburgh. Arb. Lib. ii, Carte Orig., V.
17-19 March Newbattle. Kel. Lib. i, nos. 311-12.
6 July Monimail. Kel. Lib. i, no. 313.
9 December Dunfermline. NLS 15.1.18 no. 72.
- 1318 5 July St. Andrews, consecration of the cathedral. St. A. Lib., xxvi.
6 July St. Andrews. NLS 15.1.18 no. 13.
3 December Scone. APS i, 117-18; BM Harl. MS 4694 f. 31d-34d.
- 1319 19 February Dryburgh. Dryb. Lib., no. 293.
25 March Dunfermline. Camb. Reg., no. 199.
26 March Berwick. BM Harl. MS 4693, f. 12d.
24 April Liston. SRO RH 6/86; Holy. Lib., no. 91.
28 April Liston. Ibid.
1 July Linlithgow. NLS 34.6.24, 250
10 December Berwick. APS i, 118; A.B. Ill. iii, 211-12.
30 December Dunfermline. RMS i, no. 805.
- 1320 11 February Torry. NLS 15.1.18 no. 19.
31 March Newbattle. Percy Chartulary, no. 1041.
1 April Berwick. RMS i, Appendix I, no. 35.
11 April Liston. Newb. Reg., no. 53.
20 May Arbroath. Ibid., no. 58.
August ?Scone, parliament. APS i, 71.
28 September ?Newbattle. Newb. Reg., no. 147.
10 November Torry. Dunf. Reg., no. 353; Camb. Reg., no. 200.
- 1321 12 March Newbattle. Newb. Reg., no. 201.
2 July Scone. NLS 24.4.2, viii, 10r.

- 1321 9-10 July Perth, provincial council and parliament. Robertson, Concilia i, lxxii; APS i, 118-19; RMS i, no. 84.
- 1322 19 May Liston. Newb. Reg., no. 148.
1 December SRO RH 6/86^C.
- 1323 17 April Wedale. HMC xiv, part 3, no. 22 (185-6).
spring to midsummer Embassy to England. CDS iii, nos. 809-10, 817.
4 June Berwick. RMS i, no. 485.
7 June Berwick. APS i, 121-2.
25-6 July Scone. APS i, 121-2.
28 July Scone. A.B.Ill. iv, 612.
?St. Andrews. SRO RH 6/86.
1 August Scone. Fraser Facsimiles, no. 85.
6-7 November Torry. SRO CH 2/86/19 no. 4.
1 December St. Andrews. Dunf. Reg., no. 367.
- 1324 24 February Berwick. Mort. Reg., no. 32.
15 July x 3 November ?Ambassador to England. CDS iii, nos. 845, 848, 851.
12 December Berwick. RMS i, Appendix I, nos. 92-4. NLS 29.4.2, v, f. 34r-25r.
20 December Berwick. Ibid., nos. 31-2.
- 1325 21-28 March Scone, church council followed by parliament. Robertson, Concilia i, lxxiii; APS i, 123; C.A. Chrs. i, nos. 105, 106; RMS i, no. 331.
8 June Lasswade. Mort. Reg., no. 33.
- 1326 10 January Arbroath. Melr. Lib. ii, no. 362.
16 January Scone. Camb. Reg., no. 145.
1 March Scone. Scone Liber, no. 129; RMS i, Appendix I, no. 27.
26 March Scone, parliament. APS i, 123.
14 April Newbattle. C.A. Chrs., no. 109.
20 July Cambuskenneth. RMS i, no. 487.
14 November Berwick. Ibid., Appendix I, no. 19.
- 1327 29 February Dunfermline. Mort. Reg., no. 34.
8 March ?Holyrood, parliament. APS i, 123.
20 March Edinburgh. Abdn. Reg. i, 48.
- 1327 3 August Lasswade. Newb. Reg., no. 159.
12 August Currie. SRO RH 6/91; Holy. Lib., no. 88.
16 August St. Andrews. SRO RH 6/93; Holy. Lib., no. 90.

1328	4 March	Edinburgh. NLS 29.4.2, ix, 57v.
	16 March	Edinburgh. Durham D. and C. MC 635; <u>RMS</u> i, no. 839.
	17 March	Edinburgh. <u>APS</u> i, 124-6.
	30 April-1 May	Arbroath. <u>Arb. Lib.</u> i, no. 358.
	20 May	?St. Andrews, death. Dowden, <u>Bishops</u> , 22-3.
	7 June	Buried north of the high altar of the cathedral. <u>Ibid.</u>

NOTE

Appendices II-IV: The following collection of charters is intended as a handlist of the basic material upon which this thesis is based. Due to a grant from the Research Fund of St. Andrews University a collection of photographs, Xerox copies and photostats of nearly all the surviving original charters issued by the bishops, chapter, archdeacons and rural deans of St. Andrews diocese has been brought together and will be deposited in the University Library in accordance with the terms of the Fund.

With one or two exceptions this list does not include notices of these diocesan officers acting in the capacity of papal judges delegate or as national political figures. The list is intended to illustrate their purely diocesan activities.

Appendix Two

CALENDAR OF EPISCOPAL ACTS

(Note: an asterisk denotes an original charter or a manuscript copy of a charter.)

A. William Malvoisin, bishop of St. Andrews,
18 (20) September 1202-9 July 1238

There are a number of acts of this bishop to which it is impossible to assign a date within the overall confines of the dates of his episcopate. The majority of such charters belong to the series which Malvoisin granted to the abbey of Arbroath and they are listed separately at the end of the list.

1. 1202-1203/4. Confirmation of the churches of Holy Trinity, Kilrimund, and Linlithgow to St. Andrews Cathedral Priory.
Printed: St. A. Lib., 155-6.
Date: Between consecration and M. Laurence being made Official.
2. 1202-1203/4. Confirmation of Alan de Lascelles' grant of the church of Naughton (Forgan, Fife) to the Cathedral Priory.
Printed: St. A. Lib., 154-5.
Date: as in no. 1.
3. 1202-1203/4. Confirmation to Dunfermline Abbey of the church of Kellie (Carnbee).
Printed: Dunf. Reg., no. 101.
Date: as in nos. 1 and 2.
4. 1202-1204. Confirmation to the cathedral priory of Naughton, with no mention of Lascelles' donation.
Printed: St. A. Lib., 106-7.
Date: Between consecration and the death of Duncan, earl of Fife, who is one of the witnesses.
5. 1202-11 March 1206x. General confirmation to Dunfermline Abbey of all its churches, possessions and rights.
Printed: Dunf. Reg., no. 110.
Date: By consecration and death of Reinbald, abbot of Scone, one of the witnesses.
6. 1202-1209. Confirmation to Lindores Abbey of the church of Lindores (Abdie).
Printed: Lind. Cart., no. 108.
Date: By consecration and the death of Ranulf, archdeacon of St. Andrews, one of the witnesses.
7. 1202-1209. Confirmation of Scone Abbey's churches within the diocese.
Printed: Scone Liber, no. 53.
Date: As in no. 6. Ranulf misnamed as Robert.

8. 1202-1209. Fuller general confirmation to Scone Abbey.
Printed: Ibid., no. 54.
Date: As in no. 7.
9. 1202-1209. Confirmation to Scone Abbey of Kincarrathie on the Tay, which is within their parochia. Given the right to build anything which is necessary on the land, a chapel or houses.
Printed: Ibid., no. 52.
Date: There is no direct evidence for dating, but this charter seems to form a logical sequence of which nos 7 and 8 are a part.
- *10. 1202-1211. Confirmation, at the request of the prior, Thomas, and chapter of St. Andrews, of Reginald the chaplain to the chapels of Binny and Tartraven pertaining to Linlithgow.
Original: SRO RH 6/22.
Date: Thomas resigned as prior in 1211. (Note: The hand is that of Gilbert of Stirling, a royal clerk. See RRS ii, 90.)
11. ?1202-c.1215. Note of a letter of presentation of Peter Ballard, an episcopal clerk, to the church of Newton.
Printed: Dunf. Reg., no. 115.
Date: Peter Ballard appears as a clerk under Bishop Malvoisin during the period 1202-1215.
- *12. 17 August 1204. Final settlement with Durham Cathedral Priory and Coldingham Priory of the status of their churches and possessions in Lothian.
Original: Durham D. and C. MC 1308.
Printed: ND, no. 473.
Copies: Durham Cart. Vet., 108 r (xii), and ?Lost Great Register, no. 26.
Date: Self-dated.
Photograph: Frontispiece (Plate I).
- *13. 17 August 1204x. Chirograph of the Durham concordat, with the seals of Ranulf, archdeacon of St. Andrews, Brice, bishop of Moray, Richard, bishop of Dunkeld (now missing), Patrick, abbot of Dunfermline, William, bishop of St. Andrews, the chapters of St. Andrews and Lindores, John, bishop of Aberdeen, and two vacant seal tag slits which may have been intended for the abbot of Arbroath and the archdeacon of Lothian (see no. 13).
Original: Durham D. and C. MC 1317.
Calendared: ND, no. 477.
Date: S.D.
- *14. 17 August 1204x. Episcopal letters to the abbots of Dunfermline, Arbroath, and Lindores, the prior and convent of St. Andrews and the archdeacons of St. Andrews and Lothian, notifying them of the concordat reached with Durham and asking them to affix their seals to it.
Original: Durham D. and C. MC 1333.
Printed: ND, no. 474.
Date: the same as no. 12. (Note: The hand of this charter is that of the royal clerk Gilbert of Stirling. See no. 10.)
- *15. 17 August 1204x. A further copy of the Durham concordat with the seals of the archdeacon, bishop, and chapter of St. Andrews, the

- bishops of Durham and Moray and a void seal tag slit.
Original: Durham D. and C. MC 1301.
Calendared: ND, no. 476.
Date: S.D.
16. 1202-1212/14. Confirmation of the grant of the church of Largo made by Duncan, earl of Fife, to the nuns of North Berwick.
Original: Polwarth MS at Harden, Hawick (not seen).
Printed: N.B. Chrs., no. 8.
Date: By the charter of Earl Duncan (d. 1204) and the terminal date of Andrew dean of Tynninghame. It is possible that the confirmation predates the earl's death or Malvoisin's visit to France in 1212.
17. 1209-1211x. In the presence of his synod, the bishop confirms Dryburgh Abbey's churches, granges, teinds, mills, etc.
Printed: Dryb. Lib., no. 237.
Date: Between the accession of Archdeacon Laurence and the election of archdeacon John to Dunkeld.
- *18. 1209-1212. Grant, at the instance of his chapter, to Laurence, archdeacon of St. Andrews, and his successors, of the church of Tarvet.
Original: NLS 15.1.18 no. 14.
Date: Probably soon after Laurence became archdeacon and before the terminal date of Andrew, dean of Lothian. See Watt, Fasti, 304.
- *19. 1209-1225. At the petition of Adam of Kinninmonth the bishop grants to William son of Lambin, and his heirs, the carucate of land at Balrymonth which Adam held from the chapter.
Original: NLS 15.1.18 no. 20.
Printed: Barrow, "Kinninmonths," no. 12 (128).
Date: By the accession of Laurence as archdeacon. The hand is that of Gilbert of Stirling who ceased to write royal charters c. 1225 and was bishop of Aberdeen by 1228. Information supplied by G.W.S. Barrow.
20. 1209-1231. The bishop grants the church of Scoonie (Fife) to the cathedral priory to be used for the expenses of building the cathedral.
Printed: St. A. Lib., 160.
Date: By accession of Archdeacon Laurence and terminal date for William de Bosco as archdeacon of Lothian.
21. 1209-1238. The bishop admits his clerk, Richard de Toeni, to the rectory of the church of Forgan in Fife, saving the vicarage rights of Gervase de Néauflé.
Printed: Ibid., 107.
Date: By accession of Archdeacon Laurence and death of bishop, but probably some time within the first half of this time-span.
22. 1211x. Mandate for the reorganization of the Culdees of Monymusk.
Printed: Ibid., 368-9.
Date: See PSAS 49, 44.
23. x1212-1226. Settlement of a controversy between the abbot and convent of Holyrood, the chapter of St. Andrews and the Hospital-ers of Torphichen over teinds and other rights in Ogilface.
Printed: Ibid., 320.
Date: By period Simon was prior of St. Andrews.

- *24. 1212. Agreement between the bishop and Coupar Angus Abbey, in which the bishop grants the abbey the abthane lands of Airlie for twenty years in return for a payment in money and kind. Chirograph.
Original: Moray Chrs., Box 32, Div. IV, Bdle i, no. 17.
Printed: C.A. Chrs., i, no. 21.
Date: S.D.
25. 1212. Settlement in the presence of the bishop of the controversy between the chapter and the archdeacon of St. Andrews over the archdeacon's lands within the Cursus Apri.
Printed: St. A. Lib., 315-16.
Date: S.D.
Note: For a discussion of this charter see above, pp. 223, 279-80.
26. x1212-1225. Confirmation of the garbal teinds of the church of Inverkeithing, as contained in the charter granted by Philip Mowbray to Dunfermline Abbey.
Printed: Dunf. Reg., no. 102.
Date: By Simon prior of St. Andrews.
- *27. 1214-1234(6). Confirmation of the church of Kettins to the hospital of St. Edward, Berwick.
Original: SRO GD 28/9.
Calendared: Yester Writs, no. 9.
Date: By grant of Kettins by Queen Ermengarde (1214-1234) and the confirmation of Prior Henry of Norham (1225-1236).
28. First half of 1215. Grant to Cambuskenneth of 100 shillings from the church of Blairgowrie: to be paid by the rectors of the church.
Printed: Camb. Reg., no. 46.
Date: It seems likely that this charter was granted before Malvoisin set out for Rome, for at least two of the witnesses of the capitular confirmation of this charter, R. abbot of Dunfermline and J. prior of May, were dead before the bishop returned (ibid., no. 47).
29. 1218-21 June 1219. Grant to Soutra Hospital of the church of Strathmartin, to be served by one of their number removeable at will.
Printed: Midl. Chrs., no. 20.
Date: Between Malvoisin's return in 1218 and the death of William de Valognes, royal chamberlain.
30. 1218-1221. Confirmation to Soutra Hospital of the church of Ormiston, with the provision that they may present a suitable vicar from among their number.
Printed: Ibid., no. 18.
Date: By return of bishop and the death of Walter de Lindsay. The post-Lateran Council date is suggested by the elaborate provisions incorporated into the terms of the charter to ensure the proper serving of the church.
31. 1218-1221. Settlement, in the presence of the bishop and Richard the vicar of Musselburgh and representatives of Dunfermline Abbey, over the taxation of the vicarage of Musselburgh.
Printed: Dunf. Reg., no. 114.
Date: As in no. 30.

- *32. 1220. Agreement reached in the presence of the bishop and archdeacon of St. Andrews, between the abbot of Coupar Angus and Sir Robert Hay, in which the latter leases the church of Airlie to the monastery for his lifetime. Chirograph.
Original: Moray Chrs., Box 32, Div. V, Bdle II, no. 58.
Printed: C.A. Chrs. i, no. 26.
Date: S.D.
33. 1221. Confirmation of the church of Gullane to Dryburgh Abbey, reserving certain rights and previous agreements.
Printed: Dryb. Lib., no. 27.
Date: See Cowan, Parishes, 78.
Note: Capitular confirmation dated 1229-1235/6 (ibid., no. 28).
34. 1221x. Confirmation of William de Vaux's donation of the chapel of St. Andrew at Dirleton to the mother church of Gullane.
Printed: Ibid., no. 30.
Date: Post no. 33.
35. C.1222. Confirmation of the agreement between the abbeys of Dryburgh and Kilwinning and Sir Alan son of Roland the constable of Scotland over the patronage of Lauder and its teinds.
Printed: Dryb. Lib., no. 86.
Date: The agreement was carried out by Archdeacon Laurence and an unnamed prior of Dunfermline at Irvine in 1222. Ibid., no. 84.
36. 1222x. Confirmation to Dryburgh Abbey of the rights in the parish of Lauder which had been held by Andrew of Moray, saving only the life rights of Simon de Noisy.
Printed: Ibid., no. 88.
Date: Following Andrew of Moray's election as bishop of Moray in 1222, and no. 35.
37. 21 May 1223. The bishop and his archdeacons, acting as papal judges delegate, hear the case between Walter bishop of Glasgow and Jordan of Kurrok over the land of Stobo. In parish church of Musselburgh.
Printed: Glas. Reg. i, no. 127.
Date: S.D.
38. x29 May 1223. Confirmation of the agreement between Newbattle and Holyrood Abbeys over the teinds of Preston and the agreement between Newbattle and St. Andrews Priory over the teinds of Bereford, Cresswell and Prora.
Printed: Newb. Reg., no. 128.
Date: Probably pre-dates the royal confirmation made at Selkirk, 29 May 1223. Ibid., no. 129.
39. 1223/4-1238. General confirmation of churches to Scone Abbey, contained in capitular confirmation of 1283.
Printed: Scone Liber, no. 117.
Date: Between provision of Andrew of Moray to the see of Moray and the death of Malvoisin.
- *40. C.1225. Confirmation of the church of Holy Trinity, Auchtermoonzie, to Loch Leven Priory.
Original: SRO RH 6/23.
Date: Cowan, Parishes, 151, dates this charter as c.1213, but this is fully a decade too early, since M. David Bernham appears among the witnesses and he first

entered the bishop's service c.1225.

Note: The hand is the same as on a royal charter in the Moray Charters (Box 32, Div. IV, Bdle. I, no. 7, printed in C.A. Chrs. i, no. 46).

41. 1225-1235. Confirmation to St. Andrews Cathedral Priory of the church of Lathrisk and its chapel at Kettle: their revenues to support the building of the cathedral.
Printed: St. A. Lib., 156-7.
Date: By M. David of Berwick (Bernham) among the witnesses.
42. 1225-1235. Confirmation of the church of Fowlis Easter to St. Andrews Cathedral Priory.
Printed: Ibid., 157.
Date: As in no. 41.
43. 1225-1235. Repetition of Bishop Richard's donation of the proceeds of Pentecostal processions to the cathedral chapter, for the building of the cathedral of St. Andrews.
Printed: Ibid., 160-1.
Date: As in nos. 42 and 43.
- *44. 1225/7-1231. The bishop, archdeacons and chapter confirm to Holyrood Abbey all the teinds of wheat which pertain to the church of Kinghorn.
Original: SRO GD 90/1/16.
Printed: Holy. Lib., no. 47.
Date: By Radulf Niger as dean of Lothian and the death of William de Bosco, archdeacon of Lothian.
Note: The hand in this charter is the same as that of the capitular confirmation of Malvoisin's confirmation of Kettins to the hospital of St. Edward at Berwick. SRO GD 28/12/1.
45. 1225/7-1234. Letter to R. dean of Lothian and M. Alexander of St. Martin ordering them to tax the vicarage of Linlithgow for thirty merks.
Printed: St. A. Lib., 402.
Date: By Radulf Niger dean of Lothian and death of William de Bosco (see no. 46).
46. 1225/7-1231. Confirmation of the vicarage taxation of Linlithgow.
Printed: Ibid., 159.
Date: By R. dean of Lothian and death of William de Bosco, archdeacon of Lothian.
- *47. 1225/7-1235 Letter to R. dean of Liston, M. R. of Dover, rector of Tynninghame, and J. of Pencaitland: on the twentieth of September they are to appear at Haddington to carry out a vicarage assessment of forty merks.
Original: BM Cott. Ch. xviii.37.
Printed: Stevenson, Illustrations, no. 17.
Date: By dean of Liston. If the vicar can be identified with David Bernham it seems likely that the taxation was carried out c.1233.
48. 1225/7-1235. Confirmation of the vicarage assessment of Haddington.
Printed: St. A. Lib., 158.
Date: By no. 47.

49. x24 April 1226-1236. Confirmation of the church of Hailes to Dunfermline Abbey, saving the right to present to the vicarage.
Printed: Dunf. Reg., no. 103.
Date: By William abbot of Dunfermline and Henry prior of St. Andrews.
50. ?1228-1238. Grants the church of Keig to the priory of Monymusk.
Printed: St. A. Lib., 366.
Date: See PSAS 49, 44.
51. 30 January 1235. Grants and confirms all the teinds of wheat from the parish of Kinglassie to Dunfermline Abbey. At Dairsie.
Printed: Dunf. Reg., no. 107.
Date: S.D.
52. 27 December 1237. Settlement of the vicarage revenues of Perth, pertaining to Dunfermline Abbey.
Printed: Ibid., no. 108.
Date: S.D.

Arbroath Series

53. 1202-1207/9. Agreement between the bishop and the abbey over presentation to vicarages and payment of procurations. Chirograph.
Printed: Arb. Lib. i, no. 167.
Date: Between Malvoisin's translation and demission of John, dean of Forfar.
54. 1203/4 - 1209. Confirmation of churches belonging to Arbroath excepting St. Vigeans and Ethie.
Printed: Ibid., no. 165.
Date. By Laurence as Official.
55. 1203/4-1209x. Confirmation of the church of St. Vigeans.
Printed: Ibid., no. 150.
Date: Shortly after no. 54.
56. 1214-1225. Confirmation of Glamis to the abbey, with all rights as contained in the chirograph (no. 53).
Printed: Ibid., no. 153.
Date: By William de Bosco as archdeacon of Lothian and Simon as prior of St. Andrews.
57. 1214-1225. Confirmation of Inverkeillor on the same terms.
Printed: Ibid., no. 154.
Date: As above.
58. 1214-1225. Confirmation of Inverlunan on the same terms.
Printed: Ibid., no. 155.
Date: As above.
59. 1214-1225. Confirmation of Barry on the same terms.
Printed: Ibid., no. 156.
Date: As above.
60. 1214-1225. Confirmation of Dunbog on the same terms.
Printed: Ibid., no. 157.
Date: As above.
61. 1214-1225. Confirmation of Newtyle on the same terms.
Printed: Ibid., no. 158.
Date: As above.

62. 1214-1225. Confirmation of Arbirlot on the same terms.
Printed: Ibid., no. 159.
Date: As above.
63. 1214-1225. Confirmation of Nigg on the same terms.
Printed: Ibid., no. 160.
Date: As above.
64. 1214-1225. Confirmation of Monifieth on the same terms.
Printed: Ibid., no. 161.
Date: As above.
65. 1214-1225. Confirmation of Mains ("Strathechten") on the same terms.
Printed: Ibid., no. 162.
Date: As above.
66. 1214-1225. Confirmation of Murroes on the same terms.
Printed: Ibid., no. 163.
Date: As above.
67. 1214-1225. Confirmation of Kirriemuir on the same terms.
Printed: Ibid., no. 164.
Date: As above.
68. 1225/6. Agreement between the bishop and Arbroath over the cain and conveth of certain lands (stipulated). The bishop quit claims all exactions except the ancient render from Mondynes and the conveth paid at Banchory. The chamberlain of Arbroath is to pay the bishops ten merks of silver in return.
Printed: Ibid., no. 169.
Date: Between the accession of Radulf as abbot of Arbroath and the royal confirmation of this agreement granted on 30 March 1226. Ibid., no. 171.
69. 1225-1231. Confirmation of the church of Ethie.
Printed: Ibid., no. 151.
Date: Cowan, Parishes, dates this charter 1219-1226, but it is witnessed by John abbot of Lindores who is not found in office much before 1225. The terminal date is provided by the death of William de Bosco.

Questionable charter

70. Inspection and transcript of a bull of Gregory IX issued 20 September 1236 confirming Soutra Hospital's possessions.
Printed: Midl. Chrs., no. 43.
Date: After 20 Sept. 1236. No absolute evidence that the "Bishop William" was Malvoisin or one of his successors.

Lost Acts

71. xl211. Letters to Innocent III regarding the status of the Culdees of Monymusk.
Evidence: St. A. Lib., 370.
72. xl212. Settlement of dispute between the chapter and archdeacon (ferlein) of St. Andrews over cain due to the chapter from Nevechi.

Evidence: Mention in final settlement carried out by papal judges delegate (ibid., 316-17).

73. C.1225. Donation with King Alexander II of the church of Airlie to Coupar Angus Abbey,
Evidence: Capitular confirmation in C.A. Chrs. i, no. 36.

B. David Bernham, bishop of St. Andrews,
October 1239-26 May 1253

- *1. ?1240. Confirmation of the burgh privileges of St. Andrews as granted by Bishop Roger.
Original: Copied in Black Book of St. Andrews, SRO B65/1/1 f. xxxvr. no. 3.
Date: The appearance of Robert of Methven and Alexander of Edinburgh suggests that this charter pre-dates 1245: the subject of the charter suggests that it may have been granted shortly after the new bishop's consecration.
- *2. 8 July 1240x. Notification that the bishop has dedicated the chapel of St. Nicholas at Berwick, and that the dedication is not to prejudice Durham's rights in this chapel of their parish church of Berwick.
Original: Durham D. and C. MC 987+.
Printed: ND, no. 478.
Date: Shortly after the dedication of the chapel: see itinerary.
- *3. 18 October 1240. Notification that he has received hospitality at Coldingham Priory and that this is not to prejudice the agreement regarding hospitality made by his predecessors and the priory.
Original: Durham D. and C. MC 1320.
Printed: ND, no. 479.
Date: S.D.
Photograph: This is the earliest surviving example of episcopal letters patent. See Plate II.
4. 8 November 1240. Confirmation of the church of Kirkcaldy to Dunfermline Abbey. The perpetual vicar is to be presented to the bishop. The monastery is to be responsible for episcopal hospitality and for any extraordinary financial exactions. At Inchmurdo.
Printed: Dunf. Reg., no. 117.
Date: S.D.
5. x10 November 1240. Confirmation of the settlement between St. Andrews Cathedral Priory and John son of Duncan of Inchyra over the lands and patronage rights of the church of Rossieclerach. At Inchmurdo.
Printed: St. A. Lib., 162-3.
Date: Year date only, but this charter must be dated at about the same time as no. 6.

6. 10 November 1240. Episcopal confirmation of the church of Rössie-clerach to St. Andrews Priory, saving suitable maintenance for the vicar.
Printed: Ibid., 163-4.
Date: S.D.
7. 30 November 1240. Vicarage settlement of the church of Langton, belonging to Kelso Abbey. At St. Andrews.
Printed: Kel. Lib. ii, no. 419.
Date: S.D.
8. 20 December 1240. Episcopal confirmation to St. Andrews Priory of the churches of Markinch, Cupar and Ecclesgreig (St. Cyrus). At Tynninghame.
Printed: St. A. Lib., 166.
Date: S.D.
9. 20 December 1240. Episcopal confirmation to St. Andrews of the churches of Haddington and Linlithgow, reserving in the case of the latter the vicarage portion established by Bishop Malvoisin. At Tynninghame.
Printed: Ibid., 167-8.
Date: S.D.
- *10. 20 December 1240. General confirmation of all Holyrood Abbey's churches, possessions and rights. At Tynninghame.
Original: SRO RH 6/51A.
Printed: Holy. Lib., no. 76.
Date: S.D.
Copied: Lost Great Register, no. 33.
11. 21 December 1240. Confirmation of Woolmet and Burntisland to Dunfermline Abbey, with arrangement for the proper serving of the churches by vicars and chaplains. At Tynninghame.
Printed: Dunf. Reg., no. 119.
Date: S.D.
12. 1240-1242. General confirmation of all churches belonging to Arbroath Abbey, as confirmed by Bishop Malvoisin.
Printed: Arb. Lib. i, no. 172.
Date: By William Mortimer as Official.
13. ?1240-1242. Confirmation of the church of Midcalder to Kelso Abbey, contained in capitular inspeximus. Vicarage portion fixed at ten merks and the vicar to be responsible for episcopal dues and hospitality. The bishop admits Brice, the chaplain, to the benefice.
Printed: Kel. Lib. ii, no. 430.
Date: Probably by William Mortimer as Official, although he is not so styled in the witness list.
Copied: Lost Great Register, no. 43.
14. ?1240-1242. Inspeximus of Bishop Malvoisin's donation of the church of Fowlis to St. Andrews Priory, saving the vicar's rights.
Printed: St. A. Lib., 170-1.
Date: As in no. 13.
15. ?1240-1242. Grant to John son of John de Cellario, the bishop's clerk, the church and rights of Dairsie for his life-time,

saving the pension of two shillings per annum due to the cathedral chapter.

Printed: Ibid., 306.

Date: As in nos. 13 and 14.

16. ?1240-1242. Confirmation to the hospital of Soutra of the donation of the church of Wemyss by Sir John Methill.
Printed: Midl. Chrs., no. 30.
Date: As in nos. 13-15.
17. 4 November 1241. Grant of the church of Scoonie to St. Andrews Priory. Its fruits are to be used for the maintenance of the cathedral fabric, reserving the altarage dues and garbal teinds of Kilmux to the vicar. At Lossie (unidentified).
Printed: St. A. Lib., 168.
Date: S.D.
- *18. 15 April 1242x. Following the spilling of blood in the parish church of the Holy Trinity, Berwick, the bishop has come and reconciled the church. Afterwards he has received hospitality from the prior of Coldingham. This is not to prejudice the agreement between his predecessor and Coldingham over hospitality.
Original: Durham D. and C. MC 944.
Printed: ND, no. 480.
Date: Following Bernham's reconciliation of the church of the Holy Trinity: see itinerary.
Note: The hand of this charter is the same as that of MC 1320 (see Plate II).
19. 22 April 1242. Confirms to Dryburgh Abbey the right to present their own canons to vicarages of churches within the diocese, because of their expenses. These canons are to reside with an honest secular priest in each church. At Tynninghame.
Printed: Dryb. Lib., no. 38.
Date: S.D.
20. ?26 June 1242. Grant of an indulgence of twenty days to Finchale Priory. ?At Durham or Finchale.
Printed: Priory of Finchale, no. 183 (171-2) (from an original now lost).
Date: The date for this charter was surmised by J. Raine, but it must be incorrect (see itinerary). The most likely time for the bishop to have granted this indulgence was in the course of a journey to the south or the continent, probably on his return from the abortive council of 1240-1. He was certainly back in Scotland by 16 August 1241.
21. 7 July 1242. Grant to the church of Kirkton (St. Ninians) of the lands of Kirkton. At Inchmurdo.
Printed: Camb. Reg., no. 110.
Date: S.D.
- *22. 23 August 1242. Grant of the church of Restenneth and its chapel of Forfar to Jedburgh Abbey.
Printed: HMC xiv, part 3, no. 20 (185), from a fifteenth-century transumpt in the possession of the earl of Strathmore.
Date: S.D. (the day that the chapel of Forfar was dedicated).
Note: This transumpt is also noted in the Hutton Collection,

NLS 29.4.2, vol. x, 97v, and was copied in the Lost Great Register, no. 40.

23. 1 January 1244. Grant of all the garbal teinds of Leuchars to St. Andrews Priory. At Tynninghame.
Printed: St. A. Lib., 164-5.
Date: S.D.
- *24. C.1244. Grant of Kilmagadwood to Scotlandwell.
Original: SRO RH 6/36^A (16th-century extract from the Lost Great Register, no. 46, made by Prior John Wynram of St. Andrews).
Date: Probably after the dedication of Scotlandwell: see itinerary.
25. 13 November 1244. Grant of Kennoway to St. Andrews Priory. At the death or resignation of P. son of George, count of Caballiacca, the priory is to have full rights in the church, reserving a suitable maintenance for its vicars. At Inchmurdo.
Printed: Ibid., no. 165.
Date: S.D.
26. 6 July 1246-26 May 1253. Confirmation of his brother Robert's donation of a fishing net in the Tweed to Melrose Abbey.
Printed: Melr. Lib. i, no. 179.
Date: Between the accession of Matthew, abbot of Melrose, and Bernham's death, but probably early within this period.
27. July 1246. Confirmation of Linlithgow and its chapels of Binny and Tartraven to St. Andrews Cathedral chapter.
Printed: St. A. Lib., 169.
Date: S.D.
28. 26 June 1247. Letters to his archdeacons, deans, vicars, etc., announcing his inspection of the letters of James, papal legate (1221), excommunicating the invaders of the possessions of Kelso Abbey. At Kelso.
Printed: Kel. Lib. ii, no. 437.
Date: S.D.
29. 28 November 1247. Confirmation of Bishop Malvoisin's donation of the churches of Innerwick and Legerwood to Paisley Abbey. At Holyrood.
Printed: Pais. Reg., 119.
Date: S.D.
Copied: Lost Great Register, no. 54.
- *30. 28 April 1248. Confirmation of the agreement between his clerk, Gilbert, and Jedburgh Abbey over the church of Dalmeny. At Stirling.
Original: SRO CH 2/86/19 no. 1.
Date: S.D.
Photographed: Henderson Collection, no. 347.
Note: For text and description see Appendix VII. The hand is the same as that of RH 6/37 and a royal charter in the Moray Chrs., Box 32, Div. IV, Bdle. I, no. 8, printed in C.A. Chrs., no. 53.
31. 2 June 1248. Settlement at a synod held at Perth of the dispute between Lindores Abbey and Sir Henry Dunmore over the service of

- the knight's chapel at Dunmore. Chirograph.
Printed: Lind. Cart., no. 63.
Date: S.D.
32. xl249. Ordinance for the proper serving of the chapel of Glen Clova, due to its distance from its mother church of Glamis.
Printed: Arb. Lib. i, no. 276.
Date: Before the agreement which mentions this charter (see no. 33).
33. 1249. Settlement of the controversy between Arbroath Abbey and the vicars of their churches within the diocese. The latter claim that they do not have sufficient maintenance.
Printed: Ibid., no. 236.
Date: S.D.
Copied: Lost Great Register, no. 57.
34. 1248-26 May 1253. Grant of the lands of Dolbethoc (?Towie) to Monymusk Priory.
Printed: St. A. Lib., 369.
Date: If Adam of Makerston witnesses this document as bishop's Official, as seems likely since the donation is being made from the bishop's own demesne, the charter may be dated by his incumbency as Official and the bishop's death.
- *35. 2 January 1251. Grant of the Hospital of Scotlandwell to the Trinitarian friars with all its lands and rights. At Lossie.
Original: SRO RH 6/48.
Date: S.D.
- *36. 1250x. Inspeximus by David and Alpin, bishops of St. Andrews and Brechin, and M. Abel, papal chaplain and archdeacon of St. Andrews, of the gravamina of the Scottish bishops.
Original: NLS 15.1.18 no. 16.
Printed in translation: Patrick, Statutes, 211-12.
Date: Robertson, Concilia i, 1 ff.
37. 29 March 1251. Vicarage taxation of the churches held by Holyrood Abbey in the diocese. At Tynninghame.
Printed: Holy. Lib., no. 75.
Date: S.D.
Copied: Lost Great Register, no. 35.
38. 6 August 1251. Notification that the hospitality which he had received from Cambuskenneth Abbey in the course of his visitation of the chapel of Dunipace (belonging to their church of Kirkton) shall not prejudice Cambuskenneth's immunity from paying procurations for this church. At Inchmurdo.
Printed: Camb. Reg., no. 117.
Date: S.D.
39. ?8 September 1251. The church of Horndean, belonging ^{to} Kelso Abbey, is to be served by a chaplain: the fruits of the church are to be converted to the uses of the abbey.
Printed: Kel. Lib. ii, no. 421.
Date: By no. 40.
40. 8 September 1251. A similar arrangement is made for the church of Simprim.
Printed: Ibid., no. 432.

Date: S.D.

Copied: Ibid., no. 277.

Undated Acts

41. Confirmation to Lindores Abbey of the church of Lindores.
Printed: Lind. Cart., no. 109.
42. Grant to Kelso Abbey of the right to have their chapel of Wedderly served by a chaplain.
Printed: Kel. Lib. ii, no. 455.
Copied: Lost Great Register, no. 36.
43. Grant to the priory of Monymusk of two acres of land in Keig.
Printed: St. A. Lib., 366, and A.B. Ill. i, 620.

Lost Acts

44. C.1240. Grant of the church of Aberlemno to Jedburgh.
Copied: Lost Great Register, no. 41.
Date: Probably after hearing of the case raised by the bishop-elect over Aberlemno heard at York in 1239.
HMC xiv, part 3, nos. 18-19 (183-5).
- *45. x2 July 1247. Grant of the church of Dalmeny to Jedburgh Abbey, mentioned in capitular confirmation.
Original: SRO RH 6/37.
Date: By date of confirmation.
Copied: Lost Great Register, no. 48.
46. 1247. Charter of the lands of Kilspindie, Finegally and Dundinauch made to Malcolm of Kilspindie.
Copied: Lost Great Register, no. 53.
47. 1249. Charter of the lands of Edzell made to William of Brechin.
Copied: Lost Great Register, no. 58.
48. 1250. Charter to the nuns of Eccles over the church of St. Cuthbert and others, the chapel (sic) of Bothkennar, and Mersington and Letham.
Copied: Lost Great Register, no. 59.
49. 1250?. Grant of the church of Bothkennar to the nuns of Eccles.
Copied: Lost Great Register, no. 60.
Date: By no. 47.
50. Agreement between the abbot of Culross and the rector of Kilmany over the teinds of Rachtulit in the parish of Kilmany.
Copied: Lost Great Register, no. 45.
51. Letter to the bishop of Lincoln on behalf of Roger de Suleby, presented to Shelton.
Source: Notice in Rotuli Roberte Grosseteste, 320.

C. Abel Gullane, bishop of St. Andrews,
20 February 1254-1 December 1254

- *1. 2 June 1254. Grants an indulgence of forty days to all pilgrims visiting the shrine of St. Cuthbert or the Galilee Chapel at Durham. At Durham.

Original: Durham D. and C. MC 818.

Calendared: ND, no. 481; Rites of Durham, no. 11 (151).

Date: S.D.

D. Gamelin, bishop of St. Andrews,
14 February 1255-29 April 1271

1. Second half of 1258? Confirmation of the parish church of the Holy Trinity, St. Andrews, to the cathedral chapter.
Printed: St. A. Lib., 171-2.
Date: The contents of this charter suggest that it may be one of the first charters issued after the bishop's return from exile.
2. 2 February 1259. Grant of the church of Lathrisk and its chapel of Kettle to St. Andrews Cathedral Priory. At St. Andrews.
Printed: Ibid., 173.
Date: S.D.
- *3. 1 October 1259. Letter of admission, upon the presentation of Durham, of a clerk to the vicarage of Earlston. At Tynninghame.
Original: Durham D. and C. MC 1297.
Calendared: ND, no. 482.
Date: S.D.
Note: For text see above, p. 183.
4. 20 December 1259. General confirmation of the church of Lindores to Lindores Abbey, with the other rights and possessions of the abbey within the diocese. At Lindores.
Original: Lind. Cart., no. 110.
Date: S.D.
- *5. 9 January 1262. Inspeximus of letters of William Avenel to Thomas Walens son of Adam Walens granting the latter the lands of Tarvet in Daun for a reddendo of a pair of gilt spurs or 6 pence and the forinsec service due to the king and the bishop of St. Andrews. ?At Tynninghame.
Original: Charter quoted in a confirmation issued in 1312.
SRO GD 82 no. 4.
Date: S.D.
Note: Location for issue of charter is suggested by the appearance of M. Nicholas Moffat, archdeacon of Teviotdale and rector of Tynninghame, and Sir Adam of Tynninghame among the witnesses. Two days later the bishop issued another charter from Tynninghame. See no. 6.

6. 11 January 1262. Confirmation to the Hospital of Soutra of the church of Wemyss given to the hospital by John of Wemyss and confirmed by Bishop David, saving the maintenance of the vicar of the church and the pension paid to Dysart from the church. At Tynninghame.
Printed: Midl. Chrs., no. 40.
Date: S.D.
7. 5 June 1262. Confirmation of the donation of the church of Colessie to Lindores by Roger de Quincy. The church is to continue to be held by Adam of Makerston for so long as he wishes, and afterwards it is to be served by a properly maintained chaplain. At Dairsie.
Printed: Lind. Cart., no. 142.
Date: S.D.
- *8. C.5 February 1263. Letter to Walter de Merton, chancellor of England, in favour of Nicholas Corbet who has business at the English court.
Original: PRO SC 1/7/189.
Printed: Foedera i, 331 (dated 1255).
Date: This letter is given this date in CDS i, no. 2325, where it is followed by a similarly dated letter by the bishop of Glasgow (ibid., no. 2326). Corbet's business was to do with his marriage to Margery Bolbek, an heiress (ibid., no. 2327 ff.).
9. 1264. Reconfirmation of the cathedral priory's right to freely elect their prior.
Printed: St. A. Lib., 171.
Date: While it is possible that this charter was issued after Gamelin's return from exile, it seems more likely that it was issued during the vacancy which followed the death of Prior Gilbert and preceded the election of John of Haddington.
10. 3 April 1266. Grant to Dryburgh Abbey of the land next to the church of Kilrenny, as granted to them by Bishop David, for a reddendo of 3 shillings per annum. At Inchmurdo.
Printed: Dryb. Lib., no. 19.
Date: S.D.
11. 29 January 1267. Confirmation of the church of Forgan and its chapel of Naughton and a carucate of land, to St. Andrews Priory, to be used for the maintenance of the cathedral fabric. The priory is to have full rights at the death or resignation of M. Hugh of Stirling, saving the vicarage of the church. At Dairsie.
Printed: St. A. Lib., 310-11.
Date: S.D.
12. 6 April 1267. Letter following an enquiry carried out by Robert, dean of Linlithgow, into the status of Dunipace. It was found by the dean's chapter meeting to be a chapel of Kirkton and therefore not liable to pay procurations. At Inchmurdo.
Printed: Camb. Reg., no. 85.
Date: S.D.
13. 20 June 1268. Confirmation of the grant by John Balliol and his wife of their rights in the chapel of Lauder to Dryburgh Abbey. Recited in capitular confirmation. At St. Andrews.

- Printed: Dryb. Lib., no. 11.
Date: S.D.
- *14. 28 June 1268. General confirmation to Holyrood Abbey of all its churches and possessions in the diocese. At Loch Leven.
Original: SRO RH 6/56.
Printed: Holy. Lib., no. 77.
Date: S.D.
Note: The hand of this charter appears in charters of Bishop David (Durham D. and C. MC 987+ and SRO RH 6/48) and a royal charter, Moray Chrs., Box 32, Div. IV, Bdle I, no. 6.
15. 4 October 1268. Confirmation of capitular grant of the island of St. Serf and other rights in the barony of Kirkness to Loch Leven Priory.
Printed: St. A. Lib., 178-9.
Date: S.D.
16. 19 March 1269. Ordinance for the proper serving and maintenance of vicarages in churches belonging to Dryburgh Abbey. At Inchmurdo.
Printed: Dryb. Lib., no. 40.
Date: S.D.
17. 19 March 1270. Recitation of donation of church of Forgan to St. Andrews Priory. Henry of Stirling has resigned and the chapter now obtains the rights in the church which were promised in the charter of 1267 (no. 11). At Inchmurdo.
Printed: St. A. Lib., 174.
Date: S.D.
18. 27 May 1270. Confirmation to Kelso Abbey of the churches of Gordon and Home, with provision for their being served by chaplains. At St. Andrews.
Printed: Kel. Lib. ii, no. 429.
Date: S.D.
- *19. 11 April 1271. Letter of admission to Sir Patrick Dunn to the vicarage of Dalmeny, upon the presentation of Dryburgh Abbey. At Inchmurdo.
Original: SRO CH 2/86/19 no. 2.
Date: S.D.
Note: For text and description see Appendix VII.
- *20. 14 April 1271. Confirmation of Adam of Kilconquhar's donation of the church of Kilconquhar to the nuns of North Berwick. At Inchmurdo.
Original: According to a note in the chartulary the text was taken from an original at Pannure.
Printed: N.B. Chrs., no. 21.
Date: S.D.

Lost Act

21. 1265. Agreement between the bishop and the chapter of Glasgow over the church of Smailholm.
Copied: Lost Great Register, no. 61.

E. William Wishart, bishop of St. Andrews,
3 June 1271 - 28 May 1279

- *1. 15 March 1274. Grant of an indulgence of forty days to pilgrims to the tomb of St. Cuthbert. At Durham.
Original: Durham D. and C. MC 826 (loose seal of bishop, MC 827).
2. 22 April 1277 (misprinted as 1266). Confirmation of churches and possessions to Scone Abbey. At Crail.
Printed: Scone Liber, no. 115.
Date: S.D.
3. 22 July 1277. Grant of an indulgence of forty days to Finchale Priory. At Durham.
Printed: Priory of Finchale, no. 261 (from an original, now lost).
Date: S.D.
- *4. 14 October 1277. Grant of an indulgence of forty days to those visiting the tomb of St. Cuthbert. At Durham.
Original: Durham D. and C. MC 819.
Calendared: ND, no. 483, and Rites of Durham, no. 35 (155).
Date: S.D.
5. 7 January 1278. Inspection of the letters of Adam Makerston resigning Collessie. At Monimail.
Printed: Lind. Cart., no. 145.
Date: S.D.
6. 7 January 1278-28 May 1279. Confirmation of Bishop Gamelin's confirmation of the grant of Collessie to Lindores Abbey by Roger de Quincy, including a confirmation of the resignation of the living by Adam Makerston.
Printed: Ibid., no. 146.
Date: Although the note attached to this charter in the printed cartulary says that it is impossible to determine whether the charter was issued by Wishart or Fraser, the former seems to be the more likely.

F. William Fraser, bishop of St. Andrews,
4 August 1279 - 20 August 1297

Note: With the exception of the letter to the earl of Cornwall and the Leuchars Letter of 1290, no acts which the bishop issued as Guardian of the Realm are included in this list.

1. 17 July 1281. Confirmation to Dryburgh Abbey of the teinds of the mill of Newton. At Lauder.
Printed: Dryb. Lib., no. 152.
Date: S.D.

2. 17 September 1281. Confirmation of the church and lands of Arn-gask granted to Cambuskenneth Abbey by Gilbert, lord of Fourgy. At Wedale.
Printed: Camb. Reg., no. 1.
Date: S.D.
3. 27 September 1281x. The lands of Invergelly having been resigned to the bishop by Hugh of Perisby and Margaret of Ardross, the bishop grants them to Dryburgh, retaining the reddendo paid to his predecessors. ?At Newton.
Printed: Dryb. Lib., no. 21.
Date: Soon after the letter of resignation of Margaret of Ardross, dated 27 September 1281 at Newton. Ibid., no. 20.
4. 24 September 1283. Confirmation of the grant by Hugh Blund lord of Arbuthnott of the land and patronage of the church of Garvock to Arbroath Abbey. At Monimail.
Printed: Arb. Lib. i, no. 316.
Date: S.D.
Note: Printed in HMC viii, 300 (from a charter now lost).
5. 10 June 1285. Confirmation of the donation of Elena de la Zouche, daughter of Roger de Quincy, of the church of Heriot to Newbattle Abbey. At the resignation of the rector the abbey is to have full rights, except the bishop's right of presentation to the vicarage. The vicar's portion is £20 and twenty acres of land. The stipend is to be paid by the abbot at two terms in the year and the bishop has the right to sequester the teinds of the parish to enforce payment. At Holyrood.
Printed: Newb. Reg., no. 59.
Date: S.D.
Note: Contained in capitular confirmation.
6. 5 February 1286. Sentence against Sir Henry Dunmore in his suit against the monks of May Island over the land of Turbreck in Fife. At Cupar.
Printed: St. A. Lib., 386.
Date: S.D.
7. 6 April 1286. Letter of institution to the dean of Linlithgow, ordering him to present Robert of Haddington, chaplain, to the church of Linlithgow. At Inchmurdo.
Printed: Ibid., 403.
Date: S.D.
- *8. 10 May 1286. Notification that the bishop has received hospitality on 9 May 1286 at Coldingham Priory, and that this act is not to create a precedent. At Berwick-upon-Tweed.
Original: Durham D. and C. MC 740.
Printed: ND, no. 486.
Date: S.D.
- *9. ?1286x. Inspeximus of three royal charters of endowment of the Dominican friars of Perth.
Original: NLS Adv. Ch. A. 4.
Date: After the death of King Alexander III, who is referred to as "bone memorie", perhaps during Fraser's first period as Guardian.
Note: This charter is incorrectly designated in the NLS catalogue as being a charter of Bishop Bernham.

- *10. 12 May 1288. Letter to the earl of Cornwall asking him to forbid English bailiffs from interfering with the execution of the Scottish king's will in Tynedale. At Lindores.
Original: PRO, Privy Seals, 16 Ed. II, file 8.
Printed: CDS iv, no. 1764, Appendix I, no. 6.
- *11. 11 February 1289. Notification that the bishop had received hospitality at Coldingham, which is not to create a precedent. At Coldingham.
Original: Durham D. and C. MC 1296.
Calendared: ND, no. 487.
Date: S.D.
- *12. 7 October 1290. Letter to King Edward I announcing the rumour of the death of Queen Margaret in Orkney. At Leuchars.
Facsimile: National MSS Scot. i, no. 70, and Fraser Facsimiles, no. 72.
Calendared: CDS iii, no. 459.
13. 17 March 1291. Grant of the lands of Humbie in Liston to his servant, Simon of Liston. At St. Andrews.
Printed: RMS v, no. 2271.
Date: S.D.
- *14. 27 January 1293. Confirmation to St. Andrews Cathedral Priory of the vicarage fruits of the churches of Forgan in Gowrie (Longforgan) and Forgan in Fife. The churches are to be served by suitable chaplains, saving episcopal rights. At St. Andrews.
Original: NLS 15.1.18 no. 18.
Date: S.D.
- *15. 14 June 1293. Confirmation of the bull of Innocent IV confirming the privileges and possessions of the nuns of North Berwick. The chaplains who serve in their churches are to be presented to the bishop for institution and to be answerable to him for spiritualities. At Scotlandwell.
Original: Polwarth MS at Harden, Hawick (not seen).
Printed: N.B. Chrs., no. 24.
Date: S.D.
Note: The text is contained in a capitular confirmation done at St. Andrews on 18 June 1293. This is the first surviving charter in which Fraser uses, and is referred to by, his surname. There may be something in the suggestion of Bishop Dowden that Lamberton began the regular practice of using his surname in order to avoid confusion with his two namesake predecessors. Dowden, Bishops, 22. Yet it seems possible that the practice began in the last years of the pontificate of Bishop Fraser.
16. 24 August 1293. Letter to the deans of the Merse and Haddington over the collection of money due to the bishop and Dryburgh Abbey from the church of Gullane. At Dryburgh.
Printed: Dryb. Lib., no. 243.
Date: S.D.
- *17. 27 December 1293. Letter to the prior of Durham regarding the presentation of John of Bamburgh to the vicarage of Berwick.
?At Inchmurdo.
Original: Durham D. and C. MC 652.
Date: S.D.

- *18. ?May 1294. Letter to King Edward I on behalf of King John of Scotland.
Original: PRO SC 1/20/69.
Calendared: CDS ii, no. 687.
Date: As in CDS.
- *19. 13 February 1295. Confirmation of the resignation by William Ferrers of his rights in the church of Leuchars and two acres of land to St. Andrews Cathedral Priory. At Inchmurdo.
Original: NLS 15.1.18 no. 8.
Printed: St. A. Lib., 400-2, as part of a William Lamberton confirmation of 1317.
Date: S.D.
Note: Bishop uses surname.
20. 16 May 1295. Union of the vicarage and rectory of Kirkton (St. Ninians) which belongs to Cambuskenneth Abbey. The church hereafter is to be served by a chaplain. At Falkland.
Printed: Camb. Reg., no. 114.
Date: S.D.
21. 16 May 1295. Letters patent to the dean of Linlithgow, announcing that M. William of Fowlis has resigned the vicarage rights of Kirkton in favour of Cambuskenneth Abbey. At Falkland.
Printed: Camb. Reg., no. 115.
Date: S.D.
- *22. 9 June 1295. Reissue of Bishop Malvoisin's concordat with Durham over the status of their churches in Lothian. At Dirleton.
Original: Durham D. and C. MC 1305.
Calendared: ND, no. 484.

Undated Acts

23. Grant of the mill of Nenthorn to Dryburgh Abbey.
Printed: Dryb. Lib., no. 151.
24. Confirmation of the grant by Patrick Corbet of the chapel of St. Nicholas at Fogo to Kelso Abbey.
Printed: Kel. Lib. i, 308.
Note: Fraser uses his surname in this charter, so it seems possible that it may date from the last years of his episcopate.

F. William Lamberton, bishop of St. Andrews,
5 November 1297 - 20 May 1328

1. 12 December 1300. Confirmation of the church of Dunfermline to Dunfermline Abbey. The revenues are to go to the sacristan of the abbey and the church is to be served by a chaplain. At Dunfermline.
Printed: Dunf. Reg., no. 121.
Date: S.D.

2. 25 December 1300. Inspeximus and confirmation of Bishop Fraser's vicarage union of Kirkcubright pertaining to Cambuskenneth Abbey. At St. Andrews.
Printed: Camb. Reg., no. 116.
Date: S.D.
3. 26 January 1301. Donation of the patronage of the church of Dairsie and its lands of Duff Cupar to St. Andrews Cathedral Priory. At St. Andrews.
Printed: St. A. Lib., 120.
Date: S.D.
- *4. 29 September 1302. Grant of an indulgence of forty days to those visiting the tomb of St. Cuthbert. At Durham.
Original: Durham D. and C. MC 810 (not printed).
Date: S.D.
5. 21 October 1304. Agreement before the bishop in the chapter of Arbroath, between the abbey and the bishop of Brechin over the status of the monastery's churches in Brechin diocese.
Printed: Arb. Lib. i, no. 244.
Date: S.D.
- *6. 12 December 1304. Letter to the dean of Fife and Forthriff notifying him that the rector of Dairsie has resigned and that St. Andrews Priory is now free to present their nominee to the benefice. At Inchmurdo.
Original: NLS 15.1.18 no. 23.
Date: S.D.
7. 21 December 1304. Agreement reached before the bishop in the controversy between Newbattle and Holyrood Abbeys over the lands and salt pans in the carse of Callendar. In the chapel of the king's manor at Kinghorn.
Printed: Newb. Reg., Carte Orig., XIII.
Date: S.D.
- *8. 25 April 1305. Grant of an indulgence of forty days to those visiting Durham. At Durham.
Original: Durham D. and C. MC 825.
Calendared: Rites of Durham, no. 43 (155-6).
Date: S.D.
9. 4 November 1305. Inspeximus issued with Bishop Wishart of Glasgow of the Bulls of Boniface VIII to Melrose Abbey. At Melrose.
Printed: Melr. Lib. i, no. 349.
Date: S.D.
10. 16 April 1306. Letters patent to M. Andrew Glasryth and John Abbot, dean of Fife and Forthriff, ordering them to sequester the fruits of the church of Ceres and all goods belonging to William Comyn, provost of St. Mary of the Rock, until he come into the peace of the king of Scots. At Inchmurdo.
Printed: Palgrave, Docs. Hist. Scot. i, no. 147. From a transumpt executed at Newbrough in Tynedale, 18 August 1306.
Date: S.D.
11. 9 June 1306. Letter in French to Aymer de Valence denying any part in the murder of Comyn and Bruce's rebellion. At Scotlandwell.
Printed: Ibid., no. 145.

Calendared: CDS ii, no. 1781.

Date: S.D.

12. 19 April 1309. Letters announcing that he has received of Arbroath Abbey a life right in their church of Dunbog in lieu of their annual procuration of twenty-six merks. At Arbroath.
Printed: Arb. Lib. i, no. 267.
Date: S.D.
- *13. 15 August 1309. Inspeximus of various Scottish royal charters to Durham. At Durham.
Original: Durham D. and C. MC 1300.
Printed: ND, no. 488.
Date: S.D.
- *14. 17 August 1309. Grant of an indulgence of forty days to Durham. At Durham.
Original: Durham D. and C. MC 830 (not printed).
Date: S.D.
- *15. 25 August 1309. Letters of bishop to Adam of Pontefract, monk of Coldingham, granting him absolution in accordance with a papal command. At Coldingham. Contained in notarial instrument of 17 February 1310.
Original: Durham D. and C. MC 672 (not printed).
Date: S.D.
16. 21 November 1309. Collation of vicarage of Heriot to Newbattle Abbey, to be used for the maintenance of the monastery's fabric. Letters patent. At Newbattle.
Printed: Newb. Reg., no. 61.
Date: S.D.
17. 21 November 1309. Letters patent to the dean of Haddington announcing the collation of Heriot.
Printed: Ibid., no. 63.
Date: S.D.
- *18. 12 June 1310. Letter to the official of the archdeacon of Lothian, requesting him to cite the prior of Durham, who had failed to appear at a synod at St. Andrews on 11 June, to appear before the bishop at Holyrood on 27 July to answer for the church of Edrom. At St. Andrews.
Original: Durham D. and C. MC 1351.
Calendared: ND, no. 489.
Date: S.D.
- *19. 16 August 1311-1316. Letter to Richard Kellawe, bishop of Durham, over the claim by Coldingham Priory to be exempt from contributing towards the expenses of representatives going to the council of Vienne.
Original: Durham D. and C. MC 1144.
Printed: Cold. Corr., no. 241.
Date: Day and month given. The year may be early within the possible period, for the council was held late in 1311.
Note: For a discussion of this charter see Barlow, Peculiars, 141-2.
20. 1 September 1311. Agreement between the bishop, his chapter, and the abbot and convent of Melrose over Carthaw, adjoining the

- grange of Whitley (mod. Whitlaw). At Wedale.
Printed: Melr. Lib. ii, no. 414.
Date: S.D.
- *21. 28 August 1312. Confirmation of donations of various kings of Scots, Earl Henry and the earl of Dunbar, concerning the churches of Edrom and Nesbit. At Coldingham.
Original: Durham D. and C. MC 1294.
Calendared: ND, no. 490.
Date: S.D.
22. 17 October 1312. Settlement of controversy with Arbroath Abbey over debts due to the bishop. The bishop grants a remission of all debts and dues, saving cain payments, procurations and synodals. The abbot gives up all actions against the bishop. In chapter at Arbroath.
Printed: Arb. Lib. i, no. 334.
Date: S.D.
23. 18 November 1314. Confirmation and recitation of the grant by King Robert of the church of Kinross and its chapel of Orwell to Dunfermline Abbey. At Dunfermline.
Printed: Dunf. Reg., no. 343.
Date: S.D.
24. 4 June 1316. Feucharter to Robert Lauder granting him all the bishop's lands on the Bass Rock for a reddendo of a pound of wax.
Printed: M'Crie, The Bass Rock (1848), 41-2, and in an English translation in T. Dick Lauder, Scottish Rivers (1890), 306-7 (from an original now lost).
Date: S.D.
Note: For the text of this charter see Appendix VII. It is discussed above, pp. 126, 214.
- *25. 15 July 1316. Settlement of the controversy between the abbeys of Newbattle and Holyrood over the lands and salt pans of Callendar. In special chapter at Dairsie.
Original: SRO RH 6/82.
Printed: Holy. Lib., no. 92.
Date: S.D.
26. 16 July 1316. Settlement of the controversy between the abbeys of Newbattle and Holyrood over the lands and salt pans in the carse of Callendar. In special chapter at Dairsie.
Printed: Newb. Reg., no. 161.
Date: S.D.
27. 11 December 1316. Letter to the dean of Haddington asking him not to take or demand four merks procurations from the church of Gullane, but only the four merks cain due to the bishop. At Dryburgh.
Printed: Dryb. Reg., no. 294.
Date: S.D.
28. 2 February 1317. Exchange of churches between the bishop and Kelso Abbey. The church of Nenthorn and the chapel of Little Newton, pertaining to the bishop, are exchanged for the church of Cranston. At Cranston Church.
Printed: Kel. Lib. i, no. 310.
Date: S.D.

29. 17 March 1317. The bishop, with the consent of his chapter, ratifies the exchange of Nenthorn for Cranston and the land of Preston. At Newbattle.
Printed: Ibid., no. 311.
Date: S.D.
30. 19 March 1317. Further announcement and confirmation of the exchange of churches. At Newbattle.
Printed: Ibid., no. 312.
Date: S.D.
31. 6 July 1317. Letter to the seneschal of his lands in Lothian regarding the sasine of the church of Nenthorn and its fruits by Kelso Abbey. At Monimail.
Printed: Ibid., no. 313.
Date: S.D.
Note: Letter from the seneschal to the baillie of Wedale ordering him to carry out the bishop's instructions was sent from Pittendreich, 17 July 1317. Ibid., no. 314.
- *32. 9 December 1317. Further confirmation of the church of Kinross and its chapel of Orwell, granted to Dunfermline Abbey by King Robert. At Dunfermline.
Original: NLS 15.1.18 no. 72.
Printed: Dunf. Reg., no. 604.
Date: S.D.
33. 1317. Confirmation of Bishop Fraser's confirmation of William Ferrer's resignation of his rights in the church of Leuchars and two acres of land to St. Andrews Cathedral Priory.
Printed: St. A. Lib., 400-2.
Date: Year date only.
- *34. 6 July 1318. Grant of the monastery of May and Pittenweem to St. Andrews Cathedral Priory, which is to have all the rights over the cell which Reading Abbey had. In chapter at St. Andrews.
Original: NLS 15.1.18 no. 13.
Date: S.D.
35. 19 February 1319. Confirmation of ordinances by Bishops Gamelin and William Fraser over the vicars in Dryburgh Abbey's churches within the diocese. At Dryburgh.
Printed: Dryb. Reg., no. 293.
Date: S.D.
36. 25 March 1319. Settlement of a controversy between Cambuskenneth and Dunfermline Abbeys, carried out by the Official of St. Andrews in the bishop's presence, over teinds from the old park at Stirling which has recently been brought back into cultivation. At Dunfermline.
Printed: Camb. Reg., no. 199.
Date: S.D.
- *37. 24 and 28 April 1319. Settlement of the controversy between Donoca, daughter of John son of Hervey Ab of Falkirk, and Holyrood Abbey, over lands which had been granted to the abbey by Donoca and her father. After initial proceedings both parties were summoned to appear four days later with documentary proof of their claims, but only the representative of the abbey returned. The lands were adjudged to belong to Holyrood. In the chapel of the bishop's

manor of Liston.

Original: SRO RH 6/86.

Printed: Holy. Lib., no. 91.

Date: S.D.

- *38. 11 February 1320. Letter to the dean of Fife and Forthriff, announcing that the church of Abercrombie has been resigned by its rector, William de Hecford, and granted to St. Andrews Cathedral Priory. At Torry.
Original: NLS 15.1.18 no. 19.
Date: S.D.
39. 10 November 1320. Agreement reached before the bishop in the controversy between the abbeys of Dunfermline and Cambuskenneth over the garbal teinds of Cambusbaron and the old park of Stirling. At Torry.
Printed: Dunf. Reg., no. 353, and Camb. Reg., no. 200 (memorandum).
Date: S.D.
40. 19 May 1322. Agreement between Newbattle and Holyrood Abbeys over four chalders of salt and $33/4$ per annum paid to Newbattle from the salt pans of Callendar. The payment has not been made for several years and the bishop draws up an ordinance for the payment of arrears and future payments. At Liston.
Printed: Newb. Reg., no. 148.
Date: S.D.
- *41. 7 November 1323. Ordinance in the dispute between Jedburgh Abbey and Robert Gardener, their vicar of Dalmeny. At Torry.
Original: SRO CH 2/86/19 no. 4.
Date: S.D.
Note: For text and description see Appendix VII and discussion on pp. 315 ff.
42. 1 December 1323. Confirmation to Dunfermline Abbey of the chapel of St. James on the north side of the King's Road in Dunfermline, which has been granted with rights of patronage by King Robert. The monks are to have the chapel served by two suitable chaplains. At St. Andrews.
Printed: Dunf. Reg., no. 367.
Date: S.D.
43. 8 June 1325. The bishop determines a dispute between the nuns of Manuel and William Douglas lord of Kincawel (in Calder Cler parish) over teinds and other rights from the lands of Kincawel. Chirograph. At the parish church of Lasswade.
Printed: Mort. Reg., no. 33.
Date: S.D.
- *44. 14 April 1326. Letter to the dean of Angus and the Mearns notifying him that the bishop has granted three merks of the cain paid to him from Meathielour to Coupar Angus Abbey. The dean is therefore to exact only two merks for procurations. Letter recited by dean.
Original: Moray Chrs., Box 32, Div. V, Bdle. II, no. 72.
Printed: C.A. Chrs., no. 109.
Date: S.D.
45. 3 August 1327. With the consent of his chapter, the bishop grants

the church of Bathgate to Newbattle Abbey in lieu of the pension agreed between Newbattle and Holyrood (nos. 25, 26). At Lasswade.

Printed: Newb. Reg., no. 159.

Date: S.D.

- *46. 12 August 1327. The bishop grants to Holyrood Abbey the right to present one of their number to their church of Kinneil. At Currie.

Original: SRO RH 6/91.

Printed: Holy. Lib., no. 88.

Date: S.D.

- *47. 16 August 1327. Confirmation to Holyrood of the church of Bara granted to the abbey by Sir Thomas Morham. At St. Andrews.

Original: SRO RH 6/93.

Printed: Holy. Lib., no. 90.

Date: S.D.

48. 30 April-1 May 1328. Notification that the bishop has made a visitation at Arbroath Abbey and has allowed Abbot Bernard de Linton to have the garbal teinds of the church of Abernethy and its chapel of Dron for seven years to cover the expenses of his election to the see of Sodor. If he does not obtain this office he may remain as abbot. At Arbroath.

Printed: Arb. Lib. i, no. 358.

Date: S.D.

Undated Acts

49. 1317-1323. Inspeximus of Bishop Fraser's charter regarding the land of Invergelly.

Printed: Dryb. Reg., no. 290.

Date: By William of Eaglesham as archdeacon of Lothian.

50. 1317-1323. Confirmation of the church of Greenlaw to Kelso Abbey. The vicar is to receive 100/- per annum from the fruits of the church and to have the cure of souls. In return prayers are to be said for the bishop in the abbey church.

Printed: Kel. Lib. i, no. 309.

Date: As in no. 49.

51. 1317-1323. Confirmation of the churches of Innerwick and Legerwood to Paisley Abbey.

Printed: Pais. Reg., 118-19.

Date: As in nos. 49 and 50.

52. 1318-1323. Confirmation of all churches and rights pertaining to Dryburgh Abbey.

Printed: Dryb. Reg., no. 291.

Date: As in nos. 49-51 and by Robert Lamberton as archdeacon of St. Andrews.

- *53. 14 April 1326-1328 (prob. 1328). Confirmation of the church of Meathielour to Coupar Angus Abbey. Contained in capitular confirmation.

Original: Moray Chrs., Box 32, Div. V, Bdle. I no. 28
(capitular charter).

Printed: C.A. Chrs. i, no. 112.

Date: By bishop's grant of money from Meathielour to Coupar Angus (no. 42) and date of death.

Lost Acts

54. x May 1303. Licence to the English nun, Beatrix of Hodsoch, allowing her to leave Coldstream nunnery.
Source: Letters from Northern Registers, no. 123, n. 1.
Date: Ibid.
55. x August 1305. Letter regarding presentation to the church of Uldale.
Source: Mention in Reg. Halton i, 231-3, 234.
56. Union of the vicarage and rectory of Kinnoul.
Source: Camb. Reg., no. 165.

Appendix Three

CAPITULAR ACTS: 1200-1340

A. Thomas, prior of St. Andrews, 1200-1211

- *1. 1200-1202. Confirmation of Bishop Roger's second concordat with Durham over churches in St. Andrews diocese.
Original: Durham D. and C. MC 954.
Calendared: ND, no. 468.
Date: Although the name of the prior is not given in the charter, it seems likely that it dates from the priorate of Thomas and thus forms part of a series of confirmations of Durham agreements carried out under this prior.
- *2. 1200-1202. Confirmation of Bishop Roger's 1193/4 concordat with Durham.
Originals: Durham D. and C. MC 1338, 1339.
Calendared: ND, no. 464 (from MC 1339).
Date: Between the accession of M. John as archdeacon of Lothian and the death of Bishop Roger, 7 July 1202.
- *3. First half of 1202. Agreement between Bishop Roger and the chapter, and Duncan, earl of Fife, over the churches of Kilconquhar and Kilmanny and the lands of Kilconquhar and Scoonie. Chirograph.
Original: SRO RH 6/16.
Date: Self-dated to year. Bishop Roger died 7 July 1202.
4. 1200-1209. Agreement between the chapter and Gellin, son of Gillchrist Maccussogerry. Gellin resigns his lands to take up the position of bearer of the Morbrec, in return for which the chapter promises to maintain him for his lifetime.
Printed: St. A. Lib., 329.
Date: By Thomas's accession and the death of Archdeacon Ranulf.
Note: Mrs. Marjorie Anderson has suggested that the Morbrec ("great speckled thing") was probably some sort of reliquary.
- *5. 17 August 1204 x. Confirmation of Bishop Malvoisin's agreement with Durham over the status of its churches within the diocese.
Original: Durham D. and C. MC 1304.
Calendared: ND, no. 475.
Date: Following the date of the bishop's agreement.

B. Simon, prior of St. Andrews, 1211-1225

1. 1211-1225. Agreement between the chapter and Bernard Fraser of Drem, allowing the latter to have a chapel at Drem, saving the rights of the chapter's church of Haddington.
Printed: St. A. Lib., 332.
Date: By priorate.
2. 1211-1225. Capitular ratification of Bishop Malvoisin's general confirmation of churches to Dunfermline Abbey.
Printed: Dunf. Reg., no. 105.
Date: By priorate.
3. 1215 x. Confirmation of Bishop Malvoisin's donation of 100 shillings per annum from the church of Blairgowrie to Cambuskenneth Abbey.
Printed: Camb. Reg., no. 47.
Date: By episcopal charter, ibid., no. 46. See above, Appendix II, no. 28.
4. 1219-1225 (probably late). General confirmation of episcopal charters confirming the possessions of Kelso Abbey within the diocese. At the instance of Bishop Malvoisin the chapter also confirms the agreement between the bishop and Kelso carried out by the cardinal legate John in 1201.
Printed: Kel. Lib. ii, no. 434.
Date: By accession of Ralph de Lamley as abbot of Arbroath.
- *5. 1222. Agreement between the chapter and Gillemor, a scoloc of Tairland. Chirograph.
Original: NLS 15.1.18 no. 27.
Printed: A.B. Ill. ii, 18-19. Date: S.D.
Note: For description and text, see Appendix VII.
6. 1222. Agreement with Dryburgh Abbey over the teinds of wheat from Bangelawa (Bangly Hill) in the parish of Haddington.
Printed: St. A. Lib., 323-4.
Date: S.D.
7. 1222 x. Confirmation of the agreement reached before papal judges delegate of the controversy between Dryburgh and Kilwinning Abbeys and Alan, son of Roland, constable of Scotland, over the patronage of the church of Lauder.
Printed: Dryb. Lib., no. 87.
Date: By judgement given at Irvine in 1222. Ibid., no. 84.
8. 1224. Agreement between the chapter and their vicar at Markinch and William rector of Kilgourie and his vicar over the teinds of Pittilloc.
Printed: St. A. Lib., 327.
Date: S.D.
- *9. x 1225. Confirmation of the grant of King Alexander II and Bishop Malvoisin of the church of Airlie to Coupar Angus Abbey, saving the tenure for life of Robert Hay.
Originals: Moray Chrs., Box 32, Div. V, Bdle. II, nos. 50, 51.
Printed: C.A. Chrs. i, no. 36.
Date: No. 50 is self-dated.

C. Henry of Norham, prior of St. Andrews, 1225-1236

- *1. 1225-1236. Confirmation of the grant of the church of Kettins to the Hospital of Berwick Bridge.
Original: SRO GD 28/12.
Calendared: Yester Writs, no. 12.
Date: By priorate.
2. 1225-1236. Confirmation of the agreement between Bishop Roger and Arbroath Abbey.
Printed: Arb. Lib. i, no. 149.
Date: By priorate.
Note: Original agreement printed. Ibid., no. 148.
3. 1225-1236. Confirmation of Bishop Malvoisin's confirmation of the churches of St. Vigeans and St. Murdach at Ethie to Arbroath Abbey.
Printed: Ibid., no. 152.
Date: By priorate.
Note: Original donations, ibid., nos. 150-1. See above, pp. 344-5.
4. 1225-1236. Inspection and confirmation of Bishop Malvoisin's general confirmation of Arbroath Abbey's churches.
Printed: Ibid., no. 152.
Date: By priorate.
Note: Original charter, ibid., 165. See above, p. 344.
5. 1225-1236. Confirmation of the agreement between Bishop Malvoisin and Arbroath over the presentation and maintenance of vicars in the abbey's churches.
Printed: Ibid., no. 168.
Date: By priorate.
Note: Original agreement, ibid., no. 167. See above, p. 344.
6. 1225-1236. Confirmation of Bishop Malvoisin's confirmation of the church of Gullane to Dryburgh Abbey.
Printed: Dryb. Lib., no. 28.
Date: By priorate.
Note: Original donation carried out in 1221. Ibid., no. 23.
7. 1225-1236. Confirmation of Bishop Malvoisin's confirmation to Dryburgh Abbey of certain rights in lands in the parish of Lauder.
Printed: Ibid., no. 89.
Date: By priorate, but perhaps early in this period. Some of the rights in these lands had pertained to Andrew Moray, who by 1223-4 had been elected bishop of Moray.
8. 1225-1236. Confirmation of Bishop Malvoisin's donation of the church of Hailes to Dunfermline Abbey.
Printed: Dunf. Reg., no. 104.
Date: By priorate.
9. 1225-1236. Confirmation of Bishop Malvoisin's general confirmation of churches to Dunfermline Abbey.
Printed: Ibid., nos. 106, 142.
Date: By priorate.
10. 1225-1236. Confirmation of Bishop Malvoisin's grant of the church

of Moonzie to the hospital of St. Mary, Loch Leven.

Printed: St. A. Lib., 175-6.

Date: By priorate.

11. 1225-1236. Grant of the teinds of barley and other rights to the brothers of the hospital at Loch Leven.
Printed: Ibid., 176.
Date: By priorate.
12. 1225-1236. At the petition of Bishop Malvoisin the chapter allows William Gullane and his heirs to have an oratory and chantry at Stevenston, saving the rights of the church of Haddington.
Chirograph.
Printed: Ibid., 324-5.
Date: By priorate.
13. 1225-6. Confirmation of the agreement between Bishop Malvoisin and Arbroath Abbey over cain and conveth due to the bishop from the abbey's churches.
Printed: Arb. Lib. i, no. 170.
Date: By the original agreement, ibid., no. 169. See above, p. 345.
14. 1227-1236. Confirmation of the agreement between Kirkcaldy and Dysart carried out in the presence of Abraham, bishop of Dunblane, Laurence, archdeacon of St. Andrews and Bishop Malvoisin. Issued on receipt of mandate of Honorius III.
Printed: Dunf. Reg., no. 112.
Date: By date of papal mandate and death of prior.
- *15. 1234. Agreement with William Comyn, clerk, over the serving of the capitular church of Dull.
Original: NLS 15.1.18 no. 31.
Date: S.D.
Note: For a discussion of the charter, see above, pp. 224-5.
16. 1235. Settlement of the controversy with the bishop and chapter of Moray and Lady Muriel Rothes over the hospital of St. Nicholas on the Spey, which pertains to the church of Rothes. The chapter of St. Andrews renounce any right which they claimed over the church for a payment of three merks per annum.
Printed: St. A. Lib., 326-7, and Moray Reg., no. 111.
Date: S.D.

D. John White, prior of St. Andrews,
21 May 1236-17 July 1258.

1. 1236-17 July 1258. Confirmation of Bishop Malvoisin's grant of the garbal teinds of Inverkeithing to Dunfermline Abbey.
Printed: Dunf. Reg., no. 141.
Date: By priorate, perhaps early. Malvoisin's charter was issued 1211-1222/5. Ibid., no. 102.
2. 27 December 1237x. Confirmation of Bishop Malvoisin's ordinance for the vicarage of Perth.

Printed: Ibid., no. 109.

Date: By the bishop's ordinance, ibid., no. 108.

- *3. 9 July 1238-3 June 1239. Agreement with the archdeacons of St. Andrews diocese over the election of a successor to Bishop Malvoisin.
Original: St. Andrews University Library MSS, DA 890 S1 W5.
Printed and described: Barrow, "Culdees," 39.
Date: By death of Malvoisin and election of Bernham.
4. 8 November 1240x. Confirmation of Bishop Bernham's donation of Kirkcaldy to Dunfermline Abbey.
Printed: Dunf. Reg., no. 118.
Date: By episcopal charter, ibid., no. 117.
5. 1240-1253. With the consent of Bishop Bernham, the chapter grant a licence to Duncan Ramsay to have a chapel on his land of Clatto in their parish of Lathrisk.
Printed: St. A. Lib., 328.
Date: By Bishop Bernham.
6. February 1241. Ratification of Bishop Malvoisin's general confirmation of churches and possessions to Dunfermline Abbey and Bishop Bernham's grant of Kirkcaldy, Burntisland and Woolmet.
Printed: Dunf. Reg., no. 143.
Date: S.D.
7. 2 July 1242. Inspection and confirmation of Bishop Bernham's confirmation of the right of Kelso Abbey to present their members to the churches of Horndean and Simprim, and to apply the vicarage revenues to the uses of the abbey.
Printed: Dryb. Lib., no. 39.
Date: S.D.
8. 23 August 1242x. Confirmation of Bishop Bernham's confirmation of the church of Restenneth and chapel of Forfar to Jedburgh Abbey.
Printed: HMC xiv, part 3, no. 21 (185), notarial transcript in NLS 29.4.2 ix, 97v: taken at Glamis Castle in 1789.
Date: By episcopal charter; see above, p. 348.
9. 1242. Settlement, before papal judges delegate, of the controversy between the chapter and Duncan, earl of Mar, over the lands of the churches of Tarland and Migvie.
Printed: St. A. Lib., 332-3.
Date: S.D.
- *10. 2 October 1244 x. Confirmation of Bishop Bernham's grant of Kilgadwood to Scotlandwell.
Original: From a sixteenth-century transcript from the Lost Great Register, SRO RH 6/36^B. The bishop's donation is listed among the contents of the Lost Great Register, St. A. Lib., xxviii, no. 52. See above, p. 349.
- *11. 2 July 1247. Confirmation of Bishop Bernham's charter ratifying the donation of Dalmeny to Jedburgh Abbey.
Original: SRO RH 6/37.
Date: S.D.
Note: In Lost Great Register. For description and transcript see Appendix VII.
- *12. 1247. Settlement of the controversy over lands bequeathed to the

chapter by Robert called King. Chirograph.

Original: NLS 15.1.18 no. 37.

Date: S.D.

Note: For a discussion of this charter see above,
p. 250.

- *13. 23 April 1248. Confirmation of the agreement made between Coupar Angus Abbey and Airlie over the payment of three and a half merks and two pounds of incense to be made by the abbey to the church for teinds from lands which they hold within the parish.
Original: Moray Chrs., Box 32, Div. V, Bdle. I, no. 21.
Printed: C.A. Chrs. i, no. 54. Date: S.D.
14. 8 September 1251 x. Confirmation and recitation of Bishop Bernham's grant of the church of Simprim to Kelso Abbey.
Printed: Kel. Lib. i, no. 278.
Date: By episcopal charter, ibid., no. 277.
15. 8 September 1251 x. Inspection and recitation of Bishop Bernham's confirmation of Kelso's right to present one of their number to the churches of Horndean and Simprim.
Printed: Ibid. ii, no. 424.
Date: By date given in the bishop's charter recited in this confirmation.
16. 7 June 1253. Announcement that due to the death of Bishop Bernham the case brought by the chapter against him and the "Culdees" at the papal court had been prorogued. At St. Andrews.
Printed: St.A. Lib., 26.
Date: S.D.

E. Gilbert, prior of St. Andrews,
18 August 1258-17 March 1264

1. 11 June 1262. Ratification of Bishop Gamelin's confirmation of churches and possessions to Lindores Abbey. At St. Andrews.
Printed: Lind. Cart., no. 144.
Date: S.D.

F. John of Haddington, prior of St. Andrews,
7 April 1264-3 July 1304.

1. 12 February 1264/5. Memorandum of the pleas held by the prior by the big stone on the east side of the vicar's manse at Dull, at which homage was done to him by the men of Dull.
Printed: St. A. Lib., 349.
Date: S.D.
- *2. 2 May 1268. Charter announcing that with the consent of the bishop

the chapter had granted to the prior of Loch Leven all the small teinds, obventions, mortuary dues and buildings of the church of Portmoak, reserving only the garbal teinds and teinds of sheep.

Original: St. Andrews Univ. Muniments, SL 110/4/01.

Date: S.D.

Photograph: See Plate III.

3. 20 June 1268 x. Inspection and recitation of Bishop Gamelin's charter confirming the resignation by John Balliol of the church of Lauder to Dryburgh Abbey.
Printed: Dryb. Lib., no. 11.
Date: By episcopal charter.
4. 1 August 1268. General confirmation to Loch Leven priory of all their possessions and rights within the barony of Kirkness, reserving the chapter's right to choose the priors of the house from among the members of the chapter or the cell.
Printed: St. A. Lib., 121-2.
Date: Both the St. A. Lib. and the list of charters in the Lost Great Register date this confirmation of a lost Gamelin charter to 1248. This is impossible, for Gamelin was not yet bishop. It seems that the confusion arises from the reversal of the Roman numerals xl. The case for giving it the 1268 date is further strengthened by the earlier charter relating to Loch Leven issued in this year. No. 2.
- *5. 16 November 1268. Agreement between the chapter and Thomas of Lundin, vicar of Bourtie, over certain lands pertaining to the vicar's ferme.
Original: NLS 15.1.18 no. 38.
Date: S.D.
6. 6 March 1269. Memorandum of the homage made to the prior at St. Andrews by Andrew son of Gilmur, clerach of Dull.
Printed: St. A. Lib., 349.
Date: S.D.
7. 19 March 1269 x. Inspection and confirmation of Bishop Gamelin's vicarage ordinance for payments to vicars serving Dryburgh's churches.
Printed: Dryb. Lib., no. 41.
Date: By episcopal charter, ibid., no. 40.
8. 3 June 1271 x. Capitular letter to the pope notifying him of their election of William Wishart as bishop and requesting papal confirmation.
Printed: Moray Reg., no. 261.
Date: By date of election of Wishart.
9. 1277. Indenture between the prior and chapter and Nicholas Hay over the lands of Pitpoynte.
Original: BM Harl. MS 4693 f. 35d. (abstract of James Balfour of Kinnaird).
Date: S.D.
10. 2 February 1278. Agreement with Newbattle Abbey over the teinds of the lands of Bereford, Cresswell and Prora.
Printed: St. A. Lib., 338-9.
Date: S.D.

11. 14 September 1282. Confirmation of the donation by Gilbert lord of Fourgy of the land of Ledereth and the patronage of the church of Arngask to Cambuskenneth Abbey.
Printed: Camb. Reg., no. 4.
Date: S.D.
12. 29 September 1283. Confirmation of the episcopal confirmation of Hugh Blund lord of Arbuthnott's donation of the church of Garvock to Arbroath. At St. Andrews.
Printed: Arb. Lib. i, no. 317.
Date: S.D.
13. 8 February 1284. Confirmation and recitation of Bishop Malvoisin's general confirmation of Scone Abbey's churches and possessions. In full chapter at St. Andrews.
Printed: Scone Liber, no. 117.
Date: S.D.
14. 10 June 1285. Confirmation and recitation of Bishop Fraser's charter granting Heriot to Newbattle Abbey.
Printed: Newb. Reg., no. 59.
Date: S.D.
- *15. 11 November 1286. Agreement between the chapter and Constantine of Leuchars, custodian of John son of Alexander Blair, over the mill of Nydie. Chirograph.
Original: NLS 15.1.18 no. 52.
Date: S.D.
16. 5 October 1288. Memorandum of the restitution of the land of Reddinche in Forgan to Serlo de Lascelles.
Printed: St. A. Lib., 346.
Date: S.D.
17. x10 June 1291. The prior obliges himself and his chapter to pay Galfrid of Berwick, burgess of Roxburgh, £20/16/8 for wine. Payment to be made at Pentecost at Berwick.
Printed: Ibid., 405.
Date: By date given for payment.
- *18. 18 June 1293. Confirmation and recitation of Bishop Fraser's confirmation of North Berwick's churches in the diocese. At St. Andrews.
Original: Polwarth MS at Harden, Hawick (not seen).
Printed: N.B. Chrs., no. 24.
Date: S.D.
- *19. 27 June 1295. Inspection and recitation of Bishop Fraser's confirmation of the 1203 St. Andrews-Durham concordat.
Originals: Durham D. and C. MC 1307, 1310.
Calendared: ND, no. 485.
Date: S.D.
20. xJune 1295. Grant of life right in the barony of Kirkness to M. Peter Champneys.
Printed: St. A. Lib., 176-8.
Date: The period immediately preceding Fraser's departure for France.
21. 8 January 1301. Inspection of Bishop Lamberton's confirmation of the parish church of Dunfermline to the abbey.

Printed: Dunf. Reg., no. 122.

Date: S.D.

Note: Episcopal charter, ibid., no. 121.

Lost Act

22. 1285. Confirmation of the lands of Admor in the barony of Kirkness to Lady Margaret Lindsay.

Calendared: Lost Great Register, no. 64.

Date: S.D.

Note: This grant may have been preceded by a judicial hearing, for no. 63 in the contents of the Lost Great Register was "Compositio de annuo redditu de fermis de Admoir, debitis prior S. Andree."

G. Adam Mauchan, prior of St. Andrews, 27 July 1304 - 14 August 1313

1. 1 March 1310. Confirmation of Bishop Lamberton's charter collating the vicarage of Heriot to Newbattle Abbey. At St. Andrews.

Printed: Newb. Reg., no. 62.

Date: S.D.

Lost Acts

- 2 and 3. 1306-7. Questionnaires sent to the deans of Linlithgow and Haddington regarding the activities of Thomas of Doncaster.

Note: For the probable content of these questionnaires see Barrow, "Tax Collector."

H. John of Forfar, prior of St. Andrews, 29 August 1313 - 23 September 1321

1. 1317-1323. Confirmation of Dryburgh Abbey's possessions within the diocese.

Printed: Dryb. Lib., no. 292.

Date: By Robert Lamberton and William of Eaglesham as archdeacons, therefore not absolutely datable to Forfar's priorate.

I. John of Gowrie, prior of St. Andrews,
late 1321 - 8 December 1340.

1. 12 May, 1323. Confirmation and inspection of Bishop Lamberton's charter over the payment of four merks made to him on visitations of Restenneth Priory.
Printed: HMS xiv, part 3, no. 22 (185-6).
Facsimile: Fraser Facsimiles, no. 88.
Date: S.D.
2. 1327-x20 May 1328. Charter relating the grant by Walter, prior of St. Andrews, of the lands of Rossieclerach to James of Perth. Lands were later granted to Gilbert de Hay and this charter confirms this transaction, saving the church of Rossieclerach and its appurtenances.
Printed: Errol Papers, Part 4, no. 22 (317-18) in Spalding Misc. ii.
Date: By Alexander of Kinninmonth as archdeacon of Lothian and death of Bishop Lamberton.
- *3. 16 August 1327. Confirmation of Bishop Lamberton's charter granting Holyrood Abbey the right to present one of their number to the vicarage of Kinneil.
Original: SRO RH 6/92.
Printed: Holy. Lib., no. 89.
Date: S.D.
- *4. x20 May 1328. Inspection and recitation of Bishop Lamberton's charter confirming the church of Meathielour to Coupar Angus Abbey. To be served by perpetual chaplain.
Original: Moray Chrs., Box 32, Div. V, Bdle. 1, no. 28.
Printed: C.A. Chrs. i, no. 112.
Date: Probably before death of Lamberton.

Appendix Four

CALENDAR OF LOCAL OFFICIALS' ACTS

A. Archdeacons' Acts

- *1. 16 May 1200-7 July 1202. John of Leicester, archdeacon of Lothian, announces Bishop Roger's second concordat with Durham.
Original: Durham D. and C. MC 1238 (copied in Cart. Vet. f. 110r (xvii)).
Printed: ND, no. 509.
Date: By Durham agreement and death of Bishop Roger.
- *2. 1 May, 1203-1209. Radulf, archdeacon of St. Andrews, and Laurence the Official, acting on behalf of the bishop, settle a dispute between Coupar Angus Abbey and the church of Blairgowrie. Chirograph recording agreement reached in synod at Perth.
Original: EM Cott. Ch. xviii.33.
Printed: Stevenson, Illustrations, no. 11.
Date: Day and month given in charter; years by Laurence as Official.
3. 1212 x. Quit claim by Laurence, archdeacon of St. Andrews, for himself and his successors of all pleas which pertain to the lands within the Cursus Apri which he has granted to the chapter.
Printed: St. A. Lib., 347.
Date: By agreement with chapter in 1212. Ibid., 315-16.
4. 1212 x. Laurence, archdeacon of St. Andrews, confirms that he has received the lands of Balgove and Strathtyrum and other rights from the chapter of St. Andrews.
Printed: St. A. Lib., 27.
Date: As in no. 3.
5. 1209-1238. Laurence, archdeacon of St. Andrews, issues letter confirming that he has heard from trustworthy men that the church of Naughton was granted by Alan Lascelles to St. Andrews and is held by Gervase de Néauflé.
Printed: St. A. Lib., 107-8.
Date: By Laurence as archdeacon, but probably in second or third decade of the century.
6. 19 March 1317. William of Eaglesham, archdeacon of Lothian, announces and confirms the exchange of churches between Bishop Lamberton and Kelso Abbey. Newbattle.
Printed: Kel. Lib. i, no. 315.
Date: S.D.
- *7. 21 August, 1323. Memorandum of a sworn inquest held by Robert (Lamberton), archdeacon of St. Andrews, into the serving of the parish church of Lathrisk and its chapel at Kettle.
Original: NLS 15.1.18 no. 36.
Date: S.D.

- *8. 12 October 1323. William of Eaglesham, archdeacon of Lothian, holds an inquest into the lands pertaining to the vicar of Dalmeny and Jedburgh Abbey. At Dalmeny.
Original: SRO CH 2/86/19 no. 3.
Date: S.D.
Note: For text and description, see Appendix VII.

B. Archdeacon's Official's Act

- *1. 25 February 1283. Letter of Nicholas of Lochmaben, Official of the archdeacon of Lothian, announces the settlement "in our chapter" of a controversy between Coldingham Priory and a knight over a stone of wheat owed to the monastery. At Mordington. With "our seal" and that of the dean of the Merse.
Original: Durham D. and C. MC 1206.
Printed: ND, no. 511.
Date: S.D.
Note: Lochmaben's seal is described in Greenwell and Blair, Seals, no. 3636.

C. Rural Deans' Acts

- *1. 1225-1234. R. dean of Lothian, Robert of Methven acting on behalf of M. Alexander of St. Martin, announce that they have carried out a taxation enquiry into the vicarage revenues of Linlithgow, valued at 30 merks. With seals.
Printed: St. A. Lib., 403.
Date: By R. dean of Lothian and Alexander of St. Martin, as archdeacon's Official.
- *2. 1225-1234. R. dean of Lothian, John rector of Pencaitland and Robert of Methven and Richard of Kelso, rector of Kinghorn, announce that they have carried out an inquest into the vicarage revenues of Haddington.
Original: BM Cott. Ch. xviii.36.
Printed: Stevenson, Illustrations, no. 17.
Date: As in no. 1.
- *3. 29 November 1289. William, dean of the Merse, cites Sir David Graham over the payment of money to the Holy Land subsidy. At Eccles.
Original: Durham D. and C. MC 1049.
Date: S.D.
- *4. ?11 August, 1292. Summons by dean of Fife and Forthriff to a meeting of clergy and laity of Forthriff in the parish church of In(?verkeithing) to discuss the papal collection: perhaps to make new assessment for deanery. At Cupar.
Original: NLS Acc. 3958.
Date: S.D.

- *5. Early August 1292. Summons by dean to (rectors, vicars) and parish chaplains in Fife and Forthriff, reciting a letter of Alpin, Official of St. Andrews, regarding the collection of Holy Land obventions.
Original: NLS Acc. 3958.
Date: Partially obliterated, but at about the same time as no. 4.
- *6. 22 February 1293 x. Letter of dean of Linlithgow to prior of Coldingham, acknowledging his appointment by the bishop of Carlisle as collector in the archdeaconry of Lothian of the Holy Land subsidy.
Original: Durham D. and C. Loc . xix . 19.
Date: By letters of prior, which are recited in the charter.
7. 12 June 1295. Patrick, dean of Linlithgow, announces that he has inducted the abbot and convent of Cambuskenneth to the vicarage of Kirkton (St. Ninians, Stirling), following the resignation of William Foulis. At Cambuskenneth.
Printed: Camb. Reg., no. 111.
Date: S.D.
- *8. 22 January 1307. Letter of the dean of Linlithgow, in reply to a letter from the prior of St. Andrews, announcing the results of an inquest into the activities of the friar Thomas of Darlington in his deanery. At Linlithgow.
Original: PRO E 135/10/1.
Printed: CDS iv, Appendix I, no. 12.
Date: S.D.
- *9. 26 January, 1307. A similar reply from the dean of Haddington. At Haddington.
Original: PRO SC 1/48/38.
Date: S.D.
- *10. 18 October 1326. Adam, dean of Angus and the Mearns, announces that he has received letters from Bishop Lamberton, by the hand of a monk of Coupar Angus, about the change in the collection of procurations and other payments which he is to take at the church of Meathielour.
Original: Moray Chrs., Box 32, Div. V, Bdle. II, no. 72.
Printed: C.A. Chrs. i, no. 109.
Date: S.D.

D. Officials' Acts

- *1. 1 May 1203-1209. Sec Section A no. 2 (p. 376 above).
2. 12 October 1282. Letter of Baldred Bisset, Official, to the dean of Fife and Forthriff, announcing the resignation of the church of Arngask to Cambuskenneth and asking that he oversee the institution of the abbey to the benefice.
Printed: Camb. Reg., no. 3.
Date: S.D.
- *3. C.1292. Letter of Alpin, Official, and William, rector of Garvock, acting on behalf of the bishop of Carlisle, in collecting revenues

north of the Forth, ordering the collection of Holy Land revenues.

Original: NLS Acc. 3958.

Date: By the letters of the dean of Fife and Forthriff,
Section C nos. 4-5 (pp. 377-8 above).

Note: Because of the difficulties of reading this MS it is
not certain whether this is more than a letter issued
by the rector acting on instructions from the Official.

- *4. 3 August 1313. William (of Eaglesham), Official of the Court of St. Andrews, and Andrew of Glasserth issue interlocutory sentence in case between the priory of May and Scone Abbey.

Original: SRO RH 6/76.

Printed: Scone Liber, no. 148.

Date: S.D.

5. 15 March, 1324. William of Eaglesham, Official of the Court of St. Andrews, hears case between Arbroath and William, perpetual vicar of Arbirlot, over his arrears due to the monastery. At Arbroath. With Official's seal.

Printed: Arb. Lib. i, no. 351.

Date: S.D.

Note:- See also Appendix II, F, no. 36 (p. 362 above).

E. Rural Chapters

1. 26 March 1221. In presence of rural chapter of the Merse, meeting at Ednam, the abbot of Dryburgh, the prior of Coldingham and Laurence, archdeacon of St. Andrews, acting at the request of the legate James, settle the dispute between Kelso Abbey and Alan Montgomery over the teinds and other rights due from the land of Innerwick. Witnessed by the chapter of the Merse.

Printed: Kel. Lib. i, no. 259.

Date: S.D.

2. 1225-1234. Laurence, archdeacon of St. Andrews, Alexander of St. Martin and Radulf, dean of Lothian, in the chapter of Lothian hear the case between Dryburgh Abbey and the nunnery of North Berwick over the teinds of a boat belonging to the canons in the island of Elbotyll.

Printed: Dryb. Lib., no. 108.

Date: By dates of Alexander of St. Martin as archdeacon's official and Radulf as dean of Lothian.

3. 1242. M. William Mortimer, Official, Baldred, dean of Lothian, hear the case between the priory of May and Patrick the chaplain of Dunbar over certain houses and lands in Dunbar which the monastery claims. In chapter of Lothian.

Printed: St. A. Lib., 390-1.

Date: S.D. to year.

4. 5 August 1245. The abbot of Dryburgh, M. William of Greenlaw, Adam of Makerston, and Henry of Holton in a meeting of the chapter of East Lothian meeting in the church of Lauder hear the controversy between the cathedral chapter of St. Andrews and the nuns of Haddington over the teinds of Haddington and a carucate of land at Drem and two bovates of land at Stevenston and other questions.

Printed: Ibid., 329-31.

Date: S.D.

5. 14 November 1246. Andrew of Aberdeen, Official of St. Andrews, M. Andrew, official of the archdeacon of St. Andrews, and Richard, dean of Gowrie, in a meeting of the chapter of Angus in the parish church of Forfar settle the controversy between Arbroath Abbey and Coupar Angus over teinds from part of the land of Ardory. Witnessed by the chapter.

Printed: Arb. Lib. i, no. 365.

Date: S.D.

Appendix Five

PARISH CHURCHES AND PARISH CHAPELS
IN THE DIOCESE OF ST. ANDREWS

This list is based on the taxation list in St. A. Lib., 28-38.

The dedications are derived from J.M. Mackinlay's Ancient Church Dedications in Scotland: Scriptural and Non-Scriptural (Edinburgh, 1910 and 1914) unless otherwise noted. The notes on the thirteenth-century status of the churches are primarily derived from Cowan, Parishes.

A. Archdeaconry of Lothian

	<u>Value</u>	<u>Dedication</u>	<u>Status</u>
<u>1. Deanery of Linlithgow</u>			
Strivelin (Stirling)	60 mks.	B.V.M.	Dunfermline Abbey vicarage x1275
Penicok (Penicuik)	20 mks.	St. Mungo	Independent
Pentland	12 mks.		Independent
Lessewade (Lasswade)	80 mks.	St. Edwin	Mensal ch. of bp. vicarage x1275
Maleville (Melville)	20 mks.	St. Andrew	Dunfermline Abbey (patronage)
Wymeth (Woolmet)	20 mks.	?B.V.M.	Dunfermline Abbey vicarage x1240
Dodinistun (Duddingston, formerly Traverlen)	25 mks.		Kelso Abbey
Lastalrig (Restalrig)	25 mks.	St. Triduana	Independent patron- age in lay hands
Sancti Egidii (St. Giles, Edinburgh)	26 mks.	St. Giles	Hospital of St. Lazarus
Sancti Cuthberti sub Castro (Edinburgh)	160mks.	St. Cuthbert	Holyrood Abbey vicarage 1251
Gogger (Gogar)	12 mks.		?Independent
Halis (Hailes)	60 mks.	St. Cuthbert	Dunfermline Abbey vicarage 1226x
Ratheu (Ratho)	70 mks.	B.V.M.	Bishops of St. A.
Kildeleth (Kinleith, now Currie)	50 mks.	St. Mungo	Archdeacon of Loth- ian, 1275x1296
Neuton (Kirknewton)	15 mks.		?Dunfermline Abbey
Keldor Cler (Midcalder)	30 mks.	St. Cuthbert	Kelso Abbey vicarage c.1251

ERRATUM

The following two entries should be inserted after "Varia Capella":-

Slethmanin (Slamannan)	4 mks.	St. Laurence	Independent; patronage in lay hands
Dunipas (Dunipace, now with Denny)	30 mks.		Cambuskenneth (as a chapel of St. Ninians, Stirling)

Keldor Comitis (W. Calder)	40 mks.	?St. Cuthbert	Grant to Dunfermline ineffective; independent
Binin (Binny)	10 mks.	St. Giles	St. Andrews, as chapel of Linlithgow
Strathbrok (now Uphall)	40 mks.	St. Nicholas	Independent; St. Mary of the Rock in 15th c.
Eglismanin (Ecclesmachan)	24 mks.	St. Machan	Independent, in patronage of bp.
Leuiniston (Livingston)	25 mks.		Holyrood Abbey vicarage 1202x1238
Bathket (Bathgate)	30 mks.		Holyrood in 12th c.; to Newbattle by 1316; vicarage 1251
Dunmanyn (Dalmeny)	50 mks.	St. Cuthbert	Jedburgh Abbey vicarage 1233x40
Listun (Kirkliston and Temple Liston)	70 mks.		Bishop's <u>mensa</u> ; patronage with bishop
Karedin (Carriden, Cardean)	25 mks.		Holyrood Abbey vicarage 1251
Kinel (Kinneil, now Borrowtounness; Bo'ness)	25 mks.	St. Katherine	Holyrood Abbey: vicarage 1251, but collated to abbey in 1327
Linlidcu (Linlithgow)	110 mks.	St. Michael	St. Andrews vicarage c.1230
Varia Capella (Ecclesbrec, Falkirk)	120 mks.	St. Modan	Holyrood Abbey vicarage 1251
*SEE ERRATUM SLIP			
Lethberd (Larbert)	4 mks.		Cambuskenneth (as chapel of St. Ninians, Stirling)
Kirketun (Eccles, St. Ninians, Stirling)	60 mks.	St. Ninian	Cambuskenneth: vicarage in 13th c., but collated to abbey by 1295
Herth (Airth)	65 mks.	St. Peter	Holyrood Abbey vicarage, 1275
Bothkenner (Bothkennar)	20 mks.	?St. Kennera	Eccles Nunnery by 1250
Aldkathin (Auldcathie, in Kirkliston)	4 mks.		St. Andrews

2. Deanery of Lothian

Aldhamstok (Oldhamstocks)	60 mks.	St. Michael	Independent
Innerwike (Innerwick)	30 mks.	St. Michael	Paisley Abbey
Dunbar with chapel of Whithinham (Whittingehame)	180 mks.		Independent: collegiate church by 1342
Tynningham (Tynninghame)	40 mks.	St. Baldred	Lands and patronage to bishop
Chapel on Bass Rock		St. Baldred	Bishop of St. Andrews
Hamir, (Hamere, Whitekirk)	10 mks.	Our Lady of Fairknowe	Holyrood Abbey: vicarage in 13th c.
Aldham (Auldham)	6 mks.	St. Baldred	Independent
Lintun (E. Linton)	100 mks.	?St. George	Independent vicarage by 13th c.
Northberwyk (North Berwick)	60 mks.	St. Andrew	North Berwick Nunnery: vicarage x1274

Hadingtun (Haddington)	120 mks.	B.V.M.	St. Andrews vicarage xl230
Chapel of St. Martin, Nungate, Haddington	5 mks.		Haddington Nunnery by xl298
Elstanford (Athelstane- ford)	10 mks.		Haddington Nunnery ?served by chaplain in late 13th c.
Garvald	15 mks.		Haddington Nunnery
Barwe (Bara)	25 mks.		Holyrood Abbey by 1327
Morham	20 mks.		?Independent
Bothan (Bothans, now Gifford)	30 mks.	St. Cuthbert	?Independent; collegi- ate church in 15th c.
Boultun (Bolton)	20 mks.		Holyrood Abbey vicarage 1251
Sawiltun (Saltoun)	30 mks.	St. Michael	Dryburgh Abbey vicarage 1268
Penkatland (Pencaitland)	40 mks.		Kelso Abbey
			North Berwick Nunnery retained certain rights when granted to Dryburgh in 1221; vicarage 1268
Golyn (Gullane)	80 mks.	St. Andrew	?Independent: collegi- ate church in 15th c.
Setun (Seton)	18 mks.	Holy Rood	Holyrood Abbey vicarage 1251
Travernent (Tranent)	65 mks.	St. German (CPL i, 538)	Dunfermline Abbey vicarage 1202x38
Muskelburk (Musselburgh: Inveresk)	70 mks.	St. Michael	Kelso Abbey vicarage 1240
Cranistun (Cranston)	40 mks.		?Independent
Krektun (Crichton)	30 mks.	St. Mungo	Kelso Abbey
Kethundeby (Humbie)	30 mks.		Independent
Kethmarchal (Keith Marischal)	12 mks.		Independent
Faulawe (Fala)	6 mks.	St. Modan	Independent
Louchwhoruir (Loch- warret: Borthwick)	40 mks.	St. Mungo	Scone Abbey; rectory collated by 1283
Kerintun (Carrington)	18 mks.		Scone Abbey; served by chaplain
Kokpen (Cockpen)	20 mks.		?Independent: to Newbattle in 1356
Clerctun (Clerkington)	8 mks.		Independent: to New- battle in 14th c.
Maystertun (Masterton, now Newbattle)	4 mks.	B.V.M.	Newbattle, 1320
Herieth (Heriot)	30 mks.	B.V.M.	Newbattle Abbey vicarage 1285
Muntlouthian (Mount Lothian, now Temple)	12 mks.	B.V.M.	Holyrood 1240 chaplainry 1251
Herviistun (Ormiston)	12 mks.	St. Giles	Soutra Hospital by 1218x21

3. Deanery of the Merse

Aldekambus (Oldcambus)	15 mks.	St. Helen	Durham: vicarage by 14th c.
Koldingham cum capella (Coldingham)	120 mks.	B.V.M.	Durham, served by chaplains

Lambirtun (Lamberton)	15 mks.	St. Lambert	Durham: vicarage 1271
Berwyk (Holy Trinity, Berwick upon Tweed)	110 mks.	Holy Trinity	Durham
Mordingtun, with Long- formacus	24 mks.		?Independent
Fulden (Foulden)	24 mks.		Independent, patron- age in lay hands
Chirneside (Chirnside)	50 mks.		?Independent
Ederham (Edrom) chapel at Nisbet	100 mks.		Durham: vicarage 1274
Duns	110 mks.		?Hospital of Duns
Ellum (Ellem, now in Cranshaws)	26 mks.		Hospital of Duns, x1247
Craneschawes (Cranshaws)	12 mks.	St. Ninian	Independent: patron- age in lay hands
Sancti Boythani (St. Bathans)	1 mk.	St. Cuthbert	St. Bathans's Nunnery, both rectory and vicarage
Langetun (Langton)	30 mks.	St. Cuthbert	Kelso Abbey vicarage 1240
Fissewyk (Fishwick)	30 mks.		Durham, Coldingham vicarage 1275
Horvenor (Horndean)	100 mks.		Kelso Abbey: chap- laincy, c.1250
Aytun (Ayton)	24 mks.	St. Dennis	Durham, Coldingham chapel of Coldingham
Hupsetintun (Upsettling- ton)	20 mks.		Independent: patron- age in lay hands
Hiltun (now in Whitsome)	18 mks.		Independent: patron- age in lay hands
Wytholme (Whitsome)	45 mks.		Independent: patron- age in lay hands
Simpringe (Simprim)	15 mks.		Kelso Abbey: chap- laincy 1251
Swyntun (Swinton)	35 mks.	B.V.M.	Durham, Coldingham, vicarage by 13th c.
Leynolf (Lennel with the Hirsel)	30 mks.		Coldingham chaplancy
Foghou (Fogo)	40 mks.		Kelso Abbey ?pen- sionary vicarage
Poulwrd (Polwarth)	12 mks.	St. Mungo	Independent: patron- age in lay hands
Grenlawe (Greenlaw) chapels at Haliburton and Lambden	45 mks. 4 mks.	?St. Helen	Kelso Abbey vicarage annexed to abbey 1316x23
Gordin (Gordon)	30 mks.	St. Michael replacing St. Oswold	Kelso Abbey chaplains, 1270
Home	24 mks.	St. Nicholas	Kelso Abbey: vicar- age annexed to abbey, 1270
Stichil(Stitchill)	35 mks.		Durham, Coldingham vicarage 1232
Edinham (Ednam)	55 mks.	St. Cuthbert	Durham, Coldingham vicarage 1275

Eccles chapels at: Brigham (Birgham) Letham (Leitholm) Mersintun (Mersington)	100 mks.	St. Cuthbert St. Magdalene B.V.M. St. John	?Eccles Nunnery chaplaincy Kelso, then Durham: vicarage by late 12th c. Lay patronage Kelso Abbey: pension- ary vicarage Dryburgh Abbey: vicar- age annexed, served by canon Paisley Abbey: vicar- age, early 13th c. Bishop's <u>mensa</u> ; pen- sionary vicarage by 1275 Dryburgh, 1250 vicarage, 1268 Dryburgh Abbey originally chapel of Channelkirk
Hersildun (Earlston)	60 mks.		
Smalham (Smailholm)	45 mks.		
Malkarvistun (Makerstoun)	20 mks.		
Meritun (Mertoun)	40 mks.	St. Ninian	
Liggerswde (Legerwood)	40 mks.		
Wedhal (St. Mary's, Stow of Wedale)	70 mks.	St. Mary	
Childinchurche (Channel- kirk)	40 mks.	St. Cuthbert	
Lawedir (Lauder)	90 mks.	B.V.M.	

Note: Nenthorn is not included on this list. It had been granted to Durham in the twelfth century, as a chapel of Ednam. It was then granted to the bishops of St. Andrews in lieu of procurations by the late twelfth century. In the late thirteenth-century taxation roll contained in Cold. Corr., no. 110, its value is given as £33/6/8. It was exchanged for Cranston in 1316.

B. Archdeaconry of St. Andrews

	<u>Value</u>	<u>Dedication</u>	<u>Status</u>
<u>1. Deanery of Forthriff</u>			
Clakmanan (Clackmannan)	40 mks.	St. Serf	Cambuskenneth Abbey vicarage, late 12th c.
Mukard (Muckhart)	10 mks.		Bishop of St. Andrews Loch Leven, then Scot- landwell by 1250/1
Kernoch (Carnock)	100/-	St. Cearnach	Independent, ?some episcopal rights in church
Torry (also Torryburn)	7 mks.		Dunfermline Abbey 1300 vicarage annexed to sacristan's <u>mensa</u> , thereafter served by chaplain
Dunfermelin (Dunferm- line) with chapel at Inverkeithing	£100	Holy Trinity and St. Marga- ret of Scotland	

Inverkethin (Inverkeithing)	45 mks.	St. Peter	Dunfermline vicarage est. by 1212 and in patronage of Mowbrays
Kingorn Parva (Burnt-island, formerly Wester or Little Kinghorn)	100/-	St. Serf	Dunfermline chaplaincy by 1240
Magna Kingorn (Kinghorn)	65 mks.	St. Serf	Holyrood Abbey
Kirkaldin (Kirkcaldy)	24 mks.	St. Brigid	Dunfermline Abbey vicarage by early 13th c. ?Independent: to St. Mary of the Rock by 15th c.
Dishard (Dysart)	20 mks.	St. Serf	Hosp. of Soutra c.1239; vicarage by 1261
Wemis (Wemyss)	12 mks.	St. Cuthbert	Independent, patronage with bishop
Methkil (Methil)	5 mks.		Dunfermline vicarage x1275
Kles (Cleish)	10 mks.	St. Cuthbert	Dunfermline by Robert I: vicarage 1317
Kinros (Kinross) with chapel at Orwell	35 mks.	St. Serf	Loch Leven, then St. Andrews; chaplaincy 1268
Porthmook (Portmoak, Kirkness)	24 mks.	St. Moan and St. Stephen	Loch Leven; then bishop of Dunkeld
Hurwharderich, with chapel (Auchterderran)	30 mks.		Dunfermline vicarage 1226x
Kilglassi (Kinglassie)	40 mks.	St. Glastian	Loch Leven, then St. Andrews: vicarage 1240
Markinge (Markinch)	45 mks.	St. Drostan and St. John Baptist	St. Andrews: perpetual vicarage, x1329
Kilgoueri (Kilgourie in Falkland)	20 mks.	?St. Ninian	Lindores Abbey by 1350: perpetual vicarage by 14th c.
Hucdirdmukedi (Auchtermuchty)	45 mks.	St. Serf	Cambuskenneth in 1281: vicarage annexed at same time
Ardgrosc (Arngask)	6 mks.	St. Columba	Independent: patronage to bishop
Forthir (Kirkforthar)	4 mks.		Bishops by 1450
Quilte (Cults)	15 mks.		St. Andrews vicarage 1258
Losresk, with chapel at Kettle (Lathrisk)	35 mks.	St. Ethernask, St. John Ev.	

2. Deanery of Fife

Karal (Crail)	80 mks.	St. Malrubha, later B.V.M.	Cambuskenneth, rectory with nuns of Haddington: vicarage by 13th c.
Kilretheni (Kilrenny)	26 mks.	St. Ernan	Dryburgh Abbey: vicarage 1268
Ayristrother (Anstrother)	10 mks.	St. Ethernask	May Priory, 1225: pensionary vicarage
Abircrumbyn (Abercrombie, now in St. Monance)	6 mks.	St. Margaret	St. Andrews, 1319: vicarage by 14th c.

Kellyn (Kellie: Carnbee)	80 mks.		Dunfermline Abbey
Kilkunekath with chapel (Kilconquhar)	100 mks.	?St. Duncan	North Berwick 1202: vicarage by early 13th c.
Nithbren (Newburn)	26 mks.	St. Serf	Dunfermline Abbey vicarage x1274
Largauch (Largo)	50 mks.		North Berwick: vicar- age by early 13th c.
Sconyn (Scoonie)	33 mks.	St. Modwenna	Loch Leven; then St. Andrews
Kennachyn (Kennoway)	30 mks.	St. Kenneth	St. Andrews vicarage 1240
Syrays (Ceres)	35 mks.	(St. Cyrus) St. Curiq	Provostry of St. Mary of the Rock by 1275
Terveth (Tarvet: Tarvit)	10 mks.	St. Michael	Archdeaconry of St. Andrews 1209x12 (see Kinneff)
Kenbak (Kemback)	15 mks.		Prebend of St. Salva- tor's College in 15th c.
Duneynach (Dunino)	15 mks.		Gift of bishop? St. Salvator's Coll- ege in 15th c.
Sancte Trinitas de Sancto Andrea (Holy Trinity, St. Andrews)	100 mks.	Holy Trinity	St. Andrews: vicarage annexed by 1255 and thereafter served by canons
Lochris with chapel (Leuchars)	120 mks.	St. Ethernask	St. Andrews, patronage with de Quincys till 1304, then served by canons
Forgrund (Forgan) chapel at Naughton	70 mks.	St. Fillan	St. Andrews: perpetual vicarage annexed in 1292, thereafter pen- sionary vicarage
Loginmurthak (Logie- murdoch: Logie)	20 mks.	St. Luag	Independent; later to Balmerino Abbey
Kilmanyn (Kilmany)	50 mks.	?St. Monan	Patronage with bishop
Flisk with chapel	24 mks.	St. Adrian	Independent
Lundors (Lindores: Abdie)	24 mks.	St. Adrian	Lindores Abbey by 1198, served by chaplain
Culesy (Collessie)	36 mks.		Lindores 1262; per- petual vicarage 1262
Monimel (Monimail)	40 mks.		Bishop's <u>mensa</u> , perpet- ual vicarage in 1329
Creyh with chapel (Creich)	12 mks.	St. Serf	Lindores by early 15th c.
Dunbolg (Dunbog)	15 mks.		Arbroath Abbey: per- petual vicarage x1240
Cupir (Cupar)	35 mks.	St. Christopher	St. Andrews: perpet- ual vicarage x 1240
Hutremunesy (Moonzie)	10 mks.	Holy Trinity (St. A. Lib., 175)	Loch Leven c.1225, then Scotlandwell 1250/1: pensionary vicarage

Dervesyn (Dairsie)	30 mks.	St. Mary	St. Andrews: patronage rights remain with bp. until 1304 and erection of perpetual vicarage
<u>3. Deanery of Gowrie</u>			
Scona (Scone)	50 mks.	St. Monenna	Scone Abbey served by canon
Potyn (Pottie, Kirkpottie, now in Dron) chapel at Dunbarny	40 mks.	St. Pothinus, martyr of Lyons	Independent: later to Dunfermline
Ferthevieth with chapel (Forteviot)	30 mks.	St. Andrew	Ineff. grant to Cambuskenneth: 15th c. prebend of St. Salvator's College: ?vicarage pensionary
Methphen with chapel (Methven)	24 mks.	St. Methven (St. Bean)	Collegiate church in 15th c.
Lumphortyn (Luncarty)	2 mks.	St. Fillan	Independent: does not always appear as part of diocese
Perth with chapel (St. Johnston)	100 mks.	St. John Ev.	Dunfermline Abbey: vicarage 1237
Cambusmichel (now in St. Martins)	6 mks.	St. Michael	Scone Abbey chaplaincy
Blare (Blairgowrie)	24 mks.	?St. Ninian	Cambuskenneth claimed certain rights: g. to Scone in 14th c.
Kulas (Collace)	15 mks.	St. Ewan	Independent: patronage with bishop
Banevill (Benvie, now with Liff)	100/-		Independent: from 1293 Scrymgeours had patronage
Foulis (Fowlis Easter)	15 mks.	St. Marnoch	St. Andrews vicarage 1202x3
Forgrund (Forgan, Longforgan)	60 mks.	St. Modenna	St. Andrews, but bp. apparently retained some interest in the living and the lands. Vicarage in 13th c., sometimes served by canons
Rossinclerach (Rossie, now in Inchtüre)	26 mks.	St. Conan of Tyrconnel and St. Laurence	St. Andrews: perpetual vicarage 1240
Inchethor with chapel (Inchtüre)	60 mks.		St. Andrews
Kynspinedy (Kilspindie)	30 mks.	?St. Pensandius	Independent: g. Scone by bp. in 1395
Rath (Rait)	10 mks.	St. Peter	Scone
Erole (Errol)	90 mks.		Coupar Angus 1331x3
Kynul (Kinnoul)	40 mks.	St. Constantine	Independent: Cambuskenneth, 1361.
Kynefaunis (Kinfauns)	15 mks.		Chapel of Scone
Rinde (Rindalgros, now Rhynd)	12 mks.		May Priory, 1231; perpetual vicarage in 13th c.

4. Deanery of Angus

Lyndyn with chapel (Lundie)	24 mks.	St. Laurence	Independent
Lif (Liff, now with Benvie)	8 mks.	St. Mary	Scone Abbey chaplaincy
Invergovernyn (Invergowrie)	8 mks.	St. Peter and St. Boniface	Scone Abbey chaplaincy
Logindunde (Lochee in Dundee)	12 mks.	St. Drostan	Scone Abbey ?chaplaincy
Strathey Martin (Strathmartin with Mains)	10 mks.	St. Martin	Soutra Hospital; vicarage served by brothers
Strathey Ninian (Strath-echtyn Comitis, now Mains)	16 mks.	St. Ninian	Arbroath Abbey: perp. vicarage 1204x1211
Moreus (Murroes)	20 mks.		Arbroath Abbey: perp. vicarage by 13th c.
Monifoith with chapel (Monifieth)	40 mks.	St. Rule	Arbroath Abbey: perp. vicarage by 13th c.
Barry (formerly Fothmureve, Barry)	30 mks.	St. Marnoch, later St. Stephen	Arbroath Abbey
Aberelloch (Arbirlot)	30 mks.	St. Ninian	Arbroath, 1211x14; vicarage by 13th c.
Aberbrothoc and Athyn with chapel (Arbroath and Ethie)	£70	St. Vigean and St. Murdach	Arbroath Abbey: vicarage by 13th c.
Inverketheler with chapel (Inverkeillor)	50 mks.	St. Conan	Arbroath Abbey: vicarage by 13th c.
Inverlunan (Lunan)	15 mks.	?St. Lunan (Lonan)	Arbroath Abbey
Inchebryok with two chapels (Inchbraoch: Rossie Island)	30 mks.	St. Brioc	In bishop's <u>mensa</u> by 15th c.
Ketenis (Kettins)	55 mks.	St. Brigid	Hosp. of St. Edward, Berwick 1225x1236: vicarage served by friars
Neutyl (Newtyle)	30 mks.		Arbroath Abbey: vicarage by 13th c.
Nevith (Nevay with Eassie)	14 mks.	?St. Nevydd	Independent: ?patronage with bp.
Essy (Eassie with Nevay)	20 mks.	St. Fergus	Independent: in bp.'s patronage by 16th c.
Erolyn (Airlie)	50 mks.	St. Medan	Coupar Angus 1231x3: vicarage pensioner
Lumtrethyn (Lintrathen)	20 mks.	St. Medan	Independent in 1275
Kerimor (Kirriemuir)	30 mks.	St. Mary	Arbroath Abbey 1201x7
Glamis (Glamis) chapel at Glen Clova	55 mks.	St. Fergus	Arbroath Abbey: vicarage 1247
Kynetlys (Kinnettles)	18 mks.	St. Laurence	Prebend of St. Salvador's College in 15th c.
Inverarethin (Inverarity)	15 mks.	St. Monan	Independent, patronage with bishops
Machinlur (Meathie and Lour)	15 mks.		Coupar Angus 1285x6: vicarage annexed to abbey in early 14th c.

Rostinith et Forfar (Restenneth and Forfar)	24 mks.	St. Peter	Restenneth Priory, then Jedburgh; served by canons after mid- 13th c.
Dunimad (Duninald)	2 mks.	St. Skeoch	Restenneth Priory ?chapel in 13th c. ?In bishop's gift:
Roscolbyn with chapel (Rescoby)	28 mks.	St. Triduana	(archdeacon of St. An- drews held it at Reformation)
Edevin (Idvies)	15 mks.	St. Malrubha	Prebend of St. Mary of the Rock at the Reformation
Kynel with chapel (Kinnell)	20 mks.	St. Malrubha	St. Salvator's College, 15th c.
Tanethais (Tannadice)	40 mks.	St. Adannan	St. Andrews, patronage only
Aberlevinach (Aberlemno)	20 mks.		Jedburgh c.1242: rec- torial revenues to Restenneth
Aldebar (Aldbar)	14 mks.		?Independent: to coll. ch. Methven, 14th c.
Dun	15 mks.	B.V.M.	Rectory to Elcho Nun- nery, but not conf. till 15th c.; vicar- age 1274
Login (Logie, now with Pert as Logie Pert)	10 mks.	St. Martin	Independent, bishops had patronage
Dunlopin (Dunlappie, now in Stracathro)	4 mks.		(Later prebend of Brechin Cathedral)
Adel (Edzell)	12 mks.	St. Laurence	Independent in 14th c.
Dulbdok (Dalbog) *	10/-		Chapel

5. Deanery of the Mearns

Durris	10 mks.	St. Congall of Bangor	Independent, patron- age with bp.
Nig (Nigg)	10 mks.	St. Fiachra	Arbroath Abbey: vicar- age before settle- ment in 1249
Fordun (Fordoun)	60 mks.	St. Palladius	St. Andrews, g. by Robert I, 1316; per- petual vicarage 1329
Abirbuthenoth (Arbuthnot)	30 mks.	St. Ternan	St. Mary of the Rock by 15th c.
Fethiresach with chapel (Fetteresso)	20 mks.	St. Carran	St. Mary of the Rock by 15th c.

* This chapel is not to be confused with the lands of Dolbethoc (now ?Kinbattoch in Towie, Aberdeenshire) which were granted to Monymusk by Bishop David (St. A. Lib., 369). Miss M. Michie of the Glenesk Folk Museum has confirmed the existence of a chapel site at Dalbog.

Dunotir with chapel (Dunottar)	12 mks.	St. Peter	Ineffective g. to Coupar Angus
Kynef with chapel (Kinneff)	40 mks.	St. Adamnan	Archdeacon of St. An- drews (1363) in exchange for Tarvet Lay patronage by 14th century: St. Mary of the Rock by 15th c.
Bennum (Benholm)	30 mks.	St. Marnoch	St. Andrews: perpetual vicarage, 1240
Eglisgirg (St. Cyrus) with chapel of St. Rule	60 mks.	St. Curig of Llanbadarn	St. Andrews, patronage only
Cuneveth (Conveth, now Laurencekirk)	30 mks.	St. Laurence	Hospital of St. German, E. Lothian
Abirlothinoth (Aber- lethnot, now Marykirk)	20 mks.	St. Mary	Independent, later to bishop's <u>mensa</u>
Forbercorun (Fettercairn)	25 mks.	St. Mark	Independent, ?in Bp.'s patronage
Neudos (Newdosk, now Kirkton in Fettercairn)	4 mks.	St. Drostan	Arbroath, 1282; perp. vicarage, 1282x
Garvoc (Garvock)	15 mks.	St. James	

Appendix Six

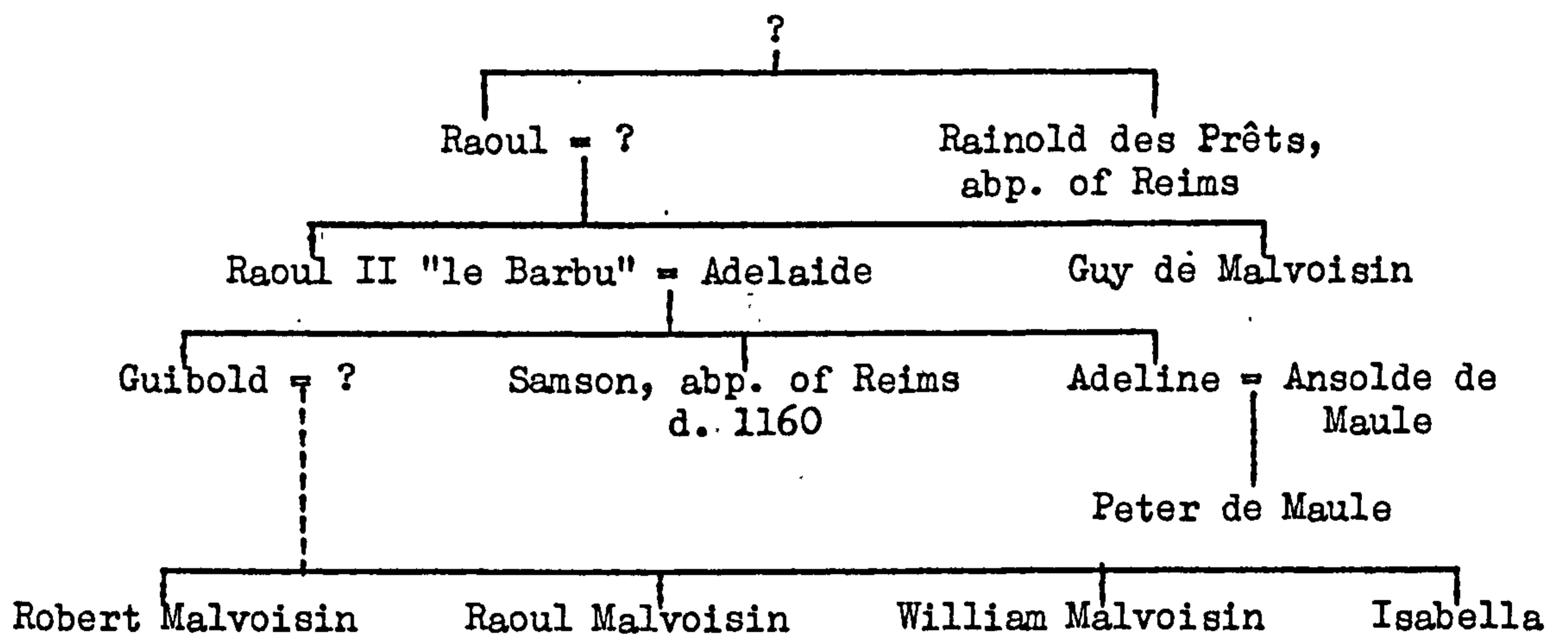
NOTE ON THE FAMILY BACKGROUND OF WILLIAM MALVOISIN

The Malvoisin family formed a part of the characteristically "Anglo-Norman" complex of relationships and loyalties which were such a marked feature of twelfth- and thirteenth-century French, English and Scottish society. The feudal superiors of the Malvoisins of Mantes were the de Montfort family. The Malvoisins were also associated for nearly a century with the family of Néauflé. In 1123 the castle of Pontademer was defended by Louis de Senlis, Simon de Néauflé and Guy Malvoisin and his nephew, Peter de Maule (Ordericus Vitalis, XII, xxxiii). At the siege of Evreux by Henry I in 1119 Amaury de Montfort, his two nephews, and Guy de Malvoisin (who seems to have started the family tradition of having bitter puns made on his surname) were in charge of the defence of the city. The de Montfort connection reached a climax at the time William obtained his Scottish sees. The bishop's (?) brother was with de Montfort and a member of the Néauflé family at the siege of Zara in the fourth crusade (Villeharduin, Chapter Six). Later Robert Malvoisin was a leading supporter of de Montfort in the Albigensian crusade (Historial Albigensis i, 133-4, 159).

Perhaps the most remarkable member of the family had been Samson, who had followed his great-uncle Rainald "des Prêts" as archbishop of Reims in 1140 (Marlot, Hist. de la Ville, Cité et Université de Reims iii, 278). Samson's election had been carried out under the influence of his friend, Bernard of Clairvaux. The archbishop was involved in the preparations for the second crusade, was present at the final

dedication of the abbey of St. Denis at Paris, and was generally a conscientious prelate who earned the epithet "blessed" from John of Salisbury (ibid., 279, 284, 301, 312). He was involved in the early development of the cathedral school at Reims (ibid., 314-16).

Conjectural Family Tree



Appendix Seven

SELECTED TEXTS

1. The chapter grants land in the burgh to Hugh (of Nydie), their butler, 1190x1194.

St. Andrews University MS 30276.

Universis sancte matris ecclesie filiis . Walter dei gracia prior de Sancto Andrea . et Conventus eiusdem loci ? Salutem . Sciant omnes tam futuri quam presentes . nos dedisse et concessisse et hac nostra carta confirmasse Hugoni pincerne et heredibus suis terram nostram quam emimus a magistro Malpatrico proximam videlicet terre illi que fuit quondam Cuthberti decani a parte orientali . Tenendam sibi et heredibus suis libere et quiete ab omni servicio et exactionem et Consuetudinem . Reddendo nobis inde annuatim tres solidis . dimidium ad pasca et dimidium ad festum Sancti Michaelis . Testibus hiis . Willelmo capellano de Dervessyn . Radulfo et Johanem clericis domini Electi . Germano . Roberto de Rokesburgia . Magistro Aiulfo . Alexandro francigena . Adam fabro burgensibus Sancti Andree . Johanem de Berefordia . Willelmo de Ardist . Et aliis quam pluribus .

Endorsed: No endorsement.

Description: 6" x 4 $\frac{3}{4}$ " with a folded foot c. $\frac{3}{4}$ " deep: the seal tag is affixed by passing it through two slits cut through the folded foot and a fifth slit cut through the fold in the bottom of the foot. The capitular seal, in green wax, is almost entire, but without a secretum. The hand is an upright one, with strongly emphasised ascenders.

2. Agreement between the prior and chapter of St. Andrews and Gillemor, scoloc of Tarland. 1222.

NLS 15.1.18 no. 27.

CYROGRAFUM:

Anno ab incarnationem domini . M^o . CC^o . XXII^o . facta est hec conventio inter dominum . G . priorem sancti andree et conventum eiusdem loci ex parte una . et Gillemor scoloc de Tarvalent hominem eorum ligium et nativum ex altera . Videlicet quod ibidem . G . tanquam eorum nativus et ligius homo de eorum licentia erit cum domino . J . filio bone memorie . M . quondam comitis de Mar quamdiu ipsi priori et conventui

placuerit . ita quod idem . G . et eius liberi cum tota eorum substantia sine alicuius contradictione vel aliquo impedimento cum dictis priori et conventui placuerit ad ipsos tamquam nativi homines sui revertentur . quibus locum congruum ad habitandum bona fide assignavit . et si idem . G . vel eius liberi per annum vel amplius cum dicto domino . J . moram fecerint ? annuitim solvent idem . G . vel eius liberi in recognitionem homagii sui memoratis priori et conventui . unam libram cere in assumptionem beate marie . et quia idem . G . sigillum proprium non habuit ? conventionem istam sigillo dicti domini . J . filio . M . comitis de Mar fecit signari . ad maiorem etiam securitatem prefatus . G . tactis sacrosanctis iuravit se conventionem istam bona fide et sine contradictione aliqua fideliter servaturum . Hiis testibus . Domino . D . filio . M . quondam comes de Mar . Domino . J . fratre eius . Domino . P . de Malevill vicecomes Aberdonensis . Domino . R . de stradhehin . Beldin iudice de ferne . Willelmo capellano de Tarvalent . Adam de Cussenin . Maldovenin MacKelledared . Killeserf de Rotheven .

Endorsed: Conventio inter priorem et conventum Sancti Andree et Gilmor scoloc. 1222.

Note: Printed in A.B. Ill. ii, 18-19.

Description: Chirograph $5\frac{3}{4}$ " x $5\frac{3}{4}$ " at widest point. The folded foot is now open. The seal tag (missing) was affixed by a single slit cut through both sides of the folded foot. The hand is an upright, clear, undecorated charter hand. Slightly ruled.

3. The prior and chapter of St. Andrews confirm Bishop Bernham's collation of the vicarage of Dalmeny to Dryburgh Abbey.
2 July 1247.

SRO RH 6/37.

Omnibus christi fidelibus presens scriptum visuris vel audituris . Johannes dei gracia prior ecclesie sancti andree in scocia et eiusdem loci conventus eternam in domino Salutem . Noverit universitas vestra nos unanimiter et concorditer ratam et gratam habere collacionem concessionem et confirmationem quam venerabilis pater noster David dei gracia Episcopus sancti andree fecit abbati et conventui de Jeddewrth super ecclesia de dunmanin cum omnibus pertinenciis in usus proprios inperpetuum tenenda et possidenda . sicut in carta dicti episcopi eisdem inde concessa ? plenius continetur . In cuius rei testimonium huic scripto sigillum capituli nostri apposuimus . Datum apud sanctam andream . anno domini Millesimo . ducentesimo . Quadragesimo . septimo . Sexto Non Julii .

Endorsed: Dunmanine.

Note: In Lost Great Register. St. A. Lib., xxviii, nos. 48,52.

Description: 7" x $3\frac{5}{8}$ " with folded foot c. $\frac{3}{4}$ " deep. The seal tag is passed through a single slit in the foot of

the document. Part of the capitular seal and secretum in red wax remains. The hand is a larger and more decorated version of the hand of CH 2/86/19 no. 1.

4. Bishop Bernham confirms the agreement between Dryburgh Abbey and their vicar at Dalmeny. 29 April 1248.

SRO CH 2/68/19, no. 1.

Omnibus hoc scriptum visuris vel audituris . David dei gracia Episcopus Sancti Andree eternam in domino Salutem . Noverit universitas vestra nos concessisse et hoc presenti scripto confirmasse . conventionem factam inter Gilbertum Clericum nostrum ex una parte . et abbatem et conventum de Jeddewrthe ex altera super ecclesiam de Dunmanin . prout in cirographo inter eos confecto plenius continetur . In cuius rei testimonium presenti scripto sigillum nostrum fecimus apponi . Datum apud Striuelin die Mercurii proxima ante festum apostolorum Philippi et Jacobi . anno gratie millesimo . ducentesimo . quadragesimo . octavo .

Endorsed: De fructibus de Dunmanin motum.

Description: 7" x 2½" with folded foot, c.½" deep. Seal tag (now empty) affixed by passing through single slit cut through the folded foot. The hand (the same as that found in RH 6/37) is an upright, clear thirteenth-century charter hand.

5. William, the bishop of St. Andrews, confirms the presentation by Dryburgh Abbey of Patrick Dunn to the vicarage of Dalmeny. 11 April 1271.

SRO CH 2/68/19 no. 2.

Universis sanct^e matris ecclesie filiis et fidelibus presentes litteras inspecturis et audituris . G . miseracione divina sancti Andree Episcopus Salutem in domino sempiternam . Noveritis nos ad presentacionem virorum religiosorum abbatis et conventus de Jeddwyth . Dominum patricum de Dunn clericum ad vicariam ecclesie de Dunmanyn admisisse . et eundem patricum auctoritate episcopali instituisse in eadem . In cuius rei testimonium presentibus litteris sigillum nostrum fecimus apponi . Datum apud Inchemurthoc . tertio . idus Aprilis . anno gracie millesimo . Ducentesimo . septuagesimo . primo .

Endorsed: Dunmanyn.

Description: 6⅝" x 3¼" with two tags cut from the right-hand foot of the document. The upper one is c.¾" wide and is now empty. The bottom strip is c.⅛" wide,

and was intended for tying the folded charter. The hand is an upright, rather spidery, undecorated and businesslike hand which is unique among surviving episcopal acta. Unruled.

6. Feucharter to Robert Lauder, 1316.

Printed in T. M'Crie, The Bass Rock, its Civil and Ecclesiastical History (1848), 41-2. Original lost.

Omnibus hanc cartam visuris vel audituris Willielmus miseracione divina sancti Andrei [sic] Episcopus salutem in Domino: Sciatis nos utilitate ecclesie nostre pensata dedisse concessisse et hac presenti carta nostra confirmasse Roberto de Lauwedre pro homagio et servicio suo totam partem nostram Insule in mari que vocatur le Bass iuxta Aldham in Laudonia; Tenendam et habendam dicto Roberto et heredibus suis de nobis et successoribus nostris in perpetuum cum omnibus libertatibus commoditatibus et aysiametis suis ac pertinenciis libere et quiete in omnibus et per omnia sine aliquo retinemento; Reddendo ipse Robertus et heredes sui nobis et successoribus nostris apud Tynyngnam ad festum Pentecostes singulis annis unam libram cere nomine albe firme tantum pro omnibus terrenis serviciis et demandis que de dicta Insula cum pertinenciis a nobis vel successoribus nostris exigi poterunt vel demandari. Nos vero Willielmus et successores nostri predicto Roberto et heredibus suis predictam partem nostram Insule del Bass cum pertinenciis suis contra omnes homines et feminas warantizabimus acquietabimus et defendemus in perpetuum. In cuius rei testimonium presenti carte sigillum nostrum fecimus apponi. Datum apud Wegdall quarto die Junii Anno Domini MCCC. sexto decimo illis testibus Dominis Willielmo et Willielmo dei gracia de Melros et de Dryburgh Abbatibus Dominis Jacobo de Douglas, Alexandro Senesscallo, Henrico de Sancto Claro, Roberto de Keith, militibus et aliis.

7. Parochial inquest held by William of Eaglesham, archdeacon of Lothian, at Dalmeny. 12 October, 1323.

SRO CH 2/86/19 no. 3.

Inquisitio facta apud Dunmanine die Mercurii proxima post festum sancti Dionisii martiris . anno gracie milesimo trecentesimo vicesimo tercio / coram magistro Willelmo de Eglesham / Archidiacono Laudonie ad mandatum venerabilis patris domini Willelmi de Lambirton sancti Andree episcopi / super dissensione cuiusdam capitalis mansionis sive cuiusdam tofti iacentis iuxta ecclesiam in eadem villa habita / inter dominum Robertum albin monachum . de Jedd / rectorem ecclesie de Dunmannie dicto die personaliter comperentem ex parte una et dominum Robertum Gardener perpetuum

vicarium eiusdem ibidem similiter presentem ex altera . ex mutuo consensu eorundem per parochianos dicte ecclesie subscriptos / ad hoc vocatos et iuratos / videlicet Willelmum de Ramesay / Radulphum de Carnam / Adam . Yrkke . Robertem palfrannan / Willelmum famulum Serlonis / Gilbertum fratre / Henricum Gurlay . Guinam del marchalle et Adam broune . Qui iurati dicunt per sacramentum suum / quod illud toftum sive illa placia que fuit contentiosa inter predictos rectorem et vicarium / sic habet dividi . et sic fuit divisa inter eos illo die per iuratos predictos / in presenciam dicti domini Archidiaconi / scilicet . quod a Gabello orientali antique aule que fuit quondam vicarii / descendo linealiter versus boream usque ad gardinum antiquum et sic per medium gardini subtus contigui et per medium crofti inferius iacentis subtus gardinum hoc tantum erit rectoris et antiquitus fuit rectoris usque in murum cimiterii . versus orientem et reliqua pars dicti tofti prout se extendit versus occidentem linealiter ab orientali gabello aule supradicto remanebit vicario dicunt dicti iurati quod unum toftum iacens versus extremitatem (lim)itatem dicte ville iuxta terram Templariorum est totaliter ipsius rectoris in quo tofto clerici ecclesie predicte inhabitare solebant ante (... t e a r ...) cacionem rectoris . de quo tofto licet dicto rectori facere velle suum . In cuius rei testimonium / et perpetuam memoriam super (... t e a r ...) memoratus dominus Archidiaconus huic inquisitioni sigillum suum una cum sigillis quorundam dictorum iuratorum sigilla (... t e a r ...) centus apposuit die / loco / et anno supradictis .

Endorsed: Apud Dunmanynne . Inquisitio facta super possessione et terre pertinentibus ad rectoriam ecclesie eiusdem.

Description: Parchment: c. 8 $\frac{1}{2}$ " x 7" with ten tags cut from the left-hand foot of the document. They are now all empty. The parchment is ruled. There is an irregular gap in the middle of the lower right-hand corner of the body of the document. The hand is an upright, undecorated early fourteenth-century charter hand.

8. Bishop Lamberton's final sentence in the controversy between Jedburgh Abbey and Robert Gardner, vicar of Dalmeny. 7 November 1323.

SRO CH 2/86/19 no. 4.

Cum controversia mota fuisset inter religiosos viros Abbatem et conventum monasterii de Jedd ex parte una et dominum Robertum Gardiner perpetuum vicarium de Dunmannie ex altera super quibusdam iniuriis dampnis et excessibus dictis abbati et conventui per eundem illatis . Demum die Lune proxima post festum sancti Leonardi confessoris Anno gracie millesimo trecentesimo vicesimo tercio apud Torry dicto abbate pro se et conventu suo dictoque domino Roberto coram nobis Willelmo dei gracia sancti Andree episcopo personaliter comparentibus

/ exponitis eidem Roberto / dampnis iniuriis et excessibus
supradictis / idem Robertus . ordinacioni nostre alte et basse
super emendacione premissorum sacramento prestito corporaliter
se subiecit / Nos vero consideratis dictis iniuriis / dampnis
laboribus et expensis dictorum religiosorum . ac ingratitude
dicti domini Roberti / ne talia delicta in perniciosum exemplum
aliorum remaneant inpunita . In hunc modum duximus ordinandum /
Videlicet quod si contingerit dictum dominum Robertum de cetero
contra dictos religiosos excedere vel eisdem notorie iniurari .
eo ipso sive strepitu iudiciali de vicaria sua privetur ante-
dicta auctoritate nostra ordinaria . Et quod coram parochianis
suis aliquo die dominico recognoscet se graviter et ingrate
contra dictos religiosos dominos suos excessisse . de quibus
excessibus misericordiam coram nobis ab ipso abbate humiliter
implorabat / necnon et alio die si per dictum abbatem presigendo
in monasterio suo coram ipso et conventu suo flexis genibus
veniam premissorum postulabit Insuper ordinavimus quod idem
Robertus ordinacioni et voluntati dictorum religiosorum quadra-
ginta libras sterlingorum ad emendationem suorum excessuum
predictorum exponat . de quibus predictis dominis Abbas ad
preces nostras nomini suo et conventus sui quadraginta marcas
relaxavit / volumus et quod ipse viginti marcas residuas
dictis religiosis taliter solvat . scilicet quolibet anno
proportionaliter infra ? monasterium suum ad festum pentecos-
tem et sancti martini in hyeme / viginti solidi quousque eisdem
de predicta summa pecunie totaliter fuerit satisfactum termino
primo solucionis eiusdem incipiente ad festum pentecostem anno
gracie millesimo trecentesimo vicesimo quarto et sic deinceps /
quibus omnibus supradictis dictus vicarius suum coram nobis
prebunt assensum . In quorum omnium testimonium / sigillum
nostrum presentibus est appensum

Endorsed: Ordinacio domini Episcopi Sancti Andree super
iniuriis et dampnis factis Abbati et conventui
de Jedd per Robertum Gardiner vicarium de
Dunmanyn.

Description: c.6½" x 6" (on left side). Two seal tags cut
from the left-hand foot of the document have now
been torn away. The hand is a plain, upright
charter hand of the early fourteenth century,
similar to that of CH 2/86/19 no. 3. Unruled.



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ADDITIONS AND CORRECTIONS

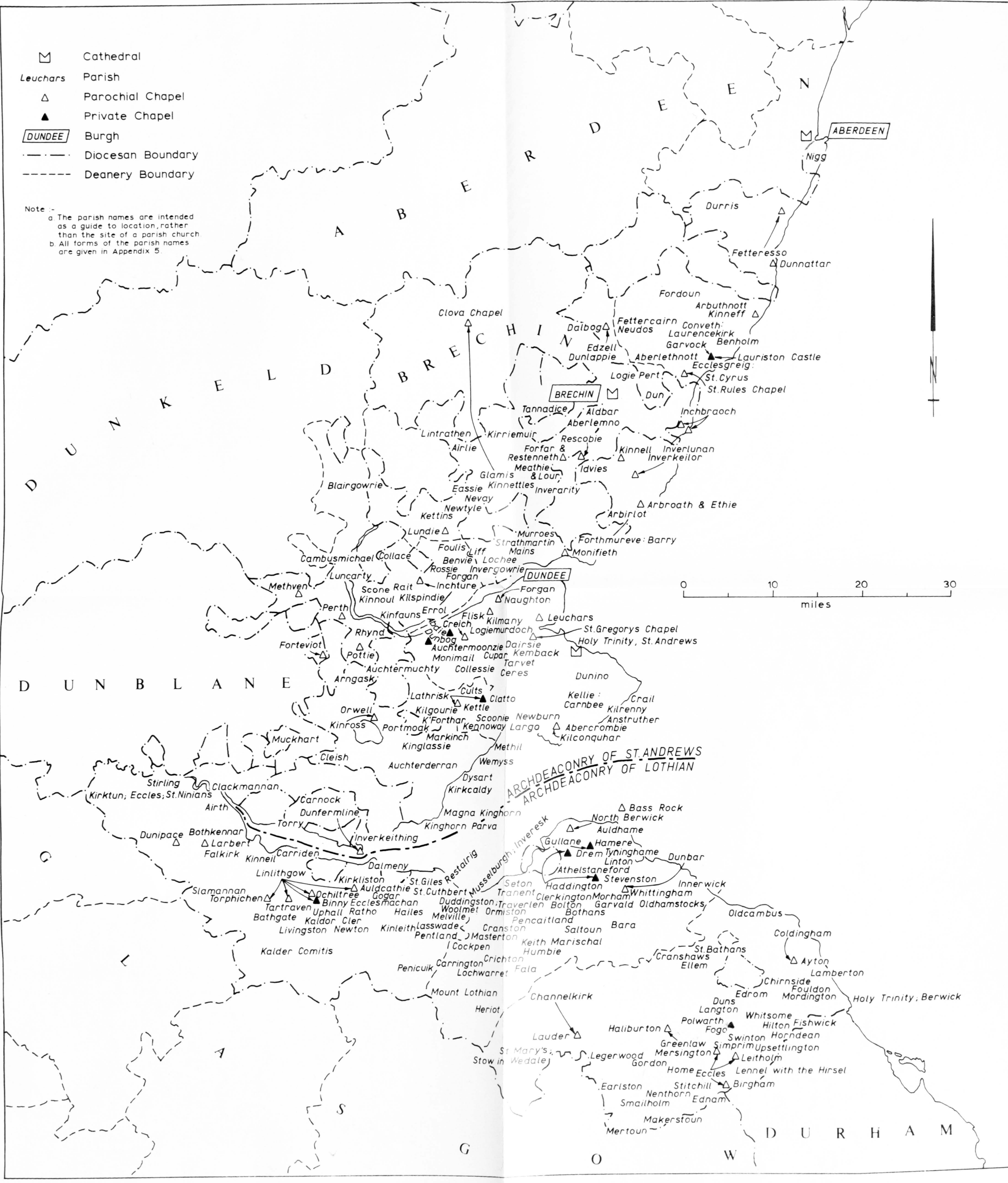
- p.viii. line 14 add: when the two deaneries . . .
- p.42. add to note 9: Ceres had become a prebendal church for the provosts of St Mary of the Rock by at least 1275 (see Appendix V, B, 2), and was certainly held by M. William Comyn. Palgrave, Docs. Hist. Scot., 1, no. 147.
- p.53. 2nd paragraph: substitute Pottie for Smailholm.
- p.87. 4th line from the bottom: moderation.
- p.99. note 1 add: assessment, or that collection was delegated to the bishop or his representative, for . . .
- p.112. note 3 amend: C. Fraser, A History of Antony Bek (1957), 163, 194.
- p.112. line 3 from bottom: priorate of Coldingham.
- p.116. note 7 add: I have been unable to trace the provenance of this document, but circumstantial evidence indicates its genuineness.
- p.126. note 4 add: See also below, 203ff and Map II.
- p.126. note 5 add: Lamberton may have been responsible for laying the basis of Robert Lauder's career. He rose from obscurity through service to Robert I. Lauder was endowed with forfeited estates, and became justiciar of Lothian in 1321, envoy and peace negotiator in 1323 and was the only person to take the oath on behalf of King Robert to maintain the Treaty of Edinburgh in 1328. Barrow, Bruce, 401.
- p.146. note 1 add: "socius," here perhaps in the sense of a fellow negotiator.
- p.152. note 1 line 11 add: to his brother Alan son of Simon . . .
- p.196. last line: footnote number should read 5.
- p.254. line 10 amend: existence
- p.257. line 2 add: Merleswain son of Colban, lord of Kennoway made a further donation of land in Kennowayshire, which was later subject to confirmation by its superiors . . .
- p.257. line 7 add: Merleswain son of Waldeve,
- p.257. note 2 add: Merleswain son of Colban, lord of Kennoway, was apparently the son by a previous marriage of the Colban who became Earl of Buchan by marriage to Eva heiress to the earldom of Buchan c. 1173. He is clearly not the Merleswain who was granted the lands of Ardross for knight service by King William c. 1172-3. RRS ii, no. 137. This Merleswain appears elsewhere as Merleswain son of Waldeve, lord of Invergelly, patron of the living of Fitkill. He had interests in the lands of Kennoway which were being reserved by the Comyn earl of Buchan and his wife, presumably after the failure of the line of Merleswain son of Colban, lord of Kennoway.
- p.296. line 3 amend: enquiries.
- p.305. last line add: church of Heriot
- p.313. line 7. Omit Certainly

Appendices:

- p.321. add: 1242 11 January
- p.322. note for 16 June: This entry in the list of dedications is almost certainly an error for XVI Kal August (16 July).
- p.325. 1245, 3 April: Scotstarvit to read Tarvet.
- p.335. 1322 1 December: add: Forfar, SRO RH 6/86^c.
- p.338. nos. 1 - 3 redated 1202 - 21 May 1203.
- p.339. no. 12 add: Self-dated (hereafter S.D.).
- p.339. no. 13, amend: (see no. 14).
- p.340. no. 16 should be amended to *16.
- p.340. no. 17, amend: Archdeacon John
- p.340. no. *19 add: Barrow, "Kinninmonths," no. 12 (128) where the charter is dated 1209-1228.
- p.341. no. *27 amend date: 1214-1234/6
- p.342. no. 39 amend: Between consecration of Andrew of Moray
- p.343. no. *44 add to Note: Appendix III, C, no. *1.
- p.347. following no. 13:
 13a. 1240-2 (excepting the first half of 1241).
 Confirmation of the church of Forgan (Longforan) in Gôwrie to St Andrews priory.
 Printed: St. A. Lib., 161-2.
 Date: As in no. 13.
- p.347. no. 14 amend: Printed: Ibid., 170-1,
- p.347. no. 15 amend: Date: As in nos. 13, 13a, and 14.
- p.348. add no. 16a (entry listed as no. 34). Redate: 1240-45.
 Amend: Date: By accession of David as bishop and issuance of papal confirmation. Ibid., 373.
- p.351. no. 49 amend: Date: By no. 48.
- p.353. no. 9 amend: ? 1264.
- p.363. no. 37 add: Note: For a discussion of this case see above, p. 167.
- p.377. no. *1 (Part C) omit asterisk.
- p.379. no. 2 add: Elbotyll (?Fidra).
- p.393. line 1 amend: was generally a

Bibliography

- p.407. for COLLIS, D.A. read CALLUS (to ^{precede} ~~follow~~ CHENEY).



- Ⓜ Cathedral
- Leuchars Parish
- △ Parochial Chapel
- ▲ Private Chapel
- DUNDEE** Burgh
- - - Diocesan Boundary
- - - Deanery Boundary

Note :-
 a The parish names are intended as a guide to location, rather than the site of a parish church
 b All forms of the parish names are given in Appendix 5.

